SCSL-03-01-PT
(5598-7727)

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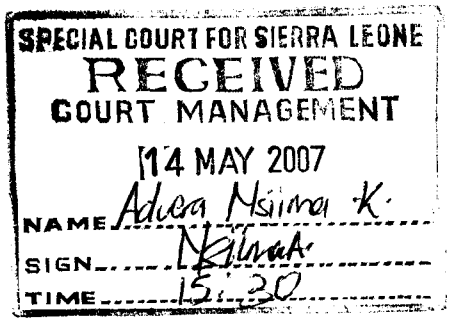
SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR
Freetown – Sierra Leone



Before:	Justice Julia Sebutinde, Presiding Justice Richard Lussick Justice Teresa Doherty
Acting Registrar:	Mr. Herman von Hebel
Date filed:	14 May 2007

THE PROSECUTOR **Against** **Charles Ghankay Taylor**

Case No. SCSL-03-01-PT

PUBLIC

PROSECUTION'S MOTION FOR JUDICIAL NOTICE

Office of the Prosecutor:
Ms. Brenda Hollis
Ms. Ann Sutherland
Ms. Anne Althaus

Defence Counsel for Charles Taylor:
Mr. Karim A.A. Khan
Mr. Roger Sahota
Mr. Avi Singh
Ms. Caroline Buisman
Mr. James Supuwood

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I. INTRODUCTION

1. Pursuant to Rules 73, 89 and 94(A) of the Special Court's Rules of Procedure and Evidence ("Rules"), the Prosecution files this motion and requests Trial Chamber to take judicial notice of the facts set out in Annex A attached to this Motion.

II. APPLICABLE LAW

2. The law which the Trial Chamber must apply - the general rules of evidence contained in Rule 89 and the specific rule relating to judicial notice, Rule 94, has been clearly stated in the Appeals Chamber decision in the *Norman et al.* case and this Trial Chamber's decision in the *Brima et al.* case.[1] Rule 94(A) provides that "[a] Chamber *shall* not require proof of facts of common knowledge but shall take judicial notice thereof."[2]

3. Facts of common knowledge under Rule 94(A) of the Rules have been considered to encompass common or universally known facts, such as general facts of history, generally known geographical facts and the laws of nature, as well as those facts that are generally known within a Court's territorial jurisdiction.[3] In addition, a fact that is capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be called into question would not be subject to reasonable dispute.[4]

4. The criteria for facts of common knowledge, as approved by the Appeals Chamber,[5] are as follows:

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[1] *Prosecutor v. Norman et al.*, SCSL-04-14-AR73-398, "Fofana - Decision on Appeal Against "Decision On Prosecution's Motion For Judicial Notice And Admission Of Evidence", Appeals Chamber, 16 May 2005 ("*Fofana* Appeals Decision"), paras. 16-27; *Prosecutor v. Brima et al.*, SCSL-04-16-PT, "Decision on the Prosecution Motion for Judicial Notice and Admission of Evidence", Trial Chamber, 25 October 2005 (*Brima* Decision), paras 14-20.

[2] Emphasis added.

[3] *Fofana* Appeal Decision, para. 21, citing *Prosecutor v. Semanza*, ICTR-97-20-T, "Decision on the Prosecutor's Motion for Judicial Notice and Presumptions of Facts pursuant to Rules 94 and 54", Trial Chamber, 3 November 2000 ("*Semanza* Decision"), para. 23; *Brima* Trial Decision, para. 18; *Prosecutor v. Nikolić*, IT-02-60/1-A, Decision on Appellant's Motion for Judicial Notice, 5 April 2005, para. 17 ("*Nikolić* Appeals Decision"), para. 10; *Prosecutor v. Karemera et al.*, ICTR-98-44-AR73(C), Decision on Prosecutor's Interlocutory Appeal of Decision on Judicial Notice, App. Ch., 16 June 2006 ("*Karamera* Appeals Decision"), paras. 22 and 30.

[4] *Fofana* Appeal Decision, para. 36; *Semanza* Decision, para. 24; *Karamera* Appeal Decision, para. 29.

[5] *Fofana* Appeal Decision, para. 28; *Brima et al.* Decision, para. 19.

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(a) The facts are relevant to the case of the accused person;[6]

(b) The facts are not subject to reasonable dispute;

(c) The facts do not include legal findings or conclusions;[7] and

(d) The facts do not attest to the criminal responsibility of the accused.

5. Since the *Semanza* Decision, upon which the Appeals Chamber relied, the jurisprudence of the ICTR and ICTY has clarified the scope of the application of Rule 94(A) of the Rules.[8] The Prosecution acknowledges that the Appeal Chamber of the Special Court of Sierra Leone is not bound to follow, but shall be "guided by", the decisions of the ICTR/ICTY.[9] It follows that "it would be prudent" for the Trial Chambers, which will be bound by the decisions of the Appeals Chamber, to also be "guided" by this jurisprudence.[10]

6. The ICTR Appeals Chamber in the *Karemera* case determined that, unlike judicial notice of adjudicated facts, judicial notice of facts of common knowledge is mandatory once the Trial Chamber has determined that a fact is of common knowledge.[11] The *Karemera* Appeal Decision also held that whether a fact proposed for judicial notice is a legal qualification is immaterial when it also describes a 'factual situation'.[12] Similarly, there exists no exception to the application of Rule 94(A) of the Rules when a fact proposed for judicial notice constitutes an element of an offence charged in the indictment.[13] Indeed, in the *Karemera* case, the ICTR Appeals Chamber determined the genocide of the Tutsis in Rwanda in 1994 was a fact which should have been recognised by the Trial Chamber as a fact of common

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[6] *Karamera* Appeal Decision, para. 36; *Prosecutor v. Semanza*, ICTR-97-20-A, Judgement, 20 May 2005, para. 189 referring to *Nikolić* Appeal Decision.
[7] *Fofana* Appeal Decision, paras.30-32; *Brima* Decision, para. 20.
[8] *Prosecutor v. Popović*, Case No. IT-05-88-T, Decision on Prosecution Motion for Judicial Notice of Facts of Common Knowledge Pursuant to Rule 94(A), 26 September 2006, ("*Popović* Decision"), para. 10
[9] Article 20(3) of the Statute of the Special Court; *See also Prosecutor v Norman et al.*, SCSL-04-14-AR73-397, Decision on Amendment of the Consolidated Indictment, Appeals Chamber, 16 May 2005, para. 46; *Prosecutor v. Sesay*, SCSL-03-05-PT-038, Decision on the Prosecutor's Motion for Immediate Protective Measures for Victims and Witnesses and for Non-Public Disclosure, 23 May 2003, para. 11.
[10] *Prosecutor v Norman* et al, SCSL-2004-14-T, Appeals Chamber Decision on Interlocutory Appeal Against Trial Chamber Decision Refusing to Subpoena the President of Sierra Leone, 11 September 2006, para. 12.
[11] *Karemera* Appeal Decision, paras. 22 and 29.
[12] *Karemera* Appeal Decision, para. 29.
[13] *Popović* Decision, para. 14 citing *Karemera* Appeal Decision, para. 30.

knowledge, notwithstanding the fact that the accused were charged with the crime of genocide.[14]

7. Although judicially noticed facts of common knowledge are *general* notorious facts,[15] the *Karemera* Appeal Decision further clarified that the facts proposed for judicial notice must be "sufficiently well defined such that the accuracy of their application to the described situation is not reasonably in doubt."[16]

8. Facts of common knowledge under Rule 94(A) cannot be challenged during trial.[17] Judicially noticed facts serve as conclusive proof of those facts and the taking of judicial notice ends the evidentiary inquiry.[18]

III. SUBMISSIONS

9. Annex A to the Motion contains two Sections: (1) facts relating to Sierra Leone and (2) facts relating to the Republic of Liberia. The Sections, where applicable, are further divided into four Parts: (a) facts of history, known geographical facts, or facts generally known within the territorial jurisdiction of this Court; (b) facts set forth in international inter-governmental organizations documents, including the UN (United Nations) and ECOWAS (Economic Community Of West African States); (c) national governmental documents; and (d) facts set forth in non-governmental organization documents and other reports by reputable organizations. None of these facts can be sensibly[19] or reasonably disputed.[20]

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[14] *Karemera* Appeal Decision, para. 31.
[15] *Prosecutor v. Milošević*, IT-02-54-AR73.5, Decision on the Prosecution's Interlocutory Appeal Against the Trial Chamber's 10 April 2003 Decision of Prosecution Motion for Judicial Notice of Adjudicated Facts, 28 October 2003, page 4; *Karemera* Appeal Decision, para. 22.
[16] *Popović* Decision, para. 15 (emphasis added) citing *Karemara* Appeal Decision, para. 29.
[17] *Fofana* Appeal Decision, para. 32; *Brima* Trial Decision, para. 20. *See Nikolić* Appeal Decision, para. 10: "... In consequence, the taking of judicial notice of facts of common knowledge under Rule 94(A) of the Rules 'normally implies that such facts *cannot* be challenged during trial'", citing to *Prosecutor v. Krajišnik*, IT-00-39-PT, Decision on Prosecution Motions for Judicial Notice of Adjudicated Facts and for Admission of Written Statements of Witnesses Pursuant to Rule 92bis, 28 February 2003, para. 16.
[18] *Fofana* Appeal Decision, para. 30; *Semanza* Decision, para. 41.
[19] Straight forward geographical facts cannot be sensibly disputed. *Brima* Decision, para. 24 citing *Fofana* Appeal Decision, Separate Opinion of Justice Robertson, para. 19.
[20] Notorious facts of history cannot be subject to reasonable dispute. *Brima* Decision, para. 23 citing *Fofana* Appeal Decision, Separate Opinion of Justice Robertson, para. 19.

10. The facts contained in Annex A are either facts of common knowledge or facts which are capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be called into question, as defined in paragraphs 2-7 above. The facts are directly relevant to the case, and do not contain legal findings or attest to the criminal responsibility of the Accused. Taking judicial notice of these facts will expedite the trial without adversely affecting the right of the Accused to a fair trial or prejudicing any party to these proceedings.

11. It is established practice of the international criminal tribunals to take judicial notice of the "existence and authenticity" of the Reports of the United Nations ("UN") Secretary General and other UN reports,[21] including facts contained in authoritative documents, such as those of the UN and its bodies.[22] Facts asserted within Security Council Resolutions, Secretary-General Reports and other reports by reputable organizations may be the subject of judicial notice.[23]

12. Annex B attached to this Motion contains copies of relevant pages (excerpts) of the documents containing the extracted facts sought to be judicially noticed, together with complete copies of the said documents.

13. Assuming, *arguendo*, some or all of the facts set forth in Annex A are not facts of common knowledge within the meaning of Rule 94(A), those facts are admissible pursuant to Rules 89(C) and 92*bis*. That is, those facts are relevant to the proceedings and their reliability is "susceptible of confirmation." "[P]roof of reliability is not a condition of admission: all that is required is that the information should be capable of corroboration in due course."[24] This Trial Chamber in the *Brima et al.* case

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[21] *Fofana* Appeal Decision, para. 48.
[22] *Semanza* Decision, paras. 26-27; *Prosecutor v. Kanyabashi*, ICTR-96-15-T, "Decision on Jurisdiction", 18 June 1997, para. 21; *Prosecutor v. Akayesu*, ICTR-94-4-T, Judgement, Trial Chamber, 2 September 1998, para. 165.
[23] *Fofana* Appeal Decision, para. 49.
[24] *Fofana* Appeals Decision, para. 26. A panel of three Appeals Judges in the *Norman et al.* case (dealing with a bail application appeal) held that "under Rule 89(C), "[e]vidence is admissible once it is shown to be relevant: the question of reliability is determined thereafter, and is not a condition for its admission." *Prosecutor v. Norman et al.*, SCSL-04-14-AR65, Fofana – Appeal Against Decision Refusing Bail, App. Ch., 11 March 2005 ("*Fofana* Bail Appeals Decision"), para. 24, citing *Prosecutor v. Delalić et al.*, Case No. IT-96-21-T, Decision on the Motion of the Prosecutor for the Admissibility of Evidence, 19 January 1998, para. 19: "...it is neither

reiterated that "evidence may be excluded because it is unreliable, but it is not necessary to demonstrate the reliability of the evidence before it is admitted."[25] The Trial Chamber further considered that "reliability of the evidence is something to be considered by the Trial Chamber at the end of the trial when weighing and evaluating the evidence as a whole, in light of the context and nature of the evidence itself, including the credibility and reliability of the relevant evidence."[26]

IV. CONCLUSION

14. For the reasons stated above, the Prosecution respectfully requests that judicial notice be taken of the facts contained in Annex A attached to this Motion. In the alternative, if the Trial Chamber declines to take judicial notice of some or all of the facts listed in Annex A, the Prosecution requests that the Trial Chamber admit into evidence, pursuant to Rules 89(C) and 92*bis*, the corresponding documentary extracts set out in Annex B.

Filed in Freetown,
14 May 2007
For the Prosecution,

Per:
Brenda J. Hollis
Senior Trial Attorney

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necessary or desirable to add to the provisions of sub-Rule 89(C) a condition of admissibility which is not expressly prescribed by that provision."

[25] *Prosecutor v. Brima et al.*, SCSL-04-16-T, Decision on Prosecution Tender for Admission into Evidence of Information Contained in Notice Pursuant to Rule 92*bis*, 18 November 2005 ("*Brima* Rule 92*bis* Decision"), page 2 (last para), citing *Prosecutor v. Brima et al.*, SCSL-04-16-T, Decision on Joint Defence Application for Leave to Appeal from Decision on Defence Motion to Exclude All Evidence from Witness TF1-277, 2 August 2005, para. 6.

[26] *Brima* Rule 92*bis* Decision, page. 3 (second full paragraph). *See also Prosecutor v. Norman et al.*, SCSL-04-14-T-447, Decision on Prosecution's Request to Admit into Evidence Certain Documents Pursuant to Rules 92*bis* and 89(C), 14 July 2005 ("*Norman* Decision"), page 3.

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SCSL cases

***Prosecutor v. Brima et al* - SCSL-04-16**

1. *Prosecutor v. Brima et al.*, SCSL-04-16-T, Decision on Joint Defence Application for Leave to Appeal from Decision on Defence Motion to Exclude All Evidence from Witness TF1-277, 2 August 2005.

2. *Prosecutor v. Brima et al.*, SCSL-04-16-PT-423, "Decision on the Prosecution Motion for Judicial Notice and Admission of Evidence", Trial Chamber, 25 October 2005.

   ("*Brima* Decision")

3. *Prosecutor v. Brima et al.*, SCSL-04-16-T, Decision on Prosecution Tender for Admission into Evidence of Information Contained in Notice Pursuant to Rule 92*bis*, 18 November 2005

   ("*Brima* Rule 92*bis* Decision")

***Prosecutor v. Norman et al.* - SCSL-04-14**

4. *Prosecutor v. Norman et al.*, SCSL-04-14-PT-117, "Decision on Prosecution's Motion for Judicial Notice and Admission of Evidence", Trial Chamber I, 2 June 2004.

5. *Prosecutor v. Norman et al.*, SCSL-04-14-AR65, Fofana – Appeal Against Decision Refusing Bail, App. Ch., 11 March 2005.

6. *Prosecutor v. Norman et al.*, SCSL-04-14-AR73-397, "Decision on Amendment of the Consolidated Indictment", Appeals Chamber, 16 May 2005.

7. *Prosecutor v. Norman et al.*, SCSL-04-14-AR73-398, "Fofana - Decision on Appeal Against "Decision On Prosecution's Motion For Judicial Notice And Admission Of Evidence", Appeals Chamber, 16 May 2005

   ("*Fofana* Appeals Decision").

8. *Prosecutor v. Norman et al.*, SCSL-04-14-AR73-398, "Fofana - Decision on Appeal Against "Decision On Prosecution's Motion For Judicial Notice And Admission Of Evidence", Appeals Chamber, 16 May 2005, Separate Opinion of Justice Robertson.

9. *Prosecutor v. Norman et al.*, SCSL-04-14-T-447, Decision on Prosecution's Request to Admit into Evidence Certain Documents Pursuant to Rules 92*bis* and 89(C), 14 July 2005.

10. *Prosecutor v. Norman et al.*, SCSL-04-14-T-689, "Appeals Chamber Decision on Interlocutory Appeal Against Trial Chamber Decision on Refusing to Subpoena the President of Sierra Leone", 11 September 2006.

***Prosecutor v. Sesay et al.* - SCSL-04-15**

11. *Prosecutor v. Sesay*, SCSL-03-05-PT-038, Decision on the Prosecutor's Motion for Immediate Protective Measures for Victims and Witnesses and for Non-Public Disclosure, Trial Chamber, 23 May 2003.

ICTR cases

12. *Prosecutor v. Akayesu*, ICTR-94-4-T, "Judgement", Trial Chamber, 2 September 1998.

    http://69.94.11.53/ENGLISH/cases/Akayesu/judgement/akay001.htm

13. *Prosecutor v. Kanyabashi*, ICTR-96-15-T, "Decision on Jurisdiction", 18 June 1997.

    http://69.94.11.53/ENGLISH/cases/Kanyabashi/decisions/180697.pdf

14. *Prosecutor v. Karemera et al.*, ICTR-98-44-AR73(C), Decision on Prosecutor's Interlocutory Appeal of Decision on Judicial Notice, Appeals Chamber, 16 June 2006.

    ("*Karamera* Appeals Decision")

    http://69.94.11.53/ENGLISH/cases/Karemera/decisions/160606.htm

15. *Prosecutor v. Semanza*, ICTR-97-20-T, "Decision on the Prosecutor's Motion for Judicial Notice and Presumptions of Facts pursuant to Rules 94 and 54", Trial Chamber, 3 November 2000.

    "("*Semanza* Decision")

    http://69.94.11.53/ENGLISH/cases/Semanza/decisions/031100.htm

ICTY cases

16. *Prosecutor v. Delalić et al.*, Case No. IT-96-21-T, Decision on the Motion of the Prosecutor for the Admissibility of Evidence, Tr. Ch., 19 January 1998.

http://www.un.org/icty/celebici/trialc2/decision-e/80119EV21.htm

17. *Prosecutor* v. *Nikolić,* IT-02-60/1-A, "Decision on Appellant's Motion for Judicial Notice", Appeals Chamber, 5 April 2005.

("*Nikolić* Appeals Decision")

18. *Prosecutor v. Popović*, Case No. IT-05-88-T, Decision on Prosecution Motion for Judicial Notice of Facts of Common Knowledge Pursuant to Rule 94(A), Trial Chamber, 26 September 2006.

("*Popović* Decision")

http://www.un.org/icty/popovic88/trialc/decision-e/060926-2.pdf

19. *Prosecutor v. Milošević*, IT-02-54-AR73.5, Decision on the Prosecution's Interlocutory Appeal Against the Trial Chamber's 10 April 2003 Decision of Prosecution Motion for Judicial Notice of Adjudicated Facts, Appeals Chamber, 28 October 2003.

http://www.un.org/icty/milosevic/appeal/decision-e/031028.htm

20. *Prosecutor v. Krajišnik*, IT-00-39-PT, Decision on Prosecution Motions for Judicial Notice of Adjudicated Facts and for Admission of Written Statements of Witnesses Pursuant to Rule 92bis, Trial Chamber, 28 February 2003.

Prosecutor v. Nikolic, IT-02-60/1-A, "Decision on Appellant's Motion for Judicial Notice", Appeals Chamber, 5 April 2005.

IT-02-60/1-A
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UNITED
NATIONS

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Former Yugoslavia since 1991

Case No. IT-02-60/1-A

Date: 1 April 2005

Original: English

IN THE APPEALS CHAMBER

Before: Judge Theodor Meron, Presiding
Judge Fausto Pocar
Judge Mohamed Shahabuddeen
Judge Mehmet Güney
Judge Inés Mónica Weinberg de Roca

Registrar: Mr. Hans Holthuis

Decision of: 1 April 2005

Momir NIKOLIĆ

v.

PROSECUTOR

DECISION ON APPELLANT'S MOTION FOR JUDICIAL NOTICE

Counsel for the Appellant:

Mr. Rock Tansey

Counsel for the Prosecution:

Mr. Norman Farrell

1. The Appeals Chamber of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia Since 1991 ("International Tribunal") is seised of the "Appellant's Motion for Judicial Notice" filed by Momir Nikolić ("Appellant") on 11 October 2004 ("Motion").

I. Background

2. On 20 August 2004, the Appellant filed his first Motion for Judicial Notice. The Prosecution responded on 30 August 2004, and the Appellant replied on 3 September 2004. On 30 September 2004, the Appellant's first Motion for Judicial Notice was dismissed by the Appeals Chamber on the grounds that it was unclear and did not specify whether the facts or documents were sought to be judicially noticed pursuant to Rule 94(A) or Rule 94(B) of the Rules of Procedure and Evidence ("Rules"), without prejudice to the Appellant's re-filing a motion consistent with the decision.[1]

3. Subsequently, the Appellant filed on 11 October 2004 the Motion at issue here, which includes four annexes. A corrected Annex A was filed on 12 October 2004.[2] In this Motion, the Appellant requests the Appeals Chamber to take judicial notice of: (i) certain facts - listed in Annex A to the Motion - that he asserts are matters of common knowledge, pursuant to Rule 94(A) of the Rules, and (ii) adjudicated facts contained in the *Krstić* Trial Judgement[3] enumerated in Annex B, and in section three of the "VRS Corps Command Responsibility Report" attached as Annex C, pursuant to Rule 94(B) of the Rules.

4. The Prosecution filed its response on 21 October 2004,[4] whereby it requests the Appeals Chamber to dismiss the Motion on the grounds, *inter alia*, that: (i) the Appellant seeks the admission of additional evidence and must therefore satisfy the requirements of Rule 115 of the Rules; (ii) the Appellant has failed to show that the facts sought to be judicially noticed are relevant

[1] Decision on Motion for Judicial Notice, 30 September 2004.
[2] Corrected Annex A to Appellant's Motion for Judicial Notice, 12 October 2004. The Appeals Chamber notes that even though the Defence filed a corrected Annex A, the Motion is still not in accordance with Annex A. Paragraph 3.1. of the Motion cites Annex A, number thirteen, which is in fact number one in the corrected Annex A; paragraph 3.2. of the Motion cites Annex A, numbers one to three, which are in fact numbers two to four in the corrected Annex A; paragraph 3.3. of the Motion cites Annex A, numbers four to eleven, which are in fact numbers five to twelve in the corrected Annex A; paragraph 3.4. of the Motion cites Annex A, number twelve, which is in fact number thirteen in the corrected Annex A. Rather, paragraphs 3.1 to 3.4 are in accordance to the first submitted Annex A, whereas the headings in paragraphs 8 and 11 of the Motion are in accordance with the corrected Annex A. Moreover, the heading in paragraph 14 of the Motion reads "Annex A: Proposed Fact No. 14"; the Appeals Chamber notes that there is no fact number fourteen, neither in the new Annex A, nor in the former Annex A. A considerable amount of time was spent in sorting out that the Appellant actually refers to fact number thirteen enclosed in Corrected Annex A (fact number twelve in the former Annex A).
[3] *Prosecutor v. Radislav Krstić*, IT-98-33, Judgement, 2 August 2001 ("*Krstić* Trial Judgement").

to the appeal; (iii) the report by the RS Srebrenica Commission has yet to be released; and (iv) some facts were already available to the Appellant at the sentencing stage.

5. In his Reply filed on 27 October 2004,[5] the Appellant argues that he does not have to meet the requirements of Rule 115 of the Rules when applying for judicial notice and asserts that the facts are all relevant and should be judicially noticed.

6. Since the Reply was filed one day after the expiration of the time limit prescribed in the Practice Direction on Procedure for the Filing of Written Submissions in Appeal Proceedings before the International Tribunal[6] and exceeds the page-limit set out in the Practice Direction on the Length of Briefs and Motions,[7] the Appellant requests the Appeals Chamber to recognize the filing as validly done on the grounds, *inter alia*, that: (i) additional pages were necessary in order to respond to the over-sized Response; (ii) the excess length of the Response required additional time; (iii) the four days allowed for the preparation of the Reply covered the weekend of the annual conference for the Association of Defence Counsel practicing before the International Tribunal; and (iv) he was unable to obtain a copy of a relevant decision of the International Criminal Tribunal for Rwanda ("ICTR") because the ICTR database was out of order. In a response filed on 4 November 2004, the Prosecution specified that it did not oppose the Appellant's request.[8] In the circumstances of the case and pursuant to Rule 127 of the Rules, paragraph 19 of the Practice Direction on Procedure for the Filing of Written Submissions in Appeal Proceedings before the International Tribunal and paragraph C(7) of the Practice Direction on the Length of Briefs and Motions, the Appeals Chamber recognizes the filing of the Reply as validly done.

7. On 17 November 2004, the Prosecution filed a "Prosecution's Motion to Strike", which was directed, *inter alia*, against some arguments advanced by the Appellant in his Reply, in particular paragraphs 6, 7, 9 to 14, 21, and 29.[9] The Prosecution's Motion to Strike was granted in part in relation to the Reply, in that the Appeals Chamber struck out paragraphs 6, 7, 9 to 14 and 21.[10] As a result the Appeals Chamber will not take into consideration the arguments developed in the said paragraphs in assessing the merits of the Motion.

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[4] Prosecution Response to Motion for Judicial Notice of 11 October 2004, 21 October 2004 ("Response"). An extension of pages was granted to the Prosecution by the Pre-Appeal Judge on 20 October 2004. *See* Decision on Prosecution's Motion for Extension of Pages, 20 October 2004.
[5] Appellant's Reply to the Prosecution Response to Appellant's Motion for Judicial Notice and Motion for Late-Filing of Over-Sized Same, 27 October 2004 ("Reply").
[6] IT/155/Rev.2, 21 February 2005.
[7] IT/184/Rev.1, 5 March 2002.
[8] Prosecution Response to Request for Extension of Time and Pages Regarding Appellant's Reply of 27 October 2004 and Notice of Prosecution Motion to Strike, 4 November 2004, para. 3.
[9] The First Motion to Strike exceeds the page limit set out in the Practice Direction IT/184/Rev.1. On 22 November 2004, the Pre-Appeal Judge granted an extension of pages requested by the Prosecution on 17 November 2004.
[10] Decision on Prosecution's Motion to Strike, 20 January 2005. *See*, in particular, paras 30-50.

8. By a decision dated 14 February 2005, the Deputy Registrar withdrew the assignment of Ms. Virginia Lindsay and assigned Mr. Rock Tansey as lead counsel for the Appellant effective from the date of the decision.[11]

II. Applicable Law

9. Rule 94 of the Rules reads:

> (A) A Trial Chamber shall not require proof of facts of common knowledge but shall take judicial notice thereof.
>
> (B) At the request of a party or *proprio motu*, a Trial Chamber, after hearing the parties, may decide to take judicial notice of adjudicated facts or documentary evidence from other proceedings of the Tribunal relating to matters at issue in the current proceedings.

10. The Appeals Chamber has held that Rule 94(A) of the Rules commands the taking of judicial notice and that the basis on which judicial notice is taken pursuant to this sub-Rule is that the material is notorious.[12] Facts of common knowledge under Rule 94(A) of the Rules have been considered to encompass common or universally known facts, such as general facts of history, generally known geographical facts and the laws of nature, as well as those facts that are generally known within a tribunal's territorial jurisdiction.[13] Once a Trial Chamber deems a fact to be of common knowledge, it must also determine that the matter is not the subject of reasonable dispute.[14] In consequence, the taking of judicial notice of facts of common knowledge under Rule 94(A) of the Rules "normally implies that such facts *cannot* be challenged during trial."[15]

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[11] Decision of the Deputy-Registrar, 14 February 2005, filed on 16 February 2005.

[12] *Prosecutor v. Slobodan Milošević*, IT-02-54-AR73.5, Decision on the Prosecution's Interlocutory Appeal Against the Trial Chamber's 10 April 2003 Decision of Prosecution Motion for Judicial Notice of Adjudicated Facts, 28 October 2003 ("*Milošević* Appeal Decision"), pp. 3 and 4.

[13] *Prosecutor v. Laurent Semanza*, ICTR-97-20-I, Decision on the Prosecutor's Motion for Judicial Notice and Presumptions of Facts Pursuant to Rules 94 and 54, 3 November 2000 ("*Semanza* Decision of 3 November 2000"), para. 23, citing C. Bassiouni and P. Manikas, The Law of the International Tribunal for the Former Yugoslavia (United States of America 1996) and other references; the Appeals Chamber notes that in its decision the *Semanza* Trial Chamber refers only to Rule 94 because the Rules had not been amended yet to include Rule 94(B).

[14] *Prosecutor v. Blagoje Simić et al*, IT-95-9-PT, Decision on the Pre-Trial Motion by the Prosecution Requesting the Trial Chamber to take Judicial Notice of the International Character of the Conflict in Bosnia-Herzegovina, 25 March 1999, pp. 4 and 5. *See* also *Prosecutor v. Duško Sikirica et. al.*, IT-95-8-PT, Decision on Prosecution Motion for Judicial Notice of Adjudicated Facts, 27 September 2000 ("*Sikirica* Decision of 27 September 2000"), p. 5; *Semanza* Decision of 3 November 2000, para. 24.

[15] *Prosecutor v. Momčilo Krajišnik*, IT-00-39-PT, Decision on Prosecution Motions for Judicial Notice of Adjudicated Facts and for Admission of Written Statements of Witnesses Pursuant to Rule 92*bis*, 28 February 2003 ("*Krajišnik* Decision of 28 February 2003"), para. 16. *See* in this respect *Prosecutor v. Slobodan Milošević*, IT-02-54-AR73.5, Separate Opinion of Judge Shahabuddeen Appended to the Appeals Chamber's Decision Dated 28 October 2003 on the Prosecution's Interlocutory Appeal Against the Trial Chamber's 10 April 2003 Decision on Prosecution Motion for Judicial Notice of Adjudicated Facts, 31 October 2003, para. 4.

11. In contrast thereto, Rule 94(B) of the Rules gives a Chamber the discretion to take judicial notice of adjudicated facts and documentary evidence from previous proceedings.[19] Under this specific provision, the moving party has to demonstrate how the facts or documentary evidence sought to be judicially noticed are related to the matters at issue in the current proceedings.[20] In this respect, the Appeals Chamber recalls its decision in the *Niyitegeka* case, where it dismissed a motion for judicial notice of documentary evidence because the appellant had failed to show that the evidence submitted related to "the matter at issue in the current proceedings."[21] As to the legal consequences that taking judicial notice of adjudicated facts carries, the Appeals Chamber stated that "by taking judicial notice of an adjudicated fact, a Chamber establishes a well-founded presumption for the accuracy of this fact, which therefore does not have to be proven again at trial, but which, subject to that presumption, may be challenged at that trial."[22]

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[19] *Milošević* Appeal Decision, p. 3. *See* also *Prosecutor v. Elizaphan and Gerard Ntakirutimana*, ICTR-96-10-T and ICTR-96-17-T, Decision on the Prosecutor's Motion for Judicial Notice of Adjudicated Facts – Rule 94(B) of the Rules of Procedure and Evidence, 22 November 2001 ("*Ntakirutimana* Decision of 22 November 2001"), para. 28; *Prosecutor v. Momčilo Krajišnik*, IT-00-39-T, Decision on Third and Fourth Prosecution Motions for Judicial Notice of Adjudicated Facts, 24 March 2005, para.12.

[20] *See Ntakirutimana* Decision of 22 November 2001, para. 27; *Prosecutor v. Laurent Semanza*, ICTR-97-20-T, Decision on the Prosecutor's Motion for Judicial Notice and Presumptions of Facts Pursuant to Rules 94(B) and 54, 6 February 2002, para. 14; *Prosecutor v. Paško Ljubičić*, IT-00-41-PT, Decision on Prosecution's Motion for Judicial Notice of Adjudicated Facts, 23 January 2003 ("*Ljubičić* Decision of 23 January 2003"), p. 5; *Prosecutor v. Slobodan Milošević*, IT-02-54-T, Final Decision on Prosecution Motion for Judicial Notice of Adjudicated Facts, 16 December 2003, p. 9; *Prosecutor v. Željko Mejakić et al.*, IT-02-65-T, Decision on Prosecution Motion for Judicial Notice pursuant to Rule 94(B), 1 April 2004, p. 5; *Prosecutor v. Enver Hadžihasanović*, IT-01-47-T, Final Decision on Judicial Notice of Adjudicated Facts, 20 April 2004, p. 9; *Prosecutor v. Casimir Bizimungu et al.*, ICTR-99-50-I, Decision on Prosper Mugiraneza's First Motion for Judicial Notice Pursuant to Rule 94(B), 10 December 2004 ("*Bizimungu* 10 December 2004 Decision on Defence Motion"), para. 7; *Prosecutor v. Casimir Bizimungu et al.*, ICTR-99-50-I, Decision on the Prosecutor's Motion and Notice of Adjudicated Facts (*Rule 94(B) of the Rules of Procedure and Evidence*), 10 December 2004 ("*Bizimungu* 10 December 2004 Decision on Prosecution Motion"), para. 11.

[21] *Prosecutor v. Eliézer Niyitegeka*, ICTR-96-14-A, Reasons for Oral Decision Rendered 21 April 2004 on Appellant's Motion for Admission of Additional Evidence and for Judicial Notice, 17 May 2004 ("*Niyitegeka* Appeal Decision"), para. 16.

[22] *Milošević* Appeal Decision, p. 4 (footnote omitted).

12. When applying Rule 94 of the Rules, a balance between the purpose of taking judicial notice, namely to promote judicial economy, and the fundamental right of the accused to a fair trial must be achieved.[23]

III. Submissions and Discussion

13. The Appeals Chamber will first discuss the issue raised by the Prosecution as to whether whenever a fact is judicially noticed during appeal proceedings, the Appeals Chamber must be satisfied that the said fact was not available before the Trial Chamber, in which case the requirements set out in Rule 115 of the Rules must be met before the admission of the evidence. Secondly, the Appeals Chamber will consider the parties' submissions concerning the facts and documentary evidence sought to be judicially noticed pursuant to Rule 94(A) and (B) of the Rules.

1. Prosecution's arguments regarding the relationship between Rules 94 and 115 of the Rules

14. The Prosecution asserts that "[j]udicial notice is a manner of proof, not a basis for admissibility"[32] and submits that Rule 94 of the Rules is not to be applied on appeal without regard to the limitations imposed by Rules 89(C) and 115 of the Rules.[33] The Prosecution alleges that the Appellant is seeking to have additional evidence (not presented before the Trial Chamber) admitted on appeal by way of invoking Rule 94(A) and Rule 94(B) of the Rules.[34] It submits that: "[b]efore a fact (judicially noticed or proven by other means) can be admitted on appeal, the Appeals Chamber must first assess whether it is a fact which was not before the Trial Chamber and is therefore additional to the record on appeal. If it is, the applicable Rule for the admission of additional evidence on appeal is Rule 115, not Rule 94."[35] The Prosecution argues that the Appellant has to demonstrate how the facts he requests the Appeals Chamber to take judicial notice of are "relevant to grounds of appeal, relevant to a factual issue in dispute arising from the ground of appeal and

[23] *Prosecutor v. Blagoje Simić et al,* IT-95-9-PT, Decision on the Pre-Trial Motion by the Prosecution Requesting the Trial Chamber to take Judicial Notice of the International Character of the Conflict in Bosnia-Herzegovina, 25 March 1999, p. 4; *Sikirica* Decision of 27 September 2000, p. 4; *Ntakirutimana* Decision of 22 November 2001, para. 28; *Ljubičić* Decision of 23 January 2003, p. 4; *Krajišnik* Decision of 28 February 2003, para. 11; *Prosecutor v. Radoslav Stanković*, IT-96-23/2-PT, Decision on Prosecution's Motion for Judicial Notice Pursuant to Rule 94(B), 16 May 2003, para. 7.
[32] Response, para. 4.
[33] Response, para. 8.
[34] Response, para. 3.
[35] Response, para. 11.

how, if the fact was before the Trial Chamber, it could have affected the sentence imposed."[36] The Prosecution claims that before a judicially noticed fact can be admitted on appeal the Appeals Chamber must be satisfied that it could have been a decisive factor in the Trial Chamber's Judgement, meaning that it could have affected the sentence imposed,[37] or, if the fact was available at trial, the Prosecution submits that the moving party must show that the "additional fact" would actually have affected the verdict.[38] In addition, the Prosecution submits that some of the facts sought to be judicially noticed were in the possession of the Appellant prior to the guilty plea and sentencing submissions, for example the report of Mr. Butler, a military expert working for the Office of the Prosecutor.[39] Finally, the Prosecution claims that it is "apparent that the Appellant's motion for judicial notice is to present additional evidence before the Appeals Chamber" and therefore the Appellant must satisfy the requirements provided for in Rule 115 of the Rules, which he did not.[40] The Prosecution relies further on case-law of the United States' jurisdiction in support of the argument that an appellant seeking judicial notice has to show that the evidence was not available at trial.[41]

15. Citing the Prosecution's argument in his Reply, the Appellant states that if judicial notice "is 'a means by which a court can accept a commonly known or indisputable fact without requiring proof' then evidentiary proceedings pursuant to Rule 115 would be inappropriate for use in connection with judicially noticed facts."[42] He submits that there is nothing in Rule 115, or in Rule 94 of the Rules to suggest that facts admitted pursuant to Rule 94 of the Rules must additionally fulfil the requirements of Rule 115 of the Rules. He finally adds that this would, moreover, "eviscerate Rule 94 in relation to all appellate proceedings."[43]

16. By virtue of Rule 107 of the Rules, Rule 94 (A) and (B) of the Rules is applicable *mutatis mutandis* to appeal proceedings.[44] However, so far, no previous decision rendered by the Appeals Chambers of either this International Tribunal or the ICTR has addressed the application of Rule 94 of the Rules during appeal proceedings. In the *Delalić et al.* case, where the Appeals Chamber was

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[36] Response, para. 13.
[37] *Ibid.*
[38] *Ibid.*
[39] Response, para. 17 and footnote 14.
[40] Response, para. 18.
[41] Response, paras 14-16.
[42] Reply, para. 33 (footnote omitted).
[43] Reply, para. 35.
[44] Regarding the application of Rule 94(B) of the Rules on appeal proceedings, *see Prosecutor v. Zoran Kupreškić et al,* IT-95-16-A, Decision on the Motions of Drago Josipović, Zoran Kupreškić and Vlatko Kupreškić to Admit Additional Evidence Pursuant to Rule 115 And For Judicial Notice to be Taken Pursuant to Rule 94(B), 8 May 2001 ("*Kupreškić* Appeal Decision"), para. 6. *See* also *Prosecutor* v *Delalić et al.*, IT-96-21-A, Order on Esad Landžo's Motion (1) to Vary in Part Order on Motion to Preserve and Provide Evidence, (2) to be Permitted to Prepare and Present Further Evidence, and (3) that the Appeals Chamber take Judicial Notice of Certain Facts, and on his Second Motion for Expedited Consideration of the Above Motion, 4 October 1999 ("*Delalić* Order of 4 October 1999"); and *Niyitegeka* Appeal Decision.

seised of a motion from one of the appellants requesting the Appeals Chamber to take judicial notice of certain facts, the Appeals Chamber dismissed the motion without detailed arguments.[45] In the *Kupreškić et al.* case, the Appeals Chamber was seised of an application for admission of evidence under both Rule 94 and Rule 115 of the Rules, nevertheless only the request for judicial notice was addressed and the interaction between both Rules was not examined.[46] In an ICTR case, the request for judicial notice filed on appeal by Eliezer Niyitegeka was denied on the ground that judicial notice of the documents submitted was "inappropriate".[47] Against this backdrop, and since there is no jurisprudence on the application of Rule 94 of the Rules in appellate proceedings, the Appeals Chamber turns to consider this issue for the first time.

17. The Appeals Chamber emphasizes that Rule 94 of the Rules is not a mechanism that may be employed to circumvent the general Rules governing the admissibility of evidence and litter the record with matters which would not be admitted otherwise. Accordingly, on appeal, a fact qualifying for judicial notice under Rule 94 of the Rules is not automatically admitted. For a fact capable of judicial notice to be admitted on appeal, the requirements provided for by Rule 115 of the Rules need to be satisfied.

18. Accordingly, the Appeals Chamber finds that a motion filed solely under Rule 94 of the Rules, without addressing the requirements of Rule 115 of the Rules, is an incorrect way to seek to have facts or documentary evidence admitted on appeal. Contrary to the argument of the Appellant, the Appeals Chamber finds that this will not "eviscerate" Rule 94 of the Rules in relation to all appellate proceedings, since the legal consequences attached to the taking of judicial notice remain the same. In this respect, the Appeals Chamber recalls that the taking of judicial notice under Rule 94(A) or 94(B) of the Rules entails specific consequences for the moving party.

19. In this case, the Appellant filed his Motion under Rule 94 of the Rules only and failed to show how the material sought to be admitted on appeal meets the requirements of Rule 115 of the Rules as he is required to do. While the Appeals Chamber considers that the Motion could be dismissed on this basis, without prejudice to the Appellant's re-filing a motion consistent with the proper procedure, the Appeals Chamber finds that it serves judicial economy in the present case to state the reasons why it is not satisfied that the facts or documentary evidence sought to be judicially noticed by the Appellant meet the requirements of Rule 94(A) or (B) of the Rules.[48]

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[45] *Delalić* Order of 4 October 1999, p. 5: "Considering that it is inappropriate to take judicial notice of any of those matters".
[46] *Kupreškić* Appeal Decision. One of the Appellants (Drago Josipović) requested the Appeals Chamber to admit into evidence the *Kordić* and *Čerkez* Trial Judgement pursuant to both Rule 94(B) and Rule 115 of the Rules.
[47] *Niyitegeka* Appeal Decision, paras 15 and 16.
[48] The Appeals Chamber recalls its decision in the *Niyitegeka* case, where it examined and dismissed a motion for judicial notice improperly filed under Rule 94 only.

2. Facts sought to be judicially noticed pursuant to Rule 94 (A) of the Rules

a) Fact Number One enclosed in Corrected Annex A: Republika Srpska Srebrenica Commission's Report

20. The Appellant submits that the date of the publication of the Republika Srpska ("RS") Srebrenica Commission's Report and "the fact of its historic admission" that mass executions were committed by RS forces in 1995 are "sufficiently notorious to be judicially noticed."[49] To corroborate this, the Appellant appends a press release issued on 11 June 2004 by the Office of the High Representative announcing the release of the report that same date, as well as news reports from BBCNews and the Washington Post.[50] The Appellant suggests that the relevance of this admission is demonstrated by the Prosecution's closing arguments at the sentencing hearing, where the Prosecution stated, *inter alia*, that such an admission places the government of the RS in a situation where they must "face the truth and acknowledge it, which would be a huge step towards reconciliation and a major historical move."[51] The Appellant submits that "the date of the Commission's report containing the historic admission is relevant to an assessment of the importance of [the] Appellant's guilty plea"[52] and "to [the] Appellant's substantial cooperation,"[53] since such report was released only nine months after his testimony in the *Blagojević and Jokić* trial.[54] He adds that the temporal relationship helps to "demonstrate his contribution to establishing the truth and promoting reconciliation within the RS."[55]

21. The Prosecution responds that there are actually three facts sought to be judicially noticed, first, that an official RS Srebrenica Commission report was released on 11 June 2004, second, that the Report was released nine months after the Appellant testified in the *Blagojević and Jokić* trial and third, that the Commission admitted for the first time that mass executions were committed by RS forces in 1995.[56] The Prosecution submits that the final and complete report has not yet been released, so that there is no report of which the Chamber can take judicial notice, and that the Appellant should await the release of that report.[57] Further, the Prosecution contends that the facts

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[49] Motion, para. 8.
[50] Motion, Annex D.
[51] Sentencing Hearing, Transcript pp 1642-5, cited in Motion, para. 9.
[52] Motion, para. 9.
[53] The Appeals Chamber notes that the relationship between the fact sought to be judicially noticed and the cooperation of the Appellant is only addressed in footnote 11 of the Motion.
[54] *Prosecutor v. Vidoje Blagojević and Dragan Jokić*, IT- 02-60. *See* Corrected Annex A, fact number one ("fact no. 1").
[55] Corrected Annex A, header to fact no. 1.
[56] Response, para. 47 a).
[57] Response, para. 49.

sought to be judicially noticed are not of common knowledge[58] and do not constitute notorious facts warranting judicial notice.[59]

22. In his Reply, the Appellant submits that "it is a matter of historical fact" that the admission in the report regarding the Srebrenica massacres in July 1995 was made on 11 June 2004, nine months after his testimony in the *Blagojević and Jokić* trial.[60] Further, the Appellant argues that the notoriety is "especially evident" within the territory of the International Tribunal's jurisdiction but also around the world.[61]

23. It appears that the Appellant does not only want to seek judicial notice of the fact that the Report was released on 11 June 2004, as the release date as such is not at all relevant to the Appellant's case. Rather, the Appeals Chamber notes the Corrected Annex A in which the Appellant states that he seeks judicial notice of the fact that the report was released nine months after the Appellant testified in the *Blagojević and Jokić* trial, that is, the fact of a "temporal relationship" between these two events.[62] However, this temporal relationship is not a fact of common knowledge; it can not be deemed a notorious fact that the Appellant testified nine months before the release of the Report.

24. Moreover, the Appeals Chamber notes that the Trial Chamber in the instant case did take into consideration the fact that the Appellant was the first Serb to acknowledge criminal responsibility regarding the events in Srebrenica. The Trial Chamber considered that the Appellant's admission that mass executions were committed in Srebrenica by the Bosnian Serb army – as well as the acceptance of his individual criminal responsibility for his role in the crime of persecutions – contributed to the establishment of a historical record and could further reconciliation.[63]

25. For the foregoing reasons, the Appeals Chamber finds that fact no. 1 of Corrected Annex A does not meet the requirement of Rule 94(A) of the Rules.

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[58] Response, para. 56.
[59] Response, para. 49.
[60] Reply, para. 22.
[61] Reply, para. 23.
[62] Corrected Annex A, Heading to fact no. 1.
[63] *Momir Nikolić* Sentencing Judgement, 2 December 2003, paras 142-149.

b) Facts Numbers Two to Twelve enclosed in Corrected Annex A: Expert Report and Military Regulation

26. The Appellant seeks judicial notice under Rule 94(A) of the Rules of the provisions of military manuals and regulations relied upon in his Appellant's Brief.[64] Facts numbers two to twelve contain the following:

- facts numbers two and three ("facts nos. 2 and 3") are excerpts from the "JNA Manual for the work of command and staffs" from 1983 and from the "Interim Provisions on the Service in the Army of the Serb Republic" effective August 1992, respectively; both are included in the VRS Brigade Command Responsibility Report, prepared by Richard Butler;
- fact number four ("fact no. 4") is a sentence from paragraph 2.6 of Richard Butler's VRS Brigade Command Responsibility Report;
- facts numbers five and six ("facts nos. 5 and 6") are excerpts from the "Brigade Rules for Infantry, Motorised, Mountain, Alpine, Marine and Light Brigades 1984", of the Federal Secretariat for National Defence of the Socialist Federal Republic of Yugoslavia;
- facts numbers seven to nine ("facts nos. 7 to 9") are excerpts from the "Rules of Service of Security Organs in the Armed Forces of the Socialist Federative Republic of Yugoslavia", dated 1984; and
- facts numbers ten to twelve ("facts nos. 10 to 12") are excerpts from the "Service Regulations of the SFRJ Armed Forces Military Police" dated 1985.

27. The Appellant submits that these regulations, which were relied upon in the *Blagojević and Jokić* trial, corroborate his testimony and demonstrate "the limited scope of [the] Appellant's authority as an intelligence and security officer in a light infantry brigade."[65]

28. The Prosecution responds that facts nos. 2 to 12 are not relevant to the appeal.[66] Noting that the Appellant tries to establish the limited scope of his role through facts nos. 2 to 12, the Prosecution submits that the Trial Chamber made no findings to the detriment of the Appellant regarding his authority as the Chief of Intelligence and Security.[67]

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[64] Momir Nikolić's Opening Brief on Appeal, redacted and conformed, 21 September 2004.
[65] Corrected Annex A, previous description of facts nos. 2 to 12.
[66] Response, paras. 19 and 31.
[67] Response, para. 32.

29. The Appellant replies that the military regulations are "readily verifiable" and refers to a decision rendered in the *Bagosora* case where Rwandan laws were judicially noticed.[68]

(i) Facts nos. 2 and 3, and fact no. 4, facts contained in the VRS Brigade Command Responsibility Report

30. Regarding the VRS Brigade Command Responsibility Report (facts nos. 2 to 4 enclosed in Corrected Annex A), the Appellant argues that this report is "factually undisputed and that the portions relied upon in the Appellant's Opening Brief are merely citations to military regulations that are relevant to the issues in the appeal in this case."[69] The Prosecution contends that the Appellant did not show that facts nos. 2 and 3 "are established, published and accessible to the public and accepted as readily verifiable by reference to a reliable source,"[70] that facts nos. 2 and 3 do not stand for the facts which the Appellant wants judicially noticed,[71] and that Mr. Butler would have to provide evidence of the relevance and applicability of the material he relied upon in his report.[72] With respect to fact no. 4 the Prosecution submits that it contains the views of Mr. Butler, on command responsibility in Corps and Brigades after having regarded the laws and regulations applicable in the Former Yugoslavia. The Prosecution further submits, that laws and regulations might be judicially noticed but not the conclusion drawn by a military expert.[73]

31. The Appeals Chamber notes that facts nos. 2 and 3 enclosed in Corrected Annex A are contained in Richard Butler's "VRS Brigade Command Responsibility Report" in which the "JNA Manual for the work of Command and Staffs" and the "Interim Provisions on the Service in the Army of the Serb Republic" are quoted respectively. The Appeals Chamber notes that facts nos. 2 and 3, as submitted by the Appellant would need to be verified regarding the veracity of the material relied upon in the report, through Richard Butler's testimony. Facts nos. 2 and 3 thus do not constitute facts of common knowledge within the meaning of Rule 94(A) of the Rules.

32. Proposed fact no. 4 enclosed in Corrected Annex A is a concluding remark made by Mr. Butler after having reviewed several military regulations. Having regard to the criteria set out above, the Appeals Chamber does not find that proposed fact no. 4 enclosed in Corrected Annex A qualifies for judicial notice as a fact of common knowledge or public notoriety.

[68] Reply, para. 30.
[69] Motion, para. 13.
[70] Response, para. 50.
[71] Response, para. 51.
[72] Response, para. 50.
[73] Response, para. 52.

(ii) Facts nos. 5 to 12, Military Rules and Regulations

33. Regarding facts nos. 5 to 12, the Prosecution submits that these documents are classified as military secrets and confidential and therefore are not of common knowledge,[74] and that the Appellant did not show that these documents were applicable at the time of the commission of the crimes in 1995.[75]

34. The Appeals Chamber finds that military rules or regulations, in particular when classified as a "military secret"[76] and/or "strictly confidential,"[77] are not facts of common knowledge within the meaning of Rule 94(A) of the Rules.

35. For the foregoing reasons, the Appeals Chamber finds that facts nos. 5 to 12 of Corrected Annex A do not meet the requirements of Rule 94(A) of the Rules.

c) Fact Number Thirteen enclosed in Corrected Annex A: the Identification of Two Additional Mass Graves

36. The Appellant submits that the confirmation of the existence of two additional mass graves sites identified by the Appellant prior to his sentencing hearing should be judicially noticed as it demonstrates the Appellant's veracity and corroborates his substantial cooperation.[78] The Appellant argues that at the time of his sentencing only the existence of one mass grave was confirmed by the authorities of the Federation of Bosnia and Herzegovina.[79] He adds that, Prosecutor McCloskey, however, recently confirmed the existence of three sites previously not known, which were identified by the Appellant.[80] He further submits that the confirmation of these two additional mass graves is relevant for the evaluation of the Appellant's truthfulness and the value of his cooperation with the Prosecution. The Appellant acknowledges in his Motion that the statement of the Prosecutor is "not a matter of common knowledge, except among the parties to this case."[81] He argues, however, that "such common knowledge should be sufficient" in this case, as "recourse to Rule 115 of the Rules is futile because this one piece of information is not sufficient to constitute a

[74] Response, para. 54.
[75] Response, para. 55.
[76] *See* title pages of "Service Regulations of the SFRJ – Armed Forces Military Police 1985", "Rules of Service of Security Organs in the Armed Forces of the Socialist Federative Republic of Yugoslavia 1984", "Brigade Rules for Infantry, Motorised, Mountain, Alpine, Marine and Light Brigades 1984".
[77] *See* title page of "Rules of Service of Security Organs in the Armed Forces of the Socialist Federative Republic of Yugoslavia 1984".
[78] Motion, Corrected Annex A, description of fact no. 13.
[79] Motion, para. 14.
[80] Motion, para. 15.
[81] Motion, para. 17.

miscarriage of justice."[82] He further submits that this information was "specifically requested by the Trial Chamber."[83]

37. The Prosecution responds that fact number thirteen ("fact no. 13") enclosed in Corrected Annex A is not relevant to the appeal, since it is undisputed that the Appellant identified three unknown mass graves.[84] Further, the Prosecution argues that fact no. 13 enclosed in Corrected Annex A cannot be considered as common knowledge, even though it is undisputed.[85]

38. In reply, the Appellant argues that fact no. 13 enclosed in Corrected Annex A is relevant because two of the graves identified by the Appellant were not confirmed at the time of sentencing.[86]

39. That the Appellant admitted the existence of mass graves reveals nothing about the nature of such a fact being as either of common knowledge or indisputable. The Appeals Chamber finds it surprising that the Appellant himself recognizes that this fact is not a matter of common knowledge yet, still filed a request under Rule 94(A) of the Rules. Indeed, the fact that the Appellant had identified two additional mass graves sites is not a matter of common knowledge.

40. For the foregoing reasons, the Appeals Chamber finds that fact no. 13 enclosed in Corrected Annex A is not a fact of common knowledge within the meaning of Rule 94(A) of the Rules.

3. Facts sought to be judicially noticed pursuant to Rule 94(B) of the Rules

41. The Appellant requests the Appeals Chamber to judicially notice the adjudicated facts included in Annex B and C pursuant to Rule 94(B) of the Rules, as they are "relevant to his honesty and veracity, as well as to the value of his cooperation in the case"[87] and "to the legal errors made [by the Trial Chamber] when analysing [the] Appellant's limited position of authority",[88] respectively.

a) Facts enclosed in Annex C: Section three of the VRS Corps Command Responsibility Report

42. Annex C contains section three of Richard Butler's "VRS Corps Command Responsibility Report" of 5 April 2000 and is entitled "VRS Corps Staff and Branch Bodies: Authorities and

[82] *Ibid.*
[83] *Ibid.*
[84] Response, para. 22.
[85] Response, paras 56, 57.
[86] Reply, para. 25.
[87] Motion, para. 19 in relation to Annex B.
[88] Motion, para. 23 in relation to Annex C.

Responsibilities." The Appellant submits that this section of the report is relevant for the Appeals Chamber's analysis of his limited position of authority.[89]

43. The Prosecution responds that the section of the report enclosed in Annex C is not relevant to the appeal because it concerns the Corps level and the Appellant was a Security and Intelligence Officer at the Brigade level.[90] The Prosecution further argues that the Appellant failed to show that the documentation in Annex C is applicable to the Appellant's role at the Brigade level.[91] The Prosecution submits that judicial notice cannot be taken because facts contained in Annex C were available to the Defence at the sentencing stage.[92] Moreover, the Prosecution contends that Rule 94(B) of the Rules must be read as meaning that both the facts and the documentary evidence have been adjudicated, and submits that the facts enclosed in Annex C have not been adjudicated.[93]

44. In reply to the Prosecution's contention that documentary evidence must also be adjudicated, the Appellant submits that the Prosecution "is not fairly reading the statute".[94]

45. With respect to the Prosecution's argument to the effect that documentary evidence must also be adjudicated evidence, the Appeals Chamber concurs with the Trial Chamber in the *Bizimungu* case which concluded that the wording of Rule 94(B) of the Rules suggests that the term "adjudicated" only relates to "facts" and does not extend to "documentary evidence". Thus, the Trial Chamber held that:

> "...under Sub-Rule 94(B), both facts (which have been previously adjudicated) and documents (which have been received and admitted in previous proceedings) may be judicially noticed. Therefore, to be taken judicial notice of, the facts must be adjudicated facts, meaning facts upon which, on a previous occasion, in another case, this Tribunal in any of its several Chambers has deliberated and made a decision. Such decision must be conclusive in that it is not under challenge before the Appeals Chamber or if challenged, the Appeals Chamber upheld it. Regarding the second part of Sub-Rule 94(B), to be taken judicial notice of, documents must constitute "documentary evidence from other proceedings of the Tribunal" and must "relate to the matter at issue in this case". [95]
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> [...] Documents do not need to be "adjudicated" i.e. the Chamber in other proceedings does not need to have pronounced a specific and unchallenged or unchallengeable decision on the admissibility of the document. It is enough that the document was admitted into evidence or "admis lors d'autres affaires portées devant le Tribunal"[96]

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[89] Motion, para. 22.
[90] Response, para. 28.
[91] Response, para. 38.
[92] Response, para. 64.
[93] Response, paras 66 and 67.
[94] Reply, para. 18.
[95] *Prosecutor v. Casimir Bizimungu et al.*, ICTR-99-50-I, Decision on Prosecution's Motion for Judicial Notice Pursuant to Rules 73, 89 and 94, 2 December 2003, para. 34.
[96] *Ibid.*, para. 35.

46. The Appeals Chamber recalls a decision rendered in the *Kupreškić* case which held that under the term "documentary evidence" a Chamber was permitted to take judicial notice of items such as the testimony of a witness or a trial exhibit.[97]

47. The Appeals Chamber notes that concerning "documentary evidence", Rule 94(B) of the Rules enables a Chamber to take judicial notice of discrete items of evidence such as the testimony of a witness or a trial exhibit, not an entire judgement.[98] Accordingly, the Appeals Chamber could take judicial notice of the section of the report proffered by the Appellant in Annex C to his Motion, if it was satisfied that it meets the requirements set out in Rules 94(B) and 115 of the Rules. The Appeals Chamber notes that the Appellant states that "*only* Chapter 3 has been included in Annex C, as opposed to the entire exhibit."[99] The Appeals Chamber finds nonetheless, that it would not serve judicial economy to grant the Appellant's request and judicially notice entire sections of a report or document, since the Appellant has not demonstrated exactly which part of the section is relevant to the current proceedings. The mere reference to whole sections or paragraphs of "documentary evidence" of a previous judgement is insufficient to trigger the exercise of the Chamber's discretion under Rule 94(B) of the Rules.[100]

48. The Appeals Chamber notes, however, that it could be inferred from the Appellant's Motion, that only the last sub-paragraph of paragraph 3.1 of Annex C might be judicially noticed, as only this small portion of Annex C is referred to in the Appellant's Brief.[101] This would constitute a more specific request, which points out a part of a document referring to a particular fact. The sub-paragraph in question reads as follows: "Pertaining to the issue of controlling and directing the work of the Corps Security Organs, and the Military Police formations, this term should not be confused with command".[102] The Appeals Chamber first notes that this paragraph seems to refer only to the Corps Security organs, whereas the Appellant was a Security and Intelligence officer at the Brigade level. Second, and decisively, the Appeals Chamber recalls that the Trial Chamber held explicitly that the Appellant performed his functions "not in the capacity of a commander".[103] Consequently, the Appeals Chamber considers that the Appellant failed to establish how the fact sought to be judicially noticed is relevant to the matters at issue in the current proceedings.

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[97] *Kupreškić* Appeal Decision, para. 6, *ad finem*.
[98] *Ibid.*
[99] Apellant's Reply, para. 19 (emphasis added).
[100] Regarding "adjudicated facts" sought to be judicially noticed through the reproduction of whole paragraphs of a judgement, *see*: *Bizimungu* 10 December 2004 Decision on Defence Motion, para. 13 and *Bizimungu* 10 December 2004 Decision on Prosecution Motion, para. 19.
[101] Motion, para. 23, citing Appellant's Opening Brief on Appeal, para. 99.
[102] Annex C, para 3.1 (emphasis added).
[103] *Momir Nikolić* Sentencing Judgement, 2 December 2003, para. 135.

49. For the foregoing reasons, the Appeals Chamber finds that the facts enclosed in Annex C of the Motion do not qualify for judicial notice pursuant to Rule 94(B) of the Rules.

b) Facts enclosed in Annex B: Facts from the *Krstić* Trial Judgement

50. The facts sought to be judicially noticed and enclosed in Annex B consist of paragraphs 126-129, 130-144, 155, 265, 288, 290, 344, 345, 464 and 465 from the *Krstić* Trial Judgement which concern factual findings on the events that occurred in Bratunac and Potočari on 11, 12 and 13 July 1995. The Appellant submits that the findings in those paragraphs corroborate his testimony in the *Blagojević and Jokić* trial,[104] and are relevant to the assessment of his role in the commission of the crime for which he was convicted and his limited authority.[105] The Appellant submits that the facts contained in the paragraphs submitted are all admissible, in accord with a decision issued in the *Krajišnik* case.[106] The Appellant submits that the proposed paragraphs "are relevant to a full, fair and accurate determination of the issues presented in this appeal"[107] and describes the said issues in a list consisting of eight items.[108]

51. The Prosecution asserts that the Appellant does not explain how the issue of the corroboration of the Appellant's testimony could be relevant to his appeal.[109] It submits that since the Trial Chamber did not doubt his credibility with respect to the facts submitted in Annex B, the issue of corroboration cannot arise.[110] Further, it adds that the facts enclosed in Annex B do not seem to be relevant to the Appellant's role and limited authority.[111]

52. In the event the Appeals Chamber were to find that Annex B is relevant to the issues in the appeal, the Prosecution submits that generally it agrees with the Appellant that the facts contained within Annex B could constitute adjudicated facts under Rule 94(B) of the Rules.[112] The Prosecution adds that: "[s]ince the Appellant has admitted facts in paragraphs 126, 128, 138 and 143 of the *Krstić* Trial Judgement" the said paragraphs could be judicially noticed.[113]

53. The Appellant replies that the factual findings are "relevant to an accurate assessment of Appellant's limited authority in Potočari on 12 and 13 July 1995, and should be considered when evaluating the aggravating effect of his position of authority in relation to the forced transfers and

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[104] Motion, para. 19.
[105] Motion, para. 19; Reply, para. 8.
[106] Motion, para. 20.
[107] Motion, para. 19.
[108] Motion, para. 19.1-19.8.
[109] Response, para. 40.
[110] Response, paras 41-43.
[111] Response, paras 44-46.
[112] Response, paras 60, 62.
[113] Response, para. 61.

the separations and detentions that occurred in Potočari".[114] The Appeals Chamber notes that the arguments which substantiated the Appellant's request for judicial notice to be taken of the facts addressed in this part of the decision which were raised in his Reply, were struck out.[115]

54. The Appeals Chamber notes that the Prosecution has conceded that paragraphs 126, 128, 138, and 143 of the *Krstić* Trial Judgement could be judicially noticed to the extent that they contain facts admitted by the Appellant.[116] The Appeals Chamber notes however, that paragraphs 126, 128, 138 and 143 of the *Krstić* Trial Judgement do not contain admissions of facts made by the Appellant *per se,* but rather provide an account of facts not contested by the Appellant, concerning: (i) his presence at the meetings held at the Hotel Fontana on 11 July 1995 at 20:00 and 23:00 hours; (ii) the fact that he worked on matters relating to the transportation of Bosnian women, children and elderly in his capacity as the Assistant Commander for Intelligence and Security Affairs of the Drina Corps Bratunac Brigade; and (iii) his presence in Potočari on 12 and 13 July 1995 at the time when women, children and elderly were moved out.

55. The Appellant provides a list of eight subjects, which relate to matters at issue in this appeal. Each item in the list starts as follows: "facts relating to..." and ends with a reference to one or more paragraphs of the *Krstić* Trial Judgement or the summary of the *Krstić* Trial Chamber's key findings.[117] Bearing in mind the text of Rule 94(B) of the Rules, the Appeals Chamber notes that one paragraph in a judgement can contain more than one fact. Accordingly, a request pursuant to Rule 94(B) of the Rules must be specific if the facts sought to be judicially noticed are to be clearly determined. A motion under Rule 94(B) of the Rules should specify exactly which fact is sought to be judicially noticed and how each fact relates to the matters at issue in the current proceedings, in the instant case, to the grounds of appeal raised.[118]

56. The Appellant's Motion is not specific enough. The Appeals Chamber is unable to ascertain which facts within the paragraphs from the *Krstić* Trial Judgement enclosed in Annex B, are to be judicially noticed, or their relevancy to the Appellant's grounds of appeal. The statement that the paragraphs relate to "meetings at the Hotel Fontana on 11 and 12 July 1995", "the organisation of the buses" or "the presence of Drina Corps Officers in Potočari on 12 and 13 July 1995", just to cite the first three items on the Appellant's list, is not sufficient to satisfy the Appeals Chamber as to how each of the facts contained in the paragraphs from the *Krstić* Trial Judgement sought to be judicially noticed, is relevant to the matters at issue in the appeal proceedings. It would not serve

[114] Reply, para. 8.
[115] *See* Decision on Prosecution's Motion to Strike, 20 January 2005, para. 37.
[116] Response, para. 63.
[117] Motion, para. 19.1. – 19.8.
[118] *Bizimungu* 10 December 2004 Decision on Defence Motion, para. 13; *Bizimungu* 10 December 2004 Decision on Prosecution's Motion, para. 19.

judicial economy to judicially notice paragraphs 126-129, 130-144, 155, 265, 288, 290, 344, 345, 464 and 465 from the *Krstić* Trial Judgement.

57. For the foregoing reasons, the Appeals Chamber finds that the facts enclosed in Annex B of the Motion do not qualify for judicial notice pursuant to Rule 94(B) of the Rules.

VI. Disposition

58. In light of the foregoing, the Appeals Chamber dismisses the Appellant's Motion in its entirety.

Done in English and French, the English text being authoritative.

Done this 1st day of April 2005,

At The Hague,
The Netherlands.

Theodor Meron
Presiding Judge

[Seal of the International Tribunal]

Prosecutor v. Krajisnik, IT-00-39-PT, Decision on Prosecution Motions for Judicial Notice of Adjudicated Facts and for Admission of Written Statements of Witnesses pursuant to Rule 92bis, Trial Chamber, 28 February 2003.

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UNITED
NATIONS

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Case No.: IT-00-39-PT

Date: 28th February 2003

Original: English

IN TRIAL CHAMBER I

Before: **Judge Liu Daqun, Presiding**
Judge El Mahdi
Judge Alphons Orie

Registrar: **Mr. Hans Holthuis**

Decision of: **28th February 2003**

PROSECUTOR

v.

MOMČILO KRAJIŠNIK

DECISION ON PROSECUTION MOTIONS FOR JUDICIAL NOTICE OF ADJUDICATED FACTS AND FOR ADMISSION OF WRITTEN STATEMENTS OF WITNESSES PURSUANT TO RULE 92*bis*

Office of the Prosecutor
Mr. Mark B. Harmon
Mr. Alan Tieger

Counsel for the Accused
Mr. Deyan R. Brashich
Mr. Goran Nešković

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I. INTRODUCTION

1. **TRIAL CHAMBER I** ("the Chamber") of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 ("the Tribunal") is seized of a series of motions submitted by the Prosecutor relating to (a) the taking of judicial notice of adjudicated facts, and to (b) admission of evidence in the form of witness statements under Rule 92*bis* of the Tribunal's Rules of Procedure and Evidence ("the Rules").

2. In respect of taking *judicial notice* of facts adjudicated in other cases before this Tribunal, the Prosecution filed its first motion on 7th November 2002 (the "First Motion") for judicial notice of 1.029 adjudicated facts, 150 on which the parties to the trial had agreed to (filed as Annex A), and an additional 879 adjudicated facts on which the parties had *not* agreed to (filed as Annex B). Following the judgement in the *Vasiljević* case,[1] the Prosecution filed a second motion on 10th January 2003 for judicial notice of another 103 facts adjudicated in that case (the "Second Motion"), all of which have been objected to by the Defence. In total, the Prosecution has proposed 1.132 facts for judicial notice in this case against *Momčilo Krajišnik* ("the Accused").

3. As far as the *admission of witness statements* and *transcripts* under Rule 92*bis* is concerned, four Prosecution motions were referred to this Chamber from the Pre-Trial Chamber (Trial Chamber III), namely the Motion of 17th May 2002 for Admission of Statements and Transcripts Pursuant to Rule 92*bis* in Respect of Krajišnik, and the Motions of 2nd August, 9th September and 7th November 2002 for Admission of Evidence Pursuant to Rule 92*bis*. Altogether, the Prosecution sought admission of 188 statements pertaining to 178 witnesses under Rule 92*bis*, all of which have been objected to by the Defence on various grounds.

II. The Parties' Submissions and Arguments on Judicial Notice

4. In support of its First Motion of 7th November 2002, the Prosecution primarily pointed out that taking judicial notice of the proposed adjudicated facts would effectively reduce the number of Prosecution witnesses during trial and satisfy the public interest in judicial recognition of these facts. The Prosecution contended, furthermore, that consent of the Defence is not required under Rule 94(B) and that no unfair prejudice was being created against the Ac-

[1] The *Prosecutor vs. Mitar Vasiljević*, IT-98-32-T, rendered by Trial Chamber II on 29th November 2002.

cused. Finally, none of the adjudicated facts are legal findings or are based on plea agreements. The adjudicated facts of which the Prosecution had asked the Chamber to take judicial notice in the First Motion were gathered from six judgements in five cases, two of which are under appeal.[2]

5. The Defence objected on 20th November 2002 against the 879 facts included in Annex B of the Prosecution's First Motion, arguing that the taking of judicial notice was rarely used in the Common Law system and that, in any case, judicial economy should never outweigh the right of the Accused to a fair trial. The disputed facts, furthermore, attest to the criminal responsibility of the Accused and are therefore plainly inadmissible under Rule 94. The Defence also pointed out that the time frame in this case is different from the *Kunarać* and *Krnojelac* cases (from which parts of the adjudicated facts were collected) and asserted that the disputed facts were not "truly adjudicated" in the sense that they had been finally determined on appeal or had transpired as the result of "effective and aggressive litigation" between the Parties. In respect of facts from judgements on appeal, furthermore, the Defence submitted that even if the Trial Chamber *can* subsequently exclude the evidential value of adjudicated facts of which it has already decided to take judicial notice (should they be overturned by the appeal), the Prosecution's motions are premature. Finally, the Defence raised the question that if previous Trial Chambers did not find the facts sufficient to form a conviction on Article 7(3) of the Statute, then this Chamber would be unable to determine the strength of the facts as they pertain to the acquittals of the Accused and their interplay with convictions under Article 7(1) of the Statute. The Defence therefore requested that the first Motion be dismissed or deferred for a decision by the Trial Chamber assigned to try the matter.

6. By its Scheduling Order of 25th November 2002, Trial Chamber III requested the President of the Tribunal to assign the present case to another Trial Chamber[3] and allowed the Prosecution to call a maximum of 119 witnesses *viva voce* and to submit a maximum of 178 witness statements under Rule 92*bis*, setting specific limits on the number of live witnesses and 92*bis* statements to be admitted or called for each of the 37 municipalities covered in the indictment. Trial Chamber III also ordered the Prosecution to submit its final witness list by

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[2] *Prosecutor v. Duško Tadić*, IT-94-1-T, dated 7th May 1997 and the Appeals Chamber judgement of 15th July 1999 in that same case; *Prosecutor v. Zejnil Delalić, Zdravko Mucić, Hazim Delić, and Esad Landžo* IT-96-21-T (the "*Čelebići Judgement*") dated 16th November 1998; *Prosecutor v. Dragolub Kunarac et al.*, IT-96-23-T & 23/1-T, dated 22nd February 2000; *Prosecutor v. Miroslav Kvočka et al.*, IT-98-30/1-T, dated 2nd November 2001; and the *Prosecutor v. Krnojelac*, IT-97-25-T, dated 15th March 2002. The *Kvočka* judgement was appealed on 30 November 2001 and the *Krnojelac* judgement on 12th April 2002. Neither of these appeals is concluded as of today.

[3] The President of the Tribunal assigned the case to this Chamber by Order of 28th November 2002.

10th January 2003 but this was interrupted by the Prosecution's request of 8 January 2003 for more time to submit its revised witness list and for variation of the Scheduling Order's limitation of the number of witnesses for each municipality. In its decision of 10th January 2003 in response to the Prosecution's request, the Chamber suspended the time limit set out in the Scheduling Order and stayed the decision on the application for variation. This last matter is still pending and will be dealt with as well in the present decision.

7. In its response of 28th November 2002 to the Defence's objections against the First Motion, the Prosecution argued, in short, *that* the Common Law concept and use of judicial notice is irrelevant to the consideration of the nature of judicial notice under Rule 94(B), which is distinct from the concept of judicial notice contained in Rule 94(A); *that* the disputed adjudicated facts set out in Annex B do not relate directly to the Accused or to his immediately proximate subordinates and are thus appropriate for judicial notice, adding that even if they did relate to the Accused or his close subordinates, nothing in Rule 94 prevents the Chamber from taking judicial notice of such facts; *that* the adjudicated facts from the *Kunarac* and *Krnojelac* judgements are relevant to the period of time covered by the indictment against the Accused; and finally *that* an unsubstantiated assertion that the proposed facts were not truly adjudicated in the previous judgements because they were not properly challenged by the Defence is not a valid objection to the Prosecution's motion in the present case.

8. Following the judgement in the *Vasiljević* case,[4] the Prosecution filed its Second Motion for judicial notice of adjudicated facts on 10th January 2003 requesting the taking of judicial notice of an additional 103 adjudicated facts relating to the attack on and the persecution of the non-Serb population of Višegrad beginning in April 1992. The *Vasiljević* judgement was appealed on 30th December 2002.

9. In response to the Second Motion, the Defence filed its "Defence Response to Prosecutior's Second Motion for Judicial Notice of Adjudicated Facts" dated 29th January 2003, arguing that Mr. Vasiljević had been an ordinary waiter at a café in Višegrad and had never held any position in the military or Government structure of the Republika Srpska (RS), and that the judgement contains no evidence of any conspiracy between Mr. Vasiljević and the Accused or any RS military or Government official. The Defence, however, agreed that judicial notice could be taken of facts 1.030 to 1.033 and 1.040 to 1.047. Otherwise, the Second Motion should be dismissed.

[4] *Prosecutor v. Mitar Vasiljević*, IT-98-32-T, dated 29th November 2002.

10. To clarify the issue raised by the Defence in relation to the First Motion of whether judicial notice may be taken of facts derived from judgements currently *under appeal*, the Prosecution filed a Supplement, dated 29th January 2003 ("the Supplement") to indicate exactly which facts in the *Kvočka* and *Krnojelac* judgements were *not* being appealed. In line with the present Chamber's decision of 23rd January 2003 in *Ljubičić*,[5] the purpose of the Supplement was to identify those facts which would not be affected by the appeal, regardless of its outcome, and of which judicial notice could thus be taken without any prejudice to the Accused.

III. Discussion on Judicial Notice

11. Taking judicial notice of adjudicated facts is for the purpose of achieving judicial economy in the sense that it condenses the relevant proceedings to what is essential for the case of each party without rehearing supplementary allegations already proven in past proceedings and thereby shortens the duration of the trial. Judicial economy has been held up as one of the procedural legal principles of the International Tribunal in Articles 20(1) and 21(4)(c) of the Statute, *i.e.* the right of the accused to an *expeditious trial* and the right to be *tried without undue delay*. The Chamber emphasizes, however, that its first concern is always to ensure that the Accused is offered a *fair trial*. As long as this principle is accomplished, the Chamber is under a duty to avoid that unnecessary time and resources are wasted on unnecessary disputes.

12. Rule 94 on judicial notice reads:

> "(A). A Trial Chamber shall not require proof of facts of common knowlegde but shall take judicial notice thereof.
>
> (B). At the request of a party or *proprio motu*, a Trial Chamber, after hearing the parties, may decide to take judicial notice of adjudicated facts or documentary evidence from other proceedings of the Tribunal relating to matters at issue in the current proceedings."

13. While Sub-Rule (A) mirrors the concept of judicial notice as laid down in both Common Law and Civil Law, Sub-Rule (B) is a distinct production of this Tribunal reflecting the particularity of its jurisdiction *ratione materiae*. The wording of this Sub-Rule raises two obvious questions, namely: (1) which kind of facts can be taken judicial notice of; and (2) what are the legal consequences for the parties of the Trial Chamber's taking judicial notice of certain facts?

14. As far as the first question is concerned, the Tribunal has already offered a number of criteria in its previous decisions. In the *Simić* case, for instance, the Trial

[5] The *Prosecutor vs. Paško Ljubičić*, IT-00-41-PT

Chamber established that only facts *not subject to reasonable dispute* between the parties in the case at hand could be judicially noticed, and that Rule 94 only covers facts and *not legal consequences inferred from facts*, for which reason a Trial Chamber can only take judicial notice of factual findings but not of a legal characterization as such.[6] In *Sikirica*, the Trial Chamber confirmed this position and held, too, that it could only take judicial notice of facts which are not the subject of reasonable dispute between the parties in the case and which do not involve interpretation or legal characterizations of facts.[7] In *Kvočka*, then, the Trial Chamber found that even if the judgement from which the adjudicated facts are taken is *on appeal*, no provision in the Statute or the Rules prevents the Trial Chamber, having taken account of the rights of the Accused, from drawing legal conclusions based on facts established beyond a reasonable doubt.[8] In *Kupreškić*, the Appeals Chamber established, in respect of cases on appeal, that only facts from judgements *concluded* on appeal can be judicially noticed in subsequent cases under Rule 94(B) and that the facts would have to be specified individually, thereby excluding the taking of judicial notice of an entire judgement.[9] In *Milošević*, the Trial Chamber concluded that for a fact to be capable of admission under Rule 94(B) of the Rules, it should be "truly adjudicated and not based upon an agreement between the parties to previous proceedings, such as agreed facts underpinning a plea agreement". [10] Truly adjudicated facts, in particular, would be facts extracted from cases for which the Appeals Chamber has ruled on the merits or has not been called to do so.[11] In *Ljubičić*, finally, this Chamber sought to clarify the position expressed earlier by the Appeals Chamber in *Kupreškić* and most recently by the Trial Chamber in *Milošević* (*i.e.* that, as a main rule, only facts from *final* judgements are truly adjudicated) by finding that judicial notice of adjudicated facts should "generally not be taken of facts which are *themselves* being appealed." To the extent in which such facts have been "truly adjudicated" at trial but are not covered by the appeal, they will remain unaffected and may thus be judicially noticed even before the appeal is finally concluded. The *mere* fact that a judgement has been appealed, in other words,

[6] The *Prosecutor vs.Blagoje Simić et alt,* IT-95-9-PT; Decision of 25th March 1999, at page 3.
[7] *The Prosecutor vs. Duško Sikirica et. alt.*, IT-95-8-PT; Decision of 27th September 2000, at page 5.
[8] The *Prosecutor vs. Miroslav Kvočka et alt.*, IT-98-30/1-T; Decision of 8th June 2000, at page 5.
[9] The *Prosecutor vs. Zoran Kupreškić et alt.*, IT-95-16-A; Decision of 8th May 2001, at par. 12.
[10] The *Prosecutor vs. Slobodan Milošević*, IT-02-54-T; Decision of 5th June 2002, at page 3.
[11] The Trial Chamber referred to the ICTR Decision of 3rd November 2000 in *The Prosecutor vs. Semanza*, ICTR-97-20-PT

does not *in itself* provide sufficient grounds for excluding *all* facts adjudicated in that judgement.[12]

15. In view of these considerations, the Chamber finds that, for a fact to be capable of admission under Rule 94(B), it should be *truly adjudicated* in previous judgements in the sense that:

(i) it is *distinct, concrete and identifiable*;

(ii) it is restricted to *factual* findings and does not include *legal* characterizations;

(iii) it was *contested* at trial and forms part of a judgement which has either *not been appealed* or has been *finally settled* on appeal; or

(iv) it was *contested* at trial and now forms part of a judgement which is under appeal, but falls within issues which are *not in dispute* during the appeal;

(v) it does *not attest to criminal responsibility* of the Accused;

(vi) it is *not the subject of (reasonable) dispute* between the Parties in the present case;

(vii) it is *not based on plea agreements* in previous cases; and

(viii) it does not impact on the *right of the Accused to a fair trial.*

16. Turning then to the second question of the *legal consequences* of taking judicial notice of certain facts, the Chamber notes that Rule 94 does not itself establish the procedural legal implications of judicial notice of such facts. Judicial notice of "*facts of common knowledge*" under Rule 94(A) normally implies that such facts *cannot* be challenged during trial. Rule 94(B), however, allows for judicial notice of information based on sources which are substantially different in character from the facts contemplated in Rule 94(A). By taking judicial notice of an *adjudicated fact*, thus, the Chamber establishes a well-founded presumption for the accuracy of this fact, which therefore does not have to be proven again at trial – *unless* the other party brings out new evidence and successfully challenges and disproves the fact at trial.[13] In other words, the procedural legal impact of taking judicial notice of an adjudicated fact is *not* that the fact cannot be challenged or refuted at trial, but rather that the *burden of proof to disqualify the fact is shifted* to the disputing party. The general principle of criminal law that it is always for the Prosecutor to prove the criminal responsibility of the Accused is not, to be sure, affected by this particular Rule-based exception in relation to judicial notice of adjudicated facts; these facts *have* already been subject to judicial review, and both parties are still allowed – in order to safeguard the fairness of the trial – to challenge the fact during trial by submitting evidence that calls into question the veracity of the adjudicated facts.

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[12] The *Prosecutor vs. Paško Ljubičić*, IT-00-41-PT; Decision of 23rd January 2003, at page 6.
[13] *Prosecutor v. Pasko Ljubičić*, "Decision on Prosecution's Motion for Judicial Notice of Adjudicated Facts", IT-00-41-PT, 23rd January 2003.

17. If, during trial, a Party wishes to dispute an adjudicated fact of which the Trial Chamber has taken judicial notice, accordingly, that Party must then bring out the evidence in support of its contest and request the Chamber to entertain the challenge. If the Chamber admits the challenge, the other Party will be provided with an opportunity to respond within a short time frame set out by the Chamber and the Chamber will then decide on the matter.

IV. Findings on Judicial Notice

18. Applying the principles discussed above to the circumstances of the present case, the Chamber will *not* take judicial notice of the following adjudicated facts proposed by the Prosecution in its First and Second Motions:[14]

(i) Facts number 214, 933, and 958 for the reason that the alleged adjudicated facts are not to be found in the paragraphs cited by the Prosecution;[15]

(ii) Facts number 243 and 257-258 for the reason that they do not correctly reflect the factual findings in the judgement;

(iii) Facts number 284-289, 309-310, 321-324, 333-334, 341-342, 344, 348-350, 352-358, 369-380, 385-388, 391, 393-396, 402-403, 407-408, 412-417, 420, 422-449, 961, 963-972, 974-977, and 979-1004 for the reason that they are currently under appeal in the *Kvočka* case;

(iv) Facts number 602, 605, 614-618, 620-621, and 647-918 for the reason that they are currently under appeal in the *Krnojelac* case;

(v) Facts number 1.034-1.039, 1.048-1.073, 1.075-1.076, 1.078, 1.080-1.132 for the reason that they are currently on appeal in the *Vasiljević* case.[16]

IV. The Parties' Submissions and Arguments on Rule 92*bis*

19. The Chamber is also seized of four Prosecution motions for admission of evidence pursuant to Rule 92*bis* of the Rules filed on 17th May 2002 ("the first 92*bis* Motion"), 2nd August 2002 ("the second 92*bis* Motion"), 9th September 2002 ("the third 92*bis* Motion"), and 7th November 2002 ("the fourth 92*bis* Motion"), respectively, requesting the Trial Chamber to admit into evidence certified written witness statements or transcripts of witness testimonies given other proceedings before the Tribunal.

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[14] In the consecutive listing of facts in this decision, the *first* as well as the *last* number are both *included*.

[15] Despite the (insignificantly) incorrect numerical references, the Chamber accepts that Fact number 180 should have referred to TJ 133 (in stead of 135), fact number 943 to KUJ 51 (in stead of 52); and fact number 1001 to KVJ 667 (in stead of 666). The references in facts number 806 and 964 are substantially incorrect but these two facts are not listed here as they are also excluded for the reason that they are under appeal in *Kvočka*.

[16] Fact number 1.030 is one of common knowledge and it makes no sense to dispute that Višegrad is located in South-Eastern Bosnia, etc. For facts 1.031, 1.074, 1.077 and 1.079, these were admitted by the parties as matters *not* in dispute. For facts number 1.032 and 1.033, finally, they also appear among the facts already agreed upon by the parties, see facts number 99 and 102. It makes no sense, therefore, to dispute them.

20. In the first 92*bis* Motion of 102 witnesses, the Prosecution requests admission of statements or transcripts of 102 witnesses. An annex to the motion summarizes the evidence of each witness and indicates, pursuant to Rule 92*bis*(A)(i), the particular factor in favour of its admission (for the most part the cumulative nature of the evidence). The Prosecution contends that the evidence in question goes to proof of matters other than the acts and conduct of the Accused as charged in the indictment. The Defence filed a response to the first 92*bis* Motion on 21 May 2002, in which it challenges what it sees as the Prosecution's "implicit contention" that the 102 witnesses would not be subjected to cross-examination. The Defence goes on to emphasize the right of the Accused to confront the witnesses who made these statements, because the statements are, according to the Defence, "critical elements" of the Prosecution's case.

21. The second 92*bis* Motion is similar in terms to the first, requesting admission into evidence the statements of three witnesses. On 5th August 2002 the Defence filed a response to the second motion repeating in essence the submissions made in response to the first motion.

22. The third 92*bis* Motion is a request to admit material relating to 25 witnesses, five of whom were the subject of the earlier motions. The Defence's reply, filed on 11th September 2002, is virtually identical to those filed previously.

23. The fourth 92*bis* Motion seeks to have admitted evidence from 58 witnesses, whose statements are summarized at the end of the motion. The Defence's objections to admission, filed on 8th November 2002, do not raise new issues.

V. Discussion and Findings on Rule 92*bis*

24. The Trial Chamber has reviewed the 92*bis* statements and concurs with the assessment of Trial Chamber III made in its Scheduling Order of 25th November 2002 that the statements are admissible under Rule 92*bis*.[17] The Chamber is not persuaded by the arguments of the Defence in respect of its denial of the admissibility of the statements into evidence: if the evidence sought to be admitted goes to proof of matters other than the acts or conduct of the accused, it passes the first test of admission. The Defence, however, did not identify any portion of a statement or transcript which could correctly be said to fail that test. It is a separate matter, for the Chamber to determine, whether cross-examination of a particular witness is warranted.

25. While finding that the material in question is admissible under the Rules, the Trial Chamber is not in a position to finally decide which material to admit into evidence pursuant

[17] *Prosecutor v. Momčilo Krajišnik and Biljana Plavšić*, "Scheduling Order", 25th November 2002.

to Rule 92*bis* before it has received the Prosecution's revised witness list. As for cross-examination, the Trial Chamber will hear any *specific* reasons the Defence may have for wanting to cross-examine a Rule 92*bis* witness after the Prosecution has submitted its witness list. Should the Defence make any submissions to this end, the Prosecution will have the right of reply.

26. The Scheduling Order of 25th November 2002 permitted the Prosecution to call a maximum of 119 *viva voce* witnesses and to present evidence of a maximum of 178 witnesses by way of Rule 92*bis*. In light of the present Decision's grant of judicial notice of a large number of adjudicated facts and taking into consideration the variation of the Scheduling Order's limitation of the maximum numbers for individual categories set down in Annex A of the Order,[18] the Chamber resets the maximum permissible number of viva voce and Rule 92*bis* Prosecution witnesses to 101 and 168, respectively.

FOR THE FOREGOING REASONS,

PURSUANT TO RULES 54, 65*ter*, 73*bis*, 92*bis* and 94 OF THE RULES,

THE TRIAL CHAMBER:

ALLOWS the Prosecutions First and Second Motions in respect of the following adjudicated facts, of which it will take judicial notice: facts numbered:[19] 1-213, 215-242, 244-256, 259-283, 290-308, 311-320, 325-332, 335-340, 343, 345-347, 351, 360-368, 381-384, 389-390, 392, 397-401, 404-406, 409-411, 418-419, 421, 450-601, 603-604, 606-613, 619, 622-646, 919-932, 934-957, 959-960, 962, 973, 978, 1.005-1.033, 1.040-1.047, 1.074, 1.077, and 1.079;

AND OTHERWISE DENIES the First and the Second Motions;

DECIDES to modify the Scheduling Order issued by Trial Chamber III on 25th November 2002 to the effect that the Prosecution may call a maximum of 101 witnesses *viva voce* during trial and may present a maximum of 168 witnesses by way of statements and transcripts pursuant to Rule 92*bis*;

DECLARES ADMISSIBLE, under Rule 92bis, the statements and transcripts submitted by the Prosecution in the first, second, third, and fourth 92*bis* Motions;

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[18] As requested in the "Prosecution's Request for Further Time to File Revised Witness List and for Variation of Scheduling Order", 8th January 2003.
[19] First and last fact number *both included*.

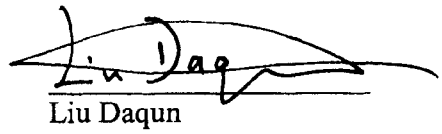
VARIES the Scheduling Order issued by Trial Chamber III on 25th November 2002 to the effect that the Prosecution is not required to limit the number of viva voce witnesses and witness statements under Rule 92*bis* in respect of each municipality to any particular maximum or to have any maximum of expert, "international" or "general" witnesses;

ORDERS the Prosecution to submit a list of witnesses (maximum 101) to be called *viva voce* at trial and a list of witness statements and transcripts (pertaining to a maximum of 168 witnesses) to be admitted under Rule 92*bis* within 15 days of the date of this Decision, and to submit, along with these lists, a chart showing the distribution of witnesses and witness statements or transcripts per municipality;

RESERVES its decision as to which Rule 92*bis* statements and transcripts will be finally admitted and which Rule 92*bis* witnesses (if any) may be called for cross-examination until such time as the Prosecution has submitted its revised witness list and the Trial Chamber has heard the parties on any specific argument of the Defence against admission of a statement or transcript and in favour of cross-examination.

Done in English and French, the English text being authoritative.

Dated this twenty eighth day of February 2003,
At The Hague
The Netherlands



Liu Daqun
Presiding

[Seal of the Tribunal]

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ANNEX A

FACTS SOUGHT TO BE JUDICIALLY NOTICED PURSUANT TO RULE 94(A)

1. SIERRA LEONE

A. GEOGRAPHICAL OR HISTORICAL FACTS

Geographical

1. The city of Freetown, the Western area and the following districts are located in the country of Sierra Leone: Port Loko, Bombali, Koinadugu, Kono, Kailahun, Kenema and Bo.

a.			This fact was judicially noticed by this Trial Chamber in *Prosecutor v. Brima, Kamara, Kanu,* Case No. SCSL-04-10-T, "Decision on the Prosecution Motion for Judicial Notice and Admission of Evidence", 25 October 2005 ("*Brima* Decision"), para. 24, Fact B.
b.	Exh. 1.384	n/a	Map of Sierra Leone, UNAMSIL Geographic Information Section, 3 July 2003.

Historical

Conventions and Protocols

2. Sierra Leone declared itself to be a party to the Geneva Conventions with effect from 27 April 1961 and acceded to the Additional Protocol II to the Geneva Conventions on 21 October 1986.

a.			This fact was judicially noticed in the *Brima* Decision, para. 28.
b.	Exh. 1.331	n/a	Record of States Party to Geneva Conventions, at p.5, see the official ICRC website: http://www.icrc.org.

Armed Conflict

3. There was an armed conflict in Sierra Leone from about March 1991 until about 18 January 2002.

a.			A similar fact was judicially noticed in the *Brima* Decision, para. 23, Fact A: "The conflict in Sierra Leone occurred from March 1991 until January 2002."
b.	Exh. 1. 236	n/a	Speech by the President of Sierra Leone His Excellency Alhaji Dr. Ahmad Tejan Kabbah at the ceremony marking the conclusion and disarmament and the destruction of weapons Lungi, 18 January

			2002, p.1. [available at http://www.sierra-leone.org/index.html] or [http://www.sierra-leone.org/kabbah011802.html]
c.	Exh. 1.221	ERN 00007621-00007649	RUF Training Manual, at 00007623.
d.	Exh. 1.067	n/a	"Getting Away with Murder, Mutilation, and Rape: New Testimony from Sierra Leone," Human Rights Watch, Vol. 11, No. 3(A), June 1999, at Section III, p. 1 (says the Sierra Leone civil war began in March 1991 when the RUF entered Sierra Leone from Liberia).
e.	Exh. 1.212	n/a	Report of the Secretary-General on the Situation in Sierra Leone, 21 November 1995, para. 2 (gives a history of the conflict in Sierra Leone, beginning in March 1991).
f.	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998, at Section 1.3, p. 6. http://www.unhcr.org/publ/RSDCOI/3ae6a6418.html

4. Organised armed groups who participated in the armed conflict in Sierra Leone included:
   (a) The Revolutionary United Front (RUF).
   (b) The Armed Forces Revolution Council (AFRC)
   (c) The Civil Defence Forces (CDF).

a.			A similar fact was judicially noticed in the *Brima* Decision, para. 31, Fact D: "Groups commonly referred to as the RUF, AFRC and CDF were involved in the armed conflict in Sierra Leone."
b.	Exh. 1.078	ERN 00012418-00012428	Fourth Report of the Secretary-General on the Situation in Sierra Leone, S/1998/249 (18 March 1998), at paras. 6, 20 (ERN 00012419, 00012422).
c.	Exh. 1.073	ERN 00011233-00011276	"Sowing Terror", Human Rights Watch, Vol. 10, No 3 (A), July 1998, pp. 4, 5. (ERN 11237, 11238)
d.	Exh. 1.095	ERN 00025070-00025080	United States Department of State, "Human Rights Practices for 1998 Report", Sierra Leone Country Report, February 1999, p. 1 (ERN 00025070)
e.	Exh. 1.295	n/a	Amnesty International, "Sierra Leone: Childhood - a casualty of conflict", AI Index: AFR 51/69/00, 31 August 2000, Table of Contents.
f.	Exh. 1.304	ERN 00010572-00010587	The Coalition to Stop the Use of Child Soldiers, "Child Soldiers: Global Report", Sections: Child soldiers, An Overview: Sierra Leone, May 2001, at ERN 00010574.

RUF

5. The Revolutionary United Front (RUF), under the leadership of Foday Saybana Sankoh, began organized armed operations in Sierra Leone in March 1991.

a.			This fact was judicially noticed in the *Brima* Decision, para. 34, Fact E.
b.	Exh. 1.212	n/a	Report of the Secretary-General on the Situation in Sierra Leone, 21 November 1995, S/1995/975, paragraph 2.
c.	Exh. 1.067	n/a	"Getting Away with Murder, Mutilation, and Rape: New testimony from Sierra Leone", Human Rights Watch, Vol. 11, No 3(A), June 1999, at Sect. III, p. 1.
d.	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998, http://www.unhcr.org/publ/RSDCOI/3ae6a6418.html, at p. 6.

6. Throughout the armed conflict the RUF forces were also commonly referred to as "RUF" and "rebels" by the population of Sierra Leone.

a.			A similar fact was judicially noticed in *Sesay, Kallon, Gbao, SCSL-04-15-T, "Consequential Order regarding Decision on Prosecution's Motion for Judicial Notice and Admission of Evidence"* ("*Sesay* Decision"), 24 May 2005: "During the ensuing armed conflict, the RUF forces were also commonly referred to as 'RUF', 'rebels' and 'People's Army' by the population of Sierra Leone." (Fact K), but was not judicially noticed in the *Brima* Decision, *see* para. 39, Fact F.
b.	Exh. 1.026	ERN 00007066-00007069	Intelligence Report to the National Coordinator of CDF/SL, Deputy Minister of Defence, 30 November 1999, at ERN 00007066 (mentions a closed door address to "RUF rebels" by Sam Bockarie.)
c.	Exh. 1.066	ERN 00010661-00010676	"The Other War," Washington Post Magazine, 09 January 2000, at ERN 00010673 (says that after the AFRC invited the RUF to join their new government, "RUF rebels" entered Freetown openly for the first time).
d.	Exh. 1.067	n/a	Human Rights Watch Report: Getting Away with Murder, Mutilation, Rape, July 1999, Vol. 11, No. 3(A), available at Table of Contents (Section IVA is entitled "Human Rights Abuses Committed by RUF Rebels".) Also available at http://www.hrw.org/reports/1999/sierra.

e.	Exh. 1.095	ERN 00025070-00025080	U.S. Dept. of State Report, "Sierra Leone Country Report on Human Rights Practices for 1998," released by the Bureau of Democracy, Human Rights, and Labor, February 26, 1999, at ERN 00025071. ("Throughout the year, AFRC and RUF rebels committed numerous egregious abuses"...)
f.	Exh. 1.138	ERN 00028236	"Sierra Leone Coup: How Much Does Taylor Know," *Heritage*, 11 June 1997 – 17 June 1997. ("The RUF rebels, an offshoot of Taylor's NPFL, and the coup plotters are presently controlling part of the Sierra Leonean capital, Freetown...")
g.	Exh. 1.192	n/a	Final Communiqué of the ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone, 28 December 1998, at paras. 7, 10. ("Reports presented by ECOMOG Force Commander *inter alia* indicated that the rebels (AFRC/RUF) had upgraded both their troop strength and equipment in violation of the embargo on arms importation..." and "The Committee of Six (which now included Togo) on Sierra Leone appealed to the AFRC/RUF rebels.")
h.	Exh. 1.248	n/a	"RUF Rebels Swarming Lofa," *Daily Times*, 02 April 1997 (says about 2,000 RUF rebels have reportedly fled Sierra Leone to escape the wrath of the Sierra Leonean national army).

7. Throughout the armed conflict the RUF forces were also commonly referred to as the "People's Army" by the population of Sierra Leone.

a.			A similar fact was judicially noticed in the *Sesay* Decision: "During the ensuing armed conflict, the RUF forces were also commonly referred to as 'RUF', 'rebels' and 'People's Army' by the population of Sierra Leone." (Fact K), but was not judicially noticed in the *Brima* Decision, para. 39, Fact F.
b.	Exh. 1.037	ERN 00007769-00007770	Proposal for the tentative integration of the people's army into the national army and the political circle, 13 August 1997.
c.	Exh. 1.038	ERN 00007793-00007796	Sierra Leone People's Army Trg. Base Manpower Statistic, 21 May 1998, at ERN 00007793.
d.	Exh. 1.387	ERN 00008200-00008207	Situation Report on Some Parts of Kailahun District, 22 December 1997, at ERN 00008200 (Memo from the G5 office of the People's Army to Johnny Paul Koroma.)
e.	Exh. 1.058	ERN 00009672-00009681	Letter to Foday Sankoh from the Black Guard Commander, Undated, at ERN 00009672 (discusses forming the People's Army).

f.	Exh. 1.168	n/a	"Sierra Leone-Children: Young, Armed and Dangerous," by Lansana Fofana, *Inter Press Service*, 1 July 1997, available at http://pangaea.org/street_children/africa/sierra.htm. ("According to some reports, the children are being armed by the new military junta, the Armed Forces Revolutionary Council (AFRC) and its allies, the Revolutionary United Front (RUF) now known as the People's Army, to fight the local hunters militia, the Kamajors.")
k.	Exh. 1.001	00004092-00004097	Sierra Leone Humanitarian Situation Report 08-14 Jul 1997, UN Department of Humanitarian Affairs, paras. 1-5 (ERN 00004092-00004093), available at www.reliefweb.int. (Para. 1 says the Peoples Army attack on ECOMOG at Lungi Airport was led by RUF commander Sam Bockarie; paras. 2-4 all refer to activities by the Peoples Army, and para. 5 reports that the Kenema-Kono highway was secured by the Peoples Army following AFRC/RUF re-enforcement of the area.)

AFRC

8. The AFRC was founded by members of the Armed Forces of Sierra Leone. Soldiers of the Sierra Leone Army (SLA) comprised the majority of the AFRC membership.

a.			A similar fact was judicially noticed in the *Brima* Decision, para. 44, Fact I: "The AFRC was founded by members of the Armed Forces of Sierra Leone who seized power from the elected government of the Republic of Sierra Leone via a coup d'etat on 25 May 1997. Soldiers of the Sierra Leone Army (SLA) comprised the majority of the AFRC membership" Agreed statement of fact number 17: "The AFRC seized power from the elected government of the Republic of Sierra Leone via a coup d'état on 25 May 1997" - *Prosecutor v. Taylor*, Case No. IT-03-01-PT-226, "Joint Filing by the Prosecution & Defence Admitted Facts and Law", 26 April 2007.
b.	Exh. 1.059	ERN 00009683-00009683	Transcript of Sierra Leone Broadcasting Service, Radio Announcement, 25 May 1997, 19h30 GMT. [available at http://www.sierra-leone.org/index.html]
c.	Exh. 1.062	ERN 00009698-00009699	The Sierra Leone Gazette, Vol. CXXVIII, Thursday, 18th September, 1997, No. 54, Government Notice No 215, "The Administration of Sierra Leone (Armed Forces Revolutionary Council) Proclamation, 1997"

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d.	Exh. 1.030	ERN 00007671-00007674	"The Administration of Sierra Leone (Armed Forces Revolutionary Council) Proclamation, 1997", Supplement to the Sierra Leone Gazette Extraordinary Vol. CXXVIII, No. 34, dated 28th May 1997.
e.	Exh. 1.354	n/a	Sierra Leone News Archive from 25 May 1997 and 28 May 1997, http://www.sierra-leone.org/slnews0597.html
f.	Exh. 1.152	n/a	United States Department of State, "Sierra Leone Country Report on Human Rights Practices for 1997", released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998, at p. 1.
g.	Exh. 1.172	n/a	Amnesty International 1998 Annual Report on Sierra Leone (the Republic of), p. 1

AFRC/RUF – Junta (from about 25 May 1997 until about 14 February 1998)

9. Sierra Leone was controlled by the combined forces of the AFRC and RUF, after the coup d'état, from about 25 May 1997 until about 14 February 1998.

a.	Exh. 1.061	ERN 00009689-00009689	Transcript of Sierra Leone Broadcasting Service Radio Broadcast, 30 May 1997 19:22 GMT. (Announcement by the RUF of its acceptance of the AFRC invitation to join in partnership for the government.)
b.	Exh. 1.152	n/a	United States Department of State, "Sierra Leone Country Report on Human Rights Practices for 1997", released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998, at p. 3.
c.	Exh. 2.182	ERN 00013413-00013416	Address by Major Johnny Paul Koroma, available at http://www.sierra-leone.org/koroma060197.html. (Koroma outlines the reasons why he invited the RUF to join the coup during the junta period.)
d.	Exh. 1.225	ERN 00007081-00007086	Minutes of the First Meeting of the AFRC held at the Conference Hall, Defence HQ on Saturday 19th July 1997. (Secret minutes of the first AFRC meeting, chaired by Johnny Paul Koroma, attended by RUF and AFRC leaders.)
e.	Exh. 1.065	ERN 00009772-00009775	Minutes of an Emergency Council Meeting of the AFRC held at State House on Monday 11th August 1997. (Supreme Council Meeting minutes showing the AFRC and RUF are working together. Items discussed included the financial position of the country, foreign aid and discipline among council members.)
f.	Exh. 1.209	n/a	Howard W. French, "Nigerians Take Capital of Sierra Leone as Junta Flees," New York Times, Feb. 14, 1998, Section A, Page 3, Column 1, Foreign Desk.

g.	Exh. 1.033	ERN 00007703-00007710	The Sierra Leone Gazette, Vol. CXXVIII, No. 52, 04 September 1997, at P.N. No. 3 of 1997 (ERN 00007704) (lists members of the Armed Forces Revolutionary Council from both the AFRC and the RUF, including leaders Johnny Paul Koroma, Foday Sankoh, SAJ Musa, Alex Tamba Brima, Sam Bockarie, Morris Kallon, Issa Sesay, Gibril Massaquoi, Michael Lamin, and Eldred Collins).
h.	Exh. 1.034	ERN 00007711-00007718	The Sierra Leone Gazette, Vol. CXXVIII, No. 53, 11 September 1997, at P.N. No. 3 of 1997 (ERN 00007711-00007712) (lists members of the Armed Forces Revolutionary Council from both the AFRC and the RUF).

10. During the period from about 25 May 1997 until about 14 February 1998, the combined forces of the AFRC/RUF were known as the Junta.

a.	Exh. 1.007	ERN 00004201-00004217	Fifth Report of the Secretary-General on the Situation in Sierra Leone, S/1998/486, 9 June 1998, at para. 13 ("Following the expulsion of the illegal military junta from the capital, Freetown, in mid-February"...).
b.	Exh. 1.320	ERN 00010224-00010225	"Security Council Committee on Sierra Leone Releases List of Junta Members Affected by Sanctions," Press Release SC/6472, 28 January 1998.
c.	Exh. 1.139	ERN 00028237	"Under the Command of Samba Malloun: Junta to Launch Major Offensive", news article in Liberian newspaper *The Heritage*, dated 30/04/1998-04/04/05/1998.
d.	Exh. 1.152	n/a	United States Department of State, "Sierra Leone Country Report on Human Rights Practices for 1997", released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998, at p. 3 (reports that thousands of civilians disappeared following the May 25 junta takeover).
e.	Exh. 1.168	n/a	"Sierra Leone-Children: Young, Armed and Dangerous" Lansana Fofana, Inter Press Service, July 1, 1997.

11. After the 25 May 1997 coup d'état, a governing body called the Supreme Council was created within the AFRC/RUF Junta.

a.	Exh. 1.030	ERN 00007671-00007674	Administration of Sierra Leone (Armed Forces Revolutionary Council) Proclamation 1997, published in Sierra Leone Gazette, Extraordinary Vol. CXXVIII, No. 34, 28 May 1997, paras. 1-10.
b.	Exh. 1.065	ERN 00009772-00009775	Minutes of an Emergency Council Meeting of the A.F.R.C. held at State House on Monday 11th August 1997

c.	Exh. 1.090	ERN 00019284-00019285	"AFRC Names New Team." Supreme Council members listed
d.	Exh. 1.001	ERN 00004092-00004097	Sierra Leone Humanitarian Situation Report 08-14 Jul 1997, UN Department of Humanitarian Affairs, at para. 9 (ERN 00004093), available at www.reliefweb.int. (Says 37 posts in the Supreme Council have also been created, but only 22 have been filled to date.)

12. The Supreme Council included the following members: Johnny Paul Koroma, Foday Sankoh, S.A.J. Musa, Tamba Alex Brima, Ibrahim Bazzy Kamara, Mike Lamin, Issa Sesay, Morris Kallon, and Eldred Collins.

a.	Exh. 1.062	ERN 00009698-00009699	P.N. No. 3 of 1997, Dated: 3 September 1997. Published in The Sierra Leone Gazette, VOL. CXXVIII, No. 54, 18 September 1997, p. 324. (ERN 00009699)
b.	Exh. 1.065	ERN 00009772-00009775	Minutes of an Emergency Council Meeting of the AFRC held at State House on Monday 11th August 1997, dated 16 August 1997, at ERN 00009772
c.	Exh. 1.090	ERN 00019284-00019285	"AFRC Names New Team," *Expo Times Weekend*, 11 July 1997.

Abidjan Accord

13. On 30 November 1996, Foday Saybana Sankoh [as Leader of the RUF] and President Ahmad Tejan Kabbah, [as] President of the Republic of Sierra Leone, signed a Peace Agreement in Abidjan, Ivory Coast [("*Abidjan Accord*")].

a.			This fact was judicially noticed in *Brima* Decision, para. 40.
b.	Exh. 1.226	ERN 00004337-00004344	*Abidjan Accord*, http://www.sierra-leone.org/abidjanaccord.html, at p. 8 (ERN 00004344).

14. The *Abidjan Accord* between the Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL) required that the "two foes" ensure a total cessation of hostilities.

a.	Exh. 1.226	ERN 00004337-00004344	*Abidjan Accord*, http://www.sierra-leone.org/abidjanaccord.html, at p. 1, Art. 1 (ERN 00004337).

15. The *Abidjan Accord* stated that mercenaries from the corporation Executive Outcomes must withdraw from Sierra Leone.

a.	Exh.	ERN	*Abidjan Accord*, http://www.sierra-

	1.226	00004337-00004344	leone.org/abidjanaccord.html, at p. 4, Art. 12 (ERN 00004340).

16. The *Abidjan Accord* stated that:

"The Parties agree that the basic civil and political liberties which are recognised by the Sierra Leone legal system and are contained in Declarations and Principles on Human Rights adopted by the UN and the OAU, especially the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, shall be fully guaranteed and promoted within Sierra Leone society.

These include the right to life and liberty, freedom from torture; the right to a fair trial, freedom of conscience [...]."

a.	Exh. 1.226	ERN 00004337-00004344	*Abidjan Accord*, http://www.sierra-leone.org/abidjanaccord.html, at p. 5, Art. 19 (ERN 00004341).

17. The *Abidjan Accord* stated that:

"The Parties undertake to respect the principles and rules of international humanitarian law."

a.	Exh. 1.226	ERN 00004337-00004344	*Abidjan Accord*, http://www.sierra-leone.org/abidjanaccord.html, at p. 6, Art. 21 (ERN 00004342).

Post Abidjan Accord

18. Active hostilities recommenced in Sierra Leone following a temporary lull in fighting after the signing of the *Abidjan Accord.*

a.			A similar fact was judicially noticed in the *Brima* Decision, para. 41, Fact H: "However, the active hostilities thereafter recommenced."
b.	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998, at p. 7.
c.	Exh. 1.015	ERN 00004333-00004336	Resolution 1132 (1997), Adopted by the Security Council at its 3822nd meeting on 8 October 1997.
d.	Exh. 1.014	ERN 00004329-00004332	Resolution 1181 (1998), Adopted by the Security Council at its 3902nd meeting, on 13 July 1998, at para. 1.
e.	Exh. 1.067	n/a	"Getting Away with Murder, Mutilation, and Rape: new Testimony from Sierra Leone", Human Rights Watch, Vol. 11, No. 3(A), June 1999, Sec. III, p. 1.

1998 Return of the Government

19. President Kabbah's government returned to power in Sierra Leone in March 1998.

a.			A similar fact was judicially noticed in the *Brima* Decision, para. 58, part of Fact P: "... President Kabbah's government returned in March of 1998."
b.	Exh. 1.078	n/a	Fourth Report of the Secretary-General on the Situation in Sierra Leone, 18 March 1998 (S/1998/249) paras. 9, 17.
c.	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998, at p. 9.
d.	Exh. 1.073	ERN 00011233-00011276	Human Rights Watch, "Sowing Terror, Atrocities against civilians in Sierra Leone", Vol. 10, No. 3 (A) July 1998, at p. 4 (ERN 00011237).

Meetings between the President of the Republic of Liberia and President Kabbah

20. At a meeting in Abuja in July 1998, the President of the Republic of Liberia and President Kabbah condemned the atrocities against civilians in Sierra Leone.

a.	Exh. 1.227	ERN 00012386-00012400	First Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1998/750), 12 August 1998, at para. 5 (ERN 00012387).

21. At a 20 July 1998 meeting in Monrovia, the President of the Republic of Liberia and President Kabbah again condemned all atrocities and violations of human rights committed by combatants in Sierra Leone against civilians.

a.	Exh. 1.227	ERN 00012386-00012400	First Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1998/750), 12 August 1998, at para. 6 (ERN 00012387).

Allegations of Treason

22. In July 1998, Foday Sankoh was transferred from Nigeria to Sierra Leone to face trial for treason.

a.	Exh. 1.230	n/a	Sierra Leone news archive from July 25, 1998, http://www.sierra-leone.org/slnews0798.html.
b.	Exh. 1.173	n/a	AI Report: 1999 Sierra Leone, http://www.amnesty.org/ailib/aireport/ar99/afr51.htm at p. 4.

23. In October 1998, Foday Sankoh was found guilty of treason and sentenced to death by the Sierra Leone High Court.

a.	Exh. 1.173		AI Report:1999 Sierra Leone, http://www.amnesty.org/ailib/aireport/ar99/afr51.htm at p. 4.
b.	Exh. 1.046	ERN 00008256-00008438	Judgment and Sentencing of *The State v. Col. Foday Saybana Sankoh*, 23 October 1998, at ERN 0008348-00008349.

Lomé Peace Agreement

24. On or about 7 July 1999, Foday Saybana Sankoh and [Ahmad] Tejan Kabbah signed a peace agreement in Lomé, Togo.

a.			This fact was judicially noticed in the *Brima* Decision, para. 61, Fact R: "On or about 7 July 1999, Foday Saybana Sankoh and Ahmed Tejan Kabbah signed a peace agreement in Lomé, Togo."
b.	Exh. 1.016	ERN 00004349-00004369	Lomé Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL), 7 July 1999, at ERN 00004349, 00004365.

25. The *Lomé Peace Agreement* committed the parties to promoting full respect for human rights and humanitarian law.

a.	Exh. 1.016	ERN 00004349-00004369	Lomé Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL), 7 July 1999, at ERN 00004349.

26. The *Lomé Peace Agreement* recognized the imperative that children of Sierra Leone were entitled to special care and the protection of their inherent right to life, survival and development.

a.	Exh. 1.016	ERN 00004349-00004369	Lomé Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL), 7 July 1999, at ERN 00004349.

27. Part Five of the *Lomé Peace Agreement* recognized the importance of upholding, promoting and protecting the human rights of every Sierra Leonean, as well as the enforcement of humanitarian law.

a.	Exh. 1.016	ERN 00004349-00004369	Lomé Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL), 7 July 1999, at Part Five, Para.

			1, ERN 00004357.	

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28. Article XXIV of the *Lomé Peace Agreement* guaranteed the protection and promotion of human rights.

a.	Exh. 1.016	ERN 00004349-00004369	Lomé Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL), 7 July 1999, at Part Five, Art. XXIV, ERN 00004358.

Post-Lomé Peace Agreement

29. On 10 November 2000, the Government of Sierra Leone and the RUF signed a Ceasefire Agreement in Abuja, Nigeria, to declare and observe a ceasefire and halt hostilities, effective from 10 November 2000.

a.	Exh. 1.017	ERN 00004370-00004370	Ceasefire Agreement Between the Government of Sierra Leone and the RUF, 10 November 2000. Available at http://www.sierra-leone.org/ceasefire1100.html.

B. INTERNATIONAL INTER-GOVERNMENTAL ORGANISATIONS

The Economic Community of West African States (ECOWAS)

30. In 1975, 15 West African States signed the treaty creating an Economic Community of West African States (ECOWAS).

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), pp. 1-2, at http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf

31. In 1981, ECOWAS member states signed a Protocol Relating to Mutual Assistance on Defence (PMAD). This Protocol became effective five years later.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), p. 6, at http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf

32. PMAD provided for a collective response where a member state is a victim of internal armed conflict that is engineered and supported actively from outside, and which is likely to endanger the peace and security of other member states.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), p.6, at http://www.africa-

			union.org/root/AU/recs/ECOWASProfile.pdf

33. On 10 December 1999, ECOWAS member states signed a protocol that subsumed PMAD and established the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), p. 6 at http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf

34. In 1994 the Sierra Leonean and Nigerian governments signed a defence pact.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf, at p. 7.

35. After the signing of the Status of Forces Agreement (SOFA) between Sierra Leone and Nigeria on 7 March 1997, ECOWAS extended the mandate of the ECOMOG troops in Liberia to include Sierra Leone.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), at p. 7, http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf

International Force - ECOMOG

36. The ECOWAS Cease-fire Monitoring Group, also known as ECOMOG, is the regional intervention force established by ECOWAS.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), p. 6, at http://www.africa-union.org/Recs/ECOWASProfile.pdf

37. ECOMOG forces in Sierra Leone conducted armed military operations pursuant to the expanded mandate (after the signing of the SOFA in March 1997).

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), p. 7, at http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf

ECOWAS/ECOMOG

38. ECOWAS issued a Final Communiqué following the ECOWAS Summit held following the 25 May 1997 coup.

a.	Exh. 1.233	n/a	See excerpts taken from the Final Communiqué at http://www.sierra-leone.org/ecowas2.html (date posted - 30 July 1997)

39. In the Final Communiqué issued following the ECOWAS Summit held following the 25 May 1997 coup, the ECOWAS Heads of State and Government mandated ECOMOG to specifically monitor the ceasefire, enforce sanctions and embargo and secure the peace in Sierra Leone.

a.	Exh. 1.233	n/a	Final Communiqué, http://www.sierra-leone.org/ecowas2.html, at para. 25.

40. ECOWAS issued the Final Communiqué of the ECOWAS Special Meeting of Foreign Ministers, on June 26, 1997, in which the Ministers of Foreign Affairs:

(a) deplored the bloodshed and other loss of human life that resulted from the coup of May 25, 1997; and

(b) warned the unlawful regime to refrain from violence against Sierra Leonean citizens, foreigners living in Sierra Leone, and ECOMOG personnel.

a.	Exh. 1.223	n/a	Final Communiqué, http://www.sierra-leone.org/ecowas062697.html, at para. 11.

41. The 26 June 1997 ECOWAS Special Meeting of Foreign Ministers was attended by representative(s) of Liberia.

a.	Exh. 1.223	n/a	Final Communiqué, http://www.sierra-leone.org/ecowas062697.html, at para. 2.

42. ECOWAS issued the "Decision on Sanctions Against the Junta in Sierra Leone" at the ECOWAS Twentieth Session of the Authority of Heads of State and Government, 28-29 August 1997, on August 29, 1997, in which the Authority of Heads of State and Government decided:

(a) the embargo imposed by this decision shall not apply to arms, military equipment and military assistance meant for the exclusive use of the sub-regional forces which shall be responsible for applying the measures contained in the Final Communiqué of the meeting of ECOWAS Ministers of Foreign Affairs issued on 26 June, 1997 (Article 6).

(b) the sub-regional forces shall employ all necessary means to impose the implementation of this decision. They shall monitor closely the coastal areas, land borders and airspace of the Republic of Sierra Leone, and shall

inspect, guard and seize any ship, vehicle or aircraft violating the embargo imposed by this decision (Article 7).

a.	Exh. 1.189	n/a	Decision, http://www.sierra-leone.org/ecowas082999.html.

43. ECOWAS issued a Communiqué of the ECOWAS Seventh Meeting of Ministers of Foreign Affairs of the Committee of Five on Sierra Leone on 19 December 1997, in which the Ministers:

(a) noted that the ECOWAS Peace Plan for Sierra Leone provided for the deployment of a UN Observer Mission along with ECOMOG in Sierra Leone to implement the disarmament process,

(b) urged the United Nations Security Council to accelerate efforts towards the deployment of a United Nations Military Observer Mission in Sierra Leone,

(c) called on Member States to urgently contribute more troops to enhance ECOMOG's operational capability in Sierra Leone.

(d) were informed of the upgrading of an airstrip at Mabguraka into a full-fledged airport by the illegal regime for the illegal importation of arms and other supplies. The Ministers noted that this was in violation of the sanctions and embargo regimes, and therefore mandated ECOMOG to ensure that the airstrip is not used.

a.	Exh. 1.191	n/a	Communiqué, http://www.sierra-leone.org/ecowas121997.html, at para. 12.

44. Representative(s) of the Republic of Liberia attended the 19 December 1997 ECOWAS Seventh Meeting of Ministers of Foreign Affairs of the Committee of Five on Sierra Leone.

a.	Exh. 1.191	n/a	Communiqué, http://www.sierra-leone.org/ecowas121997.html, at para. 2.

45. ECOWAS issued the Final Communiqué of the Eighth Meeting of Foreign Ministers of the ECOWAS Committee of Five on Sierra Leone, 5-6 February 1998, on 6 February 1998, in which the Ministers noted with concern the plight of refugees, their impact on neighbouring countries and the deteriorating humanitarian situation in Sierra Leone.

a.	Exh. 1.234	n/a	Final Communiqué, http://www.sierra-leone.org/ecowas020698.html, at para. 12.

46. Representative(s) of the Republic of Liberia attended the 5-6 February 1998 Eighth Meeting of Foreign Ministers of the ECOWAS Committee of Five on Sierra Leone.

a.	Exh.	n/a	Final Communiqué, http://www.sierra-

	1.234		leone.org/ecowas020698.html, at para. 2.

47. ECOWAS issued a Final Communiqué of the ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone on 28 December 1998, in which the Committee strongly condemned the atrocities, particularly the mutilation being perpetrated by the rebels against the civilian population in Sierra Leone.

a.	Exh. 1.192	n/a	Final Communiqué of ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone, 28 December 1998, http://www.sierra-leone.org/ecowas122898.html, at para. 10j.

48. The ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone, 28 December 1998, was attended by representative(s) of the Republic of Liberia.

a.	Exh. 1.192	n/a	Final Communiqué of ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone, 28 December 1998, http://www.sierra-leone.org/ecowas122898.html, at para. 2.

49. ECOMOG, acting on behalf of the deposed government of President Kabbah, ousted the AFRC/RUF Junta from power on about 14 February 1998.

a.			A similar fact was judicially noticed in the *Brima* Decision, para. 58, part of Fact P: "The Junta was forced from power by forces acting on behalf of the ousted government of President Kabbah on or about 14 February 1998. ..."
b.	Exh. 1.078	ERN 00012418-00012428	Fourth Report of the Secretary-General on the Situation in Sierra Leone, 18 March 1998 (S/1998/249) para. 6, 9, 17. (ERN 00012419, 00012421)
c.	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998, at p. 9.
d.	Exh. 1.073	ERN 00011233-00011276	Human Rights Watch, "Sowing Terror, Atrocities against civilians in Sierra Leone", Vol. 10, No. 3 (A) July 1998, at p.4 (ERN 00011237)

United Nations (UN)

General: Sierra Leone

50. The United Nations issued the Report of the Secretary-General on the Situation in Sierra Leone (S/1995/975), dated 21 November 1995, in which the Secretary-General noted:

"Given the links between the conflicts in Liberia and Sierra Leone, certain regional and other countries have taken the decision to provide military assistance to Sierra Leone."

a.	Exh. 1.212	n/a	Report of the Secretary-General on the Situation in Sierra Leone (S/1995/975), 21 November 1995, at para. 23.

51. In a UNICEF press release dated 19 June 1997, the Executive Director of UNICEF called on all sides in the Sierra Leone conflict to stop using children as combatants. She stated that:

(a) since the AFRC coup on May 25, witnesses had reported seeing hundreds of armed children in the streets of Freetown;

(b) many former child soldiers had demobilized beginning in 1993, but were now being recruited and rearmed again by the AFRC and their allies; and

(c) more than 60 percent of the 1,000 fighters recently screened by the DDR Unit were women and children;

a.	Exh. 1.021	ERN 00004653-00004655	"Stop Using Child Soldiers, Sierra Leone Told," UNICEF Press Release, 19 June 1997, available at http://www.unicef.org/newsline/pr22.htm.

52. The United Nations issued Security Council Resolution 1132 (S/RES/1132/1997) dated 8 October 1997, in which the Security Council:

(a) expressed its grave concern at the continued violence and loss of life in Sierra Leone following the military coup of 25 May 1997, and the deteriorating humanitarian conditions in the country;

(b) reiterated its call upon the Junta to end all acts of violence; and

(c) decided that all States shall prevent the sale or supply to Sierra Leone of [...] arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territory.

a.	Exh. 1.015	ERN 00004333-00004336	UN Security Council Resolution 1132, S/RES/1132 (1997), at p. 2 (00004334).

53. The United Nations issued the Fourth Report of the Secretary-General on the Situation in Sierra Leone (S/1998/249), dated 18 March 1998, reporting on the implementation of Security Council Resolution 1132 and the humanitarian situation in Sierra Leone, and noted or reported that:

(a) in response to an attack by junta forces on their position at Lungi, ECOMOG launched a military attack on the junta in Freetown, which culminated approximately one week later in the collapse of the junta and its expulsion by force from Freetown after heavy fighting. The fall of the city on 13 February (1998) was accompanied by widespread looting and some reprisal killings as the RUF and other armed elements retreated (paragraphs 6 and 20);

(b) many children suffered exposure to acts of violence by being sent into battle as combatants (paragraph 28); and

(c) the combination of fighting and looting led to extensive damage to housing and infrastructure in the provincial towns (paragraph 28).

a.	Exh. 1.078	ERN 00012418-00012428	Fourth Report of the Secretary-General on the Situation in Sierra Leone, S/1998/249, 18 March 1998.

54. In the Sierra Leone Humanitarian Situation Report: 16-30 April 1998, the United Nations Humanitarian Coordinator (UNHC) for Sierra Leone reported or noted that:

(a) some RUF moved from Kono district towards the Northeast and perpetrated several attacks near the towns of Kamakwie, Batkanu and Makeni. Looting and amputations were widespread (para. 1);

(b) ECOMOG spokesmen alleged that RUF fighters were being trained at a camp in Lofa County in Northern Liberia, but the Liberian government rejected the allegations (para. 2);

(c) ECOMOG Force Commander in Sierra Leone, Col. Khobe, stated in a radio interview that there was evidence that former NPFL and ULIMO-K fighters were crossing from Liberia into Sierra Leone to assist the activities of the RUF (para. 2); and

(d) reports of mutilation were widespread, and 101 amputees from Kono district had been admitted to Connaught Hospital in Freetown since 14 April 1998 (para. 6).

a.	Exh. 1.157	n/a	Sierra Leone Humanitarian Situation Report: 16-30 April 1998, United Nations Humanitarian Coordinator (UNHC). Available at http://iys.cidi.org/humanitarian/hsr/98a/0026.html.

55. The United Nations issued the Fifth Report of the Secretary-General on the Situation in Sierra Leone (S/1998/486), dated 9 June 1998, and noted or reported that:

(a) there were reports that many of the fighters supporting the former junta in the east were Liberian nationals. The Monitoring Group of ECOWAS believed it had identified some dead combatants as Liberians after clashes with junta elements, and had reportedly captured more than 100 Liberian fighters in the vicinity of Kailahun and in Kono district (para. 29, ERN 00004206);

(b) Liberia was represented by Vice President Enoch Dogolea at the 4 June 1998 summit meeting of the three Mano River Union countries, where Presidents Conteh and Kabbah discussed mutual cooperation in the subregion and relations between Liberia and Sierra Leone (para. 12, ERN 00004203);

(c) the government of Sierra Leone was restored on 10 March 1998 (para. 3, ERN 00004201);

(d) following the expulsion of the junta from Freetown, armed former junta elements attacked the local civilian population, killing, raping and mutilating hundreds (para. 15, ERN 00004203);

(e) as they retreated toward the eastern part of the country, former junta elements inflicted extensive damage and engaged in indiscriminate looting and property destruction (para. 27, ERN 00004205);

(f) armed, uniformed groups consistently reported to be members of rebel forces have systematically mutilated or severed the limbs of non-combatants around Koidu and Kabala and as far west as Masiaka. Between 6 April to 21 May 1998, 225 people were admitted to Connaught Hospital in Freetown with war wounds; all but one were reported to be civilians. Of these, a quarter were amputees, and half were victims of deep lacerations. In the same period, there were some 500 admissions of war-wounded persons to other hospitals in Sierra Leone (para. 35, ERN 00004207);

(g) the youngest amputee admitted to the hospital was a six-year-old girl, one of whose arms was completely severed (para. 36, ERN 00004207);

(h) others reported babies had been taken from their mothers' arms and burned alive, and there were numerous reports of rape, including the multiple rape of a 12-year-old girl. A 60-year-old woman had lacerations from a failed attempt to behead her (para. 36, ERN 00004207); and

(i) the Special Envoy's office continued to receive information about human rights abuses perpetrated by forces loyal to the junta in the period before the restoration of the Government, including extrajudicial killings, rape, arbitrary detention, torture of children (especially of child-combatants), forced labour, and the looting and destruction of residential and commercial premises and property (para. 37, ERN 00004207).

a.	Exh. 1.007	ERN 00004201-	Fifth Report of the Secretary-General on the Situation in Sierra Leone, S/1998/486, 9 June 1998.

56. The United Nations issued Security Council Resolution 1181 (S/RES/1181/1998), dated 13 July 1998, in which the Security Council, concerning Sierra Leone:

(a) expressed grave concern at the loss of life and immense suffering undergone by the people of Sierra Leone, including refugees and displaced persons, as a result of the continuing rebel attacks, and in particular, at the plight of children affected by the conflict (Introduction);

(b) condemned the violence that remnants of the ousted junta and members of the RUF were perpetrating against the civilian population of Sierra Leone (para. 1),

(c) demanded that they lay down their arms immediately and that all factions respect human rights and abide by applicable rules of international humanitarian law (paras. 1 and 12);

(d) expressed serious concern at the reports of cross-border arms flows and support to the rebels in Sierra Leone (para. 13); and

(e) reaffirmed the obligation of all States to strictly comply with the terms of the embargo on the sale or supply of arms and related materiel to Sierra Leone imposed by resolution 1171 (1998) of 5 June 1998 (para. 13).

a.	Exh. 1.014	ERN 00004329-00004332	U.N. Security Council Resolution 1181 (1998), 13 July 1998, S/RES/1181 (1998), http://daccessdds.un.org/doc/UNDOC/GEN/N98/203/28/PDF/N9820328.pdf?OpenElement

57. In the Second Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, dated 16 October 1998, the Secretary-General:

(a) reported that during the month of September, UNOMSIL received an escalating number of reports of mutilations, amputations, summary executions, abductions and house burnings. A 6 September attack on the village of Kamalu resulted in 40deaths, including children. Photographic evidence suggested that a number of the dead had first been subjected to forms of extreme torture and sexual abuse; others appeared to have been burned alive. It was reported that at least 50 people were abducted (para. 21, ERN 00012375);

(b) stated that in interviews with former captives of the rebels and escapees from areas under rebel control, they reported abuses that included multiple rapes of women, summary executions and slave labour (para. 22, ERN 00012376);

(c) expressed deep concern about developments in the situation between Sierra Leone and Liberia and urged both governments to exercise maximum

restraint, pursue dialogue and implement the confidence building measures agreed in July 1998 (para. 61, ERN 00012383);

(d) proposed that, should both countries agree, the deployment of ECOMOG forces at the border, subsequently accompanied by UNOMSIL military observers, could help stabilize the situation and restore mutual confidence (para. 61, ERN 00012383); and

(e) strongly condemned the summary executions, torture, mutilation, rapes, looting and other acts of barbarism carried out by former junta elements and called on them to lay down their arms and surrender. He expressed particular outrage at "the senseless acts of terror perpetrated against children, such as the amputation of limbs of boys and girls as young as six years of age, and [I] support the efforts to bring to justice the authors of these especially abhorrent crimes." (para. 54, ERN 00012383).

a.	Exh. 1.077	ERN 00012371-00012385	Second Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, 16 October 1998, S/1998/960.

58. The United Nations High Commissioner for Refugees (UNHCR) Centre for Documentation and Research issued a Background Paper on Refugee and Asylum Seekers from Sierra Leone in November 1998 in which the Office of the UNHCR:

(a) noted the close association between Sierra Leonean and Liberian rebels, tracing it back to military training in Libya in the 1980s (p. 6);

(b) estimated that the RUF had only about 100 members in the beginning but expanded to several thousands during the movement (p. 13); and

(c) stated that the majority of human rights abuses were reported to have been committed by RUF/AFRC forces and included: deliberate extrajudicial killings of civilians, torture, mutilation, rape, beatings, arbitrary arrest and detention and ill-treatment of human right activists, students and journalists, campaigns of fear/terror, looting, abductions, house burnings, forced labour, and sexual slavery (p. 20).

a.	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998, http://www.unhcr.org/publ/RSDCOI/3ae6a6418.html

59. In the Third Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, dated 16 December 1998, the Secretary-General reported or noted that:

(a) on 12 November 1998, at the invitation of President Lansana Conte of Guinea, President Ahmad Tejan Kabbah of Sierra Leone and President

Charles Taylor of Liberia participated in an extraordinary summit meeting of the Mano River Union in Conakry (para. 12, ERN 00012355);

(b) in a communiqué issued after the meeting, the three Heads of State pledged to ensure the strict observance of the 1986 Non-Aggression and Security Cooperation Agreement between Liberia, Sierra Leone and Guinea that had been signed and ratified by the three member States. The three Heads of State agreed to work collectively to restore peace in Sierra Leone and maintain stability in the subregion (para. 13, ERN 00012355);

(c) UNOMSIL information indicated there appeared to be six rebel battalion-type formations comprising approximately 300 fighters each—two based in the north were reportedly primarily AFRC, the other four were deployed around Kailahun and were believed to be RUF with some AFRC elements (para. 18, ERN 00012356);

(d) in the north and northwest, rebel attacks against civilians persisted and had recently intensified. In the first few days of December 1998, a large rebel force moving southwards and westwards launched coordinated and well-planned attacks on several locations near the road from Freetown to the Guinean border, including Mange, Lunsar and Masiaka, inflicting heavy casualties on civilians and property damage (para. 19, ERN 00012356);

(e) repeated rebel attempts to gain control of the diamond-rich Koidu area had been unsuccessful, but the situation remained unpredictable and the area was still in danger from rebel attacks (para. 21, ERN 00012357);

(f) a group of 33 child ex-combatants, mainly from the RUF, were registered at Lakka near Freetown on 21 November 1998, and a group of 94 children, mainly from the RUF, were registered at Bo on 3 December (para. 32, ERN 00012359);

(g) widespread rebel attacks on civilian populations continued, including amputation of limbs, mutilation, actual or attempted decapitation, rape, burning alive of men, women and children, destruction of homes, abduction and looting (para. 36, ERN 00012360). At the end of October, five farmers were burned alive by rebels in a house ten miles from Alikalia. In early November, thee town of Bafodia was destroyed. At the end of November, 50 youths were abducted from Yifin in a rebel attack (para. 36, ERN 00012360); and

(h) during November 1998, there was an escalating rate of reports of actual and attempted decapitation. Rebel elements indicated the attacks were motivated by a desire for revenge against the sentencing to death of Foday Sankoh (para. 37, ERN 00012360).

a.	Exh. 1.076	ERN 00012353-00012370	Third Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, 16 December 1998, S/1998/1176.

60. The United Nations High Commissioner for Refugees (UNHCR) reported on 05 January 1999 that: 5661

(a) 210,000 people fled Sierra Leone to Guinea in 1998, hundreds arriving mutilated by the rebel forces; and

(b) there were a total of 350,000 Sierra Leone refugees in Guinea and another 90,000 in Liberia.

a.	Exh. 1.185	n/a	UNHCR Briefing Notes: Situation in Sierra Leone, United Nations High Commissioner for Refugees (UNHCR), 05 January 1999. Available at www.reliefweb.int.

61. The UNCHR Branch Office, Conakry, issued the Report on Atrocities Committed Against the Sierra Leone Population on 28 January 1999, which reported or noted that:

(a) since the ECOMOG forces regained control of Freetown, mid-February 1998 reports came in about serious atrocities being committed by retreating junta forces against the local population;

(b) the scale and nature of the crimes perpetrated served two purposes: intimidation and humiliation; and

(c) perpetrators of the crimes did not discriminate with regard to age, sex, ethnic origin or other criteria in the choice of their victims.

a.	Exh. 1.020	ERN 00004549-00004652A	Report on Atrocities Committed Against the Sierra Leone Population, UNHCR Branch Office Conakry, 28 January 1999 (Rev.2), at Introduction (ERN 00004550).

62. The United Nations issued Findings and Recommendations of the UNOMSIL Human Rights Assessment Mission to Freetown, dated 25 January and 1 - 4 February 1999 which:

(a) attributed most civilian casualties and the related humanitarian emergency in Freetown to rebel forces (p. 3, ERN 00015216)

(b) concluded that the actual number of civilian casualties would never be known (p. 3, ERN 00015216)

(c) concluded that rebels used civilians as human shields (p. 4, ERN 00015217)

(d) described arbitrary killings of men, women and children by rebel fighters, including two instances where a 10- and an 8-year old boy did the killing. Witness reports stated that frequently, the perpetrators of the killings were under the influence of cocaine and other drugs, including alcohol, and

occasionally the killings occurred in the context of games (p. 4, ERN 00015217)

(e) reported people being locked in their homes or disabled by gunshot in their homes, then burned to death, including elderly people and infants. Also reported others being shot while attempting to escape from burning buildings (p. 4, ERN 00015217)

(f) stated that by 10 January, rebels were targeting men, women and children civilians for amputations and mutilations (p. 5, ERN 00015218)

(g) described rebel forces targeting many individuals and categories of persons for execution, such as police officers, prison officials, journalists, a senior member of the human rights monitoring committee of the NCDHR, hospital patients, and people at a Kissy Mosque (pp. 4-5, ERN 00015217-218)

(h) stated that rapes of females, including children, appeared to have been a standard practice of the rebel combatants. Group rapes, including in public places, occurred in Kroo Town Road and Kissy. Girls were physically examined to verify their status as virgins, then sexually abused (p. 6, ERN 00015219)

(i) reported that a significant number of the rebel combatants were children, that rebel child combatants were frequently under the influence of drugs, and their commanders encouraged this practice (pp. 6-7, ERN 00015218-219)

(j) reported that rebels abducted a large but unverifiable number of people, including staff of UN agencies and NGOs, students, and children. Indicated that young boy abductees tended to be used as porters or were selected for training as fighters. Older men were retained solely for porterage. Women and girls were retained to cook and for sexual purposes (p. 7, ERN 00015219) and

(k) stated that rebel forces were responsible for the deliberate and widespread destruction of civilian property and public utilities, especially when residents refused to hand over sufficient cash or goods to looting rebels or because the occupants failed to obey instructions to come out on the streets, serve as "human shields" or hand over girls for sexual purposes. Noted that an ascertainable degree of the damage to the property stock was inflicted by ECOMOG, including as a result of aerial bombardment (Fisher Street, Nicol Street, Coker Lane, Bombay Street, Wilberforce Street, Clay Factory Displaced Persons Centre, and at the Basharia Mosque in Susan's Bay) (p. 8, ERN 00015220)

a.	Exh. 1.082	ERN 00015214-00015226	UNOMSIL Human Rights Assessment Mission to Freetown, 25 January and 1-4 February 1999, Findings and Recommendations

63. In the Fifth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, dated 4 March 1999, the Secretary-General reported or noted that:

(a) rebel fighters belonging to the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF) attacked Freetown on 6 January 1999 (para. 2, ERN 00004266);

(b) many civilians were severely mutilated by the rebels and the rebels burnt down large numbers of public buildings and homes (para. 2, ERN 00004266);

(c) rebel forces reportedly rely on some foreign mercenaries, including Europeans and Liberians, and are reported to be receiving weapons from outside the country (para. 4, ERN 00004267);

(d) UNOMSIL human rights officers who visited Freetown in late January and early February to conduct an assessment of the situation there found that the ultimate responsibility for the fighting, for most of the civilian casualties, and for the related humanitarian emergency in Freetown rested with the rebel forces (paras. 20-21, ERN 00004270);

(e) estimates put the total casualties between 3,000 and 5,000, including rebel fighters and ECOMOG and CDF combatants. Two thousand of those casualties were feared to be civilian inhabitants of Freetown (para. 21, ERN 00004270);

(f) many civilians were killed while being used by the rebels as human shields in combat or because they reportedly refused to come into the streets to demonstrate in favour of the rebels. Many were killed while trying to protect family members from death or rape, or while trying to protect their property from looting and destruction (para. 21, ERN 00004270-00004271);

(g) much of the killing seemed to be arbitrary and to have been carried out by child fighters or rebel fighters under the influence of drugs or alcohol (para. 22, ERN 00004271);

(h) some of the murders were targeted, including, reportedly, the murder of 200 police personnel (para. 22, ERN 00004271);

(i) hundreds of civilians were treated for the amputation of limbs or other forms of mutilation. Victims included men, women and children, some as young as six years old. The mutilations were usually inflicted with machetes or axes (para. 23, ERN 00004271);

(j) there were reports of widespread rape and other forms of sexual abuse by rebel elements in Freetown and Makeni. Eyewitnesses in Freetown reported violent group rapes of young women and girls rounded up by the rebels (para. 24, ERN 00004271);

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(k) a significant number of rebel combatants were children. Reports were received of death and injuries being inflicted by boys as young as eight to 11 years old (para. 25, ERN 00004271);

(l) the rebels abducted a large number of people in Freetown and other places they attacked. Boys were selected for training as fighters or used as porters. Women and girls were taken for sexual purposes or to cook food (para. 26, ERN 00004271);

(m) rebel forces were also responsible for the deliberate widespread destruction of civilian property and public utilities in Freetown and other locations, such as Makeni and Kambia. In the centre of Freetown, about 20 percent of the housing stock was destroyed, with as much as 90 percent destroyed in the eastern outskirts of the city (para. 27, ERN 00004271-00004272).

a.	Exh. 1.008	ERN 00004266-00004279	Fifth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1999/237), 4 March 1999.

64. The United Nations issued Security Council Resolution 1231 (S/RES/1231/1999) dated 11 March 1999 in which the Security Council:

(a) condemned the atrocities perpetrated by rebels on the civilian population of Sierra Leone, including in particular those committed against women and children (para. 3);

(b) deplored all violations of human rights and international humanitarian law which had occurred in Sierra Leone during the recent escalation of violence, including the recruitment of children as soldiers (para. 3);

(c) expressed grave concern at continued reports that support was being afforded to the rebels in Sierra Leone, including through the supply of arms and mercenaries, in particular from the territory of Liberia (para. 5);

a.	Exh. 1.213	n/a	U.N. Security Council Resolution 1231 (S/RES/1231/1999), 11 March 1998, http://daccessdds.un.org/doc/UNDOC/GEN/N99/067/30/PDF/N9906730.pdf?OpenElement

65. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) issued the Sierra Leone Humanitarian Situation Report 1-17 May 1999 in which the OCHA reported or noted that:

(a) recent fighting between Songo, Masiaka and Port Loko had caused extensive damage to property, with over 90% of the buildings in Masiaka damaged or destroyed (pp. 2-3, ERN 00004104-00004105);

(b) trenches had been dug in the road in several locations by captives of the RUF to impede the ECOMOG advance (p. 3, ERN 00004105);

(c) recent missions had established a pattern of human rights abuses followed fighting, especially between Songo, Masiaka and Port Loko. Documented cases indicated a similar pattern of killings where people were gathered into one village from surrounding areas and then a number of them were killed, tortured, or abused (pp. 3-4, ERN 00004105-00004106);

(d) killings in Madigba and Mangarma and abductions from Masiaka occurred (p. 4, ERN 00004106);

(e) inter-agency rapid assessment missions carried out in Songo, Mile 36, Mile 38, Masiaka and surrounding villages found that civilians were either forced to support the rebel forces or to live in bush camps (p. 4, ERN 00004106); and

(f) as of mid May, UNICEF had registered a total of 3,384 children missing since January in the Freetown area (p. 11, ERN 00004113).

a.	Exh. 1.002 and 1.181	ERN 00004103-00004115	Sierra Leone Humanitarian Situation Report 1-17 May 1999, UN Office for the Coordination of Humanitarian Affairs (OCHA), available at www.reliefweb.int.

66. The United Nations Department of Public Information (DPI) issued a press release on 15 June 1998, reporting that:

(a) the United Nations Under-Secretary-General for Humanitarian Affairs had been on a three-day mission to Sierra Leone;

(b) the Under-Secretary-General told reporters in Geneva after the mission that the brutal treatment of civilians by rebels in Sierra Leone was unlike anything he had seen in 29 years of humanitarian work;

(c) the Under-Secretary-General described a pattern of amputations, lacerations, and maiming of civilians, including children. "Hands are cut off and ears and noses are amputated," he said.

a.	Exh. 1.187	n/a	"Top United Nations humanitarian official describes brutal treatment of civilians by rebels in Sierra Leone," United Nations Department of Public Information (DPI), 15 June 1998. Available at www.reliefweb.int.

67. The United Nations issued the Sixth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1999/645), dated 4 June 1999, in which the Secretary-General reported or noted:

(a) there had been continued allegations of arms shipments to rebels in Sierra Leone either through or from Liberia (para. 13). Reiterated the call to all

States to comply strictly with the embargo on the sale or supply of arms and related materiel to non-governmental forces in Sierra Leone (para. 69); 5666

(b) that President Taylor stated in an address to delegates at the Mano River Parliamentary Union on 27 May 1999 that he would do his utmost to ensure peace and security in Guinea and Sierra Leone, since peace in Liberia could be assured only if its neighbours were also at peace (para. 17);

(c) that RUF/AFRC undertook raids on undefended villages, committing atrocities at a scale not seen since their retreat from Freetown in January (para. 20);

(d) that the reporting period had been marked by a resurgence of rebel atrocities against civilians, most of them reported from the provincial towns of Masiaka and Port Loko, including a significant number of summary executions, mutilations, limb amputations, abductions and sexual abuse, and large-scale destruction of property (para. 28);

(e) other human rights abuses allegedly committed by rebels against civilians: physical and psychological torture and harassment; killings or mutilations in Masiaka; summary executions in Port Loko on 7 May; the display of decapitated bodies and severed heads of civilians on the roadside in the Masiaka area by retreating RUF/AFRC; the murder of several infants in Masumana village; limb amputations in Mangarma village; abductions by RUF/AFRC retreating forces using abductees as porters, potential recruits or sex slaves (paras. 29-32). The RUF was presented with the findings of the mission and pledged to set up an internal investigation to probe the allegations (para. 33);

(f) the internal RUF talks leading up to Lomé negotiations resulted in a position paper of RUF/AFRC views and demands, which called, *inter alia*, for blanket amnesty for all personnel of RUF and AFRC, which had organized the coup d'etat in Sierra Leone in May 1997 (para. 7);

(g) that UNICEF had registered a total of 3,384 children who had been missing since January 1999 from the Freetown area, and reported that abductions of large numbers of children persisted (para. 46); and

(h) the attribution of some human rights violations to CDF and ECOMOG soldiers in the wake of the rebel incursion into Freetown (paras. 34-36).

a.	Exh. 1.075	ERN 00012322-00012338	Sixth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, 4 June 1999 (S/1999/645) http://daccessdds.un.org/doc/UNDOC/GEN/N99/165/96/IMG/N9916596.pdf?OpenElement

68. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) issued the Sierra Leone Humanitarian Situation Report, 18 May - 11 June 1999, in which the OCHA reported or noted that:

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(a) in the week following the 24th May ceasefire, the village of Masima (near Mange) was attacked by rebel forces, and the entire village of Makama (north of Bumbuna) was allegedly massacred by rebel forces (p. 2, ERN 00004117);

(b) UNICEF and its partners had provided counseling and other services to girls who were sexually abused during the January invasion of Freetown. As of this reporting period, 125 sexually abused girls had received medical attention and about 80 had received counseling services (p. 12, ERN 00004127); and

(c) the UN Field Security Officer, HACU and WFP undertook a security/humanitarian assessment of Songo and found 67 houses totally burnt, while others were damaged (p. 16, ERN 00004131).

a.	Exh. 1.003	ERN 00004116-00004138	Sierra Leone Humanitarian Situation Report, 18 May – 11 June 1999, UN Office for the Coordination of Humanitarian Affairs (OCHA), available at www.reliefweb.int.

69. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) issued the Sierra Leone Humanitarian Situation Report: 17 Jul - 10 Aug 1999, in which the OCHA reported or noted that:

(a) elements of the RUF/AFRC were foraging for food and carrying out raids on villages, committing consistent abuses of human rights in these raids, many of which were in the Port Loko District (p. 4, ERN 00004142);

(b) looting of relief assets and beatings of humanitarian agency staff in up-country areas (p. 4, ERN 00004142); and

(c) UNICEF registration of nearly 4,000 children reported missing by parents in the Western Area after the RUF invaded Freetown in January 1999. By end of July, 865 had been traced and reunified while 3,120 still remained missing. Child protection agencies emphasized the problem was much larger, these numbers only reflected Freetown abductions and it was safe to assume that large abductions also occurred in the provinces (pp. 10-11, ERN 00004148-00004149).

a.	Exh. 1.004	ERN 00004139-00004164	Sierra Leone Humanitarian Situation Report: 17 July -10 August 1999, at ERN 00004142 and 0004148-4149, available at www.reliefweb.int.

70. The United Nations Department of Public Information (DPI) reported on 01 September 1999 that:

(a) the Secretary-General's Special Representative for Children and Armed Conflict, Olara Otunnu, visited the Murray Town Amputee Camp in Sierra

Leone, which hosted some 200 of the country's estimated 900 child amputees; and

(b) Mr. Otunnu was also scheduled to meet with former child soldiers and child prisoners of war.

a.	Exh. 1.186	n/a	"UN special envoy visits Sierra Leone camp for child amputees," United Nations Department of Public Information, 01 September 1999. Available at www.reliefweb.int.

71. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) issued the Sierra Leone Humanitarian Situation Report: 03-09 Oct 1999, in which the OCHA reported:

(a) rebels attacked a Sierra Leone Road Transport bus bound for Kenema on thee Masiaka-Mile 91 highway, where passengers were stripped of all they had, a pregnant woman reportedly aborted after suffering physical abuse by the captors, and Human Rights Watch interviewed passengers who confirmed that some of the girls had been raped. The RUF/AFRC blamed bandits for the incident (p. 1, ERN 00004165);

(b) terrorism in villages around Magburaka and Matotoka was on the rise, and residents were forced to give food to the Paramount Chief, who in turn gave it to the armed combatants, but sometimes the rebels went directly to the farmers for food (p. 1, ERN 00004165);

(c) persistent reports of armed groups attacking civilians (seizing properties, demanding money and beating civilians) in villages in the Kambia district (pp. 1-2, ERN 00004165-00004166); and

(d) groups of the AFRC were reportedly harassing civilians along the Port Loko-Lungi road and Loko Masama, and rape cases were also reported in the area (p. 2, ERN 00004166); and

(e) 72 children were released on October 2nd and 29 were released on October 3rd. On October 6, RUF/AFRC commanders turned over 78 children to UNOMSIL and CARITAS – Makeni (p. 4, ERN 00004168).

a.	Exh. 1.005	ERN 00004165-00004169	Sierra Leone Humanitarian Situation Report 03-09 October 1999, available at www.reliefweb.int.

72. The Security Council adopted Resolution 1270 at its 4054th meeting on 22 October 1999, in which it:

(a) called upon the RUF, CDF, former SLA/AFRC, and all other armed groups in Sierra Leone to begin immediately to disband and give up their arms in accordance with the provisions of the Peace Agreement, and to participate

fully in the disarmament, demobilization and reintegration programme (para. 4, ERN 00004324); and

(b) deplored the recent taking of UNOMSIL and ECOMOG personnel by rebel groups, and called upon those responsible to put an end to such practices (para. 6, ERN 00004324).

a.	Exh. 1.013	ERN 00004323-00004327	U.N. Security Council Resolution 1270 (S/RES/1270 (1999)), 22 October 1999.

73. In the First Report on the United Nations Mission in Sierra Leone (UNAMSIL), dated 6 December 1999, the Secretary-General reported or noted that :

(a) of those ex-combatants who had registered as of 30 November for demobilization, 454 AFRC/ex-SLA/RUF and 92 CDF were children (para. 13, ERN 00004301);

(b) since early October 1999, there was an escalation of attacks on civilians by former rebel elements in the areas west of Occra Hills, Kabala, and in parts of Koinadugu. The attacks frequently involved raped, abduction and harassment, and looting and destruction of property (para. 20, ERN 00004302);

(c) fighting between RUF and ex-SLA at Makeni, Lunsar, and in other northern areas resulted in serious abuses, including killings of civilians, rape of women, and widespread looting (para. 21, ERN 00004302);

(d) both the AFRC and RUF showed great reluctance to release adult and child abductees in spite of commitments entered into under the Lomé Agreement and subsequent reaffirmations, and considerable numbers of abductees were still in captivity. Child fighters, including abductees, were still being sent into combat as recently as October, when a number of 15-year-old boys were injured in combat with other AFRC elements (para. 22, ERN 00004303);

a.	Exh. 1.009	ERN 00004298-00004307	First Report on the United Nations Mission in Sierra Leone (UNAMSIL), S/1999/1223, 6 December 1999.

74. The Security Council adopted Resolution 1289 at its 4099th meeting on 7 February 2000, in which it:

(a) noted the lack of progress on the release of abductees and child soldiers, and by continued hostage-taking and attacks on humanitarian personnel (para. 4, ERN 00004320); and

(b) emphasized the importance of the exercise by the Government of Sierra Leone of full control over the exploitation of gold, diamonds and other

resources for the benefit of the people of the country (para. 18, ERN 00004322).

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a.	Exh. 1.012	ERN 00004319-00004322	U.N. Security Council Resolution 1289, 7 February 2000 (S/RES/1289 (2000)).

75. The United Nations issued the Fourth Report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2000/455) on 19 May 2000, in which the Secretary-General noted or reported:

(a) the May 2000 RUF attacks on UN peacekeepers, and the destruction of disarmament and demobilization camps by RUF fighters (para. 2);

(b) that RUF fighters continue to obstruct UNAMSIL deployment to Koidu in the Kono District after the March 9 agreement to grant unhindered access to all parts of the country to UNAMSIL (para. 3); and

(c) that Sam Bockarie was said to be recruiting and training rebels in Liberia, but the Government of Liberia denied those reports (para. 11).

a.	Exh. 1.214	n/a	Fourth Report of the Secretary-General on the United Nations Mission in Sierra Leone, 19 May 2000 (S/2000/455), paras. 2, 3, 11.

76. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) issued the Sierra Leonean Humanitarian Situation Report 25 Jul - 07 Aug 2000, in which the OCHA reported or noted:

(a) civilians attempting to flee RUF areas (Makeni, Lunsar, Kambia) were being tortured by the RUF or killed for attempting to flee (p. 11, ERN 00004188);

(b) Human Rights Watch stated that it believed the RUF was trying to terrorize the remaining civilian population in their areas of control to prevent them from leaving (p. 11, ERN 00004188);

(c) witness accounts of an RUF recruitment drive in Makeni and Yeliboya, near Kambia, which suggested a small number of children as young as 10 were recruited in Makeni between July 11 and 15, and there were (unconfirmed) similar reports from Kono (pp. 11-12, ERN 00004188-00004189); and

(d) RUF raids on villages in Makeni, Lunsar, Kambia and Kabala for food. Human Rights Watch said it had documented at least 15 murders and several rapes, which occurred during such raids (in June and July) (p. 12, ERN 00004189).

a.	Exh. 1.006	ERN 00004178-00004189	Sierra Leonean Humanitarian Situation Report 25 July – 07 August 2000, pp. 11-12 (ERN 00004188-00004189) Also available at http://www.reliefweb.int/w/rwb.nsf/s/8EB498F1DA9FF

77. The United Nations issued the UN Panel of Experts Report pursuant to UN Security Council Resolution 1306, dated 20 December 2000, in which the Panel:

(a) detailed its evidentiary standards for its investigations, which required at least two credible and independent sources of information to substantiate a finding, and which put allegations to those concerned whenever possible in order to allow them the right of reply (para. 63, ERN 00004385);

(b) noted that full details of the sources would not be revealed, but in addition to its own detailed verification, the Panel received corroborating information from international intelligence agencies and police sources (para. 63, ERN 00004385).

a.	Exh. 1.018	ERN 00004371-00004434	UN Panel of Experts Report pursuant to UN Security Council Resolution 1306 (S/2000/1195), 20 December 2000.

78. The United Nations issued Security Council Resolution 1346 (S/RES/1346 (2001)), dated 30 March 2001, in which the Security Council:

(a) expressed its deep concern at the reports of human rights abuses committed by the RUF and others, including other military groups, against the civilian population, in particular the harassment and forced recruitment of adults and children for fighting and forced labour; and

(b) demanded that these acts cease immediately.

a.	Exh. 1.010	ERN 0004308-00004310	Security Council Resolution 1346 (S/RES/1346 (2001)), 30 March 2001, http://daccessdds.un.org/doc/UNDOC/GEN/N01/312/19/PDF/N0131219.pdf?OpenElement, at para. 6.

Sanctions: Sierra Leone

79. The United Nations issued Security Council Resolution 1132 (S/RES/1132 (1997)), dated 8 October 1997, in which the Security Council:

(a) expressed its grave concerns at the continued violence and loss of life in Sierra Leone following the military coup of 25 May 1997 and the deteriorating humanitarian conditions in that country;

(b) determined that the situation in Sierra Leone constituted a threat to international peace and security in the region;

(c) acting under Chapter VII of the Charter of the United Nations, the Security Council further:

(i) reiterated its call upon the junta to end all acts of violence (para. 2);

(ii) decided that all States shall prevent the sale or supply to Sierra Leone of petroleum and petroleum products and arms and related materiel of all types (para. 6);

(iii) imposed restrictions on the travel of members of the military junta and adult members of their families, provided that those restrictions would not oblige a State to refuse entry into its territory of its nationals (para. 5);

(iv) authorized ECOWAS to ensure strict implementation of the oil and arms embargo (para. 8);

(d) called upon all States and all international and regional organizations to act strictly in conformance with the Resolution (para. 11).

a.	Exh. 1.015	ERN 00004333-00004336	Security Council Resolution 1132 (S/RES/1132 (1997)), 8 October 1997, http://daccessdds.un.org/doc/UNDOC/GEN/N97/267/13/PDF/N9726713.pdf?OpenElement

80. In Press Release SC/6472, dated 28 January 1998, the Security Council Committee published a list of junta members affected by sanctions, whose entry into or transit through other States was to be prevented, in accordance with paragraph 5 of Security Council Resolution 1132 (1997). Those listed in the travel ban included the following members of the Supreme Council of the Armed Forces Revolutionary Council:

(a) Sam Bokarie [sic Bockarie], Alex Tamba Brima, Eldred Collins, Morris Kallon, Brima Bazzy Kamara; and

(b) Johnny Paul Koroma, Michael Lamin, Gibril Massaquoi, Foday Saybana Sankoh.

a.	Exh. 1.320	ERN 00010224-00010225	*Security Council Committee on Sierra Leone Releases List of Junta Members Affected by Sanctions*, Press Release SC/6472, 28 January 1998.

81. The United Nations issued Security Council Resolution 1306 (S/RES/1306 (2000)), dated 5 July 2000, in which the Security Council:

(a) expressed its concern at the role played by the illicit trade in diamonds in fuelling the conflict in Sierra Leone, and at reports that such diamonds transit neighbouring countries, including the territory of Liberia;

(b) decided that all States shall take the necessary measures to prohibit the direct or indirect import of all rough diamonds from Sierra Leone to their territory (para. 1);

(c) stressed the obligation of all Member States, including those neighbouring Sierra Leone, to comply fully with the measures imposed by the Council (Part B); and

(d) reminded States of their obligation to implement fully the measures imposed by resolution 1171 (1998) (para. 17).

a.	Exh. 1.011	ERN 00004313-00004317	UN Security Council Resolution 1306 (S/RES/1306/2000), 5 July 2000, http://daccessdds.un.org/doc/UNDOC/GEN/N00/517/01/PDF/N0051701.pdf?OpenElement

82. In the Report of the Security Council Committee established pursuant to Resolution 1132 (1997) concerning Sierra Leone, the Committee reported or noted that:

(a) at the Committee's exploratory hearing on 31 July and 1 August 2000 in New York, items discussed included the Sierra Leone diamond industry and the link to trade in arms and other materiel. Invitees to the hearing included representatives of Burkina Faso, Cote d'Ivoire, the Gambia, Ghana, Guinea, Liberia, Senegal, Sierra Leone, and others (para. 13);

(b) a panel of experts composed of five members was established, for an initial period of four months, to collect information on violations of the measures imposed by paragraph 2 of Resolution 1171 (1998) and the link between trade in diamonds and trade in arms and related materiel (para. 15);

(c) the Committee was informed that in June 2000, Sam Bockarie, Gabriel [sic Gibril] Massaquoi, had visited Burkina Faso from Liberia on 5 and 6 June 2000, and that Morris Kallon was also in Liberia at that time (para. 22); and

(d) the Committee was informed that a Liberian military helicopter had been observed delivering supplies of ammunition to locations in Sierra Leone, including Koidu and Bumumbu, from within Liberia (para 22).

a.	Exh. 1.317	n/a	Report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, dated 26 December 2000, S/2000/1238.

C. NATIONAL GOVERNMENTAL DOCUMENTS

83. U.S. Ambassador Johnnie Carson, Principal Deputy Assistant Secretary For African Affairs, testified during the hearing on Sierra Leone before the House Subcommittee on Africa of 11 June 1998, stating that:

(a) The celebratory shouts that marked the return of Sierra Leone's democratically elected President, Ahmed Tejan Kabbah, in early March were "drowned by the screams and cries of victims of the atrocities" committed by the remnants of the former AFRC/RUF junta (p.1, ERN 00025106).

(b) The RUF embarked on "Operation No Living Thing," a campaign of terror that had visited untold suffering on the people of Sierra Leone (p.1, ERN 00025106).

(c) RUF and remnants of the AFRC appeared to be infiltrating areas previously secured by ECOMOG in order to spread their campaign of horror (p.1, ERN 00025106).

(d) The RUF had refused repeated invitations to give up violence and join the political process, knowing that it would not gain much voluntary support (p. 1, ERN 00025106).

(e) To build its fighting force, the RUF kidnapped young children from their villages, often after forcing them to brutalize or murder their own families. The RUF drugged these children on cocaine, amphetamines, and marijuana and then sent them out to fight their dirty war (p. 1, ERN 00025106).

(f) During and after the May 25, 1997 coup, the AFRC/RUF junta killed, tortured, and arbitrarily detained anyone they perceived as a threat to their hold on power. AFRC and RUF brigands stole and looted at will (p. 2, ERN 00025107).

a.	Exh. 1.229	ERN 00025106-00025110	Testimony by Ambassador Johnnie Carson, Principal Deputy Assistant Secretary for African Affairs, at the Hearing on Sierra Leone Before the House Subcommittee on Africa, 11 June 1998, at pp. 1-2 (ERN 00025106-00025107).

D. NON GOVERNMENTAL ORGANISATIONS DOCUMENTS

84. Amnesty International issued *In Sierra Leone: A disastrous set-back for human rights* (AI Index: AFR 51/05/97), dated 20 October 1997, in which Amnesty International stated or noted:

(a) since the military coup on 25 May 1997, soldiers and RUF who joined them had committed serious violations of human rights. Hundreds of people had been arbitrarily arrested and detained; many had been tortured and ill-treated. Physical assault of civilians by soldiers and members of the RUF was routine (p.1, ERN 00011099);

(b) murders, robbery and rape were reported to continue at unprecedented levels in Freetown; soldiers and RUF forces were frequently implicated in these crimes (p. 1, ERN 00011099);

(c) the serious human rights abuses which had characterized the internal armed conflict from 1991 until 1996 were once again occurring as violence and insecurity spread throughout Sierra Leone (p. 2, ERN 00011100);

(d) there had been a return to the brutality which characterized the years of internal armed conflict (p. 3, ERN 00011101);

(e) violence, including murders and rapes and extensive looting, broke out in Freetown following the coup. The situation was further exacerbated by the arrival of large numbers of RUF forces in Freetown who were not paid a salary and flagrantly abused their power (p. 5, ERN 00011103);

(f) on 29 March 1997, members of the RUF abducted at least five of their own members, a Sierra Leonean diplomat and also members of the Guinean security forces in Kailahun District, Eastern Province (p. 17, ERN 00011115);

(g) among those abducted were Fayia Musa and Ibrahim Deen-Jalloh, Lt Colonel Mohamed Diaby, the SL Ambassador to Guinea, and Philip Palmer (p. 18, ERN 00011116);

(h) since the military coup on 25 May 1997, there had been widespread torture and ill treatment by both soldiers and RUF forces in the People's Army (p. 18, ERN 00011116);

(i) there were reports of torture and ill treatment of civilians in areas around the country, in particular Zimmi and Kenema. Reportedly civilians were beaten and their arms tied tightly behind their backs, causing serious injuries, and women and girls were raped and forced into sexual slavery (p. 20, ERN 00011118);

(j) the resumption of attacks by RUF forces before the military coup and the violence and insecurity since forced thousands of Sierra Leoneans to flee their homes, and notes that the refugees fled mainly to Guinea and Liberia, and that by July 1997, 7,000 fleeing people were registered at Bo-Waterside in Liberia (p. 23, ERN 00011121); and

(k) the Report recommended to the UN, OAU and ECOWAS that the protection and respect of human rights in Sierra Leone must feature prominently in any decisions and actions taken in efforts by the international community to find a solution to the current political crisis in Sierra Leone, and that the international community should maintain pressure on the Armed Forces Revolutionary Council to end human rights violations by official security forces and those acting under their authority (p. 26, ERN 00011124).

a.	Exh. 1.070	ERN 00011094-00011124	*In Sierra Leone: A disastrous set-back for human rights*, 20 October 1997, AI Index: AFR/51/05/97, at ERN 00011099-00011101, 00011103-00011115, 00011116-00011118, 00011121-00011124, also available at http://web.amnesty.org/library/index/engafr510051997

85. Amnesty International issued the report *Sierra Leone:1998 - a year of atrocities against civilians*, in which Amnesty International stated or noted that:

(a) During 1998, the scale of atrocities against civilians in Sierra Leone had reached unprecedented levels. Several thousand unarmed civilians, including many women and children, had been deliberately and arbitrarily killed and mutilated by forces of the AFRC and the RUF since February 1998. These atrocities were continuing (p. 1).

(b) Several thousand civilians had been brutally killed or mutilated. Hundreds of others had been abducted from their villages and forced to join the attackers (p.1).

(c) In some villages, civilians were rounded up and then taken individually to a pounding block in the village where their hands, arms or legs were cut with a machete. In some villages, after the civilians were rounded up, they were stripped naked and ordered to rape members of their own families, or raped by rebels, or had objects inserted in their vaginas, or locked in houses which were then set alight (p. 12).

(d) One example of a rebel attack occurred on 9 April 1998 in Kono District. Villagers from Kondeya had fled into the bush when they heard the rebel forces were approaching. A group of about 50 rebels found them and captured about 120. One of the men was strangled. A baby was thrown into a river. The villagers were forced to return to the village where all the houses were burned. Twenty-seven of the captured villagers were then attacked with machetes; some were decapitated, others had their throats cut or their eyes gouged out (p. 12).

(e) When the AFRC and RUF were forced by ECOMOG from Freetown in mid-February 1998, many children, some of whom had been responsible for killings and torture, were identified as members of the RUF and risked revenge attacks by civilians, placing their safety and lives in jeopardy. Almost 3,000 children associated with the RUF, fearing reprisals from civilians, were reported to have fled from Freetown in a matter of days (p.15).

a.	Exh. 1.170	n/a	*Sierra Leone: 1998 – a year of atrocities against civilians*, available at http://web.amnesty.org/library/print/ENGAFR510221998.

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86. Médecins Sans Frontières issued the press release, *Mutilation of Civilians on the Increase in Sierra Leone*, dated 5 May 1998, in which surgical teams for Médecins Sans Frontières working at Connaught Hospital reported that:

(a) The number of patients suffering from severe mutilations had increased significantly over the past few weeks. The victims, mostly civilians, originated from the northeast region of Kono.

(b) Since April 6 1998, the surgical team had treated 128 injured patients. Many of the victims had one or more limbs traumatically amputated. Several had also had their ears removed.

a.	Exh. 1.175	n/a	Médecins Sans Frontière, *Mutilation of Civilians on the Increase in Sierra Leone*, 5 May 1998, available at http://www.doctorswithoutborders.org/pr/before1999/05-05-1998.htm

87. In the *MSF 1998 Report: Atrocities against civilians in Sierra Leone*, dated 1 May 1998, surgical teams from Médecins sans Frontières working at Connaught Hospital reported the following in connection to the patients they were treating for severe mutilations between the 6th of April 1998 and May 1998:

(a) Patients told them that between 15 and 25 April, the villages between Njaiama Sewafe and Koidu (Kono District) were attacked by groups of armed men. Some villages seemed to have been attacked more than once, during day and night. Patients from around Yfin and Alikalia, northeast of Koidu, reported that after the attacks, people scattered into the bush in all directions and witnessed many wounded and dead people on the roads (p.3).

(b) The patients said groups of men pretending to be ECOMOG there to free the villagers rounded up the villagers, but then the villagers realised the men did not belong to ECOMOG. The villagers were taken one by one, in front of the other villagers, to the pounding block. The attackers asked which arm they used to work with, and then the right or left arm would be amputated with a cutlass. Sometimes a pre-cut would be made with bayonet, to show where the amputation was to happen (p. 4).

(c) In some villages, after the people were rounded up, they were stripped naked and ordered to "use their women"; men were ordered to "use" their sister (p. 4).

(d) The armed men told many of the patients to go to ECOMOG and tell "that we, the attackers do not want them here, and to tell ECOMOG that the attackers were here and they would come to ECOMOG soon." Patients were also told that they should go to President Kabbah and ask him for a new arm (p.4).

(e) Groups of people were rounded up and locked in a house which was then set on fire (p.4).

(f) After interviewing 70 patients at Connaught Hospital and taking into account credible reports from other parts of the country, MSF strongly believed that the actual number of casualties was much higher than the number of patients reaching the hospital (p.5).

a.	Exh. 1.180	n/a	Médecins Sans Frontière, *MSF 1998 Report: Atrocities against civilians in Sierra Leone,* 1 May 1998, available at http://www.msf.org.

88. In its report, *The United Nations special conference on Sierra Leone: the protection of human rights must be a priority for the international community*, dated 24 July 1998, Amnesty International stated or noted that:

(a) AFRC and RUF forces in the east and north of Sierra Leone were deliberately and arbitrarily killing and torturing unarmed civilians. A deliberate and systematic campaign of killing, rape and mutilation, called by the AFRC and RUF "Operation no living thing" emerged since April 1998 (p.1).

(b) A 15-year-old schoolboy from Koidu in Kono District had arrived at the hospital on 10 May 1998 with severe lacerations to his right ankle in an attempted amputation. Almost 50 people with him had been killed when they were attacked on 1 May 1998 (p.2).

(c) Children had been deliberately and arbitrarily killed, mutilated and maimed, and thousands continued to be abducted by AFRC and RUF forces and forced to fight (p.3).

(d) Girls and women were systematically raped and forced into sexual slavery (p.3).

a.	Exh. 1.316	n/a	Amnesty International, "The United Nations special conference on Sierra Leone: the protection of human rights must be a priority for the international community," 24 July 1998, AI Index AFR 51/14/98. Available at http://web.amnesty.org.

89. In its *Situation Report on Human Rights Violations in and Around Makeni Town, in the Bombali District, Northern Province, Sierra Leone, West Africa*, covering the period December 1998 to July 1999, the International Rescue Committee noted or reported that:

a. a common spectacle was the long line of "Povuls" (RUF coinage for civilian/slaves) plodding with heavy loads on their heads from as far as fifty miles away without food (p.2);

b. as far as properties were concerned, every item was considered to belong to members of the forces. It was not uncommon for armed men to enter a

house (even in the day time) and cart away whatever they wanted. In some cases, the owners were forced to carry the loads (p. 8);

c. in principle and according to the joint forces, "a rebel lives on the terrain," meaning that everything belonged to them. Items such as rice, nut oil, money and drugs were considered "Government Property" and possession by civilians was a crime. People in the outskirts of Makeni suffered from this most (p.8).

a.	Exh. 1.216	n/a	International Rescue Committee, "Situation Report on Human Rights Violations in and Around Makeni Town, in the Bombali District, Northern Province, Sierra Leone, West Africa," for the period December 1998 to July 1999.

90. In the *HRW World Report 1999: Sierra Leone: Defending Human Rights*, Human Rights Watch noted or reported that:

a. For the past seven years, a vicious civil war had engulfed Sierra Leone, characterized by atrocities against civilians, often committed by the RUF (p.1);

b. After losing political power [in March 1998], the AFRC/RUF alliance engaged in a war of terror against civilians, committing widespread and egregious atrocities in an attempt to regain power. Between February and June alone, its members raped, deliberately mutilated, or killed thousands of Sierra Leonean civilians. The AFRC/RUF abducted men, women, and children, probably numbering in the thousands, for use as combatants, forced laborers, or sexual slaves. Women were actively targeted through sexual violence, including rape and sexual slavery (p.1).

c. Children were victims of gross violations of human rights committed by both sides to the conflict. The AFRC/RUF abducted an unknown number of children – probably in the thousands – for use as laborers, fighters, and in the case of girls, sexual prisoners. Many girls were forced to work for the AFRC/RUF combatants until they reached sexual maturity, when they would be assigned to a fighter as a "wife" (p.2).

a.	Exh. 1.178	n/a	HRW World Report 1999: Sierra Leone: Defending Human Rights, available at www.hrw.org.

91. In *Amnesty International USA Report 2000*, Amnesty International USA stated or noted that:

a. The political and human rights crisis deepened as rebel forces attacked Freetown in 1999 (p.1).

b. Although it was impossible to ascertain the exact number of deaths during the rebel's incursion into Freetown, an estimated 5,000 people, at least 2,000

of them civilians killed. Medical authorities subsequently put the figure at over 6,000 (p. 4).

c. After being forced from Freetown, rebels' forces continued to commit atrocities. In Masiaka, east of Freetown, civilians accused of sympathizing with the government forces were killed or mutilated. In one incident in a village between Masiaka and Mile 38, several babies and young children were reported to have been killed (p.4).

d. Atrocities committed by rebels retreating from Freetown included deliberate and arbitrary killings, torture, mutilations, rape, and abduction of civilians (pp. 3-5).

a.	Exh. 1.174	n/a	Amnesty International USA Report 2000, available at http://www.amnestyusa.org.

92. In the report, *The Heart of the Matter: Sierra Leone, Diamonds and Human Security*, dated 1 January 2000, Partnership Africa Canada stated that:

a. Government officials in Sierra Leone estimated that in recent years as much as 85 percent of the country's diamond production had been stolen and was not, therefore, included in the United States Geological Survey (USGS) figures. In other words, the USGS figures for Sierra Leone were very low (pp. 17-18, ERN 00011386-00011387).

b. USGS estimated annual Liberian production at 150,000 carats. The Belgian Diamond High Council recorded 1998 imports from Liberia of 2.6 million carats and a total of over 28 million carats in the three preceding years. The discrepancy in statistics "points to—in Liberia's case—a very great contradiction between known reserves and actual exports" (p. 18, ERN 00011387).

a.	Exh. 1.367	ERN 00011362-00011460	Partnership Africa Canada, "The Heart of the Matter: Sierra Leone, Diamonds and Human Security," January 2000, available at www.reliefweb.int.

93. In the press release, *Sierra Leone Rebels Forcefully Recruit Child Soldiers*, dated 31 May 2000, Human Rights Watch stated or noted:

a. the RUF of Sierra Leone was forcing children, including demobilized child soldiers, to join its ranks and engage in combat (p. 1, ERN 00010945);

b. many other children had been abducted by the RUF in recent weeks to carry military equipment and looted goods, and female abductees were regularly raped (p. 1, ERN 00010945);

c. the RUF had a long history of using child soldiers (p. 1, ERN 00010945);

d. the executive director of the Africa Division of Human Rights Watch called on all parties to the conflict in Sierra Leone to immediately stop the

use of child soldiers and to release all abducted children and people under the age of eighteen (p. 1, ERN 00010945);

e. a 17-year old told Human Rights Watch that he estimated that the RUF took at least fifty children out of a camp for demobilised RUF child soldiers in Makeni through the use of threats, false promises, and false rumors (p. 1, ERN 00010945);

f. RUF forces abducted children to carry loads of looted goods and military equipment, and abducted girls for the purpose of rape (p. 2, ERN 00010946);

g. rape of captured women and girls by the RUF was routine (p. 2, ERN 00010946).

a.	Exh. 1.069	ERN 00010945-00010946	Human Rights Watch Press Release, "Sierra Leone Rebels Forcefully Recruit Child Soldiers," 31 May 2000.

94. In its press release, *New Testimony of Rape Committed by Sierra Leone Rebels – RUF fighters rape women and children in Makeni and others towns*, dated 5 June 2000, Human Rights Watch:

a. accused rebels from the Revolutionary United Front (RUF) of Sierra Leone of committing numerous rapes against women and girls in the RUF controlled town of Makeni and at least three other towns briefly under RUF control during military operations in May. HRW interviewed women from Makeni, Port Loko, Lunsar, and Yelibuya Peninsula who gave detailed accounts of rape, including a significant number of cases of gang rape and rape of young children as young as ten (p. 1, ERN 00010943);

b. reported that eyewitnesses and survivors who had fled RUF-controlled areas had provided detailed accounts of widespread looting, rape, abduction, killings and mutilations by RUF forces in recent weeks (p. 1, ERN 00010943);

c. called upon the members of the U.N. Security Council to provide UNAMSIL with the mandate and the means to protect civilians in Sierra Leone from atrocities (p. 2, ERN 00010944);

a.	Exh. 1.068	ERN 00010943-00010944	Human Rights Watch Press Release, "New Testimony of Rape Committed by Sierra Leone Rebels," 5 June 2000.

95. In *Sierra Leone: Rape and other forms of sexual violence against girls and women*, dated 29 June 2000, Amnesty International stated or noted that:

a. Rape, sexual slavery and other forms of sexual violence against girls and women by rebel forces had been systematic and widespread (p. 1).

b. Almost all the thousands of girls and women who have been abducted by rebel forces had been raped and forced into sexual slavery (pp. 1-2).

c. In some cases, girls and women had been forced to become the sexual partner or "wife" of a single combatant. In other cases, they were abused by several combatants (p. 2).

d. After rebel forces attacked Freetown on 6 January 1999, many residents reported group rapes of groups of girls and women by members of the AFRC and RUF, including in public places such as Kroo Town Road in the centre of Freetown and Kissy to the east. A high incidence of rape was also reported at the Clay Factory internally displaced people's camp in Freetown (p.2).

e. Girls who were not selected to be the "wife" of a rebel commander were repeatedly raped by countless other rebel combatants (p. 2).

f. More than 4,000 children were reported missing after the rebel incursion into Freetown in January 1999 (p. 3).

g. In spite of the Lomé Agreement of 7 July 1999 that provided for the release of all captured civilians, 2,000 children who were believed to have been abducted remained missing at the beginning of the year [2000] (p. 3).

h. Following the signing of the Lomé July 1999 peace agreement between the government of Sierra Leone and the RUF, the scale of human rights abuses against civilians declined significantly. From October 1999, however, the previous pattern of human rights abuses again emerged. Rebel forces who had yet to disarm and demobilised continued to abduct, rape and sexually abuse large numbers of girls and women (p. 3).

i. In the area of Masiaka in mid-May 2000, rebel forces raped and abducted girls and women (p. 4).

j. All combatants in Sierra Leone, both rebel and government-allied forces, must be explicitly instructed by those who exercise chain-of-command control to respect international humanitarian law and to end rape and other forms of sexual violence immediately (p. 5).

k. The leaders of the RUF must take all measures to protect girls and women from rape and other forms of sexual violence, including by instructing all RUF combatants to respect international humanitarian law and to end rape and other forms of sexual violence immediately (p. 8).

l. The leaders of the RUF must order the immediate release of all girls, women and other captured civilians who remain held and ensure that no further abductions are carried out (p. 8).

a.	Exh. 1.169	n/a	Amnesty International, "Sierra Leone: Rape and other forms of Sexual Violence Against Girls and Women," 29

			June 2000, AFR 51/35/00.	5683

96. In its report, *Sexual Violence within the Sierra Leone Conflict*, dated 26 February 2001, Human Rights Watch stated or noted that:

a. Throughout the nine year Sierra Leonean conflict, there had been widespread and systematic sexual violence against women and girls, including individual and gang rape, sexual assault with objects such as firewood, umbrellas and sticks, and sexual slavery. In thousands of cases, sexual violence was followed by the abduction of women and girls and forced bondage to male combatants in slavery-like conditions often accompanied by forced labor. The rebel factions used sexual violence to terrorize, humiliate, punish, and ultimately control the civilian population into submission (p. 1).

b. While members of the RUF and AFRC had been the most common perpetrators, members of the civil defence forces and the Sierra Leonean Army had also been implicated (p. 1).

c. Sexual violence within the Sierra Leonean conflict was not only a war crime, but – given its widespread and systematic nature – was also a crime against humanity (p. 2).

d. Rebels (RUF, AFRC, and West Side Boys) had perpetrated systematic, organized and widespread sexual violence against girls and women since the Sierra Leonean civil war began in 1991 (p. 2).

e. The RUF had made occasional efforts to declare rape a crime within areas under their control, and to discipline combatants accused of "breaking the law". Human Rights Watch documented numerous cases of combatants being publicly executed after summary trials in which they had been "convicted" of rape. Human Rights Watch condemned such extra-judicial and summary proceedings and executions. These efforts failed to deter the perpetration of sexual violence (p. 2).

a.	Exh. 1.177	n/a	Human Rights Watch, "Sexual Violence within the Sierra Leone Conflict," 26 February 2001, available at http://www.hrw.org.

97. In *Rebel Abuses Against Sierra Leonean Refugees returning from Guinea*, dated 3 April 2001, Human Rights Watch related the stores of various atrocities (killings, rapes) committed by the rebels against civilians returning from Guinea.

a.	Exh. 1.155	n/a	Human Rights Watch, "Rebel Abuses Against Sierra Leonean Refugees Returning from Guinea," 3 April 2001, available at http://www.hrw.org.

98. In *Taylor-made: The Pivotal Role of Liberia's Forests and Flag of Convenience in Regional Conflict*, dated September 2001, Global Witness stated or noted that:

a. The UN Security Council should immediately impose a total embargo on the exportation and transportation of Liberian timber, and its importation into other countries. Such an embargo should remain in place until it can be demonstrated that the trade does not contribute to the RUF in Sierra Leone and armed militias in Liberia, and that it is carried out in a transparent manner (p. 1).

b. Liberia was continuing to provide refuge to Sam "Mosquito" Bockarie, who, as of June 2001, was dividing his time between Liberia and Normo Farma, Golahun Tonkia, Sierra Leone (p. 4).

c. The Liberian maritime programme was cited by the UN Panel of Experts on Sierra Leone as playing a role in facilitating the trade in "conflict diamonds" from Sierra Leone (p. 4).

d. The Liberian logging industry was also cited by the UN Panel of Experts on Sierra Leone as heavily involved, both directly and indirectly, in the support of the RUF (p. 6).

e. Several individuals cited in the "List of Persons Affected by Resolution 1343 (2001) on Liberia" travel-ban had acquired Sierra Leonean passports, thus allowing them to surpass the UN restrictions (p. 6).

f. The twenty original members of the RUF, called the "RUF Vanguard" were, as of 19th June 2001, in Liberia. Original members of the RUF, called the "Special Forces" were also in Liberia fighting in Lofa County (p. 6).

g. Sierra Leonean civilians had been forcibly removed from Sierra Leone and taken to Liberia. Furthermore, Sierra Leonean refugee males over the age of 14 were being forcibly recruited into the ATU and the AFL in May 2001 (p. 6).

h. Reports showed RUF rebels were "sent into Lofa County to beef-up Liberian Government defenses" (p. 12).

i. Liberia had begun illicit logging operations in Sierra Leone, reputedly with the cooperation of the RUF, who were also fighting in Lofa County (p. 12).

j. According to eyewitnesses, Sierra Leonean refugees in Liberia were being forcibly enlisted or bribed into becoming combatants, and the evidence gathered showed that this was done with cooperation between the RUF and the Liberian government (p. 13).

k. Global Witness had evidence substantiating previous reports about Gaddafi training the RUF that showed in 2000, several Sierra Leoneans were taken to Libya from other countries including Nigeria, Côte d'Ivoire, and Guinea. While in Libya, they were reportedly given military training and

subsequently ear-marked to become RUF combatants upon their arrival in Liberia (p. 14).

l. The RUF was largely able to continue its activities because of its support from the Liberian government (p. 14).

a.	Exh. 1.402	n/a	Global Witness, "Taylor-made: The Pivotal Role of Liberia's Forest and Flag of Convenience in Regional Conflict," September 2001, available at http://www.globalwitness.org.

99. In its press release *IMC Plastic Surgeons Remove the Scars of War in Sierra Leone*, dated 4 September 2001, the International Medical Corps stated or noted:

a. For hundreds of children and child soldiers in Sierra Leone, the 10-year civil war left scars that could only be healed with the help of IMC's plastic surgery program (p. 1).

b. Hundreds of children between the ages of 9-17 were kidnapped, drugged, abused and forced to harm their fellow countrymen. By branding them with hot pokers or carving their initials in their chests, arms or foreheads with broken glass, the RUF created an army of outcasts who couldn't go home to face the families and communities they were often forced to murder (p. 1).

c. Without plastic surgery, the child victims might never be able to return to their communities and reintegrate into society. The torment of the scars was so great that some children tried to burn them off with caustic soda, which only made them worse (p. 1).

a.	Exh. 1.179	n/a	International Medical Corps, "IMC Plastic Surgeons Remove the Scars of War in Sierra Leone," September 2001, available at https://www.imcworldwide.org.

100. Physicians for Human Rights (PHR), with the support of the United Nations Assistance Mission in Sierra Leone, issued a report of its study, in which it stated or noted that:

a. Sierra Leone's decade-long conflict had been marked by an extraordinary level of brutal human rights abuses, including abductions, beatings, killings, sexual assault of women and men, being "captured" for less than 24 hours, torture, forced labour, serious injuries and amputations (Executive Summary, p. 1).

b. The majority of abuses [in the Sierra Leone conflict] occurred between 1997 and 1999 and, when known, were attributed primarily to the forces of the RUF (front page).

c. Approximately 50,000 to 64,000 Sierra Leonean internally displaced women may have suffered war-related sexual assaults (front page).

a.	Exh. 1.215	n/a	Physicians for Human Rights, "War-Related Sexual Violence in Sierra Leone," 2002.

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2. THE CONFLICT IN THE REPUBLIC OF LIBERIA

A. GEOGRAPHICAL FACTS

101. The following counties are in the Republic of Liberia: Bomi, Bong, Gbarpolu, Grand Bassa, Grand Cape Mount, Grand Gedeh, Grand Kru, Lofa, Margibi, Maryland, Montserrado, Nimba, Rivercess, River Gee and Sinoe.

a.	Exh. 1.282	ERN 00029852-00029852	Map of Liberia, Map No. 3775 Rev. 6, United Nations Department of Peacekeeping Operations Cartographic Section, January 2004.

102. There was an armed conflict in Liberia from about 24 December 1989 until about 17 August 1996.

a.	Exh. 1.232	n/a	Liberia – First Civil War – 1989-1996, available at http://www.globalsecurity.org/military/world/war/liberia-1989.htm.
b.	Exh. 1.019	ERN 00004435-00004548	Letter dated 26 October 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia, addressed to the President of the Security Council (S/2001/1015), at para. 37 (refers to the 1989-1996 war).
c.	Exh. 1.389	n/a	Armed Forces of Liberia Restructuring Commission Report – Demobilization/Retirement/Restructuring, 19 March 1999, at Part One, The Commission And Its Work, Section 1.1.2 (cites the beginning date of the Liberian conflict).

B. INTERNATIONAL INTER-GOVERNMENTAL ORGANISATIONS DOCUMENTS

The Involvement of ECOWAS & ECOMOG

103. From about 1990, a segment of the ECOMOG forces which engaged in military operations in Liberia, were based in Sierra Leone.

a.	Exh. 1.338	ERN 00025083-00025105	Transcripts of BBC Radio Broadcasts, at pp. 12-13 (00025094-00025095). (Charles Taylor says he doesn't know how much longer he'll continue to accept Nigerian airplanes taking off from Sierra Leone and launching attacks on Liberia).

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104. Most of the ECOMOG forces remained in Liberia until about February 1998.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), at http://www.africa-union.org/Recs/ECOWASProfile.pdf at page 7, Section 6.01

C. NATIONAL GOVERNMENTAL DOCUMENTS

The Presidency

105. During the period 2 August 1997 until about 18 January 2002, the President of the Republic of Liberia was vested with the executive power of the Republic of Liberia and served as Commander-in-Chief of the Armed Forces of Liberia. These powers automatically vested to the President pursuant to Article 50 of the Constitution of Liberia.

a.	Exh. 1.276	n/a	Constitution of the Republic of Liberia, Ch. VI, Art. 50
b.	Exh. 1.243	n/a	Liberian Codes Revised, Vol. III, Chapter 24, §24.2

106. During the period 2 August 1997 until about 18 January 2002, pursuant to the executive power vested in him and in his role as Commander-in-Chief of the Armed Forces of Liberia, the President had legal authority over Liberian government forces including the following (in alphabetical order):

a.	**Name**	**Acronym**		**Source(s)**
b.	Armed Forces of Liberia	AFL	Exh. 1.276	Constitution of the Republic of Liberia, Ch. VI, Art. 50.
c.			Exh. 1.243	Liberian Codes Revised, Vol. III, Chapter 24, §24.2
d.	Antiterrorist Unit	ATU	Exh. 1.352	IRIN-WA Weekly Round-up 26 covering the period 26 June – 2 July 1999, available at http://www.africa.upenn.edu/Newsletters/irinw7399.html.
e.	Liberia National Police	LNP	Exh. 1.243	Liberian Codes Revised, Vol. III, Chapter 22, Subchapter D, §22.70.
f.	Marine Division		Exh. 1.243	Liberian Codes Revised, Vol. III, Chapter 24, §§24.1-24.2. (§24.1 establishes the Ministry of National Defense, subject to the authority and direction of the President as Commander-in-Chief, vested in the Minister of National Defense, who shall be appointed by the President. §24.2: "Subject to the

				authority and direction of the President as Commander-in-Chief, the Minister of National Defense shall have complete authority over the armed forces of Liberia ...")
g.	Navy Rangers		Exh. 1.243	Liberian Codes Revised, Vol. III, Chapter 24, §§24.1-24.2.
h.	Special Operations Division	SOD	Exh. 1.243	As part of the Liberia National Police, legal authority over the SOD was established in Liberian Codes Revised, Vol. III, Chapter 22, Subchapter D, §22.70.
i.	Special Security Service	SSS	Exh. 1.243	Liberian Codes Revised, Vol. III, Chapter 2, Subchapter C.
j.	National Security Agency	NSA	Exh. 1.274	An Act Repealing Sub-Chapter D of Chapter 1, Part 1 and Sub-Chapter B of Chapter 22, Part II of the Executive Law in Relation to the Executive Action Bureau and the National Bureau of Investigation and Creating the National Security Agency, Sub-Chapter D, 20 May 1974.

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D. NON-GOVERNMENTAL ORGANIZATIONS DOCUMENTS

107. Amnesty International Report 2001, which covered the period January to December 2000, set out that:

a. Sierra Leonean refugees, including former child soldiers, were reportedly recruited by the Sierra Leone armed opposition which was supported by the Liberian government (p. 1).

b. The international community continued to accuse the Liberian government of providing arms, ammunition and fighters, in violation of a 1998 UN embargo, to armed opposition forces in neighbouring Sierra Leone which had been responsible for large scale atrocities against civilians (p. 1).

c. In June, the European Union expressed concern about Liberia's role in the illicit diamond trade from Sierra Leone and its failure to stop arms reaching rebel forces in Sierra Leone through Liberian territory, and threatened to suspend aid to Liberia (p. 1).

d. A UN panel of experts, established in August [2000] to investigate the link between the diamond trade and the conflict in Sierra Leone, published its report in December (p. 1).

e. The panel found evidence of the Liberian government's support for rebel forces in Sierra Leone, including military training and weapons transfers,

and of trafficking of diamonds through Liberia from rebel-held areas (p. 1).

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f. The panel made recommendations, including for an embargo on diamonds from Liberia and a travel ban on Liberian officials by UN members states (p. 1).

g. Amnesty International called for diamond trading in western Africa to be investigated and regulated in order to stop diamonds from rebel-held areas of Sierra Leone financing the purchase of arms used to kill and mutilate civilians in Sierra Leone (p. 1).

a.	Exh. 1.217	n/a	Liberia: Amnesty International Report 2001, AI Index POL 10/001/2001, available at www.amnesty.org.

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ANNEX B

EXHIBITS SOURCED TO MORE THAN ONE FACT

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3. f 5. d 18.b 19. c 49. c 58. a	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998 **This exhibit may be found under Fact 3.**

3. d 5. c 6. d 18. e	Exh. 1.067	n/a	"Getting Away with Murder, Mutilation, and Rape: New Testimony from Sierra Leone," Human Rights Watch, Vol. 11, No. 3(A), June 1999, at Section III, p. 1 (says the Sierra Leone civil war began in March 1991 when the RUF entered Sierra Leone from Liberia). **This exhibit may be found under Fact 3.**

3.e **5. b** **50. a**	Exh. 1.212	n/a	Report of the Secretary-General on the Situation in Sierra Leone, 21 November 1995, para. 2 (gives a history of the conflict in Sierra Leone, beginning in March 1991). **This exhibit may be found under Fact 3.**

4. b **19. b** **49. b** **53. a**	Exh. 1.078	n/a	Fourth Report of the Secretary-General on the Situation in Sierra Leone, 18 March 1998 (S/1998/249) paras. 9, 17. **This exhibit may be found under Fact 4.**

4. c **19. d** **49. d**	Exh. 1.073	ERN 00011233- 00011276	Human Rights Watch, "Sowing Terror, Atrocities against civilians in Sierra Leone", Vol. 10, No. 3 (A) July 1998, at p. 4 (ERN 00011237). **This exhibit may be found under Fact 4.**

4. d **6. e**	Exh. 1.095	ERN 00025070- 00025080	United States Department of State, "Human Rights Practices for 1998 Report", Sierra Leone Country Report, February 1999, p. 1 (ERN 00025070)

			This exhibit may be found under Fact 4.

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6. g **47. a** **48. a**	Exh. 1.192	n/a	Final Communiqué of ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone, 28 December 1998, http://www.sierra-leone.org/ecowas122898.html, at para. 10j. **This exhibit may be found under Fact 6.**

7. f **10. e**	Exh. 1.168	n/a	"Sierra Leone-Children: Young, Armed and Dangerous," by Lansana Fofana, *Inter Press Service*, 1 July 1997, available at http://pangaea.org/street_children/africa/sierra.htm. ("According to some reports, the children are being armed by the new military junta, the Armed Forces Revolutionary Council (AFRC) and its allies, the Revolutionary United Front (RUF) now known as the People's Army, to fight the local hunters militia, the Kamajors.") **This exhibit may be found under Fact 7.**

8. f **9. b** **10. d**	Exh. 1.152	n/a	United States Department of State, "Sierra Leone Country Report on Human Rights Practices for 1997", released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998, at p. 1. **This exhibit may be found under Fact 8.**

7. k **11. d**	Exh. 1.001	ERN 00004092- 00004097	Sierra Leone Humanitarian Situation Report 08-14 Jul 1997, UN Department of Humanitarian Affairs, at para. 9 (ERN 00004093), available at www.reliefweb.int. (Says 37 posts in the Supreme Council have also been created, but only 22 have been filled to date.) **This exhibit may be found under Fact 7.**

8. c **12. a**	Exh. 1.062	ERN 00009698- 00009699	The Sierra Leone Gazette, Vol. CXXVIII, Thursday, 18th September, 1997, No. 54, Government Notice No 215, "The Administration of Sierra Leone (Armed Forces Revolutionary Council) Proclamation,

			1997" **This exhibit may be found under Fact 8.**

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9. e **11. b** **12. b**	Exh. 1.065	ERN 00009772- 00009775	Minutes of an Emergency Council Meeting of the AFRC held at State House on Monday 11th August 1997, dated 16 August 1997, at ERN 00009772. **This exhibit may be found under Fact 9.**

10. a **55. a**	Exh. 1.007	ERN 00004201- 00004217	Fifth Report of the Secretary-General on the Situation in Sierra Leone, S/1998/486, 9 June 1998, at para. 13 ("Following the expulsion of the illegal military junta from the capital, Freetown, in mid-February"...). **This exhibit may be found under Fact 10.**

13. b **14. a** **15. a** **16. a** **17.a**	Exh. 1.226	ERN 00004337- 00004344	*Abidjan Accord*, http://www.sierra-leone.org/abidjanaccord.html, at p. 8 (ERN 00004344). **This exhibit may be found under Fact 13.**

20. a **21. a**	Exh. 1.227	ERN 00012386- 00012400	First Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1998/750), 12 August 1998, at para. 5 (ERN 00012387). **This exhibit may be found under Fact 20.**

22. b **23. a**	Exh. 1.173	n/a	AI Report: 1999 Sierra Leone, http://www.amnesty.org/ailib/aireport/ar99/afr51.htm at p. 4. **This exhibit may be found under Fact 22.**

24. b **25. a** **26. a** **27. a** **28. a**	Exh. 1.016	ERN 00004349- 00004369	Lomé Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL), 7 July 1999, at ERN 00004349, 00004365. **This exhibit may be found under Fact 24.**

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30. a **31. a** **32. a** **33. a** **34. a** **35. a** **36. a** **37. a** **104. a**	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), pp. 1-2, at http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf **This exhibit may be found under Fact 30.**

38. a **39. a**	Exh. 1.233	n/a	See excerpts taken from the Final Communiqué at http://www.sierra-leone.org/ecowas2.html (date posted - 30 July 1997). **This exhibit may be found under Fact 38.**

40. a **41. a**	Exh. 1.223	n/a	Final Communiqué, http://www.sierra-leone.org/ecowas062697.html, at para. 11. **This exhibit may be found under Fact 40.**

43. a **44. a**	Exh. 1.191	n/a	Communiqué, http://www.sierra-leone.org/ecowas121997.html, at para. 12. **This exhibit may be found under Fact 43.**

45. a **46. a**	Exh. 1.234	n/a	Final Communiqué, http://www.sierra-leone.org/ecowas020698.html, at para. 12. **This exhibit may be found under Fact 45.**

6. g **47. a** **48. a**	Exh. 1.192	n/a	Final Communiqué of ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone, 28 December 1998, http://www.sierra-leone.org/ecowas122898.html, at para. 2. **This exhibit may be found under Fact 6.**

3. e **50. a**	Exh. 1.212	n/a	Report of the Secretary-General on the Situation in Sierra Leone (S/1995/975), 21 November 1995, at para. 23. **This exhibit may be found under Fact 3.**

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18. c **52. a** **79. a**	Exh. 1.015	ERN 00004333- 00004336	UN Security Council Resolution 1132, S/RES/1132 (1997), at p. 2 (00004334). **This exhibit may be found under Fact 18.**

105. b **106. c** **106. e** **106. f** **106. g** **106. h** **106. i**	Exh. 1.243	n/a	Liberian Codes Revised, Vol. III, Chapter 24, §24.2 **This exhibit may be found under Fact 105.**

105. a **106. b**	Exh. 1.276	n/a	Constitution of the Republic of Liberia, Ch. VI, Art. 50. **This exhibit may be found under Fact 105.**

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FACT 1

1. The city of Freetown, the Western area and the following districts are located in the country of Sierra Leone: Port Loko, Bombali, Koinadugu, Kono, Kailahun, Kenema and Bo.

a.			This fact was judicially noticed by this Trial Chamber in *Prosecutor v. Brima, Kamara, Kanu,* Case No. SCSL-04-10-T, "Decision on the Prosecution Motion for Judicial Notice and Admission of Evidence", 25 October 2005 ("*Brima* Decision"), para. 24, Fact B.
b.	Exh. 1.384	n/a	Map of Sierra Leone, UNAMSIL Geographic Information Section, 3 July 2003.

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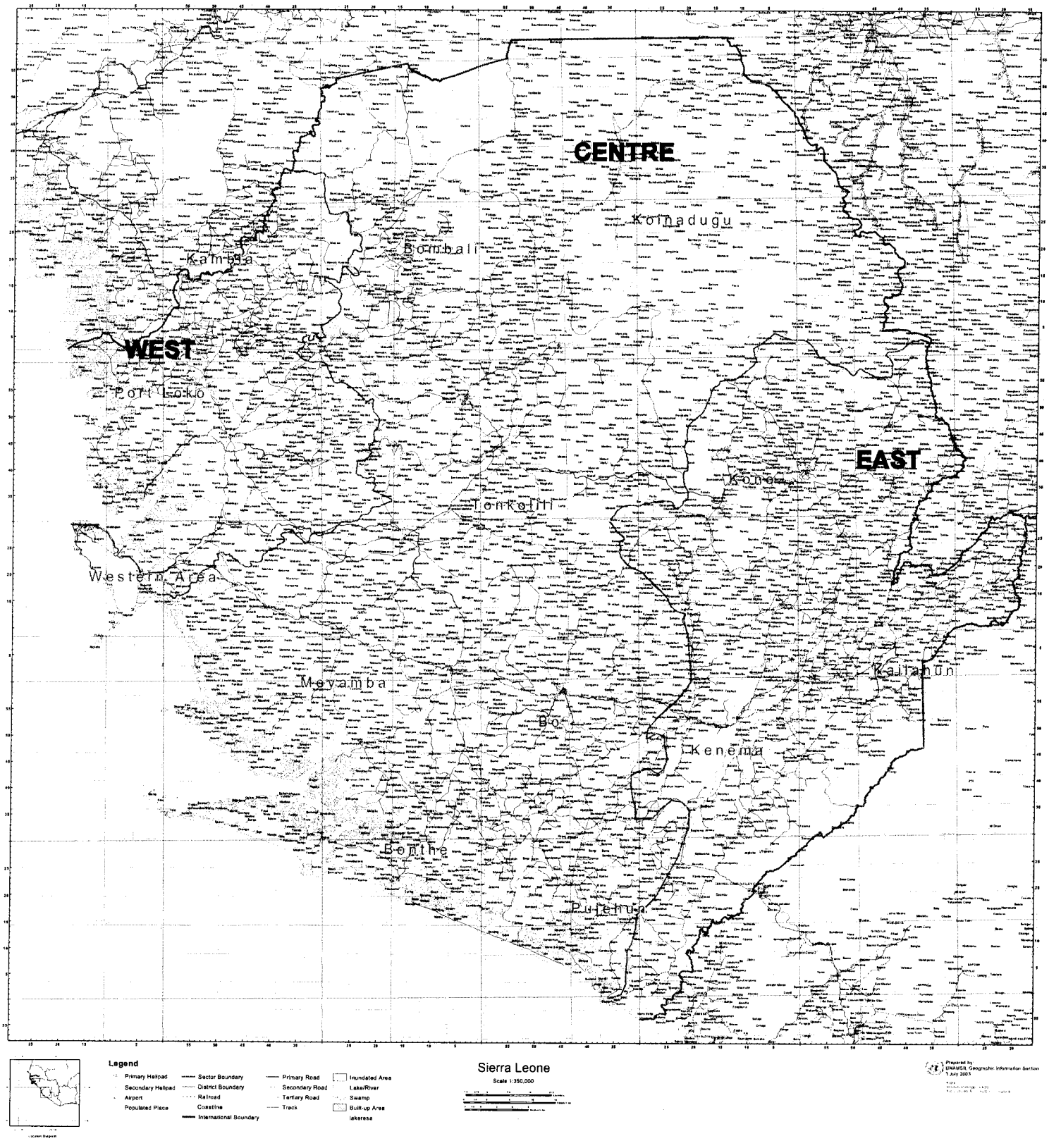
Sierra Leone



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FACT 2

2. Sierra Leone declared itself to be a party to the Geneva Conventions with effect from 27 April 1961 and acceded to the Additional Protocol II to the Geneva Conventions on 21 October 1986.

a.			This fact was judicially noticed in the *Brima* Decision, para. 28.
b.	Exh. 1.331	n/a	Record of States Party to Geneva Conventions, at p.5, see the official ICRC website: http://www.icrc.org.

Country	Protection of victims of armed conflicts							International Criminal Court	Protection of Cultural Property			Environment
Country	GC I-IV 1949	AP I 1977	AP I Declaration art. 90	AP II 1977	AP III 2005	CRC 1989	Opt Prot. CRC 2000	ICC Statute 1998	Hague Conv. 1954	Hague Prot. 1954	Hague Prot. 1999	ENMOD Conv. 1976
Nigeria	20.06.1961	10.10.1988		10.10.1988		19.04.1991		27.09.2001	05.06.1961	05.06.1961	21.10.2005	
Niue						20.12.1995						
Norway	03.08.1951	14.12.1981	14.12.1981	14.12.1981	13.06.2006	08.01.1991	23.09.2003	16.02.2000	19.09.1961	19.09.1961		15.02.1979
Oman	31.01.1974	29.03.1984		29.03.1984		09.12.1996	17.09.2004		26.10.1977			
Pakistan	12.06.1951					12.11.1990			27.03.1959	27.03.1959		27.02.1986
Palau	25.06.1996	25.06.1996		25.06.1996		04.08.1995						
Panama	10.02.1956	18.09.1995	26.10.1999	18.09.1995		12.12.1990	08.08.2001	21.03.2002	17.07.1962	08.03.2001	08.03.2001	13.05.2003
Papua New Guinea	26.05.1976					02.03.1993						28.10.1980
Paraguay	23.10.1961	30.11.1990	30.01.1998	30.11.1990		25.09.1990	27.09.2002	14.05.2001	09.11.2004	09.11.2004	09.11.2004	
Peru	15.02.1956	14.07.1989		14.07.1989		04.09.1990	08.05.2002	10.11.2001	21.07.1989	21.07.1989	24.05.2005	
Philippines	06.10.1952			11.12.1986	22.08.2006	21.08.1990	26.08.2003					
Poland	26.11.1954	23.10.1991	02.10.1992	23.10.1991		07.06.1991	07.04.2005	12.11.2001	06.08.1956	06.08.1956		08.06.1978
Portugal	14.03.1961	27.05.1992	01.07.1994	27.05.1992		21.09.1990	19.08.2003	05.02.2002	04.08.2000	18.02.2005		
Qatar	15.10.1975	05.04.1988	24.09.1991	05.01.2004		03.04.1995	25.07.2002		31.07.1973		04.09.2000	
Romania	01.06.1954	21.06.1990	31.05.1995	21.06.1990		28.09.1990	10.11.2001	11.04.2002	21.03.1958	21.03.1958	07.08.2006	06.05.1983
Russian Federation	10.05.1954	29.09.1989	29.09.1989	29.09.1989		16.08.1990			04.01.1957	04.01.1957		30.05.1978
Rwanda	05.05.1964	19.11.1984	08.07.1993	19.11.1984		24.01.1991	23.04.2002		28.12.2000			
Saint Kitts and Nevis	14.02.1986	14.02.1986		14.02.1986		24.07.1990		22.08.2006				
Saint Lucia	18.09.1981	07.10.1982		07.10.1982		16.06.1993						27.05.1993
Saint Vincent & Grenadine	01.04.1981	08.04.1983		08.04.1983		26.10.1993		03.12.2002				27.04.1999
Samoa	23.08.1984	23.08.1984		23.08.1984		29.11.1994		16.09.2002				
San Marino	29.08.1953	05.04.1994		05.04.1994		25.11.1991		13.05.1999	09.02.1956	09.02.1956		
Sao Tome and Principe	21.05.1976	05.07.1996		05.07.1996		14.05.1991						05.10.1979
Saudi Arabia	18.05.1963	21.08.1987		28.11.2001		26.01.1996			20.01.1971			
Senegal	18.05.1963	07.05.1985		07.05.1985		31.07.1990	03.03.2004	02.02.1999	17.06.1987	17.06.1987		
Serbia (Republic of)	16.10.2001	16.10.2001	16.10.2001	16.10.2001		12.03.2001	31.01.2003	06.09.2001	11.09.2001	11.09.2001	02.09.2002	
Seychelles	08.11.1984	08.11.1984	22.05.1992	08.11.1984		07.09.1990			08.10.2003			
Sierra Leone	10.06.1965	21.10.1986		21.10.1986		18.06.1990	15.05.2002	15.09.2000				
Singapore	27.04.1973					05.10.1995						
Slovakia	02.04.1993	02.04.1993	13.03.1995	02.04.1993		28.05.1993	07.07.2006	11.04.2002	31.03.1993	31.03.1993	11.02.2004	28.05.1993
Slovenia	26.03.1992	26.03.1992	26.03.1992	26.03.1992		06.07.1992	23.09.2004	31.12.2001	28.10.1992	05.11.1992	13.04.2004	20.04.2005
Solomon Islands	06.07.1981	19.09.1988		19.09.1988		10.04.1995						19.06.1981
Somalia	12.07.1962											
South Africa	31.03.1952	21.11.1995		21.11.1995		16.06.1995		27.11.2000	18.12.2003			
Spain	04.08.1952	21.04.1989	21.04.1989	21.04.1989		06.12.1990	08.03.2002	24.10.2000	07.07.1960	26.06.1992	06.07.2001	19.07.1978
Sri Lanka	28.02.1959					12.07.1991	08.09.2000		11.05.2004			25.04.1978
Sudan	23.09.1957	07.03.2006		13.07.2006		03.08.1990	26.07.2005		23.07.1970			
Suriname	13.10.1976	16.12.1985		16.12.1985		01.03.1993						
Swaziland	28.06.1973	02.11.1995		02.11.1995		07.09.1995						
Sweden	28.12.1953	31.08.1979	31.08.1979	31.08.1979		29.06.1990	20.02.2003	28.06.2001	22.01.1985	22.01.1985		27.04.1984
Switzerland	31.03.1950	17.02.1982	17.02.1982	17.02.1982	14.07.2006	24.02.1997	26.06.2002	12.10.2001	15.05.1962	15.05.1962	09.07.2004	05.08.1988
Syrian Arab Republic	02.11.1953	14.11.1983				15.07.1993	17.10.2003		06.03.1958	06.03.1958		
Tajikistan	13.01.1993	13.01.1993	10.09.1997	13.01.1993		26.10.1993	05.08.2002	05.05.2000	28.08.1992	28.08.1992	21.02.2006	12.10.1999

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ICRC

State Parties to the Following International Humanitarian Law and Other Related Treaties as of 17-Apr-2007

Protection of Victims of Armed Conflicts	
GC I-IV 1949	Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Geneva, 12 August 1949. Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea. Geneva, 12 August 1949. Convention (III) relative to the Treatment of Prisoners of War. Geneva, 12 August 1949. Convention (IV) relative to the Protection of Civilian Persons in Time of War, Geneva, 12 August 1949.
AP I 1977	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts. Geneva, 8 june 1977.
AP I Declaration art. 90	Declaration provided for under article 90 AP I. Acceptance of the Competence of the International Fact-Finding Commission according to article 90 of AP I.
AP II 1977	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts. Geneva, 8 June 1977.
AP III 2005	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III), 8 December 2005.
CRC 1989	Convention on the Rights of the Child, New York, 20 November 1989.
Opt Prot. CRC 2000	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, New York, 25 May 2000.
International Criminal Court	
ICC Statute 1998	Rome Statute of the International Criminal Court, 17 July 1998.
Protection of Cultural Property in the Event of Armed Conflict	
Hague Conv. 1954	Convention for the Protection of Cultural Property in the Event of Armed Conflict, The Hague, 14 May 1954.
Hague Prot. 1954	First Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, The Hague, 14 May 1954.
Hague Prot. 1999	Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, The Hague, 26 March 1999.
Environment	
ENMOD Conv. 1976	Convention on the prohibition of military or any other hostile use of environmental modification techniques, New York, 10 December 1976.
Weapons	
Geneva Gas Prot. 1925	Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and Warfare, Geneva, 17 June 1925.
BWC 1972	Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction. Opened for Signature at London, Moscow and Washington. 10 April 1972.
CCW 1980	Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects. Geneva, 10 October 1980.
CCW Prot. I 1980	Protocol on non-detectable fragments (I).
CCW Prot. II 1980	Protocol on prohibitions or restrictions on the use of mines, booby-traps and other devices (II).
CCW Prot. III 1980	Protocol on prohibitions or restrictions on the use of incendiary weapons (III).
CCW Prot. IV 1995	Protocol on Blinding Laser Weapons (Protocol IV to the 1980 Convention), 13 October 1995.
CCW Prot. IIa 1996	Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Protocol II to the 1980 Convention).
CCW Amdt 2001	Amendment to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (with Protocols I, II and III), Geneva 21 December 2001.
CCW Prot. V 2003	Protocol on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (with Protocols I, II and III). Geneva, 28 November 2003.
CWC 1993	Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, Paris 13 January 1993.
Ottawa Treaty 1997	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, Oslo, 18 September 1997.

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Country	Protection of victims of armed conflicts							International Criminal Court	Protection of Cultural Property			Environment
Country	GC I-IV 1949	AP I 1977	AP I Declaration art. 90	AP II 1977	AP III 2005	CRC 1989	Opt Prot. CRC 2000	ICC Statute 1998	Hague Conv. 1954	Hague Prot. 1954	Hague Prot. 1999	ENMOD Conv. 1976
Afghanistan	26.09.1956					28.03.1994	24.09.2003	10.02.2003				22.10.1985
Albania	27.05.1957	16.07.1993		16.07.1993		27.02.1992		31.01.2003	20.12.1960	20.12.1960		
Algeria	20.06.1960	16.08.1989	16.08.1989	16.08.1989		16.04.1993						19.12.1991
Andorra	17.09.1993					02.01.1996	30.04.2001	30.04.2001				
Angola	20.09.1984	20.09.1984				05.12.1990						
Antigua and Barbuda	06.10.1986	06.10.1986		06.10.1986		05.10.1993		18.06.2001				25.10.1988
Argentina	18.09.1956	26.11.1986	11.10.1996	26.11.1986		04.12.1990	10.09.2002	08.02.2001	22.03.1989		07.01.2002	20.03.1987
Armenia	07.06.1993	07.06.1993		07.06.1993		23.06.1993	30.09.2005		05.09.1993	05.09.1993	18.05.2006	15.05.2002
Australia	14.10.1958	21.06.1991	23.09.1992	21.06.1991		17.12.1990	26.09.2006	01.07.2002	19.09.1984			07.09.1984
Austria	27.08.1953	13.08.1982	13.08.1982	13.08.1982		06.08.1992	01.02.2002	28.12.2000	25.03.1964	25.03.1964	01.03.2002	17.01.1990
Azerbaijan	01.06.1993					13.08.1992	03.07.2002		20.09.1993	20.09.1993	17.04.2001	
Bahamas	11.07.1975	10.04.1980		10.04.1980		20.02.1991						
Bahrain	30.11.1971	30.10.1986		30.10.1986		13.02.1992	21.09.2004					
Bangladesh	04.04.1972	08.09.1980		08.09.1980		03.08.1990	06.09.2000		23.06.2006	23.06.2006		03.10.1979
Barbados	10.09.1968	19.02.1990		19.02.1990		09.10.1990		10.12.2002	09.04.2002			
Belarus	03.08.1954	23.10.1989	23.10.1989	23.10.1989		01.10.1990	25.01.2006		07.05.1957	07.05.1957	29.11.2005	07.06.1988
Belgium	03.09.1952	20.05.1986	27.03.1987	20.05.1986		16.12.1991	06.05.2002	28.06.2000	16.09.1960	16.09.1960		12.07.1982
Belize	29.06.1984	29.06.1984		29.06.1984		02.05.1990	01.12.2003	05.04.2000				
Benin	14.12.1961	28.05.1986		28.05.1986		03.08.1990	21.01.2005	22.01.2002				30.06.1986
Bhutan	10.01.1991					01.08.1990						
Bolivia	10.12.1976	08.12.1983	10.08.1992	08.12.1983		26.06.1990	22.12.2004	27.06.2002	17.11.2004			
Bosnia-Herzegovina	31.12.1992	31.12.1992	31.12.1992	31.12.1992		01.09.1993	10.10.2003	11.04.2002	12.07.1993	12.07.1993		
Botswana	29.03.1968	23.05.1979		23.05.1979		14.03.1995	04.10.2004	08.09.2000	03.01.2002			
Brazil	29.06.1957	05.05.1992	23.11.1993	05.05.1992		24.09.1990	27.01.2004	20.06.2002	12.09.1958	12.09.1958	23.09.2004	12.10.1984
Brunei Darussalam	14.10.1991	14.10.1991		14.10.1991		27.12.1995						
Bulgaria	22.07.1954	26.09.1989	09.05.1994	26.09.1989	13.09.2006	03.06.1991	12.02.2002	11.04.2002	07.08.1956	09.10.1958	14.06.2000	31.05.1978
Burkina Faso	07.11.1961	20.10.1987	24.05.2004	20.10.1987		31.08.1990		16.04.2004	18.12.1969	04.02.1987		
Burundi	27.12.1971	10.06.1993		10.06.1993		19.10.1990		21.09.2004				
Cambodia	08.12.1958	14.01.1998		14.01.1998		15.10.1992	16.07.2004	11.04.2002	04.04.1962	04.04.1962		
Cameroon	16.09.1963	16.03.1984		16.03.1984		11.01.1993			12.10.1961	12.10.1961		
Canada	14.05.1965	20.11.1990	20.11.1990	20.11.1990		13.12.1991	07.07.2000	07.07.2000	11.12.1998	29.11.2005	29.11.2005	11.06.1981
Cape Verde	11.05.1984	16.03.1995	16.03.1995	16.03.1995		04.06.1992	10.05.2002					03.10.1979
Central African Republic	01.08.1966	17.07.1984		17.07.1984		23.04.1992		04.10.2001				
Chad	05.08.1970	17.01.1997		17.01.1997		02.10.1990	28.08.2002	01.11.2006				
Chile	12.10.1950	24.04.1991	24.04.1991	24.04.1991		13.08.1990	31.07.2003					26.04.1994
China	28.12.1956	14.09.1983		14.09.1983		02.03.1992			05.01.2000	05.01.2000		08.06.2005
Colombia	08.11.1961	01.09.1993	17.04.1996	14.08.1995		28.01.1991	25.05.2005	05.08.2002	18.06.1998	18.06.1998		
Comoros	21.11.1985	21.11.1985		21.11.1985		22.06.1993		18.08.2006				
Congo	04.02.1967	10.11.1983		10.11.1983		14.10.1993		03.05.2004				
Congo (Dem Rep)	24.02.1961	03.06.1982	12.12.2002	12.12.2002		27.09.1990	11.11.2001	11.04.2002	18.04.1961	18.04.1961		
Cook Islands	11.06.2001	07.05.2002	07.05.2002	07.05.2002		06.06.1997						
Costa Rica	15.10.1969	15.12.1983	09.12.1999	15.12.1983		21.08.1990	24.01.2003	07.06.2001	03.06.1998	03.06.1998	09.12.2003	07.02.1996
Côte d'Ivoire	28.12.1961	20.09.1989		20.09.1989		04.02.1991			24.01.1980			

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Country	Protection of victims of armed conflicts							International Criminal Court	Protection of Cultural Property			Environment
Country	GC I-IV 1949	AP I 1977	AP I Declaration art. 90	AP II 1977	AP III 2005	CRC 1989	Opt Prot. CRC 2000	ICC Statute 1998	Hague Conv. 1954	Hague Prot. 1954	Hague Prot. 1999	ENMOD Conv. 1976
Croatia	11.05.1992	11.05.1992	11.05.1992	11.05.1992		12.10.1992	01.11.2002	21.05.2001	06.07.1992	06.07.1992	08.02.2006	
Cuba	15.04.1954	25.11.1982		23.06.1999		21.08.1991	02.09.2007		26.11.1957	26.11.1957		10.04.1978
Cyprus	23.05.1962	01.06.1979	14.10.2002	18.03.1996		07.02.1991		07.03.2002	09.09.1964	09.09.1964	16.05.2001	12.04.1978
Czech Republic	05.02.1993	05.02.1993	02.05.1995	05.02.1993		22.02.1993	30.11.2001		26.03.1993	26.03.1993		22.02.1993
Denmark	27.06.1951	17.06.1982	17.06.1982	17.06.1982		19.07.1991	27.08.2002	21.06.2001	26.03.2003	26.03.2003		19.04.1978
Djibouti	06.03.1978	08.04.1991		08.04.1991		06.12.1990		05.11.2002				
Dominica	28.09.1981	25.04.1996		25.04.1996		13.03.1991	20.09.2002	12.02.2001				09.11.1992
Dominican Republic	22.01.1958	26.05.1994		26.05.1994		11.06.1991		12.05.2005	05.01.1960	21.03.2002		
Ecuador	11.08.1954	10.04.1979		10.04.1979		23.03.1990	07.06.2004	05.02.2002	02.10.1956	08.02.1961	02.08.2004	
Egypt	10.11.1952	09.10.1992		09.10.1992		06.07.1990	02.06.2007		17.08.1955	17.08.1955	03.08.2005	01.04.1982
El Salvador	17.06.1953	23.11.1978		23.11.1978		10.07.1990	18.04.2002		19.07.2001	27.03.2002	27.03.2002	
Equatorial Guinea	24.07.1986	24.07.1986		24.07.1986		15.06.1992			19.11.2003		19.11.2003	
Eritrea	14.08.2000					03.08.1994	16.02.2005		06.08.2004			
Estonia	18.01.1993	18.01.1993		18.01.1993		21.10.1991		30.01.2002	04.04.1995	17.01.2005	17.01.2005	
Ethiopia	02.10.1969	08.04.1994		08.04.1994		14.05.1991						
Fiji	09.08.1971					13.08.1993		29.11.1999				
Finland	22.02.1955	07.08.1980	07.08.1980	07.08.1980		20.06.1991	10.04.2002	29.12.2000	16.09.1994	16.09.1994	09.11.2004	12.05.1978
France	28.06.1951	11.04.2001		24.02.1984		07.08.1990	05.02.2003	09.06.2000	07.06.1957	07.06.1957		
Gabon	26.02.1965	08.04.1980		08.04.1980		09.02.1994		20.09.2000	04.12.1961	04.12.1961	29.08.2003	
Gambia	20.10.1966	12.01.1989		12.01.1989		08.08.1990		28.06.2002				
Georgia	14.09.1993	14.09.1993		14.09.1993	19/03/2007	02.06.1994		05.09.2003	04.11.1992	04.11.1992		
Germany	03.09.1954	14.02.1991	14.02.1991	14.02.1991		06.03.1992	13.12.2004	11.12.2000	11.08.1967	11.08.1967		24.05.1983
Ghana	02.08.1958	28.02.1978		28.02.1978		05.02.1990		20.12.1999	25.07.1960	25.07.1960		22.06.1978
Greece	05.06.1956	31.03.1989	04.02.1998	15.02.1993		11.05.1993	22.10.2003	15.05.2002	09.02.1981	09.02.1981	20.04.2005	23.08.1983
Grenada	13.04.1981	23.09.1998		23.09.1998		05.11.1990						
Guatemala	14.05.1952	19.10.1987		19.10.1987		06.06.1990	09.05.2002		02.10.1985	19.05.1994	04.02.2005	21.03.1988
Guinea	11.07.1984	11.07.1984	20.12.1993	11.07.1984		13.07.1990		14.07.2003	20.09.1960	11.12.1961		
Guinea-Bissau	21.02.1974	21.10.1986		21.10.1986		20.08.1990						
Guyana	22.07.1968	18.01.1988		18.01.1988		14.01.1991		24.09.2004				
Haiti	11.04.1957	20.12.2006		20.12.2006		08.06.1995						
Holy See	22.02.1951	21.11.1985		21.11.1985		20.04.1990	24.10.2001		24.02.1958	24.02.1958		
Honduras	31.12.1965	16.02.1995		16.02.1995	08.12.2006	10.08.1990	14.08.2002	01.07.2002	25.10.2002	25.10.2002	26.01.2003	
Hungary	03.08.1954	12.04.1989	23.09.1991	12.04.1989	15.11.2006	07.10.1991		30.11.2001	17.05.1956	16.08.1956	26.10.2005	19.04.1978
Iceland	10.08.1965	10.04.1987	10.04.1987	10.04.1987	04.08.2006	28.10.1992	01.10.2001	25.05.2000				
India	09.11.1950					11.12.1992	30.11.2005		16.06.1958	16.06.1958		15.12.1978
Indonesia	30.09.1958					05.09.1990			10.01.1967	26.07.1967		
Iran (Islamic Rep)	20.02.1957					13.07.1994			22.06.1959	22.06.1959	24.05.2005	
Iraq	14.02.1956					15.06.1994			21.12.1967	21.12.1967		
Ireland	27.09.1962	19.05.1999	19.05.1999	19.05.1999		28.09.1992	18.11.2002	11.04.2002				16.12.1982
Israel	06.07.1951					03.10.1991	18.07.2005		03.10.1957	01.04.1958		
Italy	17.12.1951	27.02.1986	27.02.1986	27.02.1986		05.09.1991	09.05.2002	26.07.1999	09.05.1958	09.05.1958		27.11.1981
Jamaica	20.07.1964	29.07.1986		29.07.1986		14.05.1991	09.05.2002					
Japan	21.04.1953	31.08.2004	31.08.2004	31.08.2004		22.04.1994	02.08.2004					09.06.1982

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Country	Protection of victims of armed conflicts							International Criminal Court	Protection of Cultural Property			Environment
Country	GC I-IV 1949	AP I 1977	AP I Declaration art. 90	AP II 1977	AP III 2005	CRC 1989	Opt Prot. CRC 2000	ICC Statute 1998	Hague Conv. 1954	Hague Prot. 1954	Hague Prot. 1999	ENMOD Conv. 1976
Jordan	29.05.1951	01.05.1979		01.05.1979		24.05.1991		11.04.2002	02.10.1957	02.10.1957		
Kazakhstan	05.05.1992	05.05.1992		05.05.1992		12.08.1994	10.04.2003		14.03.1997	14.03.1997		25.04.2005
Kenya	20.09.1966	23.02.1999		23.02.1999		30.07.1990	28.01.2002	15.03.2005				
Kiribati	05.01.1989					11.12.1995						
Korea (Dem.People's Rep.	27.08.1957	09.03.1988				21.09.1990						08.11.1984
Korea (Republic of)	16.08.1966	15.01.1982	16.04.2004	15.01.1982		20.11.1991	24.09.2004	13.11.2002				02.12.1986
Kuwait	02.09.1967	17.01.1985		17.01.1985		21.10.1991	26.08.2004		06.06.1969	11.02.1970		02.01.1980
Kyrgyzstan	18.09.1992	18.09.1992		18.09.1992		07.10.1994	13.08.2003		03.07.1995			
Lao (People's Dem.)	29.10.1956	18.11.1980	30.01.1998	18.11.1980		08.05.1991	20.09.2006					05.10.1978
Latvia	24.12.1991	24.12.1991		24.12.1991	04.02.2007	14.04.1992	19.12.2005	28.06.2002	19.12.2003	19.12.2003		
Lebanon	10.04.1951	23.07.1997		23.07.1997		14.05.1991			01.06.1960	01.06.1960		
Lesotho	20.05.1968	20.05.1994		20.05.1994		10.03.1992	24.09.2003	06.09.2000				
Liberia	29.03.1954	30.06.1988		30.06.1988		04.06.1993		22.09.2004				
Libyan Arab Jamahiriya	22.05.1956	07.06.1978		07.06.1978		15.04.1993	29.10.2004		19.11.1957	19.11.1957	20.07.2001	
Liechtenstein	21.09.1950	10.08.1989	10.08.1989	10.08.1989	24.08.2006	22.12.1995	04.02.2005	02.10.2001	28.04.1960	28.04.1960		
Lithuania	03.10.1996	13.07.2000	13.07.2000	13.07.2000		31.01.1992	20.02.2003	12.05.2003	27.07.1998	27.07.1998	13.03.2002	16.04.2002
Luxembourg	01.07.1953	29.08.1989	12.05.1993	29.08.1989		07.03.1994	04.08.2004	08.09.2000	29.09.1961	29.09.1961	30.06.2005	
Macedonia	01.09.1993	01.09.1993	01.09.1993	01.09.1993		02.12.1993	12.01.2004	06.03.2002	30.04.1997	30.04.1997	19.04.2002	
Madagascar	18.07.1963	08.05.1992	27.07.1993	08.05.1992		19.03.1991	22.09.2004		03.11.1961	03.11.1961		
Malawi	05.01.1968	07.10.1991		07.10.1991		02.01.1991		19.09.2002				05.10.1978
Malaysia	24.08.1962					17.02.1995			12.12.1960	12.12.1960		
Maldives	18.06.1991	03.09.1991		03.09.1991		11.02.1991	29.12.2004					
Mali	24.05.1965	08.02.1989	09.05.2003	08.02.1989		20.09.1990	16.05.2002	16.08.2000	18.05.1961	18.05.1961		
Malta	22.08.1968	17.04.1989	17.04.1989	17.04.1989		30.09.1990	09.05.2002	29.11.2002				
Marshall	01.06.2004					04.10.1993		07.12.2000				
Mauritania	30.10.1962	14.03.1980		14.03.1980		16.05.1991						
Mauritius	18.08.1970	22.03.1982		22.03.1982		26.07.1990		05.03.2002	22.09.2006			09.12.1992
Mexico	29.10.1952	10.03.1983				21.09.1990	15.03.2002	28.10.2005	07.05.1956	07.05.1956	07.10.2003	
Micronesia	19.09.1995	19.09.1995		19.09.1995		05.05.1993						
Moldova (Republic of)	24.05.1993	24.05.1993		24.05.1993		26.01.1993	07.04.2004		09.12.1999	09.12.1999		
Monaco	05.07.1950	07.01.2000		07.01.2000	03.12.2007	21.06.1993	13.11.2001		10.12.1957	10.12.1957		
Mongolia	20.12.1958	06.12.1995	06.12.1995	06.12.1995		05.07.1990	06.10.2004	11.04.2002	04.11.1964			19.05.1978
Montenegro (Republic of)	02.08.2006	02.08.2006	08.02.2006	02.08.2006		23.10.2006		23.10.2006				
Morocco	26.07.1956					21.06.1993	22.05.2002		30.08.1968	30.08.1968		
Mozambique	14.03.1983	14.03.1983		12.11.2002		26.04.1994	19.10.2004					
Myanmar	25.08.1992					15.07.1991			10.02.1956	10.02.1956		
Namibia	22.08.1991	17.06.1994	21.07.1994	17.06.1994		30.09.1990	16.04.2002	26.06.2002				
Nauru	27.06.2006	27.06.2006		27.06.2006		27.07.1994		12.11.2001				
Nepal	07.02.1964					14.09.1990	03.01.2007					
Netherlands	03.08.1954	26.06.1987	26.06.1987	26.06.1987	13.12.2006	06.02.1995		17.07.2001	14.10.1958	14.10.1958	30.01.2007	15.04.1983
New Zealand	02.05.1959	08.02.1988	08.02.1988	08.02.1988		06.04.1993	12.11.2001	07.09.2000				07.09.1984
Nicaragua	17.12.1953	19.07.1999		19.07.1999		05.10.1990	17.03.2005		25.11.1959	25.11.1959	01.06.2001	
Niger	21.04.1964	08.06.1979		08.06.1979		30.09.1990		11.04.2002	06.12.1976	06.12.1976	16.06.2006	17.02.1993

Country	Protection of victims of armed conflicts							International Criminal Court	Protection of Cultural Property			Environment
Country	GC I-IV 1949	AP I 1977	AP I Declaration art. 90	AP II 1977	AP III 2005	CRC 1989	Opt Prot. CRC 2000	ICC Statute 1998	Hague Conv. 1954	Hague Prot. 1954	Hague Prot. 1999	ENMOD Conv. 1976
Nigeria	20.06.1961	10.10.1988		10.10.1988		19.04.1991		27.09.2001	05.06.1961	05.06.1961	21.10.2005	
Niue						20.12.1995						
Norway	03.08.1951	14.12.1981	14.12.1981	14.12.1981	13.06.2006	08.01.1991	23.09.2003	16.02.2000	19.09.1961	19.09.1961		15.02.1979
Oman	31.01.1974	29.03.1984		29.03.1984		09.12.1996	17.09.2004		26.10.1977			
Pakistan	12.06.1951					12.11.1990			27.03.1959	27.03.1959		27.02.1986
Palau	25.06.1996	25.06.1996		25.06.1996		04.08.1995						
Panama	10.02.1956	18.09.1995	26.10.1999	18.09.1995		12.12.1990	08.08.2001	21.03.2002	17.07.1962	08.03.2001	08.03.2001	13.05.2003
Papua New Guinea	26.05.1976					02.03.1993						28.10.1980
Paraguay	23.10.1961	30.11.1990	30.01.1998	30.11.1990		25.09.1990	27.09.2002	14.05.2001	09.11.2004	09.11.2004	09.11.2004	
Peru	15.02.1956	14.07.1989		14.07.1989		04.09.1990	08.05.2002	10.11.2001	21.07.1989	21.07.1989	24.05.2005	
Philippines	06.10.1952			11.12.1986	22.08.2006	21.08.1990	26.08.2003					
Poland	26.11.1954	23.10.1991	02.10.1992	23.10.1991		07.06.1991	07.04.2005	12.11.2001	06.08.1956	06.08.1956		08.06.1978
Portugal	14.03.1961	27.05.1992	01.07.1994	27.05.1992		21.09.1990	19.08.2003	05.02.2002	04.08.2000	18.02.2005		
Qatar	15.10.1975	05.04.1988	24.09.1991	05.01.2004		03.04.1995	25.07.2002		31.07.1973		04.09.2000	
Romania	01.06.1954	21.06.1990	31.05.1995	21.06.1990		28.09.1990	10.11.2001	11.04.2002	21.03.1958	21.03.1958	07.08.2006	06.05.1983
Russian Federation	10.05.1954	29.09.1989	29.09.1989	29.09.1989		16.08.1990			04.01.1957	04.01.1957		30.05.1978
Rwanda	05.05.1964	19.11.1984	08.07.1993	19.11.1984		24.01.1991	23.04.2002		28.12.2000			
Saint Kitts and Nevis	14.02.1986	14.02.1986		14.02.1986		24.07.1990		22.08.2006				
Saint Lucia	18.09.1981	07.10.1982		07.10.1982		16.06.1993						27.05.1993
Saint Vincent & Grenadine	01.04.1981	08.04.1983		08.04.1983		26.10.1993		03.12.2002				27.04.1999
Samoa	23.08.1984	23.08.1984		23.08.1984		29.11.1994		16.09.2002				
San Marino	29.08.1953	05.04.1994		05.04.1994		25.11.1991		13.05.1999	09.02.1956	09.02.1956		
Sao Tome and Principe	21.05.1976	05.07.1996		05.07.1996		14.05.1991						05.10.1979
Saudi Arabia	18.05.1963	21.08.1987		28.11.2001		26.01.1996			20.01.1971			
Senegal	18.05.1963	07.05.1985		07.05.1985		31.07.1990	03.03.2004	02.02.1999	17.06.1987	17.06.1987		
Serbia (Republic of)	16.10.2001	16.10.2001	16.10.2001	16.10.2001		12.03.2001	31.01.2003	06.09.2001	11.09.2001	11.09.2001	02.09.2002	
Seychelles	08.11.1984	08.11.1984	22.05.1992	08.11.1984		07.09.1990			08.10.2003			
Sierra Leone	10.06.1965	21.10.1986		21.10.1986		18.06.1990	15.05.2002	15.09.2000				
Singapore	27.04.1973					05.10.1995						
Slovakia	02.04.1993	02.04.1993	13.03.1995	02.04.1993		28.05.1993	07.07.2006	11.04.2002	31.03.1993	31.03.1993	11.02.2004	28.05.1993
Slovenia	26.03.1992	26.03.1992	26.03.1992	26.03.1992		06.07.1992	23.09.2004	31.12.2001	28.10.1992	05.11.1992	13.04.2004	20.04.2005
Solomon Islands	06.07.1981	19.09.1988		19.09.1988		10.04.1995						19.06.1981
Somalia	12.07.1962											
South Africa	31.03.1952	21.11.1995		21.11.1995		16.06.1995		27.11.2000	18.12.2003			
Spain	04.08.1952	21.04.1989	21.04.1989	21.04.1989		06.12.1990	08.03.2002	24.10.2000	07.07.1960	26.06.1992	06.07.2001	19.07.1978
Sri Lanka	28.02.1959					12.07.1991	08.09.2000		11.05.2004			25.04.1978
Sudan	23.09.1957	07.03.2006		13.07.2006		03.08.1990	26.07.2005		23.07.1970			
Suriname	13.10.1976	16.12.1985		16.12.1985		01.03.1993						
Swaziland	28.06.1973	02.11.1995		02.11.1995		07.09.1995						
Sweden	28.12.1953	31.08.1979	31.08.1979	31.08.1979		29.06.1990	20.02.2003	28.06.2001	22.01.1985	22.01.1985		27.04.1984
Switzerland	31.03.1950	17.02.1982	17.02.1982	17.02.1982	14.07.2006	24.02.1997	26.06.2002	12.10.2001	15.05.1962	15.05.1962	09.07.2004	05.08.1988
Syrian Arab Republic	02.11.1953	14.11.1983				15.07.1993	17.10.2003		06.03.1958	06.03.1958		
Tajikistan	13.01.1993	13.01.1993	10.09.1997	13.01.1993		26.10.1993	05.08.2002	05.05.2000	28.08.1992	28.08.1992	21.02.2006	12.10.1999

Country	Protection of victims of armed conflicts							International Criminal Court	Protection of Cultural Property			Environment
Country	**GC I-IV 1949**	**AP I 1977**	**AP I Declaration art. 90**	**AP II 1977**	**AP III 2005**	**CRC 1989**	**Opt Prot. CRC 2000**	**ICC Statute 1998**	**Hague Conv. 1954**	**Hague Prot. 1954**	**Hague Prot. 1999**	**ENMOD Conv. 1976**
Tanzania (United Rep.of)	12.12.1962	15.02.1983		15.02.1983		10.06.1991	11.11.2004	20.08.2002	23.09.1971			
Thailand	29.12.1954					27.03.1992	27.02.2006		02.05.1958	02.05.1958		
Timor-Leste	08.05.2003	12.04.2005		12.04.2005		16.04.2003	02.04.2004	06.09.2002				
Togo	06.01.1962	21.06.1984	21.11.1991	21.06.1984		01.08.1990	28.11.2005					
Tonga	13.04.1978	20.01.2003	20.01.2003	20.01.2003		06.11.1995						
Trinidad and Tobago	24.09.1963	20.07.2001	20.07.2001	20.07.2001		05.12.1991		06.04.1999				
Tunisia	04.05.1957	09.08.1979		09.08.1979		30.01.1992	02.01.2003		28.01.1981	28.01.1981		11.05.1978
Turkey	10.02.1954					04.04.1995	04.05.2004		15.12.1965	15.12.1965		
Turkmenistan	10.04.1992	10.04.1992		10.04.1992		20.09.1993	29.04.2005					
Tuvalu	19.02.1981					22.09.1995						
Uganda	18.05.1964	13.03.1991		13.03.1991		17.08.1990	06.05.2002	14.06.2002				
Ukraine	03.08.1954	25.01.1990	25.01.1990	25.01.1990		28.08.1991	11.07.2005		06.02.1957	06.02.1957		13.06.1978
United Arab Emirates	10.05.1972	09.03.1983	06.03.1992	09.03.1983		03.01.1997						
United Kingdom	23.09.1957	28.01.1998	17.05.1999	28.01.1998		16.12.1991	24.06.2003	04.10.2001				16.05.1978
United States of America	02.08.1955				03.08.2007		23.12.2002					17.01.1980
Uruguay	05.03.1969	13.12.1985	17.07.1990	13.12.1985		20.11.1990	09.09.2003	28.06.2002	24.09.1999	24.09.1999	03.01.2007	16.09.1993
Uzbekistan	08.10.1993	08.10.1993		08.10.1993		29.06.1994			21.02.1996			26.05.1993
Vanuatu	27.10.1982	28.02.1985		28.02.1985		07.07.1993						
Venezuela	13.02.1956	23.07.1998		23.07.1998		13.09.1990	23.09.2003	07.06.2000	09.05.2005			
Viet Nam	28.06.1957	19.10.1981				28.02.1990	20.12.2001					26.08.1980
Yemen	16.07.1970	17.04.1990		17.04.1990		01.05.1991	03.02.2007		06.02.1970	06.02.1970		20.07.1977
Zambia	19.10.1966	04.05.1995		04.05.1995		06.12.1991		13.11.2002				
Zimbabwe	07.03.1983	19.10.1992		19.10.1992		11.09.1990			09.06.1998			
Total	**194**	**167**	**69**	**163**	**12**	**193**	**114**	**104**	**116**	**93**	**44**	**72**

Palestine. On 21 June 1989, the Swiss Federal Department of Foreign Affairs received a letter from the Permanent Observer of Palestine to the United Nations Office at Geneva informing the Swiss Federal Council "that the Executive Committee of the Palestine Liberation Organization, entrusted with the functions of the Government of the State of Palestine by decision of the Palestine National Council, decided, on 4 May 1989, to adhere to the Four Geneva Conventions of 12 August 1949 and the two Protocols additional thereto".

On 13 September 1989, the Swiss Federal Council informed the States that it was not in a position to decide whether the letter constituted an instrument of accession, "due to the uncertainty within the international community as to the existence or non-existence of a State of Palestine".

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Country	Weapons											
Country	Geneva Gas Prot. 1925	BWC 1972	CCW 1980	CCW Prot. I 1980	CCW Prot. II 1980	CCW Prot. III 1980	CCW Prot. IV 1995	CCW Prot. II a 1996	CCW Amdt 2001	CCW Prot. V 2003	CWC 1993	Ottawa Treaty 1997
Afghanistan	09.12.1986	26.03.1975									24.09.2003	11.09.2002
Albania	20.12.1989	11.08.1992	28.08.2002	28.08.2002	28.08.2002	28.08.2002	28.08.2002	28.08.2002	12.05.2006	12.05.2006	11.05.1994	29.02.2000
Algeria	27.01.1992	22.07.2001									14.08.1995	09.10.2001
Andorra											27.02.2003	29.06.1998
Angola	08.11.1990											05.07.2002
Antigua and Barbuda	27.04.1989	29.01.2003									29.08.2005	03.05.1999
Argentina	12.05.1969	05.12.1979	02.10.1995	02.10.1995	02.10.1995	02.10.1995	21.10.1998	21.10.1998	25.02.2004		02.10.1995	14.09.1999
Armenia		07.06.1994									27.01.1995	
Australia	24.05.1930	05.10.1977	29.09.1983	29.09.1983	29.09.1983	29.09.1983	22.08.1997	22.08.1997	03.12.2002	04.01.2007	06.05.1994	14.01.1999
Austria	09.05.1928	10.08.1973	14.03.1983	14.03.1983	14.03.1983	14.03.1983	27.07.1998	27.07.1998	25.09.2003		17.08.1995	29.06.1998
Azerbaijan		26.02.2004									29.02.2000	
Bahamas		26.11.1986										31.07.1998
Bahrain	09.12.1988	28.10.1988									28.04.1997	
Bangladesh	20.05.1989	13.03.1985	06.09.2000	06.09.2000	06.09.2000	06.09.2000	06.09.2000	06.09.2000			25.04.1997	06.09.2000
Barbados	16.07.1976	16.02.1973									03.07.2007	26.01.1999
Belarus		26.03.1975	23.06.1982	23.06.1982	23.06.1982	23.06.1982	13.09.2000	02.03.2004			11.07.1996	03.09.2003
Belgium	04.12.1928	15.03.1979	07.02.1995	07.02.1995	07.02.1995	07.02.1995	10.03.1999	10.03.1999	12.02.2004		27.01.1997	04.09.1998
Belize		20.10.1986									01.12.2003	23.04.1998
Benin	09.12.1986	25.04.1975	27.03.1989	27.03.1989		27.03.1989					14.05.1998	25.09.1998
Bhutan	19.02.1979	08.06.1978									18.08.2005	18.08.2005
Bolivia	13.08.1985	30.10.1975	21.09.2001	21.09.2001	21.09.2001	21.09.2001	21.09.2001	21.09.2001			14.08.1998	09.06.1998
Bosnia-Herzegovina		15.08.1994	01.09.1993	01.09.1993	01.09.1993	01.09.1993	11.10.2001	07.09.2000			25.02.1997	08.09.1998
Botswana		05.02.1992									31.08.1998	01.03.2000
Brazil	28.08.1970	27.02.1973	03.10.1995	03.10.1995	03.10.1995	03.10.1995	04.10.1999	04.10.1999			13.03.1996	30.04.1999
Brunei Darussalam		31.01.1991									28.07.1997	24.04.2006
Bulgaria	07.03.1934	02.08.1972	15.10.1982	15.10.1982	15.10.1982	15.10.1982	03.12.1998	03.12.1998	28.02.2003	08.12.2005	10.08.1994	04.09.1998
Burkina Faso	03.03.1971	17.04.1991	26.11.2003	26.11.2003	26.11.2003	26.11.2003	26.11.2003	26.11.2003	26.11.2003		08.07.1997	16.09.1998
Burundi											04.09.1998	22.10.2003
Cambodia	15.03.1983	09.03.1983	25.03.1997	25.03.1997	25.03.1997	25.03.1997	25.03.1997	25.03.1997			19.07.2005	28.07.1999
Cameroon	20.07.1989		07.12.2006	07.12.2006	07.12.2006	07.12.2006	07.12.2006	07.12.2006			16.09.1996	19.09.2002
Canada	06.05.1930	18.09.1972	24.06.1994	24.06.1994	24.06.1994	24.06.1994	05.01.1998	05.01.1998	22.07.2002		26.09.1995	03.12.1997
Cape Verde	15.10.1991	20.10.1977	16.09.1997	16.09.1997	16.09.1997	16.09.1997	16.09.1997	16.09.1997			10.10.2003	14.05.2001
Central African Republic	31.07.1970										20.09.2006	08.11.2002
Chad											13.02.2004	06.05.1999
Chile	02.07.1935	22.04.1980	15.10.2003	15.10.2003		15.10.2003	15.10.2003	15.10.2003			12.07.1996	10.09.2001
China	13.07.1952	15.11.1984	07.04.1982	07.04.1982	07.04.1982	07.04.1982	04.11.1998	04.11.1998	11.08.2003		25.04.1997	
Colombia		19.12.1983	06.03.2000	06.03.2000	06.03.2000	06.03.2000	06.03.2000	06.03.2000			05.04.2000	06.09.2000
Comoros											18.08.2006	19.09.2002
Congo		23.10.1978										04.05.2001
Congo (Dem Rep)		16.09.1975									12.10.2005	02.05.2002
Cook Islands											15.07.1994	15.03.2006
Costa Rica		17.12.1973	17.12.1998	17.12.1998	17.12.1998	17.12.1998	17.12.1998	17.12.1998			31.05.1996	17.03.1999
Côte d'Ivoire	27.07.1970										18.12.1995	30.06.2000

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Country	Weapons											
Country	Geneva Gas Prot. 1925	BWC 1972	CCW 1980	CCW Prot. I 1980	CCW Prot. II 1980	CCW Prot. III 1980	CCW Prot. IV 1995	CCW Prot. II a 1996	CCW Amdt 2001	CCW Prot. V 2003	CWC 1993	Ottawa Treaty 1997
Croatia	18.12.2006	08.10.1991	02.12.1993	02.12.1993	02.12.1993	02.12.1993	25.04.2002	25.04.2002	27.05.2003	07.02.2005	23.05.1995	20.05.1998
Cuba	24.06.1966	21.04.1976	02.03.1987	02.03.1987	02.03.1987	02.03.1987					29.04.1997	
Cyprus	12.12.1966	06.11.1973	12.12.1988	12.12.1988	12.12.1988	12.12.1988	22.07.2003	22.07.2003			28.08.1998	17.01.2003
Czech Republic	16.08.1938	05.04.1993	22.02.1993	22.02.1993	22.02.1993	22.02.1993	10.08.1998	10.08.1998	06.06.2006	06.06.2006	06.03.1996	26.10.1999
Denmark	05.05.1930	01.03.1973	07.07.1982	07.07.1982	07.07.1982	07.07.1982	30.04.1997	30.04.1997	15.09.2004	28.06.2005	13.07.1995	08.06.1998
Djibouti			29.07.1996	29.07.1996	29.07.1996	29.07.1996					25.01.2006	18.05.1998
Dominica		08.11.1978									12.02.2001	26.03.1999
Dominican Republic	08.12.1970	23.02.1973										30.06.2000
Ecuador	16.09.1970	12.03.1975	04.05.1982	04.05.1982	04.05.1982	04.05.1982	16.12.2003	14.08.2000			06.09.1995	29.04.1999
Egypt	06.12.1928											
El Salvador		31.12.1991	26.01.2000	26.01.2000	26.01.2000	26.01.2000	26.01.2000	26.01.2000		23.03.2006	30.10.1995	27.01.1999
Equatorial Guinea	20.05.1989	16.01.1989									25.04.1997	16.09.1998
Eritrea											14.02.2000	27.08.2001
Estonia	28.08.1931	21.06.1993	20.04.2000	20.04.2000		20.04.2000	20.04.2000	20.04.2000	12.05.2003	18.12.2006	26.05.1999	12.05.2004
Ethiopia	07.10.1935	26.05.1975									13.05.1996	17.12.2004
Fiji	21.03.1973	01.10.1973									20.01.1993	10.06.1998
Finland	26.06.1929	04.02.1974	08.05.1982	08.05.1982	08.05.1982	08.05.1982	11.01.1996	03.04.1998	22.06.2004	23.03.2005	07.02.1995	
France	10.05.1926	27.09.1984	04.03.1988	04.03.1988	04.03.1988	18.07.2002	30.06.1998	23.07.1998	10.12.2002	31.10.2006	02.03.1995	23.07.1998
Gabon											08.09.2000	08.09.2000
Gambia	05.11.1966	21.11.1991									19.05.1998	23.09.2002
Georgia		22.05.1996	29.04.1996	29.04.1996	29.04.1996	29.04.1996	14.07.2006				27.11.1995	
Germany	25.04.1929	07.04.1983	25.11.1992	25.11.1992	25.11.1992	25.11.1992	27.06.1997	02.05.1997	26.01.2005	03.05.2005	12.08.1994	23.07.1998
Ghana	03.05.1967	06.06.1975									09.07.1997	30.06.2000
Greece	30.05.1931	10.12.1975	28.01.1992	28.01.1992	28.01.1992	28.01.1992	05.08.1997	20.01.1999	26.11.2004		22.12.1994	25.09.2003
Grenada	03.01.1989	22.10.1986									03.06.2005	19.08.1998
Guatemala	03.05.1983	19.09.1973	21.07.1983	21.07.1983	21.07.1983	21.07.1983	30.08.2002	29.10.2001			12.02.2003	26.03.1999
Guinea											09.06.1997	08.10.1998
Guinea-Bissau	20.05.1989	20.08.1976										22.05.2001
Guyana											12.09.1997	05.08.2003
Haiti											22.02.2006	15.02.2006
Holy See	18.10.1966	04.01.2002	22.07.1997	22.07.1997	22.07.1997	22.07.1997	22.07.1997	22.07.1997	09.12.2002	13.12.2005	12.05.1999	17.02.1998
Honduras		14.03.1979	30.10.2003	30.10.2003	30.10.2003	30.10.2003	30.10.2003	30.10.2003			29.08.2005	24.09.1998
Hungary	11.10.1952	27.12.1972	14.06.1982	14.06.1982	14.06.1982	14.06.1982	30.01.1998	30.01.1998	27.12.2002	13.11.2006	31.10.1996	06.04.1998
Iceland	02.11.1967	15.02.1973									28.04.1997	05.05.1999
India	09.04.1930	15.07.1974	01.03.1984	01.03.1984	01.03.1984	01.03.1984	02.09.1999	02.09.1999	18.05.2005	18.05.2005	03.09.1996	
Indonesia	21.01.1971	19.02.1992									12.11.1998	20/02/2007
Iran (Islamic Rep)	05.11.1929	22.08.1973									03.11.1997	
Iraq	08.09.1931	19.06.1991										
Ireland	29.08.1930	27.10.1972	13.03.1995	13.03.1995	13.03.1995	13.03.1995	27.03.1997	27.03.1997	08.11.2006	08.11.2006	24.06.1996	03.12.1997
Israel	20.02.1969		22.03.1995	22.03.1995	22.03.1995		30.10.2000	30.10.2000				
Italy	03.04.1928	30.05.1975	20.01.1995	20.01.1995	20.01.1995	20.01.1995	13.01.1999	13.01.1999	01.09.2004		08.12.1995	23.04.1999
Jamaica	28.07.1970	13.08.1975									08.09.2000	17.07.1998
Japan	21.05.1970	18.06.1982	09.06.1982	09.06.1982	09.06.1982	09.06.1982	10.06.1997	10.06.1997	10.07.2003		15.09.1995	30.09.1998

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Country	Weapons											
Country	Geneva Gas Prot. 1925	BWC 1972	CCW 1980	CCW Prot. I 1980	CCW Prot. II 1980	CCW Prot. III 1980	CCW Prot. IV 1995	CCW Prot. II a 1996	CCW Amdt 2001	CCW Prot. V 2003	CWC 1993	Ottawa Treaty 1997
Jordan	20.01.1977	27.06.1975	19.10.1995	19.10.1995		19.10.1995		06.09.2000			29.10.1997	13.11.1998
Kazakhstan											23.03.2000	
Kenya	06.07.1970	07.01.1976									25.04.1997	23.01.2001
Kiribati											07.09.2000	07.09.2000
Korea (Dem.People's Rep.	04.01.1989	13.03.1987										
Korea (Republic of)	04.01.1989	25.06.1987	09.05.2001	09.05.2001				09.05.2001	13.02.2003		28.04.1997	
Kuwait	15.12.1971	26.07.1972									28.05.1997	
Kyrgyzstan		12.10.2004									29.09.2003	
Lao (People's Dem.)	20.05.1989	25.04.1973	03.01.1983	03.01.1983	03.01.1983	03.01.1983					25.02.1997	
Latvia	03.06.1931	06.02.1997	04.01.1993	04.01.1993	04.01.1993	04.01.1993	11.03.1998	22.08.2002	23.04.2003		23.07.1996	01.07.2005
Lebanon	17.04.1969	26.03.1975										
Lesotho	10.03.1972	06.09.1977	06.09.2000	06.09.2000	06.09.2000	06.09.2000					07.12.1994	02.12.1998
Liberia	17.06.1927		16.09.2005	16.09.2005	16.09.2005	16.09.2005	16.09.2005	16.09.2005	16.09.2005	16.09.2005	23.02.2006	23.12.1999
Libyan Arab Jamahiriya	29.12.1971	19.01.1982									06.01.2004	
Liechtenstein	06.09.1991	06.06.1991	16.08.1989	16.08.1989	16.08.1989	16.08.1989	19.11.1997	19.11.1997	18.06.2004	12.05.2006	24.11.1999	05.10.1999
Lithuania	15.06.1933	10.02.1998	03.06.1998	03.06.1998		03.06.1998	03.06.1998	03.06.1998	12.05.2003	29.09.2004	15.04.1998	12.05.2003
Luxembourg	01.09.1936	23.03.1976	21.05.1996	21.05.1996	21.05.1996	21.05.1996	05.08.1999	05.08.1999	13.06.2005	13.06.2005	15.04.1997	14.06.1999
Macedonia		14.03.1997	30.12.1996	30.12.1996	30.12.1996	30.12.1996	19/03/2007	31.05.2005		19/03/2007	20.06.1997	09.09.1998
Madagascar	02.08.1967										20.10.2004	16.09.1999
Malawi	14.09.1970										11.06.1998	13.08.1998
Malaysia	10.12.1970	06.10.1991									20.04.2000	22.04.1999
Maldives	27.12.1966	02.08.1993	07.09.2000	07.09.2000		07.09.2000	07.09.2000	07.09.2000			31.05.1994	07.09.2000
Mali		25.11.2002	24.10.2001	24.10.2001	24.10.2001	24.10.2001	24.10.2001	24.10.2001			28.04.1997	02.06.1998
Malta	21.09.1964	07.04.1975	26.06.1995	26.06.1995	26.06.1995	26.06.1995	24.09.2004	24.09.2004	24.09.2004	22.09.2006	28.04.1997	07.05.2001
Marshall											19.05.2004	
Mauritania											09.02.1998	21.07.2000
Mauritius	12.03.1968	11.01.1973	06.05.1996	06.05.1996	06.05.1996	06.05.1996	24.12.2002				09.02.1993	03.12.1997
Mexico	28.05.1932	08.04.1974	11.02.1982	11.02.1982	11.02.1982	11.02.1982	10.03.1998		22.05.2003		29.08.1994	09.06.1998
Micronesia											21.06.1999	
Moldova (Republic of)		05.11.2004	08.09.2000	08.09.2000	08.09.2000	08.09.2000	08.09.2000	16.07.2001	05.01.2005		08.07.1996	08.09.2000
Monaco	06.01.1967	30.04.1999	12.08.1997	12.08.1997				04.05.1997			01.06.1995	17.11.1998
Mongolia	06.12.1968	14.09.1972	08.06.1982	08.06.1982	08.06.1982	08.06.1982	06.04.1999				17.01.1995	
Montenegro (Republic of)			23.10.2006	23.10.2006	23.10.2006	23.10.2006	23.10.2006		23.10.2006		23.10.2006	23.10.2006
Morocco	13.10.1970	21.03.2002	19.03.2002		19.03.2002		19.03.2002	19.03.2002			28.12.1995	
Mozambique											15.08.2000	25.08.1998
Myanmar												
Namibia											24.11.1995	21.09.1998
Nauru			12.11.2001	12.11.2001	12.11.2001	12.11.2001	12.11.2001	12.11.2001			12.11.2001	07.08.2000
Nepal	09.05.1969										18.11.1997	
Netherlands	31.10.1930	22.06.1981	18.06.1987	18.06.1987	18.06.1987	18.06.1987	25.03.1999	25.03.1999	19.05.2004	18.07.2005	30.06.1995	12.04.1999
New Zealand	24.05.1930	18.12.1972	18.10.1993	18.10.1993	18.10.1993	18.10.1993	08.01.1998	08.01.1998			15.07.1996	27.01.1999
Nicaragua	05.10.1990	07.08.1975	05.12.2000	05.12.2000		05.12.2000	05.12.2000	05.12.2000		15.01.1900	05.10.1999	30.11.1998
Niger	05.04.1967	23.06.1972	10.11.1992	10.11.1992	10.11.1992	10.11.1992					09.04.1997	23.03.1999

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Country	Weapons											
Country	Geneva Gas Prot. 1925	BWC 1972	CCW 1980	CCW Prot. I 1980	CCW Prot. II 1980	CCW Prot. III 1980	CCW Prot. IV 1995	CCW Prot. II a 1996	CCW Amdt 2001	CCW Prot. V 2003	CWC 1993	Ottawa Treaty 1997
Nigeria	15.10.1968	09.07.1973									20.05.1999	27.09.2001
Niue											21.04.2005	15.04.1998
Norway	27.07.1932	01.08.1973	07.06.1983	07.06.1983	07.06.1983	07.06.1983	20.04.1998	20.04.1998	18.11.2003	08.12.2005	07.04.1994	09.07.1998
Oman		31.03.1992									08.02.1995	
Pakistan	15.04.1960	03.10.1974	01.04.1985	01.04.1985	01.04.1985	01.04.1985	05.12.2000	09.03.1999			28.10.1997	
Palau		03.02.2003									03.02.2003	
Panama	04.12.1970	20.03.1974	26.03.1997	26.03.1997	26.03.1997	26.03.1997	26.03.1997	03.10.1999	16.08.2004		07.10.1998	07.10.1998
Papua New Guinea	02.09.1980	27.10.1980									17.04.1996	28.06.2004
Paraguay	22.10.1933	09.06.1976	22.09.2004	22.09.2004	22.09.2004	22.09.2004		22.09.2004			01.12.1994	13.11.1998
Peru	13.08.1985	05.06.1985	03.07.1997	03.07.1997		03.07.1997	03.07.1997	03.07.1997	14.02.2005		20.07.1995	17.06.1998
Philippines	08.06.1973	21.05.1973	15.07.1996	15.07.1996	15.07.1996	15.07.1996	12.06.1997	12.06.1997			11.12.1996	15.02.2000
Poland	04.02.1929	25.01.1973	02.06.1983	02.06.1983	02.06.1983	02.06.1983	23.09.2004	14.10.2003	15.09.2006		23.08.1995	
Portugal	01.07.1930	15.05.1975	04.04.1997	04.04.1997	04.04.1997	04.04.1997	12.11.2001	31.03.1999			10.09.1996	19.02.1999
Qatar	18.10.1976	17.04.1975									03.09.1997	13.10.1998
Romania	23.08.1929	26.07.1979	26.07.1995	26.07.1995	26.07.1995	26.07.1995		25.08.2003	25.08.2003		15.02.1995	30.11.2000
Russian Federation	05.04.1928	26.03.1975	10.06.1982	10.06.1982	10.06.1982	10.06.1982	09.09.1999	02.03.2005			05.11.1997	
Rwanda	11.05.1964	20.05.1975									31.03.2004	08.06.2000
Saint Kitts and Nevis	27.04.1989	02.04.1991									21.05.2004	02.12.1998
Saint Lucia	21.12.1988	26.11.1986									09.04.1997	13.04.1999
Saint Vincent & Grenadine	24.03.1999	13.05.1999									18.09.2002	01.08.2001
Samoa											27.09.2002	23.07.1998
San Marino		11.03.1975									10.12.1999	18.03.1998
Sao Tome and Principe		24.08.1979									09.09.2003	31.03.2003
Saudi Arabia	27.01.1971	24.05.1972									09.08.1996	
Senegal	15.06.1977	26.03.1975	29.11.1999			29.11.1999		29.11.1999			20.07.1998	24.09.1998
Serbia (Republic of)	12.04.1929	13.06.2001	12.03.2001	12.03.2001	12.03.2001	12.03.2001	12.08.2003		11.11.2003		20.04.2000	18.09.2003
Seychelles		11.10.1979	08.06.2000	08.06.2000	08.06.2000	08.06.2000	08.06.2000	08.06.2000			07.04.1993	02.06.2000
Sierra Leone	20.03.1967	29.06.1976	30.09.2004	30.09.2004		30.09.2004	30.09.2004	30.09.2004	30.09.2004	30.09.2004	30.09.2004	25.04.2001
Singapore		02.12.1975									21.05.1997	
Slovakia	16.08.1938	17.05.1993	28.05.1993	28.05.1993	28.05.1993	28.05.1993	30.11.1999	30.11.1999	11.02.2004	23.03.2006	27.10.1995	25.02.1999
Slovenia		07.04.1992	06.07.1992	06.07.1992	06.07.1992	06.07.1992	03.12.2002	03.12.2002		22/02/2007	11.06.1997	27.10.1998
Solomon Islands	01.06.1981	17.06.1981									23.09.2004	26.01.1999
Somalia												
South Africa	24.05.1930	03.11.1975	13.09.1995	13.09.1995	13.09.1995	13.09.1995	26.06.1998	26.06.1998			13.09.1995	26.06.1998
Spain	22.08.1929	20.06.1979	29.12.1993	29.12.1993	29.12.1993	29.12.1993	19.01.1998	27.01.1998	09.02.2004	02.09.2007	03.08.1994	19.01.1999
Sri Lanka	20.01.1954	18.11.1986	24.09.2004	24.09.2004	24.09.2004	24.09.2004	24.09.2004	24.09.2004	24.09.2004		19.08.1994	
Sudan	17.12.1980	17.10.2003									24.05.1999	13.10.2003
Suriname		06.01.1993									28.04.1997	23.05.2002
Swaziland	23.07.1991	18.06.1991									20.09.1996	22.12.1998
Sweden	25.04.1930	05.02.1976	07.07.1982	07.07.1982	07.07.1982	07.07.1982	15.01.1997	16.07.1997	03.12.2002	02.06.2004	17.06.1993	30.11.1998
Switzerland	12.07.1932	04.05.1976	20.08.1982	20.08.1982	20.08.1982	20.08.1982	24.03.1998	24.03.1998	19.01.2004	12.05.2006	10.03.1995	24.03.1998
Syrian Arab Republic	17.12.1968											
Tajikistan		08.12.2004	12.10.1999	12.10.1999	12.10.1999	12.10.1999	12.10.1999	12.10.1999		18.05.2006	11.01.1995	12.10.1999

Country	Weapons											
Country	**Geneva Gas Prot. 1925**	**BWC 1972**	**CCW 1980**	**CCW Prot. I 1980**	**CCW Prot. II 1980**	**CCW Prot. III 1980**	**CCW Prot. IV 1995**	**CCW Prot. II a 1996**	**CCW Amdt 2001**	**CCW Prot. V 2003**	**CWC 1993**	**Ottawa Treaty 1997**
Tanzania (United Rep.of)	22.04.1963										25.06.1998	13.11.2000
Thailand	06.06.1931	28.05.1975									10.12.2002	27.11.1998
Timor-Leste		05.05.2002									07.05.2003	07.05.2003
Togo	05.04.1971	10.11.1976	04.12.1995	04.12.1995	04.12.1995	04.12.1995					23.04.1997	09.03.2000
Tonga	19.07.1971	28.09.1976									29.05.2003	
Trinidad and Tobago	31.08.1962										24.06.1997	27.04.1998
Tunisia	12.07.1967	06.06.1973	15.05.1987	15.05.1987	15.05.1987	15.05.1987	23.03.2006	23.03.2006			15.04.1997	09.07.1999
Turkey	05.10.1929	04.11.1974	02.03.2005	02.03.2005			02.03.2005	02.03.2005	02.03.2005		12.05.1997	25.09.2003
Turkmenistan		11.01.1996	19.03.2004	19.03.2004	19.03.2004			19.03.2004			29.09.1994	19.01.1998
Tuvalu											19.01.2004	
Uganda	24.05.1965	12.05.1992	14.11.1995	14.11.1995	14.11.1995	14.11.1995					30.11.2001	25.02.1999
Ukraine	07.08.2003	26.03.1975	23.06.1982	23.06.1982	23.06.1982	23.06.1982	28.05.2003	15.12.1999	29.06.2005	17.05.2005	16.10.1998	27.12.2005
United Arab Emirates											28.11.2000	
United Kingdom	09.04.1930	26.03.1975	13.02.1995	13.02.1995	13.02.1995	13.02.1995	11.02.1999	11.02.1999	25.07.2002		13.05.1996	31.07.1998
United States of America	10.04.1975	26.03.1975	24.03.1995	24.03.1995	24.03.1995			24.05.1999			25.04.1997	
Uruguay	12.04.1977	06.04.1981	06.10.1994	06.10.1994	06.10.1994	06.10.1994	18.08.1998	18.08.1998			06.10.1994	07.06.2001
Uzbekistan		11.01.1996	29.09.1997	29.09.1997	29.09.1997	29.09.1997	29.09.1997				23.07.1996	
Vanuatu		12.10.1990									16.09.2005	16.09.2005
Venezuela	08.02.1928	18.10.1978	19.04.2005	19.04.2005	19.04.2005	19.04.2005		19.04.2005			03.12.1997	14.04.1999
Viet Nam	15.12.1980	20.06.1980									30.09.1998	
Yemen	17.03.1971	01.06.1979									02.10.2000	01.09.1998
Zambia											09.02.2001	23.02.2001
Zimbabwe		05.11.1990									25.04.1997	18.06.1998
Total	**134**	**155**	**102**	**100**	**89**	**95**	**84**	**87**	**49**	**30**	**182**	**152**

FACT 3

3. There was an armed conflict in Sierra Leone from about March 1991 until about 18 January 2002.

a.			A similar fact was judicially noticed in the *Brima* Decision, para. 23, Fact A: "The conflict in Sierra Leone occurred from March 1991 until January 2002."
b.	Exh. 1. 236	n/a	Speech by the President of Sierra Leone His Excellency Alhaji Dr. Ahmad Tejan Kabbah at the ceremony marking the conclusion and disarmament and the destruction of weapons Lungi, 18 January 2002, p.1. [available at http://www.sierra-leone.org/index.html] or [http://www.sierra-leone.org/kabbah011802.html]
c.	Exh. 1.221	ERN 00007621-00007649	RUF Training Manual, at 00007623.
d.	Exh. 1.067	n/a	"Getting Away with Murder, Mutilation, and Rape: New Testimony from Sierra Leone," Human Rights Watch, Vol. 11, No. 3(A), June 1999, at Section III, p. 1 (says the Sierra Leone civil war began in March 1991 when the RUF entered Sierra Leone from Liberia).
e.	Exh. 1.212	n/a	Report of the Secretary-General on the Situation in Sierra Leone, 21 November 1995, para. 2 (gives a history of the conflict in Sierra Leone, beginning in March 1991).
f.	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998, at Section 1.3, p. 6. http://www.unhcr.org/publ/RSDCOI/3ae6a6418.html

Speech by the President of Sierra Leone
His Excellency, Alhaji Dr. Ahmad Tejan Kabbah
at the ceremony marking the conclusion of
disarmament and the destruction of weapons
Lungi, 18 January 2002

Never before since March 1996 when I took the solemn oath of office to lead this nation have I been so moved by a public ceremony as the one we are witnessing here today. It is indeed an honour and a great privilege for me to stand here and serve as host for this awe-inspiring declaration of peace in Sierra Leone.

Not too long ago, the flames of war were mercilessly consuming thousands of innocent lives and countless property in several parts of our country. Today, we are happy that those flames of war have been extinguished, and that now we are about to watch the flames of peace, destroy some of the implements of war. What a relief! The ceremony marks the symbolic conclusion of the disarmament process, and an historic expression of our deep sense of national triumph.

The presence of some of my colleagues, President John Kufour and so many Foreign and Defence Ministers underscores the significance of the occasion. I should, therefore, on behalf of the people of Sierra Leone, and on my own personal behalf, start by extending a warm welcome to you all. We also welcome the Executive Secretary of ECOWAS, Dr. Mohamed Chambers, and high level representatives of other leaders and heads of organizations who would have also liked to join us here today, but were unable to do us because of pressing commitments. I have no doubt that they also associate themselves with the spirit of this ceremony.

The conflict that has just formally ended was essentially an internal conflict. However, no one should underestimate its regional and international dimensions and implications. So let me touch briefly on the roles of ECOWAS, the United Nations and the rest of the international community.

Today, as we celebrate the dawn of lasting peace and security in Sierra Leone, we are also symbolically erecting a new milestone on the road to peace and stability in the West African sub-region. The events in the past ten to twelve years have shown that the proverbial 'we are our neighbour's keeper' has become more relevant to the situation in our sub-region.

To our sister states of ECOWAS, it is an understatement to say that you have given true meaning to the concept of collective regional security. The mandate that ECOWAS received from the UN Security Council in resolution 1132 (1997), under Chapter VIII of the Charter of the United Nations, to enforce and monitor implementation of the arms and oil embargo against the rebel-

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military junta, was a landmark decision. It was an acknowledgement of the capacity of ECOWAS as an instrument of conflict resolution in the international system. It turned out to be one of the stepping stones towards the peace process in Sierra Leone.

I should like to pay special tribute to those States, members of ECOWAS, that have advanced the cause of peace in Sierra Leone, as troop contributors to ECOMOG; in particular, Nigeria, Guinea, Ghana and Mali; or as facilitators and hosts of peace talks, especially Cote d'Ivoire and Togo. To other states of the Community that demonstrated their solidarity with the people of Sierra Leone throughout the conflict, we salute you.

We remember those ECOMOG soldiers who made the supreme sacrifice of giving up their own lives so that our children can live in peace. We renew our assurances to their families and respective governments that their memories will for ever remain in our hearts. I would like to reassure you that every Sierra Leonean knows that without ECOWAS and its monitoring group, ECOMOG, the prospects for disarmament and peace would have been extremely bleak.

Let me however, point out, that notwithstanding the resounding success of ECOWAS in Sierra Leone, the organization is facing a serious challenge to its principal mission, namely "to promote regional integration in all fields of economic activity." There are still elements of threats to peace in our sub-region. These include the illicit transfer of arms and ammunition, the illicit trade in diamonds and other natural resources to fuel or prolong armed conflict and in the process reek havoc on innocent and defenceless civilians. These cruel and destabilizing activities are an anomaly. They continue to impede development. They must be eliminated so that we can devote all our energy, collectively, to the task of lifting our peoples out of the bondage of abject poverty.

As we watch a collection of arms and ammunition go up in flames, we must remind ourselves of the need to faithfully respect the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Light Weapons in West Africa. We must see the Moratorium as both a security mechanism, and a catalyst of economic and social development in West Africa. Sierra Leone wholeheartedly endorsed the action taken last July to extend the Moratorium for another three years.

Excellencies, please allow me on this occasion to appeal to all members of ECOWAS and the inter-state groupings within the Community, for a new commitment not only to the principles of good neighbourliness, but more importantly to the ideals of brotherhood. We, the leaders of our respective nations in the sub-region often refer to each other as brothers. Let us use the success that we are celebrating today as a source of inspiration to work harder in strengthening the family and other ties that bind us as one great community of peoples.

Excellencies, distinguished guests:

The people of Sierra Leone are equally grateful to the United Nations and the rest of the

international community, for their support in making this celebration possible. We acknowledge that long before the outbreak of the rebel war, many of your representatives were here in this country as partners in development, helping us to take care of the health and welfare of our children; working hand in hand with our own nationals to construct roads and bridges, equip schools and hospitals, develop high yielding seeds for greater food production; and building the capacity of Sierra Leoneans to be economically self-sufficient.

In the course of the war, international organizations provided essential humanitarian relief to thousands of Sierra Leonean refugees and the internally displaced. They have also lent their support in rehabilitation and reconstruction programmes. We must confess though that there were times in the course of the armed conflict when many of our people thought that we were being abandoned, or that our cry for help was perhaps not loud enough to prod the world to provide the quality and quantum of response that our precarious situation required. There were other occasions when the average Sierra Leonean felt that repeated requests for urgent international assistance to enable ECOMOG to do the job would never materialize. Secretary-General Kofi Annan once had to make a plea that the international community must not fail the people of Sierra Leone.

However, as I often observe, Sierra Leone has tested the capacity of the United Nations, and indeed the international community, to respond to the major challenges of our times in the areas of peacekeeping, humanitarian relief, the protection of human rights and the administration of justice. Your overall response to those challenges has been extraordinary. This is reflected in the operations of UNAMSIL, in the activities of such agencies as UNHCR and UNICEF, and more recently in the decision to establish the Special Court. For these and other forms of assistance, we are profoundly grateful. Without the contribution of the various organizations and agencies, governmental and non-governmental, most of us would not have lived to see this glorious day.

In thanking all countries that have contributed troops and to UNAMSIL, let me also on this occasion renew our expression of deepest sympathy to the families and governments of the UNAMSIL peacekeepers who lost their lives in the service of the United Nations on our soil.

To the United Nations and the international community, I must reiterate that the process of disarmament is formally over. However, the equally formidable tasks of reintegration and rehabilitation have only just begun. In this connection, I wish to draw your attention to the recent observation by Secretary-General Kofi Annan that "the limited availability of reintegration opportunities for ex-combatants, as a result of inadequate funds, remains a source of serious concern." We could not agree with him more.

The international community cannot afford to create another feeling of abandonment in the minds of Sierra Leoneans, especially the young ex-combatants and those who could be described as non-combatants. We therefore appeal to the international community to remain engaged in our efforts to consolidate the peace in Sierra Leone. We know from experience that the timeliness and level

of international assistance often determine the course of events in conflict and post-conflict situations. We continue to count on your support.

Excellencies, distinguished guests:

Sierra Leone has many friends within the international community. But we also have some very very good and faithful friends; friends whom we are obliged to single out for special commendation by name on an occasion such as this. I refer to the United Kingdom, the Federal Republic of Nigeria, the United States of America and the Peoples Republic of China. The Governments and peoples of these friendly States deserve separate chapters in the history of our transition from war to peace. As the old adage goes, "a friend in need is a friend indeed."

Now, to you my compatriots, this is the day we have all been patiently waiting for. As I told you two Sundays ago, the rest of the world has been impressed by our resilience. Your courage has been exemplary. You fought hard, not merely to defend your right to live but also to uphold the principles of democratic governance and the rule of law. A few individuals declared war and used others to wage and prolong the senseless war. We continue to maintain that your response was an act of legitimate self-defence.

We have learned the hard way that the paths to disarmament and peace are not paved with gold. There was considerable loss of life and destruction of property. We encountered obstacles of various dimensions, such as intransigence, bad faith, greed, fear, apprehension, and in some instances financial constraints. There were inordinate delays and detours on the road. Today, we can take pride in the fact that we have at last arrived at a stage where for the first time in more than ten years, we can confidently speak about real peace and security.

This ceremony marking the symbolic conclusion of disarmament, and in celebration of peace, is so important for every one of us, that we intend to replicate it in other parts of the country over the next several days. Many of those who are not present here today will also have the opportunity to witness and be part of the celebration of this dramatic change in the history of Sierra Leone.

Fellow compatriots as the celebration continues, we are about to face our first major challenge in the area of peaceful political transition, namely Presidential and Parliamentary elections. The elections will test our ability to apply the new culture of peace that we recently embraced in our relations with each other. The forthcoming electoral process will test our patriotism, our determination to put armed conflict behind us, to renounce violence as a means of bringing about political or any other change in this country. If we really appreciate peace, we should live and practice peace.

Let me take this opportunity to reiterate that election is not a war. The war is over. What we are about to embark upon on is a friendly contest. Election is a process by which we should freely and peacefully choose those who we believe are qualified to assume the heavy responsibility of

serving this nation.

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I am confident that guided by the lessons of the past ten years, and inspired by this symbolic but momentous occasion we are witnessing today, the forthcoming elections will be free and fair, and will be the most peaceful in the history of our beloved country.

Fellow compatriots, another test that we must pass is in the area of reconciliation and justice. We must recognize that justice and reconciliation are major components of peace. Furthermore, the administration of justice is an integral part of the process of national reconciliation. If we really want to consolidate the peace, if we really want to facilitate the process of national reconciliation, we must be prepared to deal effectively with the trauma, the emotional pain resulting from that bitter conflict. One principal institution designed for this purpose is of course the Truth and Reconciliation Commission (TRC). We should all look forward to its proceedings, and the outcome of its work.

And speaking of reconciliation brings me to the issue of the Special Court which, I must emphasize, is part of the process of national reconciliation. One cannot speak about the need for national reconciliation, and at the same time ignore or dismiss the moral and constitutional imperative of upholding the rule of law. The Special Court is about accountability. It is about justice. I should add however, that justice is not merely an act of punishment, of revenge or of retribution. In our situation it is a means of dealing with impunity. It is also a means of ensuring that at all times, the human rights of every individual, including those who are caught up in armed conflict, are respected and protected.

Excellencies, distinguished guests, fellow Sierra Leoneans,

On this auspicious occasion, I have spoken about peace in Sierra Leone and the roles of our sub-regional organization, the United Nations and the rest of the international community, as well as our own effort in securing the peace that we are here to celebrate. I spoke about arms, about war, and about the need for peaceful political change through free and fair elections. I also dwelt on what I consider our collective responsibility to cooperate in consolidating the gains we have made through, among other things, such components of peace as justice, the rule of law, protection of human rights, national reconciliation and the maintenance of an open society.

I must pause here to explain the concept of an open society. An open society and civil society are often confused with each other. Actually, a healthy civil society is part of an open society, but only a part. We are told that an open society also needs a democratic government and a private sector that is independent of the government. To safeguard these elements it needs the rule of law.

We must note however, that peace and reconciliation cannot be imposed, it cannot be decreed, and it cannot be established by legislation or by commission. Peace and forgiveness must come from the hearts and minds of the people concerned, namely, us Sierra Leoneans.

Excellencies, distinguished ladies and gentlemen:

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The main thrust of my remarks could be summarized in the following profound words of wisdom from His Holiness Pope John Paul II. They were addressed to the diplomatic corps accredited to the Holy See four years ago this month. His Holiness said:

> "If violent attainment of power becomes the norm, if insistence on ethnic consideration continues to override all concerns, if democratic representation is systematically put aside, if corruption and arms trade continue to rage, then Africa will never experience peace and development, and future generations will mercilessly judge these pages of African history."

The message was for Africa, from someone of high repute who sees himself as a friend of Africa. I believe that it is also appropriate for this particular gathering.

Thank you once again for your presence and support in our continued search for sustainable peace, security and the development of this country.

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INTRODUCTION

On the 23rd March 1991, the Vanguards of the RUFS/L using a military corridor through Liberia launched their first attack entering Sierra Leone from Boma-ru in the Kailahun District.

Simultaneously, another flank was opened, travelling over the Mano River Bridge on the 3rd April 1991, into the Pujehun District. The International Community and the defunct APC Government of Sierra Leone quickly dubbed the RUF movement as an in-rading force. Inspite of the poor, the deceived guerrilla operation employed initially the RUF Commanding against the disorganised Sierra Leone Military Force enabled the Vanguards to inpact the RUF Ideology among the depr-ived poor masses.

RUF took up arms to struggle because, we saw it as the only means of bringing about a fundamental changes in Sierra Leone. All peaceful means of opposition to the inaptitudes of APC government functionaries, corrupt military officers and unscrupulous politicians have proved unavailing. We as a nation, had suff-ered state sponsured deprivation, fragrant Human Right Abuses, Social Injusti-ces, Poverty, Mass Illiteracy, Unmitigated Miseries and an army of vice by de-faults.

When the youths of Sierra Leone made a legitimate demand for the change of a system that kept them in sub-human conditions, the APC regime utilized the full force of the state security to frustrate the wishes of Sierra Leoneans. The plight of families, friends and ordinary people armed us and our own evidence of experience convinced us to take up arms to redress the aformentioned injus-tices.

Today RUF has become a force to reckon with throughout the four corners of Sierra Leone. Despite we are engaged in a fierce battle with a crime of oppo-sing forces.

These opposition forces from Nigeria, Ghana and Guinea under the guise of Ecom-og forces together with the British mercenaries (Sandlane International) will not force us to relent. The RUF Peoples' Army is determined to empower the ordinary people of Sierra Leone to reclaim the wealth of the country for their use and self development and the Restition of Democracy and sanity to Sierra Leone.

As we begin the last stage of the guerilla warfare together with our brothers from the former Sierra Leone Army, it is incumbent upon all Commanders to in-vigourate the guerilla army in preparation for the transformation into a conv-entional army.

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MAJOR - PATRICK MUSTAPHA KIOSOWA 00007621 5720

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PRODUCED BY:

part of lome negotiating team → LT. COL. RASHID SANDI

[illegible]

FEBRUARY, 19[illegible]

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IDEOLOGY

WHAT IS MEANT BY IDEOLOGY?

The word Ideology can be defined as a motive reasons or aims and objectives behind a planned societal ventures or revolutions. It is the know-how in any organisation or operation. It involves basic points to study either in the form of conditions or laws geared towards the success of that organisation.

TYPES OF IDEOLOGY

A. POLITICAL IDEOLOGY: This is the way in which members of the society behaves. Their behaviours need to be very rational or positive. The leaders and commoners share equal rights/respects. The wealth of the society must be owned by every one. Members preside over their dispute/quarrel amongst themselves and decision to be taken by mulitary rather than private lawyers, magistrates or judges hired with babulous sums.

The society is governed by body of laws known as constitution and this veries as per types of government. (1) Democracy (2) Socialism (3) Communism (4) Capitalism (5) Monarchy and (6) Appatheid.

(1) DEMOCRACY

Democracy means "Popular Rules". The people elect those who will represent them and their operation is in the interest of the masses.

(2) SOCIALISM

Unlike democracy, all properties are for the government. Nobody owns personal property. All properties are to be used in common eg. Russia, Libya etc.

(3) COMMUNISM

This is a government in which every power is in the hands of the working group. Secondly, lands, buildings etc., are owned by the public eg. China, Korea, etc.

(4) CAPITALISM

This is a government of small class of rich and wealthy people. The properties and power are owned by this small group of people rather than every one together.

(5) MONARCHY

Government in the hands of the family. The leadership descent with the family by the head of KOREA as Queen, King, Duke etc.

(6)APPARTHEID

Seperation of powers between whites and blacks into which the whites take the head and therefore blacks have limitation of movements, eg. former South African government.

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MILITARY IDEOLOGY: This means the taking up of arms or destructive weapons as a means to liberate your people, law and land. In the course, you get rid of unwanted aspects existing in the society (corruptions, tribalism, sentiment sectionalism etc).

Moreover, in the course of the struggle, many people will shed blood in the form of sacrifice for the few or many that will survive. There are rules and regulations that can bind the members together so that good spirit can prevail.

REVOLUTION

WHAT IS MEANT BY REVOLUTION?

It is a drastic fundamental changes in the system of government from the negative aspects to the positive aspects. It aims at properly locating reality that has been dislocated. It is a movement designed to effect certain fundamental changes in a country's social, economical and political situation in a non racial or cultural segment of the masses.

CAUSES OF REVOLUTION

Below listed are some major causes of a Revolution. (A) Tribalism (B) Sectionalism (C) Political Instability and Malpractices (D) Economical Degradation (E) Racial Discrimination.

TYPES OF REVOLUTION

(1) Armed (2) Unarmed.

1. ARMED REVOLUTION: This involves the use of weapons to seek total redemption. This come into being when all peaceful contacts have failed because of the government's sturborness to see into the grievances of the masses. The masses knowing fully well that their needs are not met by the government would organise themselves and form a sort of People's Army. They would also try to procure arms for a broad-based struggle so that the rotten and selfish government is toppled. Thus the movement embarks on national democratic liberation beyond all reasonable doubts. With regards to these facts, it is no crime for the people to take up arms to fight for their rights.

2. UNARMED REVOLUTION: In case wherein the government easily understands the plight of the masses, things will be agreed on and selected through peaceful means. This is done by peaceful demonstrations displaying cards with their grievances illustrated on these play cards or banners.

THINGS TO STUDY BEFORE ARMED REVOLUTION IS LAUNCHED:

Before launching an armed rebellion or revolution, you first need to study the below-listed factors:- (A) HISTORICAL BACKGROUND (B) GEO-POLITICAL BACKGROUND (C) ECONOMICAL BACKGROUND.

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A. HISTORICAL BACKGROUND: Africa was the first continent to respond to stimulus of civilisation. Civilisation started in the North Coast countries of Africa, eg. Egypt and Ethopia. They started discoveries and invensions designed to be used as messages to the next society.

Thus the country Sierra Leone was discovered by a portuguese explorer called PEDRO-DA CENTRA in the year 1462. He gave the name Sierra Leone to the country meaning, LION MOUNTAIN. This was later interpreted as Sierra Leone in English. At that time the Europeans pretended to be friendly with the African inhabitants, especially chiefs in Africa so that the captives can be sold to them as slaves. The demand for black slaves was too high as a result of sugar cane platation in Europe. West Indies was selected at that point in time for the plantation because of hot damp climate. But the inhabitants of the West Indies were not plenty for the manual labour.

Consequently, they focused their attention on Africa. They were paying chiefs for the slaves with clothes and other goods. It never stopped until 1770 when people in European started to see the witness in slavery.

In 1807, Britain stopped trading in slaves. In 1878, Sierra Leone source of river in Freetown was selected to be the best camp for their slaves to be harboured and colonialisation started.

Europeans ruled Sierra Leone as governors and helding high post in the civil service department. On the 27th April 1961, Sierra Leone was proclaimed independent state by Sir Milton Margai and other builders of Sierra Leone.

However, Sierra Leone had to experience another Intensive slavery when the country was declared a Republican State by worthless Siaka P Stevens who started draining the country's economy heavily. In 1985, he dictated to the Nation the crown of J.S. Momoh as president of Sierra Leone. Momoh enslaved Sierra Leone, ceasing their rights. He introduced Capitalism rather than democracy.

In the light of this, the RUF entered Sierra Leone as a redeemer on the 23rd March 1991, with arms because the corrupted A.P.C. excaped many coup de' tals. So the A.P.C. grew strong in Sierra Leone and it was only rooted out by invasion in the form of arm struggle.

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B. GEO-POLITICAL BACK GROUND: Africa, one of the oldest continent is built upon old sedimentry and igneous rocks. Forested African coast land and some of the island were covered with water and the large broken leaves as covered by plants and land mighty animals.

As a result of heat, these minerals were good raw materials for the development of the continent.

The Sierra Leonean soil fell on some of these productive roads. The country is rich in minerals such as golds, diamonds, silver, iron ore rutile etc. Even the existing forest trees are useful. Swamps and upland are fertile for crops production.

C. ECONOMICAL BACKGROUND: The Economy of Sierra Leone deteriorated to a climax that the poor became poorer and the rich foreigners increased in wealth. The inhabitants of the country became fedup with the embarrassing situation. Leaders accumulated wealth in outside countries, buying of costly vehicles for parliamentarians and high civil servants (officers).

All the precious minerals with special reference to our diamonds were taking out of country eg. The star of Sierra Leone worth 969.9 carats without achieving any benefits out of it.

WHY IS THE RUF FIGHTING?

The RUF is fighting against corruption because the past and the present government of Sierra Leone seized political, economic and social justice in this country. Siaka P Stevens, J.S. Momoh, Captain Valentine Strasser and Ahmed Tejan Kabba had encouraged corruptions and massive human abuses. Indigenous citizens of this nation have been deprived of their basic necessities for human existence. Eg. food, clothing and shelter etc.

The three forces namely (military force, labour and student force) that can overthrow any government of a state have become aware of the malpractices of the Sierra Leone government and had revolted twice or thrice if not more. Military personnel like the late Brigadier Bangura, Lt. Kolugbonda, Mohamed Sorrie Fonnah and (14) fourteen others attempted a coup de'tat in the early 1970's but they all failed. Later on, Siaka P. Stevens secured his position by making himself Commander in Chief of the Armed Forces and Defence Minister of Sierra Leone.

Mr. G.M.T. Kaikai and others also tried during J.S. Momoh's regime, but they too failed. Mr. Kebbie, (former President of the Sierra Leone Labour Congress), and Mr. Emmanuel (former Secretary General of the Sierra Leone Teachers Union) and Mr. Pious Foray (the former Editor of Tablet Press) tried but never succeded because Mr. Emmanuel Fatorma and Kebbie were bought over by the government in 1976-77. And A.P.C. introduced a one party in 1978. Other students leaders had introduced the Green Book into the University of Sierra Leone. In 1984, forty two (42) students from F.B.C. and thirty six (36) students from N.U.C. were suspended and some expelled because they bitterly protested against the inhuman and cruel rule of the A.P.C.

Joseph Saidu Momoh openly pronounced that education was a previledge and not a right. They cut off government scholarships and began offering grant-in-aids to students. They had totally succeded in distabilizing the students' forces by sending the internal security unit (I.S.U.), or Special Security Division (S.S.D.).

This soul called SSD fired guns at students at any students strikes or demonstrations, killing two or more at any time. As a result of the fear of arms, students with-held their activities and submerged.

We are therefore fighting because the arms which they used to threating us with have been freely given to us by the saviour of Sierra Leone - RUF/SL leader (Corporal Foday Sayoana Sankoh).

WHAT ARE WE FIGHTING FOR?

The R.U.F. is fighting for true democracy and self-reliance. No nation can be self-reliance without true democracy. The letters in democracy stand for certain words that have to be studied and put into use.

1. D - DISCIPLINE
2. E - EFFICIENCY/EFFORT
3. M - MANNERS
4. O - ORGANISATION
5. C - CIVILISATION
6. R - REALITY/RESPECT
7. A - AIMS
8. C - CULTURE
9. Y - YOUTHS

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Democracy in the African context means popular rule. In democracy, everything begins from the grass root. The people will decide on the kind of governmert they want. They will be left to choose freely what they want but must be guided by rules and regulations (Laws).

No autocratic attitude but self created and socialized democracy. Therefore, in the true democracy, no favouritism and no sentiment. Social democracy can only be effective with good discipline hardwork i.e., higher degree of efficiency, good manners, good organisational ability and good civilisation, truthfulness i.e., reality with respect for one another, then aims backed by the culture of that society and the maintenance of the youths as they are the future leaders of tomorrow.

A nation that is self reliance will have a very good economy and social standards. In the days of the past and present regime majority of the masses can not boast of balanced diets or good clothing except the bourziersies. There is no guarantee shelter for our people. We should therefore fight to achieve social democracy in Sierra Leone.

LIFE HISTORY OF A GUERRILLA

A guerrilla is a very large African ape. The animal lives in African jungles. He is so strong and well disciplined. The ape is also clever and intelligent. He sometimes travels alone or in pairs. It is the life style of this animal the inventors of Guerilla Army immitated. He is an independent animal that lives in the jungle and purely finds for himself. Sometimes, he moves alone to locate hunters or anything that is dangerous to their movement. Any suspected nuisance, he runs back to his family for immediate manoeuvre to other location. This animan is wise or intelligent to defend his followers. He gets food from his immediate neighbours.

We the guerilla army therefore immitated this animal so much that we did exactly what he does. E.g., we live by the enemy, we get materials (arms and ammunition), medicine etc. inorder to fight them back. We manueover in the jungles to fight the enemy and his behavious are no difference to ours.

GUERRILLA WARFARE

Guerrilla Warfare is a liberational struggle for the restoration of our political, social, cultural and economical freedom. There are two (2) types of guerrilla warefare:-

L. REFARE:-

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A. URBAN GUERRILLA WARFARE:- This type of guerrilla warfare is mostly applied in cities. Here the use of heavy weapons are necessary. This is the area where motor platoon, artillary operates. Heavy weapons such as the BZT howizer or surface to ground missile can be used in vehicles to bombard the enemy location. The artillary bombard while the infantry advance beneath the bombardment into the enemy zone to dislocate the enemies. These heavy bombardment paves easy way for combatant to capture a town or city.

B. RURAL GUERRILLA WARFARE:- It is meant to fight in the jungles in the interior part of the country. Rural Guerrilla fighting is done with light weapons such as AK-47, G-3, LAR, RPG, Single barrel, LMG, GPMG and common motorgun. These weapons can be easily used and manuover within the jungles.

A Guerrilla army is a small group of abled men launching a military activities to liberate the land from economical, social and political suppressions. As a result, the RUF fighters are now fighting Guerrilla Warfare to restore the social economical and political rights of every citizens of this land (Sierra Leone).

THE AIMS OF THE RUF MOVEMENT

1. Freedom of speech and association.
2. Free Better Education.
3. Better Medical and Health facilities of the people.
4. Good roads and better infrastructural development.
5. Respect for human right and dignity.
6. Equal justice before the law.
7. Speedy Economic Recovery.
8. To wife out tribalism, sectionalism and sentiment.
9. Free society for Sierra Leoneans wherein our people can live freely without fear of molestation, intimedation or embarrassment.

PILLARS OF THE RUF MOVEMENT

1. Arms and Ammunition
2. Medicines/Drugs.
3. Food.
4. Unity.
5. Discipline.
6. Love.
7. Justice.
8. Minerals.

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PART TWO

MILITARY DISCIPLINE AND COURTESY

Can be analysed as noted below:-

A. DISCIPLINE: Is the training of the mind and character to produce self control in man or obedience. Discipline is the key root in human life. Without discipline, you will not guide yourself properly. When discipline is lacking in any society, things in that society will be upside down. It is the back bone of all liberational struggles round the world.

As a result, the guerrilla army should be the most disciplined army in the world. You been part of this army, should control yourself and behave in a proper manner. That is, you need to do everything through command.

B. COURTESY: Is a courteous behaviour or the act of having shown good manners to the next man. As a result, you should make yourself simple to your men. By so doing, you will understand the various characters or behaviours of the men under your command.

Your simplicity or politeness dose not mean you will indtitute disciplinary measures against those who have gone beyond codes of conducts of RUF/SL Guerrilla Army. You should guide yourself, have regard and respect for all senior officers, higher authorities, fellow commandos and the civilians.

For a soldier in the army to be more disciplined and have a courteous ways of behaviour, needs to know the structure of the army. The structure of military is been categorised in two sections:-

A. COMMISSION OFFICERS

B. NON-COMMISSION OFFICERS.

A. COMMISSION OFFICERS: The section which forms the senior sector in the army is the Commission Officers, also ranges from the ranks of 2nd Lt, Lt, Capt, Major, Lt - Col, Col, Brig, Major - Gen, Lt - Gen, Gen and Field Marshall which is the highest rank in the army as in the case of the British Army.

B. NON-COMMISSION OFFICERS: The other section which forms the Junior sector of the army ranges from the ranks of Pet, Cpl, Sgt, S/Sgt, S/Major and Regimental Sergeant Major (RSM).

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Among the Non-Commission Officers, there are senior (NCO's) which ranges from the ranks of S/Sgt, S/Major and RSM while the junior (NCO's) ranges from Pet, L/Cpl, Cpl and Sgt. As a result, the private soldier should have due respect and obeys the L/Cpl, the Cpl should obey the Sgt, the Sgt obey the S/Sgt and the S/Sgt obey the RSM which serves as the link between the non-commission officers and the commission officers.

Unlike the RUF/SL (People's Army), which has some features of the British Army, have a rank of Brigadier General as the highest rank for now. Within the commission officers as well, there are junior and senior commission officers. The junior commission officers ranges from the ranks of 2nd Lt, Lt and Capt; while the senior commission officers ranges from the ranks of Major, Lt - Col, Col, Brig, Major - Gen, Lt - Gen and Field Marshall.

TYPES OF COMMISSION IN THE ARMY:

We also have three (3) basic ways of commission in the army:-

a) COMBAT COMMISSION
b) SPECIALIST COMMISSION
c) SERVICE COMMISSION.

a) Combat Commission: It is the most important commission in the army as it involves sending soldiers for Special Combat Training through cadet. At times you can also be commissioned on the field if you proved to be a strong combatant (Field Commission).

b) Specialist Commission: They are mostly based on specialization. If a trained medical doctor joined the army, he or she has to be commissioned because of his or her technical skill.

c) Service Commission: Mostly involves duration in the army. At times soldiers can be trained from the recruiting stage, gose through the various ranks up to RSM with their long stay in the army backed with their experience, they can be commissioned locally (long service commission). In some cases, after spending four or five years in the army, they can be recommended for cadet, based on their out puts (short service commission).

Non-Commission Officers are not to be saluted in the army. We only need to brasse for them. As for commission officers, the need is there for them to be saluted as they form the senior sector or the army.

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TYPE OF ORDERS IN THE ARMY:

To maintain more discipline and courtesy in the army, the following orders are implemented:-

A. PART ONE ORDERS - Forces Routine Order (FRO).

B. PART TWO ORDERS - Daily Routine Order (DRO).

A. PART (I) ORDERS (FRO): Completely executive as it comes from the highest officer in the army and therefore needs to be regarded with high degrees of respect. This type of order is completely administrative and needs to be published to all departments in the army. They are at times published through military gazettes.

B. PART (II) ORDERS (DRO): Are also important as they are issued out by departmental heads in the army for daily operation. Eg, Standing Orders of a Battalion or Company. They do not need to be published over military gazettes as they are completely departmental. Both of these orders can be implemented through the various ways:-

a) Formal Orders
b) Battle Orders
c) Radio Orders
d) Snap Orders

a. Formal Orders - These are orders given when there is sufficient time in operation.

b. Battle Orders - These are orders given in battle fields.

c. Radio Orders - These are orders given over radio communication sets for fast and smooth operation.

d. Snap Orders - These are orders that are given when new developments. Occur which were not given before or you decide to change or amend orders given earlier on.

RULES AND REGULATIONS GUIDING COMMISSION OFFICERS IN THE RUF/SL:

1) Beware of women and intoxications.
2) Abstain from public marijuana smoking, drinking and drugging.
3) Encourage the non-commissioned officers for smooth operations.
4) Regard military laws to be strict as they are natural laws.
5) Do not love the wives of the junior soldiers (Immorality).
6) Have due respect for one another.

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7) Study the characters of the various soldiers so that you will be able to administer them.

8) Do not beat the NCO's to death or disgrace them infront of civilians.

9) Do not force soldiers on battles most expecially when the soldier is sick or weak on that day.

10) You should not be materialistic and weak minded.

PART (III) AMBUSH:

Ambush which can be defined as a hidden or deliberate human trap set up to conquer your enemy, is the most important ingredient of guerrilla tactics. This said tactics is applied inorder to demobilize, produce shock and instantly destroy the enemy. Its objective is basically to get logistic arms, ammunitions, foodstuff and relevant materials for the utility of the guerrilla army.

Ambush is the oldest and the most effective instrument of the art of guerrilla warfare. It has three sub divisions:-

Preparatory (Defensive), Offensive (Opportunity), and Immediate ambushes.

A. PREPARATORY (DEFENSIVE) AMBUSH:

As the name implies, preparatory or defensive ambush is planned ahead of time. The mareriais needed the number of manpower and the site are carefully selected. Preparatory ambush is used mostly in time by the guerrilla army. It is used for defensive purposes especially in ensuring the security of the operational area.

Preparatory ambush is set on routes frequently used by the enemy. Selecting sites for preparatory ambush depends on the discretion of the ambush commander. But certain guide lines are used such as selecting site near bridges, curves, hills, rocky or gallopy areas. The topography of the site will be such that it will afford the guerrilla army an opportunity to hit the target.

B. OFFENSIVE (OPPORTUNITY) AMBUSH:

Offensive ambush is frequently set within the enemy's terrain. This ambush is set with precaution. The offensive nature of this ambush indicated by the deliberate encroachment on the territory of the enemy (more or less an opportunity ambush).

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It is used either to avoid confrontation or to be offensive at the particular point intime.

C. IMMEDIATE AMBUSH:

This ambush is frequently used during convoy movement raids and when the guerrilla army is on the way to attack the location of the enemy: whatever may be the nature or types of an ambush, the objectives are the same - to demobilize and distroy the enemy as well as to capture arms, ammunition, logistic food and other necessary materials from the enemy.

PLACES TO SET AMBUSH:

1) Curves
2) Hills
3) Bridges.
4) Quarts
5) Rocky or gallopy areas

MATERIALS NEEDED FOR AMBUSH:

1) Manpower
2) Arms and Ammunition
3) Food
4) Drugs
5) Communication Set.

THINGS TO AVOID IN AMBUSH:

1) Noise
2) Smoking
3) Perfume
4) Shining materials.

HOW TO DEPLOY IN AMBUSH:

In deploying your men in ambush (Preparatory), the ambush commander needs to be very much considerate. He should make sure that the men are deployed in a straight line formation with a distance od five miter apart. In some cases, the men needs to be deployed in categories - firing squard, firing support and irongate to get raid of long convoys.

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PART (IV) ARM (WEAPON):

Weapon could be defined as any material or instrument used to distroy the enemies and anything to defend life and properties:

AK 47 MECHANISM:

AK simply means AVOMAT KALASNIKOVE. The 47 refers to the venue of kalasnikove.

According to studies or research, this said weapon was discovered by a gentleman during the second world war in 1939 - 45. At the time of fighting, Russia where AVOMAT was born never had smaller weapons but only heavy weapons. At this point in time, the image of almighty God appeared to this gentleman and revail all mechanisms of this weapon which was to be narrated to the people of Russia. From there this weapon was manufactured and the Russians too had the chance to make a successful alarm of the enemies.

The caliber range of this weapon is 7.62mm x 39 m. Its' travelling range is 1000m. Its' effective range is 400 m while the killing range is about 300 mitres. The magagine contains 20-30 rounds.

PARTS OF THE AK 47:

a) Sling (f) Gas rear (m) Mivre
b) Magazine (g) Barrel (n) Dust Cover
c) Cleaning rod (h) Upper hand guard (o) Recoiling spring
d) Firing pin (i) Lower hand guard (p) Fore sight blade
e) Aiming sight (j) Piston rod (q) Safety Catch
k) Trigger (l) Trigger guard.

CLEANING:

In cleaning any arm there is always four types of namely -
1. daily cleaning 2. Cleaning before firing 3. Cleaning after firing 4. Cleaning for advance conditions.

GPMG - MECHANISM:

GPMG means general purpose machine gun. This weapon was design in Britain and Italy. The reason of calling it general purpose machine gun

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is because it can be used to assault and mount it on armoured vehicles. It can also be used to shoot down air-craft at the hight of 500 mitres. It can also be used for defensive purpose for the infantry.

This weapon is supported by Gas. The theorefical range of fire come to about 8 shots per minute; It travel 800 to 885 mitres per minutes. It can be attachest with spare barrel because the volume of cause hotness during firing, you can put this weapon to number one to fire authomatic. It can be felt by belt of rounds.

Within the GPMG barrel, there are four scalls which direct the rounds. It also has an air cooler under the barrel. The gas helps the recoiling spring to work. It can carry two barrels when one is hot, you can put cloth in water to cool it. This weapon has a force operating range which can not stop firing till the range is finish. You can bring or leave the trigger before it stops firing (safe).

PARTS OF THE GPMG:

1. - Tripod stand
2. - Barrel
3. - Aiming sights
4. - Muzzle
5. - Recoiling spring mechanism
6. - Gas regulator
7. - Pistle grip
8. - Trigger guard
9. - Trigger
10. - Safety catch
11. - Hammer
12. - Bolt group
13. - Bolt head
14. - Bolt group clipper
15. - Bolt
16. - Firing spring
17. - living hand
18. - Cocking handle
19. - Dust cover
20. - Plate
21. - Mitre
22. - Chamber
23. - Magazine
24. - Working buttel leave
25. - Handle carrier
26. - Spring housing
27. - Bolt releaser
28. - Bolt carrier.
29. - Accessories housing
30. - Armer ludding.

LMG MECHANISM:

LMG simply means light machine gun. It is a principal defensive weapon in the infantry. It is also a gas supported weapon.

The calibre is [illegible] mm.

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PARTS OF THE LMG:

1. - Fore sight
2. - Back sight
3. - Fore sight blade
4. - B - pool
5. - Hand guard
6. - Catch
7. - Sling surivel
8. - Top cover
9. - Trigger
10. - Pistol grip
11. - Bolt
12. - Bolt plates
13. - Gas chamber
14. - Gas block.

TYPES OF AMMO (FOUR TYPES):

1. - 7.62 x 39
2. - 7.62 x 40
3. - 7.62 x 41
4. - 7.62 x 45

All are mosely manufacture by Nato (North Atlantic treaty organisation).

RPG:

Means Rocket propel grenades. This gun was design in Russia. It is divided into four parts namely the mechanism part, the shooting part, the barrel and the fire release part. In the back opening is the systems where the fire comes from and leaving the propell or rocket out of it.

1. THE BARREL PART:

The barrel part contains the fire sight and the whole body.

2. THE MECHANISM:

The mechanism part contains the trigger, the trigger guard, safe and the telescope part. On the mouth of barrel or muzzle, there is a cut on it which directs the rockets. The mechanism part also contains the bolt, eye sight, back sight and the pistol grip.

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The trigger part of the weapon is very dangerous as if one does not understand the mechanism. It is easy to damage comrades, the trigger and cover prevent the trigger from breaking and the firing pin. The RPG does not need any lubrication. This is one of the easiest weapon to use. It can be used in eighter narrow or congested areas. Maximum range is about 300 mitres. The back force is 30 mitres.

The weapon can be used for infantry group. It can be used by two persons.

1) The gunner and the assistance gunner.
2) The gunner carries RPG moter with two bags of rocket and pistol.
3) Assistance gunner carriage 3 bags of rockets and one AK 47 plus one RPG cleaning rod. The gunner post himself at the right side of the team. This gun has four ways of shooting it.

1. Sliding method, 2. Kneeling, 3. Sitting, 4. Lying position respectively.

GRENADES:

The stick grenade could be divided into three main parts namely -

1. The body - Inside the body there is an explosive charge which produces so many fragments.
2. The weapon handle - It serves to connect the body. It also contain igniting device. It makes grenade very handy for use.
3. The igniting device - inside the igniting device you can find the pulling ring, pulling cord, ingriling spring, fiction cap and the time fuse detonating.

MECHANICAL MAINTENANCE:

When you pull the pulling cord, igniting spring drops on the fiction cap and it ignites the time fuse. The time fuse is turn ignites the detorating fuse which inturn ignites the explosive charge that explodes the hand grenade.

CARE AND MAINTENANCE:

1. Never attempt to strip or dismantle the grenade or remove the base cap.
2. Never hit, knock or drop the grenade or use it as a harmer.
3. Never use live grenade during instructions.

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METHOD OF THROWING THE GRENADE:

There are four (4) methods of throwing a stick or worden grenade:-

1. Standing position
2. Running position
3. Kneeling position
4. Lying position.

SAFETY RULES:

1) Hold the grenade firmly. The more you hold it firmly the better the throwing.
2) Whenever throwing, make sure you are behind cover.
3) For the grenade instruction, the thrower should be ailnement with the soldier. The distance should be three (3) to four (4) mitres and should be under cover before throwing.
4) Whenever you throw a grenade, you must be under cover for at least five (5) seconds. If the grenade does not explodes you give yourself chance for about 30 seconds. The thrower should be a trained soldier at the same time will be able to send it at least 30 mitres.
5) Before sending it, we must inspect it for rusty, cold or damp and lastly should not be losed.

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PART V

TACTICS

These are the various techniques and methods applied to get rid of your enemy. Guerrilla tactics can be applied in the various ways:-

1. On land
2. In Air
3. On Sea.

A. ON LAND

Guerrilla tactics on land can be applied through movement called monkey run. The monkey run is the grawling on hands knees which is very much useful when moving behind law covers at as faster rate. The fast the movement the more the noise. To minimize the noise, you have to put the hand down in a place that is free from twings or anything which might crack and then move the knees forward to the position which the hand have been, kept the buttocks and heads low but observe while advancing. If carrying a weapon, hold it at a point of balance with the hand and make sure that no dirt get into the muzzle.

B. LEOPARD CRAWLING

Is a crawling on the elbows and side of the kneels movement, is by moving alternative elbows and knees. The body is rolled slightly as each knees is sent. The same effect can be achieved by travelling one leg and using one knee. Body and elbow low down but observe while advancing.

If carrying a riffle, hold it either by the belt and handle guard or by front sling with the fiffle rested on the arm and the muzzle forward. If carrying a a G.P.M.G. hold it by the belt and fold biped legs. Hold the gun on its side watch the cooking handle up or there is danger of the belt becomming disledged in an upright position, use either the normal leopard crawl position which is meant purposely to push the body forward.

C. ROLL

The roll is rolling with arms and weapons closed into the side method of moving away from a position when observed by the enemies. It is also important in crossing any street or open terrim in the city or big towns especially in city fighting. This method is used in an open terrim when by passing or avoiding the the enemies.

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D. THE WALK - (TACTICAL MOVEMENT)

Hold the alert riffle ready in alert position and advance slowly. You have to be quiet on hard grounds. Put the edge or the sole of boat down first and epply maintance of balance by keeping the knees slightly bent. The movement is normally used in a close terrim, when the enemies are far from you to avoid sound in your movement.

E. THE CRAWL

Side crawling is used with the G.P.M.G. lying on the left side. You hold the gun or carrying handle and rest the gun by the lower carrying handle and rest the gun on the left legs. Push forward using the right foot and the left elbow.

F. KNEEL CRAWL

The knee can be used by the G.P.M.G. when moving behind high covers. Hold the gun carrying handle upright in one hand close to the knee and rest the thumb upright in the knee to take some of the weight of the gun of the arm. Put the clenched first of the other hand flat on the ground. To advance, move the clenched first and forward legs together then been the other legs together and forward legs together, then been the other legs together and so on.

G. ZIG-ZAG CRAWLING

This type of movement is mostly used in desert to avoid been seen by enemy.

H. CAT CRAWLING

This type of crawling is used when you are close to the enemy and the gun carried by handling it on the chest with the two hands above it. When you get closer to your enemy it is placed above both hands.

I. NORMAL WALKING

You should be active in walking and observe any movement that takes place within your sight of hearing.

COVER AND CONCEALMENT

When defending or temporaly halted while making an attack you must first seek cover from fire and concealment from observation.

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Cover and concealment are best provided by some types of fighting position. This may be an existing hole, a hastily dug prone shelter or well prepared position with over head cover. The time available for preparation determines how well you build your position.

Therefore, in determining a good cover and concealment, the following principles have to be taken into consideration:-

a) Allow you to fire b) Protect you from observation and direct and indirect fire.

COVER

The cover of your fighting must be strong enough to protect you from small arm fire and indirect fire fragments. The position should have frontal covers to give you protection from small arms fire from both front and back.

Natural frontal cover like (trees, rocks, lying logs etc.) is the best because it is hard for the enemy to defeat a position that is conceal by natural cover. If natural cover is not available, you use the dirt from the hole you dig to build additional cover. The cover can be improved by putting the dirt in the sand bag and wetting them.

All frontal covers must have the following:

1. It must be thick enough at least 46cm or 18 inches to stop small arms fire.
2. High enough to protect your head when you fire from behind the cover.
3. Far enough from the hole to allow room for elbow holes and sector stakes so that you will be able to fire from the back.
4. Must be long enough to give you cover and hide the muzzle of your gun when you fire to the obligue (back).
5. Your gighting position must be built so that when you come under direct fire from your frontal cover for protection and get fire to the back.

For all round protection, your position should also have over head flank and rear covers. The dirt from the hole that is used to build the cover which protect against indirect fire that burst

over head or the flank the rears the position. Cover also guides aga t the effect of friendly weapons supporting from the rear co . This will let you enter and leave the position without exp ing yourself to the enemies.

CONCEALMENT

If your position is detected, it can be hited by the enemy fire. If it is hit, you can be killed in it. Therefore, your position must be so well hidden that the enemy will have a hard time tetecting it, even when it is within grenade range.

NATURAL UNDISTURBED CONCEALMENT

1. It is better than man-made concealment.
2. It is already prepared.
3. It can not attract enemy attention.
4. It need not be be replaced.

Obeying the following rules will help in good concealment.

a) Avoid sky lines.

b) Take use of available shadows Remember that when some arms shadows are very conspicious and that shadow obviously moves with sun.

c) Choose a back ground to march the clothing and equipment been worn.

d) Avoid isolated cover as the enemy likely to be observing it and is easy to bring fire than on thick type of cover.

CAMOUFLAGE

Camouglague can be defined as a process where in one can make himself difficult to recognised by disguising him or herself.

Basically, we have two (2) types of camouglage:-

1. Day camouglage
2. Night camouglag.

A. DAY CAMOUGLAGE:

Is simply when one make himself difficult to recognise in the day by using things like leaves or camouglage clothes or dress yourself in full (CEFO).

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B. NIGHT CAMOUFLAGE

Is simply done by avoiding the use of shinning clothers or white materials. Soldiers should know how to camouglage and conceal themselves in battle or he or she will be an easy target for the enemy.

RAIDING

Raiding is a sudden attack of an area by troops or guerrillas. In guerrilla warfare, this type of operation is mostly done in the night by a squard or team of commandos to accomplish their mission.

REASON WHY WE RAID

1. We do raid to get rid of a personnel.
2. To get rid of equipments needed for smooth guerrilla operations.
3. To get rid of documents or past records.

Before taking this type of operation, a raiding team has to be sent in order to get necessary information about the enemy. Based on information received, the guerrilla can run successful mission within a short period of time.

Within the operation, noise should be completely avoided and the commander for this said operation should be a brave men to accomplish his mission under all possible means. Materials needed in this type of operation are assaulting riffles and explosive weapons like grenades.

COMBAT TACTICS

This simply means how to over power your enemy. In order to achieve your objective, you should observe the following habits - no smoking and eating.

COMBAT TACTICS FORMATION

We have five (5) major combat tactics formations, namely:

a) Diamond formation - is used to cross an open terrims
b) Line formation - It is used to conduct assault.
c) Squard formation - It is used to cross a natural bridge, a narrow road and also to climb mountains.

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d) Squard Column Formation – This formation is used to walk as along the side of a motor.

e) Vee Formation – It is used to surround and capture living enemies and materials.

PATROL

Patrol is a detarchment of a small force sent to perform military duties. Basically we have four (4) types of patrols in the guerrilla army:

1. RECONAISSANCE OR RECREE PATROL

This patrol group onlygoes out to see about the activities of the enemies. They will be equiped with arms and ammunitions but only fight in order to defend themselves. Their mission is not to fight but to gain information from the enemies. Normally they are seven (7) in number.

2. FIGHTING OF COMBAT PATROL

This group knows the where about of the enemies. Therefore their task is to fight, raid and ambush the enemy. Their size are larger than the recree patrol team.

3. STANDING PATROL:

This type of patrol grouns are there to patrol and give early warnings and dominate the THE MANS LAND location.

4. FAN OR NOMADIC PATROL:

This is the type of patrol the troops move in fan form by assembling in one place. This group composes of patrols, recons and combats, they therefore travel with all their weapons ready to fight.

PATROL EQUIPMENT - are as follows:

Banoculars, maps, whistles, accommunication, matches or lighter, arms and ammunition, drugs etc.

HOW TO GAIN INFORMATION FROM THE ENEMY

1. Through recee patrol
2. Through civilians
3. From past records or documents.

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PART VI

MAP READING

WHAT IS A MAP?

A map is a plane or portion of the earth surface plotted on a piece of paper to discribe a particular location on the earth surface. Maps may be divided into two classes:-

1. Those that are natural.
2. Those that are man made features on the earth surface.
3. Those that records man made & natural features.

A. THE ATLAS MAP - These are small scale maps that shows whole countries and continent or even the world on sheet.

B. TOWN PLANS - These are large scale maps to show street names and other details of particular towns. Some show relief contours and other means. They can be used by force on occasion regaining local maps.

C. TOPOGRAPHICAL MAPS - These are maps showing in much details about the physical features of the ground, rivers, streams, hills, forests and other human or man-made features like roads, railways, villages, towns and buildings etc. These are basically concerned on military maps.

WHAT IS MAP READING?

Map reading is an extraction of information showing on the map to the ground knowing exactly what the map means. It is also the ability to read and give grade references, takes bearings and to measure distance on a map.

AIMS OF MAP READING

A map reader normally aims at the following points.

1. To be able to find his way about in the country and to recognised features on the ground and on the map.
2. To understand information given on the map so that the picture of the ground and its tactical and administative possibilities can be achieved without seen the ground.
3. To assist in quick and accurate transmission of information and others involving movement and disposition.

IMPORTANCE OF MAP READING TO A SOLDIER

Map reading helps the soldier in war in two ways:- Movement and Navigation which includes time and distance.

a. Selection of roads patrol, tactical manoeuvre including fanks movement.

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DEPLOYMENT

Deployment of troops and military installation on the field is always implemented from work done on the maps for eg. location given by grade reference. This includes Infantry, Artillary, Signal Unit, Logistics (military transports) and ordinance medical.

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CEASEFIRE VIOLATIONS SINCE DECLARATION OF CEASEFIRE

24TH MAY, 1999, SE [illegible]

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DATE:	-	DETAILS
4th June,1999		RUF rebels infiltrated Kamajor positions at Gichun Konjo, Benduma, Kpetema, Sembehun and Weima. They claimed to be looking for food and probable deployment in these general areas.
20th June,1999		RUF Commander - Col. AKIM TURAY of the 3rd Brigade, threatened Kamajors to leave Weima CPS area, on the false pretext that, they (RUF) occupied the above location before declaration of ceasefire.
28th June,1999		Rebels abducted two women; Haja Sawaneh and Nurse Logan while processing palm oil. Hawa Sawaneh was later released with the message that the rebels were coming to base at Lalehun and Sembehun already occupied by Kamajors
29th June,1999		RUF rebels abducted two Kamajors in a Village called Kambama. They also abducted some women and took away personal effects including money. The women were later released but the Kamajors never surfaced.
1st July,1999		Rebels came to Jambu area, Gaura Chiefdom and captured civilians, looted their property then with a message asking all civilians to leave Kokoru in the same Chiefdom.
11th July,1999		So-called Acting 3rd Brigade Commander, Lt. Col Jawara asked the Kamajors in the Tongo general area to surrender their arms to them if they want to move there freely. The rebels also asked the civilians to move into Tongo to resume normal activities.
14th July,1999		On 13th and 14th July,1999, rebels occupying some Villages in Lower Bambara Chiefdom continue to put pressure on the Kamajors to surrender their arms. The rebels understanding of the Peace Accord is that Kamajors must disarm to them.
18th July,1999		Rebels asked the Kamajors at Lalehun and Bumpeh to surrebder theur guns to them. Foday Sankoh is made Chairmen of Mining of mineral resources, therefore,they (RUF) wants to start mining inorder to receive their leader Foday Sankoh. As a result only rebels should carry arms.
18th July,1999		Rebels from Kasinghi attacked Madina in Gorama Mende Chiefdom and killed four(4) civilians, abducted 40 men and 20 women including children.
19th July,1999		Rebels also attacked Joru along Gorama and Kono Axis, they injured two Kamajors currently undergoing treatment at the Governme nt Hospital.
19th July,1999		Three rebels met people around a Village called Gelahun. They wounded one Brima Saffa on his right hand. Took money from the people and abducted them. The people were later released.
20th July,		In Potehun, a man was also wounded by rebels. He is being treated at the Government Hospital.

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III. BACKGROUND

The Sierra Leonean civil war began in March 1991, when the Revolutionary United Front (RUF) entered Sierra Leone from Liberia, launching a rebellion to overthrow the one-party rule of the All Peoples Congress (APC). The RUF accused the APC, which had been in power since 1967, of rampant corruption, nepotism, and fiscal mismanagement. Despite the fact that Sierra Leone is extremely resource-rich, with large deposits of diamonds, gold, rutile, and bauxite, it is estimated to be one of the poorest countries in the world.

Under the leadership of Foday Sankoh, a corporal in the Sierra Leone Army who had been imprisoned in 1971 for his alleged involvement in an attempted coup against the APC, the RUF was originally made up of a mixture of middle class students with a populist platform, unemployed and alienated youths, and Liberian fighters from Charles Taylor's National Patriotic Front of Liberia (NPFL).[3] The ideological component to the movement, however, was never clearly actualized, and the rebellion quickly developed into a campaign of violence whose principal aim appeared to be simply to gain access to the country's diamond and mineral wealth.

From 1991 until the present, the RUF has fought with great brutality to overthrow the successive governments of both military and elected civilian regimes. Since the outbreak of the war, the country has been marked by instability. In 1992, APC President Joseph Momoh was overthrown in a military coup by Captain Valentine Strasser, whose National Provisional Ruling Council (NPRC) ruled until it was itself overthrown in 1996, by his deputy, Brigadier Julius Maada Bio.

Later in 1996, however, multi-party elections were held and won by Ahmad Tejan Kabbah, head of the Sierra Leone People's Party (SLPP), who pledged to bring about an end to the war. After coming to the negotiating table in Abidjan, the RUF and Kabbah's government signed a peace agreement in November 1996, the Abidjan Accord, which called for a cease-fire, disarmament, demobilization, and the withdrawal of all foreign forces. The cease-fire, however, was broken in January 1997 when serious fighting broke out in southern Moyamba District.

In May 1997, fourteen months after assuming power, President Kabbah was himself overthrown in a coup led by army major Johnny Paul Koroma, heading the Armed Forces Revolutionary Council (AFRC), following his escape from prison, where he had been held following an earlier attempted coup in September 1996. Koroma cited the government's failure to implement the peace agreement as the reason for the coup. Upon taking over, the AFRC suspended the constitution, banned political parties, and announced rule by military decree. It also ushered in a period of political repression characterized by arbitrary arrests and detention.

The AFRC had widespread support within the Sierra Leonean Army (SLA), which had become disillusioned by President Kabbah's decision to cut back support for the military. The SLA accused Kabbah of putting greater confidence for the country's defense in and giving more economic resources to a network of civilian militias, known as the Civil Defense Forces (CDF), the largest and most powerful of which are the Kamajors.[4] The Kabbah government had found the Kamajors very effective in fighting the RUF, and, unlike members of the army, they were not accused of collaboration with the RUF for the exploitation of the country's diamond resources.[5] Formalizing an alliance between the army and the rebels based on joint opposition to President Kabbah and the People's Party, the AFRC invited the RUF to join them in the new

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Sierra Leone

Getting Away with Murder, Mutilation, Rape

New Testimony from Sierra Leone

July 1999, Vol.11 No 3(A)



Sierra Leone: Violations of the Peace Accord (May 2000)

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II. RECOMMENDATIONS

Human Rights Watch makes the following recommendations:

To the RUF:
Human Rights Watch condemns in the strongest terms the conduct of RUF forces described in this report. We call on RUF forces to:

_ Immediately refrain from inflicting torture or murder of any kind, including extrajudicial executions and mutilations, by forces under its command.

_ Immediately release all civilian abductees in custody; grant full and ongoing access to detention centers to the International Committee of the Red Cross (ICRC) and other humanitarian organizations; and publish lists of all prisoners and abductees, their ages, where they were captured, where they are being detained, and other relevant details.

_ Immediately cease the recruitment and training of child soldiers under the age of eighteen and demobilize and release those already enlisted.

_ Allow for unfettered access and safe passage for humanitarian agencies trying to reach needy populations under RUF control.

_ Observe the cease-fire agreement entered into on May 18, 1999, desist from all acts in violation of international humanitarian law, and enter into negotiations for the resolution of the conflict in good faith.

_ In accordance with the commitment made to U.N. special representative Okelo, set up an internal investigation to investigate violations of international humanitarian law by members of RUF and allied forces, as described in this and other reports on the conflict in Sierra Leone.

_ Provide education for all RUF combatants and commanders on the rules of war and standards of international humanitarian law.

_ Follow through with the commitment made on May 18, 1999 in Lomé, Togo, by Corporal Foday Sankoh, for the Aimmediate release of all prisoners of war and noncombatants.

_ Follow through with the commitment made and signed on May 18, 1999 in Lomé, Togo by Corporal Foday Sankoh to Aguarantee safe and unhindered access by humanitarian organizations to all people in need, establish safe corridors for the provision of food and medical supplies to ECOMOG soldiers behind RUF lines, and to RUF combatants behind ECOMOG lines.

_ Permit full, unhampered international investigation of grave and widespread humanitarian law and human rights abuses in areas under RUF control by nongovernmental organizations and accredited journalists.

To the Government of Sierra Leone:

We call on the government of Sierra Leone to:

_ Thoroughly investigate and prosecute in full compliance with international law, individuals responsible for grave breaches of humanitarian law. Where combatants have committed abuses against civilians, they should be held accountable in a court of law.

_ Desist from the recruitment of child soldiers, particularly within the Civil Defense Forces, and to follow through on its commitments made to the special representative of the U.N. secretary-general for children in armed conflict to stop the recruitment of children under eighteen and to create a joint task force to oversee the demobilization and reintegration of child combatants from all sides.

_ Ensure that government soldiers and those forces allied with the government respect the human rights of civilians in areas of conflict.

_ Ensure that all members of the new Sierra Leonean Army currently under formation receive formal education on the rules of war and standards of international humanitarian law.

_ Promptly revise the criminal code to eliminate the death penalty and corporal punishment.

_ Follow through with the commitment made and signed on May 18, 1999 in Lomé, Togo, by President Kabbah for the Aimmediate release of all prisoners of war and noncombatants, while ensuring that reliable reports that individuals in custody have committed war crimes or crimes against humanity are investigated, and prosecutions instituted, as described above, if there is evidence to do so.

_ Follow through with the commitment made and signed on May 18, 1999 in Lomé, Togo by President Kabbah to Aguarantee safe and unhindered access by humanitarian organizations to all people in need, establish safe corridors for the provision of food and medical supplies to ECOMOG soldiers behind RUF lines, and to RUF soldiers behind ECOMOG lines.

_ Follow through with the commitment announced by President Kabbah on April 27, 1999 to establish a new Human Rights Commission for Sierra Leone.

_ Create task forces to:

> _ develop a concrete plan for meeting the needs of abused women and deal specifically with violations inflicted on women during conflict, with the aim of improving the social, medical, and legal responses to women's needs.
>
> _ deal with the effects of war on children: child victims, witnesses, and perpetrators. A key function of this task-force would be the development of a concrete plan for meeting the long-term needs of those who were adversely affected by the war. This task force should determine how best to reintegrate children into their communities, provide education and vocational training suitable for older children, and rehabilitate children who have been victims of atrocities, have witnessed atrocities (sometimes against their own parents), or have themselves taken part in atrocities.
>
> _ address the special physical, psychological, and social needs of the thousands of victims of limb amputation and other mutilation.

_ Initiate a widespread information and education campaign to inform communities of the special needs of all civilians who have been abducted or abused.

_ Allow the International Committee of the Red Cross (ICRC) unhindered and ongoing access to all detainees, including those who are currently being investigated but have not been charged with a crime.

_ Permit full, unhampered international investigation of grave and widespread humanitarian law and human rights abuses in areas under government control by non-governmental organizations and accredited

journalists.

To ECOMOG/ECOWAS:

Human Rights Watch urges ECOMOG and ECOWAS, as appropriate, to:

_ Take steps to strengthen and make effective the Civil/Military Relations Committee formed to probe allegations of human rights abuses committed by some members of ECOMOG and the CDF.

_ In particular, and in accordance with the commitment made to the U.N. secretary-general's special representative, Francis Okelo, and noted in the March 4, 1999, *Fifth Report of the Secretary General on the United Nations Observer Mission in Sierra Leone*, investigate allegations of abuses having been committed during the January offensive and take corrective action as necessary.

_ Follow through with the commitment made and signed on May 18, 1999 in Lomé, Togo, for the Aimmediate release of all prisoners of war and noncombatants, while ensuring that reliable reports that individuals in custody have committed war crimes or crimes against humanity are investigated by the appropriate authorities, and prosecutions instituted if there is evidence to do so.

_ Follow through with the commitment signed on May 18, 1999 in Lomé, Togo, to AGuarantee safe and unhindered access by humanitarian organizations to all people in need, establish safe corridors for the provision of food and medical supplies to RUF soldiers behind ECOMOG lines.

_ Ensure that all ECOMOG officers and soldiers receive proper training in the rules of war and international humanitarian law.

To the International Community:

Human Rights Watch urges the international community generally, including the U.N., its member states, and agencies, to:

_ Dramatically increase the level of attention and resources devoted to the resolution of the conflict in Sierra Leone and the establishment of respect for human rights and the rule of law, including by increasing the financial support given to UNOMSIL to enable an expansion of its human rights monitoring and peacekeeping activities.

_ Oppose a general amnesty that would apply to those who have committed gross violations of human rights and humanitarian law and insist on the need for the cycle of impunity to be broken if peace is to be restored to Sierra Leone.

_ Reinforce the flow of bilateral and multilateral aid to the government of Sierra Leone. This aid should focus on human rights and humanitarian needs, including restructuring of the army and police force, and initiatives focusing on such key areas as emergency relief, health, education, shelter, infrastructure, and the rule of law.

_ In particular, provide assistance for the reconstruction of the system for the administration of justice, and for other initiatives aimed at the establishment of accountability for crimes under national and international law.

_ Provide moral, financial, and technical support to civil society organizations to assist them in playing an active role in the transition toward a democratic society and in monitoring, lobbying, and campaigning for improved human rights standards.

_ Insist that the government of Sierra Leone follow up on its commitments to stop the recruitment of children under the age of eighteen and to create a joint task force to oversee the demobilization and reintegration of child combatants from all sides.

_ Insist with all parties upon the access for accredited journalists and nongovernmental organizations to all areas of conflict.



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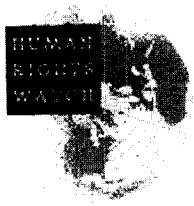

III. BACKGROUND

The Sierra Leonean civil war began in March 1991, when the Revolutionary United Front (RUF) entered Sierra Leone from Liberia, launching a rebellion to overthrow the one-party rule of the All Peoples Congress (APC). The RUF accused the APC, which had been in power since 1967, of rampant corruption, nepotism, and fiscal mismanagement. Despite the fact that Sierra Leone is extremely resource-rich, with large deposits of diamonds, gold, rutile, and bauxite, it is estimated to be one of the poorest countries in the world.

Under the leadership of Foday Sankoh, a corporal in the Sierra Leone Army who had been imprisoned in 1971 for his alleged involvement in an attempted coup against the APC, the RUF was originally made up of a mixture of middle class students with a populist platform, unemployed and alienated youths, and Liberian fighters from Charles Taylor's National Patriotic Front of Liberia (NPFL).[3] The ideological component to the movement, however, was never clearly actualized, and the rebellion quickly developed into a campaign of violence whose principal aim appeared to be simply to gain access to the country's diamond and mineral wealth.

From 1991 until the present, the RUF has fought with great brutality to overthrow the successive governments of both military and elected civilian regimes. Since the outbreak of the war, the country has been marked by instability. In 1992, APC President Joseph Momoh was overthrown in a military coup by Captain Valentine Strasser, whose National Provisional Ruling Council (NPRC) ruled until it was itself overthrown in 1996, by his deputy, Brigadier Julius Maada Bio.

Later in 1996, however, multi-party elections were held and won by Ahmad Tejan Kabbah, head of the Sierra Leone People's Party (SLPP), who pledged to bring about an end to the war. After coming to the negotiating table in Abidjan, the RUF and Kabbah's government signed a peace agreement in November 1996, the Abidjan Accord, which called for a cease-fire, disarmament, demobilization, and the withdrawal of all foreign forces. The cease-fire, however, was broken in January 1997 when serious fighting broke out in southern Moyamba District.

In May 1997, fourteen months after assuming power, President Kabbah was himself overthrown in a coup led by army major Johnny Paul Koroma, heading the Armed Forces Revolutionary Council (AFRC), following his escape from prison, where he had been held following an earlier attempted coup in September 1996. Koroma cited the government's failure to implement the peace agreement as the reason for the coup. Upon taking over, the AFRC suspended the constitution, banned political parties, and announced rule by military decree. It also ushered in a period of political repression characterized by arbitrary arrests and detention.

The AFRC had widespread support within the Sierra Leonean Army (SLA), which had become disillusioned by President Kabbah's decision to cut back support for the military. The SLA accused Kabbah of putting greater confidence for the country's defense in and giving more economic resources to a network of civilian militias, known as the Civil Defense Forces (CDF), the largest and most powerful of which are the Kamajors.[4] The Kabbah government had found the Kamajors very effective in fighting the RUF, and, unlike members of the army, they were not accused of collaboration with the RUF for the exploitation of the country's diamond resources.[5] Formalizing an alliance between the army and the rebels based on joint opposition to President Kabbah and the People's Party, the AFRC invited the RUF to join them in the new

government.

After the coup, which was widely condemned, President Kabbah and his government fled into exile in neighboring Guinea and began to mobilize international condemnation for and a response to the coup makers. In June 1997, Nigerian troops, claiming to act under a defense pact with the Sierra Leonean government, moved to reinforce colleagues from the Economic Community of West African States Monitoring Group (ECOMOG) already based at the Freetown airport to defend it from RUF rebels, where they remained based throughout the AFRC regime. In August, following the AFRC's announcement of a four-year program for elections and return to civilian rule, which represented a breakdown in negotiations, ECOWAS states put in place an almost total embargo against Sierra Leone. In October, the United Nations Security Council adopted a resolution imposing mandatory sanctions on Sierra Leone, including an embargo on arms and oil imports.[6]

After negotiations in Guinea under the auspices of ECOWAS, the Kabbah government-in-exile and the AFRC/RUF signed an agreement on October 23, 1997 providing for the return to power of President Kabbah by April 1998. However, the AFRC/RUF undermined the implementation of the accord by stockpiling weapons and attacking ECOMOG positions. In February 1998, ECOMOG forces working together with Kamajor militia launched an operation which drove the AFRC/RUF forces from Freetown. In March 1998, President Kabbah was reinstated as president and over the next several months ECOMOG forces were able to establish control over roughly two-thirds of the country including all regional capitals.

However, once expelled from the capital, the rebels tried to consolidate their own positions in other parts of the country and through a serious of offensives toward the end of 1998, managed to gain control of the diamond-rich Kono district and several other strategic towns and areas.[7] The Kabbah government, which had negligible forces of its own, relied on ECOMOG to stay in power, yet declined to enter into any negotiations to bring the civil war to an end. By the end of 1998, the rebels had gained the upper hand militarily and were in control of over half of the country, including all those areas housing the country's major economic assets. From this position, the RUF launched the January 1999 attack on Freetown.

The war in Sierra Leone has seen considerable involvement of both foreign governments and mercenary forces which have usually provided support in exchange for lucrative contracts and mining concessions. The assistance of Charles Taylor's NPFL and later Liberian government to the RUF is well documented, and has included training, personnel and considerable logistical support. The 1992-1996 military regime (Captain Strasser's National Provisional Ruling Council: NPRC) contracted the South African-based private security firm Executive Outcomes in 1995 to protect the major diamond mining areas. Executive Outcomes remained involved in Sierra Leone until President Kabbah terminated their contract in 1996 as a condition of the 1996 Abidjan Peace Accord. The involvement of Ukrainian arms and ammunition suppliers began under the NPRC and intensified under Brigadier Maada Bio's government. During the January 1999 RUF offensive, armed white men were observed fighting alongside and giving orders to RUF forces. In April 1999, the ECOMOG force commander Felix Mujakperuo publicly accused the presidents of Liberia and Burkina Faso of supplying arms to the RUF by using Ukrainian registered aircraft and crews.[8] The Sierra Leonean government has also contracted the services of several foreign soldiers and pilots, most of whom fly, man, and maintain the attack and transport helicopters currently being used by ECOMOG forces.

Since the January occupation of Freetown, there have been the first signs for several years of a possible negotiated resolution to the conflict in Sierra Leone. During March 1999, President Kabbah visited several key countries in the subregion, including Côte d'Ivoire, Ghana, Nigeria, and Togo to discuss the situation in Sierra Leone and possible ways forward. In a radio address to the nation on March 14, President Kabbah expressed his appreciation for the assistance provided by those countries and reaffirmed his commitment to the Adual-track approach developed by ECOWAS, which involves strengthening ECOMOG while preparing to talk to the RUF. At the same time, there was considerable diplomatic activity among a number of parties interested in the resolution of the conflict in Sierra Leone, including the current chairman of ECOWAS, President Gnassingbe Eyadema of Togo; the ECOMOG troop-contributing countries, namely Nigeria, Guinea, Ghana, and Mali; the governments of the U.K. and the USA (the USA being represented by the United States presidential special envoy for the promotion of democracy in Africa, the Rev. Jesse Jackson); and the U.N. secretary-general's special representative for Sierra Leone, Francis G. Okelo.

On May 18, 1999, the Sierra Leonean government and the RUF signed a cease-fire agreement, which came into effect on May 24, 1999. Under the agreement, both parties were to maintain their respective positions and refrain from hostile or aggressive acts. Other provisions included the guarantee of safe and unhindered access by humanitarian organizations to all people in need; the immediate release of prisoners of war and noncombatants; and the deployment, subject to the authorization of the Security Council, of United Nations military observers to observe compliance with the cease-fire agreement. Talks between the Sierra Leonean government and the RUF opened in Lomé on May 25, 1999, guided by a facilitation committee chaired by the foreign minister of Togo, with the participation of ECOWAS, the Organization of African Unity (OAU), and the U.N. secretary-general's special representative.

On June 2, 1999, the government and the RUF decided to ask UNOMSIL to establish a committee to effect the immediate release of prisoners of war and noncombatants in accordance with the May 18 cease-fire agreement. The committee, which is to be chaired by the UNOMSIL chief military observer, comprises representatives of the International Committee of the Red Cross (ICRC), the United Nations Children's Fund (UNICEF), other United Nations agencies, and nongovernmental organizations.

3 Ibrahim Abdullah and Patrck Muana, AThe Revolutionary United Front of Sierra Leone,@ in Christopher Clapham (ed.), *African Guerrillas (*Oxford: James Currey, 1998), pp. 173-178.

4 The Kamajors are traditional hunters from the Mende ethnic group in the southern and eastern regions of Sierra Leone who believe in supernatural and ancestral powers. The Mende is Sierra Leone=s largest tribe comprising some 30 percent of the population.

5 Since the NPRC regime, Sierra Leonean Army soldiers and officers had been accused of colluding with the rebels to exploit the country=s diamond reserves. The army was accused of exchanging weapons for diamonds from the RUF, giving them military information, and withdrawing from bases so as to allow rebels to take over diamond rich areas. Such allegations led to a loss of faith in the country=s military and the subsequent creation of civil defense forces, like the Kamajors.

6 See Human Rights Watch/Africa, ATransition or Travesty? Nigeria=s Endless Process of Return to Civilian Rule,@ *A Human Rights Watch Short Report*, vol. 9 no.6 (A), October 1997 for a discussion of the Nigerian intervention in Sierra Leone.

7 See Human Rights Watch, ASowing Terror: Atrocities against Civilians in Sierra Leone,@ *A Human Rights Watch Short Report*, vol.10, no.3 (A).

8 ECOMOG Press Statement, issued Freetown, April 8, 1999.

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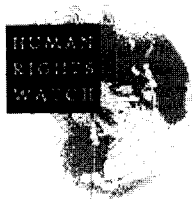

IV. HUMAN RIGHTS ABUSES COMMITTED BY RUF REBELS

Systematic Targeting of Civilians

The rebel occupation of Freetown was characterized by the systematic and widespread perpetration of all classes of gross human rights abuses against the civilian population. Civilians were gunned down within their houses, rounded up and massacred on the streets, thrown from the upper floors of buildings, used as human shields, and burned alive in cars and houses. They had their limbs hacked off with machetes, eyes gouged out with knives, hands smashed with hammers, and bodies burned with boiling water. Women and girls were systematically sexually abused, and children and young people abducted by the hundreds.

The rebels made little distinction between civilian and military targets. They repeatedly stated that they believed civilians should be punished for what they perceived to be their support for the existing government. Thus, the rebels waged war against the civilian population through the perpetration of human rights abuses. While there was some targeting of particular groups, such as Nigerians, police officers, journalists, and church workers, the vast majority of atrocities were committed by rebels who chose their victims apparently at random.

The arbitrary nature of these attacks served to create an atmosphere of complete terror. Some victims were attacked for resisting rape or abduction, trying to flee, trying to protect a friend or family member, or refusing to follow instructions to dance or make music on the streets, but most described being chosen for execution or mutilation at random, often without being asked a single question.

It is difficult to ascertain the level of seniority within the RUF at which the perpetration of human rights abuses was ordered, though the widespread participation in abuses suggests that they must have been authorized at a high level within the RUF's command structures. Victims and witnesses frequently overheard commanders on the ground give orders to perpetrate atrocities, and there are very few accounts of individual combatants or commanders trying to halt the abuses. When witnesses reported that individual combatants did object and try to halt the abuses, those objecting were often met with death threats from their fellow rebels.

The atrocities were often planned and premeditated. Victims and witnesses describe well-organized operations to round up civilians who were later executed, attacked with machetes, or raped. On several occasions rebels gave advance warning that atrocities were to be committed later.

Witnesses describe the existence of distinct units known for committing particular crimes, like the Burn House Unit, Cut Hands Commando, and Blood Shed Squad. Some of these squads had a trademark way of killing such as the Kill Man No Blood unit, whose method was to beat people to death without shedding blood, or the Born Naked Squad, who stripped their victims before killing them. The closer ECOMOG forces got to rebel positions, the more these squads were mobilized and sent on operation.

Upon gaining control of a neighborhood or suburb, the rebels went on systematic looting raids, in which families were hit by wave after wave of rebels demanding money and valuables. Those who didn't have what the rebels demanded were often murdered. While rape and abduction were widespread throughout the offensive, the pace of the executions, amputations and burning of property picked up dramatically as the rebels were forced to withdraw. The abuses committed in the last several days of rebel occupation of any given neighborhood were of staggering proportion.

It is difficult to establish how many civilians were killed during the rebel incursion. The Senior Government Pathologist registered the burial of 7,335 corpses of people who were killed as a result of the January 6 rebel incursion. These include 4,245 which were either left in the city morgue or picked up off the street during the offensive and buried in mass graves, and 3,090 which were later exhumed and reburied after having been hastily disposed of during the fighting and rebel occupation.[9] While the number of combatants from both sides, either killed in battle or after capture or incapacitation by wounds, was thought to be high, human rights activists believe at least half of the dead were civilians. One local human rights group has already documented 2,215 civilian killings.[10]

Freetown's three main hospitals reported treating 827 wounded, although hospital staff note that for the first several weeks of the offensive, precise records were not kept.[11] In all three hospitals, the majority of war related injuries resulted from gunshot wounds, followed by lacerations by machete, knife, or axe. One study done in Freetown's biggest hospital found that some 80 percent of all wounded were the victims of multiple killings or massacres.[12]

The largest concentration of dead and wounded came from the three densely populated eastern suburbs of Kissy, Wellington, and Calaba Town. During the weeks of rebel occupation all three suburbs were cut off from the capital's main medical facilities, which are all located within the ECOMOG controlled west. Unable to cross the front lines, most wounded civilians sought medical attention from local nurses and small clinics. However, loathe to identify themselves for fear of abduction, medical personnel had frequently gone into hiding or fled the area. There was also a dearth of medicine and supplies to treat the wounded, as clinics and pharmacies were frequently targeted for looting by the rebels. It was not uncommon for wounded civilians to go for several days before receiving medical treatment or seeing a doctor.

On June 14, 1999, Human Rights Watch spoke with Omraie Golley, official spokesperson and legal representative for the RUF. He denied that his troops had committed any atrocities against the civilian population during the January offensive He said that while they have received allegations, "I have yet to find firm evidence that points to individual soldiers or commanders responsible for committing any atrocities against the civilian population. We've heard a lot of stories, we've heard a lot of terrible things. These kinds of allegations are easy to make but difficult to prove. But, if any of our soldiers or commanders have been guilty of such atrocities they will be brought to book." Golley also stated that the RUF has not initiated any formal investigations or disciplinary proceedings against any individual soldier or commander.

When asked about the mutilation and amputation of limbs, he said, "in July 1997 firm instructions were issued about the use of machetes. They were banned as an implement of war and it was made clear to all our soldiers and commanders that any found guilty of these atrocities would be severely dealt with. The RUF has been fighting a war to protect people, not to destroy them. If any civilians were mutilated during the January offensive, they were not mutilated by the RUF. There were many other groups involved in the conflict during the time of occupation and all of them the Civilian Defense Forces, The Kamajors, ECOMOG, and vigilante groups should be investigated." About the use of human shields and reports of rape, he said, "we unreservedly deny the use of human shields. This is clearly against our war policy and our commanders are well aware of this. Rape is clearly against the RUF penal code and in the past men found guilty of this have been severely dealt with.

In response to the allegations of atrocities committed in the last eight years of war, Golley said that in March 1999 the RUF asked the government of Sierra Leone to provide them with detailed allegations of such atrocities and set up "an independent commission made up of three RUF military personnel and three civilians to investigate various allegations of atrocities." Golley clarified, however, that, "the fact that we've set up a commission is not an admission of guilt, because as far as we're concerned we are not guilty of having committed atrocities against the people; rather it is in response to these persistent allegations."[13]

Massacres, Individual Murders, and Fire-Related Deaths

Human Rights Watch took testimonies from scores of survivors and witnesses to individual murders, group killings, and massacres. These killings began on the first day of the offensive and continued through the day the rebels abandoned the easternmost suburbs.

James Kajue and his family

In the early morning hours of January 6, as they were attempting to flee their home in the eastern suburb of Wellington, James Kajue and his family were stopped by advancing rebels and marched to a nearby side street. After being asked for money, a rebel opened fire on them, wounding both James and his wife Victoria and killing six of their children and their only grandson. One daughter, Frida, survived. James recounted what happened:

> We went to bed on the night of January 5 and left the children watching videos. Around midnight I woke up and heard gunshots coming very close. I didn't hear any shelling from ECOMOG so I figured the rebels were on their way. I called a few friends who live further east and when they didn't answer I said, Victoria, let's get out of here. So we put all the kids in the station wagon and left.
>
> As we drove down the main highway there were thousands of people on the roads and when we'd gone a few more miles the cars were stopped. At that moment someone lit a flare illuminating the area and when I looked back I saw that mixed in with the civilians were hundreds of rebel soldiers. It was then I realized the rebels were among us.
>
> There was a lot of gunfire so I told everyone to stay in the car and crouch down. I thought it was safer. Scores of rebels passed by without seeing us but then an eight-year-old rebel with an RPG[14] and who was small enough to see through the window noticed us and alerted the others.
>
> One of them ordered us out of the car and said, you people have been deceived by ECOMOG, why are you fleeing towards them, we're your brothers. Victoria tried to calm him and told him we just wanted to go to someplace safe. He then walked us up a side street a few hundred yards away and told us to sit down. He wanted money so Victoria reached into her bag and gave him some. He said it was too little and as we were about to offer him more I noticed three or four more rebels moving up the road.
>
> As they approached I heard them shouting, ASLA on the move...you thought we'd gone but we've come back. As one of them was approaching, I heard him say Awhy are you wasting time with these civilians...they've been supporting Tejan Kabbah and ECOMOG. We must teach them a lesson. I think we should just fire [kill] them.
>
> And as soon as he said this, he swung around the AK-47, cocked it and opened fire on my family. It wasn't even one minute from the time he walked up to the time he opened up on us. And then I heard one of them saying, Awhy did you have to do it but the one who did it, who by that time was walking around to check if we were all dead, pulled Frida, who was alive, by the hair and said, see, they're not all dead. And then he got to me and said, I'll just pick up Pa's watch. I was hit on the hand which was resting on my chest so there was a lot of blood. I pretended to be dead so he just ripped off my watch and walked off with the others.
>
> And then the roll call I couldn't do it. Victoria had to do it. Patrick, CiCi, Mary all died instantly. Ester was dying. At that moment only Frida replied. She was wounded but not gravely. There was a lot of gunfire so I got up and said, I'm going for shelter...can anyone who can walk just please, please follow me.
>
> Victoria took my two year-old grandson who was crying and fatally wounded. We later dragged David who'd been hit in the spine and couldn't walk. And I could hear James calling, I'm stuck against this wall and can't move. By now rebels were passing and we couldn't go to him. Later we thought that he must've been hit in the spine and to him it must've felt like he was pinned against a wall. He only called a few times more and then fell silent.
>
> Little Hassan died a few hours later; he was hit three times. And David, the last time I spoke to him I said, can you promise me, promise me you'll survive this thing and he said, Dad I promise you but he couldn't. He died later that day.

> He [the rebel] came from nowhere. I didn't have time. I would've stood up and offered myself in place of the kids. They didn't ask us any questions. If they were to accuse anyone it should've been me. I would have given myself. I had some money. I would've offered it to them but the one who killed us didn't come for money he came to destroy our lives. He just opened up on my family without saying anything.[15]

Several attacks and massacres were perpetrated against civilians seeking refuge within churches, mosques, and hospitals. These included the January 18 attack on the Kissy Mental Hospital in which some sixteen men were executed and six women attacked with machetes, the January 19 attack on the Brotherhood of the Cross and Star Church in Wellington in which twelve people, including at least three children, were taken out and executed, and the January 22 massacre within the Rogbalan Mosque in Kissy in which sixty-six people were gunned down.

Ibrahim

According to numerous survivors interviewed by Human Rights Watch, the massacre within the Rogbalan Mosque was an organized, premeditated operation involving two groups of rebels and lasting approximately forty-five minutes. Several survivors described how, a few days prior, rebels had given warning that a massacre was going to be committed. Ibrahim, forty-eight, described what he saw as he was hiding and how he later counted the dead:

> The mosque was packed full of both Muslims and Christians. The rebels had been coming in and out of the mosque; abducting young girls and harassing us, but things were getting so bad outside we thought it was still safer than in our houses. That day at around 10:00 a.m. I was inside the mosque when I saw at least four rebels burst into the courtyard. One of them had a gun, one had a pistol and two others, including a ten-year-old, had knives and machetes. They were all wearing black pants and black T-shirts.
>
> A sixteen-year-old boy sitting on the steps tried to warn the others that the rebels were coming so when they entered the courtyard, the first thing they did was tell the boy to open his mouth and then the one with the AK put his gun into his mouth and shot him through the head.
>
> Once inside, the one with the pistol started asking everyone for money. In the meantime, two of the other rebels, including the ten year old, moved to block the doors. Then, as the pistol man was walking around pointing his gun and robbing people, a few of the others started arguing over whether to burn us alive in the mosque or shoot us. One of the rebels then walked around the mosque sprinkling petrol on people and I heard one of them say, you bastard civilians; you don't like us and we don't like you. Finally, one of the others raised his machete and screamed, Our mission is to kill you and cut your hands. People then started screaming and begging and the one with the rifle just started firing.
>
> The mosque was very crowded. It was very confusing and people were running and trying to escape but the ten-year-old was standing by one of the doors and I saw him stab people as they tried to run past him. Sometimes the executioner would aim directly at one person and other times he'd just fire randomly. Then he walked back to the women's section and opened up on the people gathered there. Then he positioned himself in the passage leading out of the mosque and started picking people off as they tried to escape. It was here he killed a lot of people. His was the only way out, so as people made a run for it, he would shoot them.
>
> Some fifteen or so minutes into the thing, another group of rebels arrived to reinforce. They surrounded the place and several of them came around and hit the little Islamic school we have in the back. I think many of the children who died in the massacre were back there. Then at some point a whistle blew and the rebels rushed around searching for things to steal from the dead. And then left.
>
> Somehow a lot of people including myself managed to escape. I was hiding under a mattress in the courtyard and all I could think about was my daughter who was inside when the firing

started. I prayed she was able to escape. After I was sure the rebels had gone, I crept out and started looking for her. That's how I came to know how many were killed. I went through the mosque, the women's section, the school, the courtyard, and the street looking for my daughter. I thank god I didn't find her among the dead. But I counted sixty-six bodies including seven little children.[16]

Adama

During the fighting and rebel occupation, civilians tended to concentrate in the larger or more fortified houses of their neighbors, friends, and family. Such concentrations of people often fell victim to brutal rebel attacks in which large numbers of civilians would be killed. Sometimes the men would be targeted and other times no one would be spared. The houses were frequently set on fire with the wounded civilians still inside.

Adama, sixteen, was hiding in a closet with her two small cousins on January 21, while rebels walked room to room killing seventeen men, women, and children including several relatives. The house was later set on fire with one blind man and at least three of the wounded still inside. She recounted:

> At around 7:30 a.m. when we were just sitting down to breakfast, two rebels came into the compound and told everyone to get inside the house. They started screaming obscenities and then one of them said, we're going to kill all of you so we all ran upstairs.
>
> I hid with my two little cousins but I could see everything. As they were coming up the stairs I heard them shoot two men who'd sought refuge in our house. Then they came into our apartment and my sister's husband Mani started to plead saying, please, I beg you, if it's money you want I'll give it to you but they said, we don't want money, we said we've come to kill you. Then they shot him in the chest. Then they turned on Mani's brother Tejan who was holding his nine-month-old baby. They shot him and he fell with the baby in his arms. Then they fired a friend of Tejan's. They said nothing, nothing, asked them nothing. The same rebel dressed in blue jeans and a white T-shirt and with dreadlocks was doing all the killing.
>
> When they'd finished in the parlor they went to the bedroom which I could still see from where I was. My sister Fatmata was on the bed with my three year old cousin Sia. They shot my sister two times, and then shot little Sia. Then I heard my twelve-year-old cousin Sahr scream, Amama, have you left me, and then they shot him. Then they shot a ten-year-old neighbor boy on the foot, then our friend Mr. Koroma and a fifteen-year-old neighbor named Aminata.
>
> Then they went to the next room. I couldn't see what happened but I heard three gunshots and later saw the bodies of three of our neighbors. There was a blind man who lived in that apartment with his seven-year-old boy. The blind man was the only one they didn't shoot and as they left the room I heard them say, now, you be sure and take care good care of all these people.
>
> When they were in the third room, my little eight-year-old cousin crept out from behind the wardrobe and went to her father. She was crying and she stood in front of him and bowed down. He was dead and her uncle Tejan who was still alive said, he's left us now...quick, you go hide. But, then she went to her mom and did the same thing. I think she was saying good-bye to them. Then I called her back to me.
>
> By this time we could smell smoke coming from downstairs. I guess the other rebels had set fire to the downstairs. The one who did the killing then sprayed petrol throughout our apartment and lit it on fire. Then I heard them go outside.
>
> By now there was a lot of smoke so I grabbed my cousins, went down the stairs and tried to leave but the rebels saw us. They told me to give them my cousins but I refused so two of them pointed their guns at me and said, so it's there you're going to die get back into that house and burn. They then closed the door from outside and leaned on it so I couldn't escape.

I waited for several more minutes until I just couldn't stand it anymore and then tried the door again and this time managed to escape. By now the fire was really blazing. We could hear the screams of people upstairs and from the outside we could see the seven-year-old son of the blind man from the window, but his father was crying and he didn't want to leave him. We convinced him to jump by saying we'd rescue his father in a few minutes. We knew it wouldn't be possible but otherwise the boy wouldn't have come. The blind man and the others were burned alive. They kept crying but there was just nothing we could do.

The second rebel told the bad one at least twice to stop the killing but the bad one said he'd kill him as well if he said anything else. I just don't know why he behaved that way. In a quiet moment I feel it too much.[17]

Abdul

Abdul, twenty-eight, and his brother had sought refugee from the fighting in a large house in the business district of Freetown. He described how the rebels targeted only the men, leaving nine dead.

We'd been up fleeing all night and were so tired so we sought refugee with about fifty people within a fenced compound which we thought would be safe. At around 7:00 a.m. a group of seven rebels dressed in full military uniform stormed in. Once of them said, we're SLA soldiers. We've been gone for nine months but today we've come back.

Then they started pointing their guns at us and screaming for us to give them money. A few minutes later the one who seemed like he was their commander said, let's don't waste time, spray them all, at which point another rebel started shooting us one by one. The gunman was only two yards away from us. They shot my seventeen-year-old brother Isa and two of my friends. We begged them to spare us, we begged them to stop.

He shot us deliberately, one after the other and only picking out the men. They said we didn't support them and after shooting us said, now you see we're back if you people want us or not. I was so afraid to even look at them. It happened so fast; they were only there for five minutes.

Our brothers have done such a bad thing to us. What did we ever do to them? We know nothing of their rebel ways. That day I just looked around me and started to cry.[18]

Agnes

Victims and witnesses describe the rebels purposefully attempting to terrorize the civilian population by forcing them to watch atrocities being committed. They would then admonish them to behave or meet a similar fate. Civilians acting out of line by trying to escape or protect a family member were often killed in front of their family.

Agnes, twenty-five, together with her family and neighbors, was lined up and forced to watch the brutal execution of three neighbors on January 9. She recounted:

They [the rebels] ordered us out of our houses and then assigned a small rebel unit of six or eight to guard over each group of twenty or so civilians. It was very organized. They lined my family up with about twenty of my neighbors in a single file line on the street. They kept us standing for over one hour while they insulted us and others ransacked our houses. They got drunk on the alcohol we had left over from the Christmas holidays.

Then, a few rebels called the first three civilians standing in the line; from the left. They were two men and one woman. They moved them about fifteen feet away and just opened up on them. They must have fired at least twenty shots into them. One of the rebels then turned to us and said, you've seen the example now if any of you dare move we'll do the same to you. And then we had to stand perfectly still for another one and one-half hours while our neighbors were lying dead on the street.[19]

Memunatu

Before commencing an attack on a compound, the rebels would frequently assemble everyone together and then select the ones they wanted to abduct. Most often those chosen for abduction were young girls, and boys of fighting age. Abductees were led away either before the attack began or after having to witness family members be killed.

Memunatu, twenty-one, was one of eight young women abducted from their compound on January 23, immediately after the execution of seven family members. She recounted:

> I looked up and saw four rebels coming into the compound. Only one had a gun and the others were armed with axes and machetes. We were over forty in the compound and those that weren't able to escape were gathered together and told to sit down right outside the verandah. A few of us started singing, we want peace but one of the rebels said, you shut your mouths. You're all hypocrites.
>
> They [the rebels] then picked out eight of us young girls and one seventeen-year-old neighbor boy. They ordered us to get up and stand to one side. And then the one they called ACO Blood started the killing. He used a single barrel shotgun. He shot Alusine first, and then Hannah and Saphiatu who was nine months pregnant. Then they ran out of ammunition and set upon the rest with machetes and axes. They hit them on the neck and head. As we stood off in the corner we were begging them to stop but they kept insisting they'd leave no one alive.
>
> And then they forced us to go. We left our families bleeding and never knew who lived and who died. I was with them [the rebels] for eight days and when I finally escaped I found out that eight of my family and friends had been killed. In fact it was seven but because Saphiatu's baby was ready to be born, we count it as eight.[20]

Hasanatu

Hasanatu, eighteen, and several female members of her family were attacked by the rebels as they were attempting to flee the eastern suburb of Wellington on January 23. She described how six family members were abducted before the remainder were lined up and shot. She said:

> The night before they'd burned our house so we decided the men should hide in the swamp and the women and children should try to hide in an abandoned house. So we left the men and the twelve of us took off down the road, but just as we were leaving our compound we were confronted by two rebels who asked us where we were going.
>
> We told him we were looking for a safer place. They ordered us to sit down and after looking us over picked out five young women and one ten-year-old boy. They were all my cousins. Then they pushed them and ordered them to go to the bush.
>
> The rest of us begged for our lives and then two of them started arguing over whether to kill us or not. I guess they decided because a few minutes later they ordered an old woman, a neighbor of ours, to stand up and as she did, they shot her. Then they told the rest of us to stand up and proceeded to shoot every one of us including my cousins Ramatu [four] and Jenneh [ten].
>
> When they shot me in the shoulder I pretended I was dead. From the blood it looked like they'd got me in the heart. A few minutes later I heard the other rebels returning with all my cousins who'd been abducted who burst into tears when they saw all of us lying there. Then they [the rebels] said sarcastically are you related to any of these because if you are we've just finished them off. [21]

Burning Alive

There were frequent accounts of the particularly sadistic practice of burning people alive. Children and the elderly seemed to be particularly vulnerable. There were a few documented cases of children being thrown into burning fires and many accounts of elderly people being left behind in a burning house as their children and grandchildren were forced to flee in haste. The pleas by other family members to retrieve their children

or elderly parents were most often met with threats of death. S766

One witness described an incident in which a thirteen-year-old boy who was accused of having washed the clothes and shined the boots of ECOMOG soldiers at a checkpoint was later recognized by one of the rebels and thrown into a burning fire in the business district. Another incident involved a businessman who was forced at gunpoint into his Mercedes Benz and burned alive.

Maria

Maria, a fifty-three year old retired nurse, suffered third degree burns and a fractured femur after jumping from the second story of the house in which her daughter and mother were burned alive. She recounted:

> In the early evening a group of about twenty rebels came near the house. As usual I sent my seventeen-year-old son to hide out back, and my five-year-old adopted daughter Titi upstairs to be with my elderly mother while I dealt with them. They [the rebels] asked for water so I got several gallons and gave them all as much as they wanted.
>
> I remember climbing the stairs and thanking God that this large group had left without doing anything to us. But just a few minutes later, another group came. The commander introduced himself as Captain Blood and started demanding that I hand over my daughters. I explained that I only have three sons but he accused me of lying.
>
> As I tried to convince him, he grabbed my kerosene lamp and proceeded to douse the sofa and set it alight. I begged him not to burn my house but he continued and pushed me towards the stairs, continuing to sprinkle kerosene as we went. The other two rebels guarded the entrances so no one could escape.
>
> Then he pushed me into my mother's room where she was lying in bed with Titi curled up, crying beside her. No sooner had he entered the room than he began pouring kerosene over the bed and said to my mother, mommy, it's enough for you, now it's time for you to die. He then tossed a match on the bed which went up in flames and pushed me out the door and into the next room. I heard them screaming but I couldn't do anything.
>
> He then doused the bed in that room, threw in a match and quickly left the room. As I tried to follow him he pushed me violently and I crashed onto the burning bed and cut my head on the bedboard. I got up with my leg burning and tried to leave but Captain Blood was leaning against the door and shouting, it's time for you to die, you're going to die there.
>
> I fell down on the floor with flames beginning to engulf the room and felt my chest tightening. I was bleeding from my head, my chest was filling up with smoke, my leg burning and I thought, Titi is dead, my mother is dead. God, do you want me to die here? Is it here I'm going to meet my maker? And, I just said no. I said no. I got up; burning my hand as I opened that door I rushed to the balcony where I saw a neighbor watching. I jumped from the second story of my house and felt my leg crack as I landed. I was dragged into the bushes where I waited with my other neighbors for the rebels to pass.[22]

Ibrahim

Ibrahim, fifty-five, described how two of his nieces were burned alive as their father begged to remove them before the rebels set their house on fire:

> At around midnight, I was woken up by the sound of screaming and shouting near my cousins house. I saw four rebels standing outside his house. They screamed for him to open the door and then fired one shot after which everyone scattered, running out the back door into the bush. The rebels then started pouring kerosene on the house but in the meantime my cousin ran back and started screaming frantically, Amy two children are still inside; my four-and six-year-olds are sleeping. I want to take my children! to which the rebel replied, >If you dare enter I will kill you. By this time the house had taken fire. My cousin insisted again but the rebel became more

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aggressive, like he was going to shoot him so he had to run away.

When he ran into the bush the first time his arms were full with his other children. He didn't mean to leave them. None of us ever thought the rebels would do something like that.[23]

The Use of Games to Maximize Terror

Atrocities were sometimes perpetrated within the context of games, in which the element of terror was maximized through the use of deception or teasing. Victims were sometimes given a choice as to how they wanted to be killed gunshot, machete, or burned alive, or were forced to listen to the rebels arguing over what atrocity to commit against them. Utilizing an old tactic they'd employed in past offensives, the rebels dressed up in ECOMOG uniforms, trying to illicit a favorable reaction, and would then catch the civilians who would later be punished.

After setting a house on fire, the rebels were witnessed positioning themselves near the entrances and then shooting at civilians as they tried to escape. Similarly, after killing civilians, the rebels were witnessed laying ambushes around the corpses, waiting for their relatives to retrieve them. There were numerous accounts of rebels who promised not to kill, rape or abduct an individual if the family would raise a given sum of money, but, upon receipt of the money, would commit the atrocity anyway.

Agnes

Agnes, twenty, witnessed the killing of at least twenty people on January 15 after rebels dressed as ECOMOG soldiers and, imitating a Nigerian accent, trapped a group of civilians who had come out on the street to celebrate what they thought was the arrival of ECOMOG forces. She recounted:

I was sitting in my house when I saw a group of about ten ECOMOG, or what I thought were ECOMOG, soldiers coming down the street. They were accompanied by a few women who were singing and dancing and saying, AECOMOG has liberated us! It's over! Come out of your houses! And then speaking with an accent like an Oga man [Nigerian] the soldiers said, where are the RUF rebels, where are the SLA soldiers? We've come to liberate you from those people.

As they moved down the street they collected more and more civilians who said, Atanke, tanke [thank you], we're so tired of these people. We're happy you've come. You don't know how we've suffered, and so on. The women accompanying the rebels clapped their hands and got the rest of them dancing and when they'd [the rebels] collected about thirty or so people, just started to laugh. And, a few moments later said, oh, we see, so it's ECOMOG you want. We've really caught you now.

The civilians started begging for forgiveness but the rebels, who had them surrounded by now, ordered them to lie on the ground and shot them one by one in the head and chest. There were men, women, and even a few children killed. I saw the rebels change the clips on their pistols until all of them were dead. I was watching this all from my window. Even if it had been ECOMOG, I wasn't in the mood to celebrate anything.[24]

Francis

Francis, thirty-six, was inside the unfinished Bashariah Mosque with scores of other civilians when a small boy waved a white flag at a patrol of what he thought were ECOMOG soldiers. The mosque was soon after attacked by rebel gunfire and rocket propelled grenades. He explained:

A friend of ours who'd escaped from the rebels told us that they had ECOMOG uniforms. So that day in the mosque when we saw a patrol of soldiers in ECOMOG uniforms we didn't welcome them; we kept silent. But there was a boy who hadn't been warned and before we could stop him he was waving a white cloth out the window.

They [the rebels] started shooting immediately and just a few minutes later we heard the first crash of what I think was an RPG [rocket propelled grenade]. The first one killed a boy named Mohamed. Then a minute later as we were trying to get down the stairs, the second one hit right

near us, this time killing two children. Another boy died later.[25] 5768

Kaima

As Kaima, forty, was lying on the grounds of the Kissy Mental Hospital after having been hacked on the legs by the rebels, she watched as they shot at civilians trying to retrieve their dead and dying who'd been gunned down some hours earlier. She explained:

> We saw hundreds of them [the rebels] coming down from the hill behind Mental [the mental hospital]. We tried to run but they caught about twenty-five of us. They separated the men from the women and then right there on the grounds, lined up the men and shot them. I was attacked by machetes later on and as I lay there wounded throughout the night I counted them; there were sixteen and they shot them all. I don't know if all of them died.
>
> Then over the next several hours, their wives and families who had run into the bushes came back and tried to see about their people. I guess they wanted to take their bodies and maybe even save the few that might have still been alive. But when the rebels saw the women, they took up position and shot at them as they crept out to get their people. It was hard to see if any of them [the relatives] were wounded but after the first few times none of them came back to fetch their men.[26]

Alusine

Alusine, thirty-nine, a civil servant, described the hours of terror he spent with his family as they were rounded up with other civilians, divided up to be held in rooms which they were told would each have different hours for execution. He explained:

> At around 7:30 p.m., a group of seven of them [rebels] rounded us up from our houses and walked us down to a big house on Kissy Bypass Road. We were about 200 and when we arrived, the commander divided us into groups of about sixty and then explained how he planned to kill us all. He said the first group was the 9:00 room, the second group, that was ours, the 10:00 room and the last group the 11:00 room. At 9:00 p.m. sharp he was going to kill all of those in the first room, 10:00 p.m. he was going to kill us and so on. Then they led us into the rooms.
>
> So sure enough at just 9:00 p.m. we heard them open the door of the room right next to us, the 9:00 p.m. room, and started shooting. I couldn't see but I heard people running and screaming don't! It's the end of my life! They've killed my wife! They've taken my girl! and like that. The shooting went on for about ten minutes.
>
> Within our room we started crying. Muslims and Christians; we were all praying together and I started thinking of my children, my mother, how I hadn't yet helped my parents, how I hadn't really enjoyed my education.
>
> At 10:00 p.m. sharp they came to our door but we'd locked it from the inside. They threatened to burn us alive so we decided to open the door thinking that at least some of us might be able to escape. When they opened the door the heat that hit them was so intense they said, what kind of hell is that and then ordered us out on the street for execution.
>
> As we were taken outside, another commander happened to pass by and when he saw what was happening ordered there to be no more killing. The commander apologized, saying they were RUF rag-tag boys. The next morning we buried four bodies from the 9:00 o'clock room and we heard many, many were taken away wounded.[27]

Alpha

Alpha, thirty-five, described how from his hiding place he saw a group of rebels gather up twenty-four civilians, put them in a room, set it ablaze and then position themselves so as to be able to shoot them as they ran out:

As the killing was happening upstairs, the rebels gathered twenty-four of our neighbors who'd sought refuge in our house and put them under gunpoint in the back room. When the one called Dave came downstairs after having killed everyone, he asked for a lantern and said, I'm not going to waste my bullets on these people let me set this place alight. In fact, they'd already set the upstairs and part of the downstairs on fire.

Then he sprayed kerosene on the civilians, closed the door and as he was leaning on it told them that those who paid 1,000 leones [U.S.50 cents] each to the rebel waiting at the window, would be set free. The civilians then started handing out the 1,000 leones to a few rebels waiting there. One girl came to the window and begged, saying she didn't have any money and the rebel collecting the money shot her in the face.

Then, as the fire was really blazing, the rebels, announced they were leaving but instead positioned themselves around the back door with their guns pointed at the only exit and waited. However, the fire was too intense and those trapped inside were no longer able to move through the hall to get to the back door. By that time the people were really screaming and choking for air at the window. After about ten minutes the rebels finally left, thinking the people would burn to death, and my friend and I rushed to find an axe and break through the bars of the window and let everyone out.[28]

Targeting of Particular Groups

Nigerians, policemen, and journalists were those most directly targeted by the rebels during the January offensive. Foreign missionaries, members of the government and civil servants, human rights activists, successful business people, Lebanese and Indian nationals, and those vocal in their opposition to the AFRC junta during its nine month rule were also targeted, but to a lesser extent. A few witnesses saw rebels with lists of such people. Others were targeted by individual combatants settling old personal and political vendettas.

While there were many prominent members of society killed by the rebels, it is difficult to say to what extent they were targeted because of their position or simply because they were caught up in the wave of violence. There does not appear to be any ethnic element involved in the choice of victims.

Nigerians

Nigerian nationals, most of whom are traders and business people in Sierra Leone, and some of whom are long time Sierra Leone residents, suffered considerably during the January offensive. The Nigerian High Commission registered the deaths of sixty-three Nigerian nationals and evacuated two victims of arm amputation. Nearly all of the victims were men. Their houses and business were burned and the Nigerian High Commission was looted and set on fire.[29]

Nigeria has shown significant support for the government of Sierra Leone both militarily and politically. Nigerian troops make up the bulk of the 14,000 strong ECOMOG force, and Nigerian general Maxwell Khobe was last year seconded to the Sierra Leone army as chief of defense staff.

Nigerians were hunted down in their hiding places and murdered in particularly brutal and sadistic ways. Their attackers frequently accused them of actively spying for and supporting ECOMOG, and of supporting President Tejan Kabbah's government. Sierra Leonean civilians who were married to, associated with, or happened to be in the same place as a Nigerian national who came under attack, were also frequently targeted.

Abdul

Abdul, forty-six, witnessed the double amputation of limbs of two Nigerian businessmen and one Cameroonian, on January 21 in Kissy. One of the Nigerians and the Cameroonian were later killed. He recounted:

A big group of rebels rounded up about fifty of us and brought us to Leadenhall Street where they separated us and made us form two lines; men on one side, women and children on the

other. Then they went around inspecting each one of us. Among us were two Nigerians; Mr. Ben and Mr. Ben's brother, and one man from Cameroon.

One of the rebels quickly noticed Mr. Ben's wedding ring; he was married to a woman named Zainab who was standing in the women's line. The rebel told Mr. Ben he had a really nice ring and asked him his name but Mr. Ben didn't answer him. I think he was afraid to talk for fear they'd find out he was a Nigerian. The commander asked the rest of us if he was a deaf-mute but none of us said anything.

He then started threatening us and said, We know there're Nigerians among you.Y Tell us who they are or you all die. We don't want them in our country and we will kill them all. Some of them [the rebels] sprinkled petrol on us and threatened to set us on fire.

Finally Ben told the commander that he was married to a Sierra Leonean and his wife Zainab stood up and said, He is my husband but he is a businessman. I can show you the papers to prove it. The rebel responded that he didn't want to see any papers and as they pulled Mr. Ben out of the line, several of the rebels started arguing over whether to kill him, amputate his hands or set him on fire.

When they'd decided to cut off his hands Mr. Ben started pleading saying he was a businessman, and shouted, I beg you don't cut my hand, Oh Jesus, Jesus. Then the axe man said, If Jesus himself comes here I'll amputate his hand as well. Then they ordered him at gunpoint to put his right hand face up on a table and they hacked it off with an axe. And then his left hand. The rebel then put his hands in Ben's blood and walked over to his wife, who was sobbing, and smeared it on her face. He told her if she continued crying he'd kill her.

As this was happening Ben's brother started yelling, God what have you done to my brother. So they pulled him out and cut off his two hands as well. Then they pulled out the third one who started screaming that he wasn't a Nigerian, but was from Cameroon, but they cut off his hands as well. Then they sprinkled more petrol on Ben's brother, I think he even had tribal markings, and set him on fire. His hands were hanging off his arms and he was on fire screaming please don't kill me. They let him burn for five minutes before a commander let some us put the fire out with dust.

Several of the rebels were dancing around the three of them saying, now you go tell ECOMOG about your problem. A few days later in the hospital I saw Zainab and Ben's brother. That's how I found out Mr. Ben had been killed.[30]

Hawa

Hawa, forty-three, a nurse in Good Shepherd Hospital in Wellington, described how on January 18 a Nigerian businessman who had several days earlier been admitted with a gunshot wound was dragged out of his hospital bed and killed by a group of rebels.

On January 8, a thirty-five-year-old Nigerian businessman named Joseph was brought to me by passers-by who'd found him in Wellington. He'd been shot three times by the rebels. I admitted him and put him upstairs because I thought it would be safer.

On January 18 I heard a large commotion and then a group of fifteen rebels stormed my hospital, put a gun to my head and demanded I show them the ECOMOG lieutenant colonel you have hidden here. I told them I had no such person but in the meantime another ten of them, who'd run upstairs, found Joseph and proceeded to drag him down the stairs and out the door. As they passed me I heard him saying, Jesus have mercy upon your servant, Jesus have mercy upon your servant.

When they had him outside another ten rebels dragged him half a block up, surrounded him, beat him and proceeded to cut off both his arms, both his legs, his ears, cut his throat and then

shoot him several times. They never asked Joseph to identify himself. It was so brutal the way they killed him. They danced around his body and those who weren't doing the killing were cheering. They continued to threaten me for having harbored a Nigerian and a day later I had to close my hospital and flee.[31]

Gbassay

Gbassay, fourteen, described the January 19 killing of twelve people, including two Nigerians, who had sought refuge within the Brotherhood of the Cross and Star Church in Wellington. Among the dead were a well-known journalist Paul Mansaray, his wife, and their three children.

> My auntie, uncle, and I went to the church that night as we'd been doing every night since the trouble began. We thought it was safer than sleeping at home. Shortly after arriving, five rebels with a lot of guns entered and said, we know you people are hiding ECOMOG soldiers in here. I could see a few other people outside the door and we later thought they were probably collaborators who'd told the rebels about the two Nigerians.
>
> They started harassing us and asking for money so one of us said, we just pray for you people, that you succeed in your mission. Many of the others were just pleading to be left alone. The rebels noticed that the Nigerians weren't talking and so eventually discovered their nationality.
>
> They then ordered us all outside the church but in the confusion and panic twelve of us got away. From where I was I could see them being walked at gunpoint with all the rebels pointing their guns at them and shouting, captured live, captured live.
>
> Around this time a second group of rebels arrived and asked the others who the civilians were to which they answered, These people are harboring Nigerians. The two groups started arguing over whether to just kill the Nigerians or to kill everyone. Then a few rebels ordered all twelve of them to lie face down on the ground and they started firing. The journalist tried to run with two of his children but they gunned them all down a few feet away.[32]

Police Officers

According to officials at the Sierra Leone Police Headquarters, eighty-five police officers, including two women, were killed during the January 6 rebel incursion.[33] Many officers were killed while on duty and within the police stations, which came under heavy attack by the rebels. Sierra Leonean police, except the Special Security Division (SSD) are traditionally unarmed, and since the February 1998 ECOMOG intervention to oust the AFRC Junta, even the SSD have not been allowed to carry weapons.[34]

Police officers interviewed believed they were targeted because they were seen by the ex-Sierra Leonean army members of the RUF as being traitors for not having fled with them when driven out of Freetown by ECOMOG forces in February 1998 and for their role in investigating and preparing the cases against the twenty-four AFRC junta members accused of treason and later executed in October 1998.

Police officers described being hunted by rebel forces and having their family members harassed and sometimes killed. Because of the past relationship under the AFRC junta, they were well known and recognized by the ex-SLA members of the rebel army.

Abu

Abu, fifty, described how he was wounded in an attempt to execute him, specifically because he was a police officer:

> On Wednesday morning I found out that Mr. D. of the SSD had been killed by the rebels as they advanced through Calaba Town. His wife described how the rebels knocked on his door as they passed and started screaming he's an SSD man and then stabbed him to death with knives. I started getting really worried.
>
> We fled to another house but in the meantime a commander calling himself Major S. took over

my house, found out where I'd fled to and sent four other rebels to bring me to him. When I arrived the major told me he'd found police ID papers and announced that he'd made a vow to himself to kill any policeman or woman he encounters because, the police betrayed us and joined ECOMOG. He said, I don't mercy police officers. Then he ordered the other rebel boys to tie and beat me. Several of them gave me a severe beating in the face and abdomen and tied me with a wire. Major S. just sat there watching the whole thing and I noticed he was wearing a watch that had been given to me as a gift and that I only saved for special occasions.

Then he put me in the corner of my house. He threw me on the ground so I was sitting, tied on the ground about a yard from Major S. and he said, you think we should remain in the bush don't you, but the bush is made for animals. It was between 5:45 and 5:50 p.m.

I started to beg and told him but life is so very precious. Please, please don't kill me. I've been in the force for over thirty-four years and I'm not meant to die like this. When peace comes wouldn't you too want a government job?

Then Major S. pointed a pistol at me and said, I've killed 213 people and you're going to make number 214. And then he shot me in the face. I fell down and put my tied hands in front of my face but he shot me again.

I didn't know if I was in the world again until God woke me up late that night and I saw myself in a gutter. I had blood all over me and I felt my face to be huge. I dragged myself for some meters and hid until I was out of the road because there were still rebels around. When I felt it was safe I got myself to an ECOMOG checkpoint. As they were taking me to the hospital I saw so many corpses along that road. There must have been two hundred.[35]

Journalists

According to local journalists, seven Sierra Leonean and one United States citizen reporter were killed by rebel forces during the January 6 rebel offensive. There were also three journalists abducted, one of whom has since been released. One journalist had one of his eyes gouged out with a knife and many journalists suffered significant personal property damage and loss. The building housing two newspapers, the *Concord Times* and the *Standard Times*, was looted and later burned. Many journalists who went into hiding were later told that groups of rebels had come to their residences asking for them and demanding their capture.

While the atrocities committed against a few journalists resulted from arbitrary acts of violence, there is clear evidence to suggest that journalists were indeed sought after and targeted. Members of the independent press in Sierra Leonean have traditionally been vocal opponents of past military regimes, and have often worked in a climate of repression. The nine month rule of the AFRC/RUF Junta was no exception. Many pro-democracy newspapers continued to publish and were highly critical of the Junta, thus becoming deeply unpopular with them.

When the RUF returned to Freetown in January, they had the names of and sought after many of the individual journalists and publishers who had in the past written unfavorably of them. The relatives of Phillip Neville, the managing editor of the pro-democracy *Standard Times* described how rebels came to his home in Kissy with a list of opponents, which included the names of Phillip and several other journalists. According to the relatives, the rebels showed them the list and said, we've come to teach him a lesson. He's been writing negative things about us. We remember. [36]

Mustapha Sesay

Mustapha Sesay, twenty-nine, was captured as he was fleeing the fighting in the Eastern suburb of Calaba town. After a brief trial he was accused of being a journalist and sentenced to death. He was able to escape but in the process had his right eye gouged out. He recounted:

On January 21 I saw a huge group of what looked like 5,000 civilians moving down the hills. We thought they were fleeing the rebels so my cousin and I, who had heard they [the rebels]

had started chopping hands, thought we'd better flee with them.

As we were running, I was all of a sudden fished out from this group. I felt someone seize me from behind and when I looked around I saw there were two men in rag-tag dress. I never thought they were rebels and one of them said they were taking me to ECOMOG. I asked them what I'd done and then started roughing me up and stole my watch and wallet. Then they said, We know you're a journalist working for one of those pro-democracy newspapers. You're the people passing information to ECOMOG about our movements. It was then I realized I'd been captured by the rebels.

Then they grabbed me and walked me several blocks to their hide-out where I saw two other rebels. They were all armed with knives and machetes. I didn't see any guns.

One of the rebels, who I assumed to be the commander, then stood up and the two who'd brought me gave him my ID card. He studied it for a minute while I stood before him and then announced, Mustapha Sesay. Journalist. Death Sentence. Then he reached into his shirt and pulled out a machete. A few moments later as the two who'd brought me held me tightly by my shorts, and their leader was in front, I felt something hit my eye and I realized I'd been hit. They had daggers and I thought maybe that was what hit my eye.

They hit me four or five times on the head with a machete. I started fading. I was bleeding seriously and was very weak. I struggled with them for five minutes and finally fell on the ground and surrendered myself to death. But when I reached the ground I decided I had to escape. I struggled with them as they continued to strike me but eventually struggled my way out of their grip and ran for thirty meters. As I ran I could hear the commander saying, you've allowed the bastard to escape we'll shoot you if you don't stop running, but I didn't care. I preferred them killing me with a bullet to being hacked to death.[37]

Clergy Members

On January 12, Catholic Archbishop Joseph Henry Ganda, four Xavierian Fathers and six Sisters of Charity were abducted from their parish homes by RUF rebels. All but the Catholic archbishop were foreign nationals. For over ten days they were kept under the control of the RUF military police and moved from place to place. They were interrogated and a few of them, including Archbishop Ganda, suffered some form of physical abuse. As the rebels fled Kissy on January 20, Archbishop Ganda and three of the Xavierian fathers were able to escape. On January 22 while in the process of withdrawing from Freetown and fleeing into the surrounding hills, four Sisters of Charity were executed and one Italian father was shot. Since 1991, many members of the Catholic clergy, almost always foreign nationals, have been abducted or come under attack by RUF rebels.

While abducted, the church men and women, and thirteen Indian nationals working for the Shankerdas and Sons plastics factory who were abducted at around the same time, were being guarded by the RUF military police. Witnesses to the execution of the nuns and shooting of the priest described elements of the RUF arguing over whether the killing should take place. They felt the rebels' intention was to take them into the bush as hostages, and that the order to protect them had been overridden by a renegade solider or unit.

Beatrice

Beatrice, twenty, was abducted with her sister on January 21 and forced by the rebels to retreat to the hills with thousands of other abductees. On January 22 she witnessed the gunning down of seven foreigners, three Sisters or Charity, one Xavierian Priest, and three Indian factory workers. She described the killing, which took place in Allen Town:

There were thousands of us from Kissy, Wellington, and Calaba Town who'd been taken away with them [the rebels]. Among us were seven foreigners; mostly Indians but also an African Sister of Charity they said was from Kenya and a white Priest. You could tell who were the sisters because they wore that white robe with blue trim. It was in the morning and they had us all seated on a street in Allen Town. There were hundreds of rebels all around the area.

Many of the children were crying for their parents and the young women were crying and a few of them told us to shut up and that they were taking us into the bush. The rebels were drinking, laughing, and playing music. The foreigners were off to one side and we were seated about ten feet away.

There was this rebel, and he had it out for the nuns. He said his name was Colonel Foday Bah and for the last day we'd heard him threatening to kill the nuns. Another rebel named Tina Musa, she was SAJ Musa's wife,[38] kept insisting that they be left alone and they argued about it. So that morning she had to go on a mission and no sooner had she climbed the hill behind Allen town, than Foday Bay started in again on the nuns.

At around 10:00 a.m. he got out his pistol and started threatening, but seriously now. The nuns started crying and praying and we did as well, so he announced, I am Colonel Foday Bah. I'm an SLA man. We came for peace but you people don't want it. You're the ones selling out our country. In the process he was hitting the nuns and others with a stick. Another rebel told him to leave them, but Foday threatened to kill him as well.

When it became clear he was serious, the nuns started praying. And then he walked over to the black nun, and shot her with his pistol in the head. Then he shot a white man. And, then even as the others were begging and begging he shot a yellow [Asian] nun and then another yellow [Asian] one, and then the others. When he was finished he went over, removed their slippers and gave them to a few of the abductees.

When Tina came back down the hill and saw the nuns had been killed she was furious and upset. She even cried for them.[39]

The Use of Civilians as Human Shields

According to interviews with witnesses, victims, and military personnel, the RUF's incursion plan into Freetown was built around the use of a massive human shield. In the early morning hours of January 6, thousands of rebels massed near the suburb of Calaba Town some eight miles east of Freetown and began to march westward, firing rapidly into the air. This served to frighten the civilian population of the densely populated east, provoking a mass exodus of people who fled in panic towards central Freetown. The rebels, many of whom were in civilian dress, then mixed in with the crowd. Other civilians were forced at gunpoint to join in with the crowd, which was by then massive. The majority of the rebel fighters, however, remained safely behind.

Civilians described being totally confused as to what was happening and surprised to find the rebels mixed in among them. As the mass of humanity approached the first ECOMOG position, and the civilian-dressed rebels pulled out their guns, witnesses described the horror they felt as they realized they were being used as a human shield.

This surprise proved both frustrating for the ECOMOG soldiers manning their positions and deadly for the civilians being used as a human shield. ECOMOG commanders and soldiers interviewed expressed their frustration at not being able to effectively engage the enemy and respond militarily because of the heavy civilian presence. According to witnesses, many people within the human shield, particularly those near the front, died in the crossfire once rebel soldiers, who'd mixed in with the human shield, and ECOMOG soldiers manning their positions began an exchange of fire. The tactic however, proved largely effective for the rebels. As the ECOMOG soldiers were forced to withdraw, both because they were overpowered and because they could not respond effectively, thousands of RUF rebels marched into Freetown and took up positions in and around the city center.

The use of civilians to advance towards military targets was not limited to the rebel entry into Freetown. It was also used in defense against ECOMOG air power. As the rebels advanced through downtown Freetown on January 7, civilians were forced out of their homes and forbidden to take cover as an ECOMOG jet flew over and later bombed the area. According to witnesses at the scene, some thirty civilians were killed in this attack.

Towards the end of the offensive, the rebels used thousands of abductees as human shields as they made a failed assault on the hills and peaks above Freetown and as they made their withdrawal from the capital. Again, escaped abductees describe scores of civilians, mostly young women, being killed by the ECOMOG mortar and artillery bombardment that ensued.

Corporal S.

Corporal S., an ECOMOG soldier who was stationed at a checkpoint near the entrance to the city, described seeing a mass of civilians moving towards them and the confusion that followed as fighting broke out with rebels they were not able to see:

> I was stationed at [X] position with another twenty-five soldiers and about twenty Kamajors. We were on the alert because we'd been told the rebels were on their way coming from Allen Town. We lined up, weapons ready, on the street at about 1:15 a.m.. We heard a lot of noise; people shouting, civilians, children, the sound of people walking and saw what I estimated to be more than 2,000 civilians carrying things on their heads and backs. Suddenly we saw an armed man in the crowd and said, who goes there. He refused to say anything and someone fired a shot and then the whole thing started. There was so much confusion, everyone was running helter skelter, boxes were flying, people were screaming and running everywhere, and people were falling and trying to run for safety. In the end I think many civilians were killed.
>
> The rebels later withdrew but regrouped and came back at us ten or fifteen minutes later. And the civilians kept coming. They were so many and we just didn't know who was among them. It was too difficult. It wasn't possible to hold that position.[40]

Inna

Inna, fifteen, was one of several hundred civilians rounded up from their homes on January 7, and forced by the rebels to walk through the street as an ECOMOG jet flew overhead. The group was later bombed and heavy civilian casualties ensued. She recounted:

> They ordered me and my friend Ami at gunpoint to join a group of people they'd gathered from our street. A few blocks later we were met by a group of about 150 civilians who were being forced from their houses. They threatened anyone who refused to come with them.
>
> We continued walking for another thirty minutes and they [the rebels] kept picking up people along the way. It was when we got to Regent Road that we first heard the Alpha pass over.[41] Between 1:50 and 2:00 p.m. it flew over us four times. Each time it passed the rebels would run and find safety wherever they could crying, AJet cover, jet cover! and running into phone booths, towards the sidewalks, into the cathedral. A few of them fired at the plane. We knew it was a bomber but we just didn't think it would do anything to us because we were civilians. But, anyway the rebels had their guns on us the whole time; there were at least five of them around me. By this time there were about two or three hundred of us, mostly women and children.
>
> And then the jet flew over again, there were a few explosions and I was knocked completely off my feet. I think three bombs dropped but I'm not sure. Most of the rebels were running away and there was dust everywhere. People were crying and screaming and there was blood everywhere. I was desperate to find Ami but I couldn't. The rebels started screaming, you see what ECOMOG is doing; you see how they target civilians. I saw one child who'd been cut in two and so many people, maybe ten, had their limbs hanging off. I counted ten bodies but I'm sure there were more. I looked and looked for Ami and finally recognized her by her curly hair. Her belly had been split open and I think at that moment she was dying. I finally got away and rushed straight to her mom to tell her what'd happened.[42]

Victor

Victor, forty-five, was hiding in an upper floor of a downtown building as he witnessed the same bombing. He described seeing the rebels pointing their guns at civilians to stop them from taking cover. He said:

The rebels were mixing in with the civilians in the front of the crowd but there was a much heavier concentration of them at the back. I was hiding, listening to my radio on the third floor of my building and at 1:30 p.m. I heard a state announcement on 98.1 radio warning all civilians to go inside their houses because the ECOMOG jets would be searching for rebels.

So at around 1:45 p.m. I heard the jets start to pass over. By this time the crowd was making its way down Wilberforce Street. Each time the jet passed by, the rebels moved to the side of the street to search for cover. But when the civilians tried to run as well, I saw the rebels pointing their guns towards the civilians to keep them in the middle of the street.

And then it fell. I hit the floor, glass was breaking, people were screaming. And when the dust cleared about three minutes later I was able to see the carnage. They brought carts to take away the dead and wounded, and I counted about thirty bodies in the street. People were even cut in two.[43]

Saramba

Saramba, twenty, was one of hundreds of abductees who were used as a human shield in late January during one of the rebels' final attempts to attack ECOMOG positions. She described how civilians were killed as they came under heavy ECOMOG mortar and artillery bombardment near Bathurst Hill.

I was taken with my fifteen-year-old sister on January 20. My people cried but there was nothing they could do. They [the rebels] made us carry boxes and things they'd looted. As they were withdrawing through Calaba Town they were pulling lots of people from their houses.

On the morning of January 25, the commanders ordered the other rebels to take us up the hills behind Calaba town and start moving towards Bathurst Hill. There were hundreds of us. We later heard them talk of how they were going to attack Wilberforce Barracks. But, as we were climbing the hill, at around 2:00 p.m., the bombardment started. It was terrifying. There was a whistling sound and then huge explosions. It went on for three hours and I saw about thirty people, civilians like me, dead or badly hurt. The pieces of the bombs cut you. I saw one beautiful fair-skinned girl who'd been cut up so badly and died right there.

The rebels seemed to know when they were coming and knew how to take cover. They just weren't getting hit as much as we were. But of course there were a lot more of us.[44]

Christiana

Another abductee, Christiana, twenty-one, described being part of an abducted group during a rebel assault on Leicester Peak. She described seeing about one hundred corpses of people who were killed in the bombardment:

At around 10:00 p.m. on either January 28 or 29, they [the rebels] told all the abductees to start moving. There were thousands of us, mostly young women. As we walked it became clear they were headed for Leicester Peak and from there Wilberforce and it was obvious what they were using us for.

They made some of us carry water and ammunition on our heads and we walked for hours and hours. They kept getting lost and didn't seem to know where they were going.

When we arrived at Leicester Peak on around January 29, the ECOMOG gunship started shelling. I was so frightened. The bombs were coming from everywhere. They shelled us by air and from Wilberforce Barracks. It went on for hours and there was a terrible confusion. I ran and tried to take cover and people keep falling around me. People were dropping their boxes and diving for cover. There were so many dead; more than one hundred. I kept stepping on them as I was running and it seemed like most of them were the abductees. The rebels were in a panic and there was very little return fire. I ran and ran and because the rebels were fleeing, I was able to escape. That's how I was finally able to make it back to my family.[45]

The Use of Drugs by the RUF and Forced Drugging of Civilians
Most victims and witnesses describe widespread usage by the rebels of drugs, marijuana, and alcohol and believe most of the atrocities were committed while under the influence of these substances. Witnesses describe rebels self-administering drugs by cutting small incisions around their temples, cheeks, and other places on their faces in which a brown or white powder was inserted and then covered with plasters or adhesive tape. The rebels spoke of this drug as being cocaine. Others observed rebels cutting the undersides of their arms with a razor blade and injecting themselves, and of taking small blue pills.

Abductees who managed to escape reported having been forcibly injected with drugs, or being given food and drink laced with drugs. One father whose sixteen-year-old girl was abducted by the rebels saw her a few days later being led away with Athose plasters on her face and describing her behavior as drugged and out of it. One abductee asked a nine-year-old rebel about the drugs they were using and was told, it's a medicine they give us which makes us to have no respect for anybody; whatever we think to do, we just do it. Another rebel added, it gives us power and makes us fear nobody, and yet another said, It makes us feel so tall and you people [civilians] look so small.

Lynette
Lynette, sixteen, was abducted on January 21 and held by the rebels for several days during which time she was given drugs in her food, and witnessed other abductees being lined up and injected with drugs. She recounted:

> From the first day they drugged us. They showed me some powder and said it was cocaine and was called brown-brown. I saw them put it in the food and after eating I felt dizzy. I felt crazy.
>
> One day I saw a group of rebels bring out about twenty boys all abductees between fifteen and twenty years old. They had them lined up under gunpoint and one by one called them forward to be injected in their arms with a needle. The boys begged them not to use needles but the rebels said it would give them power.
>
> About twenty minutes later the boys started screaming like they were crazy and some of them even passed out. Two of the rebels instructed the boys to scream, I want kill, I want kill and gave a few of them kerosene to take with them on one of their burn house raids.[46]

Joseph
Joseph described how he was abducted and brought to State House where he and several other civilians were held at gunpoint and injected with a brown substance:

> They had me in a room in State House where they put a gun to my head and forced me to take that thing. They said, You take this so you won't feel afraid. It was a liquid and after some minutes I felt like I was flying and my head ached. It took me two weeks to get over that thing; my head felt heavy and confused. [47]

Abdul
Abdul, twenty, another abductee held at State House, described large groups of rebels being called forward to receive pills and the distribution of drugs by rebel commanders and, on a few occasions, white mercenaries. He said:

> There were hundreds of rebels in State House because it was their base. They were always drinking, smoking jamba [marijuana], sneezing a white powder, and some of them took these bright blue tablets.
>
> I was held there for three days and at least once a day one of the commanders would call people together saying, Ait's time for your medicine and give out those pills. I even saw two of the Ukrainians [white mercenaries] walking around distributing what I thought was probably cocaine from a small sugar box.[48]

Mutilation and Amputation

The practice of mutilation and, in particular, amputation of hands, arms, legs and other parts of the body was also widespread during the January RUF offensive. The rebels used axes, machetes, and knives to kill and maim hundreds of people, mostly men but also women and children.

During the month of January, Freetown's three main hospitals Connaught, Brookfield, and Netland Hospital treated ninety-seven victims of amputations resulting from attacks with axes and machetes. The majority of amputations were of the hands and arms, including twenty-six double amputations. One hospital treated over forty cases of attempted amputations, serious lacerations to the arms and legs, where medical staff were able to save the extremity or extremities.[49] In these cases medical personnel note that the damage to the nerves, tendons, muscles, and bones frequently leads to some degree of decreased functioning.[50] Wounds from lacerations to the head, neck, and other areas were also numerous.

What will never be known is the number of victims who died before being able to receive medical attention. Many people reported seeing corpses on the streets of Freetown with both hands dangling or missing. Public health workers and mortuary attendants responsible for the collection of corpses and burial within mass graves, also observed many bodies with missing limbs and lacerations.[51] The main hospitals, which were located in western Freetown and under ECOMOG control, were inaccessible to the majority of victims in the east where the vast majority of amputations took place. Unable to cross front lines, victims frequently reported going two to three days before receiving medical attention.

Lansana

Lansana, twenty-four, was one of three brothers each to have one of their hands hacked off as they were attempting to flee towards an ECOMOG position on January 18. He described how one brother died near the site of the amputation:

> The closer ECOMOG moved to our area, the more they [the rebels] started committing atrocities. At 9:00 a.m. me and my brothers Amara, seventeen, and Brima, twenty, decided to flee. We packed up a few things and then took off. About a quarter mile from our house, we rounded a bend and ran straight into a group of about fifty rebels. They argued about whether or not to kill us and then one of them said "let's send them to ECOMOG," which is their way of saying our arms should be cut.
>
> They told us to lie down in the road, face down they had their guns to our heads. The first to be cut was Brima; they cut his left hand with an axe. Then my left hand was hacked off and then Amara's right hand. They didn't ask us any questions or accuse of us anything. There was a lot of gunfire all around. The battle for the place was really on. We were all bleeding so much. Brima tried to get up a few times, but he stumbled and fell. The last time he only made it a few yards and then collapsed. He couldn't move, he fell down right there. I think he lost too much blood or just couldn't take the shock. It was so tense; the bullets were flying and me and Amara had no other choice. We had to leave our brother right there on the street.
>
> After we got out of the hospital we went back to the place where it happened. The people there told us Brima had been buried later that day in a common grave, right near where he fell.[52]

Alpha

Alpha, a victim of a machete wound to the head, described seeing two victims of limb amputations die on January 22 during the battle for the eastern suburb of Calaba Town:

> As I ran towards the ECOMOG position, blood was gushing from my head. The rebels had whacked me three times with a machete. The ECOMOGs had their guns on me but when they saw I was bleeding, I heard them say, "this man isn't a rebel; he's one of your brothers. Come and help him." They brought me to the back of a house and lay me down next to three other badly wounded civilians; a woman with a gunshot and two men with their hands cut off.
>
> One man forced me to drink water and then I passed out. When I woke up some hours later I

saw that all three of the civilians had died. I wanted to leave that place and go home. I didn't want to die there.[53]

Civilians were often mutilated in pairs or groups of up to eight, during small rebel operations in which victims were rounded up, made to form a line and their limbs amputated one after the other. Other amputations were done as punishment for having resisted the abduction of a family member or for fleeing from a rebel patrol. In other cases the rebels choose their victims randomly, frequently without asking a single question.

Ramatu
Ramatu, fifteen, and five other neighbors rounded up by the rebels, had their hands or arms amputated near the Kissy Mental Home where dozens of amputations were witnessed. She described how they hacked off her left arm:

> Ten rebels broke into our house and started demanding money. Then they ordered us outside and grouped us together with about thirty other people from the area. They held us at gunpoint in a circle, and started pointing, "you, you, you," and telling us to follow them. They didn't ask us any questions. I don't know why they chose me, or the others. We were three men and three women. A few of them were young like me.
>
> They then marched us at gunpoint to the hill near Kissy Mental. They didn't say why they were taking us but we knew. When we arrived they ordered us to lay face down and started cutting us. They dragged us, they had us get down on our knees and put our arms on a concrete slab. They had others standing over us and holding us from behind. One rebel did all the cutting. A few had both hands cut off; others just one. And then they walked away. I couldn't even bury my arm. And now I don't think I'll ever find someone to marry me.[54]

Osman
Osman, forty-two, and a neighbor had both of their hands amputated in Kissy on January 25 when they were caught hiding in the banana trees behind their house. He recounted:

> At around midnight, they [the rebels] started firing at our house and ordered us to come outside. I fled into the bush with my wife and four children. We found our neighbor and his family there and remained hiding throughout the night. Early the next morning we saw another group of rebels passing by but the neighbor's baby started to cry and gave away our position. We started running but they were too fast.
>
> They ordered me and the other man forward. They cursed and insulted us and without asking any questions pushed my friend to the ground and cut off both his hands with an axe. When they called me forward I begged them and offered them all my money. But, they did it anyway.
>
> The rebel who cut my hands had a white T-shirt with "Captain 2 Hands" written in what looked like blood. My four-year-old son was screaming, "Don't cut my papa's hand."[55]

The rebels would often single out one or two family members for amputation before massacring an entire compound, or amputate limbs of the survivors. Sometimes the men would be killed and the women attacked with machetes. The, by then mutilated, survivors were then instructed to take a verbal message to ECOMOG or members of the government.

Mani
Mani, forty-eight, watched as a commander ordered the execution of seven civilians and then singled him out for amputation on January 21. He said:

> A group of thirteen rebels came to my house, poured kerosene on the furniture and then set it ablaze. I stumbled out of my house and started running up the street but was immediately

caught by a group of ten rebels. The ordered me to join a group of seven other people from my neighborhood.

The commander, who introduced himself as a Liberian, then ordered everyone but me to stand to one side and said, "I'm going to kill you all, so say good-bye to the world." He kept them there begging for three minutes and then at 7:03 p.m. I looked at my watch ordered another rebel to open fire on them.

Then, the same Liberian said, "I'm ordered and paid by Sam Bockerie not to spare anyone and that is why I have killed. You saw it with your own eyes. But now I am ordering your hand to be cut." He ordered me to lay face down in the road and called forward a rebel with an axe who then hacked off my hand. It was hanging off limp and bleeding and when I saw it I started to cry. The rebels just walked away.[56]

Amadu

After massacring his neighbors in Kissy on January 20, Amadu, forty, described how the rebels hacked off his arms:

I was hiding in my house with my wife and family, when at around 9:30 p.m. we started hearing shouts and screams. Several minutes later we heard our neighbors begging, "don't kill me, I beg," and then I heard gunfire. I peeked out but one of them [rebels] saw me and screamed for me to come out. I ran back into my house but after a few minutes they doused it with kerosene and set it on fire. When the heat was too much we fled out the back but they caught me and marched me to my neighbor's compound.

It was then I saw over what had happened to my neighbors; I saw at least twenty of them lying on the ground and I screamed, "you've killed my people there." One of them called for the man with the axe to come and hack off my arms and they did it right there in that compound. When they were done they said, "you go to Pa Kabbah and ask him for a new set of arms."[57]

Kaima

Kaima, forty, was captured with a group of civilians seeking refuge in the Kissy Mental Home. The rebels separated them gunning down the men and attacking the women with machetes. She received severe lacerations on both legs and, unable to walk, spent over three days without any medical attention. Due to the severity of the injury and degree of infection, both legs had to be amputated above the knee. She recounted:

They ordered us out of the building at gunpoint. There was a lot of confusion and we took off running. They caught about twenty-five of us and put the men on one side of the grounds and the women on the other. As they fired the men [shot them] I again took off running with my infant son on my back. But, I fell in a ditch and as I struggled to get up they had me surrounded. There were five of them and they started hacking at my legs. I guess they attacked my legs because I tried to run.

As they were striking me with machetes, my baby was lying on the ground next to me. One of my attackers then raised his machete to strike my baby but I blocked the blow with my right hand and screamed, "it's enough now you have cut my legs and now you want to kill my baby it is enough. They then set upon the five other women with machetes; cutting the hand off one, the fingers off another and striking the head of yet another.[58]

The majority of amputations were done shortly before the rebels were forced to retreat from neighborhoods under their control. Victims and witnesses describe the rebels often mobilizing special cut hand squads which were then sent on operation. The leaders of some of these infamous squads introduced themselves to their victims as Captain 2 Hands, Betty Cut Hands, OC Cut Hands, and Adama Cut Hands. After being captured, the victims were sometimes made to wait until the cut hands unit arrived. Several of the commanders and members of these units were adolescents or women.

Tejan

Tejan, a forty-three year old driver, described the brutal way in which a fifteen-year-old combatant from one of these units named "Commander Cut Hands" hacked off his two hands in Kissy on January 20:

> After they set fire to my house they caught me trying to escape out the back door. They then brought me to the compound next door where I saw they'd captured two of my neighbors. They started arguing over whether to kill me or cut my hands. Then the one who seemed to be in charge gave the order to amputate both my hands and called forward a fifteen-year-old boy they called "Commander Cut Hands."
>
> I refused to lie down. They beat me and it took several of them to hold me. They tripped me and when I fell to the ground three of them had to sit on my legs and back and another few had to hold my arms. Then they took out that axe. I was crying and after they'd hacked off both of my hands I screamed, "just kill me, kill me."
>
> They also cut off the hands of my two neighbors. I feared they might attack me because I was a driver for the SLPP [Sierra Leone People's Party], the President's party, but they never found that out. They knew nothing about me.[59]

Allieu

The particularly macabre practice of filling up bags with amputated hands and fingers was witnessed by several people interviewed by Human Rights Watch. Another witness hiding within a house in Calaba Town on January 24 witnessed a commander calling himself "Dr. Blood" summon five rebels and order them to begin a "cut hands" operation. He then said, "I want a bag of hands from Kissy, one from Wellington, and one from Calaba Town." [60]

Allieu, fifty, a civil servant with the customs department, described seeing a bloody rice bag full of hands during the brutal amputation of both of his arms in Kissy on January 21:

> They surrounded my family and one of them said, "Since Pa Kabbah won't give us peace, we have come to cut your hands." I begged them not to harm my wife and children so they fired their guns in the air and told them to run away. They then marched me up the hill to the grounds of St. Patrick's Catholic Church where I saw over one hundred rebels. They ordered me to put my left arm on a tree truck and then they swung the axe from behind and hacked it off. They kept talking about President Kabbah and as they ordered me to put my other hand. I screamed, "but I don't know anything about politics" and one of them answered, "but you voted for Kabbah." Then he hacked off my remaining hand.
>
> Blood was spurting out of my arms. I was weak and kept falling as I tried to get up. They started laughing at me and I shouted, "just kill me, kill me, look at how you've left me." They spit on me and started pounding me and then several of them took a hammer, held me down and started knocking out my teeth. I left four of them [teeth] in the dirt. They danced around me and said, "we've really got you now, here you will die."
>
> As I lay there bleeding in the church courtyard I saw them amputate the hands of two other men. And, then a rebel walked by with a white rice bag, with blood dripping out the bottom, and said - pointing to the hands lying on the groundC"put those things in here."[61]

Children and in some cases even toddlers were not immune from attack. In one case, children were even singled out. The youngest known amputation victim from January 1999 was a boy aged just one year and eight months. One small clinic in Kissy during January 1999 treated twenty-one children from three to fifteen years old for laceration wounds, mutilation, and amputation. Five of these children were from three to five years old.[62]

Lucia

Lucia, ten, described how on January 13 she and two of her friends were chosen out of a large group, taken

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away, and had both of their arms amputated:

> At around 4:00 in the afternoon I was sitting under the big mango tree in front of my house with all of my family and neighbors when we saw a group of four rebels coming down the road. We got up and ran inside. When they arrived they ordered us all outside. They had a container of petrol and asked for matches. We thought they were going to burn our house but instead they started pointing at several of us; me, my cousin Miata who is twelve, and my friend Finda who is fifteen.
>
> They marched us up the hill where we were joined by another rebel and two more adult men. And, then they started hacking off our arms. When it was my turn they pushed me to the ground and told me to put my right hand on a big stone. One rebel held me down, one put his foot on my arm while the one they called "Blood" hacked it off with a big axe. Then they did the same thing with my left hand. They hit each hand one time each.
>
> We couldn't run; they had their guns on us the whole time. It was so fast; the whole thing only took about ten minutes. They then walked us back down the hill and back to our compound. When my mother saw me, with my hands dangling from my arms and blood spurting everywhere she screamed and burst out crying. When they were cutting me, I heard one of them say, "now you will know the rebels; now you will know the bitterness of the war."[63]

Rape and Sexual Assault

Throughout the January offensive RUF forces perpetrated systematic, organized, and widespread sexual violence against girls and women including individual and gang-rape, sexual assault with objects such as sticks and firewood, and sexual slavery. These sexual crimes were most often characterized by extraordinary brutality and frequently preceded or followed by violent acts against other family members.

Human Rights Watch took testimonies from over fifty girls and women who were sexually abused by the rebels during the January incursion. And, while it is impossible to determine the precise number of victims, doctors and counselors report having treated several hundred girls and women for the physical and psychological effects of sexual abuse perpetrated by the rebels during this time. One Sierra Leonean human rights group registered 255 cases of rape, but believes this number to be a serious underestimation given cultural factors which lead to underreporting.[64] A doctor working within a camp for those displaced by the January fighting said he treated at least twenty-five women for vaginal bleeding resulting from rape, most of whom were girls between the ages of twelve and fifteen, and scores of other rape victims.[65]

While some of the victims interviewed were raped within their homes, most report having been rounded together up with other girls at gunpoint and taken to houses and buildings which, during the occupation, served as rebel bases and command centers. The girls and women were rounded up from their homes, as they were fleeing, and from centers of refuge such as mosques, churches, and camps for displaced people. Once with the rebels in these bases, nearly all victims described witnessing the sexual abuse of other girls and young women also being held there. Following the abuse, some victims were allowed to go home, but ordered to report back to the rebel base the following day or be murdered.

Once captive the victims were frequently Ashared and Adivided among the combatants who would rape them on a daily basis for anywhere from one day to several weeks. Of the victims interviewed by Human Rights Watch, over half reported being raped by more than one combatant. The victims often reported being kept locked up in a room with many other girls and taken out only to cook, do laundry, and fetch water. The rebels frequently told the victims they would be taken to the bush and made into a rebel wife and indeed young girls and women made up the majority of the hundreds of civilians witnessed to have been later abducted as the rebels retreated out of Freetown.

It is difficult to know what percentage of girls and women abducted by the rebels are sexually abused while being held behind rebel lines. However, several girls who've managed to escape say the percentage is very high. Those who remain within the rebel ranks most often become attached to one rebel who then refers to her as his rebel wife. Many become pregnant, have children and remain with the rebels for years. Several

girls and women abducted during January described pairing up and attaching themselves to one rebel so as to avoid gang-rape, be given a degree of protection, and be subjected to less hardship.[66]

The organized way in which victims frequently described being rounded up and taken, and the number of rebels participating in these abductions, suggests an element of premeditation and planning on the part of the RUF command. Victims frequently described being taken by rebel patrols of from two to seven combatants who clearly stated their intent to sexually abuse them. That some of these patrols were being led by rebels referring to themselves as commanders, that victims often described being sexually abused by or in the presence of men referred to as commanders, and that some victims were told they had been selected specifically to be given to a commander, suggests some of the sexual abuse was indeed perpetrated under the direction of and with the consent of members of the RUF hierarchy. Human Rights Watch was able to document only one instance of a rebel commander stopping a rape, which occurred within a hospital when a combatant attempted to rape a female nurse.[67]

Marie

Marie, sixteen, was fleeing the fighting in central Freetown with three other girls on January 7 when she ran into a patrol of five heavily armed rebels. She and her companions were then abducted and taken to a rebel house where they were gang-raped for three days. She said:

> The rebels put us in a room and told us to wait. A few minutes later they took out my friend and then four of them came back in the room. They were all big men, at least twenty-five or thirty. They told me to undress. I refused and told them I was a virgin, that it was not right in the eyes of God to rape a virgin and that it would effect me for the rest of my life. One of them slapped me hard on the face while the others hit me with their guns. One said, shut up. We don't care if you're a virgin. We've already done so many, why should you be an exception. Then another one said, Aif she refuses let's just bring her out naked and put her under a firing squad. I started crying and crying; I was so frightened.
>
> Then while a few of them started ripping my clothes off, another one went behind me and bit me leaving a huge wound on my back. I was then pushed down to the ground. I was still crying so the one who'd slapped me took a rag and tied my mouth. I could hardly breath. Then the first one forced open my legs and raped me. The four of them spent two hours with me and each raped me at least twice. I was so ashamed. I was bleeding so much and when they finally undid my mouth I begged them to leave me but they told me to shut up and that they would use me until they were satisfied. I spent three days in that house.[68]

Saramba

Rebels rounded up seven girls from their street in the evening of January 13 and brought them to a command center in Kissy. All of the girls reported being raped. One of them, Saramba, thirteen, described what happened :

> We were hiding under the bed when they came but they eventually found us. They ordered me, my sister Sarah and friend Sia to follow them to a truck. A few minutes later we picked up four more girls being held by another group of rebels. They took us to a big house a few miles away.
>
> When we arrived we saw over one hundred rebels gathered there and as we were led into the house they started cheering and I heard a few of them say well done, you've brought us more women. When we were in the bush it was only ECOMOG enjoying you. Now it is our turn. [69]

Beatrice

Beatrice, twenty-five, went out briefly on January 21 to look for a few cups of rice from a little store half a block from her house in Wellington. On the way back she and another woman were confronted by a group of ten rebels who sexually assaulted them with burning firewood. She recounted:

> They asked us for money but we said we didn't have any so they ordered us to take off our

clothes, putting a gun to our throats to make sure we did. We begged them to leave us but they ordered us to lie down on the dirt ground, face up, and open our legs. At least four of them had their guns to our throats and stomachs to make sure we obeyed. The rest of them surrounded us and then a big rebel went to the kitchen of a near-by house and took a piece of burning firewood from the fire. He then squatted down and with his two hands forced it in and out of my vagina one or two times. Then he returned to the fire and got another piece and then a third. I felt as if I was being stabbed inside and nearly fainted from the pain. Then they did the same thing to the woman laying next to me.

While doing this to both of us I heard them say, This is the way we're going to fuck you. You hypocrites; as soon as you see ECOMOG you start pointing fingers at us. And then they left and I dragged myself home, blood flowing from my vagina.[70]

Sophie

Sophie, twenty-four, was in her house in Kissy when on January 21, a group of three rebels burst in demanding money and killed her husband. She was then abducted and gang-raped. She said:

They kept asking for money and my husband kept begging them for forgiveness for not having any. We are poor and the other groups of rebels had already taken all we had. They started waving their guns and then the one named Abdul killed him. Right in front of my children. I burst into tears and tried to run to my husband but they pulled me back and put a gun to me saying that if I didn't go with them they'd kill me as well. He was bleeding, my children were crying and then they forced me at gunpoint to walk out that door and follow them.

We walked all the way to the Sierra Leone Brewery in Wellington which seemed like an HQ for them. By this time we were three women and ten rebels. When we arrived they put us in a dirty room and then used the three of us at the same time for the entire night. They were so rough; they slapped me and tore my clothes. Four of them used me it was twelve times altogether it went on the entire night. And that Abdul, the same rebel who killed my man and stole everything from my family, raped me all night long.[71]

Sahr

Sahr, twenty, was rounded up on January 8 with some ninety other civilians from Central Freetown and taken at gunpoint by a group of eighteen rebels to State House which was at that time functioning as the RUF command center for the operation to take Freetown. He described seeing scores of young women raped:

As we approached State House I saw hundreds of other civilians, most of them women, being kept under guard on the lawn and as we entered I saw even more inside. There were rebels armed with machine guns and RPGs everywhere. They then divided us into smaller groups and put us into different rooms and offices. There were twenty people in my cell, fifteen of which were young women.

Every night most of the women in my cell were brought out by armed rebels at around l0:00 p.m. and brought back again at around 3:00 a.m. When they returned they were crying and many of them were bleeding down below. They told me they'd been raped, some of them by two or three men. I had a good view from my window and every night could see at least fifteen girls being raped on the grounds, under trees and on the walkways of State House.[72]

Particularly vulnerable were young women between fourteen and eighteen who were sought after and targeted for being virgins. The rebels often entered houses and compounds asking specifically for virgin girls and would reject all women who had children, were over a certain age, or who they believed to have already had sex. There are documented cases of girls as young as eight being sexually abused.

Samretta

Samretta, fifteen, was inside a mosque with hundreds of other people seeking refuge when, on January 20,

two rebels entered and abducted four young girls, including Samretta and her eighteen year old sister, who has yet to be released. She explained:

> It was at night and dark in the mosque. My mother tried to hide me under her skirt but they walked around with a flashlight shining their lights on everyone. They said, we've come for your young girls; for your virgins. Even if they tie their heads like grandmothers we'll find them. They said that if our parents didn't give us up they would kill everyone.
>
> They shone their light on my mother and asked her what she was hiding. That's how they found me and my sister Fatmata. They took four of us that night. They held me for two days in a house in Calaba town where one of them raped me four times. He said my mother had taken good care of me. I escaped two days later when an ECOMOG jet flew over, but my sister was taken with them to the bush.[73]

Fatmata
Fatmata, thirty-eight, witnessed young girls being given an examination to determine if they were virgins or not. She recounted:

> There was a lot of gunfire and I was trying to escape with my family when we were stopped by a rebel checkpoint. Inside the compound of the house next to where we were being searched, I saw five young girls between thirteen and sixteen, lying completely naked on the ground with one or two rebels holding each one by the arms, another two holding the legs apart and a female commander named Rose putting her fingers inside the vagina of each one to determine if she was a virgin or not.
>
> The girls were crying and struggling and I saw a few of the rebels slap them and rough them up. After finishing with each girl, Commander Rose would announce to the others whether she was or was not a virgin. She was very crude and after checking one small girl said, this one is a sweet popo [papaya]; she'll do well for the commander. After the girls had been checked, they put the virgins to one side and the nonvirgins to the other. As the rebels let us pass through I heard them saying to each other we don't want this lot, let them go, they're too old. [74]

Zainab
After being abducted with six other girls in Wellington on January 13, Zainab, twenty, described how those the rebels deemed to be virgins and nonvirgins were separated. The women designated virgins were then given to the younger fighters. She explained:

> When we arrived they lined us up and the commander, Ibrahim, asked each of us if we were or were not a virgin. There were four nonvirgins and three virgins, including myself. He then told a group of five older rebels to take the nonvirgins and told the three younger ones to take us into a bedroom next to the parlor.
>
> A few minutes later Ibrahim entered that room and ordered us at gunpoint to take off our shirts and then began to fondle and pinch our breasts and examine our feet. I don't know what he expected to tell from our feet. The other two rebels just stood and watched. After ten minutes he announced that we were indeed virgins and then proceeded to assign each of us to a rebel. I resisted and Ibrahim slapped me, put a gun to my throat and said, Aif you don't allow that man to satisfy himself I'll kill you. [75]

Hawa
Girls as young as eight were raped. Hawa, twenty-two, described seeing a twelve-year-old bleed to death after being gang-raped by six men:

> I was abducted from my home with several other neighbor women on January 8 and made to carry looted goods all the way to Waterloo. I spent over a month with the rebels and during that time was raped countless times. In our rebel camp there were scores of other abductees from

> Freetown including a young girl named Mariatu. She was just beginning to get breasts and I estimated her to be no more than twelve.
>
> One afternoon in later January as we were both being raped in the bush, I saw six men use her; one after the other. She was screaming and crying in pain and I could see she was bleeding. After the second or third man she went silent and I thought she had passed out. After they'd finished with both of us I brought her water and said, Mariatu, you must drink but she wouldn't wake up. I think she was dying. There was too much blood. After a few hours they came, picked up her little body and carried it into the bush. I never saw her again.[76]

Rapes committed in the home were often in the presence of family members and neighbors who were forced at gunpoint to watch. Family members frequently reported attempting to pay for their daughters not to be raped or having to choose between having their daughters taken or the entire family executed.

Osman

Osman, thirty-eight, and several other fathers were forced at gunpoint to watch the rape of their daughters on January 8. He recounted:

> At round 4:00 p.m. five juntas [RUF rebels] stormed into my house where my family and neighbors were gathered. They picked out my fifteen-year-old Aminata and four other young women and then locked us [the parents] into another room. They told us they wanted all our money or they would kill our daughters. As we were collecting what little money we had, I heard the girls start to scream. I peeked through the crack in the door and could see them slapping my daughter and pushing her onto the bed.
>
> A few minutes later one of them opened the door and asked, Who are the fathers of these girls? . As we walked out of the room I could see a rebel named Blood raping my daughter and Sneak using her friend Marie. They lined us up in front of the bed and said, Don't you want to see what we're doing with your daughters? There was a rebel with a gun pointed at us the entire time and two more by the door. Aminata was crying so Blood covered her mouth with her shirt. When those two finished, two more took their place. We begged them but the Blood said, Shut up or we'll burn this house and kill every one of you. I was shaking. I was scared. I was angry but what could I do? After twenty minutes Blood ordered the girls to get dressed and then abducted them all plus my eight-year-old daughter.[77]

The rapes were usually accompanied by other physical abuse and death threats to the victim and often her family. Numerous witnesses and victims described seeing girls who had resisted rape being executed. Medical staff from one hospital reported treating two women who received gunshots to their vaginas. Both women, an eighteen-year-old and a twenty-five-year-old woman who was five months pregnant, died of their injuries.[78]

Sahr

Sahr, twenty, the man who was abducted and kept in a cell with fifteen young women in State House, described how two of his friends were executed after resisting sexual assault:

> On January 9, around midnight a group of rebels came to our cell and ordered two girls from my neighborhood, Hana, fifteen, and Majah, twenty, to come out. They had been raped the right before; Hana by one rebel and Majah by four.
>
> They started screaming but were eventually dragged out by three rebels. Some minutes later I heard them both yelling and arguing with the rebels and refusing to lie down. The rebels were screaming obscenities and I heard the sound of struggle and slapping. A few minutes later I heard several shots. Hana and Maja didn't return that night and I cried for those girls because I knew the rebels had shot them. When I was able to escape two days later I saw the corpses of both girls lying on the State House lawn.[79]

Joy

On January 7, Joy, seventeen, witnessed five girls who attempted to escape a rebel base in which they had all been raped, being killed. She said:

> I was captured in the morning with five other girls about my age and taken to a house full of rebels in Kissy. They took me into a room, pointed a pistol at my head, and told me it I didn't submit to them I would be shot. They were all high on drugs and drinking beer. Five of them used me that day.
>
> At around 6:00 p.m. the one who'd captured me took me out on the verandah and there I found the five others who were crying and I could see at least two of them were bleeding. They said it had happened to them as well but we couldn't really talk because there was a rebel with a gun next to us. Some minutes later our guard left to get something and the girls got up and ran but the rebels saw them and opened up on them. There was gunfire all around and I crouched in the corner crying. I was so afraid they would kill me as well. I ran to the rebel who had captured me, told him I'd not run away and begged him to protect me. They fell just a few meters from the house. I saw their bodies. I don't know why they ran that day.[80]

The health repercussions of the sexual abuse are many. Most victims under twenty reported considerable bleeding during and after the rape, something gynecologists treating them attribute in part to complications produced by the practice of female genital cutting which is widespread in Sierra Leone.[81] One gynecologist reported treating every victim aged between eight to twelve for some degree of vaginal tearing.[82] According to medical personnel and testimonies taken by Human Rights Watch, at least fourteen girls and young women, including one thirteen-year-old, became pregnant from the sexual assault. Health practitioners treating the victims also report a high percentage of them diagnosed with sexually transmitted diseases and infections. Yet another medical implication involves the spread of HIV-AIDS. One twenty-two-year-old woman who was abducted in early January and gang-raped and sodomized repeatedly over a period of two months, was during her captivity already suffering from full blown AIDS, and has since died of AIDS-related illness.[83]

Victims of sexual abuse frequently reported female rebels having taken part in rounding up operations and often singling out girls and women for their commanders. Once in captivity, girls frequently reported appealing to female rebels for help. However their pleas were ignored and often met with threats of violence. One sixteen-year-old victim described how a female commander entered the room in which she was being raped and said, why are you hollering. These are my boys and you will not refuse them. [84]

Human Rights Watch took testimony from one sixteen-year-old girl who described sexual abuse by a female rebel, who forced her and another sixteen-year-old girl to undress, and then tied them up and proceeded to insert her fingers into their vaginas.[85]

The motive of the attackers, according to what they told the victims, was both to be rewarded for having endured hardship in the bush and to punish their victims for supporting the current government or having sexually accommodated ECOMOG soldiers. The abuses are consistent with a long-standing pattern of RUF use of rape as one of many weapons to intimidate, terrorize, and ultimately control the civilian population.

The rebels sought not only to control and degrade their victims but also to undermine and degrade the authority of the family and community. The victims described feeling terror, humiliation, and shame, and their parents, husbands, and community elders described feeling powerless at their inability to protect them.

Josephine

Josephine, sixteen, described the terror she felt when she was brought in to witness the rape in progress of the friend with whom she had been abducted and brought to a command post:

> They kept me in a room but I could hear Susan crying and crying. Five minutes later one of them ordered me to go into the room where I saw she was being held down by one rebel and

raped by another. This rebel then told me, look at this this is what we're going to do to you once we're finished with that one it will be your turn. I could only weep.[86]

Fabian

Fabian, twenty-one, and eight other women were brought into a room on January 21 and forced to strip naked in front of eleven rebels after a picture of President Tejan Kabbah was found in the parlor. She described how they were terrorized and humiliated for over two hours:

> As soon as the commander summoned us to the room he said, Aso you are Kabbah's children; the ones calling in the jets to bomb us. He then ordered us to strip naked and stand in a line in front of him with our legs spread two feet apart. I begged him to leave me as I had my three-month-old infant in my arms but he tore the baby from my arms and threw him against a wall. The other rebels formed a circle around us and got out their pistols and machetes. He then ordered another rebel to sprinkle kerosene on us and threatened to burn us. That rebel then gathered up our clothes and set them on fire in the corner of the room. The one with the machete circled around us, threatening to cut off our hands.
>
> The commander then took out a flashlight and inspected our private parts slowly, one after the other making crude comments about how ugly, dirty, and disgusting we were. They fondled and pinched our breasts and ordered us to turn around and bend down, laughing and insulting us the whole time. And the whole time my baby was crying in the corner.
>
> Every time I think about that day I cry bitterly. I cry for how my baby was treated. I cry when I think of how they treated my sisters. I cry for my husband who was later abducted. And I keep asking myself, what did we ever do to them?[87]

Kadi

Kadi, forty-two, described the horror she felt at having to listen to her sixteen-year-old daughter Binti being raped on January 11.

> Three of them came to our house at midnight and ordered us to line up outside. They demanded money and one of them put a knife to Binti's throat. Just then the rebels' attention was diverted by a civilian they saw running around the corner and I ordered my family to scatter. There was shooting and confusion and in the end all but Binti were able to escape.
>
> I ran with my one-year-old grandson on my back and hid in an abandoned house. Some minutes later I started hearing the screams and sobs of my Binti. It went on for over an hour and I knew what was happening. She was only 200 yards away but I couldn't do anything. Towards the end I even got up to go to her but I forced myself back to my hiding place until the early morning hours when I found her weeping in an abandoned shop.[88]

Jenneh

Jenneh, fourteen, was beaten, raped, and left near unconscious in the street. Several months after the incident, her right eye was still swollen and teeth marks on her back were visible. She recounted:

> When my mother saw him coming towards our house she yelled at me to get inside and hide. From under the bed I could hear him threatening to kill us both so I came outside. As he dragged me away my mother ran after us, pleading with him to release me but he turned around, pointed his gun at her and said he'd open up if she took one more step.
>
> He tore the clothes from my body. He bit me. He punched me in the face. He knocked my kneecaps with his gun and forced himself upon me. I knew nothing about this thing. I'm only fourteen. After the first time he forced me, sobbing, to say thank you, and by the fourth time I could barely move.
>
> When he was finished he picked me up, putting his fingers inside my vagina and threw me in a

gutter. Then he walked off. I was almost unconscious and couldn't remember everything, but that much I remember; he threw me in a gutter. The next morning my little sister found me there. She cried when she saw me and ran to get my mother.[89]

These crimes, and other forms of sexual violence, are explicitly condemned under international humanitarian law. The Geneva Conventions of August 12, 1949 and the Protocols Additional to the Geneva Conventions prohibit rape in both international and internal conflicts.[90] Likewise, rape, when committed on a mass scale, constitutes a crime against humanity. The Convention of the Child further protects children from Aall forms of sexual exploitation and sexual abuse. [91]

Abduction

As the rebels withdrew from Freetown they took with them thousands of civilians; mostly young people, and particularly young women. Abduction has become the principal method the rebels use to augment their ranks, to provide a pool of rebel fighters a work force, and "wives" or sexual partners for male combatants.

While it is difficult to ascertain the number of civilians abducted in January, both residents who witnessed the rebel exodus from the capital, and abductees who've since managed to escape, confirm the number to be over one thousand and the greatest percentage to be young women. The Ministry of Social Welfare, Gender, and Children's Affairs has registered 573 adults who have either been abducted or gone missing since the January 6 incursion.[92] Of the 3,700 children UNICEF registered as missing as of June, 1997, 40 percent, or approximately 1,500 have been classed as victims of abductions. Of those abducted, 680 or 46 percent were from fifteen to seventeen years old, and 260, or 18 percent, were children under eleven.[93] The figures for both the adults and children show the majority of abductees to be female.

As in past offensives, the process of abduction was usually violent and traumatic. Those attempting to resist the abduction of a family member were often beaten, maimed, or killed. They were also often forced to make painful choices between allowing a loved one to be taken or having one or several family members killed. Families who had more than one child abducted were not uncommon, and there are several cases of entire family units being taken. Rebels frequently went to houses and compounds and selected all the young men or women of a certain age. Reports of several residents from a single compound being abducted were not uncommon.

The rebels began abducting people shortly after the offensive began, using them to carry looted goods back to their bases further east. However, the numbers increased dramatically towards the end of the RUF's occupation of Freetown. Residents of Calaba Town, near the easternmost end of Freetown, described rebels going from house to house, hurriedly pulling several people from each house as they fled into the hills. As has already been discussed, abductees were also used as porters and human shields in some of the final battles of the offensive.

Young men and boys abducted during January were witnessed by escaped abductees to be undergoing military training just weeks after their capture. Most were made to carry heavy loads and subjected to forced labor and sometimes physical abuse. One escaped abductee described seeing abductees being trained in February, 1999 by Caucasian soldiers.[94]

Eldred

Eldred, forty, another abductee who was captured on January 22 and spent two months with the rebels, described seeing abductees taken during the January offensive being divided up by age and trained by rebel soldiers. He recounted:

> They [the rebels] gathered the abductees together and had them march up and down in the bush; left, right, left, right and so on and then divided them up into groups. They had the small boys from six to ten years old, then those from twelve to fifteen and finally those from fifteen to eighteen. For the older boys, the training was compulsory for all of them. I saw them doing physical exercises, teaching them how to dismantle and clean all kinds of guns, explaining them how many cartridges are in a clip, and all that.

> But they didn't trust the new recruits to hold onto the guns for long. They really watched them at first; afraid they would turn the weapons on them and escape. They [the rebels] said if the peace talks failed, they'd come back to Freetown with a vengeance. And that this time they'd go to the west where all the rich people live. They said it'd be called Operation Westside. [95]

Lansana

Lansana, forty-two, described how on January 20 the rebels abducted two of his three daughters as they swept through their neighborhood. The eleven-year-old has since been released but was raped during her captivity. He recounted:

> They usually came at night, when it was easier to hide our three daughters, Jennah, sixteen, Mansa, fourteen, and Sally, eleven, but that day they came in the afternoon. First they fired their guns into our house and then they crashed in and forced us to line up outside. The girls were huddled around my wife.
>
> ECOMOG had started bombarding the hills and they seemed frantic; in a hurry. They went to my wife and told her to give up the girls. One man put a gun to her throat and a few more started pulling the girls. Mansa was able to run but they pulled Jennah and Sally from my wife who was crying and pleading to leave them. The girls were screaming and the rebels just said, you move, move, move.
>
> As they walked away, dragging the girls, my wife followed them up the street, but they told her they'd kill her and one said, If I look around one more time and see you following me, you're all dead. She broke down when she came back to the house.
>
> And at 8:00 p.m. another group came back. This time I was holding Mansa and I screamed at them you can beat me, you can kill me but I'm not giving this girl to you. A few of them started hitting me and forced her from me. But, Mansa was really determined; as they took her out the door she somehow squirmed out of their grip and ran to the banana patch.[96]

Josiah

Josiah, forty-one, was shot at as he begged for his sixteen year-old daughter not to be abducted on January 21. He recounted:

> Seven of them came asking for money but we didn't have anything left; there was nothing left to loot. We were all in the parlor and they had their guns on us, when one of them looked at my first-born Aminata and said, "if you don't have any money then, we'll take your daughter." I started shouting and said, "no, no, don't take my daughter, I beg you. If I had money I'd give you. I'd give you anything." Then the same rebel turned towards me, raised his gun and shot at me.
>
> He missed and then Aminata, who was crying by this time said, "pa, let me go with them, so that they don't kill you, let me go with them." As they pulled her away I cried bitterly, I cried and the one who shot me said, "why are you crying, You can always get another child." They walked out and that was the last time I saw my daughter.[97]

Miata

Miata, fourteen, was abducted on January 9 but escaped several weeks later as the rebels withdrew to the hills. She was sexually abused by the rebel who abducted her. She described how she was taken after her grandfather couldn't raise the sum of money the rebels demanded:

> A rebel came to the house and said he was going to burn it. Then he started searching for hidden Kamajor fighters and lifted all the cushions on the sofa. He struck a match and tried to set the parlor on fire and then went from room to room using abusive language against my grandpa and my mother and President Tejan Kabbah's mother and then he entered the room where me and my cousins were hiding.

So he looked for the smallest one, that was me, and told my grandpa that if he didn't give him 30,000 leones (U.S.$15) he was taking me to the bush. My mom and grandpa started pleading because they didn't have that money. So he took me away. But before he did he went to the back and took two chickens and told me to hold them. He said if he saw my people following us he would damage them. And then he pulled out a big sword and I started crying. He said if I cried he would kill me with it.[98]

Augustine

Augustine, thirty-nine, was abducted on January 23 with his wife and seven-year-old son. He spent several weeks with the rebels before managing to escape during an ECOMOG bombardment. His wife and child are still missing. He said:

> We were hiding in an abandoned house but the rebels caught us...The column was massive and went on for miles; there were thousand of rebels and captives fleeing into the hills. When they saw us they pulled us into the mass and one of them gave me a heavy pipe, one of those used to fire a mortar bomb, and told me if I dropped it he would shoot me.
>
> They ordered my wife and son to walk with the women's group, and I was put in the AG4 group, responsible for taking arms, ammunition, and such. That thing was really heavy. There were many other captives; young men and even children in my group as well. Along the way I saw four dead people who the rebels said were killed for dropping their loads. They don't go along any trails; they go straight through the bush. We reached Waterloo two days later and for another day the people were still coming; women, pregnant women, children being carried by abductees.
>
> It was when we came under heavy bombardment a few weeks later that I was able to escape and make it back to Freetown. I try not to think about Sahr; he is my only son. As long as we were in the bush we slept together and he'd tell me he missed his sisters and wanted to go home. But when I had the opportunity to escape, I just had to and now I haven't heard or seen him for over two months.[99]

Treatment of Prisoners

There are several accounts of RUF forces executing captured ECOMOG soldiers and members of the Civil Defense Forces, mainly Kamajors; some after they had clearly attempted to surrender. Some of the prisoners were killed on the spot, and some were executed after having been humiliated and tortured. A few were taken as prisoners and remain under rebel control.

Mariatu

Mariatu, forty-six, described the January 6 execution of three ECOMOG prisoners captured hiding within a storeroom in the AClay Factory displaced camp. She recounted:

> There was a contingent of ECOMOG soldiers living next to our camp within the Safecon Factory. They were all Nigerians and had their girlfriends in the camp so we got to know them quite well.
>
> On the morning of the attack they tried, but the rebels were too many and when they knew they were being overpowered, they stripped off their uniforms and went into hiding. Many of them fled down to the waterside, hoping to get a boat, some of them ran up the hills and some stripped off their uniforms and went into hiding.
>
> At around 2:00 am or so, about a hundred rebels stormed the camp, and asked us where they [ECOMOG soldiers] were hiding. They hit and slapped us, and took a few of us around as hostages as they searched every corner of the camp. A few hours later they finally found three of them hiding among the bags in the storeroom. They all had tribal markings so it was obvious. They were Sgt. Hassan Orgg, RSM Haruna, and Staff Sergeant Amedu.

When the rebels caught them the Nigerians put up their hands and said, We want to surrender, take us, we want to surrender! but the commander said, Oh fuck off, when our brothers came to you people to surrender you killed them, so now that's what we're going to do to you.

They opened fire on Sgt. Orgg and the Staff Sergeant Amedu right there near the store. But RSM Haruna, who they knew was operating the A machine gun, they really treated him badly; they tied his hands, beat him horribly, put a pistol in his mouth and shot him through the head. Then they dragged his body out to the middle of the highway and ran over his head with a hi-lux.

The rebels had by this time found the ECOMOG uniforms in the store and put them on. Then a girlfriend of one of the ECOMOG soldiers started pointing out where the others, including her own boyfriend, were hiding and then pointed out the houses of all the girlfriends of the other Nigerians. I guess she was working as a rebel spy because after her ECOMOG boyfriend was killed down by the water, she went into town with the rebels.[100]

Aaron

Aaron, forty-eight, witnessed the killing of one ECOMOG soldier, and the brutalization and torture of another on January 6 in central Freetown. He recounted:

On January 9, I saw an ECOMOG prisoner, bloody, stripped naked and with a rope around his waist and his private parts, being led up Pademba Road by a group of rebels. They were pushing him and ordering civilians to touch his privates. When they reached a rebel checkpoint, they brought out another ECOMOG soldier who was also naked and looked like he'd been horribly beaten up. Then they lay both of them on the ground and some of the rebels started kicking and beating them. Then, a few of them took a machete and started cutting off the head of the second soldier. It took them about ten minutes and when they were finished, they started dancing around and brought it around to show the other soldier. I felt sick.

By this time there was a lot of gunfire and it seemed like the rebels were going really mad. They pushed the other prisoner down and grabbed a long stick and started shoving it up his backside; sodomizing him. They kept doing it for about thirty minutes. The soldier was screaming and crying and eventually just passed out. And then they shot him and just left him in the gutter. He was very bloody and everyone thought he was dead. But, several hours later he regained consciousness and called people to come and help him.[101]

Violations of Medical Neutrality

There are many accounts of RUF forces storming and occupying both public and private hospitals in which they threatened hospital staff, looted and destroyed hospital property, and in a few cases mutilated and executed patients.

Sierra Leone's biggest public hospital, Connaught Hospital, suffered most from these violations. Doctors, nurses, and patients describe how the hospital was stormed by RUF fighters on January 6, and turned into a rebel base. They described how the hospital filled up with hundreds of rebel fighters who then used the premises for cooking, washing, and cleaning their weapons. The hospital was looted and both ambulances destroyed. Patients were removed from their hospital beds and were then replaced with wounded rebels. Patients' possessions were looted and as wounded civilians entered the hospital they were robbed by rebel fighters.

While most medical personnel ran away, the few doctors and nurses who remained on duty were threatened with death if rebel commanders died, and forced to work long hours under unsanitary conditions. When they tried to rest they were sought after and brought back to work under gunpoint. When wounded civilians entered the hospital, doctors were ordered at gunpoint not to treat them. Most of these patients died.

Nurses describe how on January 6, in the Curney Barnes Memorial Hospital, rebels violently shook the leg of a patient whose fractured leg had just been operated on, whilst accusing him of being an ECOMOG

soldier. Five nursing staff were kept at gunpoint while they looted shoes, radios, jewelry, and money from the patients, stole medicines and instruments from the hospital and set the outpatient ward on fire. The hospital closed down the next day.[102]

In Good Shepherd Hospital in Kissy, after removing and executing one Nigerian patient from the hospital on January 18, rebels forced all ambulatory patients, staff members, and other civilians to a nearby wall and then shot some fifteen of them. At least one nurse and a few relatives of the patients were wounded and several others died. Later the same day a fourteen-year-old rebel walked around the wards threatening patients with a hand-grenade. The hospital closed down the following day after rebels threatened to burn it and kill all staff.[103]

In the Summertime Clinic in Kissy, nurses described patients belongings and medicines being looted by the rebels on several occasions. One nurse said, over the course of a week, we lost seven patients, simply for lack of medicine. They needed antibiotics but the rebels had stolen what we needed to help keep our patients alive. [104]

In the Kissy Mental Home, rebel forces killed five patients and attacked several others, including one man whose legs they attempted to amputate with a machete. They also looted and burned part of the hospital.[105]

Paul

Paul, a doctor at Connaught Hospital, described how the rebels threatened to kill him if their wounded commanders died of their injuries or if he treated the civilian wounded:

> On January 6 we received the first wounded rebel at around 5:30 a.m.; several rebels brought him in. They told me at gunpoint he was a very important commander and, if he dies, you too will die because this man is far more important than you are.
>
> By 6:30 I'd received three more rebels with gunshot wounds. By this time there was heavy gunfire all around. Again they threatened me saying they'd kill me if any of them died; that they didn't care how I did it.
>
> Over the next few days the hospital was turned into a command center. The rebels were bringing in bags of rice and cooking, drinking beer, and smoking pot, doing their laundry, coming and going. I saw them telling patients to vacate their beds on wards three, five, and seven, replacing them with their own wounded. They looted from the patients and even stole from the wounded civilians and their families as they entered the hospital.
>
> In the morning hours I also received about ten wounded civilians; all gunshot wounds to the chest and abdomen. The rebels threatened me, again at gunpoint, not to give medicine to or treat any civilians. And I lost them one after the otherCthey all died.
>
> By 16:00 I was exhausted. I'd been working non-stop; the conditions were terrible and unsanitary, there was blood everywhere, I had no gloves, it was filthy.
>
> By 20:00 we received the heaviest causalities; three wood carts loaded with over sixty wounded, all of them civilians. Of these I can tell you only fifteen survived. Most of the wounded were head and abdomen injuries but the operating theater wasn't working, no nurse, no medicines. All we could do was stop the bleeding. By the next day there were over 200 corpses in the morgue.[106]

9 Human Rights Watch interview, Dr. Arthur C. Williams, Freetown, April 20, 1999.

10 Human Rights Watch interview, Moses Sahr Lamine, Network Movement for Justice and Development, May 31, 1999.

11 Freetown=s three main hospitals are Connaught Hospital, Brookfields Community Hospital, and Netland Hospital.

12 Human Rights Watch interview, Martha Carey, Médecins Sans Frontières, May 27, 1999. Study was done in Connaught Hospital on February 14, 1999.

13 Human Rights Watch phone interview, Omraie Golley, RUF spokesperson, Lomé, Togo, June 14, 1999.

14 A hand held Rocket Propelled Grenade, usually fired while resting on the shoulder.

15 Human Rights Watch interview with James Kajue, Freetown, May 18, 1999. Real names used.

16 Human Rights Watch interview, Freetown, June 1, 1999.

17 Human Rights Watch interview, Freetown, May 15, 1999.

18 Human Rights Watch interview, Freetown, May 10, 1999.

19 Human Rights Watch interview, Freetown, April 19, 1999.

20 Human Rights Watch interview, Freetown, May 3, 1999.

21 Human Rights Watch interview, Freetown, May 3, 1999.

22 Human Rights Watch interview, Freetown, April 16, 1999.

23 Human Rights Watch interview, Freetown, April 15, 1999.

24 Human Rights Watch interview, Freetown, May 28, 1999.

25 Human Rights Watch interview, Freetown, April 19, 1999.

26 Human Rights Watch interview, Freetown, April 20, 1999.

27 Human Rights Watch interview, Freetown, May 13, 1999.

28 Human Rights Watch interview, Freetown, May 1, 1999.

29 Human Rights Watch interview, Alhaji M.C. Abubakar, Nigerian High Commissioner, Freetown, April 4, 1999.

30 Human Rights Watch interview, Freetown, May 8, 1999.

31 Human Rights Watch interview, Freetown, May 21, 1999.

32 Human Rights Watch interview, Freetown, May 6, 1999.

33 Human Rights Watch interview, Julius J. Momoh, Staff Officer of Sierra Leone Police, Freetown, May 18, 1999.

34 SSD officers were ordered to surrender their weapons by ECOMOG during the February 1998 intervention which ousted the AFRC/RUF from the capital and subsequently reinstated democratically elected President Tejan Kabbah. Since then, SSD officers were only allowed to carry weapons when called to go to the war front on military operations.

35 Human Rights Watch interview, Freetown, April 23, 1999.

36 Human Rights Watch interview, Freetown, May 3, 1999.

37 Human Rights Watch interview, Freetown, May 3, 1999.

38 ASAJ@ Solomon Musa, was an ex-SLA officer and under NPRC government was vice-chairman and secretary of state. In 1997 he was appointed secretary of state with the AFRC/RUF Junta. He was killed in December 1998, allegedly by an accidental explosion.

39 Human Rights Watch interview, Freetown, May 2, 1999.

40 Human Rights Watch interview, Freetown, April 17, 1999.

41 Alpha jet, used by Nigerian Air Force members of ECOMOG Nigerian contingent.

42 Human Rights Watch interview, Freetown, April 29, 1999.

43 Human Rights Watch interview, Freetown, April 29, 1999.

44 Human Rights Watch interview, Freetown, May 2, 1999.

45 Human Rights Watch interview, Freetown, May 3, 1999.

46 Human Rights Watch interview, Freetown, May 10, 1999.

47 Human Rights Watch interview, Freetown, May 12, 1999.

48 Human Rights Watch interview, Freetown, April 12, 1999.

49 Human Rights Watch interview, Medécins Sans Frontières, Freetown, May 6, 1999. The cases of unsuccessful amputations were treated by MSF medical staff at Connaught Hospital.

50 Human Rights Watch interviews, MSF, Freetown, May 6, 1999.

51 Human Rights Watch interview, Morgue Attendants Connaught Hospital, Freetown, May 5, 1999.

52 Human Rights Watch interview, Freetown, May 12, 1999.

53 Human Rights Watch interview, Freetown, May 6, 1999.

54 Human Rights Watch interview, Freetown, April 19, 1999.

55 Human Rights Watch interview, Freetown, April 11, 1999.

56 Human Rights Watch interview, Freetown, April 19, 1999.

57 Human Rights Watch interview, Freetown, April 11, 1999.

58 Human Rights Watch interview, Freetown, April 20, 1999.

59 Human Rights Watch interview, Freetown, April 11, 1999.

60 Human Rights Watch interview, Freetown, April 23, 1999.

61 Human Rights Watch interview, Freetown, April 19, 1999.

62 Human Rights Watch interview, Nurse Ibrahim Conteh, Kissy Summertime Clinic, May 6, 1999. The

clinic also treated seven children between six to ten years old, and nine children between eleven to fifteen years old for injuries related to lacerations with axes, knives, and machetes.

63 Human Rights Watch interview, Freetown, May 6, 1999.

64 Human Rights Watch interview, Moses Sahr Lamine, Network Movement for Justice and Development, Freetown, May 31, 1999.

65 Human Rights Watch interview, Dr. Kagbo Lebour, Freetown, May 3, 1999.

66 Human Rights Watch interviews, Freetown, May 4, May 8, and May 22, 1999.

67 Human Rights Watch interview, Freetown, May 21, 1999.

68 Human Rights Watch interview, Freetown, May 18, 1999.

69 Human Rights Watch interview, Freetown, May 15, 1999.

70 Human Rights Watch interview, Freetown, May 21, 1999. Human Rights Watch also interviewed clinic workers who had treated both women for serious injuries, including removing splinters from their vaginas.

71 Human Rights Watch interview, Freetown, May 1, 1999.

72 Human Rights Watch interview, Freetown, April 12, 1999.

73 Human Rights Watch interview, Freetown, April 12, 1999.

74 Human Rights Watch interview, Freetown, May 24, 1999.

75 Human Rights Watch interview, Freetown, May 15, 1999.

76 Human Rights Watch interview, Freetown, April 27, 1999.

77 Human Rights Watch interview, Freetown, May 3, 1999.

78 Human Rights Watch interview, Freetown, Connaught Hospital Nurse, May 20, 1999.

79 Human Rights Watch interview, Freetown, April 12, 1999.

80 Human Rights Watch interview, Freetown, April 21, 1999.

81 Human Rights Watch interview, Dr. Olayinka Koso-Thomas, Freetown, May 24, 1999. Some 80 percent of females in Sierra Leone undergo female genital cutting. In Sierra Leone, the type of female genital cutting performed is excision; removal of the clitoris and labia minora, and when the wound heals there is a tightening of the vaginal tissue and resulting scar tissue which frequently leads to painful intercourse and possible bleeding.

82 Human Rights Watch interview, Dr. Olayinka Koso-Thomas, Freetown, May 25, 1999.

83 Human Rights Watch interview, Freetown, April 27, 1999. Human Rights Watch interview, Social Worker, Freetown, June 2, 1999.

84 Human Rights Watch interview, Freetown, May 23, 1999.

85 Human Rights Watch interview, Freetown, May 18, 1999.

86 Human Rights Watch interview, Freetown, May 18, 1999.

87 Human Rights Watch interview, Freetown, May 20, 1999.

88 Human Rights Watch interview, Freetown, April 14, 1999.

89 Human Rights Watch interview, Freetown, April 21, 1999.

90 Rape in internal armed conflict is prohibited under Article 3, subparagraphs (a) and (c), common to the four Geneva Conventions of 1949 and by Article 2(e) of Protocol II. For international armed conflict, this is established in the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, August 12, 1949 (Fourth Geneva Convention), Arts. 27 and 147, 75 U.N.T.S. 287.

91 Convention on the Rights of the Child, Article 34.

92 Human Rights Watch interview, Mrs. Jackson-Smith, Freetown, May 31, 1999.

93 Human Rights Watch interview, Roisin De Burca UNICEF, Freetown, June 7, 1999.

94 Human Rights Watch interview, Freetown, April 27, 1999.

95 Human Rights Watch interview, Freetown, May 6, 1999.

96 Human Rights Watch interview, Freetown, June 1, 1999.

97 Human Rights Watch interview, Freetown, May 8, 1999.

98 Human Rights Watch interview, Freetown, May 27, 1999.

99 Human Rights Watch interview, Freetown, May 7, 1999.

100 Human Rights Watch interview, Freetown, May 11, 1999.

101 Human Rights Watch interview, Freetown, April 17, 1999.

102 Human Rights Watch interview, nurse, Curney Barnes Hospital, Freetown, May 10, 1999.

103 Human Rights Watch interview, nurse, Good Shephard Hospital, Freetown, May 21, 1999.

104 Human Rights Watch interview, nurse, Summertime Clinic, Freetown, May 6, 1999.

105 Human Rights Watch interview, nurse, Kissy Mental Hospital, May 6, 1999.

106 Human Rights Watch interview, doctor, Connaught Hospital, Freetown, May 3, 1999.

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V. HUMAN RIGHTS ABUSES COMMITTED BY ECOMOG, SIERRA LEONEAN DEFENSE FORCES, AND POLICE

Summary Executions

Human Rights Watch has taken the testimonies of witnesses to over 180 summary executions of rebel prisoners and their suspected collaborators, mostly by ECOMOG forces but also by members of the Civil Defense Forces (CDF), and the Special Security Division (SSD) of the Sierra Leonean Police (who when on combat operations are under ECOMOG command). While the victims were overwhelmingly young men, witnesses confirm the execution of some women, and children as young as eight.

It is difficult to ascertain the level at which the ECOMOG, CDF and SLA high command were aware of or sanctioned these killings. As they were often carried out in highly public places and in front of very large groups of people, it is highly unlikely that knowledge of the executions did not reach the highest levels of command. According to witnesses and survivors, the executions were done with the consent and sometimes participation of ECOMOG officers to the level of captain.

ECOMOG soldiers deployed in Sierra Leone have operated under extremely difficult conditions, and many have been traumatized by what they have seen of rebel atrocities. As one ECOMOG soldier participating in an operation in which executions took place said, Awe have a proper code of conduct. We know about the Geneva Conventions and have taken prisoners in the past, but this time was different. The things these people do. This time my unit took very few prisoners. [107] Another soldier added, In many ways we felt we were doing it for the people. Sometimes we wonder if these rebels are human. After everything they've done, it was best to eliminate them. [108]

Most Nigerian soldiers, the largest component of ECOMOG, have been deployed in Sierra Leone for at least one year without respite, or visits home Some soldiers, particularly those that were deployed in Sierra Leone after previously serving in the ECOMOG forces in Liberia, have not been back to Nigeria for over two years. What with the difficulty in communicating through phone or mail, many soldiers complain of losing touch with their families. The soldiers are supposed to be paid a special U.S.$150 per month allowance in addition to their wages while they are on active duty in ECOMOG, but until recently there have often been delays of up to three months in receiving this money. Commanders cite these difficulties as contributing to problems with low morale among their troops.

These difficulties do not excuse abuses by ECOMOG, and serve rather to reinforce the need for ECOMOG's senior command to improve discipline and morale among their soldiers. Moreover, under international law, abuses by one side in a conflict, however appalling, can never excuse retaliatory abuses by opposing forces.

Prisoners, some of whom had surrendered and many of whom were wounded, were frequently executed on the spot. Suspected rebel collaborators or sympathizers were often killed with little or no effort to establish their guilt or innocence. Some of the victims were rounded up during small mopping up operations, and many were executed at ECOMOG checkpoints after being found with weapons, determined to have improper identification, or denounced by the local population.

Scores of executions by ECOMOG and to a lesser extent CDF and SSD forces took place on the Aberdeen Bridge in western Freetown, which during the rebel incursion was under the command of an ECOMOG

captain who during this time earned the name of Captain Evil Spirit among the local population.[109] Human Rights Watch took testimonies from witnesses who saw at least ninety-eight executions on this bridge from January 7 through January 29. According to these witnesses, small groups of young men were brought to the entrance to the bridge in trucks and cars, and arrived usually stripped down to their underwear and often with their hands tied. They were then marched onto the bridge where they were executed and thrown into the bay. While ECOMOG soldiers, and sometimes Captain Evil Spirit, did most of the killing, CDF-Kamajors also took part. Members of the SSD were often present and have been seen throwing the bodies into the water.

One witness, who saw scores of executions on the bridge, was told by a soldier that most of the victims had been captured during military operations and at checkpoints in other parts of the capital, and were then handed over by ECOMOG soldiers, CDF-Kamajors, or civil defense unit members to the captain for execution. Another witness said many of those executed formed part of an informal organization of the sons of former SLA soldiers, many of whom lived within either the Murray Town Barracks or Wilberforce Barracks.[110] Witnesses said most of the executions on the bridge were done by the same ten soldiers who fell directly under Captain Evil Spirit's command.

Several witnesses described the ECOMOG execution of over fifty rebels in and around Connaught Hospital on January 11, in violation of the laws of war protecting those no longer capable of fighting. Wounded rebels were dragged from their beds and executed within the hospital grounds, or shot directly in their beds or as they tried to flee on crutches and in wheelchairs. Others were executed in the morgue where they were caught trying to hide among the corpses.

Another incident involved the January 19 killing of seven civilians who had sought refuge within the Jami Ul-Masjid mosque. Witnesses also saw executions taking place on the wharves around Susan's Bay, in the National Stadium, and near Ferry Junction. Witnesses saw several people, particularly women, executed after trying to smuggle pistols and cartridges in their hair or hidden underneath children strapped to their backs. There were also reports of freshly severed heads being displayed near a CDF-Kamajor base in the Brookfields neighborhood.

The high degree of rebel infiltration into the capital in the months prior to the January 6 incursion heightened the sense of suspicion among the local population. When ECOMOG regained control of the city, anyone unknown to a given neighborhood became suspect. As Freetown residents went out in search of food, to check on relatives, to bury friends, and the like, they were obliged to pass through numerous ECOMOG checkpoints. It was at these checkpoints that young men who were unknown to the local residents were often denounced as rebel collaborators and subsequently executed.

Some victims and witnesses describe going through a brief trial, either on the street or at a checkpoint during which an alibi was checked out and someone able to verify the suspect's identity was sent for. The judgment was then pronounced by an ECOMOG officer, and the execution then carried out by ECOMOG soldiers, or members of the CDF or SSD. Others were given no time to explain themselves and simply executed on the spot. The local population exploited the tense situation to settle personal vendettas against individuals and families by denouncing debtors, love rivals, or those with whom they'd had an argument.

The executions often took place within the context of joint operations usually involving ECOMOG and CDF-Kamajor forces. After ECOMOG identified suspected rebels or collaborators, they were frequently handed over to and executed by the CDF-Kamajors. Also, members of local, unarmed, civil defense units (CDUs), who during the offensive and its aftermath helped to man checkpoints around the city, frequently played a part in identifying rebels and their collaborators.

Dwight

Dwight, twenty-five, lived underneath the Aberdeen Bridge and described witnessing scores of executions, mostly of young men, by ECOMOG soldiers. He recounted:

> From where I lived you could see everything. The first time I ever saw a public execution was on January 7, between 5:00 and 6:00 p.m. I saw Captain Evil Spirit and his boys [soldiers]

marching seven young men in their underwear down to the bridge and then as they got closer I recognized several of them to be people from the neighborhood. I saw my friend Ismael and several more. Some of them were the sons of former SLA soldiers and had been living in Murray Town Barracks. Evil did the firing and then the SSD men threw the bodies over the bridge.

On January 8, around 10:00 am, I saw them killing fifteen prisoners. Captain Evil was there and killed some of them this time as well. On January 9 I saw them kill two people and on January 10 I saw them kill a man who had a bullet in his foot. I heard later he was accused of being a rebel and had been brought to Captain Evil by one of the CDU people manning checkpoints in town.[111] On January 11, we buried sixteen corpses which we fished out of the water underneath the bridge.

On January 14 at around 3:00 p.m. the ECOMOG soldiers brought a big group of prisoners; they were eighteen in number. I saw them [the prisoners] get down from a truck and walk them down to the bridge where the same ten soldiers executed them and threw them over. We were later told they were rebels who'd been captured in the east [of Freetown].

Every day they [the soldiers] killed people two, three, four a day. We feared that man, Evil. He never gave anybody a chance to explain... some people even called him Captain No Explain. There was a man from our neighborhood who was caught by him. I was told the other ECOMOGs tried to convince Evil that he was a boy from the neighborhood but he wouldn't listen and killed him anyway. The boy was an only child and his mother went crazy. A few times we saw her go to Evil's house and ask to see him. She started screaming, You, I want you to kill me too... you've killed my only son. You show me where you've buried my boy. [112]

Hassan

Hassan, twenty-nine, who also lived underneath Aberdeen Bridge, witnessed both ECOMOG soldiers and CDF-Kamajor militias killing suspected rebels. He recounted:

The first time I saw the executions was on January 7 at around 3:00 p.m. I saw eight people being brought down from the guardroom [a checkpoint near the bridge] with their hands tied behind them. They were marched down by two ECOMOGs, Captain Evil Spirit, and another one. But it was Evil who did the firing.

Over the next several weeks I saw them kill at least forty people. And there were a lot more done at night that I couldn't see. It was always the same thing; you'd hear people screaming and begging Ano don't kill me, I beg, and then in less than five minutes you'd hear shots and then the splash as they threw them into the bay. And then we'd see their bodies floating in the water the next morning. I buried at least nineteen bodies between January 8 to 22.

I also saw about eight Kamajors execute people on three different days. The first time they killed two people, the second time five people, and the third time ten people. A few ECOMOGs were with them but it was the Kamajors who were in charge of the executions.[113]

Tamba

Tamba, forty-five, described witnessing the execution of at least fifty rebels, some wounded, when ECOMOG soldiers stormed Connaught Hospital on January 11. The rebels, who had been occupying the hospital since they entered the city on January 6, were largely caught by surprise. Tamba described how the rebels tried frantically to escape, how hospital personnel were made to identify their rebel patients, and how all those they identified were later executed:

There was a lot of gunfire, and as the rumors about ECOMOG started flying the rebels in the hospital started panicking. Both the wounded ones and the others who'd been hiding in the hospital striped off their fatigues and tried to get away.

A group of about twenty started demanding gauze and tape and then wrapped their arms and feet to try to make it look like they were wounded. Then they slipped out the back entrance to the hospital. After walking a block up Liverpool Street they ran straight into a group of advancing ECOMOG troops who opened up on them; right on the spot. At about the same time I saw a rebel wife searching frantically for a wheelchair to move her wounded rebel boyfriend; they got it as well, not far from the first group.

Then, as this was going on, another group of about fifteen they were hiding near the stairwell under ward ten started putting white cotton into their noses, and then slipped through the back door and went into the morgue to hide among the corpses. A few minutes later, I think it was around ll:30 a.m., the ECOMOG soldiers rushed into the hospital from several directions. They had their guns out and were pointing and asking all of us to identify ourselves. Someone alerted them about the group that had gone into the morgue and three of them rushed in and started shooting and screaming, Aso you're dead well now you're going to be dead twice.

By this time the ECOMOGs had identified who the hospital staff were and told them they had information there were rebels hiding among the patients and they told them [the hospital workers] to identify which were rebels and which were real patients. So three ECOMOGs, and a few CDUs [civil defense unit members], went from ward to ward, telling the hospital workers to identify the rebels.

Most of the patients weren't killed in their beds; they had the CDUs pull the patients from their beds and drag them to the entrance to the outpatient ward. That's where they killed them. They dragged out one rebel from ward one, four from ward three, four from ward five, and four from the OPD [outpatient department]. And then they shot all thirteen of them.

All of the ECOMOG soldiers took part in the killing. They even killed a small rebel who looked to be about eight and another one who was about thirteen. A few of them tried to surrender. I heard one rebel scream, AI beg you, don't shoot me wait, I'll talk. but they killed them anyway. They even killed some behind the wards and in front of the entrance to the hospital.

Anyway, there were a lot of dead rebels that day. I watched as they kept bringing all the bodies into the morgue. I must have counted at least sixty. Even some of the patients were telling the ECOMOGs where the rebels were hiding.[114]

Moses

Moses, thirty-two, saw a husband and wife pulled out of a line at a checkpoint and executed, after a civilian accused them of being rebels. He recounted:

On January 25, I was waiting in line at a checkpoint near the Congo Cross Bridge with about 200 other people. I was about forty yards back when all of a sudden this woman coming from the other direction starts pointing her finger at another woman, who I later recognized as a friend of mine named Ami, and started screaming, She's a rebel, I know her, I saw her armed, she's a rebel.

The ECOMOG soldiers then pulled Ami out of the line, who by this time was denying the accusation. But the accuser continued screaming very convincingly that she'd seen Ami armed in Kissy earlier in the month. And then at about this time Ami's husband walked from the back of the line and tried to defend his wife saying it was all a misunderstanding. But the ECOMOG soldiers just pushed both of them to one side and started slapping them. They asked them a few questions, but that woman was accusing them the whole time.

Then about ten minutes after the accusation was made, the ECOMOG officer, he had three stripes [a sergeant rank], gave the command that Ami and her husband should be executed. When they heard this, they started crying and begging, but the soldiers pulled them away from the line, pulled their clothes off, took them to the side of the bridge and shot them. The one who'd ordered it didn't kill them. He just watched. And then he ordered them buried right there.

We heard later from Ami's father who was also in the line, that the accuser had been an old girlfriend of one of Ami's past boyfriends and that they'd never liked each other. Ami's father complained to the ECOMOG people, but by then it was too late.[115]

Bintu

Bintu, twenty-nine, was nearly executed on January 22 after being unable to verify her identity. She recounted:

I was walking home with my four children when I was stopped and searched at the checkpoint near the Aberdeen Bridge. They asked me where I was coming from and I told them the truth, that I'd been living with a friend of my husband's named Isaac. So, they sent a soldier to check out my story and he came back a few minutes later with Isaac who denied that he knew me. I think he was so traumatized by everything and was just afraid.

The soldiers at the checkpoint then took me to see Captain Evil Spirit. The soldiers handed him my ID, explained the case and asked Isaac if he knew me, to which he replied, Ano and then Evil said, well, take this lady for execution. The trial lasted three minutes and that was it.

I started screaming, my children started screaming, I begged for my life saying there was no one to take care of my children, I told them it was a mistake, that it wasn't fair and then one of the ECOMOG soldiers hit me on the head with his gun and I started bleeding. And then they started leading me down to the bridge.

A few minutes later one of the ECOMOGs suddenly ran down after us shouting, leave her, one of her children confirmed the story, don't shoot her. Then the other soldier walked me back up and as I was gathering up my things, another soldier tied up Isaac and shoved him in the back of a pickup. As I was fleeing we heard shots and they saw his body floating in the bay the next day.

Whenever I see Isaac's family I don't know what to say. It wasn't my fault. I don't know why he denied he knew me. I think about it every day and feel broken inside.[116]

Abu

Abu, eleven, witnessed his mother being executed by an armed SSD policeman after a neighbor with whom they had a business dispute accused her of being a rebel. He recounted:

A few days before it happened my mom had a terrible argument with a guy named Francis over some goods that had gone missing. He accused my mom and our friend Foday of having taken the goods.

At noon on the day it happened, an SSD man and an ECOMOG soldier came and arrested Foday and my mom, and accusing all of us, even me, of being a rebel. Francis was there the whole time, accusing us as well. The SSD man started threatening us and saying today your life is over, even you small boy; small boys like you even kill our officers.

The community chief tried to help us but an hour later the SSD man and an ECOMOG man took Foday away to the wharf and I saw from a distance I saw the SSD man shot him. The chief finally convinced them to release my mom but as we were walking back I saw Francis and the SSD man talking secretly and then the SSD man said he wanted my mom to walk towards the wharf. My mom got scared and started to run away from them and the SSD man just shot her. Three times he shot her.

That man came back here a few weeks ago and I started yelling at him and said you, you're the one who killed my mother. He slapped me and told me to shut up. He's training to be in the new Sierra Leonean army now, so we haven't seen him.[117]

Helen

Helen, nineteen, witnessed the killing of her friend by a CDF-Kamajor on January 24. She said:

> Early in the morning six of us, including my friend Fatmata, went in search of firewood. The situation was still very tense. About thirty minutes later we were stopped by a checkpoint manned by two Sierra Leonean soldiers and two Kamajors.
>
> They started accusing us of being rebels and ordered us at gunpoint to lie face down on the ground. They started insulting us and gave us a real beating. They hardly asked us any questions and just had it in their mind that we were rebels.
>
> Then the Sierra Leonean soldier told Ali, the one man in our group, that they were going to kill him, and fired a shot near his legs. We started begging and telling them we were innocent and then Fati just jumped up and ran to hide in a house about twenty yards away.
>
> One of the Kamajors followed her to the house and ordered her to come out. He threatened to kill her and I guess the lady inside convinced Fati to come out. But as soon as she did the Kamajor just opened up on her. As I was lying on the ground I watched as he just fired and fired and fired. He shot her more than ten times.[118]

Daniel

Daniel, forty-one, witnessed the killing of seven civilians inside the Jami Ul-Masjid mosque, after an ECOMOG officer ordered their execution. He explained :

> On Monday January 18, ECOMOG came to liberate the area. They told the eighty or so civilians inside to leave which all but about ten of us did. It was still very tense. The advancing troops had left eight ECOMOG soldiers in the mosque and they deployed up the tower and around the grounds.
>
> At 6:15 a.m. the next morning, one of the soldiers deployed downstairs went upstairs and as he did there was the sound of a shot. Everyone ran to see what happened and found him lying slumped on the stairs. The stairs were very narrow and blocked with peoples' bags, and the other soldiers surmised that his gun had accidentally gone off as he was climbing up. The other soldiers pulled him down and got on the radio to inform their superiors what'd happened.
>
> Shortly before 9:00 a.m., a lieutenant and captain entered; I could tell by the marks on their uniform. They asked for an explanation and both the soldiers and a few of the civilians told them and showed them the cartridge which they'd found under the stairs. The officers went to inspect the site to see if anyone could've shot him but since the place is in a stairwell surrounded by thick walls, the lieutenant concluded it must've been the gun that went off, and everybody agreed. Then they left.
>
> And then, not eight minutes later, another officer accompanied by at least eighty soldiers came in and deployed everywhere. By this time all the civilians, there were nine of them, were sitting near where Muslims wash their feet. So the officer in charge I couldn't see what rank he was because he was wearing green overalls, but he was about forty, had a walkie-talkie and was obviously the man in charge asked angrily who the soldiers deployed there were.
>
> Several of the new soldiers started accusing the civilians of having killed the soldier and the soldiers who were deployed there started saying, no, it was an accident. Then the big man ordered that the original lot be disarmed and said, why are you protecting these people and hiding their act, and as they were being disarmed turned to the civilians and said we're going to kill all of these people. He then ordered the first one to stand and told a soldier to shoot him. They he told everyone else to lie down which they did. I could hear them praying to Mohammed, to Jesus. They didn't ask for an explanation and blocked the entrance so no one could run and then they shot every one of them. It wasn't five minutes from the time that officer

came into the mosque until he ordered them to die. He stormed out taking the disarmed soldiers with him. It was so unfair. I don't know what was wrong with that man.

A few minutes later a few ECOMOG soldiers from the first group came back. They were really upset. I heard them say, why did he do this we didn't come to Sierra Leone to kill innocent people. [119]

ECOMOG military officers interviewed by Human Rights Watch said they took between 200 and 300 RUF rebels as prisoners of war during the January 1999 offensive, and that throughout the offensive they strictly followed the procedures established in the Geneva Conventions and acted in accordance with international humanitarian law on the taking of prisoners and other military conduct of war.[120]

According to Lt. Col. Chris Olukolade, the chief military information officer of ECOMOG, no soldiers or officers have been formally investigated or court martialed as a result of their conduct during the January offensive. He said, within ECOMOG there is an internal mechanism set up for the investigation of violations of international humanitarian law, and although we've heard of individual complaints, none have been sufficient enough to activate this mechanism. [121]

Colonel Buhari Musa, the commander of the Freetown garrison under whose jurisdiction most of Freetown, including the Aberdeen Bridge, falls, said there have been a few lower level investigations of executions following complaints by members of the public, but that the allegations were proven to be baseless and subsequently dropped. He said, I heard about the allegations of executions and I took it up. There have been a few investigations into accusations of summary executions having been committed by soldiers under my command, which have been conducted at the brigade level, but we didn't find anything substantial. There have been no formal inquiries or disciplinary actions taken against any soldier or officers under my command as a result of the what took place during the January rebel offensive. [122]

Following a United Nations report in February 1999 which expressed concern about summary executions, the ECOMOG high command indicated to the U.N. secretary-general's special representative in Sierra Leone, Francis Okelo, their intention to investigate these allegations and to take corrective action as necessary. [123] In April, the ECOMOG force commander Felix Mujakperuo established a Civil/Military Relations Committee to investigate allegations of human rights violations against individual members of ECOMOG and CDF and recommend appropriate action to the high authorities.[124] However, the start date for complaints to be investigated is April 1, thus none of the executions committed in January and February will be eligible for investigation under this committee.

Looting and Brutality

Witnesses, particularly from the eastern suburbs of Kissy, Wellington, and Calaba Town observed CDF-Kamajor fighters looting property from the homes of civilians who had fled to get away from the fighting. Thousands of civilians had fled from the eastern areas to take shelter in the homes of relatives and in camps of displaced people, leaving entire neighborhoods largely unoccupied. Witnesses described the CDF-Kamajors going into these areas ostensibly to search and secure them, but then leaving with bundles of clothes, electrical items, radios, and other items. Once civilians reoccupied their homes, the looting decreased significantly.

ECOMOG, CDF-Kamajors, and SSD police in charge of manning the many checkpoints in Freetown were accused of using extreme brutality against the civilian population. Witnesses described people being slapped, pushed, humiliated, and forced to do painful physical exercises as punishment for such insignificant offenses such as not waiting one's turn in line, not answering questions in sufficient detail, or riding a bike through a checkpoint.

There were reports of mistreatment by ECOMOG soldiers of members of some international nongovernmental organizations, particularly the International Committee of the Red Cross (ICRC), who were accused of being rebel collaborators. Members of ECOMOG confiscated property, including vehicles and radios, and several ICRC expatriate staff were deported after being detained and interrogated.

Detention

Social workers for local humanitarian organizations have documented the mistreatment of suspected child rebels while in the custody of both ECOMOG and CDF-Kamajors. One international NGO received reports of several children being beaten while in ECOMOG's Wilberforce Barracks during the months of January and February. A local NGO documented the physical abuse of over thirty street children suspected of being rebel collaborators, both during capture by ECOMOG and Sierra Leonean Police and while in detention in Wilberforce Barracks.

Local social workers also expressed concern about the periodic detention of children and adults by the Kamajor Civil Defense Forces. The Kamajors don't have an official barracks or military headquarters, and have adopted a local hotel as their base, the Bookfields Hotel in central Freetown. It is within this hotel that several witnesses reported to Human Rights Watch seeing detainees held by the Kamajors. As the detentions are not officially acknowledged, they are not subject to governmental regulations and monitoring. They are also illegal.

Execution of a Journalist

There is a highly reliable report of the killing by ECOMOG forces of a journalist named Abdul Jumah Jalloh, who at the time worked for an independent newspaper, the *African Champion*. According to an investigation carried out by the Sierra Leonean Union of Journalists, Mr. Jalloh was publicly accused of being an RUF rebel by a member of a civil defense unit, who then alerted a patrol of ECOMOG soldiers. Mr. Jalloh identified himself as a journalist and produced his press identification card, but was later taken to a checkpoint near State House and subsequently executed. His death, which occurred in the last week of January, was denounced by his editor, Mohamed Koroma, who was with him at the time of his detention, and who has since left the country. Human Rights Watch has been unable to find a direct witness to this killing.

Failure to Minimize Civilian Casualties

Joseph

Civilians making up part of a human shield often described feeling surprised when ECOMOG either opened fire on them or bombed them from the air. Joseph, a thirty-five-year-old man, who on January 7 was forced by the RUF rebels to walk down Wilberforce Street as part of a human shield, described his confusion when they were later bombed by an ECOMOG jet:

> I was one of several hundred civilians; we'd all been ordered out of our houses at gunpoint and forced to join in a march. They made us put white bands around our heads and told us to shout Awe want peace, we want peace as we walked down the street. The rebels really wanted to infiltrate the west of the city and I later thought their plan had been to use the big peace march to break into the west.
>
> When the jets passed over of course we saw them, of course we heard them, but we just never, never thought they would drop those bombs. There were so many of us and even though they were flying fast, they passed at least three times and it must've been obvious we were civilians. When the rebels ran for cover I thought it was because they didn't want ECOMOG to see them. I just didn't think it was because they were going to bomb us.[125]

Brig.-Gen. Maxwell Khobe, a Nigerian seconded to be the Sierra Leonean chief of defense staff, stated to journalists on February 2, 1999 that rebels had managed to enter Freetown in January only because they had used civilians as human shields. He said, from hindsight, I believe it would have been better to kill all those that have come, even if they were civilians, in order save the majority. That was not done, and that was what was responsible for the entire thing that took place in Freetown. He said that in the future ECOMOG commanders have issued new shoot the shields orders and that, if they try it again, we'll kill everything from the opposite direction. [126]

Colonel Buhari Musa, commander of the Freetown garrison described the difficulty his soldiers faced when fighting an unorthodox force who often don't wear uniforms or have any special markings to distinguish them from the civilian population. He said it's difficult for us to say what are the criteria for identification; both males and females, young and old are combatants. It is difficult and unfortunate. But sometimes you just have to fight and in such situations you will see that some lives are lost. It is unfortunate for whoever is

the victim. But we tell our soldiers that everybody, even they have a right to their lives. [127]

International humanitarian law forbids the use of human shields, but also requires that combatants minimize civilian casualties at all times, even if the civilian population is being used as a shield. Attacks on legitimate military targets are limited by the principle of proportionality as set out in Protocol I to the Geneva Conventions, article 51. The attacker must choose a means of attack that avoids or minimizes damage to civilians, and in particular should refrain from launching an attack if the expected civilian causalities would outweigh the importance of the military target to the attackers.

107 Human Rights Watch interview, Freetown, April 19, 1999.

108 Human Rights Watch interview, Freetown, April 30, 1999.

109 The name of this ECOMOG captain was provided to Human Rights Watch but has been withheld.

110 Many of the SLA soldiers had taken part in the 1997 AFRC/RUF coup, and fled to the bush when ECOMOG expelled them from the capital. Their families, many of whom continued to live within the military barracks in the capital, were often accused of collaboration with ECOMOG.

111 The civil defense units are unarmed units made up of local civilians. The CDUs were set up following the ECOMOG intervention of February 1998 which ousted the AFRC/RUF junta and restored elected President Tejan Kabbah to power.

112 Human Rights Watch interview, Freetown, June 7, 1999.

113 Human Rights Watch interview, Freetown, May 21, 1999.

114 Human Rights Watch interview, Freetown, May 6, 1999.

115 Human Rights Watch interview, Freetown, May 21, 1999.

116 Human Rights Watch interview, Freetown, May 21, 1999.

117 Human Rights Watch interview, Freetown, May 14, 1999.

118 Human Rights Watch interview, Freetown, April 19, 1999.

119 Human Rights Watch interview, Freetown, May 20, 1999.

120 Human Rights Watch interview, Colonel Buhari Musa, commander Freetown garrison, Freetown, June 11, 1999.

121 Human Rights Watch phone interview, Lt. Colonel Chris Olukolade, Freetown, June ll, 1999.

122 Human Rights Watch interview, Colonel Buhari Musa, commander Freetown garrison, Freetown, June 11, 1999.

123 *Fifth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone* (New York: United Nations, March 4, 1999), U.N. document S/1999/237, p.7.

124 The membership in the committee includes representatives of the National Commission for Democracy and Human Rights, the Bar Association , the police, the media, civil society and the governments. UNOMSIL participates in an observer capacity.

125 Human Rights Watch interview, Freetown, May 28, 1999.

126 Nigerian newspaper report posted to ASierra Leone Web,@ February 3,1999. Available at <www.sierraleone.org>.

127 Human Rights Watch interview, Freetown, June 11, 1999.

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VI. CHILDREN AS VICTIMS AND PERPETRATORS OF GROSS HUMAN RIGHTS ABUSES

During the January rebel incursion children were the victims of serious abuses committed by all parties to the conflict. They were not spared from any class of abuse and were, in some cases, purposefully targeted because of their age.

Some of the atrocities committed by the RUF rebels were unthinkable. Infants and children were thrown into burning houses, the hands of toddlers as young as two were severed with machetes, girls as young as eight were sexually abused, and hundreds of children of all ages were traumatically separated from their communities and forced to walk into the hills with strangers whom they had seen kill their family members.

In some cases children, many of them originally abuductees, participated in the perpetration of these abuses. Child combatants armed with pistols, rifles, and machetes actively participated in killings and massacres, severed the arms of other children, and beat and humiliated men old enough to be their grandfathers. Often under the influence of drugs, they were known and feared for their impetuosity, lack of control, and brutality.

In some cases, ECOMOG and government forces summarily executed rebel child combatants and suspected collaborators they had captured; other children suffered physical abuse while in detention. Some child soldiers were beaten to death after being caught by members of local communities.

As children abducted by the rebels in January have been released or managed to escape, they have described the process of psychological and physical formation used to turn victim into perpetrator. They described a life of physical hardship, forced labor, substance abuse, and military training. In Freetown, parents speak of their frustration and guilt at their inability to protect their children.

For those hundreds of children who witnessed family members murdered in front of them, were forced to watch as a mother or sister was raped, or had to leave a wounded relative behind in a burning house, the events of January 1999 have no doubt produced deep psychological scars they will live with for the rest of their lives.

Two civilians, Adama and Zainab, expressed the ambivalence civilians have about the role of child combatants. On the one hand they are feared and misunderstood, and on the other, pitied as victims themselves.

Adama

Adama, a forty-two year old secretary, described the horror and fear adults felt at seeing children carry out terrible atrocities:

> We feared them. They were cruel and hard hearted; even more than the adults. They don't know what is sympathy; what is good and bad. If you beg an older one you may convince him to spare you, but the younger ones, they don't know what is sympathy, what is mercy. Those who have been rebels for so long have never learned it.
>
> Once, a rebel, a small boy in full combats, he couldn't have been more than twelve, called

everyone out of the house across the street. The papa of the family, Pa Kamara, said, please my son, leave my family, but the boy said, listen, we can do anything we want in Freetown. We don't have mothers, we don't have fathers. We can do anything we wanna do. And that is how Pa Kamara died; the rebel boy shot him, in front of his wife, his children, his grandchildren. They are wicked, those boy soldiers. They spare no human life.[128]

Zainab

Zainab, a twenty-four old market vendor, on the other hand, found that she could pity a child exhausted by combat:

> Late one evening, a ten-year-old with a pistol came, alone, into our house. He told my husband his commander was hungry and wanted one of our chickens. While my husband was catching the hen, that boy sat down to wait. He was thin and exhausted. I brought him a biscuit and water. He said he was tired and weak and as he left with the chicken turned to me and said, thank you, mam.
>
> Later my neighbors criticized me for giving him that biscuit. I said I didn't care if he was a rebel or not. He's still somebody's child. Maybe he was abducted. God knows what they've done to him. I wanted to hide that boy and take him with us as we fled and just knew he would've come with us if he'd had the chance. I could see he wasn't happy.[129]

128 Human Rights Watch interview, Freetown, May 20, 1999.

129 Human Rights Watch interview, Freetown, April 14, 1999.

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VII. INTERNATIONAL RESPONSE

Since the beginning of the conflict in 1991, the plight of civilians in Sierra Leone has had to compete with the other refugee-related emergencies on the African continent and elsewhere for the attention of the international community. Insofar as Sierra Leone has attracted international interest, attention has focused on the humanitarian needs of the displacedCor on the protection of mining concerns in Sierra Leone's diamond fields. As one human rights worker observed in 1998, half the battle [has been] keeping Sierra Leone on the world's radar screen. [130] The January 1999 RUF occupation of Freetown brought more condemnation from the international community, but little more action. Only Sierra Leone's West African neighbors, in particular Nigeria, have put substantial resources into an attempt to keep the peace and restore respect for human rights and the rule of law.[131] It is to be hoped that the visit of U.N. High Commissioner for Human Rights Mary Robinson to Sierra Leone in June 1999 will contribute to a reversal of this neglect.

ECOWAS, ECOMOG, and the Organization of African Unity (OAU)

In accordance with bilateral security accords, Nigerian and Guinean forces from ECOMOG have been stationed in Sierra Leone since 1995 to help the NPRC and, later, the Kabbah government fight the RUF rebels. After the May 25, 1997 military coup of the AFRC, and its establishment of a coalition government with RUF rebels, hundreds of additional Nigerian soldiers assigned to ECOMOG in Liberia moved to Sierra Leone to defend the Freetown airport from attack. The Nigerian troops attempted to take Freetown itself, but were forced to withdraw. On June 26, 1997, ministers of foreign affairs from ECOWAS countries, supported by the OAU, demanded the reinstatement of the elected government of President Tejan Kabbah and formed a ministerial committee to monitor the situation in Sierra Leone. When negotiations with the new rulers in Sierra Leone collapsed, ECOWAS imposed an almost total embargo on Sierra Leone, enforced by the Nigerian navy, which was later reinforced by an October 1997 U.N. Security Council global arms and oil embargo and restrictions on international travel by families of the rebel leaders.[132]

With the failure of diplomatic efforts for the restoration of peace and the reinstatement of the Kabbah government, ECOMOG's mandate was changed from sanction enforcement to actual military intervention to oust the rebel government. In February 1998, ECOMOG drove the AFRC/RUF forces away from the capital city of Freetown and reinstated President Kabbah, though it could not reestablish government control over the whole country; thus allowing the RUF resurgence and attack on Freetown in January 1999. ECOMOG now maintains security in and around Freetown, and has been able to expand its control to some other areas, although the rebels maintain their grip on much of the country.

Presently the ECOMOG contingent in Sierra Leone is led by Nigerian Major-General Felix Mujakperuo (who assumed command in March 1999) and is composed of approximately 14,000 troops, predominantly Nigerian, with Ghanian, Malian, and Guinean support. The cost of maintaining the troops is being borne mostly by Nigeria (which is allegedly spending approximately U.S.$1 million daily) and the other states that have contributed troops.[133]

In addition to its peacekeeping role, ECOMOG's mandate also includes the implementation of a program for the disarmament, demobilization, and reintegration of combatants (the DDR program), and training the new Sierra Leone army. Although ECOMOG has stated that the new army will be ethnically and regionally balanced,[134] there is also a need to underscore the importance for UNOMSIL to provide assistance and closely monitor the disarmament, demobilization, and training processes to assure that the new army is founded upon principles of respect for international humanitarian law.

On the humanitarian front, ECOWAS and the OAU have been consistent in their condemnation of the atrocities of the rebels. For example, in December 1998, the ECOWAS Ministerial Committee on Sierra Leone issued a communiqué deploring the torture, mutilations, amputations, and mass killings of innocent civilians. In March 1999, Salim Ahmed Salim, the secretary-general of the OAU, delivered a report to a session of the Council of Ministers, in which he condemned the January offensive on Freetown by the rebels. The OAU also reaffirmed its absolute support for the efforts of ECOWAS and ECOMOG.

ECOWAS has played an important role in facilitating peace negotiations between the RUF leaders and representatives of the government of President Kabbah, which are taking place in Togo, whose president is the current chair of ECOWAS.

The United Nations

The United Nations' initial reaction to the 1997 military coup by the Armed Forces Ruling Council was to condemn it and to place sanctions against the government formed by the rebels. The United Nations Security Council commended ECOWAS on its efforts to restore the ousted government of President Tejan Kabbah and urged member states to assist ECOMOG with financial and logistical support. It also condemned the atrocities perpetrated by the rebels, in particular against women and children.[135] The Security Council also made the determination that the crisis in Sierra Leone constituted a threat to international peace and security in the region under Chapter VII of the U.N. Charter, and that it would remain actively seized of the matter.

In July 1998, the U.N. Security Council unanimously approved a resolution to establish the United Nations Observer Mission to Sierra Leone (UNOMSIL), increasing the United Nations' military observer presence already in the country from approximately ten to seventy officers, along with civilian support and medical staff. UNOMSIL's mandate includes responsibility for monitoring and helping ECOMOG with the implementation of a program for the disarmament, demobilization, and reintegration of combatants (the DDR program); reporting on the security situation; monitoring respect for international humanitarian law, including at disarmament and demobilization sites; and advising the government of Sierra Leone and local police officials on police practice, training, re-equipment, and recruitment, in particular on the need to respect internationally accepted standards of policing in democratic societies.[136]

As RUF forces approached Freetown in late December 1998, the U.N. and other international agencies and foreign governments began withdrawing their staff from the country. On January 6, as the rebels entered the city, UNOMSIL completed its evacuation.[137] The relocation to Conakry, the capital of neighboring Guinea, was followed by a substantial reduction in the number of staff, in particular military and civilian police. On March 3, the decision was made to allow the return of a limited number of staff to Freetown.[138]

On June 4, 1999, the U.N. secretary-general released his sixth report on UNOMSIL. The report noted a resurgence in rebel atrocities against civilians in recent months; the secretary-general's fifth report, issued in March, described similar atrocities committed during the rebel invasion and occupation of Freetown in January. Both reports also noted serious allegations that members of ECOMOG and the CDF had carried out summary executions of suspected rebels. The secretary-general described the worsening of an already desperate humanitarian situation across much of the country, noting that 2.6 million Sierra Leoneans, nearly half the population, were out of reach of humanitarian agencies, and that even where there was access, humanitarian efforts were still unable to reach all those in need.

The secretary-general also noted that ECOMOG had confirmed the involvement of the governments of Liberia and Burkina Faso in the shipment and delivery of arms to the forces of the RUF. Accordingly, the secretary-general had proposed the deployment of ECOMOG troops and U.N. personnel along the Sierra Leone border. Welcoming the proposal in principle, the executive secretary of ECOWAS had responded that U.N. logistical support would be necessary, including helicopters, communications, and ground transportation.

As of June 4, 1999, UNOMSIL consisted of twenty-four military observers, including two medical personnel, as well as twenty-nine international and twenty-four national staff members. The secretary-general's sixth report stated that it was planned to deploy additional observers up to the maximum of seventy

set by U.N. Security Council resolution 1181 of July 13, 1998, to increase the civilian staff by two political officers, and to restore the human rights section to its previous staffing level of five persons. The secretary-general drew the attention of the Security Council to the fact that, depending on the progress of the peace talks, it might well be necessary to deploy a sizeable number of infantry and other observers, along with the necessary equipment and military logistical support, if the U.N. were to deploy effectively to assist in the implementation of an eventual peace agreement.[139] The secretary-general also envisage[d] a significant expansion of the civilian personnel, including those engaged in political, human rights and logistical support functions. [140] On June 11, 1999, the Security Council extended the mission of UNOMSIL for a further six months, until December 13, 1999.[141]

The Sierra Leone Contact Group

In July 1998, a Sierra Leone Contact Group was established, following a special conference on Sierra Leone held at U.N. headquarters in New York. The first meeting of the Contact Group, chaired by the United Kingdom, took place on November 5, 1998, with objectives to build up support for Sierra Leone's efforts to restore peace, democracy and human rights; to encourage further assistance to ECOMOG and contributions to the United Nations Trust Fund for Sierra Leone; to try to match specific ECOMOG requirements to donor offers; and to encourage the Government of Sierra Leone to develop political dialogue and national reconciliation beyond the programme for the disarmament, demobilization and reintegration of former combatants and to encourage participation in it. [142] The meeting expressed strong support for a dual track approach endorsed by the ECOWAS summit held in October, by which efforts to strengthen ECOMOG would be accompanied by the opening of dialogue to achieve lasting peace and national reconciliation. [143]

On April 4, 1999, the Contact Group held its second meeting, attended by representatives of twenty-two countries, the U.N., ECOWAS, ECOMOG, the European Commission, the Commonwealth, the World Bank and IMF, and the International Committee of the Red Cross (ICRC), and once again reaffirmed support for the dual track approach and for the 1996 Abidjan Accord as a framework for a negotiated settlement. The group condemned atrocities committed by the rebels, called on all sides to investigate abuses, and expressed concern at support coming to the RUF through Liberia and Burkina Faso.[144]

The United Kingdom, European Union, and United States

The United Kingdom has provided more assistance to the ECOMOG and Sierra Leonean government forces than any other government from outside the region, and has also been the largest national donor to Sierra Leone of reconstruction aid and humanitarian assistance, committing more than ,30 million in total to Sierra Leone since the restoration of President Kabbah in March 1998.[145] The assistance the U.K. has provided has included training and equipment for a new Sierra Leonean army.

The U.K.'s record on Sierra Leone has been tarnished by the government's handling of contacts between the government of President Kabbah and a U.K.-based private security company, Sandline International, during 1997 and 1998, which included the supply of a shipment of arms to Sierra Leone in late February 1998 in breach of the U.N. arms embargo (which applied to government as well as rebel forces). In February 1999, the House of Commons Select Committee on Foreign Affairs issued a report, itself based on an investigation ordered by Foreign Secretary Robin Cook and carried out by Sir Thomas Legg Q.C. Both the Legg report and the Foreign Affairs Committee were highly critical of both the Foreign and Commonwealth Office and the foreign secretary, though they concluded that the violation of the embargo was due to incompetence and mismanagement rather than intent.

According to the U.S., its policy towards the crisis in Sierra Leone is designed to achieve four goals: increase international support for ECOMOG; help ECOWAS leaders coordinate a negotiated settlement; curtail external support for the rebel forces; and provide humanitarian relief. To that end, the U.S. provided U.S.$3.9 million in equipment and logistical support to ECOMOG, and contributed over U.S.$55 million in humanitarian assistance in 1998. In 1999 it committed U.S.$5 million for logistical support and medical supplies and planned to seek approval for a further U.S.$5.8 million from Congress.[146] In May 1999, the U.S. government promised to double its commitments to assist ECOMOG and the Sierra Leonean Government.[147] The U.S. has also condemned external support for the rebels from Liberia. However, in a letter dated February 4, 1999 sent by seven members of the U.S. Congress to President Clinton, the

members expressed dismay by the limited U.S. support for the efforts of ECOMOG.[148]

Through the European Community Humanitarian Office (ECHO), the E.U. has been an important donor of non-food humanitarian aid to Sierra Leone, having contributed over 20 million ECUs (over U.S.$22 million) by 1998, mostly to support the activities of international humanitarian nongovernmental organizations (NGOs). In November 1998, the E.U. made a grant of 860,000 ECU to the OAU partly to support any post-conflict reconstruction that it undertakes in Sierra Leone. In April 1999, the E.U. approved Euro 5 million to cover emergency aid for displaced persons in Sierra Leone (and Guinea). The E.U. states that it has given Sierra Leone more than 111 million ECUs (U.S. $140 million) in emergency aid and for reconstruction of infrastructure and rehabilitation of victims of the war.[149]

The Commonwealth

The Commonwealth Ministerial Action Group (CMAG), formed in November 1995 at the Commonwealth Heads of Government Meeting held in Auckland, New Zealand, has consistently followed the situation in Sierra Leone, condemning the 1997 military coup and suspending the right of the junta to participate in Commonwealth debates until the restoration of President Kabbah. CMAG has also denounced atrocities committed against civilians by the rebels. Since the restoration of President Kabbah, the Commonwealth has assisted with the reorganization and training of the Sierra Leone police force, together with UNOMSIL civilian police advisers.

130 Human Rights Watch interview, relief organization representative, Freetown, June 24, 1998.

131 Nigerian support, through ECOMOG, for President Tejan Kabbah was perhaps motivated partly by domestic politics and by the desire of former military ruler Gen. Sani Abacha to gain credit on the international stage in the face of condemnation of his own dictatorial regime. Nevertheless, and although the ECOMOG intervention has been neither as effective nor as respectful for human rights on its own account as Sierra Leoneans would wish, it is undoubtedly true that the situation for many Sierra Leoneans has been significantly ameliorated by the presence of the ECOMOG forces.

132 See Human Rights Watch/Africa, ATransition or Travesty,@ pp.38-41, for a discussion of the Nigerian role in the ECOMOG intervention in Sierra Leone.

133 InterPress Service, May 31, 1999.

134 Press conference led by Brig. Gen. Maxwell Khobe, Wilberforce military base, June 25, 1998, Freetown, Sierra Leone.

135 United Nations Security Council Resolution 1132, October 8, 1997, U.N. document S/RES/1132 (1997).

136 United Nations Security Council Resolution 1181, July 13, 1998, U.N. document S/RES/1181 (1998) (sponsored by the U.K.).

137 *Special Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone* (New York: United Nations, January 7, 1999), U.N. document S/1999/20, section II.

138 *Fifth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone* (New York: United Nations, March 4, 1999), U.N. document S/1999/237, paragraph 6.

139 *Sixth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone* (New York: United Nations, June 4, 1999), U.N. document S/1999/645, paragraph 55.

140 Ibid., paragraph 57.

141 United Nations Security Council Resolution 1245, June 11, 1999, U.N. document [S/RES/1245(1999)].

142 *Third Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone* (New York: United Nations, December 16, 1998), U.N. document S/1998/1176, paragraph 8.

143 Ibid., paragraph 9.

144 Foreign and Commonwealth Office, *Sierra Leone Contact Group Meeting: Chairman=s Concluding Statement* (London, April 19, 1999).

145 Foreign and Commonwealth Office, *Statement on Sierra Leone* (Private Notice Question Answered by the Foreign Secretary, Mr. Robin Cook, House of Commons, London January 1, 1999), and Foreign and Commonwealth Office, *Cook Welcomes Nigerian Support for Peace in Sierra Leone* (Edited transcript of Press Conference by the Foreign Secretary, Robin Cook, Nigerian Head of State General Abubakar and President Kabbah of Sierra Leone, Abuja, Nigeria, March 9, 1999).

146 U.S. Assistant Secretary for African Affairs Susan E. Rice speech to the Committee on International Relations of the U.S. House of Representatives, March 23, 1999.

147 The U.S. under secretary of state for political affairs, Ambassador Thomas Pickering, made this pledge to the Nigerian President on May 5, 1999.

148 The letter was signed by Alcee L. Hastings, Cynthia Mckinney, Eva M Clayton, Amo Houghton, Vernon Ehlers, Albert Wynn, and Tom Lantos.

149 DG VIII Press Releases. Confirmed by Ms. Hals (DGVIII) on May 19, 1999.

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The staff includes Kenneth Roth, executive director; Michele Alexander, development director; Reed Brody, advocacy director; Carroll Bogert, communications director; Cynthia Brown, program director; Barbara Guglielmo, finance and administration director; Jeri Laber, special advisor; Lotte Leicht, Brussels office director; Patrick Minges, publications director; Susan Osnos, associate director; Jemera Rone, counsel; Wilder Tayler, general counsel; and Joanna Weschler, United Nations representative. Jonathan Fanton is the chair of the board. Robert L. Bernstein is the founding chair.

Its Africa division was established in 1988 to monitor and promote the observance of internationally recognized human rights in sub-Saharan Africa. Peter Takirambudde is the executive director; Janet Fleischman is the Washington director; Suliman Ali

Baldo is the senior researcher; Alex Vines is the research associate; Bronwen Manby and Binaifer Nowrojee are counsels; Zachary Freeman is the administrative associate; Alison DesForges is a consultant; and Peter Bouckaert is the Orville Schell Fellow. William Carmichael is the chair of the advisory committee.

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S/1995/975
21 November 1995

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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN SIERRA LEONE

I. INTRODUCTION

1. The present report is submitted pursuant to a number of requests from members of the Security Council. It covers the period since my good offices were formally requested by the Government of Sierra Leone in November 1994.

2. The conflict in Sierra Leone began in March 1991, when the forces of the Revolutionary United Front (RUF) launched attacks to overthrow the Government of the All People's Congress (APC) headed by former President Joseph S. Momoh. The conflict has so far caused the deaths of thousands of civilians, while many thousands more are internally displaced or are refugees in Guinea and Liberia.

3. On 29 April 1992, the Government of President Momoh was overthrown by a military coup and the National Provisional Ruling Council (NPRC) was established. Captain Valentine E. M. Strasser became the Chairman of NPRC and Head of State. After the coup, RUF made additional demands and continued its conflict with the new Government.

4. Towards the end of 1993, NPRC regained control of areas held by RUF in the southern and eastern parts of the country and subsequently announced a unilateral cease-fire in December 1993. Nevertheless, attacks on towns, villages and major highways escalated to unprecedented levels and spread throughout the country.

5. In a letter addressed to me on 24 November 1994, Chairman Strasser formally requested my good offices to bring the Government and RUF to negotiations, with the United Nations serving as an intermediary in that process. I dispatched a member of the Department of Political Affairs, Mr. Felix Mosha, to Sierra Leone to explore the possibilities of dialogue between the Government and RUF. He held a series of discussions from 15 to 22 December 1994 with Government officials, prominent citizens, religious leaders, resident diplomats and representatives of all United Nations bodies and agencies in Sierra Leone. He was not able, however, to establish contact with RUF in order to assess its

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attitude towards negotiations. In a letter to me dated 28 December 1994, Chairman Strasser expressed his appreciation and full support for the mission and requested that I continue my efforts.

6. The findings of the exploratory mission convinced me of the need to establish a more permanent presence in Freetown. I therefore appointed Mr. Berhanu Dinka (Ethiopia) as my Special Envoy for Sierra Leone and communicated this to the President of the Security Council on 7 February 1995 (S/1995/120).

II. POLITICAL SITUATION

7. During the last three years, while taking military measures against RUF, the Government has followed a two-track political approach: a negotiated settlement with RUF and democratization of the political process, including transition to an elected civilian Government within a fixed time-frame. These two political approaches are intended to reinforce each other.

A. The pursuit of negotiations

8. Prior to requesting my good offices, the Government had dispatched a delegation of prominent Sierra Leoneans to the border with Liberia to establish contact with RUF and pave the way for peace talks. The delegation met with the representatives of RUF on the Mano river bridge and held meetings with them on 24 November and 4 and 7 December 1994. Since then, there have been no follow-up meetings and each side has blamed the other for the non-resumption of talks. RUF accused the Government of sabotaging the process by issuing derogatory statements while the talks were being held. The Government alleged that the talks were discontinued because RUF took hostage three members of the Government delegation and continues to hold them.

9. My Special Envoy has spared no effort to establish contact with RUF. He has closely collaborated with the Organization of African Unity (OAU), the Commonwealth Secretariat and other organizations supporting negotiations in Sierra Leone. Along with the OAU and Commonwealth delegations, he issued a tripartite statement in Freetown in February 1995, calling on RUF to meet with them. He has since kept in constant communication with officials of these two organizations.

10. In his attempts to establish contact with RUF leadership, my Special Envoy has sought and received assistance from official bodies, private individuals and non-governmental organizations in Sierra Leone and throughout the subregion. This has enabled him to communicate with Mr. Foday Sankoh, the leader of RUF, and some of its senior members. In May 1995, Mr. Sankoh invited my Special Envoy to visit him at his base but later changed his mind. In a similar vein, at the beginning of September 1995, he invited, through the International Committee of the Red Cross (ICRC) in Freetown, a number of prominent Sierra Leoneans to meet him. The Government agreed to allow those invited to proceed to the meeting. On 18 September, ICRC informed RUF of the Government's

agreement and requested RUF to fix the date and venue. No response has yet been received.

11. My Special Envoy is still continuing his efforts through various channels to meet face-to-face with the RUF leader. In addition to these efforts, he has been assisting and encouraging the Government in its democratization process.

B. Democratization

12. On 26 November 1993, Chairman Strasser issued a declaration setting out a programme of transition to democratic constitutional rule. According to the schedule, registration of voters was to have been completed from March to June 1994 and presidential elections were to have taken place in November 1995. However, the continued conflict and limited State resources have delayed the implementation of the transition programme by one year.

13. On 27 April 1995, on the occasion of the thirty-fourth anniversary of independence, Chairman Strasser reaffirmed the commitment of NPRC to the transition programme, pledging that everything possible would be done to complete its implementation by January 1996, when a democratically elected President would be sworn in. Several important steps have followed that pronouncement.

14. The Interim National Electoral Commission (INEC), which was established by Decree No. 1, 1994, has intensified its activity under the chairmanship of Mr. James O. C. Jonah. Its sister organization, the National Commission for Democracy (NCD), established by Decree No. 15, 1994, promotes civic and voter education throughout the country.

15. At the request of the Government, the United Nations Electoral Assistance Division conducted a needs assessment mission from 22 November to 2 December 1994, in close collaboration with the National Electoral Commission, to identify the technical requirements for organizing the electoral process, including voter registration, polling, civic education, training of electoral officers, legal issues and the electoral timetable.

16. On 20 June 1995, the Government issued Decree No. 7, 1995, lifting the ban on political activities, which it had imposed when it came to power, and empowered INEC to register political parties. Fifteen political parties have so far been issued with final certificates of registration and have begun campaigning (see annex I).

17. In order to build broad-based support for the electoral process, a National Consultative Conference on Elections was held in Freetown from 15 to 17 August 1995 with the participation of all the political parties, representatives of the Government and 78 different organizations representing a wide spectrum of civil society. The Conference adopted a system of elections based on proportional representation, a code of conduct for political parties and rules to govern campaign financing. The Conference overwhelmingly agreed to hold elections by the end of February 1996. The date has since been set for

26 February 1996. The vigorous debate and the consensus that emerged indicate wide support for the democratic process.

18. As a result of these decisions, INEC is ready to begin voter registration and to finalize preparations for the elections. However, there are serious financial constraints that endanger this process: the total budgetary requirement is US$ 10,730,219, but only US$ 1,125,005 in cash and kind has so far been raised from external sources (see annex II). Unless additional financial support is made available, the electoral timetable will not be met.

19. Postponement of the elections could result in escalating violence and halt altogether the process of democratization. There are some elements within Sierra Leone that seek to derail the electoral process, as was attested by the attempted coup of 2 October 1995.

20. Various efforts have been made to raise resources. At a briefing of donor countries on the electoral and political situation in Sierra Leone on 2 November 1995, the response was very positive. I am convening a donors' conference on electoral assistance to Sierra Leone in New York on 30 November and I urge Member States to respond generously.

21. I have instructed my Special Envoy to follow closely all aspects of the democratization process. I have also instructed him to encourage the Government and leaders of the political parties to safeguard the integrity of the process, ensuring that the elections are free and fair and that their outcome is not contested.

III. SECURITY SITUATION

22. When NPRC took power, the Republic of Sierra Leone Military Forces numbered 3,000. A massive recruitment drive increased their total strength to around 14,000. After the December 1994 offensive by RUF, however, it became clear that the forces were inadequate to confront the challenges they faced. In addition, some soldiers have been implicated in illegal activities.

23. Given the links between the conflicts in Liberia and Sierra Leone, certain regional and other countries have taken the decision to provide military assistance to Sierra Leone. In addition, NPRC has been using non-Sierra Leonean advisers to improve the fighting skills of its troops, instil discipline and upgrade command and control.

24. The situation on the ground has not changed dramatically. Foreign and Sierra Leonean nationals, including seven nuns, were taken hostage in different parts of the country in early 1995 and subsequently released on 21 March 1995. In addition, RUF began moving closer to Freetown and captured several villages in Kono District, an area rich in diamonds and therefore of great economic importance.

25. Recently, morale and discipline within the Republic of Sierra Leone Military Forces appear to have improved. The diamond fields of Kono and a number of villages were retaken by Government forces in July and August 1995.

The frequency of ambushes on the highways has decreased in the last few weeks and, if the present trend continues, the delivery of relief assistance to the countryside, as well as registration and voting, will be facilitated.

26. The majority of the combatants on both sides are young men with no employable skills other than soldiering. The Government has expressed its desire to demobilize part of its army. This is imperative, but it is also vital to reintegrate the demobilized soldiers into society as productive citizens. Sierra Leone lacks the resources to accomplish this task and the international community needs to assist the processes of demobilization and reintegration. While this programme will initially cover only members of the Republic of Sierra Leone Military Forces and those RUF combatants who are already in the hands of the Government, it must be designed to cover those still in the field as soon as a cease-fire and peace agreement are in place.

27. The Republic of Sierra Leone Military Forces held a seminar on 16 and 17 November 1995 with civilians and representatives of political parties to discuss the differences of perception and mutual suspicion between the military and the civilian population. It hopes that this seminar will create a harmonious environment in preparation for the forthcoming transition to civilian rule.

IV. THE ECONOMIC SITUATION

The socio-economic costs of the war

28. Much of the fighting has taken place in the mineral-rich areas in the south and east and the agriculturally viable regions where cocoa, coffee and other cash crops are grown. As a result, production of gold and diamonds dropped from 43,000 tons in 1991 to 38,000 tons in 1994. This was reflected in a $30 million decline in exports. Income from the production of cash crops has declined from $21 million in 1990 to $7.6 million in 1993, a fall of 64 per cent. At the same time, government expenditures have risen as a result of the war; it is estimated that some 75 per cent of total revenue is now spent on the war effort.

29. Infrastructure damage has been enormous, with academic institutions, government offices, banks, health centres, schools and hospitals in a state of severe disrepair. Roads, bridges and construction equipment have been destroyed, while the Government, the churches, NGOs and mining companies have closed or scaled down operations and laid off thousands of workers as part of the austerity measures.

30. The Government has been credited with stabilizing the economy. However, the formal economy accounts for only 25 to 30 per cent of the country's total economic activities. As economic opportunities in the formal sector decline, people have little choice but to participate more fully in the informal economy, including resorting to acts of banditry.

31. Much of the war is being fought in the rural areas, particularly in the south and east, affecting semi-subsistence farmers who make up the bulk of the rural population. Farms have been destroyed, food stores burnt, domestic

animals stolen or killed and agricultural tools looted. Attacks have consistently taken place during the dry season, preventing farmers from harvesting their crops. As a result, 248,800 tons of cereals were imported in 1992, an 80 per cent increase over the previous year. Continued food shortages are likely to perpetuate the war.

V. HUMANITARIAN

32. The humanitarian situation in Sierra Leone remains critical. Nearly 2 million people have been internally displaced, the majority flocking to major towns, including Bo, Kenema and Makeni. This represents close to 50 per cent of the country's estimated population of 4,477,000. Only about 1.1 million persons from this group receive assistance with any degree of regularity, owing to security constraints. Highways linking Freetown to key population centres have been usable only sporadically for much of this year and the impact on civilian populations has been severe. In the eastern and south-eastern areas of the country, which have been totally inaccessible for more than eight months, it is feared that malnutrition will soon reach life-threatening levels. Beginning in September 1995, however, there has been a relative improvement in access, allowing humanitarian organizations to deliver relief without armed escorts. Areas in the eastern portion of the country, however, remain inaccessible.

33. The gap between the resources made available by the international community for humanitarian assistance and the unmet needs of the affected population continues to be great. In March 1995, I launched the United Nations inter-agency consolidated appeal for humanitarian assistance to Sierra Leone, covering the period from March to December 1995 and requesting $14.7 million for the emergency activities of the United Nations Children's Fund (UNICEF), the World Health Organization (WHO), the World Food Programme (WFP) and the United Nations Department of Humanitarian Affairs. Only 41 per cent of the funds requested has been received. This pattern is particularly worrying with respect to the status of WFP food stocks and anticipated needs for the coming year. Resources are required as soon as possible to prevent an even more precarious food aid situation next year.

34. The emergency situation has prevented development organizations from carrying out any sustained activity outside the Freetown area. Programmes have now been reoriented to address the emergency. The Department of Humanitarian Affairs will establish a humanitarian assistance coordination unit in Freetown, staffed by three experienced officers, to support the United Nations Humanitarian Coordinator.

VII. OBSERVATIONS AND RECOMMENDATIONS

35. While the situation in Sierra Leone is generally characterized by conflict, human suffering and economic decline, there are some positive emerging trends which, if assisted, would contribute to the re-establishment of peace and stability. The ongoing process of democratization, particularly the elections set for 26 February 1996, is a significant element in this development and worthy of the international community's support.

36. The internal conflict that has raged for the last four years has damaged or destroyed much of the vital physical and social infrastructure of the country. In order to consolidate the democratic process and support the incoming elected civilian Government, I urge the international community to demonstrate its solidarity with the people of Sierra Leone, many of whom believe that the world has abandoned them. Some initial steps must be taken now to signal the international community's commitment to assist this democratization process.

37. Given the importance of the issue, I am instructing the Department of Humanitarian Affairs and the United Nations Development Programme (UNDP) to field a team of experts to prepare, in collaboration with the Government, a coordinated and workable action plan for the demobilization and reintegration of combatants. The team will take into account the experiences gained by the United Nations in El Salvador and Mozambique, as well as the present effort in Liberia, to identify sources of funds so that implementation can begin expeditiously.

38. I have also instructed the Electoral Assistance Division to work closely with other United Nations agencies and programmes, in particular UNDP, to assist INEC in coordinating international observers during the elections and in strengthening national observer groups.

39. The humanitarian situation in Sierra Leone is a cause for concern because of the widening gap between the needs of the war-affected population and the resources available to humanitarian agencies. Unless the international community responds quickly to enhance the humanitarian agencies' capacity to deliver relief assistance in time and in sufficient quantity, the situation may become desperate. In this connection, I should like to commend all United Nations agencies and non-governmental organizations operating in Sierra Leone for their response to the emergency situation by reorienting their various programmes.

40. Delivering relief assistance to the needy is not an easy task even at the best of times. It becomes almost impossible when humanitarian convoys are targeted. Members of the Security Council may consider admonishing those responsible for attacking relief convoys and urging them to refrain from such deplorable actions.

41. Despite all efforts to contact it, the RUF leadership has remained elusive and unresponsive to initiatives for a meeting or negotiations. While commending those Governments, non-governmental organizations and individuals that have been supporting the efforts of my Special Envoy, the time has come for the international community to urge RUF to take advantage of my good offices and to initiate a process of negotiation.

42. I intend to retain my Special Envoy in Sierra Leone for the time being. He will continue his efforts to establish a dialogue between RUF and the Government and to support the process of democratization. His efforts will be coordinated with OAU and the Commonwealth.

43. In conclusion, I should like to call upon Member States to provide the fullest possible material and financial support to INEC so that the elections

can be held on schedule. Although there are legitimate security concerns, experience has shown in other places, such as Cambodia and South Africa, that the democratic process should not be held hostage to the intransigence of any particular group.

Annex I

List of registered political parties in Sierra Leone

	Name of political party	Name of leader
1.	People's Progressive Party (PPP)	Edward Bundu-Kamara
2.	National Unity Movement (NUM)	Desmond Luke
3.	People's National Convention (PNC)	Ibrahim Ben Kargbo
4.	United National People's Party (UNPP)	John Karafa-Smart
5.	People's Democratic Party (PDP)	Thaimu Bangura
6.	All People's Congress (APC)	S. A. T. Koroma
7.	National Unity Party (NUP)	A. O. D. George
8.	Sierra Leone People's Party (SLPP)	Rev. Paul Dumbar
9.	National Democratic Alliance (NDA)	Foday B. Mansaray
10.	National People's Party (NPP)	Alimamy Yamba Komeh
11.	National Republican Party (NRP)	Sahr Steven Mambu
12.	Democratic Centre Party (DCP)	Abu A. Koroma
13.	Coalition for Progress Party (CPP)	Ms. Jeredine Williams Sarho
14.	National Alliance Democratic Party (NADP)	Mohamed Y. Sillah
15.	Social Democratic Party (SDP)	Andrew Lungay

Annex II

Interim National Electoral Commission

Electoral assistance budget (November 1995-March 1996)

Funding status as at 24 October 1995

Category	Description	Amount	Funded	Promised	Not funded
Coordination	Chief technical adviser	108 000	108 000 a/		
	Legal adviser	60 000	60 000 b/		
	United Nations Volunteers	55 000			55 000
	Electoral coordinator	30 000			30 000
	Admin. support personnel	36 000	36 000 a/		
	Mission costs/duty travel	25 000	25 000 a/		
	Reports sundries	18 000	18 000 a/		
	Subtotal	332 000	247 000		85 000
Voter education	International personnel				
	Media coordinator	60 000	60 000 b/		
	Civic education consultant	120 000	120 000 c/		
	National personnel				
	Civic education consultants	12 000	10 000 a/		2 000
	Publicity supervisors	14 667			14 667
	Publicity officers	175 000			175 000
	Publicity assistants	400 000			400 000
Materials rental	Audiovisual productions	55 556	20 000 d/		35 556
	Theatre productions	100 000	63 000 e/		37 000
	Design/graphic materials	83 333			83 333
	Vehicle rental	100 000			100 000

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Category	Description	Amount	Funded	Promised	Not funded
	Launch/other rental	5 556			5 556
	Mobile radio communications	300 000	50 000 a/		250 000
	Training	50 556			50 556
	Equipment materials	100 687			100 687
	Audiovisual communication vehicles	250 000	250 000 f/		
	Fuel and maintenance	106 500			106 500
	Subtotal	1 933 855	573 000		1 360 855
Voter registration	International personnel				
	Logistics coordinator	60 000	60 000 g/		
	Team leaders	40 000			40 000
	Database expert	17 555	17 555 a/		
	Registration coordinators	7 200	7 200 a/		
	Registrars	500 000			500 000
	Data editors	25 667			25 667
	Revision personnel	250 000			250 000
	Data entry personnel	20 000			20 000
	Logistics assistants	6 000			6 000
Training	Registration officials	100 000		63 000 h/	37 000
Rentals/others	Vehicles for registration	166 667			166 667
	Vehicles for revision	83 333			83 333
Materials	Registration	400 000		100 000 h/ 100 000 i/	300 000
	Computerization	220 250	8 500 e/ 211 750 h/		
	Subtotal	1 896 672	305 005	263 000	1 328 667

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Category	Description	Amount	Funded	Promised	Not funded
Polling	International and national personnel				
	Nomination day	20 767			20 767
	Election day	900 638			900 638
	INEC supervisory personnel	100 000			100 000
	Trainees, monitors	533 333			533 333
	Training coordinator	7 200			7 200
	Training assistants	10 800			10 800
Training	Election officers training	250 000			250 000
Materials/rentals	Materials rentals	85 000			85 000
	Vehicle rentals	233 333			233 333
	Election day materials	851 067		c/	851 067
	Food/materials for brigades	109 667			109 667
	United Nations Secretariat equipment	69 220			69 220
	Helicopter lease	1 000 000			1 000 000
	Subtotal	4 171 025			4 171 025
Transportation	Purchases				
	Field vehicles (6)	240 000			240 000
	Light vehicles (14)	560 000			560 000
	Trucks (5)	266 667			266 667
	Minibuses (5)	400 000			400 000
	Motor bicycles/bicycles	150 000			150 000

5829

Category	Description	Amount	Funded	Promised	Not funded
	Operation/maintenance	500 000			500 000
	Air transport fuel/operations	300 000			300 000
	Subtotal	2 416 667			2 416 667
	Grand total	10 750 219	1 125 005	263 000	9 362 214
Summary					
Coordination		332 000	247 000		85 000
Voter education		1 933 855	573 000		1 360 855
Voter registration		1 896 672	305 005	263 000	1 328 667
Polling		4 171 025			4 171 025
Transportation		2 416 667			2 416 667
	Grand total	10 750 219	1 125 005	263 000	9 362 214

a/ United Nations Development Programme.

b/ Commonwealth.

c/ European Union.

d/ Greece.

e/ United States of America.

f/ United Kingdom of Great Britain and Northern Ireland.

g/ Canada.

h/ Sierra Leone.

i/ Sweden.

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Annex III

Resource mobilization for the Sierra Leone emergency

Agency	Requirements	Pledges	Shortfall	Percentage of needs covered
United Nations Children's Fund	2 799 000	1 100 000	1 699 000	39.3
World Health Organization	1 325 000	759 856	565 144	57.3
Office of the United Nations High Commissioner for Refugees	4 648 800	336 538	4 312 262	7.2
Department of Humanitarian Affairs	237 500	8 772	228 728	3.7
World Food Programme (non-food)	450 000	0	450 000	0
(food and ITSH) a/				
Vegetable oil	3 503 640	1 455 000	2 048 640	41.5
Corn-soya blend	686 280	592 800	93 480	86.4
ITSH a/	493 038	278 460	214 578	56.5
Subtotal	4 682 958	2 326 260	2 356 698	49.7
Total for consolidated appeal	14 143 258	4 531 426	9 611 832	32.0
United Nations Development Programme b/		4 104 000		
Food and Agriculture Organization of the United Nations b/		356 000		
United Nations Population Fund b/		100 000		
Grand total	14 143 258	9 091 426	9 611 832	

a/ Internal transport, stores and handling.

b/ Not included in the March-December consolidated appeal.

1885

The conflict in Sierra Leone began in March 1991 when armed combatants crossed the border from Liberia into the South-Eastern part of the country, attacking and subsequently occupying the border town of Bomary in Kailahun District (**Muana, P.**, 1997, 77).

The attack has been variously attributed to a "spill over" of the Liberian civil war (**Carver, R.**, 1997, 1) organised by Charles Taylor, at that time a faction leader in Liberia, after the Sierra Leone regime joined the ECOMOG forces which tried to bring to an end the fighting in Liberia (**Freetown, J.**, 1996, 7). Other sources indicate that the rebels were members of the Sierra Leonean Revolutionary United Front (RUF) movement (**Abraham, A.**, 1997, 101). Most observers, however, suggest a combination of the two. In this view, a number of Sierra Leonean opposition groups had existed for a long period in neighbouring countries even before December 1989, when the Liberian civil war began, ostensibly united and armed by Charles Taylor (**Alao, A.**, 1998, 2; **Regional Surveys of the World 1998**, 1997, 907). The closeness and association between the Sierra Leonean and Liberian rebels has been traced back, by observes, to the joint military training they received in Benghazi, Libya in the 1980s. (**Richards, P.**, 1996, 2). Among them was the RUF leader Foday Sankoh, a former corporal in the national army of Sierra Leone who was jailed for seven years for plotting to overthrow the regime in 1971. (**Ibid.**). The attack caught the national army, the Republic of Sierra Leone Military Force (RSLMF) unprepared: it was ill-equipped, badly trained and highly politicised (**Freetown, J.**, 1996, 7).

In retaliation, the government of Monoh increased the number of soldiers enrolled in the armed forces sharply. The armed forces rose from 3,000 to 14,000 men in the first two years of the conflict and expenditures of the conflict accounted for 75% of state spending (**Reno, W.**, 1997, 19). A few months after the first attack, the RUF controlled one fifth of the country in the South-East region. In a counter offensive, the army (RSLMF) joined its forces with ULIMO (the United Liberian Movement for Democracy), an armed faction fighting against Charles Taylor's faction, the National Patriotic Front of Liberia (NPLF) and active in the border region between Liberia and Sierra Leone (**Richards, P.**, 1996, 5ff). Nigeria and Guinea also contributed with military support (**Regional Surveys of the World 1998**, 1997, 907). This collaboration eventually placed the RUF in an inferior position. The next major advance by the RUF was in the autumn of 1992, when they launched attacks on economic targets in the diamond-rich Kono district (**Africa Confidential**, 27 April 1998 [internet]).

In Freetown, the APC-led government had been overthrown by a group of junior officers in April 1992, the army was re-equipped and the subsequent fighting caused major losses among RUF combatants (**Ibid.**). In turn, the RUF changed its tactics. With the objective of avoiding established settlements which could easier be identified, several bush camps were built where young conscripts received military and ideological training. When the armed forces managed to recapture some of the locations in the diamondrich area of Pendemby, Kailahun and Koidu in late 1993, a new party in the war entered the scene : local civil defence forces, also known as *Kamajors* which had clashes with the army (**Richards, P.**, 1996, 13ff).

Today's date: Wednesday, 9 May 2007

UNHCR Background Papers

UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone

PREFACE

Sierra Leone has been an important source country of refugees and asylum-seekers over a number of years. This paper seeks to define the scope, destination, and causes of their flight.

The first and second part of the paper contains information regarding the conditions in the country of origin, which are often invoked by asylum-seekers when submitting their claim for refugee status. The Country Information Unit of UNHCR's Centre for Documentation and Research (CDR) conducts its work on the basis of publicly available information, analysis and comment, with all sources cited.

In the third part, the paper provides a statistical overview of refugees and asylum-seekers from Sierra Leone in the main European asylum countries, describing current trends in the number and origin of asylum requests as well as the results of their status determination. The data are derived from government statistics made available to UNHCR and are compiled by its Statistical Unit.

Acronyms

AFRC:	Armed Forces Revolutionary Council
APC:	All-Peoples Congress
ECOMOG:	Economic Community of West African States Monitoring Group
ECOWAS:	Economic Community of West African States
NPRC:	National Provisional Ruling Council
SLPP:	Sierra Leonean People's Party
UNPP:	United National People's Party
RSLMF:	Republic of Sierra Leone Military Force
RUF:	Revolutionary United Front

1. Country Profile of Sierra Leone

1.1 Basic Country Information

The republic of Sierra Leone is located on the West Coast of the African continent surrounded by Guinea to the north, Liberia to the southeast and the Atlantic Ocean. It covers an area of 71,740 sq. km. (**Encyclopedia of the Third World**, 1992, 1711). The country is divided administratively in three provinces: eastern, southern and northern provinces plus one area known as the western peninsula in which the capital Freetown is located. According to the last national census in 1985, the country's population the was 3,515,812. In 1995, estimates of Sierra Leone's population amounted to 4,509,000 inhabitants (**Regional Surveys of the World 1998**, 1997, 903).

Of the 13 indigenous ethnic groups in Sierra Leone, the two main ones are the southern-based Mende and the Temne who live mainly in the north, together constituting about one third of the population (**Pitsch, A.**, 1997, 2). The Limba constitute less than 10 per cent of the population and they co-exist with the Temne in the north. The Mende and the Temne have different attitudes towards the other neighbouring ethnic groups. The Mende have influenced the smaller ethnic groups to the extent that languages of the Sherbo, Krim Vai, Gola and Kissi are all in various stages of retreat. The Temne have been fairly liberal and the Limba, Koranko, Loko, Yalunka and Susu continue to speak their own language and hold to their own traditions (**Freetown, J.**, 1996, 2). Krios, constituting about 3 per cent of the total population, are descendants from the freed slaves (**Pitsch, A.**, 1997, 1). The Krios were widely used by the colonial administration and assimilated British education and culture, distancing themselves from the rest of the local population (**World Directory of Minorities**, 1997, 451). However, their influence in politics has gradually been decreasing since independence (**Freetown, J.**, 1996, 2).

Although the two most important political parties, the All-Peoples Congress (APC) and the Sierra Leonean People's Party (SLPP) have their main support base in the two main ethnic groups, ethnicity has not had any major influence in Sierra Leonean politics to date (**Pitsch, A.**, 1997, 2).

Cultural elements cross the boundaries between the different ethnic groups in Sierra Leone. While English is the official language, *Krio* is spoken by all ethnic groups and it acts as an unifying factor among the different ethnic groups of Sierra Leone (**Freetown, J.**, 1996, 2). Intermarriage is very common and traditional religious beliefs prevail in all ethnic groups.

It is estimated that 50 to 70 per cent of the population follow traditional religious beliefs, 25 to 40 per cent adhere to Islam and 5 per cent are Christians, mainly descended from freed slaves (**Encyclopedia of the Third World**, 1992, 1715; **Contemporary Religions, A World Guide**, 1992, 464). The traditional religions follow a belief in charms, medicine men, divination and witchcraft and they are often related to secret societies (**Ibid.**). All the heads of government until 1992 have been Christian (**Ibid.**). Nevertheless, leaders from the three main religious groups (Muslim, Christian and traditional belief) united in a public statement condemning the military overthrow in May 1997 of the democratically elected government of Sierra Leone (**Christian Aid**, 29 May, 1997 [internet]).

The economy of Sierra Leone has been marked by a decline in growth since the 1960s, and severe stagnation and recession since the early 1980s. The World Bank put the country's average GDP growth rate between 1980 and 1990 at 0.6 per cent, decreasing to -3.3 per cent between 1990 and 1996 (**The World Bank**, 1998), falling to -3.6 per cent in 1996 (**Economist Intelligence Unit (EIU)** Country Profile 1998-99, 1998, 43). This sharp economic decline is generally attributed to the internal conflict since 1991 and economic mismanagement during the 1970s and 1980s (**Ibid.**, 45). In 1994, Sierra Leone recorded a trade deficit of US$72.7 m. (**Europe World Year Book 1998**, 1998, 2977).

Sierra Leone is rich in minerals, the most important being gold, diamonds, bauxite and rutile (**The Stateman's Yearbook**, 1998-99, 1998, 1236). Rutile and bauxite production contributed approximately 80% of Sierra Leone's foreign-exchange earning before the war forced the mines in the south of the country to close in January 1995 (**EIU Country Profile 1998-99**, 1998, 43). The exploitation of the country's mineral resources has experienced serious setbacks by the fighting, which has compelled companies to stop production. Although some multinational companies did resume production in 1997, the mining sector as a whole will probably not recover speedily (**Ibid.**). The economy is, however, dominated by agriculture, which in 1994/95 was responsible for 49% of the GDP (**The Stateman's Yearbook**, 1998-99, 1998, 1236; **EIU Country Profile 1998-99**, 1998, 43).

Despite the massive potential wealth, Sierra Leone is one of the poorest countries in the world, ranking lowest in the human development index (**United Nations Development Programme** Human Development Report, 1997, 1998). Life expectancy at birth was 33.6 years in 1997 and adult illiteracy is estimated between 64% and 69% (**Ibid.**; **National Human Development Report**, 1996, 11; **The World Guide 1997/98**, 1997, 498).

1.2 Historical Overview

Colonial Period

Freetown, on the Sierra Leone peninsula, was established by Great Britain in 1787 as a settlement for freed slaves and was administered by the Sierra Leone Company (**Freetown, J.**, 1996, 4; **Encyclopedia of the Third World**, 1992, 1715). During the next twenty years, former slaves from Britain, North America, the Caribbean and recaptives from slave ships were settled there (**Ibid.**). Freetown became a British Crown Colony in 1808, and thereafter colonial administrators, teachers and missionaries were installed (**Ibid.**). The indigenous kingdoms in the hinterland of Sierra Leone stayed unaffected by the development of Freetown until 1896 when they were joined and declared a British protectorate (**Regional Surveys of the World 1998**, 1997, 903; **EIU Country Profile 1998-99**, 1998, 40).

Freetown and the hinterland were governed as two different political entities; the former directly under British administration and the latter through indirect rule with selected chiefs acceptable to the British colonial administration (**Freetown, J.**, 1996, 5). It was not before 1951 that the two entities were administratively joined together by a unitary constitution.

However, the historical difference in the administration still prevails. The western part of the country, the peninsula containing the capital Freetown is governed by a city government whereas the three provinces are each headed by a minister of state and the districts within the provinces are administered directly by the central government in Freetown (**Encyclopedia of the Third World**, 1992, 1717).

Post-Independence Period

Sierra Leone became independent on the 27 April 1961 as a constitutional monarchy within the Commonwealth (**Europa World Year Book 1998**, 1998, 2972). The first constitutional elections were held in 1962, at which the Sierra Leonean People's Party (SLPP) won the majority of votes (**Political Parties of Africa and the Middle East**, 1993, 245). The winning party, conceived as right-wing, had been created in 1951 by Sir Milton Margai, Sierra Leone's first Prime minister (**Political and Economic Encyclopaedia of Africa**, 1993, 245). The SLPP held power until the general elections of 1967, which were won by the opposition All-People's Congress (APC) party, a left-wing party, created in 1960 by Dr Siaka Stevens (**Political Parties of Africa and the Middle East**, 1993, 246).

The APC was prevented, however, from governing by the first military *coup d'etat* in 1967, until a *counter coup d'etat* in April 1968 restored civilian rule, with the APC's Dr Siaka Stevens as Prime minister (**Regional Surveys of the World 1998**, 1997, 903).

In 1971, Sierra Leone was proclaimed a republic and a new republican constitution was adopted in which the head of state, Dr Siaka Stevens, became executive president (**Freetown, J.**, 1996, 6). Due to irregularities during the legislative elections in 1973, they were boycotted by the opposition. Thus, Sierra Leone became a de facto one-party state. In a new constitution adopted in 1978, the one-party rule became official and the APC became the only legitimate political party (**Encyclopedia of the Third World**, 1992, 1715). Dr Siaka Stevens retained the presidential power until 1985 when the cabinet minister and commander of the armed forces, Major-General Joseph Saidu Monoh was nominated by the APC to succeed Dr Siaka Stevens as president (**Regional Surveys of the World 1998**, 1997, 904).

The 1980s were characterised by recurrent financial crises and corruption scandals. A state-of-emergency rule was regularly imposed, often to suppress general strikes and civil unrest such as occurred in 1987, when public workers went on strike to protest against the non-payment of their salaries (**Regional Surveys of the World 1998**, 1997, 904).

The high level of corruption in Sierra Leone is said to be attributable to the distribution of state resources. To gain and retain political power, political leaders reportedly created a network of supporters on the basis of the personal distribution of state resources (**Richards, P.**, 1996, 34). Strong patron-client ties were developed after independence and increased in the 1970s. In the early 1970s, President Siaka Stevens is said to have used up to 70 per cent of state revenues for "preferred (untaxed) concessions in diamond mining areas to political allies who were essential to his effort to resist local demands for greater revenue allocations" (**Reno, W.**, 1997, 18). President

Monoh was subsequently not able to change this well established system which functioned without reference to principles of accountability or a rational bureaucratic system (**Richards, P.**, 1996, xviii). President Monoh faced business men with allegedly strong connections in the political sphere who would not permit any effort to strengthen the state bureaucracy. A 1987 business backed attempt to overthrow President Monoh discouraged further initiatives in this area (**Reno, W.**, 1997, 18).

In the early 1990s, following popular demands for a multi party system and democracy, the APC-led government undertook a review of the constitution (**Regional Surveys of the World 1998**, 1997, 904). A new constitution was formally adopted in September 1991 by the government which provided for the restoration of a plural political system (**Europa World Year Book 1998**, 1998, 2972, 2973).

It was, however, suspended after the 29 April 1992 *coup d'etat*, led by a group of young army officers, who elevated the 27-year-old Captain Valentine Strasser to the position of head of state (**Ibid.**). A National Provisional Ruling Council (NPRC) was subsequently established, which declared a state of emergency, and governed by decree (**EIU Country Profile 1998-99,** 1998, 41).

Captain Strasser was deposed in January 1996 by military officers led by Captain Julius Maada Bio who scheduled presidential and legislative elections for the following month (**Ibid.**). The presidential and legislative elections, monitored by international observes, had 13 political parties participating. It was the reconstituted SLPP who took most seats in the election for the parliament (27 seats out of 68) and their presidential candidate Ahmed Tejan Kabbah won 59.5% of the votes in the second round (**Regional Surveys of the World 1998**, 1997, 906) against the candidate John Karefa Smart from the United National People's Party (UNPP), which came second after the SLPP in the parliamentary elections. The government was formed by SLPP, the People's Democratic Party (PDP), which had obtained 15.3% of the vote, and the Democratic Center Party (DCP) with 4.8 % (**Derksen, W.**, 25 October 1998 [Internet]). The government is said to be more broad-based than previously, with the Mende ethnic group in the minority (**Carver, R.**, 1998). Although the elections were boycotted by the movement Revolutionary United Front, rebels, who had been fighting against the cetral authorities since 1991, and violent incidents took place, international observers recognised the elections as fair and found "no irregularity or fraud ... that would cast into doubt the ultimate outcome of the vote" (**EIU Country Report**, 2nd quarter, 1996).

1.3 Background to the Current Conflict

It has been suggested that the war in Sierra Leone should be understood as a breakdown in law and order and not as a civil war (**Freetown, J.**, 1996, 9). A special feature of the Sierra Leonean conflict which distinguishes it from many other recent internal conflicts is that the fighting parties do not identify themselves with a specific ethnic group. Therefore it can be seen as a conflict not based on ethnicity (**Richards, P.**, 1996, xix; **Cruvellier, T.**, 1996, 87; **Abraham, A.**, 1997, 107). Although relations between ethnic groups are held to be competitive, there is little ethnic strife in Sierra Leone (**Freetown, J.**, 1996, 2).

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The attack has been variously attributed to a "spill over" of the Liberian civil war (**Carver, R.**, 1997, 1) organised by Charles Taylor, at that time a faction leader in Liberia, after the Sierra Leone regime joined the ECOMOG forces which tried to bring to an end the fighting in Liberia (**Freetown, J.**, 1996, 7). Other sources indicate that the rebels were members of the Sierra Leonean Revolutionary United Front (RUF) movement (**Abraham, A.**, 1997, 101). Most observers, however, suggest a combination of the two. In this view, a number of Sierra Leonean opposition groups had existed for a long period in neighbouring countries even before December 1989, when the Liberian civil war began, ostensibly united and armed by Charles Taylor (**Alao, A.**, 1998, 2; **Regional Surveys of the World 1998**, 1997, 907). The closeness and association between the Sierra Leonean and Liberian rebels has been traced back, by observes, to the joint military training they received in Benghazi, Libya in the 1980s. (**Richards, P.**, 1996, 2). Among them was the RUF leader Foday Sankoh, a former corporal in the national army of Sierra Leone who was jailed for seven years for plotting to overthrow the regime in 1971. (**Ibid.**). The attack caught the national army, the Republic of Sierra Leone Military Force (RSLMF) unprepared: it was ill-equipped, badly trained and highly politicised (**Freetown, J.**, 1996, 7).

In retaliation, the government of Monoh increased the number of soldiers enrolled in the armed forces sharply. The armed forces rose from 3,000 to 14,000 men in the first two years of the conflict and expenditures of the conflict accounted for 75% of state spending (**Reno, W.**, 1997, 19). A few months after the first attack, the RUF controlled one fifth of the country in the South-East region. In a counter offensive, the army (RSLMF) joined its forces with ULIMO (the United Liberian Movement for Democracy), an armed faction fighting against Charles Taylor's faction, the National Patriotic Front of Liberia (NPLF) and active in the border region between Liberia and Sierra Leone (**Richards, P.**, 1996, 5ff). Nigeria and Guinea also contributed with military support (**Regional Surveys of the World 1998**, 1997, 907). This collaboration eventually placed the RUF in an inferior position. The next major advance by the RUF was in the autumn of 1992, when they launched attacks on economic targets in the diamond-rich Kono district (**Africa Confidential**, 27 April 1998 [internet]).

In Freetown, the APC-led government had been overthrown by a group of junior officers in April 1992, the army was re-equipped and the subsequent fighting caused major losses among RUF combatants (**Ibid.**). In turn, the RUF changed its tactics. With the objective of avoiding established settlements which could easier be identified, several bush camps were built where young conscripts received military and ideological training. When the armed forces managed to recapture some of the locations in the diamondrich area of Pendemby, Kailahun and Koidu in late 1993, a new party in the war entered the scene : local civil defence forces, also known as *Kamajors* which had clashes with the army (**Richards, P.**, 1996, 13ff).

In 1994, RUF launched a major campaign involving attacks on several locations in the country within very short intervals. New RUF camps were established during this campaign. The civil defence forces became very important in the effort to protect the civilians. In Bo, controlled by the army, a civil defence force patrolled in the streets at night and also tried to take control of the town (**Ibid.**).

The military situation was now in favour of the RUF. The advancement of the RUF had cut the government off its major source of revenue: the diamond trade. The RUF had attacked and shut down the Sierra Rutile and SIEROMCO plants in January 1995 (**Reno, W.**, 1997, 20). The government then turned to foreign mercenary companies for arms force. Executive Outcomes from South Africa was identified. The military operations of Executive Outcomes were linked to a business branch exploiting the diamonds of Sierra Leone. The revenue generated from the sale of the diamonds enabled the payment of Executive Outcomes. This strategy changed the military balance at the war front and the RUF rebels were repelled from the diamond mining areas by mid-1995 (**Reno, W.**, 1997, 21-22). The mercenaries from Executive Outcomes, assisted by the civil defence groups, worked 22 months in Sierra Leone (**Alao, A.**, 1998, 6; **Shearer, D.**, 1998, 49).

These successful attacks on the RUF were followed by a number of RUF captives surrendering to the army. The fact that the armed forces treated them well, constituted a danger to the RUF who then initiated a new wave of atrocities against the civilians (**Richards, P.**, 1996, 17). Apart from the surrender of smaller groups, the RUF also suffered major losses on the battlefield. Of the total number of rebels, estimated at 1,500, one-third were reportedly killed (**Reno, W.**, 1997, 22). The change in the military balance was followed by free multiparty elections in March 1996, the first since 1973 (**Ibid.**).

Attempts to reach a peace settlement had stalled because of the government's demand for peace before negotiations, while the RUF insisted on the withdrawal of all foreign troops from the country (**Richards, P.**, 1996, 17). A peace agreement was eventually signed on 30 November 1996 in Abidjan between the government of President Kabbah and the RUF (**United Nations Security Council**, S/1997/80, 26 January 1997), who had been assisted in the effort by representatives of the United Nations and the Organisation of African Unity (OAU) (**Richards, P.**, 1996, 18; **Alao, A.**, 1998, 4). The agreement provided, *inter alia*, for the transformation of RUF into a political party (**EIU Country Profile 1998-99**, 1998, 40). However, the restoration of peace was problematic as violence reportedly continued to be inflicted by rebels, soldiers or *sobels*, the latter said to be men who were allegedly soldiers by day and rebels at night (**Abraham, A.**, 1997, 103). The peace process collapsed completely in March 1997, when RUF leader Foday Sankoh was arrested on charges of arms trafficing in Nigeria (**EIU Country Profile 1998-99**, 1998, 41).

Civilians Organise Themselves

The armed forces did not provide protection to the civilians nor did the RUF although it stated its intention to liberate the Sierra Leonean people (**Abraham, A.**, 1997, 101). The civilian population had been targeted by both fighting parties since the beginning of the conflict and the lack of protection became self-

evident. This led in early 1994 traditional institutions such as local paramount chiefs, men's secret societies and traditional hunter/warriors to initiate their own protection of the civilian population (**Freetown, J.**, 1996, 8). According to the US Department of State Country Report on Sierra Leone, three civil defence groups were active : Mende Kamajohs, Temne Kapras and Koranko Tamaboros. Like the RSLMF, they were not fully under government control (**U.S. Department of State Sierra Leone Country Report for Human Rights Practices 1997**, 1998). Local militias based on traditional institutions in the provincial towns of Bo and Kenema started to cooperate with foreign troops from Nigeria and Guinea to ensure the protection of the civilians (**Ibid.**).

Links Between the Two Fighting Parties: RUF and RSLMF

The relationship between the two chief contenders in the conflict, the RUF and the national army, is said to have become increasingly intertwined and ultimately led to their fusion. In May 1997, the combined forces overthrew the fourteen-month-old democratically elected government of president Kabbah (**Alao, A.**, 1998, 4). The union was formalised officially by the new leader, Major Johnny Paul Koroma who appointed RUF leader Foday Sankoh Vice President and invited all RUF rebels to join the new administration (**Ibid.**). The new leaders established the Armed Forces Revolutionary Council (AFRC) comprising members of the RUF and the army (**Abdullah, I.**, 1997, 6).

The collaboration between the army and the RUF is emphasised by many observers (**Richards, P.**, 1996; **Alao, A.**, 1998; **Abraham, A.**, 1997; **Reno, W.**, 1997, **de Waal, A.**, 1997). Allegedly, it started already in the beginning of the RUF rebellion when rebels were said to have transmitted political messages, encouraging the overthrow of the APC government, to the soldiers at the war front (RUF/SL paper, 1995, 8). The leaders of the military takeover were a group of discontented officers who had arrived in Freetown from the fighting against the RUF in the Southeast of the country. It has been suggested that they had been in contact with RUF, initiating a secret "collaboration agreement" between the two warring parties (**Abraham, A.**, 1997, 103). According to various sources, the *sobel* phenomenon was an aspect of this collaboration (**Richards, P.**, 1996; **Alao, A.**, 1998; **Abraham, A.**, 1997; **Reno, W.**, 1997; **de Waal, A.**, 1997). The term *sobels* was invented by Sierra Leonean villagers to designate the fact that a clear distinction between soldiers and rebels had ceased to exist (**de Waal, A.**, 1997, 305; **Abraham, A.**, 1997, 103).

The soldiers and the rebels had common economic interests. The low paid soldiers at the war front were neglected by their colleagues in NPRC in Freetown and the complicity between the rebels and the soldiers was both a question of survival as it was a will to pursue personal economic gain in the diamond mines (**Richards, P.**, 1996, 10, 23; **Africa Confidential**, 27 April 1998). The *sobels* would loot civilian properties and commit similar atrocities as the rebels in order to shift the blame to the RUF (**Ibid.**).

The NPRC government (in power from 1992 to 1996) incorporated one of RUFs major tactics in the conflict: the conscription of the youth. Thus, both parties made extensive use of child soldiers in the fighting (**Africa Confidential**, 27 April 1998 [internet]; **Richards, P.**, 1996, 9,10).

Regional Peace-Keeping Efforts: ECOMOG

Created in August 1990, the Economic Community of West African States Monitoring Group (ECOMOG) was conceived as a multilateral regional peacekeeping force to intervene in Liberia's civil war. From the beginning, it was dominated by Anglophone West African States, in particular Nigeria, who contributed the majority of troops, materials and finances (**OCHA Integrated Regional Information Network for West Africa (IRIN-WA)**, 5 February 1998, 1 [Internet]). During the mission in Liberia, Gambia, Guinea, Ghana, Sierra Leone and several other African states also supplied troops, adding to a total of 15,000 soldiers at the height of the mission. In October 1990, ECOMOG succeeded in expelling the National Patriotic Front for Liberia, led by Charles Taylor, from the country. In successive years, ECOMOG gradually drove the Taylor faction out of Liberia. The force gained a bad reputation in Liberia, where they are thought to have attacked and looted humanitarian convoys (**International Crisis Group**, March 1998, 6 [Internet]). It also assisted the demobilisation process and monitored elections in Liberia in July 1997.

ECOMOG troops had used Freetown as a rear base since almost the start of the Liberian intervention. Moreover, Nigerian forces have been based in Sierra Leone as part of a bilateral defence pact (**Africa South of the Sahara**, 1998, 117). After the *coup d'état* of 25 May 1997, additional Nigerian troops, which had been serving in Liberia under ECOMOG's mandate, arrived in order to drive the RUF out of Sierra Leone. On 28 May 1997, Freetown came under naval bombardment in an attempt by the Nigerian armed forces to put down the *coup d'état* - under ECOMOG's auspices, also reinforced by troops sent from Guinea and Ghana (**Pitsch, A.**, 1997, 11 [Internet]) Although ECOMOG's involvement was supported both by the OAU and the UN from July 1997 onwards, many commentators criticised what they saw as 'a Nigerian unilateral initiative which [...]had contradicted the humanitarian nature of the force's mandate (**Africa South of the Sahara**, 1998, 117).

After a peace plan for Sierra Leone had been drawn up by the Economic Community of West African States (ECOWAS) ministers of foreign affairs in Conakry (Guinea) at the end of June 1997, ECOMOG's mandate was extended to Sierra Leone on 29/30 August 1997. The ultimate aim of the peace agreement was to remove the junta from power, be it by dialogue, sanctions or force. To this end, ECOMOG's mandate consisted of enforcing the economic sanctions imposed by ECOWAS, namely an air, land and sea blockade (**Economic Community of West African States**, 23 October 1997 [Internet]). There was, however, no specification as to the time limitation for sanctions before considering military force (**Ibid.**).

On 27 October 1997, after the peace agreement between AFRC representatives and the ECOWAS Committee was signed, ECOMOG became a regular peacekeeping force (**OCHA IRIN-WA**, 5 February 1998, 3 [Internet]).

On 5 February 1998, ECOMOG invaded Freetown unilaterally in order to overthrow the junta. During the period between the intervention and the return of president Kabbah on 10 March 1998, ECOMOG effectively acted as an interim government. The re-instatement of the Kabbah government by the ECOMOG

intervention has provoked different reactions: although the overthrow of the junta has generally been welcomed and the intervention has been accepted as a fait accompli by the UN, the OAU, the US and the UK (**EIU Country Report**, 2nd quarter 1998, 27), several African states questioned its legitimacy, alleging 'that the offensive was unilaterally initiated at the behest of the Nigerian government'(**Ibid.**). Furthermore, some observers hold that Nigeria's commitment might also be a means of diverting attention from Nigeria's own military regime (**Carver, R**.., 1998, 8). In any case, ECOMOG's presence in Sierra Leone will certainly contribute to Nigeria's position as a regional peacekeeping force (**Ibid.**, 7): on 24 June 1998, more Nigerian troops were moved from Liberia to Sierra Leone in anticipation of the relocation of the headquarters of ECOMOG from Monrovia to Freetown (**Panafrican News Agency**, 24 June 1998 [Internet]), totalling some 10.000 troops in Sierra Leone, 90% of which are Nigerian nationals.

1.4 Recent Political Developments

On 25 May 1997, the government was overthrown by a *coup d'état* led by Major Johnny Paul Koromah, ostensibly because of President Kabbah's failure to implement the peace agreement with RUF and his alleged 'ethnic favouritism' (**Human Rights Watch**, July 1998, 11). The *coup d'état* has been described as 'unprecedented in the history of Africa in terms of violence involved' (**Abdullah, I.**, 1997, 5) and led to a total collapse of the juidicary as many judges, attorneys and police officers fled the country. As a quick replacement, Major Koroma's Armed Forces Revolutionary Council (AFRC) created 'People's Revolutionary Courts' led by people with little or no legal training. The court suspended the constitution and parliament, banned political parties, public meetings and demonstrations and imposed rule by decree (**Human Rights Watch**, July 1998, 11). Later, the RUF joined forces with the AFRC. During the period of RUF/AFRC rule, gross and widespread human rights violations were committed (**Amnesty International**, 20 October 1997, 2 [Internet])

The international refusal to recognise AFRC rule was, however, unanimous, and various groups of countries, including the OAU and the UN, supported ECOWAS efforts to resolve the crisis (**Carver, R.**, 1998, 4). Under a committee of four ECOWAS foreign ministers (Cote d'Ivoire, Guinea, Ghana, Nigeria, with Liberia added later), an agreement for peace-talks was reached on 18 July 1997. On 23 October 1997, a regionally backed agreement to restore constitutional rule in Sierra Leone by April 1998 was signed in Conakry, Guinea. This included 'an immediate cease-fire and disarmament, the return of refugees and displaced people; a programme of humanitarian assistance; the return of an expanded Kabbah government; and the immunities and guarantees for acts carried out during the period the AFRC was in power' (**Economic Community of West African States**, 23 October 1997). As time passed, however, the AFRC showed itself increasingly unwilling to adhere to the agreement and relinquish its power. In particular, the AFRC questioned the legitimacy of ECOMOG presence in Sierra Leone on the grounds of the high percentage of Nigerian troops within ECOMOG, and demanded that the AFRC/RUF forces be recognised as legitimate national army, as well as the release of RUF leader Foday Sankoh from a Nigerian prison. Thus, the deadline for return to civilian rule was unlikely to be met.

On 5 February 1998, after RUF fighters blocking the road to Freetown had demanded the immediate release of Foday Sankoh, large-scale fighting erupted between ECOMOG and RUF/ AFRC forces - who dubbed themselves the 'People's Army' - at the outskirts of Freetown. ECOMOG, acting unilaterally under command of Nigerian Major-General Timothy Shelpidi, initially claimed to be acting out of self-defence (**International Crisis Group (ICG)**, March 1998, 5 [Internet]), but acknowledged after five days of heavy artillery bombardment that its attack was 'an all-out offensive intended to flush the junta out of the capital' (**EIU Country Report**, 2nd quarter 1998, 25; **ICG**, March 1998, 5 [Internet]). As the junta gradually retreated from Freetown, they engaged in massive looting and burning, threatening and terrorising citizens they passed (**ICG**, March 1998, 6 [Internet], EIU Country Report, 2nd quarter 1998, p.25). More than 100 civilian deaths have been confirmed for this period (Carver, R., 1998, p.5). Contrary to the expectations of many, ECOMOG reportedly behaved in a relatively disciplined manner (**Carver, R**.., 1998, 5; **ICG**, March 1998, 6) and had secured most of the Freetown peninsula by 16 February (**ICG**, March 1998, 6 [Internet]). Fighting continued in major towns in the provinces, where the retreating RUF - and sometimes the *Kamajors* - inflicted 'widespread damage, shooting at random and looting wildly' (**ICG**, March 1998, 8 [Internet]). However, ECOMOG had gained control over almost all major cities by early March 1998 (**EIU Country Report**, 2nd quarter 1998, 27). Thousands of civilian refugees fled to neighbouring Guinea and Liberia, whose refugee camps were already overcrowded (**Ibid.**).

Fierce fighting between ECOMOG and RUF forces has reportedly continued in the north and east of Sierra Leone since February 1998. ECOMOG, with the help of Kamajor fighters, is said to have gained control over the cities of Bo, Makeni and Kenema by early March, but fighting continued at Koidu. However, the RUF has not yet given up and continues to spread violence near the Malal Hills, attacking the main roads between Freetown and the Provinces. Other RUF groups are said to be present in the south-eastern part of Koindangu District and in northern Kailahun, where both groups are 'poised to harass the rich diamond-mining areas around the town of Koidu in Kono District (**EIU Country Report**, 3rd quarter 1998, 26). The RUF/AFRC forces appear to number 7000, with the AFRC representing only ten per cent of the rebels' overall strength (**Ibid.**) and with up to 80 per cent said to be children between seven and 14 years of age (**EIU Country Report**, 2nd quarter 1998, 29). However, ECOMOG has also increased its strength: in June 1998, more Nigerian troops were reportedly moved from Liberia to Sierra Leone. More troops were expected from Gambia and Guinea, bringing the total of ECOMOG troops to 10,000 soldiers, of which 6,000 are reportedly from Nigeria (**Panafrican News Agency**, 24 June 1998 [Internet]).

As of October 1998, fighting continued also in the northern part of Sierra Leone, namely in Kambia District, where more than 50 people died in clashes between Guinean ECOMOG and AFRC/RUF rebels (**Sierra Leone News**, 4 October 1998 [Internet]). In the town of Mange, 90 miles north of Freetown, more than 25 people died as a result of rebel attacks (**Ibid.**, 9 October 1998 [Internet]) Furthermore, the RUF still maintains important bases at Koindu, Kailahun and Gangagama (**Ibid.**, 15 October 1998 [Internet]), and is in virtual control of Kono District (**Ibid.**, 13 October 1998 [Internet]).

On 4 October, the rebels called on the government to participate in peace talks mediated by either the United Nations or the Commonwealth. The initiation of talks, however, hinges on RUF's willingness to accept the Commonwealth's terms for talks, which call on the RUF 'to recognise the legitimacy of President Kabbah's government, to accept an unconditional and indefinite cessation of hostilities, and to enter into talks to bring about an immediate end to the conflict' (**Sierra Leone News**, 9 October 1998 [Internet]). Also in October 1998, the eight-nation Commonwealth Ministerial Action Group (CMAG), concerned about the continuing atrocities in Sierra Leone, called on the RUF 'as a mark of their good faith, to make an immediate statement accepting the terms for talks as conveyed to them by the Commonwealth Secretary-General' (**Ibid.**).

Effect on the Economy

The war, along with an embargo imposed by ECOWAS and enforced by ECOMOG, has brought Sierra Leone's economy to a virtual standstill. During the May 1997 *coup d'état*, all commercial banks were closed and many civil servants abstained from work in silent protest (**Carver, R.**, 1998, 10). Agriculture, fishing and mining activities had already been disrupted since the start of rebel hostilities in 1991 (**EIU Country Report**, 2nd quarter 1998, 29). As a result, government revenues have fallen by 90 percent, all foreign aid (30 per cent of the budget had been stopped) and custom duties were stopped by the embargo (**Ibid.**).

Sierra Leone relies heavily on aid and donations by foreign governments and international institutions. In October 1997, the UN Security Council introduced sanctions, including a ban on the supply of arms and petroleum products (**UN Security Council**, Resolution 1132 (1997)). The ECOMOG intervention on 5 February 1998, however, led to an ease of the economic sanctions imposed by the UN and ECOWAS (**EIU Country Report**, 2nd quarter 1998, 29). On 7 October 1998, Sierra Leone received US$28.7 million in aid from the World Bank, the European Union and Great Britain to draw up a budget. The World bank provided US$15 million of a US$55 million package, Britain gave US$8.2 million, and the European Union US$5.5 million (**Sierra Leone News**, 7 October 1998 [Internet]). On 12 October 98, the World Bank extended a $40 million grant to Sierra Leone to help revive agriculture in the country (**Ibid.**, 12 October 1998 [Internet]), on condition that the money be spent on the construction of feeder roads, the provision of farm inputs for farmers, food processing, purchase of equipment and capacity building.

For its part, on 9 October 1998 the government of Sierra Leone allocated US$90.000 for ECOMOG operations in the country (**Sierra Leone News**, 9 October [Internet]). It also committed itself to make the country more self-reliant, especially in response to the alleged strong participation of Lebanese nationals in the diamond sector, many of whom are said to be illegal immigrants. To this end, the government of President Kabbah reportedly launched a crackdown on illegal immigrants (**Ibid.**, 8 October 1998[Internet]). In the meantime, however, the country's mining sector is beginning to recover - on 13 October 1998, the government of President Kabbah, eager to reopen the mines, and Nord Resources, a 50 per cent owner of Sierra Rutile Limited, have concluded talks on reopening the Sierra Rutile titanium oxide mine in an area now free of fighting

(**Ibid.**, 13 October 1998 [Internet]).

On the whole, it is believed that on a short-term basis, the country's economy will be revived by the renewed flow of foreign aid. Long-term development, however, will depend on stability in the country, which has not as yet been achieved (**EIU Country Report**, 2nd quarter 1998, 23). Also, a transparent taxation system has to be set up, and mining policies and quotas have to be enforced (**Ibid.**)

1.5 Profiles of Contending Armed Groups

The Republic of Sierra Leone Military Force (RSLMF)

The national armed forces of Sierra Leone have played a decisive role in the political life of the country. This can be observed in the number of military *coups d'etat* in Sierra Leone where the army has acted independently or as an instrument for political factions. Fourteen *coups d'état*, either foiled or successful, have taken place since independence in 1961 (**Regional Surveys of the World 1998**, 1997, 903ff). The armed forces are integrated in the patron-client relations which have been the backbone in the functioning of the political system (**Richards, P.,** 1996, xviii, 23). The patrons have extended favours to essential parts of the army and in return, they could count on their loyalty even after temporary set-backs (**Ibid.**). The number of *coups d'etat* since independence taught politicians the crucial role of the military: it became imperative to have the army on one's side, leading to selective recruitment and promotion based on the government's political and ethnic affiliations (**Alao, A.**, 1998, 2).

The number of the armed forces increased significantly from 3,000 to 14,000 men during the first two years of the civil conflict from 1991 to 1993 (**Reno, W.**, 1997, 19).

According to a speech given by President Kabbah, a challenge for the new government is the reconstruction of the national army (**Presidential Address**, 22/5/98 [internet]). One factor is the question of loyalty since an important number of the army officers were associated with the AFRC military junta. The Civil Defence Force, known as the *Kamajors*, supportive to the government, will be integrated in the national army, but have not been organised around an effective command structure and are ostensibly ill-disciplined (**UN Security Council**, S/1998/486, 9 June 1998, 3 [Internet]); **EIU Country Profile 1998-99**, 1998, 42).

The Revolutionary United Front (RUF)

In the beginning, RUF only had about 100 members but during the years of fighting, the movement expanded to several thousands (**Richards, P.**, 1996, xix, 5). At the beginning of 1997, the number of RUF forces was estimated to be 5,000 armed combatants and 5,000 non-armed combatants (**Security Council**, S/1997/80, 26 January 1997). Its inner core consists of a 21 member war council (**Richards, P.**, 1996, xix, 5). The RUF conscripted young people who did not have much of a choice whether or not they wanted to join. They were terrorised in the beginning but later treated generously and were given into the secrets of the movement. This initiation process is by some sources seen as similar to a centurie's old initiation whereby young people are separated from their families and adult

loyalties are created to a wider society (**Ibid.**).

The RUF leadership is mainly composed of former student activists of the late 1970s and early 1980s. They were strongly influenced by Pan-Africanism and Muammar Gadaffi of Libya's *Green Book*. RUF leaders still appear to be committed to aspects of this revolutionary heritage and especially to the populism of the Green Book (**Ibid.**, 21). This has, *inter alia*, found expression in public statements in which it has been declared that the issues of war should be resolved through a national assembly of ordinary Sierra Leoneans (**Ibid.**). The personal backgrounds of the RUF leaders as well as some of the newer recruits have a common denominator which is social exclusion for political protest and student activism (**Ibid.**, 25). The huge number of unemployed young people without prospects for the future is also an important aspect in the understanding of the RUF movement (**Abraham, A.**, 1997).

Initially, the RUF did not articulate a particular political agenda regarding its political aims and objectives were for Sierra Leone (**Human Rights Watch**, July 1998, 13 [internet]. It was not before 1995 that a formal statement from RUF was published on its political programme (and their version of the conflict) (Richards, 1996, 1). However, shortly after the first rebel attack in 1991, the leader Sankoh contacted the British Broad Casting and announced that the aim of the RUF was to overthrow the corruptive regime of APC in power since 1968 and to install a democratic plural political system (**Richards, P.**, 1996, 5,7). The *coup d'etat* in 1992 had among others the implication that the RUF lost its original *raison d'etre.* The fighting, however, persisted (**Ibid.**).

Opinions vary as to the political foundation of the RUF. Some sources describe the movement as bandits and teenage hoodlums and emphasise the lack of ideology and politics (**Bradshaw, S.**, 1996; **Kaplan, R.**, 1994). Other observers, however, hold that the political message of the RUF is implicit and that the RUF leadership has a political vision of a reformed and accountable state (**Richards, P.**, 1996). In late 1992, a testimony of an American hostage confirmed the existence of organised bush camps in which the RUF trained young conscripts and led the political element in the movement (**Ibid.**, 12).

The hostage taking of international workers was a means for the RUF to obtain media coverage which in late 1994 led to the production of a film about the movement, parts of which were shown on BBC television. This was to have helped the RUF to modify the "bandit image " of the movement (**Ibid.**, 16). Representatives of RUF delivered a speech on the national radio in June 1997 entitled "Revolutionary United Front's apology to the Nation" in which the movement tried to explain their actions during the conflict years : "[the atrocities] were the result of the rottennes of a system which could not be uprooted except by brutal means....in the process of cleaning the system, however, we have wronged the great majority of our countrymen" (**Revolutionary United Front**, 18 June 1997 [internet]). However, the joint AFRC/RUF forces committed severe atrocities against the civilian population, using campaigns of fear and terror of which two are known as "Operation No Living Thing" and "Operation Pay Yourself". According to Human Rights Watch/Africa, they consisted of looting, destroying and killing anything in the path of combatants: "The AFRC/RUF] often summarily execute civilians, accusing them of being

Kabbah or Kamajor supporters....soldiers further terrorise their victims by forcing them to participate in their own mutilation, asking them to make choices about which finger, hand or arm, for example, to have amputated (**Human Rights Watch**, July 1998, 1,2 [internet]; **Jeune Afrique**, 3-9 novembre 1998, 38).

The future of the RUF is uncertain as their original leader Foday Sankoh has been in detention since March 1997 for illegal arm trade, first in Nigeria and presently in Sierra Leone. However, RUF forces have allegedly grown in number, are better armed, and their attitude has been interpreted as to have nothing to lose by fighting on indefinitely (**EIU Country Profile 1998-99**, 1998, 22, 26). The movement has reorganised into three main groups in the north, east and centre of the country (**Ibid.**, 23). One group attacks mainly on the main roads between Freetown and the provinces (**Ibid.**, 26). A second group, mainly comprising ex-army irregulars and commanded by the former vice-chairman of the NPRC, Solomon "SAJ" Musa, is deployed in the north-east of the country. A third group, led by Samuel Bockarie, a RUF hard-liner, has re-established itself in the eastern region. The two latter groups continue to constitute a threat to the rich diamond-mining areas (**Ibid.**, 26).

The Kamajors

The *Kamajors,* who operate mainly in the south-east diamond-rich area of the country, are one of several pro-Kabbah hunting 'brotherhoods' in Sierra Leone. Other existing brotherhoods include the *Kapras* (mainly Temne, whereas the *Kamajors* are mainly Mende), the *Tamaburos* and the *Dunsos* (**Muana, P. K.**, 1997, pp. 81; **United Nations Security Council**, 9 June 1998 [Internet], 3, **Electronic Mail & Guardian**, 3 April 1998 [Internet]). The *Kamajors* are said to have around 17.000 members (**EIU Country Report**, 2nd quarter 1998, 22). Most of these 'brotherhoods' were formed as local self-defence militias in the early 1990's, as the civilian polulation lost faith in the national army's ability to counter the threat posed by the RUF (**Muana, P. K.**, 1997, 78). Unlike the RUF, the *Kamajor* militia relies heavily on Mende traditional mysticism, reflected in their colourful and elaborate dress which is supposed to make them invulnerable (**Carver, R.**, 1998, 10). Moreover, the *Kamajors* are said to maintain close relations with local chiefs, and as such enjoy considerable popular support (**Muana, P. K.**, 1997, 87).

Since 1994, the *Kamajors* have been the greatest opponents to the RUF (**Carver, R.**, 1998, 10; **Pitsch, A.**, 1997, 2) and as such have gained steadily in importance, especially in the later stages of the RUF insurgency (**Carver, R.**, 1998, 10). During ECOMOG's assault to the AFRC/RUF government in February 1998, *Kamajors* fought alongside ECOMOG troops, effectively seizing control of towns such as Bo and Pehun (**Ibid.**). However, according to several sources, the *Kamajors* contributed to the general chaos through looting, rape, arson, reprisal killings and terrorisation of civilians (**EIU Country Report**, 2nd quarter 1998, 25; **Amnesty International**, 11 February 1998 [Internet]; **International Crisis Group**, March 1998, 2 [Internet]).

The *Kamajors'* close alliance to the government of President Kabbah is reflected by the fact that Samuel Hinga Norman, the Kamajor Movement National Coordinator, holds the place of deputy defence minister within the Kabbah government (**Muana, P.** K., 1997, p.89; **Electronic Mail and Guardian**, 3 April 1998,

4 [Internet]; **EIU Country Report**, 3rd quarter 1998, 27). Although the *Kamajor* forces have been recently united with the former national army under a single command to form the civil defence forces, in reality the two parts continue to function as two separate entities (**Carver, R.**, 1998, 10). The *Kamajors* neither receive food rations nor wages, which raises the question as to how they can subsist at the same time as enforcing their security role (**Ibid.**).

1.6 Profiles of Political Parties

The political development in Sierra Leone, characterised by an extended period of one party rule (1978-91) and several military regimes (1967-68; 1992-1996; 1997-98) has constrained the development of political parties. Politics have been dominated by the two main parties APC and SLPP (**Political Parties of Africa and the Middle East**, 1993; **Europa World Year Book**, 1998).

All People's Congress (APC)

The party was founded in 1960 by Siaka Stevens as a left-wing party (Political Parties of Africa and the Middle East, 1993, 246). APC is traditionally supported by the Temne tribe in the North (**Pitsch, A.**, 1997, 2; **EIU Country Profile 1998-99**, 1998, 41), wage-earners and part of the lower middle class (**Political Parties of the World**, 1998, 478). It was the main opposition party after independence and won the majority of seats in the 1967 elections but was prevented from taking power by a military takeover (**Political and Economic Encyclopaedia of Africa**, 1993, 245). However, a counter *coup d'état* in 1968 installed the party in power which was retained for the next 24 years. The APC has held a monopoly of political power in Sierra Leone from 1968 to 1992 of which it was the sole legal party for the last 14 years (**Politcal Parties of Africa and the Middle East**, 1993, 245). It was the party which in 1971 re-created Sierra Leone as a republic, when a republican constitution was adopted (**Political Parties of the World**, 1988, 478).

In the 1996 elections, the APC gained a mere 5.7 per cent of the votes, equivalent to five seats in the parliament (**Derksen, W.**, 25 October 1998 [Internet]). Senior politicians from the party including the former president, Joseph Momoh, are currently in jail on treason charges, ostensibly for providing the AFRC with strategic advise (**EIU Country Profile**, 1998-99, 1998, 42).

Sierra Leone People's Party (SLPP)

This party, the oldest in the country, was formed in 1951 by Sir Milton Margai who became Prime minister in 1958 (**Political and Economic Encyclopaedia of Africa**, 1993, 245; **EIU Country Profile 1998-99**, 1998, 40). The party, described as conservative (**Political and Economic Encyclopaedia of Africa**, 1993, 245), was the dominant party at independence and led the government until 1967 (**Political Parties of Africa and the Middle East**, 1993, 246). It was banned, along with all other parties, in 1978, when the APC government adopted a new constitution based on one-party rule (**Ibid.**). It resurfaced in 1991 in connection with the adoption of a new constitution which provided for the creation of new parties. The SLPP gained 27 seats in the elections for parliament in 1996, making it the leading party in the government (**Derksen, W.**, 25 October 1998 [Internet]). The party's leader Ahmed Tejen Kabbah was

elected president with 59.5% of the vote (**Ibid.**). In February/ March 1998, after one year of military rule, the former elected president and government were reinstated by ECOMOG forces (**EIU Country Profile 1998-99**, 1998, 41). The SLPP has traditionally been dominated by the southern Mende tribe (**Pitsch, A.**, 1997, 2; **EIU Country Profile 1998-99**, 1998, 41). However, the SLPP president has a Mandingo background and strong northern connections (**EIU Country Report**, 2nd quarter, 1996, 23).

It is said that rivalry currently prevails within SLPP, in particular between the president Ahmed Kabbah, the vice-president Albert Joe Demby and the deputy defence minister and Kamajor chief, Sam Hinga Norman (**EIU Country Profile 1998-99**, 1998, 41).

United National People's Party (UNPP)

The party is headed by Dr John Karefa-Smart who helped the country in achieving independence (**EIU Country Profile. 1997-98**, 1997, 41). He was a presidential candidate in the 1996 elections in which he obtained 40.5% of the vote, following the current president Ahmed Kabbah who acheived a vote of 59.5%. (**Derksen, W.**, 25 October 1998 [Internet]). At present, the party is in a weak position due to the alleged association with the AFRC, the military junta, which UNPP should have provided with advise. Some senior politicians are imprisoned on treason charges (**EIU Country Profile 1998-99**, 1998, 42).

2. The Human Rights Situation

2.1 The International Legal Framework

Sierra Leone has ratified or acceded to a number of international conventions. The status of accession by Sierra Leone as a state party to the international conventions is as follows:

Convention	Date of Accession
International Covenant on Economic, Social and Cultural Rights (1966)	23 August 1996
International Covenant on Civil and Political Rights (1966)	23 August 1996
Optional Protocol to the International Covenant on Civil and Political Rights (1966)	13 August 1996
Convention relating to the Status of Refugees (1951)	22 May 1981
Protocol to the 1951 Convention relating to the Status of Refugees (1967)	22 May 1981
Convention on the Political Rights of Women (1952)	25 May 1962
Convention Governing the Specific Aspects of Refugee Problems in Africa (1969)	14 March 1988

African Charter on Human and People's Rights (1981)	24 January 1984

Source: UNHCR Refworld, Legal Databases, January 1998

Sierra Leone has ratified:

Convention	**Date of Ratification**
International Convention on the Elimination of All Forms of Racial Discrimination (1965)	2 August 1967
Convention on the Elimination of All Forms of Discrimination against Women (1979)	11 November 1988
Convention on the Rights of the Child (1990)	18 June 1990
Charter of the Organization of African Unity (1963)	11 September 1963

Source: UNHCR Refworld, Legal Databases, January 1998

Sierra Leone has signed:

Convention	**Date of Signature**
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)	18 March 1985
African Charter on the Rights and Welfare of the Child (1990)	14 April 1992

Source: UNHCR Refworld, Legal Databases, January 1998

Sierra Leone is not a state party to:

- the 1948 Convention on the Preventionand Punishment of the Crime of Genocide
- the 1973 International Convention onthe Suppression and Punishment of the Crime of Apartheid
- the 1968 Convention on theNon-Applicability of Statutory Limitations to War Crimes and Crimes AgainstHumanity
- the 1954 Convention relating to theStatus of Stateless Persons
- the 1961 Convention on the Reductionof Statelessness

(**UNHCR, REFWORLD**, Legal databases, January 1998).

2.2 The National Legislative Context

The legal system in Sierra Leone is based on English common law. However, the legal system has suffered under the repeated military regimes. Since independence in 1961, Sierra Leone has been governed under different constitutions which all provided for distinct political power structures including a republican system, one-party regime and multi-party system. The most recent constitution was adopted in 1991. However, it has barely been functional as it was suspended during the military regimes over the period 1992-1996 and again 1997-1998.

The constitution of 1991 provideds for the recognition and protection of fundamental human rights as well as the establishment of a multi-party system enumerating practical procedures including, *inter alia*, the registration of voters, electoral commissions and secret ballots (**The Constitution of Sierra Leone**, Chapter III, IV, section 31, 32, 36). The parties that secure a minimum of 5% of votes in the legislative elections will be allocated seats on a system of proportional representation (**Europa World Year Book 1998**, 1998, 2982).

The legislative power under the 1991 constitution is vested in an unicameral 80-member parliament with 68 members elected by universal adult suffrage for a five-year- term and 12 chiefs representing provincial districts (**Ibid.**). The chiefs are governing at the local level together with a Council of Elders known as the Tribal Authorities to ensure the maintenance of law and order in villages (**The Stateman's Yearbook 1998-99**, 1235). While the executive power is vested in the President, who is elected for a maximum of two five-year terms (**Europa World Year Book 1998**, 1998, 2982), the judicial branch is composed of the Supreme Court, the Court of Appeal, the High Court, Magistrates' Courts and Local Courts (**Ibid.**). Moreover, the Supreme Court is entrusted to guarantee the stated protections and fundamental human rights of the constitution (**Constitution of Sierra Leone**, chapter III, section 28; Thompson, 1998, 3 [internet]). The constitution also provides for the establishment of the Office of the Ombudsman and the Court of Appeal (**Ibid.**, section 120, 128-130, 146).

Former President Ahmed Kabbah reinstated constitutional rule and the national legislature again upon his return to Sierra Leone in March1998. However, he proclaimed a state of emergency immediately which gave him far-reaching powers of arrest and detention (EIU, 2nd quarter,1998, 28). The constitution provides for the president to proclaim a state of public emergency, under certain circumstances, such as "when Sierra Leone is at war" or "when there is a clear and present danger of an actual breakdown of public order and public safety" (chapter III, section 29, subsections 2a+2d).

2.3 General Respect For Human Rights

The constitution of Sierra Leone provides for the protection of citizens and non-citizens within the territory of the state. The supreme court is entrusted to guarantee fundamental human rights, most importantly the Protection of the Right to Life (Section 16), Protection from Arbitrary Arrest or Detention (Section 17), Protection from Inhuman Treatment (Section 20), Protection from Slavery and Forced Labour (Section 19) and Protection of Freedom of Expression of the Press (Section 27).

Although Sierra Leone is party to a number of international treaties concerning the protection of human rights, 'there is strong evidence of the systematic and widespread perpetration of multiple forms of human rights abuse against the civilian population, including rape' (**UN Security Council**, 9 June 1998, 7 [Internet]). According to the U. S. Department of State Report on Human Rights Practices for 1997, government forces committed human rights abuses even before the RUF/AFRC *coup d'état*, for example lengthy delays in trials, prolonged pretrial detention, violations of due process and harassment of the press. Discrimination against ethnic minorities and violence against children and women, including female genital mutilation and rape, continued to be widespread in 1997 (**United States Department of State Country Report for 1997**, 2 [Internet]).

The majority of human rights abuses, however, are reported to have been committed by RUF/AFRC forces both in government and in the rebel war (**Amnesty International**, Annual Report 1997, 8 [Internet]). During their period in power, RUF and AFRC human rights violations included deliberate extrajuidical killings of civilians, torture, mutilation, rape, beatings, arbitrary arrest and detention and ill-treatment of human right activists, students and journalists (**US DOS Country Report for 1997**, 2 [Internet], Amnesty International 1997, p.10ff. [Internet]). Since RUF/AFRC forces were overthrown by ECOMOG forces in February 1998, they 'have been engaging in a war of terror against civilians in Sierra Leone' in which thousands of civilians are believed to have died (**Human Rights Watch**, July 1998, 4). The most widely reported human rights violations are: extrajuidicial executions, mutilation, rape, arbitrary arrest and detention, abduction, house burnings, looting and forced labour, including sexual slavery (**Amnesty International**, Annual Report 1998, 5 [Internet]; **UN Security Council**, S/1998/750, 12 August 1998, p.4[Internet]; UN Security Council, S/1998/1960, 16 October 1998, 7 [Internet], Human Rights Watch, July 1998, 4)

Kamajors are said to be responsible for 'violation of the human rights and rights under humanitarian law of both combatants and non-combatants (**UN Security Council**, S/1998/486, 9 June 1998, 7 [Internet]), in particular with regard to the *Kamajors'* recruitment of child soldiers (HRW 1998, 25). Extrajuidicial executions and torture of civilians by kamajor forces have also been reported (**Amnesty International**, Annual Report 1998, 4 [Internet]; **Human Rights Watch**, July 1998, 23f.). According to Human Rights Watch, *Kamajors* repeatedly executed AFRC/ RUF forces by beheading or burning them alive (**Human Rights Watch**, July 1998, 24; **Amnesty International**, Annual Report 1998, 4 [Internet]), and allegedly there have also been cases in which *Kamajors*, after having killed AFRC/RUF soldiers, consumed their vital organs (**Human Rights Watch**, July 1998, 24).

About 450,000 Sierra Leonean refugees are currently in exile of which 155,000 fled after the renewed fighting in February 1998. The majority of the refugees are in Guinea (350,000) and the remainder in Liberia (90,000) and other West African countries (10,000) (**UNHCR Country Updates - Liberia & Sierra Leone**, 22/04/98 [internet]; Situation Reports from UNHCR/Freetown). The number of internally displaced people was in 1995 estimated to one million (**Norwegian Refugee Council**, IDP - A Global

Survey, 1998, 4 [Internet]). During 1996 and 1997, it decreased to 160.000 people but after the renewed fighting in February 1998, this number increased again to more than 200,000 people (**Ibid.**). An estimated 15,000 civilians have been killed and more than 40% of the total population displaced during the first five years of the war between 1991 and 1996 (**Richards, P.**, 1996, xix).

Extrajudicial Executions

Numerous extrajudicial killings have been reported following the May 1997 coup which brought the RUF/AFRC alliance to power (**U.S. DOS Country Report for 1997**, 3 [Internet]). During the period of RUF/AFRC rule, hundreds of civilians have reportedly been killed either in random violence or political killings (**Ibid.**). RUF/AFRC forces are said to have routinely executed captured *Kamajors,* as well as killing and torturing civilians while searching for *Kamajors* (**Ibid.**). Supporters of President Kabbah and human rights activists, many of which were students, have also been tortured and executed in public during that period (**Ibid.**).

Since the RUF was forced to retreat from power in February 1998, it has been waging a guerrilla-style war throughout the country, especially in the Northern and Eastern parts (**EIU Country Report**, 3rd quarter 1998, 3). Between February and April 1998, more than 700 civilian war-related deaths have been reported (**UN Security Council**, S/1998/750, 12 August 1998, 7 [Internet]), including 200 in the city of Yifin in the Northern province (**Amnesty International**, Annual Report 1998, 5 [Internet]**; UN Security Council**, S/1998/750, 12 August 1998, 7 [Internet]). The high number of civilian casualties involved (**Human Rights Watch**, July 1998, 11, 14), along with the extreme cruelty of RUF activities, has caused a severe deterioration of the human rights situation in Sierra Leone (**U.S. DOS Country Report for 1997**, 2 [Internet]).

According to Amnesty International, a deliberate and systematic campaign of killing, rape and mutilation - called by the AFRC and RUF 'Operation no living thing' has emerged since April 1998 (**Amnesty International**, 28 July 1998). Reportedly, 663 bodies were buried following the fighting in the area of Koidu in mid-June (**UN Security Council**, S/1998/750, 12 August 1998, 7 [Internet]). During the month of September 1998, an escalating number of summary executions have been confirmed (**Ibid.**). For instance, on 6 September, the RUF the town of Kamalu in the North-West, killing 40 people. Photographic evidence of this incidence reportedly shows the victims subjected to forms of extreme torture and sexual abuse (**UN Security Council**, S/1998/1960, 16 October 1998, 4 [Internet]). In the same week, 20 villages were attacked and destroyed in the same area (**Ibid.**). In the first week of October 1998, more than hundred people, mostly civilians, were killed during RUF attacks in Kukana (near the border with Guinea), Kassah Burah (Port Loko) and in Kambia district (**Sierra Leone News**, 2, 3, 8 October 1998 [Internet]).

After RUF leader Foday Sankoh was sentenced to death by the government of Sierra Leone in Freetown on 23 October 1998, RUF violence escalated further, with captured RUF rebels that reporting they had been 'on a genocide mission to slaughter civilians' (**Sierra Leone News**, 26 October 1998 [Internet]). During an attack on the town of Alikalia in northern Sierra Leone

on 24 October 1998, 48 civilians were locked up in a building which then was blown-up by the RUF. Observers note that this reflects a change of strategy by the RUF from mutilations to carrying out mass executions of civilians (**Sierra Leone News**, 30 October 1998 [Internet]). Although there is little information about exact number of such executions, it is estimated that several thousands of victims have been killed in the past few months (**EIU Country** Report, 3rd quarter 1998, 25; **Amnesty International**, 24 October 1998 [Internet]).

Torture

Numerous reports of torture by government forces and RUF elements have been made public, with practices ranging from beating to electric shocks (**Amnesty International**, October 1997, 14 [Internet]; **U.S. DOS Country Report for 1997**, 5 [Internet]). Students were frequently the victims of these attacks: on 18 August 1997, a large number of students detained for publicly taking part in a pro-democracy march were attacked with machetes and bayonets. Four students had their arms cut off, and approximately 20 female students were sexually assaulted by RUF/AFRC members (**U.S. DOS Country Report for 1997**, 5 [Internet]; **Amnesty International**, October 1997, 14 [Internet]. A number of journalists suspected of supporting the democratically elected government of Tejan Kabbah were reportedly arbitrarily detained by security forces and tortured (**Amnesty International**, Annual Report 1997, 15 [Internet]).

Since the restoration of the Kabbah government by ECOMOG forces in February 1998, the incidents of human rights violations committed by the retreating RUF/AFRC has increased dramatically, as has the number of civilians tortured and subjected to ill-treatment (**UN Security Council**, 9 June 1998, 6 [Internet]). According to multiple sources, hundreds of victims who sought treatment in hospitals have been mutilated, most notably by having their limbs cut off, while thousands of victims are believed to have been killed or abducted (**EIU Country Report**, 3rd quarter 1998, 25; **UN Security Council**, 9 June 1998, 6 [Internet]). The mutilation of civilians by rebels is one of the 'most chilling features' of this conflict: the RUF systematically maims large numbers of people, which then are sent to government-controlled areas with messages of defiance pinned to them (**Refugees International**, 29 July 1998).

Between 6 April and 21 May 1998, 225 people with war-related injuries arrived at Connaught Hospital in Freetown (plus 500 in other hospitals in the country). Of these, all but one were reported to be civilians, and a quarter of them had been maimed (**UN Security Council**, 9 June 1998, 6 [Internet]). Although most of the victims were male, ranging in age between 8 and 60 years, females and children also have suffered from RUF violence (**Ibid.**). Following a relatively quiet period between July and August, violence flared up again from mid-August onwards, after Foday Sankoh had been transferred from Nigeria to Sierra Leonean custody to await his trial. On 17 August 1998, the RUF announced a terror campaign against civilians, the Civil Defence Forces and ECOMOG if the government failed to release Sankoh within seven days (**UN Security Council**, S/1998/1960, 16 October 1998, 1 [Internet]). During September 1998, an increasing number of human rights abuses, including mutilation and sexual abuse, were reported. Other atrocities include the carving of slogans into the flesh of victims and the burning of

houses into which elderly people had been herded (ibid). In an incident in Kambia District, at least 25 people had their limbs cut off on 3 October (**Sierra Leone News**, 3 October 1998 [Internet]). The RUF has also been accused of beheading civilians and disemboweling pregnant women (**Ibid.**, 29 October 1998 [Internet]).

Several possible reasons have been given to explain the unprecedented cruelty of the RUF, one of them being that maiming people saves bullets (**EIU Country Report**, 3rd quarter 1998, 25). Some sources hold that the violence can be related to the *Kamajors'* use of traditional magic in battle (ibid). It has also been suggested that maiming serves strategic purposes: in a spate of incidents between Bo and Moyamba between September and October 1995, the RUF repeatedly maimed village women by cutting off their hands, ostensibly to deter women from venturing out into the fields, which in turn served to undermine the harvest which might have drawn RUF captives and conscripts back to their villages (**Richards, P.**, 1996, XX). Another source reports that civilians caught by the RUF have to pick up one of several pieces of paper, each of which describes the amputation of a limb. The civilians get maimed according to what is written on the paper they select (**Rod Mac-Johnson**, Gemini [Internet]).

Arbitrary Arrest and Detention

Following the *coup d'état* of 25 May 1997, the RUF arbitrarily detained or arrested opponents. Targeted in particular were those associated with the government of President Kabbah or opposed to AFRC activities, as well as journalists. It has been stressed, however, that 'with the complete collapse of the rule of the law, all Sierra Leonean citizens [were] at risk of arbitrary arrest or detention] (**Amnesty International**, Annual Report 1997, 8 [Internet]). Many of the people detained were held in Pademba Road Prison in Freetown, and while a few have been released after a short time, many were held in administrative detention without charge or trial and apparently without any legal basis for their detention (**Ibid.**). Moreover, the conditions of the prison are said to be life threatening (**U.S. DOS Country Report for 1997**, 2 [Internet]).

Many supporters of President Kabbah were accused of conspiring against the government. However, observers note that 'most of those arrested had been detained only because of their opposition to the *coup d'état* which brought the AFRC to power and their lack of cooperation with the AFRC (**Amnesty International**, October 1997, 9 [Internet]). Several journalists have also been arrested on unclear charges (**ibid**, p.11, **Amnesty International**, Annual Report 1998, 3 [Internet]), while the press has been continuously harassed. Following a march for democracy on 18 August 1997, more than 120 people, mainly students, were arrested (**Ibid.**, 12; **U.S. DOS Country Report for 1997**, 6 [Internet]). Human rights activists were arbitrarily detained. The president of a Sierra Leonean Human Rights Organization, Sulaiman Banja Tehan-Sie, was arrested in August 1997. He was beaten, ill-treated and forced at gunpoint to appear on television calling on students not to proceed with their demonstrations (**Amnesty International**, Annual Report 1998, 2 [Internet], **U.S. DOS Country Report for 1997**, 5 [Internet]). No information about arbitrary arrest and detention since the restoration of President Kabbah's government is currently available.

The Death Penalty

Sierra Leone is one of the countries which retains the death penalty for ordinary crimes, *inter alia*, for property (**Ibid.**, 77). According to Amnesty International, Sierra Leone resumed executions in 1992 after a moratorium of over ten years, when alleged plotters of a *coup d'état* were summarily executed (**Amnesty International**, Annual Report 1993, 254-57). However, another source states that death sentences were still carried out in 1987 (**Revolutionary and Dissident Movements of the World**, 1991, 289).

Immediately after his return to power in March 1998, President Kabbah declared a state of emergency which gave him far-reaching constitutional powers of arrest and detention (**EIU Country Report**, 2nd quarter 1998, 28). At present, almost 2000 people accused of supporting or collaborating with the junta, including RUF leader Foday Sankoh, are awaiting trial. Public opinion has been generally supportive of the Kabbah government, demanding swift and strong action to be taken against those who have committed atrocities during RUF/APRC rule (**Amnesty International**, 14 October 1998 [Internet]) Although President Kabbah's government has reportedly asked the UK to provide judges in order to ensure a fair and proper trial (**EIU Country Report**, 2nd quarter 1998, 28), doubts have been raised as to the lawfulness of the request. Trials before courts martial in Sierra Leone differ from international standards insofar as the defendants have no right to appeal against the conviction and sentence to a higher jurisdiction (**Amnesty International**, 14 October 1998 [Internet]). They may, however, seek clemency from a special committee chaired by the president.

On 12 October 1998, 34 soldiers were sentenced to death on charges of 'treason, murder, and collaborating with the enemy' (**Sierra Leone News**, 12 October 1998 [Internet]). Despite appeals by human rights organizations (including the UN, Human Rights Watch and Amnesty International) and several governments (**Ibid.**), 24 of the soldiers were publicly executed by firing squad at Goderich Beach in Freetown on 19 October 1998, the remaining ten sentences were commuted to life imprisonment (**Sierra Leone News**, 19 October 1998 [Internet]). Various organisations have condemned these executions, including the EU, stating that 'the executions which have been carried out will not be conductive in fostering the peace and reconciliation process which the international community is aiming to encourage' (**Agence Europe**, 28 October 1998). On 21 October 1998, death sentences were imposed on 11 of 16 civilians convicted of treason (**Ibid.**, 21 October 1998), whereas RUF leader Foday Sankoh was sentenced to death on 23 October 1998. Foday Sankoh is currently seeking a lawyer in order to appeal to the president. The offer of a London-based law firm to defend Sankoh was turned down by the Sierra Leonean government as too expensive (**Ibid.**, 3 November 1998 [Internet]). A further 16 people, including the former President Joseph Saidu Momoh, were charged with verdicts of treason on 5 November. The former President was sentenced to ten years of prison and the 15 others received the death sentence (**Ibid.**, 5 November 1998 [Internet]).

Freedom of Expression

Sierra Leone has a history of repressive press legislation, and journalists and editors have often been intimidated or imprisoned (**EIU Country Profile** 1998-99, 48). During the 1980s, the independent press was totally banned in periods, while in other periods censorship by the government was pervasive (**Regional Surveys of the World 1998**, 1997, 904). Often, newspapers were prevented from renewing their licences (**Ibid.**, 906).

Although the constitution of 1991 provides for freedom of speech and thepress, the government of President Kabbah arrested several journalists prior to the May 1997 *coup d'état*, frequently on libel and sedition charges (**U.S. DOS Country Report for 1997**, 10 [Internet]). On 14 May 1997, the government passed the Media Practitioner Act, which aimed at curtailing the numbers of journalists and newspapers by requiring all journalists to have an academic degree - a demand which about 80 per cent of Sierra Leone's journalists could not meet (**Ibid.**).

After the AFRC took power in May 1997, dozens of journalists fled the country for fear of persecution. In September, the AFRC announced that newspapers were required to obtain permission before publishing. As a result, the number of newspapers was reduced to six, all of which operated under the discretion of the Ministry of Information. When in July 1997 a radio station transmitting messages from the ousted government began to operate, numerous people suspected of connection to the station were arrested (**Amnesty International**, Annual Report 1998, 2 [Internet]. Journalists were detained on a variety of charges - including drug possession - in this period, and newspaper offices were looted by military personnel (**U.S. DOS Country Report for 1997,** 11 [Internet], **Amnesty International**, Annual Report 1998, 3 [Internet]). Many journalists and their families have been harassed, and some have been subjected to torture in prison. For instance, Punch newspaper editor David Tambaryoh was arrested by AFRC military personnel on 10 October 1997 and held three days in prison, while armed men searching through his property looted his sister-in-law's home, raping her and her daughter twice (**U.S. DOS Country Reports for 1997**, 12 [Internet], **Amnesty International**, October 1997, 11 [Internet]). Another example is journalist Vandi Kallon, who on 16 December 1997 was detained and brutally beaten by AFRC officials (**Ibid.**).

After President Kabbah was reinstated, the taxation imposed on the press was increased by 383% in June 1998 (**IFEX**, 12 June 1998 [Internet]) which makes it near impossible for independent newspapers to continue publishing. On 24 August 1998, 16 civilians accused of collaboration with the junta were sentenced to death. Five of them, namely Hilton Fyle, Gipu Felix George, Dennis Smith, Olivia Mensah and Imbrahin Ben Kergbo, were journalists. This has led some humanitarian organizations to believe that 'in the absence of sufficient transparency...[the journalists' conviction] may have been connected to their activities as journalists' (**IFEX**, 25 August 1998 [Internet]). Also, it has been suspected that ECOMOG may be exercising some censorship over the press (**EIU Country Report**, 3rd quarter 1998, 27)

2.4 The Situation of Specific Groups

Children

The recruitment of children as soldiers is a particular problem in Sierra Leone, and several human rights organizations, and UNICEF, have called on the government to demobilise the approximately 4,000 child soldiers in Sierra Leone (**Sierra Leone News**, 1 October 1998 [Internet]). Child soldiers have been recruited both by the RUF and the *Kamajors*, often by abduction.

According to Human Rights Watch, the AFRC/RUF is using and forcibly recruiting children and young men to engage in armed attacks against Sierra Leonean civilians, the Civil Defence Forces, and ECOMOG Soldiers (**Human Rights Watch**, July 1998, 21). Children are targeted because they are considered less afraid to fight and not likely to be bound by family ties - even more so if they have lost or were separated from their parents in the fighting. As they have little possibility of making a living on their own, the provision of food and shelter by the RUF often provides a big incentive (**Ibid.**, 22). In any case, children, being more vulnerable than adults, are more readily manipulated. It has also been suggested that the RUF forces children to commit atrocities, sometimes against their own community or relatives, to deliberately destroy emotional ties and enforce the identification with the rebel movement (**Ibid.**).

The conscription of children and young people where RUF advanced was an essential element in the warfare strategy of the movement since the beginning of the conflict. Fear was a major weapon in the capture as well as in avoiding the young recruits to escape. Brutal executions of village leaders and other atrocities were effectuated to this end (**Abraham, A.**, 1997, 108). The armed forces contributed to this situation by encouraging the conscripted to stay in the RUF due to the execution of youngsters suspected of association with the movement (**Richards, P.**, 1996, 28). Another important aspect of the conscription of young men was the fact that they saw a possibility of acquiring knowledge and training by joining the two warring parties (whether it be the RUF or the armed forcers). They saw the rebellion as a possibility of resuming their education : "The arts of war are better that no arts at all" (**Richards, P.**, 1996, 24, 29).

The *Kamajors* have recently admitted to forcibly recruit child soldiers - in Kailahun District alone, there are said to be as many as 3,000 of them (**IPS World News**, 29 June 1998 [Internet]). According to an *Kamajor* field commander, children are used because 'they are unadultered and keep the laws governing the conduct of the militia like abstinence from sex, drugs and looting when in combat' (**Ibid.**). Despite assurances by the government that the children would soon be demobilised and no new children would be recruited, there has been no demobilisation of child *Kamajors* until now (**Sierra Leone News**, 3 October 1998 [Internet]). On the one hand, this is due to the ongoing fighting, but on the other hand many child soldiers themselves are psychologically not prepared to give up their existence as soldiers. On 8 July 1998, however, the Government of Sierra Leone has offered an amnesty to all child soldiers (**Reuters,** 9 July 1998).

Women

The constitution provides for equal rights to women, but in practice women are severely disadvantaged: they do not have equal access to education, economic opportunities, health

facilities, or social freedoms (**U.S. DOS Country Report for 1997**, 15 [Internet]) Only six per cent of women in Sierra Leone are literate, and their education is markedly below their male counterparts. Violence against women ranges from wife beating to rape and female genital mutilation (FGM).

FGM is widely practiced on young women and girls, especially in traditional ethnic groups and among the less-educated. In an ritual ceremony in January 1997, the secret Bondo society, one of the main societies in favour of FGM, circumcised between 600 and 700 girls in a displaced persons camp near Freetown. As a result, some 100 of the young women had to be admitted to hospital (**Electronic Mail and Guardian**, 22 January 1997 [Internet]). It is estimated that the percentage of women who have undergone this procedure may be as high as 90 per cent (**U.S. DOS Country Report for 1997**, 16 [Internet])

Rape and sexual violence is widespread and used by RUF forces as a means of control and punishment (**Human Rights Watch**, July 1998, 17, 18). Women and girls, including pregnant women, have been gang-raped by RUF members, sometimes in front of family members (**Ibid.**). Often, the rape is followed by murder or mutilation. Women and girls are also reported to have been abducted individually or collectively by RUF/AFRC soldiers and kept for reasons of sexual slavery and to perform domestic tasks (**Human Rights Watch**, July 1998, 17, 18, 20; **Amnesty International**, October 1997 [Internet], 15, **Amnesty International**, Annual Report 1998, 3 [Internet]).

3. Trends in AsylumApplications and Adjudication

Asylum Applications

In 1997, the number of Sierra Leonean nationals applying for asylum in the 19 European countries considered here (3,200) more than doubled as compared to 1996 (1,300). During 1992-1995, between 2,500 and 2,800 Sierra Leonean nationals applied for asylum in Europe (page 1, first table).

In 1997, three out of every four Sierra Leonean asylum-seekers applied for asylum in Germany, the United Kingdom (26 per cent, cases only) and the Netherlands (12 per cent) (page 1, second table).

During 1997, the distribution of Sierra Leonean asylum-seekers within Europe has become more even than in the years before. Thus, whereas Germany received 47 per cent of all Sierra Leonean applications during 1990-1997, this proportion had fallen to 36 per cent in 1997. Similarly, the share of the main receiving countries (Germany, the United Kingdom and the Netherlands) fell to 74 per cent in 1997 as compared to 85 per cent for the entire period (page 1, second table).

Sierra Leonean asylum-seekers constituted 1 per cent of the total number of asylum-seekers in Europe in 1997. During the period 1990-1997, this was around 0.5 per cent (see page 7, first table).

Recognition

During 1990-1997, some 124 Sierra Leonean asylum-seekers were recognised under the 1951 United Nations Convention

Relating to the Status of Refugees in the 19 European countries under consideration. The largest numbers were granted asylum in Germany (66 persons), followed by France (17 persons), the United Kingdom (15 persons) and the Netherlands (14 persons) (see page 2).

Rejections

Some 10,700 asylum requests of Sierra Leonean nationals were rejected during 1990-1997 (page 3).

Humanitarian Status

During 1990-1997, some 500 Sierra Leonean nationals were allowed to remain on humanitarian grounds, 90 per cent of whom were allowed to stay in the Netherlands (260 persons), Germany (128 persons) and the United Kingdom (60 persons) (page 4).

Recognition Rates

During 1990-1997, one per cent of all Sierra Leonean asylum-seekers were granted refugee status under the 1951 United Nations Convention Relating to the Status of Refugees. When the granting of humanitarian status is included, the recognition rate for Sierra Leonean asylum-seekers in Europe amounts to six per cent (page 5).

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FACT 4

4. Organised armed groups who participated in the armed conflict in Sierra Leone included:
   (a) The Revolutionary United Front (RUF).
   (b) The Armed Forces Revolution Council (AFRC)
   (c) The Civil Defence Forces (CDF).

a.			A similar fact was judicially noticed in the *Brima* Decision, para. 31, Fact D: "Groups commonly referred to as the RUF, AFRC and CDF were involved in the armed conflict in Sierra Leone."
b.	Exh. 1.078	ERN 00012418-00012428	Fourth Report of the Secretary-General on the Situation in Sierra Leone, S/1998/249 (18 March 1998), at paras. 6, 20 (ERN 00012419, 00012422).
c.	Exh. 1.073	ERN 00011233-00011276	"Sowing Terror", Human Rights Watch, Vol. 10, No 3 (A), July 1998, pp. 4, 5. (ERN 11237, 11238)
d.	Exh. 1.095	ERN 00025070-00025080	United States Department of State, "Human Rights Practices for 1998 Report", Sierra Leone Country Report, February 1999, p. 1 (ERN 00025070)
e.	Exh. 1.295	n/a	Amnesty International, "Sierra Leone: Childhood - a casualty of conflict", AI Index: AFR 51/69/00, 31 August 2000, Table of Contents.
f.	Exh. 1.304	ERN 00010572-00010587	The Coalition to Stop the Use of Child Soldiers, "Child Soldiers: Global Report", Sections: Child soldiers, An Overview: Sierra Leone, May 2001, at ERN 00010574.

5. I reaffirmed to the Committee of Five the desire of the United Nations for close cooperation between the United Nations and ECOWAS, and stated that ECOMOG needed to develop a concept of operations on the basis of which the United Nations could finalize its own deployment plan. ECOMOG should also compile a statement of its own logistical requirements in order to attract the necessary support from potential donors.

6. On the same day, responding to an attack by junta forces on their position at Lungi, ECOMOG launched a military attack on the junta, which culminated approximately one week later in the collapse of the junta and its expulsion by force from Freetown after heavy fighting. The fall of the city on 13 February, which was accompanied by widespread looting and some reprisal killings, led to the flight or capture of many soldiers and leaders of the junta. ECOWAS has assured me that the International Committee of the Red Cross (ICRC) has been allowed to visit prisoners detained by ECOMOG in Freetown. However, some of the former leaders of the Armed Forces Revolutionary Council (AFRC), including its Chairman, Johnny Paul Koroma, are believed to be still at large. Acting in concert with the local Kamajors and other traditional hunter militia (known as the Civil Defence Unit), ECOMOG has subsequently taken control of the towns of Bo, Kenema and Zimmi in the south of the country, and Lunsar, Makeni and Kabala in the north. ECOMOG has also reported the capture of Daru, which would mean that the remnants of the junta have now been dislodged from every major town except for Kailahun. Following scattered fighting in the latter part of February, the country now appears to be quiet. A number of foreign aid workers and missionaries taken hostage by armed elements in February were later released unharmed. However, press reports in mid-March indicated that Revolutionary United Front (RUF) members in Kono had murdered civilians and taken 200 hostages, reportedly including foreign nationals.

7. On 18 February, accompanied by the Executive Secretary of ECOWAS, Mr. Lansana Kouyaté, Minister Ikimi visited Sierra Leone to assess the situation on the ground. They interviewed some former junta soldiers now detained by ECOMOG and visited the State House complex and the Parliament buildings. Many of the government buildings were found to have been looted and were in poor condition, and a number of unexploded bombs were scattered about. However, the ECOWAS team, which was enthusiastically greeted by crowds, found that in many respects life had returned to normal in the capital. As noted below, my Special Envoy also visited Freetown on the same day.

8. From 25 to 27 February 1998, the Committee of Five met in the margins of the meeting of the Organization of African Unity (OAU) Council of Ministers held in Addis Ababa to review the situation in Sierra Leone. The Committee issued a communiqué, which was subsequently circulated as document S/1998/170.

9. On 4 March 1998, the members of the Committee of Five returned to New York and met again with members of the Security Council and with me. Chief Ikimi briefed me on his visit to Freetown on 18 February and his subsequent meeting with President Tejan Kabbah in Conakry. Following this meeting, it was announced that President Kabbah would return to his country on 10 March 1998.

10. ECOMOG has also prepared a detailed list of logistical requirements for its operations in Sierra Leone. During the visit to New York of the Committee of

and through its deployment further into the countryside in the north, south and east, ECOMOG has established itself successfully across most of the country.

20. Nevertheless, the fact that many of the senior junta leaders, including the former Chairman of the AFRC, Johnny Paul Koroma, have not thus far been apprehended, as well as the continuing violence inflicted on civilians during their retreat from ECOMOG forces by RUF and other armed elements, indicate that the security situation in Sierra Leone is still a source of concern. Though ECOMOG has begun to collect weapons in Freetown, a major disarmament, demobilization and reintegration exercise will be needed to ensure security.

21. ECOMOG has also developed a concept of operations for its deployment throughout Sierra Leone that sets out the preliminary planning for the disarmament and demobilization of Sierra Leonean combatants. In summary, the tasks ECOMOG has set for itself include:

(a) Deployment throughout Sierra Leone;

(b) Manning of selected entry points by land, sea or air in order to ensure that no arms, ammunition or war matériel are brought into the country;

(c) Disarmament of ex-combatants at designated sites;

(d) Establishment of road blocks to check the movement of arms and ammunition and to assist in extending protection to refugees and internally displaced persons;

(e) Conducting patrols to create an atmosphere conducive to freedom of movement and the restoration of established authority;

(f) Providing security for key individuals, United Nations personnel, including military personnel, and non-governmental organizations.

22. The plan calls for the deployment of 15,000 troops in four sectors: western, northern, southern and eastern. The western sector, comprising Freetown and the airports of Lungi and Hastings, is further subdivided, and would support the deployment of seven battalions, an air force detachment and an artillery brigade. This appears to be an ample level of force for the protection of the capital and its airport.

23. In the northern sector, ECOMOG would deploy a brigade headquartered at Makeni, with battalions located at Port Loko, Magburaka and Kabala. In the south, ECOMOG will locate its brigade headquarters at Bo and deploy battalions at Moyamba, Pujehun and Kenema. Naval assets would also be required. The eastern sector is described as strategic in view of its mineral resources, the presence of heavy RUF and Kamajor concentration, and the border with Liberia. ECOMOG therefore considers that operations in the east could prove difficult and risky and demand a robust approach, alertness and deployment in strength. Battalions would be located at Yengema, Zimmi and Kailahun.

24. ECOMOG would also establish a disarmament committee which would be charged, inter alia, with selecting disarmament sites; setting standards and guidelines

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Security Council

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S/1998/249
18 March 1998

ORIGINAL: ENGLISH

FOURTH REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN SIERRA LEONE

I. INTRODUCTION

1. The present report is submitted pursuant to the presidential statement issued by the Security Council on 26 February 1998 (S/PRST/1998/5), by which the Council requested me to submit detailed proposals concerning the role of the United Nations and its future presence in Sierra Leone. It covers the developments in Sierra Leone since the issuance of my third report on 5 February 1998 (S/1998/103).

II. IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 1132 (1997)

Action taken by the Economic Community of West African States and the Economic Community of West African States Monitoring Group

2. On 5 February 1998, the Economic Community of West African States (ECOWAS) Committee of Five on Sierra Leone came to New York to brief the members of the Security Council and myself on the situation in Sierra Leone. The Chairman of the Committee of Five, the Foreign Minister of Nigeria, Chief Tom Ikimi, said an impasse had been reached in the implementation of the Conakry Agreement. He pointed out that the junta had raised three issues which, in its view, stood in the way of the implementation of the Agreement, namely, the release of Corporal Foday Sankoh, the proposed exemption of the Republic of Sierra Leone Military Forces from the disarmament process and the composition of the ECOWAS Monitoring Group (ECOMOG) which consisted primarily of Nigerian troops.

3. Minister Ikimi noted that because of this impasse, ECOMOG had been unable to deploy in Sierra Leone to carry out the disarmament and demobilization of the Sierra Leonean combatants, and it had therefore not been possible to deploy United Nations military observers alongside ECOMOG.

4. Minister Ikimi requested my support in launching a high-level effort to support ECOWAS through the establishment of a group of friends of Sierra Leone, and expressed the view that the Security Council should endorse the 22 April 1998 deadline for the restoration of constitutional authority and the full implementation of the Conakry Agreement of 23 October 1997.

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5. I reaffirmed to the Committee of Five the desire of the United Nations for close cooperation between the United Nations and ECOWAS, and stated that ECOMOG needed to develop a concept of operations on the basis of which the United Nations could finalize its own deployment plan. ECOMOG should also compile a statement of its own logistical requirements in order to attract the necessary support from potential donors.

6. On the same day, responding to an attack by junta forces on their position at Lungi, ECOMOG launched a military attack on the junta, which culminated approximately one week later in the collapse of the junta and its expulsion by force from Freetown after heavy fighting. The fall of the city on 13 February, which was accompanied by widespread looting and some reprisal killings, led to the flight or capture of many soldiers and leaders of the junta. ECOWAS has assured me that the International Committee of the Red Cross (ICRC) has been allowed to visit prisoners detained by ECOMOG in Freetown. However, some of the former leaders of the Armed Forces Revolutionary Council (AFRC), including its Chairman, Johnny Paul Koroma, are believed to be still at large. Acting in concert with the local Kamajors and other traditional hunter militia (known as the Civil Defence Unit), ECOMOG has subsequently taken control of the towns of Bo, Kenema and Zimmi in the south of the country, and Lunsar, Makeni and Kabala in the north. ECOMOG has also reported the capture of Daru, which would mean that the remnants of the junta have now been dislodged from every major town except for Kailahun. Following scattered fighting in the latter part of February, the country now appears to be quiet. A number of foreign aid workers and missionaries taken hostage by armed elements in February were later released unharmed. However, press reports in mid-March indicated that Revolutionary United Front (RUF) members in Kono had murdered civilians and taken 200 hostages, reportedly including foreign nationals.

7. On 18 February, accompanied by the Executive Secretary of ECOWAS, Mr. Lansana Kouyaté, Minister Ikimi visited Sierra Leone to assess the situation on the ground. They interviewed some former junta soldiers now detained by ECOMOG and visited the State House complex and the Parliament buildings. Many of the government buildings were found to have been looted and were in poor condition, and a number of unexploded bombs were scattered about. However, the ECOWAS team, which was enthusiastically greeted by crowds, found that in many respects life had returned to normal in the capital. As noted below, my Special Envoy also visited Freetown on the same day.

8. From 25 to 27 February 1998, the Committee of Five met in the margins of the meeting of the Organization of African Unity (OAU) Council of Ministers held in Addis Ababa to review the situation in Sierra Leone. The Committee issued a communiqué, which was subsequently circulated as document S/1998/170.

9. On 4 March 1998, the members of the Committee of Five returned to New York and met again with members of the Security Council and with me. Chief Ikimi briefed me on his visit to Freetown on 18 February and his subsequent meeting with President Tejan Kabbah in Conakry. Following this meeting, it was announced that President Kabbah would return to his country on 10 March 1998.

10. ECOMOG has also prepared a detailed list of logistical requirements for its operations in Sierra Leone. During the visit to New York of the Committee of

Five, Chief Ikimi requested the assistance of the United Nations and the international community in ensuring that these requirements could be met. That request was reaffirmed by the Chairman of ECOWAS, General Sani Abacha, in his statement at the ceremony held to mark the return of President Kabbah to Freetown on 10 March.

Action taken by the United Nations

11. On 18 February 1998, a few days after ECOMOG had established control over most of the city of Freetown, my Special Envoy, Mr. Francis G. Okelo, led a security and humanitarian assessment mission to the capital and to Lungi comprising United Nations and non-governmental organization officials. The mission determined the most immediate needs of the population. Mr. Okelo handed over a quantity of medicines donated by the World Health Organization (WHO) to local hospitals and began preparations for the re-establishment of a United Nations presence in Freetown. A few days later, the World Food Programme (WFP) delivered 857 metric tons of food to Freetown by ship.

12. Early in February, pursuant to a request by members of the Security Council for a technical assessment of the humanitarian situation in Sierra Leone since the coup d'état of 25 May 1997, an inter-agency mission travelled to the subregion. Its report is contained in document S/1998/155. Further information on the humanitarian situation in Sierra Leone can be found in section III of the present report.

13. Pursuant to the statement issued by the President of the Security Council on 26 February, I have initiated the necessary action to establish a Trust Fund for Sierra Leone. Contributions would help finance logistical assistance to ECOMOG, rehabilitation assistance to the Government of Sierra Leone and activities, including disarmament, demobilization and human rights.

14. On 7 March 1998, my Special Envoy reopened the United Nations office in Freetown, which had been closed shortly after the 25 May 1997 coup d'état and was temporarily relocated in Conakry, Guinea. The office is now being strengthened to comprise civilian political and humanitarian officers, a military adviser and, in due course, human rights and civilian police advisers and public information personnel. The function of the office is to liaise with the Government of Sierra Leone, ECOWAS, ECOMOG and the United Nations and its agencies, as well as non-governmental organizations, and to act as the overall authority for all United Nations activities in the country. My proposals for deploying military liaison personnel as part of the United Nations presence on the ground can be found in section IV of the present report. My Special Envoy will also temporarily retain a small office in Conakry, but he expects to be fully established in Freetown by the end of March, thus paving the way for the return of all United Nations agencies to Sierra Leone.

Action taken by the Government of Sierra Leone

15. On 13 February 1998, President Kabbah called a meeting in Conakry of potential donors, including the European Union, Germany, the United Kingdom of Great Britain and Northern Ireland and the United Nations, to discuss his Government's priorities; the nature of the assistance the international

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community could provide; and the urgent provision of humanitarian assistance. The President announced that he had created a task force to prepare the ground for the resumption of work by his Government, to assess damage to the infrastructure and to prepare for the resumption of education. President Kabbah identified the immediate priorities of his Government as the provision of humanitarian supplies and petroleum products, the reactivation of international aid programmes and the disarmament and demobilization of former combatants. Three other areas that required special attention have been identified as the training and restructuring of the police force, the creation of job opportunities for young people and the construction of low-cost housing. President Kabbah also indicated that he intended to streamline his administration and appoint technical experts to cabinet positions.

16. Following the removal by ECOMOG of the military junta from power, President Kabbah issued a statement announcing his intention to submit proposals to Parliament concerning the rebuilding of his country. The President also spoke out against the reprisal killings, which, in some cases, had accompanied the seizure of control from the junta.

17. On 10 March 1998, accompanied by General Sani Abacha, Chairman of ECOWAS and Head of State of Nigeria, as well as the Heads of State of Guinea, Mali and Niger, President Lansana Conteh, President Alpha Oumar Konare and President Ibrahim Bare Mainassara, and the Vice-President of Gambia, President Tejan Kabbah returned to Freetown to resume his office as Head of State of Sierra Leone. He was greeted by large and enthusiastic crowds. Mr. Ibrahima Fall, Assistant Secretary-General for Political Affairs, delivered on my behalf a message of congratulations to the President stating that his return represented the accomplishment of a major objective not only of the people of Sierra Leone, but also of ECOWAS, OAU, the United Nations and the entire international community. I expressed my deep regret at the violence, loss of life and property and immense suffering undergone by the people of Sierra Leone since the coup d'état and extended my condolences to the families of those who lost their lives in opposing it. Furthermore, I informed the President that the United Nations looked forward to working closely with him in helping his Government to reassert its authority and strengthen its capacity throughout the country.

18. In a statement made at the ceremony marking his return to Sierra Leone, President Kabbah declared his intention to embark on the process of national reconciliation and reconstruction of the country, to form a broad-based Government and to appoint a policy advisory committee. In his first meeting with my Special Envoy after his return, President Kabbah stressed the need for an early deployment of United Nations military personnel, the urgent provision of humanitarian assistance and the prompt establishment of the Trust Fund for Sierra Leone.

Military and security situation in Sierra Leone

19. Freetown is now fully under the control of ECOMOG and is increasingly secure. Some unexploded ordnance and landmines have been found, but these are not a threat to security. The peninsula on which the capital stands has also been secured. With the capture of almost every other major town in the country,

and through its deployment further into the countryside in the north, south and east, ECOMOG has established itself successfully across most of the country.

20. Nevertheless, the fact that many of the senior junta leaders, including the former Chairman of the AFRC, Johnny Paul Koroma, have not thus far been apprehended, as well as the continuing violence inflicted on civilians during their retreat from ECOMOG forces by RUF and other armed elements, indicate that the security situation in Sierra Leone is still a source of concern. Though ECOMOG has begun to collect weapons in Freetown, a major disarmament, demobilization and reintegration exercise will be needed to ensure security.

21. ECOMOG has also developed a concept of operations for its deployment throughout Sierra Leone that sets out the preliminary planning for the disarmament and demobilization of Sierra Leonean combatants. In summary, the tasks ECOMOG has set for itself include:

(a) Deployment throughout Sierra Leone;

(b) Manning of selected entry points by land, sea or air in order to ensure that no arms, ammunition or war matériel are brought into the country;

(c) Disarmament of ex-combatants at designated sites;

(d) Establishment of road blocks to check the movement of arms and ammunition and to assist in extending protection to refugees and internally displaced persons;

(e) Conducting patrols to create an atmosphere conducive to freedom of movement and the restoration of established authority;

(f) Providing security for key individuals, United Nations personnel, including military personnel, and non-governmental organizations.

22. The plan calls for the deployment of 15,000 troops in four sectors: western, northern, southern and eastern. The western sector, comprising Freetown and the airports of Lungi and Hastings, is further subdivided, and would support the deployment of seven battalions, an air force detachment and an artillery brigade. This appears to be an ample level of force for the protection of the capital and its airport.

23. In the northern sector, ECOMOG would deploy a brigade headquartered at Makeni, with battalions located at Port Loko, Magburaka and Kabala. In the south, ECOMOG will locate its brigade headquarters at Bo and deploy battalions at Moyamba, Pujehun and Kenema. Naval assets would also be required. The eastern sector is described as strategic in view of its mineral resources, the presence of heavy RUF and Kamajor concentration, and the border with Liberia. ECOMOG therefore considers that operations in the east could prove difficult and risky and demand a robust approach, alertness and deployment in strength. Battalions would be located at Yengema, Zimmi and Kailahun.

24. ECOMOG would also establish a disarmament committee which would be charged, inter alia, with selecting disarmament sites; setting standards and guidelines

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for disarmament; conducting the disarmament, coordination of resources and cooperation with other organizations; classifying and transporting recovered weapons and ammunition; disseminating information about the process and providing security for all participants. A ceasefire violations committee and a humanitarian services committee would also be created.

25. My Special Envoy and his staff are actively discussing with the Government and with ECOMOG the further elaboration and implementation of its concept of operations, which provides a suitable basis for the possible subsequent deployment of United Nations military personnel, subject to the authorization of the Security Council. I will revert to the Council with further recommendations on such deployment following a further assessment by my Special Envoy.

Other action taken pursuant to resolution 1132 (1997)

26. Since my previous report, a number of States have written to me, in compliance with paragraph 13 of resolution 1132 (1997), concerning the steps they have taken to give effect to the provisions contained in paragraphs 5 and 6 of the resolution relating to the sanctions imposed by the Council on Sierra Leone. The latest list of those States can be found in a separate report to the Security Council contained in document S/1998/112.

27. In a letter dated 9 March 1998 addressed to the President of the Security Council (S/1998/215), the Chargé d'affaires a.i. of the Permanent Mission of Sierra Leone to the United Nations conveyed a request from his Government for the convening of an urgent meeting of the Security Council to consider the lifting of the sanctions imposed on the importation of petroleum and petroleum products into the country in paragraph 6 of resolution 1132 (1997). On 16 March, the Council adopted resolution 1156 (1998) terminating, with immediate effect, the prohibitions on the sale or supply to Sierra Leone of petroleum and petroleum products referred to in resolution 1132 (1997).

III. HUMANITARIAN SITUATION

28. A number of United Nations humanitarian assessment missions have now been undertaken to Freetown, Kambia, Bo, Kenema and Makeni. These missions determined that the current humanitarian situation in Sierra Leone remains serious. The primary health care system has been devastated by lack of supplies, looting and the exodus of medical personnel at all levels. Widespread neglect of water and sanitation facilities has increased the exposure of hundreds of thousands to disease. The normal distribution of food to vulnerable groups has been disrupted, affecting children in particular. Many children have also suffered exposure to acts of violence by being sent into battle as combatants. The public education system has collapsed; all schools have been closed since the coup d'état last May. The combination of fighting and looting has led to extensive damage to housing and infrastructure in the provincial towns. The number of internally displaced people has increased, and the welfare of some 14,000 Liberian refugees remains a matter of concern, as many fled from their camps during the recent fighting. The majority of Sierra Leoneans who took refuge in Conakry during the fighting in Freetown have returned. However, some 24,000 Sierra Leoneans have arrived in Liberia since mid-February and the

influx continues, albeit at a reduced rate. A further influx of 3,000 refugees from the Kailahun area, still not under ECOMOG control, has been registered by the Office of the United Nations High Commissioner for Refugees (UNHCR) at its camp in Kissidougou, Guinea.

29. United Nations agencies prepared a consolidated inter-agency flash appeal, which was launched on 3 March 1998. Through this appeal, I am seeking financial contributions from Member States in the amount of $11.2 million to meet priority humanitarian needs in Sierra Leone over the next three months. Priority needs include support to agriculture through the provision of seeds and tools, the re-establishment of basic health and education services, the resumption of food aid distributions and the provision of assistance and protection to the most vulnerable groups affected by the current conflict. The flash appeal complements the 90-day programme of the Government of Sierra Leone, which serves as a framework for action following the restoration of democratic civilian rule in the country.

30. The full deployment of ECOMOG and the restoration of the legitimate Government is expected to provide increased opportunities for the humanitarian community to accelerate its activities in response to the humanitarian crisis in Sierra Leone, and will also encourage the return to their homes of internally displaced persons. It is hoped that the international community will contribute generously to the humanitarian programme outlined in the flash appeal, in order to provide the crucial assistance needed to sustain lives and to promote stability in Sierra Leone.

31. Medium-term tasks, such as the assisted repatriation of Sierra Leonean refugees and reintegration of ex-combatants, are not covered in the flash appeal. However, United Nations agencies are already re-establishing their offices in Freetown and are eager to restart their social and economic development programmes, important components of which must be the re-building of the capacity of the Government of Sierra Leone to deliver services, stimulate economic recovery and promote national reconciliation and reconstruction.

Commencement of the repatriation of refugees

32. At the request of President Kabbah, and with the help of a donation of $120,000 from the Government of Japan, UNHCR has begun to prepare for the repatriation from Conakry of up to 5,000 Sierra Leonean refugees, including 200 civil servants who fled Freetown after the May coup d'état and who will be engaged in the administration of the country.

33. ECOMOG control of major towns in southern Sierra Leone is also likely to encourage the early repatriation by road of Sierra Leonean refugees from Liberia. It is further expected that the removal of the junta could lead to the repatriation of the 400,000 Sierra Leonean refugees in the West African subregion.

34. Of the total caseload of Liberian refugees in Sierra Leone, some 2,800 have thus far been re-registered with UNHCR, about half of them requesting repatriation. UNHCR has begun making arrangements for them to be repatriated by sea.

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United Nations Development Programme mission to Sierra Leone

35. A multi-unit mission to Sierra Leone dispatched by the United Nations Development Programme (UNDP) has proposed four projects for immediate implementation following their approval by the Government. These are:

(a) A start-up project for the demobilization of various categories of combatants;

(b) Support for national institutions to enable a rapid return to normal functioning;

(c) Resettlement with emphasis on quick-impact micro-projects, reconciliation and youth development;

(d) Awareness-raising in order to help the country come to terms with the problems it faces and to promote national reconciliation and peace-building.

36. The mission is also assisting the Government to prepare a document for a donors' consultation proposed to be held in Brussels on 31 March 1998. UNDP plans to close its Coordination Office in Conakry by the end of March if the security situation continues to stabilize, and to return the staff of its Country Office to Freetown.

IV. OBSERVATIONS AND RECOMMENDATIONS

37. The developments that have taken place in Sierra Leone since the submission of my last report should be seen as positive in the context of the wider situation in which they transpired. The removal of the junta by the action of ECOMOG has opened the way for the re-establishment not just of the legitimate Government, but also of civil order, the democratic process and the beginnings of economic and social development. The return of President Kabbah to Freetown on 10 March therefore presents the people of Sierra Leone and the international community with a challenge and an opportunity which must be grasped with a sense of urgency. We must not let slip the chance to restore Sierra Leone to the ranks of democratic nations and to help strengthen the stability of the subregion.

38. I commend the consistent diplomacy of ECOWAS and, in particular, its Committee of Five on Sierra Leone, and the contribution made by ECOMOG officers and men to the removal of the military junta. I call on ECOWAS and ECOMOG to continue their efforts to bring peace to Sierra Leone in accordance with the relevant provisions of resolution 1132 (1997) and of the Charter of the United Nations. Sierra Leoneans committed to the democratic system also played their part in maintaining a stubborn resistance to the illegal regime. These included not only the members of the Civil Defence Forces, but also countless unarmed civilians who persistently withheld their cooperation from the regime and denied it legitimacy. I salute the courage of the Sierra Leonean people and honour the memory of those who died opposing the junta.

39. I also congratulate President Ahmad Tejan Kabbah on his resumption of his responsibilities as Head of State of Sierra Leone following his return. The United Nations should give his Government every possible assistance in its efforts to promote national reconciliation among his people and to strengthen the authority and capacity of his Government.

40. As I stated in my message to the annual summit meeting of the Organization of African Unity at Harare, and in the special message which was delivered by my Special Envoy, Mr. Ibrahima Fall, on the occasion of President Kabbah's return, Africa can no longer tolerate or accept as faits accomplis coups d'état against elected Governments or the illegal seizure of power by military cliques.

Strengthening the office of the Special Envoy

41. In order to take full and prompt advantage of the changed situation, I wish to propose a comprehensive set of measures to assist the Government and people of Sierra Leone in both their immediate and longer-term needs. As a first step, I intend to strengthen the office of my Special Envoy in Freetown. In order to contribute to the restoration of respect for the rule of law, civil order and human rights in Sierra Leone, I have consulted with the United Nations High Commissioner for Human Rights concerning the possible deployment of human rights observers. In the meantime, a human rights officer will be attached to the office of my Special Envoy at an early date.

42. I am also considering attaching to the office two civilian police officials to advise the Government on police training and procedures in a democratic society. An additional political officer and a military adviser would assist my Special Envoy in his consultations with ECOMOG on the development of planning for disarmament and demobilization, while a humanitarian officer would facilitate the coordination of activities of the United Nations and non-governmental organizations in Sierra Leone and advise my Special Envoy on all issues involving non-governmental organizations. The office will also require a public information programme to disseminate information among the population about its activities, in particular in connection with the disarmament and demobilization of ex-combatants and their reintegration into society.

Deployment of military liaison personnel

43. I also recommend the deployment to Sierra Leone of up to 10 United Nations military liaison officers, whose functions would be as follows:

(a) To liaise closely with ECOMOG and to report on the military situation in the country;

(b) To ascertain the state of and to assist in the finalization of planning by ECOMOG for future tasks such as the identification of the former combatant elements to be disarmed and the design of a disarmament plan.

44. Should the Security Council decide to authorize the deployment of these military liaison officers, as well as the military and civilian police advisers, as indicated in my third report (S/1998/103, para. 35), the costs relating

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thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and the assessments to be levied on Member States should be credited to the special account to be established for Sierra Leone. The related cost estimates will be issued shortly as an addendum to the present report.

45. The military liaison team would complement the role of the military advisers who will, under the authority of my Special Envoy, continue to assist the Government of Sierra Leone to resolve issues related to the disarmament process. The military advisers will also be instrumental in assisting the Government of Sierra Leone in the development of planning for bilateral programmes to restructure and rebuild appropriate security forces for Sierra Leone in the future. In view of the importance of such retraining, I appeal to potential donors to show generosity in providing bilateral assistance.

46. The presence of United Nations military liaison officers, perhaps later supplemented by human rights observers, could also assist in the process of national reconciliation in Sierra Leone. Their close cooperation with ECOMOG in the countryside and their impartial reporting to my Special Envoy would reassure former combatants that they can surrender their weapons in safety.

Provision of humanitarian assistance

47. The provision of humanitarian assistance must also proceed expeditiously. The plight of Sierra Leoneans deprived of food, medical care and shelter by the recent fighting and the abuses of junta rule is acute, and it must be addressed as a matter of urgency with all the resources available to the aid agencies. While I remain deeply concerned about the humanitarian situation in many parts of the country, I am encouraged by news that humanitarian needs are beginning to be addressed. Food aid and emergency medical supplies have entered the country through the port of Freetown and have been delivered to some provinces by plane, helicopter and overland in a prompt and coordinated manner.

Contributions to the Trust Fund

48. I call on Member States to display generosity in contributing to the Trust Fund for Sierra Leone which, with the encouragement of the Security Council, I have established. My appreciation goes to the Government of the United Kingdom, which has already announced its readiness to contribute £2 million, and has been actively assisting in the provision of aid to Sierra Leoneans. I also urge all Member States to provide generous assistance to ECOMOG to enable it to meet its logistical requirements and to fulfil its mandate in Sierra Leone.

49. The events that have taken place in Sierra Leone over the past year carry a warning that similar crises may arise and challenge the international community to consider how it should respond to them. Democracy in Sierra Leone may have deep roots, but it is a fragile plant and must be nurtured. The international community must maintain its vigilance and support, not least in the prompt provision of emergency bilateral and multilateral aid. Assistance for the laudable efforts of ECOWAS and the logistical requirements of ECOMOG as it continues its deployment through the countryside will also be required. I trust that such support will be forthcoming.

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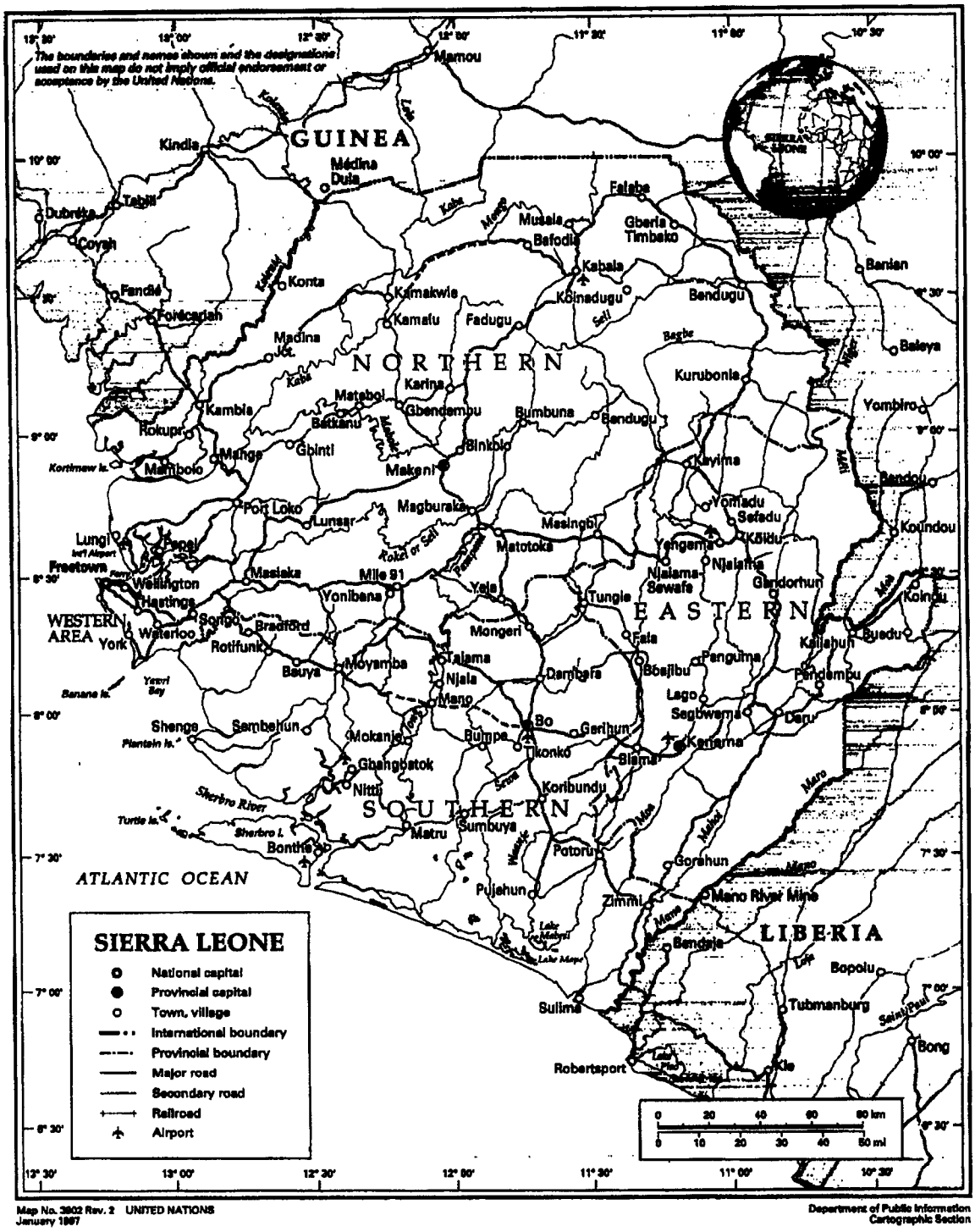

Map No. 3902 Rev. 2 UNITED NATIONS
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I. SUMMARY

Since losing political power in February 1998, members of the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF) have been engaging in a war of terror against civilians in Sierra Leone. With no recognizable political platform, the AFRC/RUF rebel alliance is committing widespread and egregious atrocities against unarmed civilians in an attempt to regain power. As the violence in Sierra Leone continues, grave abuses continue to take place. Human Rights Watch interviewed civilian men, women, and children who had been intentionally mutilated or shot as recently as June 12, 1998 in eastern Sierra Leone.

Many thousands of Sierra Leonean civilians have been raped; deliberately mutilated, often by amputation; or killed outright in a campaign by the AFRC/RUF between February and June 1998 alone. Men, women and children, probably numbering in the thousands, have been abducted by the AFRC/RUF for use as combatants, forced laborers, or sexual slaves. Women have been actively targeted through sexual violence, including rape and sexual slavery. Children have been targets of killings and violence and are forcibly recruited as soldiers. In addition to various forms of physical abuse, innumerable Sierra Leoneans suffer from psychological trauma due to intentionally cruel methods of inflicting harm against these individuals and their communities.

These atrocities committed against civilians are the latest cycle of violence in the armed conflict that has devastated Sierra Leone for seven years. The fighting has caused the displacement of more than a million Sierra Leoneans. Most have become internally displaced, while hundreds of thousands have fled the country as refugees, predominantly to neighboring Guinea and Liberia.

The AFRC—led by a group of military officers—took power forcibly on May 25, 1997. During the nine months it was in power, the AFRC joined forces with the armed rebel group, the RUF, to form a regime characterized by serious human rights violations and a complete breakdown of the rule of law. In February 1998, a Nigerian-led peacekeeping force, the Economic Community of West African States Monitoring Group (ECOMOG), forced the AFRC/RUF out of power and reinstated former President Ahmad Tejan Kabbah, who had been elected president in March 1996 in the first multi-party elections for almost three decades in Sierra Leone. Since the reinstatement of Kabbah, the AFRC has joined forces with the RUF to wage a war against ECOMOG and the Kabbah government.

Since independence in 1961, Sierra Leone has endured a series of military regimes and rebellions in struggles over economic and political power. However, the latest round of violence is unique in the scale and grotesque nature of the attacks on civilians. Much of rural Sierra Leone is inaccessible due to the ongoing war, and information is available for the most part only through health facilities where victims seek care in Sierra Leone and through the testimonies of witnesses and survivors in neighboring Guinea and Liberia. Of the hundreds of testimonies collected by Human Rights Watch, many described situations in which the interviewee was the sole survivor among many victims. The cases reported in this document represent only a small fraction of the actual number of victims. The true number may never be known.

Human Rights Watch compiled information regarding the experiences of more than 500 survivors of atrocities committed in Sierra Leone between February and June of 1998. The vast majority of these abuses were perpetrated by members of the AFRC/RUF. Of this number, over 425 survivors of gunshot wounds, amputations and other mutilations, or rape were registered in Connaught, Magburaka, and Makeni hospitals in Sierra Leone. Approximately eighty-two survivors of the same types of abuse were identified in Guinea at Conakry, Faranah, Kissidougou, and Guéckedou hospitals during roughly the same period. In the Liberian refugee camps, Human Rights Watch interviewed victims of the conflict and former AFRC/RUF combatants living alongside one another.

Forces fighting on behalf of President Kabbah have also committed human rights abuses and violations of international humanitarian law. Civilian Defense Forces (CDFs), civilian militias who support the Kabbah

government, have committed numerous abuses including indiscriminate killings and torture. These killings are on a smaller scale than those carried out by the AFRC/RUF and are of a different nature: the CDFs were created in order to assure local security, and they generally limit their abuses to those they claim are AFRC/RUF combatants and to a lesser extent, those perceived as their supporters. The largest and most powerful of the CDFs, the Kamajors, have been responsible for the majority of abuses committed by those fighting on behalf of the Kabbah government since February 1998. In addition to killings and torture, Kamajors have also been responsible for obstructing humanitarian assistance and demanding money or other payment at roadblocks. There are many child soldiers among the Kamajors, and despite promises by the government to demobilize all combatants under the age of eighteen, recent reports indicate that the CDFs continue to recruit children.

According to international humanitarian groups, the shelling by ECOMOG during its assault on Freetown in early February 1998 took a high toll on civilians. ECOMOG forces have also obstructed humanitarian assistance by commandeering vehicles from aid agencies. Information from ECOMOG regarding the security situation in Sierra Leone has often been unduly positive, leading to the repatriation of refugees to unsafe areas. ECOMOG has been widely praised for ousting the AFRC/RUF and conducting itself with greater discipline than was the case in Liberia. However, international observers in Sierra Leone have expressed concerns that some members of ECOMOG may seek to prolong its mission in order to exploit the conflict for economic incentives, as was the case involving some ECOMOG contingents in Liberia.

The atrocities that drive civilians into flight are only the first chapter of hardship for many Sierra Leoneans affected by the crisis. Approximately one-quarter million Sierra Leoneans have fled to refugee camps in neighboring Guinea and Liberia to escape the abuses and fighting. The location of the camps in border areas presents problems of security for and access to the camps, which in turn have impaired assistance and protection for refugees. Security conditions in many of the camps are precarious, and humanitarian assistance has been hampered by difficult access to the camps, a lack of resources at the disposition of the United Nations High Commissioner for Refugees (UNHCR) and aid agencies, and in some instances, poor coordination of relief efforts.

Protecting refugees in this context remains a challenge for UNHCR and other humanitarian agencies. In the Guinean camps, many unaccompanied women, children, and other war victims suffer from inadequate protection. Delays in the distribution of identity cards for refugees have led to restricted movement for refugees, as well as extortion and arbitrary arrest by Guinean authorities. Despite repeated requests from UNHCR and the International Committee of the Red Cross (ICRC), the Guinean authorities have denied access to detained asylum seekers they are holding as suspected combatants.

In the Liberian camps, the presence of former combatants among the refugee population has hampered humanitarian assistance and protection. The proximity of the camps to the fighting in Sierra Leone and the permeable nature of the Sierra Leonean-Liberian border present a clear security risk for refugees and for the delivery of aid to the Vahun camp, located eight to twelve kilometers from the border. Former combatants in the camps stated that the AFRC/RUF are taking advantage of the porous border situation to resupply and to recruit combatants. Assistance and protection has been further compromised by difficult access to the camps, the onset of the rainy season and poor road conditions, a lack of resources for UNHCR and aid groups, and an insufficiently rapid and well-coordinated effort to relocate refugees and separate combatants. The generally weak assistance and protection provided to the Vahun camp has increased tension and the risk of insecurity in the camp and its environs. By June 1998, most refugees in Vahun had received only one fourteen-day ration since their arrival in February and March.

Sierra Leone has been largely ignored by much of the international community, with the exception of those attempting to exploit its rich diamond and mineral deposits. This mix of exploitation and indifference, combined with a history of weak respect for the rule of law and democratic institutions, has repeatedly permitted military leaders to hold power and divert revenue from the mines for their own benefit. In attempts during recent years to gain

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SPECIAL REPORTS

CHRONOLOGY OF SIERRA LEONE

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How diamonds fuelled the conflict

23 March 1991: A motley group of about 100 fighters comprising Sierra Leonean dissidents (mostly former university students), **Liberian** fighters loyal to **Charles Taylor**, and a small number of mercenary fighters from **Burkina Faso** invaded eastern Sierra Leone at Bomaru, Kailahun district. A second flank was opened in Pujehun District by a group entering from the Mano River bridge linking Liberia and Sierra Leone. The RUF was unknown to most Sierra Leoneans at the time; most believed it to be a front organisation for Charles Taylor's National Patriotic Front of Liberia. It was the start of a civil war which has destroyed Sierra Leone's development prospects and led to an almost total dependence upon paid mercenary forces and foreign troops.

Since 1985 Sierra Leone's government had been run by the former head of the military, President **Joseph Momoh**, a well-meaning drunken womaniser with few political skills or leadership qualities. He had taken over from the ageing **Siaka Stevens** (a.k.a. Shaking **Stevens** in his later years), the dominant political figure in the country's post-Independence history.

April 1991: More details emerged about the mysterious rebels who were terrorising Sierra Leone's hinterland. A communiqué announced the rebellion had been started in the name of the Revolutionary United Front (RUF) whose leader was **Foday Sankoh**, an ex-army sergeant and professional photographer in his 50s. The RUF initially waged a war against farmers, villagers and alluvial miners, rather than against the central government in Freetown. The RUF espoused a crude ideology of rural resentment against exploitation; they used brutal tactics to terrorise civilians - often mutilating and amputating their limbs - in their efforts to exploit the inability of the Freetown government to protect its citizens. The rebellion worsened and civilian casualties mounted.

May 1991: Momoh, who knew his own army well, became increasingly worried about the threat the rebel RUF presented to internal security and fearful of the subversion of his own dissatisfied soldiers. Momoh looked towards **Britain**, the former colonial power, and expected Whitehall to help him out. Ties with Britain had been strong: the Royal Navy had used Freetown's port as a staging post during the Falkands War. Momoh himself had served in the West Africa Frontier Force along with senior British officers during the colonial era. He asked for military advisors to boost the Sierra Leone Army's capacity to deal with the terror threat, and to improve communications and intelligence capacity. Although individual officers were highly sympathetic to Momoh's request for help, the Ministry of Defence turned it down. After this point, officers in the SLA and government officials began to cast around for help from foreign mercenary troops against the RUF rebels.

October 1991: There were clear signs that not only was the SLA losing the war against the RUF rebels, but that many of its brigades had become totally demoralised - and some were cooperating with the

rebels. The government army was beginning to split into factions which made the RUF's operations (often backed up by intercepts of government intelligence reports) increasingly effective.

January 1992: A series of daring operations by the rebels in the diamond-rich south-east of the country indicated their strategy was to escalate from terrorising civilians to attacking economic targets

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March 1992: There were more successful attacks by rebels on government army convoys. Some dissident soldiers appeared to have a secret alliance with the rebels: they were christened 'sobels'- rebels by day and soldiers by night. Morale in the army was deteriorating further.

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29 April 1992: Junior officers led by 26 year-old Captain **Valentine Strasser** delivered a démarche to Momoh's office in Freetown complaining about sinking army morale. Momoh, fearing the officers were trying to topple him, fled his office and told his guards to resist with military force. Capt. Strasser and his fellow officers then overwhelmed the guards while their supporters in the north of the city seized the government radio station and declared that the Momoh government had been overthrown.

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1 May 1992: Capt. Strasser declared himself head of state (the youngest in the world at the time) and appointed **Solomon Musa**, another even younger junior officer as his number two. [Both are now in British Foreign Office-financed exile as law students in Britain.] Strasser presented himself as 'The Redeemer' - a reforming, popular figure in stylish fatigues and sun-glasses who would clean up the country's politics and end the rebel war. He initially tried to negotiate with RUF leader Foday Sankoh but several attempts at talks failed because Sankoh's preconditions were unacceptable to the Freetown government.

July 1992: Strasser reorganised the cabinet, replacing most of the military officials with civilians appointees. The idea was to allow the military members of the government to concentrate on winning the rebel war.

November 1992: Strasser decided to launch a major military offensive against the RUF after attempts to negotiate failed. The government army dislodged the RUF from its hold on the alluvial diamond mining areas in south-east Sierra Leone. For some months the rebels were pushed across the border into Liberia.

March 1993: As the war continued, the RUF were helped with military aid and logistics by faction leader Charles Taylor in Liberia. The RUF regrouped and infiltrated into the countryside again, waging an increasingly savage - and increasingly successful - rural revolt and exploiting rural grievances against Strasser's government. Taylor, (now President Taylor of Liberia after elections in mid-1997) had interfered in Sierra Leone since 1990 in order to shore up his own position and counter the influence of

the regional power - **Nigeria**. The Nigerian military presence had supported successive Freetown governments, including Stevens and Momoh. Nigeria, which had a peace-keeping force based in the Liberian capital, Monrovia, moved two battalions of troops to assist Strasser's war efforts against the rebels. Nigeria also based its Alpha Jets at Freetown's Lungi airport from where they flew bombing raids into Liberia against targets occupied by Taylor's forces.

January 1994: The Strasser government launched an army recruitment drive, often signing up poorly-educated youths from the city streets, including orphans and abandoned children from age 12 upwards. The government army grew from 5,000 in 1991 to 12,000 men in early 1994.

February 1995: The situation grew even more desperate when well-organised and ruthless groups of RUF fighters advanced towards the capital. Strasser's government was increasingly dependent upon foreign troops, particularly the 2,000 Nigerian troops stationed near the capital. The SLA was even more grossly ineffective, although it had swollen in size to over 14,000 by 1995. Strasser requested further foreign assistance, initially from a group of former British Army Gurkhas, as the rebel war became international news with the capture by the RUF of groups of Western hostages (a group of **Italian** nuns, British VSOs and expatriate mine workers). The Channel Islands-based Gurkha Security Group, despite their fearsome reputation, proved ineffective. They got off to a poor start, embroiled in a road ambush in rural Sierra Leone. The RUF killed their **Canadian** commander, Colonel **Robert MacKenzie**, and other troops in February 1995. The 50 Gurkha soldiers departed soon afterwards.

March 1995: Strasser then invited in the **South African** private security force, Executive Outcomes. By that stage the RUF rebels were less than 20 miles from the capital, although their hold on the rest of the country outside of the main diamond mining areas was intermittent. The RUF then had control of and was asset-stripping most of the mining operations in the country: diamonds, rutile and bauxite. This hit the government's revenue base. EO started by initiating training programmes for the army. EO was run by **Eeben Barlow**, formerly of the 32nd Battalion of the South African Special Forces, which was active in South Africa's destabilisation policy against its neighbours in the 1980s. Many key figures in EO are also from the 32nd Battalion and served in covert operations in **Angola** and **Mozambique**. Barlow left EO in 1997 but maintains close links with Sierra Leone, Sandline and its affiliated mining house, DiamondWorks, in which he has shares. EO's initial operation involved defending Freetown in collaboration with Nigerian and **Ghanaian** troops, at a time when it was felt that the capital would fall to the RUF and many expatriates were leaving. A bloody fight on the outskirts of Freetown in May 1995 - less than 15 miles away with the gunfire clearly heard in central Freetown - led to a retreat by the RUF despite their pincer-movement attack with thousands of well-armed fighters. EO's operations in Sierra Leone were highly controversial. Many thought that because of their South African connections they were - in effect - sent by **Nelson Mandela**.

December 1995: EO expanded their operations into rural Sierra Leone, re-taking the diamond mining areas by the end of 1995. And EO provided the security which enabled internal refugees to return home. They also started to co-operate with one of the rural militias (the Kamajors) which had emerged to provide a local defence force in the absence of help from the incompetent and corrupt government army. EO's assistance helped the ethnically-based Kamajors (their members were Mendes from the largest

ethnic group) to become a powerful fighting and political force; they provided training and logistical support for the militia under the command of **Hinga Norman**.

Early January 1996: EO also retook the Sierra rutile mine, although the plant was looted by an SLA contingent led by **Johnny Paul Koroma**. In concert with the Nigerian troops, EO took the war to the RUF, fighting the RUF in its rural redoubt in the Kangari Hills in early 1996. Sankoh's forces were badly defeated in a series of set-piece' encounters and quickly initiated peace negotiations with Strasser. Elections were scheduled, after British and **American** pressure, for 25 February 1996.

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16 January 1996: Brigadier General **Julius Maada-Bio** overthrew Strasser who, he claims, was clinging to power. Many suspected Maada-Bio's motives: his sister, **Agnes Deen Jalloh**, was a senior member of the rebel RUF. But Maada Bio insisted he would go ahead with the elections as planned and that he did not aim to prolong military rule. He was close to Nigerian military leader Gen. **Sani Abacha** who had advised him to postpone the handover to civilian rule. Freetown's market women, suspicious that Maada-Bio was conspiring with local politicians to delay the handover to civilian rule, marched through the city and threatened to expose those politicians who had received bribes from the military to postpone the elections.

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26 February 1996: Presidential and legislative elections were held, contested by 13 political parties and monitored by international observers. None of the presidential candidates won the required percentage of votes in the first round of the polls.

15 March 1996: In the second round of voting in presidential elections **Ahmad Tejan Kabbah** leader of the southern-based Sierra Leonean People's Party was elected President with 59.9 per cent of the votes; but the runner-up, **John Karefa-Smart**, leader of the northern-based United National People's Party, complained of widespread fraud. Kabbah, a self-effacing former UN diplomat who had been out of the country for many years, agreed to keep on the foreign security companies, including South Africa's EO, Britain's Defence Systems Limited, and local affiliates such as Lifeguard (which EO director Eeben Barlow says he owns) and Teleservices. Under Kabbah, EO's training programme for the Kamajors intensified and the militia became an increasingly important force, militarily and politically. Kabbah appointed former Kamajor leader, Hinga Norman, as Deputy Minister of Defence

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July 1996: Criticism mounted at the slow pace of change under the Kabbah government. His decision to use the Kamajors as a de facto Presidential guard made him very unpopular with the army, which was increasingly factionalising into loyGlist and pro-rebel groups. Matters were made worse by Kabbah's announcement that he was planning a dramatic reduction in the size of the forces and a retraining programme. Kabbah's critics argued he was kept in power only by the combination of an ethnic militia, South African mercenaries and Nigerian troops.

August 1996: With the Nigerian troops in 1996, EO took the war to the RUF: fighting the RUF in its rural redoubt in the southern Kangari Hills in early 1996. Sankoh's forces were badly defeated in a series

of encounters. They then proposed peace negotiations with Freetown. Sankoh offered serious negotiations and the recognition of Kabbah's government on condition that the EO troops be withdrawn. London-based International Alert positioned itself as a mediator for the RUF, handing out copies of Sankoh's ideological pamphlets to puzzled journalists. International Alert tried to organise talks between the RUF and Kabbah in neighbouring **Côte d'Ivoire**.

September 1996: A public row erupted about the cost of the EO contract to the Kabbah government. EO was charging US$ 1.8 mn a month for the services of less than a hundred personnel, along with two **Russian** Mi 17 helicopters and logistics. Freetown politicians complained that EO were exacerbating the civil conflict and that there were covert elements in its fees which meant the government was paying well above the US$1.8 mn monthly fee it had declared. There were growing allegations that individuals linked to EO were engaged in illegal diamond extraction and export. The International Monetary Fund, which was pressuring the government to cut spending, told it to reduce payments to EO and improve accountability in the mining sector. Kabbah renegotiated EO's fee down to US$ 1.2 mn. But independent sources reported that the Kabbah government still owed Executive Outcomes US$30 mn in arrears.

October 1996: Reports of its heavy fees and activities in the diamond fields turned public opinion against EO, Lifeguard and the mining companies it was linked to as well. EO's arrival in Sierra Leone had preceded the rapid expansion of the Isle of Man-registered Branch Energy's activities in Sierra Leone's mining sector. Branch Energy's Managing Director, **Alan Paterson**, was formerly head of Sierra Leone's National Diamond Mining Company. Branch Energy (in which Kabbah's government had a 30 per cent stake) said it had invested US$12 mn. in exploratory mining between 1994-96 - a period in which almost all the other mining companies pulled out. Branch Energy was taken over by Canada's Carson Gold in August 1996; and later that year Vancouver-based DiamondWorks bought 100 per cent of the Branch Energy stake.

November 1996: A peace agreement was signed in Abidjan between the Kabbah government and the RUF. An important provision of the agreement was that EO would leave Sierra Leone by January 1997. But EO's affiliate company, Lifeguard, which was registered in Sierra Leone, renewed its security contracts with several mining companies.

January 1997: Executive Outcomes formally withdrew from Sierra Leone. The Kabbah government established a power-sharing multi-party cabinet. The rebel RUF was also supposed to participate indirectly in government through a series of peace, reconciliation and demobilisation commissions. But Kabbah's administration was damaged by indecision and drift. Worst of all was its handling of the military. The army was due to be substantially reduced in size under a plan drawn up by British military advisors. Junior officers were accused of a number of coup attempts in late 1996 and early 1997. Kabbah was increasingly reliant on the Kamajor militias for his security and ever more distant from the SLA. The Nigerian army maintained two battalions of troops in Freetown.

February 1997: Kabbah announced that a Nigerian-led security investigation had pinpointed members

of the previous Maada-Bio government as coup plotters. RUF leader Foday Sankoh flew to Nigeria, apparently on an official mission. But he was arrested soon after his arrival and held under surveillance in the Sheraton Hotel, Abuja.

April 1997: After a row within the main opposition party, the UNPP, the government suspended its leader, Karefa-Smart, from parliament for a year.

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25 May 1997: Major Johnny Paul Koroma,33, led a successful coup d'etat against the Kabbah government. Kabbah's Nigerian and Kamajor guards appear to have been surprised and the President was airlifted out to Conakry in neighbouring **Guinea**. Maj. Koroma was a poorly educated soldier who had been over-promoted with the rapid army expansion of the early 1990s. Fearful that he would be dismissed when the army was 'down-sized', he had already been implicated in one coup plot. Earlier Koroma had also been involved in corrupt accumulation, including asset-stripping of the rutile mining operation. He put together a ramshackle military junta amidst widespread popular unrest against his intervention. Dressed in a tee-shirt and baseball cap, barely articulate, he made an unprepossessing head of state. After the coup, there were days of looting by soldiers who commandeered cars and persecuted members of Tejan Kabbah's party. The Ministry of Finance was torched.

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28 May 1997: An attempt by Nigerian troops to oust the Koroma junta ended in fiasco after Nigerian troops and foreigners were trapped in the Mammy Yoko Hotel in Freetown and surrounded by junta forces. Some South African soldiers working with Lifeguard fought alongside the Nigerians to try to force back the junta soldiers. Foday Sankoh gave interviews to the BBC from his hotel room in Abuja, praising the overthrow of Kabbah. Koroma declared that Sankoh was the ideological leader of his coup; Nigerian officials moved Sankoh from the Sheraton Hotel to a local security installation. British High Commissioner to Freetown **Peter Penfold** successfully escorted several hundred foreigners out of the city after negotiating with junta officials and threatening (without any likelihood of it happening) that US troops would intervene unless the foreigners were let through.

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1 June 1997: Maj. Koroma invited the rebel RUF to join his junta and the feared RUF fighters came to town to misrule in the name of the merged 'People's Army'. Koroma's junta was internationally isolated, an unstable, brutal, populist regime. Its main military challenge was from the Kamajors and from the Nigerian troops who maintained their military bases north of Freetown and on Lungi Island.

July 1997: Kabbah was described as a 'rabbit caught in a car's headlights' at the time of the coup by one of his associates. Invited to set up a government in exile in Conakry he failed to do so. Instead he was surrounded by a group of Sierra Leonean politicians of dubious credibility, Nigerian military advisors and security men. Also spending time in Conakry were a group of supportive UN and international community figures - and British High Commissioner Penfold. Nigeria moved 4,000 troops from its operations in Liberia to Freetown.

Kabbah then opened discussions with **Indian**-born **Thai** banker **Rakesh Saxena** who offered to provide

up to $10 million in finance for a counter-coup in return for Sierra Leonean diamond concessions. Saxena contacted Colonel **Tim Spicer** of Sandline International and commissioned on 3 July an intelligence assessment of the military and political situation in Sierra Leone. Spicer claims that he has a 'very good' relationship with Kabbah and with the Nigerian-led Ecomog force; he asked Saxena for $70,000 for the first week's work and said that further intelligence work would be charged at a rate of $10,000 a week. A four-nation nation committee of Nigeria, Côte d'Ivoire, Guinea and Ghana was formed by the sub-regional Economic Community of West African States (Ecowas) to negotiate a return to constitutional rule with the Koroma junta. The four-nation Ecowas committee imposed an embargo on military supplies to the Koroma junta; the Nigerian navy mounted a naval blockade of Freetown and told the junta to clear any cargo ship with Ecowas officials first. The UN Security Council met, condemned the coup and endorsed Ecowas measures to resolve the crisis through diplomatic means and sanctions. In Resolution UNSC1132 it imposed a ban on arms shipments to all parties in Sierra Leone.

August 1997: A number of businessmen approached Kabbah with offers to finance an operation to reinstate his civilian government. They included Chief Executive of American Mineral Fields (AMF) **Jean-Raymond Boulle**, whose company played a key role in financing the successful rebellion against **Mobutu Sese Seko** in **Zaïre** earlier in 1997. AMF has a majority stake in Nord resources, a major mining house in Sierra Leone. Among the companies offering security services to Kabbah were Defence Systems Limited and Sandline, both based in London and with strong links to the Foreign Office and the Ministry of Defence.

September 1997: With Kabbah winning increasing diplomatic support from the British government, there was an invitation to the Commonwealth Conference in Edinburgh in October 1997 - as the guest of Prime Minister **Tony Blair** - and British government funding for conferences on a 90-day reconstruction plan later that month. Much of this was pushed forward by High Commissioner Penfold, rather than Kabbah and his advisors. British policy was driven as much by enthusiasm to return Kabbah and a constitutional government to power in Sierra Leone as by concern that Nigeria's Gen. Abacha was posing (bizarrely) as a guardian of democracy in Sierra Leone. Also Whitehall fearred that the Abacha regime had plans for a type of pro-consul role in Sierra Leone if it was able to restore Kabbah to power.

October 1997: Nigeria's Foreign Minister **Tom Ikimi** stepped up his country's diplomatic role after the Nigerian navy and Air Force had tightened the embargo on Freetown. The Koroma junta accused the Nigerian air force of bombing civilian targets. Liberian soldiers detained a plane at Spriggs Payne Airport, Monrovia, which was found to be carrying several South African mercenaries working for EO, some Kamajor militia men and assorted arms and military equipment. After pressure from Nigerian troops in the Ecowas peace-keeping operation in the country, the Liberian officials released the plane. President Charles Taylor and most of his cabinet had remained highly sympathetic to the Koroma junta.

Another round of negotiations between the Koroma junta and the Ecowas Committee on 22-23 October produced a peace treaty of sorts and a promise by Koroma's ministers that the junta would hand over to civilians by 22 April 1998. Nigeria lauded this as a great diplomatic breakthrough and requested an invitation to the Commonwealth Conference in Edinburgh on 24-27 October (Nigeria's membership of the Commonwealth was suspended in November 1995 after its military government executed **Ken Saro-Wiwa** and eight other Ogoni activists). Kabbah attended the Commonwealth meeting, yet his officials admitted they had no knowledge of the Nigerian-brokered deal with Koroma and were skeptical about

its viability.

November 1997: Several plans for the ousting of the Koroma regime were floated. Efforts were made to interest South African officials in the plan and to win the Organisation for African Unity's backing. A secret mission to South Africa ended in fiasco after a Nigerian plane and its crew are impounded on landing at a military airbase near Pretoria. South Africa declined a request to provide air-logistical support for a Nigerian operation to oust Koroma; Pretoria's military advisors feared huge casualties in Freetown should such an operation have gone ahead.

December 1997: After discussions with Penfold, a meeting is arranged between Kabbah and Sandline International. They propose a plan to Kabbah and financier Boulle for the ousting of Koroma. But Boulle, a commercial rival of DiamondWorks, was unconvinced. Instead Rakesh Saxena made a definitive offer to finance the overthrow of Koroma, following his receipt of intelligence submitted by Tim Spicer in August. Saxena paid $1.5 million to Sandline as the first instalment of the operation. His second instalment was held up after Canadian police arrested him in Vancouver on charges of being in possession of a forged **Yugoslavian** passport.

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28 January 1998: Penfold visited Sandline's Office in Kings Road, Chelsea for a briefing on the development of its military plan in Sierra Leone.

February 1998: A Nigerian-backed offensive by the Kamajors began in south-east Sierra Leone. Sandline provided intelligence and logistical support for the operation and flew an attack helicopter in the area. President Taylor accused Nigerian troops in Ecomog of transiting South African mercenaries across his territory. The Ecowas Committee of Four, led by Tom Ikimi, travelled to New York to brief the UN Security Council about progress on negotiations with the Koroma junta and the prospects for its handing over by 22 April. When questioned about reports of a Nigerian led-offensive against the Koroma junta, Ikimi denied it and dismissed the fighting as isolated skirmishes. No attempt was made to inform the Security Council about what was really going on in Sierra Leone or to seek its endorsement. As such the operation to oust Koroma was illegal under the terms of the UN resolution. However, within days Nigerian-led Ecomog troops launched an assault on Freetown.

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15 February 1998: The Koroma junta was put to flight after less than a week of fighting in Freetown and Nigerian troops took over the government in Freetown, saying they had to stabilise the security situation before Kabbah's return. A British Foreign Office official expressed disappointment that the Nigerian forces didn't inform the UN Security Council of what they were up to as they would 'probably' have won approval for the plan. When asked at a Foreign Office reception what he thought of the Nigerian-led ousting of the Koroma junta, Minister of State for Africa **Tony Lloyd** replied 'Two cheers'.

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2 March: The Commonwealth Ministerial Action Group met in London about the situation in Sierra

Leone and Nigeria. Lloyd insisted that the Nigerian action in Freetown was illegal but Ghanaian Foreign Minister **Victor Gbeho** said it was fully backed by Ecowas and that the Commonwealth should support it.

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6 March 1998: The newsletter *Africa Confidential* published a report on the detailed planning between Sandline, Kabbah and Nigerian forces and on the financing of the counter-coup and it pointed to the involvement of Penfold as a key player in the plan. *Africa Confidential* said that the way Koroma was ousted had raised awkward questions for Foreign Secretary **Robin Cook**'s 'ethical foreign policy' and its ban on military cooperation with Abacha's government. Later that day the Foreign Office confirmed that Penfold had met with Sandline about Sierra Leone.

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10 March 1998: British Customs & Excise launched an investigation into Sandline's role in Sierra Leone, in particular claims that it had illegally shipped arms there.

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12 March 1998: In a parliamentary debate on Sierra Leone, Tony Lloyd made no reference to the ongoing customs investigation into allegedly illegal arms shipments to Sierra Leone, the foreknowledge of his officials about the counter-coup or the involvement of Sandline. Instead he condemned press reports as 'scurrilous' and 'ill-informed'.

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30 March 1998: **Andrew Breaden**, an inspector with the British Customs intelligence unit requested a meeting with Sandline Director **Michael Grunberg** about possible illegal arms shipments to Sierra Leone.

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3 April 1998: Customs investigators searched Sandline's premises at 535 Kings Road, London and two of Spicer's houses. They took away paper and computer records relating to the Sierra Leone operation. Customs investigators requested Guernsey-based Hansard Management, which handles Sandline's administrative and financial affairs, to hand over documentation relating to the company's security operations.

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24 April 1998: Sandline's solicitors, S J Berwin & Co, wrote to Foreign Secretary Cook on behalf of Spicer and Grunberg to complain of harassment by British Customs about arms shipments to Sierra Leone. The letter argues that from the beginning its operations in Sierra Leone were known about by both Foreign Office officials in Whitehall and High Commissioner Penfold in Freetown.

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SIERRA LEONE

SOWING TERROR

Atrocities against Civilians in Sierra Leone

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GLOSSARY OF ACRONYMS

AFRC	Armed Forces Revolutionary Council
CDFs	Civilian Defense Forces
DDR	Disarmament, Demobilization and Reintegration Program
ECOMOG	Economic Community of West African States Monitoring Group
ECOWAS	Economic Community of West African States
LRRRC	Liberian Repatriation, Resettlement and Rehabilitation Committee
RUF	Revolutionary United Front
UNHCR	United Nations High Commissioner for Refugees
UNOMSIL	United Nations Observer Mission to Sierra Leone

I. SUMMARY

Since losing political power in February 1998, members of the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF) have been engaging in a war of terror against civilians in Sierra Leone. With no recognizable political platform, the AFRC/RUF rebel alliance is committing widespread and egregious atrocities against unarmed civilians in an attempt to regain power. As the violence in Sierra Leone continues, grave abuses continue to take place. Human Rights Watch interviewed civilian men, women, and children who had been intentionally mutilated or shot as recently as June 12, 1998 in eastern Sierra Leone.

Many thousands of Sierra Leonean civilians have been raped; deliberately mutilated, often by amputation; or killed outright in a campaign by the AFRC/RUF between February and June 1998 alone. Men, women and children, probably numbering in the thousands, have been abducted by the AFRC/RUF for use as combatants, forced laborers, or sexual slaves. Women have been actively targeted through sexual violence, including rape and sexual slavery. Children have been targets of killings and violence and are forcibly recruited as soldiers. In addition to various forms of physical abuse, innumerable Sierra Leoneans suffer from psychological trauma due to intentionally cruel methods of inflicting harm against these individuals and their communities.

These atrocities committed against civilians are the latest cycle of violence in the armed conflict that has devastated Sierra Leone for seven years. The fighting has caused the displacement of more than a million Sierra Leoneans. Most have become internally displaced, while hundreds of thousands have fled the country as refugees, predominantly to neighboring Guinea and Liberia.

The AFRC—led by a group of military officers—took power forcibly on May 25, 1997. During the nine months it was in power, the AFRC joined forces with the armed rebel group, the RUF, to form a regime characterized by serious human rights violations and a complete breakdown of the rule of law. In February 1998, a Nigerian-led peacekeeping force, the Economic Community of West African States Monitoring Group (ECOMOG), forced the AFRC/RUF out of power and reinstated former President Ahmad Tejan Kabbah, who had been elected president in March 1996 in the first multi-party elections for almost three decades in Sierra Leone. Since the reinstatement of Kabbah, the AFRC has joined forces with the RUF to wage a war against ECOMOG and the Kabbah government.

Since independence in 1961, Sierra Leone has endured a series of military regimes and rebellions in struggles over economic and political power. However, the latest round of violence is unique in the scale and grotesque nature of the attacks on civilians. Much of rural Sierra Leone is inaccessible due to the ongoing war, and information is available for the most part only through health facilities where victims seek care in Sierra Leone and through the testimonies of witnesses and survivors in neighboring Guinea and Liberia. Of the hundreds of testimonies collected by Human Rights Watch, many described situations in which the interviewee was the sole survivor among many victims. The cases reported in this document represent only a small fraction of the actual number of victims. The true number may never be known.

Human Rights Watch compiled information regarding the experiences of more than 500 survivors of atrocities committed in Sierra Leone between February and June of 1998. The vast majority of these abuses were perpetrated by members of the AFRC/RUF. Of this number, over 425 survivors of gunshot wounds, amputations and other mutilations, or rape were registered in Connaught, Magburaka, and Makeni hospitals in Sierra Leone. Approximately eighty-two survivors of the same types of abuse were identified in Guinea at Conakry, Faranah, Kissidougou, and Guéckedou hospitals during roughly the same period. In the Liberian refugee camps, Human Rights Watch interviewed victims of the conflict and former AFRC/RUF combatants living alongside one another.

Forces fighting on behalf of President Kabbah have also committed human rights abuses and violations of international humanitarian law. Civilian Defense Forces (CDFs), civilian militias who support the Kabbah

government, have committed numerous abuses including indiscriminate killings and torture. These killings are on a smaller scale than those carried out by the AFRC/RUF and are of a different nature: the CDFs were created in order to assure local security, and they generally limit their abuses to those they claim are AFRC/RUF combatants and to a lesser extent, those perceived as their supporters. The largest and most powerful of the CDFs, the Kamajors, have been responsible for the majority of abuses committed by those fighting on behalf of the Kabbah government since February 1998. In addition to killings and torture, Kamajors have also been responsible for obstructing humanitarian assistance and demanding money or other payment at roadblocks. There are many child soldiers among the Kamajors, and despite promises by the government to demobilize all combatants under the age of eighteen, recent reports indicate that the CDFs continue to recruit children.

According to international humanitarian groups, the shelling by ECOMOG during its assault on Freetown in early February 1998 took a high toll on civilians. ECOMOG forces have also obstructed humanitarian assistance by commandeering vehicles from aid agencies. Information from ECOMOG regarding the security situation in Sierra Leone has often been unduly positive, leading to the repatriation of refugees to unsafe areas. ECOMOG has been widely praised for ousting the AFRC/RUF and conducting itself with greater discipline than was the case in Liberia. However, international observers in Sierra Leone have expressed concerns that some members of ECOMOG may seek to prolong its mission in order to exploit the conflict for economic incentives, as was the case involving some ECOMOG contingents in Liberia.

The atrocities that drive civilians into flight are only the first chapter of hardship for many Sierra Leoneans affected by the crisis. Approximately one-quarter million Sierra Leoneans have fled to refugee camps in neighboring Guinea and Liberia to escape the abuses and fighting. The location of the camps in border areas presents problems of security for and access to the camps, which in turn have impaired assistance and protection for refugees. Security conditions in many of the camps are precarious, and humanitarian assistance has been hampered by difficult access to the camps, a lack of resources at the disposition of the United Nations High Commissioner for Refugees (UNHCR) and aid agencies, and in some instances, poor coordination of relief efforts.

Protecting refugees in this context remains a challenge for UNHCR and other humanitarian agencies. In the Guinean camps, many unaccompanied women, children, and other war victims suffer from inadequate protection. Delays in the distribution of identity cards for refugees have led to restricted movement for refugees, as well as extortion and arbitrary arrest by Guinean authorities. Despite repeated requests from UNHCR and the International Committee of the Red Cross (ICRC), the Guinean authorities have denied access to detained asylum seekers they are holding as suspected combatants.

In the Liberian camps, the presence of former combatants among the refugee population has hampered humanitarian assistance and protection. The proximity of the camps to the fighting in Sierra Leone and the permeable nature of the Sierra Leonean-Liberian border present a clear security risk for refugees and for the delivery of aid to the Vahun camp, located eight to twelve kilometers from the border. Former combatants in the camps stated that the AFRC/RUF are taking advantage of the porous border situation to resupply and to recruit combatants. Assistance and protection has been further compromised by difficult access to the camps, the onset of the rainy season and poor road conditions, a lack of resources for UNHCR and aid groups, and an insufficiently rapid and well-coordinated effort to relocate refugees and separate combatants. The generally weak assistance and protection provided to the Vahun camp has increased tension and the risk of insecurity in the camp and its environs. By June 1998, most refugees in Vahun had received only one fourteen-day ration since their arrival in February and March.

Sierra Leone has been largely ignored by much of the international community, with the exception of those attempting to exploit its rich diamond and mineral deposits. This mix of exploitation and indifference, combined with a history of weak respect for the rule of law and democratic institutions, has repeatedly permitted military leaders to hold power and divert revenue from the mines for their own benefit. In attempts during recent years to gain

political and economic control, both government and rebel groups have sought to tip the balance of power by employing private security firms or mercenaries, often in exchange for lucrative contracts and mining concessions.

A major challenge to the new Kabbah government will be to promote respect for the rule of law and the establishment of institutions of justice in the midst of the present public outcry for revenge and threats against those who defend the human rights of the accused. While demanding accountability for crimes committed by all sides, the Kabbah government must assure due process for the accused, especially the fifty-nine civilians currently being prosecuted for collaboration with the AFRC/RUF. These trials constitute the first major test of the justice system under Kabbah. The government has made repeated gestures in favor of human rights, such as its pledge to provide amnesty for child soldiers and to demobilize all child soldiers; it must now follow through on these commitments. In conjunction with ECOMOG, the government must also assure that the CDFs respect international humanitarian law, are demobilized as soon as possible or integrated into the new army, and are held accountable for their abuses.

In order to end the cycles of violence in Sierra Leone, perpetrators of human rights violations must be held accountable for their actions. AFRC/RUF members suspected of having committed human rights abuses and former AFRC/RUF collaborators must be given fair trials and punished according to national and international law.

Although influencing the actions of the AFRC/RUF has proven to be difficult, international pressure must be maintained to convince them to immediately cease indiscriminate killings, rape, and mutilation of civilians, the abduction of civilians, especially children, for use as soldiers, laborers, sexual slaves or other purposes, and other violations of the laws of war.

The United States, United Kingdom, and European Union have condemned violations by the AFRC/RUF, undertaken high-level assessment missions, and provided humanitarian aid. Despite the blatant disregard of the AFRC/RUF for international humanitarian and human rights law, the U.S., U.K. and E.U. should continue to denounce the atrocities and seek means to stop them. This should include cutting the supply lines of the AFRC/RUF and stating unequivocally that no group or individual associated with these abuses will receive any international support. The international community should call upon the government of Liberian President Charles Taylor to immediately allow ECOMOG in Liberia to monitor the border area with Sierra Leone. This operation should be reinforced by simultaneous monitoring on the Sierra Leonean side of the border by ECOMOG and the United Nations Observer Mission to Sierra Leone (UNOMSIL). President Taylor should also be called upon to prevent the use of Liberian territory for any support to the AFRC/RUF.

The Economic Community of West African States (ECOWAS) should assure that human rights concerns are integrated into ECOMOG's mandate, as well as into its own initiatives to promote peace and stability in Sierra Leone. ECOMOG should desist from obstructing humanitarian aid and take measures to minimize the impact of their military initiatives on civilian populations and structures. ECOMOG should work closely with UNOMSIL, UNHCR, and humanitarian agencies to assure that accurate and neutral information regarding security is provided to the public, especially to refugees, displaced populations, and aid workers.

The international community also has a crucial role to play in order to promote human rights, the rule of law, and stability in Sierra Leone. United Nations agencies are well placed to implement programs and policies to meet these ends in Sierra Leone. UNOMSIL should closely monitor ECOMOG's respect for international humanitarian law and assure that ECOMOG's mandate to train the new Sierra Leonean army results in an ethnically and geographically balanced force, and includes adequate training in the laws of war. UNOMSIL should reinforce and integrate human rights into its existing mandate, primarily through further support for its human rights office. This office should be given the resources necessary at U.N. headquarters as well as in the field to monitor and report publicly on the human rights situation throughout the country. Additionally, the office must have the capacity to provide technical assistance and training to the Sierra Leonean government and local human rights nongovernmental organizations (NGOs). Finally, UNOMSIL must carefully monitor the Disarmament, Demobilization, and

Reintegration (DDR) program for combatants, developed by the World Bank and the Sierra Leonean government. UNOMSIL should provide oversight to ensure that ECOMOG, responsible for the implementation of the DDR program, treats captured or surrendered combatants, especially the large number of child soldiers, in a humane fashion, and works closely with other agencies to facilitate the reintegration of children and other former combatants into civilian communities.

As resources permit, UNHCR should assure that refugees be moved in a timely and humane fashion from insecure camps near the border areas in both Liberia and Guinea. UNHCR should increase its protection of the most vulnerable refugees, in particular the significant number of unaccompanied minors, unaccompanied women, and victims of atrocities. In Guinea, UNHCR should insist upon access to asylum seekers in detention, the screening and registration process at border areas, and, in a manner compatible with security concerns, access to the refugee camps. In Liberia, former AFRC/RUF combatants should be separated from civilian refugees and registered into programs for their reintegration into civil society or prosecuted where appropriate.

In order to put an end to the cycles of violence and atrocities against civilians, the international community will have to focus and sustain its attention on the root causes of conflict in Sierra Leone. With the democratically elected Kabbah government reinstalled, the international community should seize the occasion to make the respect for human rights an integral part of its presence and programs in Sierra Leone. International interventions should support the government's efforts to establish institutions of justice and the rule of law, as well as promote a vibrant civil society with full respect for human rights. If human rights issues are not tackled head-on, the international community and Sierra Leonean people will continue to bear the high cost of further conflict and providing relief for victims.

II. RECOMMENDATIONS

To All Parties Involved in the Present Conflict in Sierra Leone:

- Despite the apparent intransigence of the AFRC/RUF and its leaders' willful disregard for international humanitarian and human rights law, Human Rights Watch continues to call on all parties to the conflict in Sierra Leone to immediately cease from committing human rights abuses, including killings, rape, and mutilation of civilians. Combatants should respect the laws of war, particularly those norms related to the protection of noncombatants and civilian infrastructure.

- All parties should desist from the recruitment, forced or otherwise, of child soldiers. The AFRC/RUF in particular should cease abductions of civilians for use as soldiers, laborers, or other reasons. The AFRC/RUF should halt gender-based violence and the abduction of women and girls as sexual slaves.

To the Sierra Leonean Government:

- Perpetrators of atrocities against civilians should be held accountable for their actions. This should be achieved through arrest, prosecution, and, where appropriate, punishment according to international humanitarian and human rights law.

- In order to establish principles of accountability and the rule of law, respect for due process should be enforced by an independent judiciary. This will be extremely important in the ongoing trials of fifty-nine civilians accused of collaborating with the AFRC/RUF regime, as well as for upcoming court martial trials and the future treatment of war criminals. International observers should immediately be brought in to monitor the ongoing trials. In order to strengthen the neutrality and independence of the judiciary, the government should consider incorporating international judges into its judicial system, in particular for cases regarding war crimes.

- The government should immediately ensure that the disarmament, demobilization, and reintegration program underway incorporates human rights concerns. Particular attention should be paid to (1) the humane treatment of captured and surrendered combatants; (2) psychological and social preparation for the reintegration of combatants into communities; and (3) training in human rights and humanitarian law for those combatants wishing to enlist in the new Sierra Leonean army. Demobilized combatants suspected of having committed war crimes or human rights abuses should be screened by the government in compliance with international standards, and investigated and prosecuted where appropriate.

- The government should follow through on its commitments made to the Special Representative of the Secretary-General for Children in Armed Conflict, including to stop the recruitment of children under the age of eighteen and to create a Joint Task Force to oversee the demobilization and reintegration of child combatants from all sides.

To the Liberian Government:

- The government of Liberia should respect the international arms embargo against the AFRC/RUF and assure that Liberia is not used as a point of supply or transit for combatants, arms, ammunition, food or other supplies to support the AFRC/RUF. To this end, President Charles Taylor should facilitate border monitoring by ECOMOG. The government should investigate, arrest, and hold accountable anyone on Liberian territory engaged in arms trafficking or other support to the AFRC/RUF.

- The Liberian government, through the Liberian Repatriation, Resettlement, and Rehabilitation Committee (LRRRC) and its security forces, should cooperate with UNHCR in the development and implementation of a program to screen and separate combatants from civilian refugees. This program should be in accordance with international refugee law and UNHCR's guidelines on the application of the exclusion clauses to the 1951 Refugee Convention and to the 1967 Protocol.

- Individuals suspected of having committed a war crime, crime against humanity, or any other crime which would exclude them from protection under international refugee law, should be investigated, and where warranted, prosecuted for the violations they are accused of in accordance with international standards of due process.

To the Guinean Government:

- The Guinean government should facilitate the maximum possible access for humanitarian organizations to refugee camps in the Guéckedou area.

- The Guinean government should maintain its generous asylum policy for refugees from Sierra Leone and Liberia, while taking actions to ensure local Guinean border authorities immediately cease to demand money or seize property from Sierra Leoneans who seek to enter Guinea.

- The Guinean government should give UNHCR full and unimpeded access to border entry points and allow UNHCR to monitor access to asylum procedures; conduct prima facie refugee status determination screening; and participate in pre-screening to identify refugees who may be suspected of war crimes, crimes against humanity, or other such crimes which would exclude them from international refugee protection. The latter should be done with a view to investigate and prosecute where appropriate in accordance with international standards.

- Individuals suspected of having committed war crimes, crimes against humanity, or any other crime which would exclude them from protection under international refugee law, should be held accountable for the violations they have committed in accordance with international standards of due process.

- The Guinean government should allow UNHCR full and unimpeded access to places of detention for refugees and asylum seekers.

- The Guinean government should continue to work closely with UNHCR to register all refugees and issue them identification cards. Police and military should immediately cease the arbitrary arrest, extortion, and harassment of refugees who do not have identification cards.

- The government should maintain the arms embargo against the AFRC/RUF and assure that Guinea is not used as a supply or transit point for arms, ammunition, food or other supplies to these forces. Authorities should arrest and hold accountable any Guinean military personnel or civilians found to have violated the arms embargo to the AFRC/RUF in Sierra Leone or those involved in trade with AFRC/RUF forces.

To the United Nations:

United Nations Security Council

- The United Nations should integrate human rights into its programs and further expand the capacity of the human rights office of UNOMSIL. This should include adequate resources and additional staff to monitor and report publicly on the human rights situation throughout the country, implement technical assistance programs with the government of Sierra Leone, and provide support and training to Sierra Leonean human rights groups.

- UNOMSIL should carry out its mandate of assuring that ECOMOG respect international humanitarian law during the Disarmament, Demobilization and Reintegration (DDR) program. It should further monitor ECOMOG's respect for international humanitarian and human rights law during all of its activities, especially military operations.

- The U.N. Security Council should call upon Liberia to not allow their territory to be used in support of the AFRC/RUF activity in Sierra Leone. It should urge the Liberian government to take all measures necessary to assure that present and former Liberian military or rebels are not supporting AFRC/RUF in Sierra Leone. Such measures should include the deployment of ECOMOG and U.N. military observers in the border area.

- Similarly, the Security Council should call upon all governments to respect the international arms embargo against the AFRC/RUF and, in particular, assure that Liberia is not used as a point of supply or transit for arms, ammunition, food or other supplies to or from the AFRC/RUF.

United Nations High Commissioner for Refugees

- Refugee camps most at risk should be relocated to secure, accessible areas a safe distance from the borders of Guinea and Liberia, as soon as the availability of resources permits this. Where not already developed, plans for relocation should be designed and implemented as soon as possible.

- UNHCR should maintain a permanent presence at border entry points to Guinea and Liberia in order to monitor access to asylum determination procedures for those fleeing Sierra Leone; conduct basic screening to determine group-based prima facie refugee status; and conduct pre-screening of those suspected of having committed a war crime, a crime against humanity, or any other such crime which would exclude them from international refugee protection.

- UNHCR should seek access in writing and in practice to all detention centers in Guinea and Liberia where asylum seekers and refugees are held, including those where refugees suspected of being former combatants are held. UNHCR should monitor conditions of detention and ensure, to the extent possible, that its own guidelines on detention of asylum seekers are applied.

- UNHCR should seek a presence at screening interviews to identify refugees who are suspected of committing crimes that would deem them undeserving of international refugee protection. UNHCR should monitor screening for exclusion and ensure necessary safeguards. UNHCR should advise the governments of Guinea and Liberia on fair and just criteria and procedures for the application of the exclusion clauses, according to international refugee law and its own guidelines.

- In collaboration with the governments of Guinea and Liberia, UNHCR should ensure that an efficient and effective registration program for Sierra Leonean refugees is in place in both countries. Registered refugees should be provided with identity cards.

- UNHCR should provide refugees in Liberia and Guinea with accurate, neutral, and objective information about security conditions in Sierra Leone, to enable refugees to make informed choices about repatriation.

- UNHCR should rapidly implement an evaluation of the psychological and medical needs of the large numbers of refugee victims of psychological and physical trauma. In particular, UNHCR should respect and implement its own guidelines regarding assistance and protection for women who are victims of rape, sexual violence, or survivors of trauma. UNHCR and other relief agencies should have qualified personnel to implement these guidelines and programs and promote a general awareness and sensitivity to these issues among refugees and local authorities.

- Special considerations in programming should be made to protect the large numbers of vulnerable refugees among the new Sierra Leonean caseload, including unaccompanied children, unaccompanied women, single parents, victims of atrocities, the elderly and the infirm. Funding should be provided for the implementation of education programs for reconciliation, conflict resolution and human rights education in refugee camps, especially for youth.

To ECOWAS and ECOMOG:

- While its record in Sierra Leone has improved from past performances, the Economic Community of West African States (ECOWAS) should closely monitor ECOMOG's respect for international humanitarian and human rights law in all aspects of its mandate, especially while conducting military operations, as well as during its retraining of the new army and its implementation of the DDR program. In accordance with international humanitarian law, ECOMOG should take measures to reduce the toll of its military operations on civilians and civilian structures.

- ECOMOG should produce accurate, neutral and objective information about security conditions in Sierra Leone to enable refugees to make informed choices about repatriation.

To the United States, United Kingdom, European Union, and other Members of the International Community:

- In order to end cycles of violence in Sierra Leone, the international community should maintain a strong focus on Sierra Leone and assure that respect for human rights and the rule of law are foundations of the newly reinstated government.

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- The arms embargo against the AFRC/RUF should be strictly enforced. States, arms dealers, private security firms or others found in violation of the embargo should be held accountable. The international community should state unequivocally that no group or individual associated with abuses committed by the AFRC/RUF will receive any international support.

- Members of the international community should respond to UNHCR's $7.3 million emergency appeal for assistance to Sierra Leonean refugees in Guinea and Liberia. Funds are needed for food, shelter and sanitation, medical, educational, psychological and social services, the relocation of camps, transportation and logistical support.

- Donors should also respond to bilateral requests for assistance in addressing Guinea's environmental and infrastructure damage resulting from the refugee flow. International donors should provide funds in response to OCHA's request for $11.2 million to meet humanitarian needs in Sierra Leone. Without these funds, the UNHCR and other humanitarian agencies will not have the human or financial resources to provide basic assistance to refugees, internally displaced persons, and other Sierra Leoneans affected by the crisis.

III. HUMAN RIGHTS ABUSES COMMITTED AGAINST CIVILIANS

Human Rights Abuses Committed by Members of the AFRC/RUF

A War of Terror against Civilians

Human Rights Watch took testimony from dozens of survivors and witnesses of gross violations of human rights committed by the AFRC/RUF,[1] involving the physical mutilation, torture and murder of Sierra Leonean civilians. They included: amputations by machete[2] of one or both hands, arms, feet, legs, ears and buttocks and one or more fingers; lacerations to the head, neck, arms, legs, feet and torso; the gouging out of one or both eyes; rape; gunshot wounds to the head, torso and limbs; burns from explosives and other devices; injections with acid; and

[1]The Revolutionary United Front (RUF) was formed in 1991 and entered eastern Sierra Leone from Liberia. Originally, the RUF was a mix of members of Charles Taylor's National Patriotic Front of Liberia (NPFL), NPFL-trained Sierra Leoneans and others. Since its inception, the RUF has failed to publicly and clearly articulate a political agenda other than ousting successive governments and has committed atrocities from the beginning. Abdul Koroma in "Sierra Leone: The Agony of a Nation," (Andromeda Publications, 1996) reports that during one of their first attacks in 1991 in eastern Kailahun district, the RUF decapitated civilian leaders and placed their heads on sticks. Over the next seven years, the RUF attempted to gain power through guerrilla warfare and attacks against civilians. RUF leader Foday Sankoh is a former colonel in the Sierra Leonean military. He was imprisoned in 1971 for his alleged involvement in a coup attempt, released seven years later and dishonorably dismissed from the army. The Armed Forces Revolutionary Council (AFRC) was formed by a group of military officers who took power in a coup on May 25, 1997 ousting President Kabbah. Its chairman, Major Johnny Paul Koroma, had been in detention in Freetown awaiting trial for alleged involvement in a prior attempted coup in September 1996. The AFRC invited RUF forces to join them in the new government. The AFRC cited the government's failure to implement a peace agreement with the RUF and the practice of ethnic favoritism as reasons for assuming power. They also called for the release of Foday Sankoh, who had been detained in Nigeria on March 2, 1997, charged with possession of arms and ammunition. Upon taking power, the AFRC suspended the constitution, banned political parties, public meetings, and demonstrations and announced rule by military decree. Many judges, attorneys and police were among those who fled the country, causing a total collapse of the judiciary. The AFRC established the People's Revolutionary Courts, whose staff had little or no legal training. The government arbitrarily arrested and detained its suspected opponents and critics. In indiscriminate attacks on villages, AFRC/RUF forces amputated, raped, killed and abducted civilians to use as laborers and fighters.

[2]Also referred to as "cutlasses" by the survivors.

beatings. Human Rights Watch also received unconfirmed reports of sexual mutilation such as the cutting off of breasts and genitalia, among other atrocities.

This is a war being waged through attacks on the civilian population. AFRC/RUF soldiers typically capture civilians, round them up from their hiding places in the forest or in villages and commit atrocities against them in an effort to instill terror. The AFRC/RUF appears to use this campaign of fear as a means of exerting political and military control. They often summarily execute civilians, accusing them of being Kabbah or Kamajor[3] supporters, or Kamajor relatives. The soldiers further terrorize their victims by forcing them to participate in their own mutilation, asking them to make choices about which finger, hand or arm, for example, to have amputated. They also use mutilation and other forms of physical abuse as punishment for refusing to follow their instructions.

The AFRC/RUF uses the civilians it abuses to "send messages" to its opponents. Victims of amputations or other mutilations are frequently told that they should take their amputated limb and a verbal or written message to ECOMOG or the Kabbah government. The messages are typically demands that ECOMOG should "leave the country to Sierra Leoneans" or that Kabbah should replace the limbs of amputees. The AFRC/RUF also state that they will keep fighting until Kabbah is gone and their leaders are restored to power. They call for the release of RUF leader Fodey Sankoh, imprisoned in Nigeria. According to testimony from other victims and witnesses, many victims die from complications related to their wounds before their messages of horror can be heard.

Since February 1998, attacks on civilians have occurred in almost all regions of the country but with a particularly high concentration in the Koidu diamond-mining area in the east, where the AFRC/RUF maintain a strong presence. The vast majority of victims are males between the ages of sixteen and forty-five, but women, children, and the elderly are not spared. For example, testimonies collected by Human Rights Watch included male and female amputees over the age of sixty, as well as from a three-year-old boy with a gunshot wound. Attacks on villages or civilians hiding in the forest are seemingly carried out without regard for ethnic or religious affiliation. Perpetrators and victims come from diverse ethnic and religious groups, and ethnicity is seldom invoked as a motivating factor in killings or abuse.

Men of voting and fighting age are particularly targeted in order to discourage them from giving political or military support to President Kabbah or the Kamajors. When the RUF committed atrocities prior to elections in 1996, they told victims that their hands were being amputated so that they could not vote. Women and girls are also frequently subject to rape and other forms of gender-based violence, including sexual slavery. Pregnant women and nursing mothers are also targets of the AFRC/RUF.

The AFRC/RUF led at least two loosely organized campaigns of terror, "Operation No Living Thing" and "Operation Pay Yourself." These campaigns, both of which originated in the Koidu area in February 1998 and then spread throughout the country, were designed to loot, destroy, or kill anything in the path of the combatants. Operation Pay Yourself included AFRC/RUF roadblocks where civilians were forced to place their belongings into two piles, one for civilians to keep, to "pay themselves," and one to be handed over to the soldiers. One witness who fled Koidu described what happens at the road blocks:

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[3]"Kamajors," meaning traditional hunter in Mende, are among the Civilian Defense Forces (CDFs) which fight on behalf of Kabbah's government. CDFs evolved as local protection responses to insecurity and violence throughout Sierra Leone. The Kamajors are the largest and most powerful of these groups, and most Kamajors are from the Mende ethnic group. They dress in traditional clothing, often wearing charms and mirrors. Other ethnic groups, including the Temne, Mandingo and Kuranko have also formed CDFs known as "traditional hunters" in their respective languages. The Kamajors became an important fighting force under the previous government of Captain Valentine E.M. Strasser, helping to combat the RUF, but also committing human rights violations. The Kamajors were armed by and grew in number under the first Kabbah government, allegedly fueling resentment among the Sierra Leonean military and leading to the subsequent AFRC coup.

> Ten of them [AFRC/RUF soldiers] in a van with weapons—RPGs, AK47s—stopped us and told us to put down our bags. They searched us from shirt to pants. They told us to make two piles and put all the best of what we had—money, rice—into one pile, and the rest in another. They took all the best and gave us the one that wasn't good. That's "Operation Pay Yourself!"[4]

These operations were apparently designed to force the local populations to provide them with economic support and to assert their position as political and military players in Sierra Leone.

Although the attackers claim to be seeking out supporters of President Kabbah or the Kamajors, which have fought on behalf of Kabbah, there is often no distinction being made by AFRC/RUF forces. A small minority of victims are, in fact, Kabbah supporters or Kamajors; most are subsistence farmers, miners or small merchants with no history of political activity. One witness to atrocities near Koidu said, "They don't ask you if you're a Kabbah supporter; they just kill randomly... they just kill anyone. But if they know you are a Kabbah supporter, they will kill you faster."[5]

Actual supporters of President Kabbah and those who served under his first administration, in particular civilian administrators, paramount chiefs, traditional section chiefs, Catholic priests, other religious figures and other community leaders, are actively sought out by AFRC/RUF for intimidation, extortion, or abuse. Several traditional chiefs and Catholic priests interviewed by Human Rights Watch explained that the AFRC/RUF perceives them as supporters of the democratically elected government of President Kabbah. Many traditional chiefs, often with ethnic ties to Civilian Defense Forces (CDFs), fled after learning that the AFRC/RUF was looking for them. One Catholic priest who was captured by the AFRC/RUF and later escaped stated that his captors planned to execute him. They told him, "Look here's one Kamajor to take care of. You priests are supporting the SLPP government and the Kamajors. Stand here because we are going to kill you."[6] The AFRC/RUF takes whatever money and property these individuals have and brutalizes them to show the population how they will treat their opponents.

International Law Governing the Crisis

The hostilities in Sierra Leone constitute an internal armed conflict under the laws of war, also known as humanitarian law. Sierra Leone is a party to the Geneva Conventions and both optional protocols. Common Article 3 to all four Geneva Conventions sets out fundamental rules applicable to internal armed conflicts that are not subject to suspension under any circumstances, and that are widely accepted as constituting customary international law. Virtually a convention within a convention, Common Article 3 provides in relevant part:

> In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:
> (1) Persons taking no active part in the hostilities, including those placed *hors de combat* by sickness, wounds, detention or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.
>
> To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

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[4]Human Rights Watch interview, Fandouyema II Refugee Camp, Guéckedou, Republic of Guinea, June 12, 1998.

[5]Human Rights Watch interview, Koundou Lengo Bengo Refugee Camp, Republic of Guinea, June 6, 1998.

[6]Human Rights Watch interview, Guéckedou, Republic of Guinea, June 9, 1998.

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
(b) taking of hostages;
(c) outrages upon personal dignity, in particular humiliating and degrading treatment;
(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

The 1977 Protocol II to the Geneva Conventions is also directed at internal armed conflicts, and elaborates these fundamental guarantees of humane conduct and protection of civilians. In particular, Article 4 of this protocol provides in relevant part:

(1) All persons who do not take a direct part or who have ceased to take direct part in hostilities, whether or not their liberty has been restricted, are entitled to respect for their person, honor and convictions and religious practices. They shall in all circumstances be treated humanely, without any adverse distinction. It is prohibited to order that there shall be no survivors.
(2) Without prejudice to the generality of the foregoing, the following acts against the persons referred to in paragraph 1 are and shall remain prohibited at any time and whatsoever:
(a) violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment;
(b) collective punishments;
(c) taking of hostages;
(d) acts of terrorism;
(e) outrages on personal dignity, in particular humiliating or degrading treatment, rape, enforced prostitution and any form of indecent assault;
(f) slavery and the slave trade in all their forms;
(g) pillage;
(h) threats to commit any of the foregoing acts.

The principle of protection of civilians is at the core of both provisions, and indeed, is fundamental to all humanitarian law. For the purposes of the conflict in Sierra Leone, a civilian is anyone who is not a member of the armed forces or of an organized armed group of a party to the conflict. Included as protected persons are also members of government or insurgent forces who are wounded, sick, unarmed or in captivity. Both Common Article 3 and Protocol II bind all parties to the internal armed conflict, including the insurgent party.[7]

The government of Sierra Leone is also bound by the provisions of the International Covenant on Civil and Political Rights, to which the state is a party. That treaty, at Article 4(1), provides that states parties may take measures derogating from certain rights "in time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed". On March 10, 1998, President Kabbah declared a state of emergency which was communicated to the office of the Secretary-General to the United Nations. Even for rights the derogation of which is permitted, however, any derogation may be only "to the extent strictly required by the exigencies of the situation" and must not "involve discrimination solely on the ground of race, colour sex, language, religion or social origin." Some of the rights that may not be derogated even during a state of emergency include the right to life

[7] The commitment of a state to these provisions applies also to private individuals in that state's territory who are thereby bound by the same rights and obligations. International Committee of the Red Cross, *Commentary on the Additional Protocols of 1977* (Geneva: International Committee of the Red Cross, 1987) p. 1344-45. The government's application of these provisions does not confer on the insurgents any international recognition on the insurgent party. Nor do Common Article 3 and Protocol II provide any special status for insurgents in internal armed conflict such as the combatants privilege to kill or capture enemy troops, or prisoner-of-war status when captured. *Ibid.* at 1344.

(Article 6), the prohibition of torture or cruel, inhuman or degrading treatment or punishment (Article 7), the ban on slavery in all its forms (Article 8) and freedom of thought, conscience and religion (Article 18).

Killings, Mutilations, Sexual Abuse, and Enslavement by the AFRC/RUF

As mentioned above, it is impossible to determine the precise number of victims of these types of abuse due to a lack of access to much of Sierra Leone and the fact that most deaths occurred without record. Human Rights Watch collected testimonies from hundreds of Sierra Leoneans who survived or witnessed these types of atrocities.[8] A few of the countless examples follow:

Ike C. was a reporter for the *Herald Guardian* newspaper in Koidu town, Kono. He is thirty-two years old and fled the AFRC/RUF's attack on Koidu on February 21 but was captured, held by the AFRC/RUF, and threatened with death. He ultimately escaped. Among other atrocities he witnessed, he described the following:

> I saw them kill two people right before my face at Tomboudou, in front of the residence of the Paramount Chief of Tomboudou.[9] One man they arrested at a village called Nemessedu. They brought him to Tomboudou along with his wife. He was killed before his wife. They tied him up and shot at him in his chest three times. Then they took his wife as their own.
>
> The second executed was a youth. He was tall, and before killing him, they told him, "You're too tall." So, they chopped off his foot, and he fell to the ground. Later, they shot him three times in the chest, too, and he died. After that, they agreed to set Tomboudou on fire as a part of Operation Non-Living Thing.[10]

Helen C. was a fish seller in Koidu. She claims that she lost her two children in chaos related to an attack by the AFRC/RUF near Koidu in May 1998. Later that month, she was caught by the AFRC/RUF in Tumbodu, Kono district, where she saw them kill approximately fifty people. The AFRC/RUF caught her and cut off her hand and forearm.

> They captured me and said lie on the floor. I was reluctant; they cut me on the neck with a machete. I was cut by a small boy. Then they put my hand on a stone and cut me. They told me to go to Kabbah and tell him what happened.
>
> They left me there. They said they would go to the bush and kill anyone they found there. I walked eleven days to Forekonia [the border with Guinea]. I left my belongings with my hand. I had to bury my own hand.[11]

Franklin M., a farmer from Sinekoro town, Kabalah district, was returning from his fields around May 21, 1998 when he saw members of the AFRC/RUF coming toward him.

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[8]The names of all the refugees interviewed have been changed in order to protect their safety and privacy.

[9]Ike C. provided this information for purposes of describing the location of the killings only, not to imply involvement of the Paramount Chief in the killings of these two individuals.

[10]Human Rights Watch interview, Boodou Refugee Camp, Guéckedou, Republic of Guinea, June 23, 1998. Survivors referred to this military offensive both as " Operation No Living Thing" and "Operation Non-Living Thing."

[11]Human Rights Watch interview, Faranah Hospital, Guinea, June 3, 1998.

> I saw people with cutlasses and guns. So I started to run; they caught me and cut off both of my hands. Then they left me. Some of them wore uniforms, some were in plainclothes. They said I was a supporter of Tejan Kabbah.[12]

Human Rights Watch interviewed Franklin M. in Faranah Hospital, Guinea where he sought refuge and health care. He further described his dilemma as a refugee and victim of a double arm amputation.

> My family is here. How can I hope to feed my family? My mother is here. My wife is here. My children are here. I have no hands.[13]

Timothy C., a history teacher from Koidu, was one of two survivors of a group of ten civilians captured near his home by the AFRC/RUF on June 10, 1998. The other eight were killed with machetes. He was cut so deeply on his forearms that it is likely that both will have to be amputated.[14]

In March 1998, **Catherine M.**, an administrator from Segbwema, was shot in the back by the AFRC/RUF as they fled from ECOMOG. Her husband and son were shot dead in front of her. She was stripped and forced to flee with the AFRC/RUF. She witnessed the killing of many children and a nursing mother as she fled.[15]

Atrocities Against Children

Children are the frequent targets of brutal, indiscriminate acts of violence by the AFRC/RUF.[16] Children are murdered, mutilated, tortured, beaten, raped, enslaved for sexual purposes, forced to work, and forced to become soldiers by the AFRC/RUF.

In addition to violating the instruments of international humanitarian law cited above, these crimes violate the Convention on the Rights of the Child, which makes explicit children's right to life and freedom from sexual abuse, abduction and forced recruitment, among other rights.[17]

Examples of these types of violations were frequent. **Sam R.**, a farmer in the Koidu area, saw six of his children and his wife attacked in front of his house on June 12. He recalled,

> They accused me of being a Kamajor. When they want to kill you, they accuse you of anything. There is no reason. I am a farmer. I don't vote. I have no money. They burnt my house.[18]

> At about 4:00 a.m., I heard bombs and gunshots outside my house. The rebels came and banged on the door. They said they would kill us all outside. My wife took five of the children outside. I stayed inside with one. My wife threw herself on top of two of the children to protect them.

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[12]Human Rights Watch interview, Faranah Hospital, Guinea, June 4, 1998.

[13]Ibid.

[14]Human Rights Watch interview, Connaught Hospital, June 24, 1998.

[15]Human Rights Watch interview, Kolahun refugee camp, Lofa county, Liberia, June 12, 1998.

[16]Children are considered persons below the age of eighteen, as defined in Article 1 of the Convention on the Rights of the Child, September 2, 1990.

[17]All states are party to the Convention on the Rights of the Child except for the United States of America and Somalia.

[18]Human Rights Watch interview, Faranah Hospital, Guinea, June 3, 1998.

> They shot my wife, killed two of the children, shot my seven-year-old through the stomach, and cut another one on the buttocks. Two got away.[19]

Human Rights Watch received documentation on dozens of similar cases. According to medical records, out of 265 war wounded patients admitted to Connaught hospital from April 1 though June 20, approximately one-quarter were children. According to reports from humanitarian agencies, 111 children died between February 15 and 24, 1998 during AFRC/RUF attacks in the Bo area.[20]

Gender-based Violence

Women and girls are the primary targets of widespread rape, sexual slavery, and other forms of sexual violence.[21] Although the exact number of those raped will never be known, testimonies from survivors confirm that sexual violence has been widespread, against thousands of women and girls. Furthermore, no comprehensive medical statistics have been compiled on rape-related injuries or on pregnancies as a result of rape. Those who have witnessed, or endured and survived these and other atrocities are suffering enormous psychological trauma.

Women and girls are brutally raped and gang-raped at gunpoint and knife point by AFRC/RUF soldiers or raped with objects, such as sticks. Often, the rapes occur in front of family members and others, and in some cases relatives are forced to rape their sisters, mothers or daughters. Women and girls are frequently abducted individually or collectively and kept as so-called "wives" for members of the AFRC/RUF. Some suffer rape or gang rape multiple times as they escape one AFRC/RUF group, only to be caught by another. Rape is also used as an immediate punishment for refusing to follow instructions or in retaliation for the acts of others held in captivity.

These crimes, and other forms of sexual violence, are explicitly and implicitly condemned under international humanitarian law. The Geneva Conventions of August 12, 1949 and the Protocols Additional to the Geneva Conventions prohibit rape in both international and internal conflicts.[22] Likewise, rape, when committed on a mass scale against a civilian population, constitutes a crime against humanity. The Convention on the Rights of the Child further protects children from "all forms of sexual exploitation and sexual abuse."[23]

The crimes of sexual violence committed by the AFRC/RUF against women and girls are often accompanied by other forms of violence. Murder or mutilation frequently follows these rapes. Many are forced to work as porters for the AFRC/RUF and witness their children being abducted, abused, or killed. Some women and young girls are abducted to care for the many young children captured by the AFRC/RUF.

Pregnant women are not spared from attacks by the AFRC/RUF. In light of the gruesome nature of the atrocities committed against them, these women seem to be targeted because of their status as pregnant women.

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[19]Human Rights Watch interview, Connaught Hospital, Freetown, Sierra Leone, June 24, 1996.

[20]Internal survey conducted in Bo, Sierra Leone, by humanitarian organizations, March 19-21, 1998.

[21]Human Rights Watch also received an account of boys having been sexually abused alongside women and girls; while sexual abuse of males has occurred, it has not occurred to the extent of the abuse of women and girls.

[22]Rape in internal armed conflict is prohibited under Article 3, subparagraphs (a) and (c), common to the four Geneva Conventions of 1949 and by Article 2(e) of Protocol II. For international armed conflict, this is established in the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, August 12, 1949 [Fourth Geneva Convention], Arts. 27 and 147, 75 U.N.T.S. 287.

[23]Convention on the Rights of the Child, Article 34.

Witnesses report having seen the mutilated bodies of pregnant women whose fetuses had been cut out of their wombs or who died of gunshot wounds to the abdomen. Some pregnant women are also forced into labor due to the extreme physical hardship of having to flee their homes, and at times die in flight due to complications in childbirth.

The AFRC/RUF's rape and enslavement of women and girls for sex is not only a vicious expression of power over the individual, but also a means of expressing dominance over the community. Throughout the world, sexual violence is routinely directed against women and girls during situations of armed conflict as a weapon to terrorize a community and to achieve a political end. The humiliation, terror and pain inflicted by the rapist is meant to harm not only the individual victim but also to strip the humanity from the larger group of which she is a part. The rape of one person can be translated into an assault upon the community through the emphasis placed in every culture on women's sexual virtue; the shame of the rape humiliates the family and all those associated with the survivor.

The following are some of the testimonies of Sierra Leonean women who survived or witnessed sexual violence, and of some of the service providers and others who witnessed the abuse or assisted them once they reached refugee camps in Guinea and hospitals in Sierra Leone.[24]

Ruth B. is a thirty-six-year-old farmer from Gandorhun, in Kono District. She fled her village when it was attacked by the AFRC/RUF, but was captured, beaten, raped, and forced to work. She ultimately escaped and made her way to Guinea. When Ruth described her one-month ordeal in captivity, she was visibly traumatized, in poor health and still bore scars on her back and legs. The back of her ankles had been sliced just below the Achilles tendon to prevent her from escaping:

> They took three of my children and killed my husband. The rest of us ran away. But we were captured by the junta,[25] and they took the women away to carry their loads. I was with them one month. They held us in a house. One day while we were there and they were away, another group came from Gongo and asked us what our mission was. We told them we were from Gandorhun, and they beat us. They beat us severely. They stomped on my stomach, and the next day, I was bleeding from my vagina as if I had had an operation. Now, I have a serious backache.
>
> Later the two groups came together, and the second group told the first group that we were family members of the Kamajors. They used me for sex, and they cut my heels with their bayonets so I wouldn't run or walk off. But I escaped into the bush even though I was wounded....
>
> I didn't know who captured me. They were older and younger—adults and children. Some had uniforms and machetes, and some wore ordinary clothes, like jeans, and had guns. There were lots of nicknames; one of them was called "Blood." They said they didn't like Kabbah and said, "If

[24]The majority of women Human Rights Watch interviewed fled villages in the diamond-rich Kono district of Sierra Leone and became refugees across the border in the Guéckedou area of Guinea, which is now home to over 200,000 Sierra Leonean refugees. The names of all the rape survivors interviewed have been changed in order to protect their safety and privacy.

[25]Witnesses often referred to their attackers as "rebels" or "juntas," common terminology for the RUF and the AFRC respectively. Human Rights Watch interviews revealed that attackers were in most cases a mix of plainclothes "rebels" and uniformed AFRC/RUF soldiers. They also sometimes disguised themselves as Kamajor or ECOMOG forces. For these reasons and a lack of a reliable method of distinguishing former government soldiers from rebels in Sierra Leone, this report refers to them collectively as AFRC/RUF.

he's there, we will continue to fight." They were both Liberian and Sierra Leonean. I could tell from their language.[26]

Finda T. is a forty-five-year-old woman from Koidu town, Kono who fled with her family when the AFRC/RUF attacked at the end of February. She told Human Rights Watch how her family had been killed and how she had been raped by rebel soldiers:

> The rebels caught us in the bush after my family and I had fled one Saturday in February. They killed my brother immediately, and they took my two children. One of them raped me. He used me as his wife, and another one beat me with a gun. They made me and others carry their loads. They told us to take their bags of rice back to Koidu town. They seriously used us. In Koidu, they took our clothes and freed us. I lived in the bush for two months using leaves to cover myself. Eventually, I found some people who showed me the way to Guinea. A child gave me her clothes, and I have only one dress now.[27]

In April, medical staff in Connaught Hospital, Freetown reported that they were witnessing an alarming number of patients suffering mutilations. A number of the female patients they interviewed were raped and had foreign objects inserted in their vaginas. They had been attacked by AFRC/RUF between April 15-25 in villages between Njaiama Sewafe and Koidu. The patients said the AFRC/RUF rounded up civilians in groups or lines, sent them to a cutting block and commenced limb amputations with a cutlass. Doctors reported:

> In some villages, after the people were rounded up, they were stripped naked and ordered to "use their women;" men were ordered to "use" their sister. When men refused to do so, their arm was amputated, and the women were raped by the attackers.[28]

Alice M. is a forty-one-year-old former police officer from Jabwema Fiama, Kono, Sierra Leone, who is now a refugee in Guinea. On March 10, 1998, she and her family fled their home into the forest two days after the AFRC/RUF began to attack and loot her town. The AFRC/RUF captured her with her husband in the forest, but didn't catch her children. They let her husband go, but seeing her police identification, they kept her. She remembered:

> Commander Steven Gbenya and Sergeant Moussa captured me. They had also captured other police officers, whom they killed. The commander said he wasn't going to kill me, and instead, he raped me all night. I cried and cried and prayed. I don't know why, but early in the morning, about 6:00 a.m., he let me go. I think he felt sorry for me. He and Moussa escorted me out without telling anyone else and took me to a place in the bush. They deliberately raped many women. To save your life, you have to agree, or they will kill you. They are beastly.[29]

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[26]Human Rights Watch interview, Mangay Refugee Camp, Guéckedou, Republic of Guinea, June 15, 1998. Many refugees interviewed described their captors as having spoken with Liberian accents. They were not able to say whether or not they were Liberian fighters or Sierra Leonean fighters from the Kailahun region of Sierra Leone, closest to Liberia, who would have spoken with the same accent. Nonetheless, many believed them to be Liberians.

[27]Human Rights Watch interview, Sowadou Refugee Camp, Guéckedou, Republic of Guinea, June 14, 1998.

[28]"Atrocities against Civilians in Sierra Leone," Médecins Sans Frontières, May 1998, p. 4.

[29]Human Rights Watch interview, Fangamadou, Guéckedou, Republic of Guinea, June 14, 1998.

Abductions

The abduction of civilians by the AFRC/RUF is commonplace. People of all ages are abducted, but witnesses point to young men, women, and girls and boys as preferred targets. The soldiers capture individuals and groups to labor for them and in general perform tasks necessary for their subsistence and advancement.[30] Women and girls are taken as "wives," or sexual slaves, to cook and perform other domestic tasks. Young men and boys are also abducted for forced recruitment as soldiers. It is unclear whether or not they have designated large-scale holding centers, although at least one witness testified to this effect.

Human Rights Watch received reports that the AFRC/RUF abducts these groups for use as human shields against attacking ECOMOG forces, in the belief that ECOMOG would hesitate to target civilians, particularly women and children, or that in the event of an attack, the "shield" would be hit first.

As described below, many witnesses are under the impression that abductions number in the thousands. The AFRC/RUF captures many civilians apparently with the intention of holding them permanently to reinforce their numbers and ensure their future existence. Others abducted are executed or ultimately allowed to go free after having suffered a number of abuses.

Forced Labor

Many who had been captured by the AFRC/RUF and either escaped or were released testified to Human Rights Watch that they were forced to "carry loads" and perform other tasks for them. The civilians were collected or called upon individually to transport items that the fighters looted from town to town and from one point to another within villages. They prepared food for the soldiers and performed any task required of them to contribute to meeting the daily needs of the soldiers.

Mary F., a nine-year-old girl who fled Koidu town, Kono, was captured by AFRC/RUF soldiers and forced to work. She was freed by the soldiers but was separated from her parents and is now an unaccompanied minor in a refugee camp in Guinea. Upon finishing her story, her steady, serious mood changed, and she burst into tears.

> A group of about eleven junta soldiers captured me, my parents and others. They killed one person in our group in front of us. The group split, and I lost my parents. They took us back to Koidu and released us but arrested us again and used us to carry their loads. We were adults and children. They didn't tell us anything about why they were making us do this. Eventually they let us go....[31]

Sia T., who is eighteen and the mother of one, fled the fighting in Koidu town and hid in the forest for three months before making her way to Guinea. She witnessed the murder, rape and abduction of civilians and was herself captured and forced to work for the AFRC/RUF. Some of her captors were children. She remembered:

> We were hiding in the bush, not too far from where some of the junta stayed. They knew where people were. They would go into the bush and get some of them, take them to town, make them work and let them go. Then they'd go back and get more. They made me pound rice. We were afraid. They said they weren't going to do anything, but we were working at gunpoint. They were

[30]Other civilians were forced to labor for the AFRC/RUF, but weren't abducted per se. Survivors testified that often the soldiers would know where their hide-outs were in the forest and would regularly call upon them to perform tasks or subject them to other forms of abuse, under threat of additional physical harm. Although these civilians were not held inside AFRC/RUF installations, it was difficult for them to flee.

[31]Human Rights Watch interview, Boodou Refugee Camp, Guéckedou, Republic of Guinea, June 23, 1998.

as young as the boys here. [She gestures at three young boys, approximately five to seven years old, sitting nearby the interview setting]. The small ones had guns, too. They even fought between themselves over whose girls were whose.[32]

Sexual Slavery

Human Rights Watch documented repeated accounts of women and girls being abducted by the AFRC/RUF in large numbers for sexual and other purposes. The AFRC/RUF holds these women and girls indefinitely and requires them to perform a variety of tasks, such as preparing food. Women and girls may also have been abducted to care for the many young children captured by the AFRC/RUF. Some who have escaped report that the soldiers divide them up amongst themselves and refer to them as their "wives." They have sex with them at will and at times brutalize them with other forms of physical violence. The AFRC/RUF move these women and girls with them from one location to another. Targeting women and girls in these ways serves the AFRC/RUF practically, in terms of meeting their own daily needs, and strategically, as they coopt their labor and destroy local family and economic structures.

Grace M. is from Gbense Chiefdom, Kono District. She is twenty-one years old. When the AFRC/RUF attacked Koidu in February and launched "Operation Pay Yourself," Grace fled to Kombayendeh (thirty-two miles from Koidu) to find rice. She stayed there for a while but was forced to flee again, first to Bovoma and finally into the forest. AFRC/RUF soldiers captured her along with seventeen other women and kept them as so-called "wives." She ultimately escaped and made her way to Guinea. She believes the other women who did not escape are probably still with the AFRC/RUF, perhaps in Kailahun. She said:

> It was on a Monday mid-day, that the junta stormed where we hid. They arrested eighteen of us, and we were taken to Koidu town again. We spent sixteen days with them in the township. While in Koidu town, I saw dead bodies littered all over the place. I also saw some of the soldiers' captives, regardless of age, carrying looted items from the surrounding villages; they took them to Kailahun. We were eighteen in number, all females. It was this same day that the soldiers shared us amongst themselves as wives. Each of us got a man as a husband. It was indeed horrible as one soldier that I was assigned to sexually abused me. He had sex with me any time he wished—at night, mid-day and anywhere. I can still remember his name, Alie, Mende tribe.[33]

Ike C., the newspaper reporter from Koidu town, fled the AFRC/RUF's attack on Koidu and was caught. He was able to escape, however, and among many atrocities he witnessed, he said this about sexual violence:

> There was rampant raping. I saw a fifteen-year-old girl raped right before me. They left her, but they captured others, and among them was a seven-year-old girl. I also saw many girls held in vehicles, ready to be transported. They force them to carry loads, use them as "wives" and encourage them, saying, "I will give you everything, stay with me." But they have no alternative but to stay.[34]

Forced Recruitment

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[32]Human Rights Watch interview, Fandouyema II Refugee Camp, Guéckedou, Republic of Guinea, June 12, 1998.

[33]Center for Rural Adult Education (CREA) interview, conducted the week of June 15, 1998, Kissidougou, Republic of Guinea. Also, Human Rights Watch interview, Kissidougou, Republic of Guinea, June 17, 1998.

[34]Human Rights Watch interview, Boodou Refugee Camp, Guéckedou, Republic of Guinea, June 23, 1998.

The AFRC/RUF is using and forcibly recruiting children and young men to engage in armed attacks against Sierra Leone civilians, Civilian Defense Forces, and ECOMOG soldiers.[35] Many witnesses told Human Rights Watch that they had seen AFRC/RUF soldiers abducting and holding young men and boys to use as child soldiers and that child soldiers had been among their AFRC/RUF attackers.

The forced recruitment of boys as child soldiers by the AFRC/RUF in Sierra Leone is not new. As armed conflict in Sierra Leone has intensified in recent years, the social fabric of the country has unraveled, and children have increasingly seen their rights erode. Many children have lost or been separated from their parents in the fighting, do not have enough to eat and do not have schools and other basic structures in place to meet their needs. They are particularly vulnerable to forced recruitment and have clearly been targeted by the AFRC/RUF as it seeks to reinforce its ranks.[36]

Young boys are targeted in part because their captors consider them to be less afraid to fight; they likely do not have children or wives to consider in risking their lives. They are readily manipulated because they are vulnerable and without protection. Child soldiers are often placed at the front line and forced to commit atrocities against their own communities. This establishes a sense of culpability in them, as well as traumatization, and makes it less possible for them to be accepted back into society or to be psychologically prepared to return.

Little is known about the condition of the young men and children abducted since February by the AFRC/RUF for use as soldiers; few have escaped to tell the story. Over the past few years, however, child recruits were typically provided with food, mind-altering drugs and firearms and were forced to fight and commit atrocities alongside the AFRC/RUF soldiers. The demobilization, rehabilitation and reintegration of these children will ultimately present an enormous challenge to all those involved in healing the wounds of war and building a future for Sierra Leone.

Alice M. is a forty-one-year-old former police officer in Jabwema Fiama, Kono. While she was held captive by two members of the AFRC/RUF, she was confined to a room with a ten-year-old boy. She said:

> Commander Steven Gbenya and Sgt. Moussa were also holding a ten-year-old boy in the room I was held in. They didn't release him. The house we were in was full of rebels. The room next to mine was the Liberian commando room.[37] The commander said that they no longer planned to kill children below fifteen, pregnant women, or old men and women. They said they were going

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[35]Although prevailing international law sets fifteen as the minimum age for military recruitment and participation in armed conflict, Human Rights Watch shares a growing consensus among independent, nongovernmental sources which believe that this age is too low and must be raised to eighteen. Not only does the Convention on the Rights of the Child define a child as any human being under the age of eighteen, unless under the law applicable to the child, majority is attained earlier, but eighteen is the voting age in the vast majority of countries. Establishing eighteen as the minimum age for participation in hostilities would be consistent with existing international norms and offer greater protection for children in situations of particularly grave risk. In Sierra Leone, Human Rights Watch also noted the problem of birth registration; individuals often did not know their own age or the age of their children. The lack of records makes it easier for those who forcibly recruit children to do so by claiming the recruits were older than they actually were.

[36]The Child Protection Committee, a United Nations-Nongovernmental Organization group established to address child protection issues in Sierra Leone, estimated the number of children in armed groups in Sierra Leone in September 1997 at approximately 3,000. (Inter-agency strategy paper for Child Protection Activities in Sierra Leone, Child Protection Committee, Camp Conakry, September 1997.) The actual number is not known, but has increased significantly since the renewal of fighting in February.

[37]The interviewee claimed that there were Liberian fighters among the AFRC/RUF.

to train-up those children because they knew they were going to die themselves. They encouraged the boy not to be afraid. They cooked for us, but I couldn't eat. The boy didn't say much, but he was hungry, and he ate.[38]

Ike C., the reporter for the *Herald Guardian* in Koidu town who was captured by the AFRC/RUF, also testified to the role of child soldiers. Some of his captors were under ten years old and wielded guns. He said:

> I was captured by Gittaboi, who said he'd execute me because I am a press man. There were little kids, boys, around seven, nine, twelve years old who were among the soldiers. They had guns and felt they had power.... I saw girls held in vehicles ready to be transported. The last group of kids I saw were held at the Branch Energy mining group office in Koidu town. They had 1,500-2,000 of them there. I *saw* them. In Koidu, the junta forces shouted for kids and gathered them. A soldier told me they are holding those kids as a shield in the event of an ECOMOG attack. They also use them as soldiers, for labor, and for sexual purposes.[39]

Other Violations of International Humanitarian Law

In addition to the abuses described above, members of the AFRC/RUF flagrantly violated other provisions of international humanitarian law. The AFRC/RUF regularly showed a gross disrespect for principles granting protection to hospitals, places of worship, and other non-military structures providing public services.[40]

The private property of civilians was frequently looted and their homes intentionally burned.[41] Witnesses spoke regularly of theft and mass destruction by the AFRC/RUF as they retreated from ECOMOG forces. Members of the AFRC/RUF completely stripped civilians of their belongings on a regular basis. Many of those fleeing Sierra Leone arrived in refugee camps with little more than their clothing; and several witnesses explained how they had been left naked by the AFRC/RUF and spent days in flight without clothing.

In February 1998, in Lunsar town of Porto Loko district, as a part of their "Operation Pay Yourself," members of the AFRC/RUF raided the Magbesemi hospital. Medicines and equipment were taken, patients were forced to flee, and some medical personnel reportedly abducted by the AFRC/RUF. One patient being treated for a gunshot wound described their actions:

> The AFRC/RUF soldiers came to Magbesemi Hospital, fleeing the ECOMOG advance. They took the doctors away. There were many rebels—in several trucks with arms and heavy weapons. They took all the drugs. We were about twenty-five patients. They said, "this is Operation Pay Yourself."[42]

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[38]Human Rights Watch interview, Fangamadou, Guéckedou, Republic of Guinea, June 14, 1998.

[39]Human Rights Watch interview, Boodou Refugee Camp, Guéckedou, Republic of Guinea, June 23, 1998.

[40]Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol I), of 8 June 1977, Article 52, and Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), of 8 June 1977, Articles 9, 10, 11, and 16.

[41]Protocol II, Article 4 (2) (g).

[42]Human Rights Watch interview, Faranah Hospital, Faranah, Guéckedou, Republic of Guinea, June 3, 1998.

Abuses Committed by Members of Civilian Defense Forces (CDFs)

Human Rights Watch documented numerous abuses, including killings and torture, by members of the Civilian Defense Forces, frequently referred to in local dialects as "traditional hunters." Civilian Defense Forces were developed primarily in the early 1990s as local protection responses to insecurity and violence throughout Sierra Leone. The largest and most powerful of these groups, the Kamajors, were responsible for the majority of the most serious abuses committed by those fighting on behalf of the Kabbah government since February 1998. In recent months, Kamajors have also been responsible for obstructing humanitarian assistance and demanding money or compensation at roadblocks.

Humanitarian and United Nations organizations complain that Kamajors frequently obstruct the delivery of aid to IDPs and civilian groups in need. Humanitarian agency vehicles were frequently commandeered by Kamajors, and aid workers were occasionally detained by Kamajors, two as recently as June 1998.[43] Groups providing assistance to the interior of Sierra Leone reported in June that the Kamajors had become increasingly demanding at checkpoints, often insisting that they be compensated for having "liberated" the country from the AFRC/RUF.

Killings and Mutilation

The scale and nature of abuses committed by Kamajors and other members of CDFs differ significantly from atrocities carried out by the AFRC/RUF, but the abuses are often no less horrific. Many witnesses of abuses committed by Kamajors spoke of the grotesque nature of killings, at times including disembowelment followed by consumption of vital organs, such as the heart. Acts such as these were intended to transfer the strength of the enemy to those involved in the consumption. Killings by Kamajors usually targeted people they believed to be members of the AFRC/RUF and their civilian supporters.

A Sierra Leonean Catholic priest described how the Kamajors reacted to the presence of the AFRC/RUF in Koidu in early February, just following ECOMOG's takeover of Freetown:

> On February 7th, they [the AFRC/RUF] started "Operation Pay Yourself." On Friday the 13th, I went back to the mission. The youths had called the Kamajors who started arriving on the 11th, 12th, a day or two after "Operation Pay Yourself" had ended. They came from Sewafe, Punduru, Gondama... When they found AFRC, they would kill them immediately. The Kamajors and youths started burning [AFRC/RUF] soldiers and collaborators. On about February 11th, they [Kamajors] called a meeting at the town counsel. They said it was to restore law and order—they said if anyone knows where they are, they should tell us. They decapitated one surrendered soldier and I saw them eat his raw liver and heart.[44]

Another witness from Koidu remembered:

> After the first night of "Operation Pay Yourself," the youths and the Lebanese businessmen called the Kamajors. The Kamajors came, and if they and the youths caught soldiers, they burned them alive with tires and petrol.[45]

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[43]Human Rights Watch interview with humanitarian agency whose staff had been detained by Kamajors to "make a point," Freetown, Sierra Leone, June 23, 1998.

[44]Human Rights Watch interview, Guéckedou, Republic of Guinea, June 9, 1998.

[45]Human Rights Watch interview, Fandouyema II Refugee Camp, Guéckedou, Republic of Guinea, June 12, 1998.

Several foreign residents of Sierra Leone that had worked with or observed Kamajors in the field concurred that this "take no prisoners" policy was widespread. One foreign trainer of the Kamajors claimed that the fighters were as "malicious as the AFRC/RUF"[46] but committed fewer abuses due to their supervision, even though this was limited. The Kamajors have been led by Capt. Samuel Hinga Norman, deputy defense minister, who in recent months repeatedly stated that all CDFs were now under the control of ECOMOG.[47] With their knowledge of the local terrain, Kamajors are frequently relied upon by ECOMOG as combatants and guides in unfamiliar rural areas.

Recruitment of Child Soldiers

CDFs, especially the Kamajors, have contributed to one of the most urgent human rights problems involving children in Sierra Leone: the recruitment of child soldiers. Children have been recruited by the CDFs for many of the same reasons that the AFRC/RUF abduct them into their ranks: children are often easily indoctrinated, fearless, have little sense of what is morally right or wrong, and, according to Kamajor leaders, are more likely to be "unadulterated."[48] While no one knows the number of children fighting among the CDF forces, one field commander estimated that their forces in the eastern Kailahun district alone numbered 3,000.[49]

The situation for child combatants provoked a mission to Sierra Leone from Special Representative of the Secretary-General for Children in Armed Conflict Olara Otunnu. Otunnu urged that, "the international community make Sierra Leone a pilot project for a more concerted and effective response to the needs of children effected by war."[50] During his visit, Otunnu obtained commitments from the government to assure that the CDFs would cease recruitment of children under the age of eighteen, begin demobilization of child soldiers, provide special protection to child combatants, and create a Joint Task Force comprising representatives from the government, ECOMOG, U.N. agencies, and relevant NGOs. On June 25, in an interview with Human Rights Watch, the Deputy Minister of Defense, Hinga Norman, also declared that the government was committed to demobilizing CDF child combatants.[51] In mid-July, however, aid agencies and press reports concurred that the CDFs were still recruiting children in northern Sierra Leone.[52]

National and international human rights and humanitarian workers in Sierra Leone expressed their concern to Human Rights Watch that Civilian Defense Forces, such as the Kamajors and loosely organized bands of youths, represent a serious and growing human rights issue in Sierra Leone today. Like the AFRC/RUF, these groups are able to act largely with impunity. This trend, when considered in the context of past practices of armed groups in Sierra Leone, underscores the need to develop a comprehensive program to disarm, demobilize and reintegrate all combatants into the new national army or Sierra Leonean society.

Many former combatants, mostly from the AFRC/RUF, are presently being retrained by ECOMOG and integrated into the new national army. This training should be carried out by qualified ECOMOG personnel and

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[46]Human Rights Watch interview, Freetown, Sierra Leone, June 23, 1998.

[47]Human Rights Watch interview with deputy defense minister, June 25, 1998.

[48]According to Kamajor rules of conduct, combatants must refrain from drugs, sex, looting, and other illicit acts in order to maintain their magical powers, including being bulletproof, on the battlefield.

[49]Lansana Fofana, "Militia Admits Recruiting Child Soldiers," IPS, Freetown, Sierra Leone, June 29, 1998.

[50]Press release, "Mr. Olara A. Otunnu, Special Representative of the Secretary-General for Children in Armed Conflict urges the international community make Sierra Leone a pilot project for a more concerted and effective response to the needs of children effected by war," New York, New York, June 2, 1998.

[51]Human Rights Watch interview with Deputy Minister of Defense, Freetown, Sierra Leone, June 25, 1998.

[52]Ibid, and phone conversations with aid agencies in Sierra Leone, July 27, 1998.

monitored by UNOMSIL observers. Diplomats and aid workers in Sierra Leone have noted the lack of support for the approximately 3,000 ex-combatants in an encampment in dire conditions in the Lungi area outside of Freetown. Former combatants wishing to be reintegrated into the new national army will need appropriate support in order to complete their retraining. Those who are screened out as possible war criminals should be investigated and prosecuted where appropriate according to international standards. Those who wish to return to civilian life will require appropriate assistance to reintegrate into communities, including programs to encourage a return to farms, schools, or micro-economic activities. The reintegration aspects of the Disarmament, Demobilization and Reintegration (DDR) program must emphasize a respect for the laws of war and human rights. As combatants from rebel groups, CDFs and government forces have comprised the principal perpetrators of human rights abuses in Sierra Leone, the success of this program could play a crucial role in preventing future human rights abuses

IV. SIERRA LEONEAN REFUGEES

The atrocities and violence described above are unfortunately only the first chapter of hardship for many Sierra Leoneans. Approximately one-quarter million Sierra Leoneans have fled to neighboring Guinea and Liberia in order to escape the abuses and fighting. The continuing conflict in Sierra Leone prevents them from leaving the refugee camps in these countries.

The Situation of Sierra Leonean Refugees in the Republic of Guinea

Since February 1998, the refugee situation in the Republic of Guinea has reached a state of emergency. As the AFRC/RUF attacked and committed atrocities in villages and towns in Sierra Leone's Kono and Kailahun districts, civilians fled by the thousands and crossed the border into Guinea. UNHCR puts the total number of new arrivals since May 1997 at over 200,000.[53] The new Sierra Leonean refugees have joined thousands who had fled fighting at earlier points in Sierra Leone's seven-year internal armed conflict.

Refugees poured out of Sierra Leone, sometimes at the rate of 3,000 per day, primarily into Faranah, Guéckedou, Kissidougou, and Macenta prefectures, in the forest area of eastern Guinea known as Guinée Forestière. The largest number of this population are settled in approximately 124 camps, or local settlements,[54] in Guéckedou, where refugees now outnumber Guinea nationals.[55]

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[53]According to UNHCR, there are approximately 255,000 new Sierra Leonean refugees in Guinea and Liberia, over 185,000 of whom arrived in Guinea since August 1997. They joined 121,000 Sierra Leoneans already in Guinea as of June 1997. An additional 128,000 Liberian refugees are also in Guinea.

[54]Many of the refugees spontaneously settled in Guinea in areas abandoned by refugees from previous years and in new areas. Other refugee sites were planned by UNHCR, creating more traditional camp settings for larger numbers of people. Regardless of size, shape or history of formation, in the field the settlements are referred to by UNHCR, aid agencies, Guinean authorities and refugees alike as "camps." For the purposes of this report, the term camps will therefore be used to describe all refugee settlements. All of the camps are named after the local villages they are attached to, or are near to. In many cases, the camps are much larger than their namesakes. None of the camps are enclosed or are guarded by the Guinean military, although the border region of Guéckedou has been increasingly militarized with the increase in conflict across the border. Many military checkpoints have been established along the roads in the area. If security issues arise within the camp, they are currently dealt with by refugee camp committee authorities, who may consult with UNHCR and may refer issues to the Guinean police.

[55]Sierra Leonean refugees and members of the local Guinean population do mix. Although the refugees' movement is restricted, trading does occur and the refugees sell their labor, food obtained from UNHCR, wood, kerosene and other items to nationals. They also trade their rations for a variety of other items, such as salt or rice. This interaction is made easier by similarities in the tribal languages and heritage of the groups, and many share family relationships.

Assistance

The refugees arrive in terrible shape after days, weeks, and sometimes months hiding and walking in the forest with little to eat, little to wear, and no health care. They suffer great trauma and urgently need food, shelter, clothing, and medical attention. From the outset, the crisis placed immense pressure on the Guinean civil and health authorities,[56] along with UNHCR and its implementing partners,[57] who struggled to respond.

Although UNHCR and its implementing partners in Guéckedou reported to Human Rights Watch that the situation has improved somewhat, the humanitarian response to the refugee emergency was slow and disorganized.[58] Humanitarian organizations working with UNHCR to address the crisis cite a lack of resources, particularly trucks for food distribution, and a general lack of emergency preparedness as the main factors contributing to the poor initial response.[59] Prolonged exposure to the elements during flight in Sierra Leone and in Guinea, the continuing uneven distribution of food, the lack of medical attention, and insufficient shelter have led to severe health problems, especially in the under-five population, including malnutrition, malaria, acute respiratory afflictions, and diarrhea. Infant mortality is high.

The situation became worse on June 14, 1998 when fighting intensified on the Sierra Leone side of the border with Guéckedou. Ostensibly for security reasons, the government of Guinea on June 15 blocked access to roads leading to approximately fifty refugee camps, housing over 150,000 newly arrived refugees. The lack of access made it impossible to provide adequate services to the refugees and infringed upon UNHCR's ability to provide protection for over four weeks. The Guinean government's refusal to provide even limited access on a regular basis risked a humanitarian disaster and the possibility of increased insecurity and unrest among the refugee and local populations—a situation no one would have been prepared to adequately address. The World Food Program was finally permitted to deliver a week's worth of rations on July 14, feeding approximately 130,000 refugees.

The closing of access to refugee encampments and consequent blockage of humanitarian supplies can result in a severe violation of the rights to adequate food, clothing and housing, and to medical care. Guinea is a party to

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[56]Health services for refugees are provided through Guinea's health authority—Le Département Publique de la Santé (DPS). Refugees can report to often overcrowded and sometimes distant health posts where they can receive treatment for minor ailments and/or referrals to hospitals. At the time of Human Rights Watch's visit, hospitals were overflowing and lacked adequate medical supplies, including medicines, and had limited surgical capacity.

[57]UNHCR contracts local and international nongovernmental organizations to provide food, shelter, water, health, educational, counseling, and other services to refugees. UNHCR also works with Guinean authorities, particularly in the areas of refugee security and protection and health.

[58]The principal problems that refugees reported to Human Rights Watch include lack of food, medical care, shelter and the provision of non-food items. The distribution of corn meal as the main food item for refugees poses a problem for many. The staple food in Sierra Leone is rice, and refugees have difficulty preparing and digesting the corn meal. Intermittent and delayed deliveries of food have left many hungry and struggling to find sustenance. Longer-term assistance challenges include the need for adequate programs to address the psychological and social needs of survivors of trauma and sexual violence. Culturally appropriate counseling and other activities, particularly for single women, single mothers, and children should be a priority. Women alone also face ongoing self-sufficiency problems, and programs for these women with real income-generating potential are needed.

[59]At the time of Human Rights Watch's visit, the arrival of a UNHCR Emergency Response team to Guéckedou in late April, along with weekly interagency coordination meetings and additional support from the international community, had gone a long way to improving the situation.

the International Covenant on Economic, Social and Cultural Rights (the ICESCR) which guarantees these rights in articles 11 and 12.[60]

Refugee Protection

Location of the Camps

The most immediately striking refugee protection concern in Guéckedou is the proximity of the refugee camps to the Sierra Leone border. Many of the camps, in particular those that were cut off from humanitarian assistance in June and July, are located in the area of Guéckedou which forms a peninsula-like territory stretching into eastern Sierra Leone. They are extremely close to the border with Sierra Leone; some are as little as three kilometers away.[61] A river running along the border forms a natural barrier between Guinea and Sierra Leone, providing minimal protection to refugees who are in gunshot range of the AFRC/RUF soldiers, located just on the other side. Pressure on the border is growing as ECOMOG forces continue to attack AFRC/RUF-held territory in Kono and Kailahun districts, squeezing AFRC/RUF soldiers further north. In addition, the roads leading to many of the camps are extremely treacherous, even for four-wheel-drive vehicles. Once Guinea's June-November rainy season begins, the roads often become impassable.

Although all of the Guinean military and civil authorities Human Rights Watch spoke with rejected the possibility of a cross-border attack by the AFRC/RUF, the risk is clear. AFRC/RUF soldiers are located dangerously close to the border and, on several occasions in mid-June, gunfire was exchanged across the border in the Nongoa village area, resulting in casualties among the Guinean military and small numbers of civilians.[62] Refugees from a camp in Nongoa fled the fighting.

Access to Asylum, Screening and Registration

Although Sierra Leonean refugees are granted group-based prima facie refugee status in Guinea,[63] and in many respects, Guinea stands out as a generous host nation, obtaining asylum is not without obstacles. Refugees

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[60]Although the covenant stipulates that developing countries "with due regard to human rights and their national economy" may determine to what extent they guarantee these rights to non-nationals, the Refugee Convention requires that refugees be accorded treatment in these areas not less favorable than that accorded to nationals. (Refugee Convention, Article 23 relating to public relief and assistance. Guinea is also a party to this treaty.). Moreover, the Universal Declaration of Human Rights, to which all states are deemed to accept and adhere by virtue of their membership in the United Nations, explicitly guarantees the right to food, clothing, housing and medical care to "everyone" (Article 25).

The Committee on Economic, Social and Cultural Rights, which is charged with interpreting these economic, social and cultural rights under the ICESCR, has stated in General Comment 3 that a state party which allows any significant number of individuals to be deprived of essential foodstuffs, of essential primary health care, or of basic shelter and housing is "prima facie failing to discharge its obligations under the Covenant." Although states parties are required to guarantee only the "progressive" realization of these rights, "[i]f the Covenant were to be read in such a way as not to establish such a minimum core obligation, it would be largely deprived of its raison d'etre." The state must use "all resources that are at its disposition in an effort to satisfy, as a matter of priority, those minimum obligations." Such resources would also include proffered humanitarian assistance.

[61]Article II (6) of the OAU Convention states that "For reasons of security, countries shall as far as possible, settle refugees at a reasonable distance from the frontier of their country of origin." This has generally been understood to mean a minimum of fifty kilometers from the border.

[62]Human Rights Watch interviewed a ten-year-old refugee victim of a bullet wound and observed several wounded Guinean soldiers at Guéckedou Hospital, all casualties from this exchange of fire.

[63]Lists of new arrivals are compiled by Guinean officials at the sub-prefecture and prefecture levels and given to UNHCR, which then goes out to the field, identifies, and registers the refugees.

consistently testified to Human Rights Watch that they receive a mixed welcome when they reached the Guinea border. There are no reports of forced return— *refoulement*— by the Guinean military patrolling the border, but the refugees are routinely subjected to summary searches, and border authorities extort fees and property from them prior to entry into Guinea.[64] Sixty-year-old **Fea R.** from Kuyoh, Kono, and her husband entered Guinea at Bakador after one month in the forest in Sierra Leone. She remembered: "We met Guinean military at the border, and they were making people pay. The soldiers took the palm oil we were traveling with."[65]

Refugees, however, also frequently expressed their appreciation for the assistance the Guinean military provided to the most vulnerable arrivals, particularly survivors of gross human rights violations, such as amputations. The soldiers transported refugees in dire need of medical assistance to hospitals in military vehicles or to places of temporary shelter.

UNHCR does not maintain a presence at border crossings, and UNHCR protection officers have rarely monitored the treatment of refugees as they seek to enter Guinea. In part, this is due to the fact that Guinean authorities have in many areas recently barred access to the border, citing security concerns. To ensure the protection of refugees seeking to enter Guinea, UNHCR should work with the government of Guinea to establish a presence at border crossing points to monitor access to asylum.

Detention and Exclusion

Human Rights Watch has received reports that possibly hundreds of suspected AFRC/RUF soldiers trying to enter Guinea have been detained by Guinean military authorities. Unlike the situation in Liberia described below, infiltration of the camps by AFRC/RUF members is not known to have happened to a large extent. Suspected AFRC/RUF members have reportedly turned up in refugee camps in small numbers and have been identified by the refugees and handed over to the Guinean authorities. For example, refugees in Fangamadou told Human Rights Watch that six suspected AFRC/RUF soldiers had been turned over to Guinean authorities, who reportedly detained them and later transferred them to jails in Conakry.

UNHCR and the International Committee of the Red Cross (ICRC) have both been denied access to detainees to determine whether or not they actually have bona fide asylum claims and whether they are being treated as candidates for exclusion.[66] The government of Guinea has provided no information about the detainees or the procedures and criteria used to screen, detain, and seemingly exclude these persons from protection in Guinea. The Guinean government should give UNHCR unlimited full access to entry points and places of detention of refugees and asylum seekers, including potential exclusion candidates, in order to determine their status and provide assistance and protection where appropriate.

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[64]Guinean border authorities behaved similarly with Liberian refugees returning to Liberia in 1997.

[65]Human Rights Watch interview, Fandouyema II Refugee Camp, Republic of Guinea, June 12, 1998.

[66]UNHCR and governments are obliged under international refugee law to deny the benefits of refugee status to persons who would otherwise qualify as refugees if they have committed certain human rights violations. These provisions are commonly referred to as "exclusion clauses." Article 1(F) of the 1951 Convention Relating to the Status of Refugees states that the Convention "shall not apply to any person with respect to whom there are serious reasons for considering" that: (a) he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes; (b) he has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee; (c) he has been guilty of acts contrary to the purposes and principles of the United Nations. Article 1(5) of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa contains identical language and excludes from refugee status any person who "has been guilty of acts contrary to the purposes and principles of the Organization of African Unity."

These concerns underline the need for UNHCR to maintain a presence at entry points into Guinea, where protection officers can monitor access to asylum for new arrivals, conduct basic screening to determine group-based, prima facie refugee status and pre-screen those who may be potential exclusion candidates.[67] UNHCR should also advise the Guinean government on criteria and procedures for exclusion.

Freedom of Movement

The Guinean government has thus far failed to issue refugee identification cards to the refugees, which has created a number of problems. Without an identification card, the refugees' freedom of movement is constrained, and they risk arrest should they be stopped by Guinean military or police authorities at various checkpoints along the road. Refugees are frequently stopped, threatened with arrest, and pressured to pay what little they have in money or goods for failure to present an identification card.

William S., a refugee from Sierra Leone in Nyeadou Refugee Camp, said:

> I was arrested two days ago by a police officer while I was walking along the road for not having an identification card. I had the piece of paper saying I'm a refugee from Sierra Leone, my *auto-collant* and my fixing token,[68] but he said I need an ID card. He said if I didn't pay him he was going to take me to the jail. He said if I pay FG5,000, I can get a small receipt and go by. I produced FG1,000 to get released and came straight back to the camp fast. And he didn't give me any receipt.[69]

A form of identification which the Guinean authorities do recognize is available for a hefty fee (FG5,000, approximately U.S.$5.00) from the Sierra Leonean Refugee Coordinating Committee. But the price is too high for most. UNHCR is reportedly in continued negotiations with the Guinean government regarding issuance of these cards. The slow process may be an indication of the government's desire to keep the refugee population as separate from the local population as possible.

Security

There have been few reports of crimes being committed in the refugee camps. The only incidents reported to Human Rights Watch involved refugees stealing property, such as tarpaulins, from the houses of "vulnerable"[70] refugees during the night. "Vulnerable" populations are still in the process of being identified and situated within

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[67]Screening for exclusion should take place after screening for refugee claims, as a person may have a valid fear of persecution but not be deserving of international protection for the reasons described. Efforts should be made, however, to ensure as much as possible that combatants and war criminals are not mixed in with the rest of the refugee population, as is currently the case in refugee camps in Liberia. Those excluded are still entitled to protection under international human rights law. For example, the 1984 Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment provides protection against *refoulement* to a country where there are substantial grounds for believing that a person would be subjected to torture.

[68]The *auto-collant* is a temporary card issued to new Sierra Leonean refugees in Guinea to facilitate distribution of supplies, including food. Refugees later receive a temporary card and a "fixing token," which is also used to identify refugees for distribution. The temporary card is meant ultimately to be replaced with a refugee identification card, but none have been issued. Refugees also receive a copy of their UNHCR registration form, issued by UNHCR, which identifies all of the members of their family.

[69]Human Rights Watch interview, Nyeadou Refugee Camp, Guéckedou, Republic of Guinea, June 20, 1998.

[70]Certain members of the refugee population have special needs, are deemed "vulnerable" by UNHCR, and receive targeted assistance. "Vulnerable" populations include such groups as unaccompanied minors; single female heads of household; victims of torture; sexually abused; chronically ill; handicapped; mentally disturbed; blind; and others.

the camps. The location and security of these populations in the camps are ongoing concerns, as is assistance to this community.

There have also been no reports of abductions by any party taking place in the camps. Sexual attacks on women in the camps, if occurring, have not been reported. However, women alone, or with children, have been subjected to another form of sexual abuse. Human Rights Watch received reports that fellow male refugees often tell women that they will assist them in the camp only in exchange for sex.[71] Volunteer social workers who work with UNHCR to identify, counsel and assist "vulnerable" refugees in Nyeadou Refugee camp said:

> There are more women than men here. Women have children to take care of and no husbands. There is little money and no one to help with the family. Many women tell us that men tell them, "I'll help you if you sleep with me." This is practiced widely in all the camps. Many women agree because they are in need. It is against their real will, but they don't want to starve.[72]

A number of refugees have been arrested for crimes committed in Guinean villages and cities. Lists of these individuals, their crimes, terms of imprisonment and location have been compiled and made available to UNHCR. UNHCR protection officers have been allowed to visit these refugees, and provide them with one meal per day.

Situation for Sierra Leonean Refugees in Liberia

From February through April 1998, approximately 42,000 Sierra Leoneans fled fighting in the eastern part of the country for Liberia, joining an existing Sierra Leonean refugee population of about 11,000.[73] Sierra Leonean civilians have fled on repeated occasions to western Liberia since 1991. Armed rebel groups from both Liberia and Sierra Leone have also moved back and forth across the border on numerous occasions, in order to find refuge, get supplies, such as food, and seek new recruits.[74] The refugees face serious security and assistance problems in two main camps in Liberia.

Separation of Ex-combatants from Civilian Refugees

The situation for Sierra Leoneans who fled to Liberia is different in several regards from the conditions in the refugee camps in Guinea. Aside from the smaller numbers of refugees in Liberia, the most striking contrast is the presence of former combatants among the refugee populations in the two main camps in Liberia, located at Vahun and Kolahun in northwestern Liberia. According to witnesses at the border, a large number of AFRC/RUF soldiers, perhaps over 2,000, arrived in Vahun from Sierra Leone during the months of February and March 1998. The fighters reportedly entered without weapons. At least one large group was allegedly escorted from the border at Vahun to the interior of Liberia by members of the Liberian military; some may even be Liberian nationals. Others were integrated into the general refugee or local populations. Refugees and aid workers both report that the combatants have gradually slipped away as time passed; by June 1998, a large number had either moved elsewhere in Liberia, or had returned to Sierra Leone. A significant number, probably at least several hundred, remain in the Kolahun and Vahun camps at the time of this writing.

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[71]Human Rights Watch also received unconfirmed reports of women and girls entering into prostitution in Guinean cities and villages in order to survive.

[72]Human Rights Watch interview, Nyeadou Refugee Camp, Republic of Guinea, June 20, 1998.

[73]These statistics were provided by UNHCR field staff in Liberia. Other estimates varied.

[74]The border between Sierra Leone and Liberia, like many in the region, is poorly controlled and subject to much traffic, both legal commerce and illegal crossings. Members of the Mende ethnic group live on both sides of the border, resulting in additional cross-border ties and regular movement between families.

Human Rights Watch interviewed Liberians, Sierra Leoneans, and foreign agency staff who, on multiple occasions, had witnessed interaction between Liberian military and members of the AFRC/RUF in the Vahun and Kolahun areas. Witnesses concurred that, in general, the interaction appeared to have been friendly, including encounters with one of the key RUF commanders, Sam Bouckarie, also known as "Mosquito."[75]

Human Rights Watch also spoke with former combatants in the Vahun camp who stated that members of the AFRC/RUF had come from Sierra Leone into the camps on numerous occasions to encourage them to return to the fighting in Sierra Leone. In addition to recruitment, members of the AFRC/RUF cross the border at unofficial crossing points to sell looted goods from Sierra Leone and to purchase supplies, such as food and clothing.[76] The AFRC/RUF conduct their business in broad daylight but in civilian clothing. On June 13, Human Rights Watch observed one group of young men transporting goods on the Vahun-Kolahun road that, according to Liberians from the area, were members of the AFRC/RUF on their way back to Sierra Leone. This type of traffic is apparently frequent, according to refugees and Liberians.

Assistance and Protection in Vahun

The presence of former combatants among the refugee population has hampered humanitarian assistance for refugees, as well as their protection. In February 1998, UNHCR, the World Food Program (WFP), and other humanitarian organizations became aware of former combatants among the refugee population in Vahun. In view of the proximity of the Vahun camp to AFRC/RUF-controlled territory in Sierra Leone, members of the international aid community attempted to develop a plan to assist refugees as well as transfer them to a safe and accessible area in Kolahun. Much debate ensued among the international humanitarian community regarding how to avoid the danger of creating a "Goma-like" situation.[77]

The proximity of the camp to AFRC/RUF fighters in Sierra Leone and the permeable nature of the border presents a clear security risk for refugees in the Vahun camp. The remote location and vulnerability of the Vahun camp has made it a target in the past: in 1993, armed rebel groups operating in the border area attacked the camp, looted UNHCR facilities, and forced the evacuation of aid workers.

Refugees in the Vahun camp also suffer from abuses by the Liberian military. Upon arrival at the Liberian border, refugees are regularly stripped of their belongings by authorities and subject to beatings if they resist. Refugees claim that Liberian military frequent the camps and openly steal from them, at times in the presence of international aid workers.[78] Refugees face the constant risk of theft, rape, or other abuse especially when traveling to fields that they till, nearby markets, or other destinations outside the camps. Refugees and medical workers in Vahun also claim that rape, often by Liberian military, is a serious problem for refugees.

Some members of international agencies and nongovernmental organizations have expressed strong criticism at the disjointed and very slow response to the present precarious situation in Vahun. By June 1998, refugees in Vahun had received only one fourteen-day ration from UNHCR since their arrival (most refugees had arrived in

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[75]Human Rights Watch interview, Vahun, Liberia, June 14, 1998.

[76]Human Rights Watch interview, Vahun, Liberia, June 14, 1998.

[77]The reference is to Rwandan refugee camps in eastern Zaire, near the border town Goma. The international community was widely criticized for allowing camps in this area to be set up too close to the border with Rwanda and for not taking steps to separate out armed elements and those responsible for the genocide from civilian refugees. This allowed for aid to benefit combatants and war criminals, and exacerbated insecurity in the region.

[78]Human Rights Watch interview, Vahun, Liberia, June 13, 1998.

February and March), and no concrete plan to separate combatants from civilian refugees had been put into place by the Liberian authorities or UNHCR. Refugees also complained that mixed signals from UNHCR had left them confused as to whether they should stay in Vahun or relocate to Kolahun. Human Rights Watch repeatedly heard reports from refugees who said they had been told by UNHCR to build their shelters in Vahun in order to receive tarpaulins and other assistance, only to be told later that they need to move to Kolahun in order to receive assistance.

According to medical aid workers, by June 1998 the lack of humanitarian assistance to the Vahun camp had led to a serious decline in the nutritional health of the refugees. The shortage of assistance created enormous tension in the refugee camps. Refugees and aid workers noted that as pressure on the refugee and local populations increased, theft was rising and it was likely that many of the former combatants would return to Sierra Leone to rejoin the fighting, or else resort to banditry in Liberia. Refugees also claimed that they would at times risk crossing back into AFRC/RUF territory across the border in Sierra Leone to search for food. At least one refugee single mother of three had disappeared while seeking palm oil in Sierra Leone; the caretaker of her children claimed that the woman had been abducted by AFRC/RUF while in Sierra Leone.[79]

Assistance and protection has further been compromised by the onset of the rainy season and poor road conditions,[80] as well as a lack of resources for UNHCR and other humanitarian agencies. UNHCR was able to maintain only one field officer at the Vahun camp, home to some 42,000 refugees in June 1998.

Kolahun Camp

Protection, security, and humanitarian conditions in the Kolahun camp, some fifty kilometers from the border, are far better than in the Vahun camp. Some refugees have been hesitant to move to the Kolahun camp, however, due to cultural and family ties with the local Mende population in Vahun. These ties create better opportunities for crop cultivation and small business ventures for those who stay in Vahun. Refugees also explained that they do not want to relocate to Kolahun, first, because of the forbidding prospect of establishing new shelters and fields (already established in Vahun) during the rainy season; second, many are unable to make the three-day journey due to age, illness, or nutritional status; and third, they are receiving unclear messages regarding where and when aid will be delivered. By mid-June 1998, some 10,000 refugees had relocated to Kolahun; while approximately 32,000 remained in Vahun, waiting for clearer signals from UNHCR as to future assistance.[81]

V. THE INTERNATIONAL RESPONSE

Overshadowed by conflict in Liberia and events elsewhere on the continent, Sierra Leone has largely escaped the attention of the international community. Over the past seven years, aside from the involvement of diamond mining firms, international interest has focused on the provision of humanitarian assistance to victims of the internal conflict and, to a lesser extent, finding political or military solutions to end the violence. Until recently, human rights concerns have largely taken a back seat to emergency relief, support for military interventions, or efforts to negotiate peace between the various warring parties.

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[79]Human Rights Watch interview, Vahun, Liberia, June 14, 1998.

[80]Deteriorating road conditions due to heavy rain are likely to cut off road access to the Vahun and Kolahun camps and also to camps in Guinea.

[81]According to statistics from UNHCR field office, Vahun, Liberia, June 13, 1998.

The recent surge in atrocities against civilians in Sierra Leone has raised a limited level of awareness from the international community regarding the human rights implications of the crisis. In general, the plight of civilians in Sierra Leone has had to compete with other refugee-related emergencies for the attention of international players. This competition, often with crises in Europe, combined with a general lack of funds for UNHCR and other humanitarian agencies, has resulted in insufficient responses to the political, humanitarian, and human rights situation in Sierra Leone. In the words of one human rights worker, "half the battle is keeping Sierra Leone, Guinea, and Liberia on the world's radar screen."[82]

In June 1998, a team of three experts from the World Bank visited Sierra Leone to discuss and refine a program for Disarmament, Demobilization, and Reintegration (DDR) with the Sierra Leonean government. The World Bank, UNDP, and other donors have agreed to fund this program, to be carried out by ECOMOG. The United Nations Observer Mission to Sierra Leone (UNOMSIL) will have the critical role of monitoring and assisting with the disarmament, demobilization, and reintegration of combatants and assuring the respect for international humanitarian law during this process.[83] The success of this program and the humane treatment of former combatants from all sides will be crucial to bring about an end to the conflict in Sierra Leone.[84]

A major challenge to the international community is developing policies and providing assistance that protect human rights and promote peace and stability in the long run. Some past and present policies of governments and international organizations, as discussed below, have targeted only short-term political, economic, or military objectives, while ignoring fundamental human rights concerns. As the reinstated Kabbah government rebuilds national institutions of justice, and ECOMOG creates a new national army, the international community is presented with a unique opportunity to promote human rights in Sierra Leone.

The United Nations

In response to political, military, humanitarian, and human rights developments since February 1998, the U.N. presence in Sierra Leone is undergoing significant expansion. In early July, following a report on Sierra Leone from U.N. Secretary-General Kofi Annan, the U.N. Security Council unanimously approved a measure to establish the United Nations Observer Mission to Sierra Leone (UNOMSIL),[85] subsuming and expanding the office of the U.N. Special Envoy to Sierra Leone. UNOMSIL's role will increase the present U.N. military observer presence from approximately ten to seventy officers along with support and medical staff. Its mandate will include monitoring and helping ECOMOG with the DDR program for combatants; reporting on the security situation; and "monitoring respect for international humanitarian law at disarmament and demobilization sites."[86]

The secretary-general's June report also calls for adding three human rights officers to support the existing human rights advisor in the Office of the Special Envoy. These officers "would have a monitoring role and the task of addressing the country's long-term human rights institution building needs."[87] A July 13 U.N. Security Council

[82]Human Rights Watch interview, relief organization representative, Freetown, June 24, 1998.

[83]Fifth Report of the Secretary General on the Situation in Sierra Leone, S/1998/486, 9 June 1998.

[84]Lawyers and international observers in Freetown have called into question the respect for due process in the ongoing trials of fifty-nine civilians being tried on various charges related to collaboration with the AFRC/RUF. Whether or not these fifty-nine are given a fair trial may send a strong message to AFRC/RUF members considering laying down their arms and enrolling in an eventual DDR program.

[85]United Nations Security Council Resolution 1181 (1998), S/RES/1181 (1998), 13 July 1998.

[86]Fifth Report of the Secretary General on the Situation in Sierra Leone, S/1998/486, June 9, 1998.

[87]Ibid.

Resolution further states that UNOMSIL should advise the "Government of Sierra Leone and local police officials on police practice, training, re-equipment and recruitment, in particular on the need to respect internationally accepted standards of policing in democratic societies."[88] The Security Council also reiterated the secretary-general's report in calling for UNOMSIL to "report on violations of international humanitarian law and human rights in Sierra Leone, and in consultation with the relevant U.N. agencies, to assist the government of Sierra Leone in its efforts to address the country's human rights needs."

In addition to these statements, United Nations officials have paid significant attention to the human rights situation in Sierra Leone in recent months, largely due to the scale and horrific nature of atrocities committed against civilians. Several agencies have sent high-level delegations to the region, while five senior U.N. officials issued an unprecedented joint statement calling for an end to the atrocities and impunity, and underscoring the need for an International Criminal Court to hold perpetrators accountable for the atrocities.[89]

> The current crisis in Sierra Leone is a brutal reminder to the delegations now meeting in Rome of the urgent need for an effective international criminal court to provide justice for the appalling violations of human rights in that country and elsewhere. Since April this year, rebel forces in the east, north and, more recently, the west of Sierra Leone have engaged in a terror campaign involving the systematic laceration, mutilation or severing of limbs of non-combatants, including children and the elderly.

In addition to the office of the special envoy, other U.N. agencies in Sierra Leone have engaged in a number of initiatives in recent months designed to protect rights and promote reconciliation and peace. In conjunction with the U.N. special envoy for Sierra Leone and the U.N. special representative for children in armed conflict, UNICEF has pushed for the creation of a joint task force for the demobilization of child combatants and other measures to protect the rights of children. Among other U.N. initiatives in human rights and civic education, UNDP approved a $2.5 million support program in June to the Sierra Leonean National Commission on Democracy and Human Rights to promote reconciliation, forgiveness, and civic education.[90]

It will be critical that these programs put into practice the principles that they preach. ECOMOG's poor human rights record in the past raises questions about its appropriateness as trainer of the new Sierra Leonean army, unless it is closely monitored and assisted by qualified UNOMSIL personnel. The National Commission on Human Rights and Democracy has also been widely criticized for being corrupt and inefficient. Donors must ensure that implementing organizations or government ministries have the technical expertise, capacity, and will to implement these and other programs that promote or protect human rights. Monitoring and coordination among the various implementing U.N. agencies, government ministries, and NGOs will be critical to making good use of funds dedicated to rights issues.

As required by its mandate, UNOMSIL should insist that ECOMOG respect the rights of demobilized combatants and that high standards are maintained throughout the training of the new Sierra Leonean army in international humanitarian law. Linked with this responsibility, UNOMSIL should work closely with ECOMOG to

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[88]United Nations Security Council Resolution 1181 (1998), S/RES/1181 (1998), 13 July 1998.

[89]Sergio Vieira de Mello, the under-secretary-general for humanitarian affairs, Olara Otunnu, the special representative of the secretary-general for children in armed conflict, and Soren Jensen Peterson, the assistant high commissioner for refugees, have all recently visited the region. Mr. Vieira de Mello and Mr. Otunnu were joined by Carol Bellamy, executive director of the United Nations Children's Fund (UNICEF), Mary Robinson, United Nations high commissioner for human rights, and Sadako Ogata, United Nations high commissioner for refugees, in making the joint declaration on June 18, 1998.

[90]"UNDP approves USD 2.5 million Awareness Plan," *For di People*, Freetown newspaper, June 24, 1998.

monitor arms flows and recruitment in support of AFRC/RUF. Human Rights Watch received numerous allegations that the AFRC/RUF was continuing to receive arms from outside the country, via land and air. In order to monitor and deter military support to the AFRC/RUF, a strong presence of UNOMSIL will be necessary to monitor arms trafficking, in particular along the porous border with Liberia. The monitoring of the Liberian border should be performed in conjunction with ECOMOG forces in Liberia.

The Organization of African Unity, ECOWAS, and ECOMOG

ECOWAS and ECOMOG have played key roles in recent political negotiations and military interventions respectively in Sierra Leone. As part of bilateral security accords, Nigerian forces and Guinean forces have been in Sierra Leone since 1995 to help the NPRC and, later, the Kabbah government to fight the RUF. The Nigerian and Guinean forces were in Sierra Leone at the time of the May 25, 1997 coup, and later reinforced ECOMOG's efforts to oust the AFRC/RUF.

Following the 1997 coup, the Organization of African Unity (OAU) called on ECOWAS to restore constitutional order to Sierra Leone. When their negotiations with the AFRC/RUF failed to achieve progress, ECOWAS imposed an economic embargo, which was later reinforced by an October 1997 U.N. Security Council global arms and oil embargo[91] and restrictions on international travel by AFRC/RUF members and their families.[92] ECOMOG enforced these sanctions with the permission of ECOWAS and the Security Council. With the failure of diplomatic efforts and the escalation of tension, ECOMOG's mandate was upgraded from sanction enforcement to actual military intervention to oust the AFRC/RUF. The ECOMOG contingent in Sierra Leone is led by Nigerian Commander Brigadier General Maxwell Khobe and composed of approximately 9,000 troops, predominately Nigerian with several Guinean support battalions. As of June 23, Gambia, Ghana[93] and Niger[94] had all promised to send troops to reinforce ECOMOG. In late July, ECOMOG announced that it was finishing the transfer of its headquarters from Monrovia to Freetown and that an additional 3,500 troops would soon arrive.[95]

While residents of Freetown and Sierra Leonean refugees consistently stated that ECOMOG's role in ousting the AFRC/RUF and enabling a return to civilian rule was welcome, international humanitarian groups complained that shelling by ECOMOG led to a high number of civilian casualties. One humanitarian organization in Freetown at that time stated that even after ECOMOG had been provided with maps of high-density population zones and medical structures, shelling continued in these areas for several days, resulting in over 600 war-wounded hospital admissions during a nine-day period in early February.[96]

Despite these serious allegations, ECOMOG has been praised by the Sierra Leonean press and international community, largely due to its military success in Sierra Leone and significant improvements in its conduct since its intervention in Liberia. United Nations military observers and aid workers attributed the improvements in ECOMOG's human rights record to improved supervision, more regular payment of salaries, and a sensitivity to past

[91]Petroleum for humanitarian purposes was permitted.

[92]U.S. Agency for International Development Bureau for Humanitarian Response (BHR) and Office of Foreign Disaster Assistance (OFDA), Situation Report #1, January 28, 1998.

[93]Integrated Regional Information Network, Office of the Coordinator for Humanitarian Affairs, IRIN-West Africa Update 169, March 19, 1998.

[94]"More ECOMOG Troops Due," page 1, *Daily Mail*, Freetown newspaper, June 23, 1998.

[95]Integrated Regional Information Network, Office of the Coordinator for Humanitarian Affairs, IRIN-West Africa Weekly Roundup, July 24, 1998.

[96]Human Rights Watch interview, New York, July 15, 1998.

criticisms.[97] ECOMOG has also evacuated dozens of war victims via helicopter and road, saving many civilian lives. However, ECOMOG and Kamajor commandeering of humanitarian vehicles has been, in the words of the director of one aid organization, "blatant and prevalent."[98] In response to this problem, which has significantly obstructed the delivery of humanitarian aid, the United Nations Humanitarian Assistance Coordination Unit (HACU) organized a seminar for ECOMOG and Kamajors in the Bo district in May.[99] In May and June 1998, ECOMOG and the Ministry of Defense repeatedly declared in public that the Kamajors were entirely under the control of ECOMOG.[100] While the obstruction of aid decreased after this and subsequent seminars and the arrival of logistical support and trucks donated by the United States in May, at least one humanitarian group stated that ECOMOG had yet to return one aid vehicle by late June 1998.

ECOMOG holds the key responsibilities of disarming and demobilizing combatants as well as forming and training the new Sierra Leonean army. ECOMOG commander Maxwell Khobe has stated that the new army will be ethnically and regionally balanced.[101] ECOMOG's past human rights record in Liberia and problems in the present, however, underscore the need for UNOMSIL to provide assistance and closely monitor the disarmament, demobilization, and training processes to assure that the new army is founded upon principles of respect for international humanitarian law.[102]

Misinformation regarding the security situation in Sierra Leone has created serious risks for both Sierra Leonean refugees and civilians within the country. ECOMOG, along with Sierra Leonean government and some U.N. officials, has downplayed the capacity of the AFRC/RUF and portrayed the security conditions in Sierra Leone as safe and returning to normal in many districts. This information has contrasted sharply with reports from aid organizations with a field presence as well as from other U.N. officials. During a humanitarian assessment mission to Koidu on June 10, aid workers were told by an ECOMOG commander on the scene that the area had been entirely secured by ECOMOG and that security was "no problem."[103] Several hours later, after the mission left Koidu, AFRC/RUF forces began the first of several sustained attacks over four days on the town, temporarily pushing ECOMOG out of strategic positions.[104]

Information regarding the security situation in Sierra Leone reaches refugees generally through international radio and new arrivals to the camps. Refugees reported that misinformation regarding security conditions in Sierra

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[97]ECOMOG succeeded in Liberia in stopping the bloodshed and ethnic violence on several occasions, and human rights benefits clearly flowed from the intervention. However, ECOMOG did not integrate human rights into its activities, which has been a serious shortcoming. ECOMOG allied itself with other warring factions, which clearly undermined its credibility. It was responsible for extensive looting, harassment and detention of civilians. There were also serious concerns about the civilian toll and violations of medical neutrality by ECOMOG air strikes in Liberia.

[98]Human Rights Watch interviews with aid organizations, Freetown, Sierra Leone, June 22-25, 1998.

[99]Fifth Report of the Secretary-General on the Situation in Sierra Leone, S/1998/486, June 9, 1998.

[100]Human Rights Watch interview with Sierra Leone Deputy Minister of Defense, Freetown, Sierra Leone, June 25, 1998.

[101]Press conference led by Brig. Gen. Maxwell Khobe, Wilburforce military base, June 25, 1998, Freetown, Sierra Leone.

[102]See Human Rights Watch, "Liberia: Waging War to Keep the Peace."

[103]Human Rights Watch interview with aid organization that participated in the mission, Freetown, June 23, 1998.

[104]Human Rights Watch interviews with several members of the assessment mission, Freetown, Sierra Leone, June 23, 24, and 25, 1998.

Leone had on several occasions led to voluntary repatriation to zones perceived as safe. Human Rights Watch interviewed refugees in Guinea who claimed that dozens of refugees had been killed while attempting to return to the Koidu area in April.[105] Their decision to repatriate was made following declarations on international radio claiming that area was under the control of ECOMOG. In order to protect refugees, civilians in Sierra Leone, and humanitarian workers, both ECOMOG and UNOMSIL should ensure that accurate information regarding security conditions is provided to the public, especially to refugees, internally displaced persons, and aid workers.

The United Kingdom, European Union and United States

Since May 1998, the United Kingdom, European Union (E.U.), and United States have issued several strong statements denouncing the human rights violations committed by the AFRC/RUF in Sierra Leone. On May 21, 1998, the U.S. Department of State and European Union issued a joint statement which expressed their grave concern over the atrocities.

> The European Union and the United States strongly condemn these horrific actions and urge all parties to call an immediate end to the senseless slaughter, mutilation, and torture of the civilian population and show full respect for human rights.[106]

In June, the U.S. and E.U. sent a joint high-level assessment mission to the region led by U.S. Assistant Secretary of State Julia Taft which resulted in financial pledges for humanitarian assistance in Sierra Leone, Guinea, and Liberia. These calls for an end to atrocities against civilians and financial commitments for humanitarian assistance should be combined with long-term support from the U.S. and the E.U. that promotes human rights and the rule of law.

In addition to its support of elections in 1996, the E.U. has had a significant and growing presence in Sierra Leone and neighboring countries affected by the refugee flows. Through the European Community Humanitarian Office (ECHO), the E.U. has been the most important donor of non-food humanitarian aid to Sierra Leone, contributing over 20 million European Equivalency Units (ECU) (over U.S. $22 million), since 1993, mostly to support the activities of international humanitarian nongovernmental organizations (NGOs). ECHO has also provided aid in response to the refugee crisis in Guinea and Liberia, while the European Commission has been a long-term supporter of development activities and infrastructure projects in Sierra Leone. ECHO is now considering a 6 million ECU (U.S. $ 6.6 million) global aid package for assistance in Guinea, Liberia, and Sierra Leone.

Both the U.S. and U.K. have played significant roles in recent political and military developments in Sierra Leone. The U.S. is the single largest donor in response to the Sierra Leonean crisis, having contributed $53 million in food, humanitarian and other aid in fiscal year 1998, including support for ECOMOG. The British have led fund-raising efforts at the European Union for the 1996 elections, ECOMOG, and other assistance. Both the U.S. and the U.K. have provided support for the Nigeria-led ECOMOG force in Sierra Leone.[107] In May, the U.S. State

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[105]Human Rights Watch interview, Koundou Lengo Bengo Refugee Camp, Guéckedou, Republic of Guinea, June 5, 1998.

[106]U.S. Department of State, "Sierra Leone: Rebel Atrocities Against Civilians," May 21, 1998.

[107]In a further effort to support ECOMOG and retake power, the Kabbah government engaged Sandline, a private security firm. Sandline claims that it imported between twenty-eight and thirty-eight tons of small arms and ammunition to ECOMOG with the consent of the British government. The arms were impounded by ECOMOG forces and never used. However, a scandal ensued because the shipment could constitute a violation of a U.N. or a U.K. arms embargo against Sierra Leone. U.N. legal analysts subsequently determined that the U.N. embargo had not been broken. British Foreign Secretary Robin Cook ordered an investigation into whether anyone in the Foreign Office had knowledge of or gave consent to such a shipment. The investigation is ongoing.

Department announced $3.9 million for logistical support to ECOMOG through Pacific Architects and Engineers (PAE).[108] PAE is a U.S.-based military logistics firm contracted to provide transportation, communication, and other support to ECOMOG. The U.K. has contributed £2 million (U.S. $ 3.3 million) to a U.N. trust fund for peacekeeping activities in Sierra Leone, some of which may be used to support ECOMOG.

This support for ECOMOG should be accompanied by close monitoring of its conduct and complemented by additional efforts to protect human rights. The U.S. and U.K. should closely monitor the performance of ECOMOG in international humanitarian law observance and in its disarmament, demobilization, and training efforts. In particular, the U.S. and U.K. should insist on high-quality training in international humanitarian law for the new Sierra Leonean army and on the humane treatment of demobilized combatants from all sides. The U.K. has sent an evaluation team to Sierra Leone to consider a police training program to Sierra Leone. The success of these types of initiatives in contributing to building institutions that protect human rights will depend largely on their careful design and monitoring of their implementation.

Both the U.S. and the U.K. have encouraged negotiated solutions to end the violence, most recently during talks at Abidjan in November 1996 and at Conakry in October 1997. Since the scale of atrocities has increased, the U.K. has been cautious about promoting negotiations with the AFRC/RUF. In an interview with Human Rights Watch, U.K. High Commissioner Peter Penfold stated that the U.K. was not pushing in "public or in private" for negotiations with the AFRC/RUF. The U.S. has taken a more open stand, stating that it:

> did not preclude any possible option that might lead to peace. ECOWAS, with the support of the international community, must explore every political avenue and determine the best way to proceed."[109]

The U.S. elaborated that the RUF and former junta leadership must first, however, "unambiguously and honestly renounce" atrocities against civilians before talks could begin.

The U.S. has been a key supporter of humanitarian organizations, including the UNHCR, and has recently promised an additional $19.5 million to support international humanitarian organizations working in response to the Sierra Leonean crisis and for the repatriation of Liberian refugees. Additional funds have been allocated to supporting civic education, and, to a lesser extent, the initiatives of local human rights groups. Through its Office of Transition Initiatives, the U.S. is providing $900,000 in programs for war-affected children, the reintegration of former combatants, and to promote reconciliation. The U.S. should continue to expand its funding for well-coordinated training and support programs for civil society, in particular for local organizations promoting human rights and the rule of law.

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[108]Human Rights Watch telephone interview with U.S. Department of State official, May 25, 1998.

[109]Hearing on Sierra Leone before the House Subcommittee on Africa, June 8, 1998, Statement of Johnnie Carson, principal deputy assistant secretary for African affairs.

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Africa division. Production assistance was provided by Ariana Pearlroth, associate for the Africa division, Patrick Minges, publications director, and Fitzroy Hepkins, mail manager.

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U.S. Department of State

Sierra Leone Country Report on Human Rights Practices for 1998

Released by the Bureau of Democracy, Human Rights, and Labor, February 26, 1999.

SIERRA LEONE

Sierra Leone is a constitutional republic with a directly elected president and a unicameral legislature; however, this democratically elected Government did not control the whole country effectively at any time during the year. In March the Government, led by President Ahmed Tejan Kabbah, who had been elected in 1996, was returned to power after 9 months in exile. The President's party, the Sierra Leone People's Party, has had a majority in the Parliament since 1996. The Government's return followed the February ouster of the Armed Forces Revolutionary Council (AFRC) and Revolutionary United Front (RUF), which had overthrown the Kabbah Government in 1997 and assumed power. The RUF had conducted an insurgency against successive governments; the AFRC originated in a 1997 coup by elements of the Government's armed forces. The AFRC and RUF junta forces were defeated and driven out of Freetown by forces of the Economic Organization of West African States (ECOWAS) Monitoring Group (ECOMOG), led by the armed forces of Nigeria. In February and March there was fierce fighting throughout the country as ECOMOG and members of the Civil Defense Forces (CDF) continued to fight remnants of the AFRC and RUF, particularly in the larger cities outside the capital. However, government and ECOMOG forces failed to gain control of the whole country, and the civil conflict continued throughout the year. In December AFRC AND RUF rebels infiltrated Freetown and, at year's end, controlled areas close to the capital. The officially independent judiciary functioned only in part of the country and only during part of the year, but demonstrated substantial independence in practice when it did function.

Among the Government's security forces, the police officially had primary responsibility for internal order. However, due to the continuing insurgency, the newly constituted army, the CDF and ECOMOG

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shared de facto responsibility with the police in security matters. Government forces, particularly poorly trained CDF units that included child soldiers, committed numerous serious human rights abuses, and ECOMOG forces also committed some abuses.

Sierra Leone is an extremely poor country, with a market-based economy and a per capita income of less than $100 per year. It is estimated that only one-fifth of adults are literate. Although it is rich in natural resources and minerals (particularly diamonds, gold, rutile, and bauxite), and has large areas of fertile land suitable for farming, the junta period and the continuing insurgency have brought normal extraction and agricultural production almost to a standstill. There is little manufacturing, and there are few exports; approximately 70 per cent of the Government's budget comes from external assistance. Years of corruption and mismanagement have resulted in a crumbling infrastructure; many schools, hospitals, government buildings, roads, and bridges have been damaged or destroyed in the fighting and through neglect.

The Government's human rights record was characterized by serious problems. Some members of the security forces, including the Civil Defense Forces, committed extrajudicial killings, and tortured and beat suspected rebels and rebel collaborators. Prison and jail conditions remained harsh and sometimes life-threatening. Government forces sometimes interfered with humanitarian relief efforts. The Government arrested and detained persons under emergency decrees approved by Parliament that authorized indefinite detention without trial. Pretrial detention often was prolonged. The Government restricted freedom of speech and of the press, and harassed, arrested and detained journalists for their coverage of security-related issues. Government forces limited movement within the country due to the civil conflict. Violence and discrimination against women, and prostitution remained problems. CDF units inducted child soldiers and female genital mutilation continued to be a widespread practice. Discrimination against ethnic minorities persisted. There was some forced labor in rural areas. Child labor persists. ECOMOG forces operating in support of the Government occasionally beat and detained noncombatants. In the period directly following the removal of the junta from power, there was a significant number of vigilante-style extrajudicial killings by citizens; upon being restored to power, the Government, with EGOMOG support, acted forcefully to end these killings.

Throughout the year, AFRC and RUF rebels committed numerous egregious abuses, including brutal killings, severe mutilations, and deliberate dismemberments, in a widespread campaign of terror against the civilian population known as "Operation No Living Thing." While still in power in January and February, junta forces continued their previous pattern of abuse, which included assaults and other acts of intimidation against political opponents, nongovernmental and other civic and humanitarian organizations, and citizens. During the fighting for Freetown in February, their retreat to the interior in March, and their advance on the capital in December, junta forces were responsible for killings, kidnapings, mutilation, rape, and destruction of property. One particularly vicious practice was cutting off the ears, noses, hands, arms, and legs of noncombatants who were unwilling to cooperate with or provide for the insurgents. The victims ranged from small children to elderly women; in some cases, one limb was cut off, in others two limbs, typically two hands or arms. Rebel forces also detained, decapitated, burned alive, and inflicted bullet and machete wounds on civilians; many died from their wounds before they could obtain any form of treatment. The rebel forces abducted missionaries and aid workers, ambushed humanitarian relief convoys and raided refugee sites. The junta forces continued the long-standing practice of abducting villagers and using them as forced laborers, as sex slaves, and as human shields during skirmishes with Government and ECOMOG forces. Boys were forced to become child soldiers. Rebel forces used rape as a terror tactic against women. Rebel atrocities prompted the internal displacement of hundreds of thousands of civilians. As many as half a million persons fled to neighboring countries to escape the civil conflict, and remain outside the country on their own or in refugee camps, primarily in Guinea and Liberia.

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RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

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There were persistent reports that some elements of the CDF refused to take prisoners and, after torture or other acts of physical abuse and interrogation, often killed captured insurgents and AFRC and RUF sympathizers. In November a senior CDF spokesman confirmed that the CDF had executed seven individuals who had been searching illegally for diamonds in the Tongo fields in the eastern part of the country, an area long contested by both the CDF's Kamajoh militia and the RUF.

In the immediate aftermath of the overthrow of the rebel junta in February, there were dozens of reports of torture and vigilante-style executions in Freetown, Bo, Kenema, and other cities. Some of these abuses were committed by citizens in reprisal against junta members and their alleged supporters. Victims were stabbed, beaten, and in some cases burned to death; there is no evidence that any of those responsible for the deaths were ever formally charged or prosecuted. AFRC and RUF forces also committed such abuses as they were driven out of their strongholds.

Many of the hundreds, if not thousands, of civilians killed by AFRC AND RUF insurgent forces in the conflict were executed deliberately for political motives. In March RUF leader Sam Bockarie summarily executed 10 prominent residents of Kenema, including former cabinet minister Bockari S. Massaquoi and paramount chief Momoh Tarawlie, for opposing the rebels. Also in March, RUF forces executed 32 youths in Koidu for supporting Kamajoh CDF forces that previously had taken the town. In September rebel forces shot 50 individuals execution-style in Kamalu, and on October 4, RUF forces shot and killed contract employees of the International Committee of the Red Cross (ICRC), who were traveling in clearly-marked trucks, in an ambush near Joru. On December 15, rebel forces killed a number of noncombatants in the village of Masiaka on the approach to Freetown.

Government security forces retaking areas discovered mass graves of those killed by rebel forces in Bo (over 100 bodies) and on Bonthe island (more than 550 bodies); the latter had been considered a Kamajoh CDF stronghold, and the killings apparently were reprisals against islanders for supporting the Kamajohs.

There were also several reports of indiscriminate, mass killings as villagers tried to escape from contested towns; for example, 50 persons reportedly were killed while fleeing fighting in Kabala in March, 22 in Malima, and 80 in Ngolahun. In May U.N. Special Representative for Children in Armed Conflict Olara Otunno described the continuing conflict as the "deliberate targeting of civilians," and described that strategy as "part of the objective of conflict fare, not just indiscipline on the part of fighters."

b. Disappearance

AFRC and RUF forces continued the RUF's long-standing practice of kidnapping youngsters and women and compelling them to work for the troops and, at times, act as "shields" in battles with government and ECOMOG forces. Women were also forced to act as sexual slaves. A conference sponsored by the United Nations Children's Fund (UNICEF) noted that the RUF had captured children as young as 4 and 5 years of age. Seven girls between the ages of 7 and 15 were abducted in March from the Ben Hirsh childcare center in Kenema. During the rebels' retreat, the insurgents kidnapped five medical missionaries and two French medical aid workers in the Lunsar area and held them captive for 2

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weeks. In November RUF forces kidnapped an Italian priest, father Mario Guerra, from his mission in Kamalu in the Northern District; he still was held at year's end.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits torture; however, some of the security forces, in particular the CDF, routinely tortured suspected insurgents upon capture to gather information.

AFRC and RUF forces continued to use rape as a terror tactic against women. In February during their retreat from Freetown, rebel forces raped female patients at the Lunsar Eye Hospital. In March rebel forces gang-raped several teenage girls in Koidu after retaking the town from Kamajoh control. In May several women who had fled to Guinea reported that they were sexually assaulted by junta forces before they were able to escape. ECOMOG forces operating in support of the government occasionally beat and detained noncombatants. Rebel forces also were responsible for many cases of deliberate mutilation, including the chopping off of hands, arms, ears and legs; attempted decapitations; and severe cuts with machetes. The victims have ranged from babies

10 months old to elderly men and women. Humanitarian organizations estimated that at least 2,000 individuals had one or both limbs amputated, and that for every one of these wounded who eventually succeeded in securing medical aid, at least three or four died en route from their wounds, shock, and the hazards of the journey. Some victims who secured treatment in Freetown indicated that at times the junta members forced civilians to take part in macabre lotteries, in which the victim picked a piece of paper which indicated the sentence--from the loss of one limb to scalping or death. In other cases, rebel forces cut off the arms of men who refused to rape relatives.

The rebel campaign, known as "Operation No Living Thing," drove thousands of persons from their homes into the countryside, where many have died from untreated wounds, disease, and starvation. Over 250,000 citizens crossed the borders of Guinea and Liberia to escape the conflict; many thousands of others were displaced internally, and fled their homes to hide in wooded areas, or to towns where there are security forces and some degree of protection from rebel forces. In November Amnesty International published a report that detailed rebel abuses and atrocities during the first 10 months of the year.

Prison conditions and those in police lockup facilities generally are harsh; at best they are Spartan, and at worst life threatening. The Pademba Road maximum security prison, which was designed for 325 prisoners, housed almost three times that number at year's end. Diet and medical care were inadequate; only a handful of toilets was available for use by the prison population. Although male and female quarters were separate, adults and juveniles were incarcerated together. Convicted felons, those in the middle of the judicial process, and those who had not yet been charged formally also were incarcerated together. Other prison facilities were equally rudimentary; the holding cells in police offices are even further from compliance with international standards.

The Government allowed the ICRC, U.N. human rights officials, and other observers to visit the prisons, assess conditions, and see inmates.

d. Arbitrary Arrest, Detention or Exile

The Public Emergency Regulations enacted by the Parliament in March at President Kabbah's request provide for indefinite detention without trial. In the immediate aftermath of its restoration, the Government arrested and detained without specific charges persons suspected of collaborations in crimes committed by the desposed junta. Although the Constitution and law provide for a speedy trial,

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in practice the lack of judicial officers and facilities often produced long delays in the judicial process. Due to the civil conflict, the judicial system did not function in some parts of the country at any time during the year, and functioned in other parts of the country only during part of the year. Many prisoners were held for months on suspicion of criminal activity before their cases were examined or formal charges were instituted.

ECOMOG forces at times detained noncombatants (see Section 1.c.) In January and February, while still in control of the capital, the rebel junta continued its practice of detaining individuals suspected of supporting the Government in exile and criticizing junta policies. The junta arrested three journalists from The Herald Guardian and detained them for several weeks in apparent retaliation for publishing a statement urging children to remain home rather than go to school because of the security situation. Several other persons were released after shorter detentions.

The Government does not use forced exile.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary and the Government respects this provision in practice.

Although there are often lengthy delays between arrest, detention, the imposition of charges, and judicial proceedings, trials are usually free and fair. Traditional justice systems continued to supplement the central government judiciary extensively in cases involving family law, inheritance, and land tenure, especially in rural areas.

After the overthrow of the rebel junta, the Government detained several hundred individuals on suspicion of treason and other charges stemming from their involvement with the junta. Some eventually were released; some remained in detention at year's end; and at least 103 persons were tried in four civilian trials and one court-martial proceeding. The trials and court-martial were open to the public, and were extensively monitored by U.N. personnel, foreign diplomats, and human rights observers from both within and without the country. Observers generally agreed that these high profile proceedings were conducted in an open and fair manner, and that the defendants had adequate opportunities both for counsel and to make their cases. The verdicts ranged from acquittals on all charges to guilty; the sentences given ranged from 5-years imprisonment to execution. However, some observers from international human rights organizations questioned the appropriateness of the treason prosecutions or death sentences in the cases of five journalists and one 75-year-old woman. Twenty-four former army officers convicted on treason charges subsequently were executed.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution and law prohibit such practices, and government authorities generally respected these prohibitions.

Throughout the year, there were numerous instances in which rebel forces invaded, looted, and destroyed private property and terrorized civilians. Homes and businesses associated with former government members and supporters of the elected Government were particular targets, but many homes of ordinary were citizens also looted, burned, or destroyed.

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g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

During the year, there were reports that government security forces or ECOMOG forces hindered the safe passage of relief supplies on two occasions by commandeering vehicles that belonged to relief organizations. The CDF continued to accept, train, and induct children into its ranks.

AFRC and RUF rebel forces routinely committed numerous serious abuses, and sought to coerce, intimidate, and terrorize those who either refused to cooperate with them or supported the Government. They massacred groups of persons fleeing fighting; maimed and cut off the limbs and ears of noncombatants; kidnapped children and women to work for them, and men to carry equipment; raped women as a means of punishment and to inspire fear and cooperation; forced individuals to commit atrocities under penalty of their own mutilation or death; commandeered relief supplies; and vandalized religious institutions, hospitals, and schools.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government restricted these rights during the year. The Government has attempted to regulate the press through registration, and attempts to control the publication of information on security-related topics.

There are over 50 newspapers published in Freetown alone, covering a wide spectrum of interests. Their number fluctuated weekly; many contained sensational, undocumented stories and repeated items carried by other newspapers. Newspapers openly and commonly criticized the Government and its officials, as well as the rebel forces.

Due to low levels of literacy and the relatively high cost of newspapers and television, radio remained the most important medium of public information. There were several government and private radio and television stations; both featured domestic news coverage and political commentary. The government-controlled Sierratel communications company provided Internet access in Freetown, although the condition of its land lines often made Internet reception problematic.

The Junta arrested three journalists and detained them for several weeks (see Section 1.d.).

The Government generally respected academic freedom. All institutions of higher learning were wholly or partly closed during the year; most had been looted, burned, or used as quarters by rebels.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the Government respected this right in practice. The Government was not known to deny requests to use public areas for meetings or demonstrations, many of which took place throughout the year. The Constitution provides for freedom of association and the government respected this right in practice. There were numerous civic, philanthropic and social organizations, and the registration system was routine and apparently nonpolitical. There were more than a dozen opposition parties, and there were no known restrictions on their formation or organization.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respected this right in practice.

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d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice. However, numerous ECOMOG and government roadblocks throughout the country due to the security situation hindered free movement. Citizens were required to get a police clearance within the 72 hours before international travel, but such clearances were issued nonrestrictively; the Government did not attempt to limit citizens' departure or return for political or discriminatory reasons. There were reports of attempts by troops manning roadblocks to extort food or money from travelers.

At year's end, more than one million citizens, more than one-quarter of the population, either were displaced internally or had fled the country to escape the continuing insurgency. More than 500,000 persons were in refugee camps in Guinea and Liberia; others had fled to The Gambia, Cote d'Ivoire, and other destinations in Africa, and still others were in countries outside Africa. Although thousands returned from abroad after the restoration of the Kabbah Government, most remained outside the country because of continuing security concerns.

There is no formal process for granting political asylum. The Government cooperated with the United Nations High Commission for Refugees (UNHCR) and other organizations on repatriation matters, and continued to provide first asylum to over 5,000 Liberians who had fled to Sierra Leone because of conflict in their home country in earlier years of the decade. There were no reports of the forced return of persons to countries where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides for the right of citizens to change their government, and the 1996 elections won by Ahmed Tejan Kabbah and his Sierra Leone People's Party were the first free and fair multiparty elections held in the country in 30 years. In March the democratically elected Kabbah Government, which had assumed power in 1996 and which was deposed by the combined AFRC and RUF forces in May 1997, was restored to power. Several political parties were represented in the unicameral legislature. Local government was controlled by locally elected councils and a traditional chieftancy system. Preparations for local elections were in progress at year's end.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views. Representatives of various local and international nongovernmental organizations (NGO's), foreign diplomats, the ICRC, and U.N. human rights officers were able to monitor freely and fully the major treason trials, and visit prisons and custodial facilities.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination against women and provides for protection against discrimination on the basis of race and ethnicity, except for the long-time prohibition against citizenship for persons with a non-African father. This provision effectively blocks citizenship for much of the sizable Lebanese community, and for other persons with non-African fathers.

Women

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Violence against women, especially wife beating, is common. Police are unlikely to intervene in domestic disputes except in cases involving severe injury or death. Domestic violence is not recognized as a societal problem. However, rape is recognized as a societal problem punishable by up to 14 years imprisonment. There is a significant amount of prostitution: Many women, especially those displaced from their homes and with few resources, resort to it to secure income for themselves and their children. Rebel forces used rape as a terror tactic (see Sections 1.c. and 1.g.).

The Constitution provides for equal rights for women, but in practice women face both legal and societal discrimination. In particular, their rights and status under traditional law vary significantly depending on the ethnic group to which they belong. The Temne and Limba tribes of the north afford greater rights to women to inherit property than does the Mende tribe, which gives preference to male heirs and unmarried daughters. However, in the Temne tribe, women cannot become paramount chiefs. In the south, the Mende tribe has a number of female paramount chiefs. Women are nevertheless very active in civic organizations and NGO's, and were instrumental in pressuring the previous government to allow free and fair multiparty elections in 1996.

Women do not have equal access to education, economic opportunities, health facilities, or social freedoms. In rural areas, women perform much of the subsistence farming, and have little opportunity for formal education. The average educational level for women is markedly below that of men; only 6 percent are literate. At the university level, men predominate.

Children

Although the Government is committed to improving children's education and welfare, it lacks the means to provide basic education and health services for them. Schools, clinics, and hospitals throughout the country have been looted and destroyed during the 8-year RUF insurgency, and most have not been replaced. Although in November, the Government began a program to pay the fees for 3 years of schooling for all children, lack of schools and teachers still place even this much education out of the hands of many. Schools are financed largely by formal and informal fees that many families cannot afford.

The recruitment for military service by the CDF and the kidnaping and forced conscription of children into rebel forces were a serious problem; an estimated 5,000 youthful soldiers served alongside adults during the civil conflict. While the CDF forces accept children as volunteers, most children who join the insurgent ranks do so under duress: For years rebels have kidnapped young boys and girls to serve them and augment their forces. In some cases they have forced these children to commit atrocities involving family members. There are now several programs to deal with former child combatants, including those who have escaped from rebel forces. However, even children who escape and wish to leave the ranks sometimes are rejected by their families and communities for their perceived involvement in rebel activities.

Female genital mutilation (FGM), which is condemned by international health experts as damaging to both physical and psychological health, is widely practiced among all levels of society, although with varying frequency. The form practiced is excision. Some estimates of the percentage of women and girls who undergo the practice range as high as 80 to 90 percent. While UNICEF estimates the percentage of females who have undergone this procedure to be as high as 90 percent, local groups believe this figure is overstated. There is no law prohibiting FGM. There are a number of NGO's that are working to inform the public about the harmful health effects of FGM and to eradicate it; however, an active mass campaign by secret societies countered the

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well-publicized international efforts against FGM.

Occasional instances of ritual murders of boys and girls, as well as adults, associated with illegal secret societies, have been reported in the past. There were no reported cases this year.

People with Disabilities

Questions of public facility access and discrimination against the disabled have not become public policy issues. No laws mandate accessibility to buildings or provide for other assistance for the disabled. Although a few private agencies and organizations attempted to train the disabled in useful work, there was no government policy or program directed particularly at the disabled. There does not appear to be outright discrimination against the disabled in housing or education. Given the high rate of general unemployment, however, work opportunities for the disabled appear to be few.

Some of the many individuals who were maimed in the fighting, or had their limbs amputated by rebel forces, are receiving some special assistance from various local and international humanitarian organizations. Such programs involve reconstructive surgery, prostheses, and vocational training to help them acquire new work skills.

National/Ethnic/Racial Minorities

The country's population is ethnically diverse, and consists of members of at least 13 ethnic groups. These groups generally all speak distinct primary languages and are concentrated regionally outside urban areas. However, all ethnic groups use Krio as a second language, there was little ethnic segregation in urban areas, and interethnic marriage is common. The two largest ethnic groups are the Temne in the northern part of the country and the Mende in the southern part; each of these groups is estimated to make up about 30 percent of the population.

Ethnic loyalty remained an important factor in government, the military, and business. Complaints of corruption within ethnic groups and ethnic discrimination in government appointments, contracts, military commissions, and promotions were common. There did not appear to be a strong correspondence between ethnic or regional and political cleavages. Ethnic differences also did not appear to contribute appreciably to the RUF rebellion, the 1997 coup, or the civil conflict during the year. There was no identifiable ethnic or regional base of voluntary popular support for the rebels, who controlled territory by terror and coercion rather than by popular consent.

Residents of non-African descent face institutionalized political restrictions. The Constitution restricts citizenship to persons of patrilineal Negro-African descent. This constitutional restriction effectively denies citizenship to many long-term residents, notably the Lebanese community.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right of association and, in practice, under the restored Government, workers had the right to join independent trade unions of their choice. About 60 percent of the workers in urban areas, including government workers, are unionized, but there has been little success in organizing agricultural and mine workers. All labor unions by custom join the Sierra Leone Labor Congress (SLLC), but such membership is voluntary.

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The Trade Union Act provides that any five persons may form a trade union by applying to the Registrar of Trade Unions, who has statutory powers under the act to approve the creation of trade unions. The Registrar may reject applications for several reasons, including an insufficient number of members, proposed representation in an industry already serviced by an existing union, or incomplete documentation. If the Registrar rejects an application, his decision may be appealed in the ordinary courts, but applicants seldom take such action.

There is a right to strike, although the Government can require 21 days' notice. Union members may be fired for participating in even a lawful strike. There were no reported strikes during the year.

Unions are free to form federations and to affiliate internationally. The SLLC is a member of the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively

The Regulation of Wages and Industrial Relations Act provides the legal framework for collective bargaining. Collective bargaining must take place in trade group negotiating councils, each of which has an equal number of employer and worker representatives. Most enterprises are covered by collective bargaining agreements on wages and working conditions. The SLLC provides assistance to unions in preparations for negotiations; in case of a deadlock the Government may intervene.

No law prohibits retribution against strikers. An employee fired for union activities may file a complaint with a labor tribunal and seek reinstatement. Complaints of discrimination against trade unions are made to a tribunal. Individual trade unions investigate alleged violations of work conditions to try to ensure that employers take the necessary steps to correct abuses.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced and bonded labor, including that by children. However, under the Chiefdom's Council Act, compulsory labor may be imposed by individual chiefs, who may require members of their villages to contribute to the improvement of common areas. This practice exists only in rural areas. There is no penalty for noncompliance. The last Saturday in each month is declared a National Cleanup Day; in Freetown traffic is proscribed before 10:00 a.m. so that everyone may clean their immediate area. There have been reports of security forces publicly humiliating citizens to ensure compliance; however, social and community values and pressures largely unrelated to the State were chiefly responsible for widespread compliance. There were no legal or formal governmental consequences of noncompliance.

The AFRC and particularly RUF rebels forcibly impressed young boys and girls into their ranks and forced them into involuntary servitude, and to perform as sexual slaves. Many later become fighters with the rebel forces

(see Section 5).

d. Status of Child Labor and Minimum Age for Employment

The minimum age for employment is officially 18 years, but in practice there is no enforcement of this law because there is no government entity charged with the task. Children routinely assist in family

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businesses and work as petty vendors. In rural areas, children work seasonally on family subsistence farms.

Because the adult unemployment rate remains high, few children are involved in the industrial sector. Children have been hired by foreign employers to work as domestics overseas at extremely low wages and in poor conditions. The Department of Foreign Affairs and International Cooperation is responsible for reviewing overseas work applications to see that no one under the age of 14 is employed for this purpose.

School attendance through primary school is required by law. However, there is a shortage of schools and teachers, due both to inadequate government funding of public education, and to widespread destruction of educational facilities by rebel forces. Consequently, a large number of children receive little or no formal education. Many consequently enter the workforce with few skills and with limited, if any, literacy. The Constitution prohibits forced and bonded labor, including that by children; however, there was some compulsory labor possibly including labor by children in rural areas (see Section 6.c.).

e. Acceptable Conditions of Work

There is no minimum wage. Purchasing power continues to decline through inflation. Most workers support an extended family, often including relatives who have been displaced by the insurgency in the countryside, and it is common both to pool incomes and to supplement wages with subsistence farming.

The Government's suggested work standard is 38 hours per week, but most workweeks for those who are employed exceed that figure. Although the Government sets health and safety standards, it lacks the funding to enforce them properly.

Trade unions provide the only protection for workers who file complaints about working conditions. Initially, a union makes a formal complaint about a hazardous working condition. If this complaint is rejected, the union may issue a 21-day strike notice. If workers remove themselves from dangerous work situations without making a formal complaint, they risk being fired.

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SIERRA LEONE
Childhood - a casualty of conflict

Introduction

More than 5,000 children under the age of 18, both boys and girls and some as young as five, have fought as combatants in Sierra Leone's internal armed conflict. Children have been specifically singled out for recruitment by both the armed opposition and forces fighting in support of the government. Most of the children fighting with rebel forces have been abducted from their homes and families and forced to fight. Many were separated from their families at a very young age. Victims themselves, they have also been perpetrators of human rights abuses, sometimes against members of their own families and communities. Many have been forced to kill and mutilate under the influence of drugs, alcohol or simply because of fear. Former child combatants often say that they do not know why Sierra Leoneans are killing Sierra Leoneans.

A further 5,000 children, again both boys and girls, have been associated with rebel forces although not directly deployed in combat; they have been used to carry goods, cook or collect firewood, and girls have been raped and forced into sexual slavery. Some girls are forced to "serve" many male combatants.[1]

These are the figures provided by the United Nations Children's Fund (UNICEF) but they are estimates; the real figures may be much higher. The Special Representative of the United Nations (UN) Secretary-General for Children and Armed Conflict, after a visit to Sierra Leone, said on 9 September 1999 that '*more than 10,000 children have been serving as child soldiers in various fighting groups*'.

On 7 July 1999 in Lomé, Togo, the government of Sierra Leone and the armed opposition Revolutionary United Front (RUF) signed a peace agreement which was to end Sierra Leone's eight-year conflict. The difficult task of disarming and demobilizing very large numbers of child combatants and helping them to return to a normal life with their families and communities began.

While some progress was being made towards securing the release, disarmament and demobilization of child combatants following the signing of the peace agreement, further efforts have since been curtailed. The political and security situation in Sierra Leone deteriorated in early May 2000 with the capture of some 500 UN peace-keeping troops by rebel forces and a resumption of hostilities. The recruitment and use of children as combatants by both rebel forces and government-allied forces are continuing. This is among the most distressing

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[1]For further information about the abduction, rape and other forms of sexual violence committed against girls and women, see *Sierra Leone: Rape and other forms of sexual violence against girls and women* (AI Index: AFR 51/35/00), published by Amnesty International on 29 June 2000.

features of a conflict which has also been characterized by systematic and widespread deliberate and arbitrary killing, amputation of limbs and mutilation, rape and other forms of sexual violence.[2]

In this report Amnesty International describes the violation of the most fundamental rights of the children of Sierra Leone. Much of the information included comes from the children themselves who were interviewed by Amnesty International representatives during visits to Sierra Leone in March, June and July 2000.

The scale of the problem of child combatants in Sierra Leone is well known and has been recognized, including by the UN Secretary-General, his Special Representative for Children and Armed Conflict, UNICEF, the UN Committee on the Rights of the Child, the government of Sierra Leone and non-governmental organizations, both national and international. There is a wealth of international and regional standards, resolutions and statements on the protection of children in situations of armed conflict. What is now urgent is to give substance to the repeated commitments to end the recruitment and use of children as combatants, by whatever side.

Amnesty International is making a series of recommendations to the government of Sierra Leone, the leaders of RUF forces and the international community aimed at finally ending the use of child soldiers in Sierra Leone. These include:

- the highest priority should be given to resuming the disarmament, demobilization and reintegration of child combatants, and prompt and effective measures should be taken to ensure that no child under the age of 18 is recruited for military service, including by passing legislation raising the minimum age for military recruitment to 18;

- all children held by RUF forces, either used as combatants or in any way associated with fighting forces, should be released immediately and RUF forces should immediately cease forcible or voluntary recruitment and use of children under the age of 18;

- in all efforts by the international community to resolve the political and security crisis in Sierra Leone, the needs of children affected by the internal armed conflict, including

[2] For further information about human rights committed during the conflict, see previous reports published by Amnesty International, in particular: *Sierra Leone: Recommendations to the international contact group on Sierra Leone, New York, 19 April 1999* (AI Index:AFR 51/05/99), 19 April 1999; *Sierra Leone: 1998 - a year of atrocities against civilians* (AI Index: AFR 51/22/98), November 1998; *Sierra Leone: A disastrous set-back for human rights* (AI Index: AFR 51/05/97), 20 October 1997; *Sierra Leone: Towards a future founded on human rights* (AI Index: AFR 51/05/96), 25 September 1996; and *Sierra Leone: Human rights abuses in a war against civilians* (AI Index: AFR 51/05/95), 13 September 1995.

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child combatants, should be given the highest priority and concrete steps should be taken to implement commitments made to end the recruitment and use of child combatants in Sierra Leone;

- those responsible for grave breaches of international human rights law and humanitarian law, including the abduction and forcible recruitment of children, should be brought to justice.

The use of child combatants in the internal armed conflict

Children have fought with the various forces involved in Sierra Leone's internal armed conflict which began in 1991. These forces include the RUF, the Armed Forces Revolutionary Council (AFRC), the Sierra Leone Army and the Civil Defence Forces (CDF). The AFRC came to power following the military coup on 25 May 1997 which overthrew the government of President Ahmad Tejan Kabbah elected in 1996. The AFRC joined forces with the RUF after coming to power and remained its ally after the AFRC was forced from power in February 1998 by forces deployed in Sierra Leone by the Economic Community of West African States (ECOWAS), known as ECOMOG. With the signing of the peace agreement in July 1999, the AFRC allied itself to the government of President Kabbah but some of its forces continued to engage in hostilities against government-allied forces. Rebel forces who remain in control of parts of the north and east of the country continue to forcibly recruit and use child soldiers. Previously disarmed and demobilized members of the AFRC and those members of the Sierra Leone Army who had remained loyal to the government, including children under the age of 18, have again been recruited and rearmed to fight on behalf of the government since May 2000. Large numbers of children have also been recruited and used in combat by the CDF, the civilian militia based on societies of traditional hunters, such as the *kamajors*, which support the government of President Kabbah.

The involvement of children in conflict has devastating effects on their physical and mental integrity. There have been higher casualty rates among children because of their inexperience, fearlessness and lack of training. Children are considered as particularly useful because their size and agility means that they may be sent on particularly hazardous assignments. Frequently ill-treated or even killed by the commanders, they have no protectors. Adult combatants who commit human rights abuses, including crimes against humanity and war crimes, involve children in those crimes. In addition to the obvious risks of death or serious injury in combat, children suffer disproportionately from the general rigours of military life, especially in the bush, and are particularly vulnerable to disease and malnutrition. As for the severe psychological consequences of active participation in hostilities, with children witnessing and at times also committing atrocities, the full extent of the impact on child combatants as well as society as a whole may only become apparent over a long period.

Former child combatants tell their stories

Those children who have been released or have escaped and who have been disarmed and demobilized provide horrifying accounts of how the conflict has affected them. The names of the children whose testimonies are included have been changed in order to protect their identities. Most were interviewed by Amnesty International representatives during June and July 2000.

Child combatants live in constant fear of being beaten and killed. Many former child combatants describe being threatened, intimidated and severely beaten; others recount the killing of their friends and companions. Former child combatants describe the killings and mutilations of civilians which they carried out while fighting. If they refused, they risked being beaten or killed. Peter, a 12-year-old former child combatant, said: "*When I was killing, I felt like it wasn't me doing these things. I had to because the rebels threatened to kill me.*"

Former child combatants fighting with RUF

Ibrahim is now aged 16 and living at a centre for former child combatants at an internally displaced people's camp at Waterloo, 20 kilometres east of Freetown. He was captured by the RUF in 1992 in Kono District, Eastern Province, and from there was transferred to the rebel stronghold of Kailahun District, also in Eastern Province. He was taught how to use weapons, how to advance and attack the enemy and how to ambush. He described how before attacks, each combatant, including child combatants, was given cocaine and marijuana: "*After sniffing cocaine, I was not afraid of anything. I became bloody.*"

Ibrahim told Amnesty International on 19 June 2000 that when the RUF forces with whom he fought heard that RUF leader Foday Sankoh was going to be tried in 1998: "*We were ordered to kill any civilian that we came across. Any fighter or children suspected of being reluctant to do the killings were severely beaten. We were asked to advance and to do everything possible to terrorize the civilians. It was during this period that people's hands and limbs were cut off, in Kono, Masingbi, Matatoka, Magburaka and Makeni.*
During that time, one of the children asked the commander the reasons for the killings. He said that the civilians were supporting President Kabbah's government. Sheriff Kabia, who was 17 and known as 'Crazy Jungle', was killed because he asked this question." Sheriff Kabia was reported to have been killed in November 1998. Ibrahim also described the death of Mamadu Kamara, aged 14, who was killed because he refused to cut off the hand of someone from his own village.

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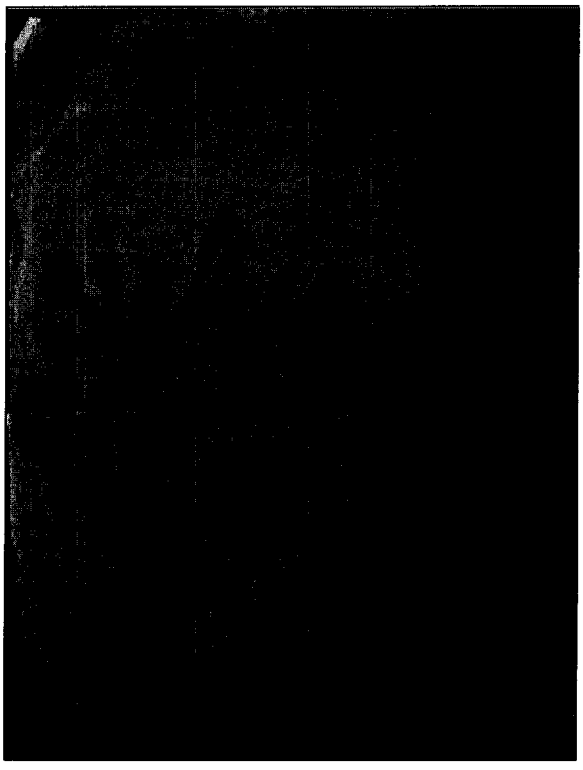

Drawing by a former child combatant at the interim care centre at Lungi
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Abdul, now aged 17, was abducted by the RUF in 1997 during an ambush in Kenema District, Eastern Province. He told Amnesty International on 21 July 2000 that he was taken to an RUF training camp, known as Camp Lion, near Pendembu in Kailahun District where he was trained by both Sierra Leoneans and Liberians. He was taught to use a variety of weapons, including AK47 and AK58 rifles, which he said came from Liberia. "*After the Lomé peace accord, we thought that was the end of the whole war. We were waiting to disarm; there was no fighting. Instead we all went to Tongo Field to mine. Most rebels did that.*" Abdul was then ordered to go to Lunsar, Port Loko District: "*We didn't even reach the front line when we met some wounded colleagues. I wanted to surrender but I was afraid.*" When he gave himself up to Sierra Leone Army forces, his arms were tied tightly behind his back; rope marks on both arms were still visible. He was first taken to Masiaka, some 50 kilometres east of Freetown, where he was hit on the head with a pistol by a soldier and then transferred to

Cockerill military headquarters in Freetown. "*They threatened to kill me. For the first week I was treated badly but then I was given food and water and no one treated me badly. For the first two weeks I was not allowed out of the cell.*" He remained there for more than three weeks before being transferred to an interim care centre in Freetown. "*I want to go back to school but here in Freetown, not in the provinces. I am scared that I'll get taken back to the front line.*"

David, now aged 14, from Bumbuna, Tonkolili District, Northern Province, was abducted in 1996 by the RUF when they attacked Bumbuna. He is now at a centre established to care for former child combatants, known as an interim care centre, run by an international non-governmental organization, in Freetown. When interviewed by Amnesty International on 12 July 2000, he said that after his abduction he was taken first to Kabala, Koinadugu District, Northern Province, and then to Bunumbu in Kailahun District, an RUF stronghold. There he, together with another 40 children, was trained to fight at Camp Lion. "*I had to go through the training and learn to fight, otherwise the RUF people would beat me or kill me.*" Among those killed by the RUF during the training was a boy, aged about 11, with whom David had become friends. He was beaten to death because he refused to continue training. He had complained of being tired - the training was difficult and he was exhausted. He was beaten in front of more than 30 other children and his body was thrown into the bush. Another child, aged 14, was also beaten and killed.

David described how, even under the influence of marijuana and alcohol, he was still afraid to fight, but he did not tell anyone for fear of being killed. David remained with rebel forces for three years until surrendering to forces of the UN Mission in Sierra Leone (UNAMSIL) at Makeni, Bombali District, Northern Province, after the peace agreement was signed in July 1999. Now at the interim care centre, he said: "*I want to become a doctor now and go back to school to learn how to cure people.*"

Many former child combatants with rebel forces have described how they were forced to drink alcohol and take drugs and the effect that it had on them. Among the drugs used were marijuana, amphetamines, commonly referred to as "blue boats", and cocaine. When child combatants refused to take drugs they were beaten and, in some cases, killed.

Komba, now aged 15, was captured by the RUF in 1997 in Binkolo, Bombali, District. Now at the centre for former child combatants at Waterloo, he told Amnesty International on 20 June 2000 that he was among rebel forces who attacked Freetown in January 1999: "*My legs were cut with blades and cocaine was rubbed in the wounds. Afterwards, I felt like a big person. I saw the other people like chickens and rats. I wanted to kill them.*"

When interviewed by Amnesty International on 20 June 2000, Gibril, aged 11, said: "*Before battles, I was given white powder which was mixed with rice. It made me brave, it made me think that I could do anything.*"

Fifteen child combatants, including at least two girls, were among some 2,500 Sierra Leonean refugees who fled into Gueckédou in Guinea during the first two weeks of August 2000 to escape intensified fighting and bombing by government forces of rebel-held areas in Eastern Province. All but one had been abducted by rebel forces and forced to fight for periods of up to seven years. According to the UN High Commissioner for Refugees (UNHCR), all the children said that they had been heavily drugged with cocaine and they acknowledged that they had been extremely brutal. They were separated from other refugees because they feared that victims of the atrocities which they had committed would recognize them.

Former child combatants fighting with the AFRC

After being removed from power in February 1998 by ECOMOG forces acting in support of President Kabbah, the AFRC, together with the RUF, wreaked a campaign of terror against civilians, particularly in Northern Province. From April 1998 reports emerged of widespread killings, amputations and abductions in villages in Northern Province.

When interviewed on 19 June 2000 by Amnesty International, Sayo, now aged 14, said that he was abducted by AFRC forces in 1998 in Makali, Tonkolili District. He was trained in different places, including Koinadugu District. He described how his skin was cut in different places, including near his eyes, and cocaine put in the wounds. "*When I go to the battle fields, I smoke enough. That's why I become unafraid of everything. When you refuse to take drugs, it's called technical sabotage and you are killed.*" After the peace agreement was signed in July 1999 Sayo was freed and taken to a centre for former child combatants run by a non-governmental organization, CARITAS-Makeni, in Kabala. He is now at the centre for former child combatants at Waterloo.

Hassan, now aged 15, from Makeni, told Amnesty International on 21 July 2000 at a centre for former child combatants in Freetown that he was abducted with four of his cousins by the AFRC in 1998 when he was aged 13. He was trained in a camp near Kabala where he was given an AK 47 rifle. He claimed that there were several hundred other young boys in the camp. The training lasted three months. He had to learn how to dismantle a weapon, how to use a rocket propelled grenade (RPG), how to attack, how to undertake guard duty and how to parade. He also said that he had to parade for AFRC leaders, including Johnny Paul Koroma, now head of the Commission for the Consolidation of Peace, established under the July 1999 peace agreement, and Brigadier, now Colonel, Gabriel Mani, who was appointed in July 2000 as Director of Army Training.

Hassan spent over a year with the AFRC in Kono District, Eastern Province. Following the signing of the peace agreement in July 1999 he remained with the AFRC in the Occra Hills, some 40 kilometres east of Freetown, the stronghold of a faction of the AFRC known as the "West Side Boys" who had not disarmed after the peace agreement. In late June

2000 Hassan travelled to Freetown to purchase drinks for the "West Side Boys". He was not armed and he travelled in a public transport vehicle. At a checkpoint he was recognized as a West Side Boy by members of the Sierra Leone Army and the *kamajors* and ordered to get out of the vehicle. His shoes and trousers were removed but, initially, he was not otherwise ill-treated. He was taken to Benguema military training camp, 20 kilometres east of Freetown, and the following day to Cockerill military headquarters in Freetown. He was interrogated about a recent attack on the town of Masiaka. One soldier, however, beat him severely on his back; three weeks later, in July 2000, deep scars were still visible. The beating was stopped by a more senior officer.

Hassan said: "*At first, I loved being in the bush. I could get money and other things, including vehicles, for free. But then I got tired. Now I want to go home.*"

When interviewed on 24 July 2000 John, now aged 15, from Mokanji, Moyamba District, Southern Province, did not remember when he had been abducted by the AFRC and did not know what had happened to his family. He was threatened that he would be killed if he did not go with the AFRC and was taken to Makeni where he was trained how to use weapons and how to fight the CDF and ECOMOG. John said that he was told not to kill civilians and that civilians were killed in the cross-fire. He was also instructed not to loot property but said that many AFRC members did engage in looting. "*I was not happy living in the bush but I had no way to escape. I asked to leave and was told 'go if you can' but I then saw children being killed - many of them - when they tried to escape to go home. I was afraid of fighting but I was given 'blue boats'. After that I felt like I could do anything. I never refused to take drugs.*"

John recalled that children were punished if they refused to obey orders: "*I was punished after I was asked to be part of an advance team to attack Koinadugu. I was not feeling well; I was feeling sick and had a stomach ache. I said that I could not go and fight. The commander ordered other small boys to beat me. After I was beaten a doctor who had been captured helped me.*"

Isatu, a girl now aged 17, was abducted by AFRC forces from Fadugu, Koinadugu District, in 1998. She told Amnesty International on 24 July 2000 at a centre for former child combatants: "*I did not want to go; I was forced to go. They killed a lot of women who refused to go with them.*" She was forced to become the sexual partner of the combatant who captured her and is now the mother of their three-month-old baby: "*When they capture young girls, you belong to the soldier who captured you. I was 'married' to him.*"

Isatu was trained in a base near Kabala to use weapons, including a bayonet, gun and knife, and fought in the area around Fadugu and Makeni. She admitted that she had cut off the hands of children and adults, and set fire to houses with civilians locked inside. "*There is a law of the AFRC that forces you to kill; if you refuse to, you yourself are killed.*"

Former child combatants fighting with the CDF

Child combatants recruited by the CDF have also recounted their experiences. The parents of 12-year-old Brima, now at the centre for former child combatants at Waterloo, gave permission to the CDF to use him as a child combatant in 1998. He continued to live at his home but was active with the CDF in areas around Masiaka, Port Loko and Yele. He was trained to fight by CDF "initiators", those who admit members into the societies of traditional hunters. Brima told Amnesty International on 20 June 2000 that when children disobeyed orders they were beaten unless their parents paid a fine. Brima recalled: "*I was beaten because I became separated from a CDF patrol.*"

Brima recounted that when a rebel is caught, his arms are tied up behind his back. The captive is then interrogated and stabbed to death. "*I saw four executions.*"

Mohamed, also aged 12, from Port Loko, Port Loko District, Northern Province, was recruited by the CDF in 1998. His parents were not informed about the recruitment but they did nothing to prevent it because of the status attached to membership of the society of traditional hunters, such as the *kamajors*, described by Mohamed as "*the supremacy of the society*". In addition to carrying water and machetes for the CDF, he escorted captured rebels to the Sierra Leone Army. He also described to Amnesty International on 20 June 2000 how the CDF executed rebels they had captured or those suspected of being rebels: "*I saw three captured rebels being killed; their heads were cut off. The children had to bring the heads to the SLA [Sierra Leone Army] headquarters to show that the CDF were effective.*"

Rehabilitating child combatants

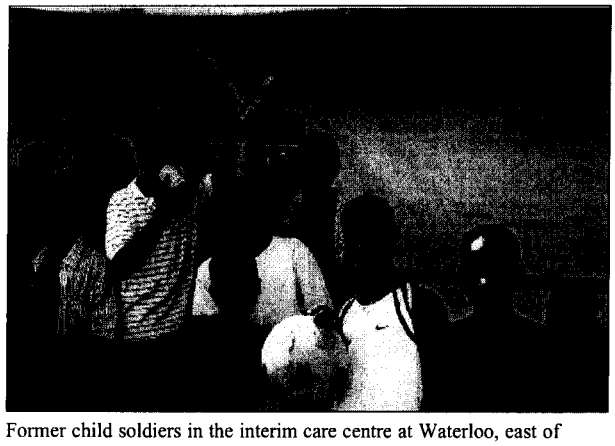
Until the resumption of hostilities in May 2000 UNAMSIL, including its human rights section, played an important role in negotiating the release of children held by rebel forces and providing logistical support and military escorts to ensure their safe transfer to interim care centres. It worked with a number of non-governmental organizations, both national and international, who have been active in trying to secure the release of children and to provide the assistance they need. In March 2000 UNICEF and non-governmental organizations were supporting more than 700 children in interim care centres; about 80 per cent of these were demobilized child combatants.

Following the July 1999 peace agreement and before the resumption of hostilities in May 2000, specific procedures had been adopted for child combatants. When children presented themselves to a disarmament, demobilization and reintegration reception centre - sometimes simply a table in the middle of the road - those who were not combatants were handed over to child protection agencies and taken to an interim care centre. If, after questioning, it was established that they were combatants, they were transferred to the

children's sections of disarmament, demobilization and reintegration camps. For those who had fought with the RUF, the AFRC or the former Sierra Leone Army this program lasted for five weeks; for those with the CDF a shorter program was provided because normally the children had not been separated from their families and communities.

At interim care centres former child combatants are provided with medical treatment, food and clothing, psycho-social rehabilitation, education and recreation. Some of the older children, especially those who had spent months or years with rebel forces, have bullet wounds or other injuries. Malnutrition, respiratory and skin infections and other ailments are common, as are sexually transmitted diseases, including HIV/AIDS. Some still suffer the effects of narcotic drugs.

When Amnesty International met former child combatants at the centre for former child combatants at Waterloo on 25 March 2000, a boy aged 14 who had been abducted by AFRC forces in 1998 said: "*I want to go to school and learn so that I can forget the old times.*" Another former child combatant interviewed at Waterloo on 19 June 2000 said: "*We want to go back to school; we don't want to go back to the bush.*"



Former child soldiers in the interim care centre at Waterloo, east of Freetown, 25 March 2000
© Amnesty International

The psychological effects of the conflict on children have often been severe: many have killed, mutilated or raped or have witnessed such atrocities. During the rebel incursion into Freetown in January 1999 - when at least 2,000 civilians were killed, more than 500 people had limbs severed, and rape of girls and women was systematic - it was estimated that some 10 per cent of rebel combatants were children. Often under the influence of drugs, many of them

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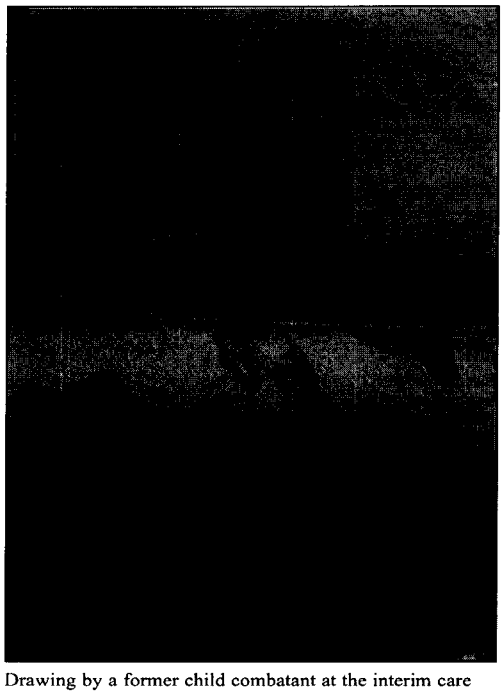
committed atrocities. During the first few weeks after they are disarmed and demobilized, former child combatants are reported to be often aggressive and violent, to show other behavioural problems, to suffer nightmares, alienation, outbursts of anger and an inability to interact socially.

In a report published in January 2000, the international humanitarian organization *Médecins sans Frontières* (MSF-Holland) said that: "*The psychological impact of actually witnessing horrific events imposes a serious psychological stress. Deliberately or not, witnessing at least once events such as torture, execution, (attempted) amputations, people being burnt in their houses and public rape often results in traumatic stress or even post-traumatic stress disorder.*"[3]

At an interim care centre in Lungi, former child combatants have been encouraged to make drawings of their experiences as child combatants. Many have depicted horrific scenes of the mutilation, rape and killing in which they have been involved.



Drawing by a former child combatant at the interim care centre at Lungi
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[3] *Assessing Trauma in Sierra Leone*, Médecins Sans Frontières (Holland), 11 January 2000.

After considering Sierra Leone's initial report under the UN Convention on the Rights of the Child in January 2000, the UN Committee on the Rights of the Child expressed concern that the government had insufficient capacity to provide psycho-social assistance to the many children who have suffered forms of psychological trauma. The Committee urged the government to make every effort to strengthen available psycho-social assistance and to recruit more mental health workers, recommending in addition that the government seek international assistance in this area.

After undergoing the demobilization and rehabilitation process, efforts are made to reunite former child combatants with their families. Child protection agencies have developed programs for family tracing and reunification, often with success. In some cases, however, former child combatants, especially the younger ones, do not know their real names and have lost all knowledge of what a family is. One boy now aged 16, who was abducted by the RUF in 1992, said: "*The commander told me when I was captured: 'Your father is gone. Now I am your father'.*" Another, aged 15, who was abducted in 1997 said: "*After you are captured you cannot think about your family; that is out. Sometimes, when I was by myself, I would think about them. But when you are captured you have to change or you are a dead man.*"

Many former child combatants have been transferred to the province from which they originally came, if this has been possible, in order to increase the possibility of tracing their families. In other cases, however, their parents have been killed or displaced. Where their families cannot be traced, the children are placed temporarily with foster families. Significant efforts have been made to sensitize communities to the plight of former child combatants and to promote reconciliation. In some cases, however, former child combatants have been rejected by their families and communities because of the atrocities committed by rebel forces during the conflict. One 16-year-old former child combatant said: "*I don't want to go back to my village because I burnt all the houses there. I don't know what the people would do, but they'd harm me. I don't think I'll ever be accepted in my village.*"

Girls who have been abducted and forcibly recruited often face specific problems. When an Amnesty International delegation visited Sierra Leone in March 2000, it identified that the process of disarmament, demobilization and reintegration of former combatants appeared often not to provide any real opportunity to those girls and women who had been abducted by rebel forces and forced to become their sexual partners to free themselves from former combatants when they reported for disarmament and demobilization. The Fourth Report of the UN Secretary-General on UNAMSIL of 19 May 2000 recognized "*the need to protect dependants of ex-combatants, the majority of whom are women and children*" and that "*the majority of 'wives' of the combatants are in fact abductees and, if not interviewed separately*

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from their 'husbands', would most likely not feel free to express their wish to return to their original families".[4]

Effective provision needs to be made for those girls and women, many of whom are pregnant or have young children, to leave former combatants, if they wish. This would require: firstly, the opportunity to indicate privately to UN personnel their desire to leave the men who abducted and sexually abused them; secondly, support to enable them to receive all necessary medical and psycho-social care; and thirdly, support either to return to their families where this is possible or to re-establish their lives together with their children.

In Resolution 1314 (2000) on children and armed conflict of 11 August 2000 the UN Security Council underlined "*the importance of giving consideration to the special needs and particular vulnerabilities of girls affected by armed conflict, including, inter alia, those heading households, orphaned, sexually exploited and used as combatants*" and urged "*that their human rights, protection and welfare be incorporated in the development of policies and programmes, including those for prevention, disarmament, demobilization and reintegration*".



Former child combatants attending a human rights education session led by a human rights officer for CARITAS-Makeni at the interim care centre at Lungi, July 2000
© Amnesty International

May 2000 - children again forced into conflict

[4]Fourth Report of the Secretary-General on the United Nations Mission in Sierra Leone, S/2000/455.

"A whole generation of children has already been emotionally traumatized and physically scarred. They'd been told that peace had finally arrived. Now what are we supposed to tell them?" - Johanna van Gerpen, UNICEF representative in Sierra Leone, 10 May 2000.

After the signing of a peace agreement between the government and the RUF in July 1999, several hundred children were released by rebel forces; by the end of 1999 some 800 children, many of them combatants, had been handed over to UNICEF and other child protection agencies. During the first months of 2000 there was a significant increase in the release of children, most of them combatants, by AFRC forces from the Occra Hills to the east of Freetown and from Kabala, Northern Province. By the end of April 2000, some 1,700 child combatants, of an estimated total of 5,000, had been absorbed into the disarmament, demobilization and reintegration program. According to estimates by UNICEF, about 800 of them had been reunited with their families or placed in foster care, or had run away, leaving 900 in interim care centres. Several thousand children, however, remained in the hands of rebel forces, particularly in Northern Province.

When the political and security situation in Sierra Leone deteriorated seriously at the beginning of May 2000, fears of an imminent attack on Freetown by rebel forces intensified and hostilities between RUF forces and forces of the Sierra Leone Army, the CDF and UNAMSIL troops were reported close to the capital and in Port Loko District.

Moves to secure the release of children still held by rebel forces halted. Former child combatants in interim care centres in areas where rebel forces were active again became vulnerable to being abducted and forcibly recruited by rebel forces. UNICEF and the child protection agencies with which it works have tried to ensure adequate protection for these children.

In his Fourth Report on UNAMSIL to the UN Security Council on 19 May 2000, the UN Secretary-General cited preliminary reports which suggested that child combatants were being used extensively as hostilities resumed. UNAMSIL human rights officers who visited Masiaka on 15 May 2000 observed several child combatants, mostly boys, with the CDF, the AFRC and former Sierra Leone Army and the reconstituted Sierra Leone Army. Some 25 per cent of the combatants observed were under 18 and some freely admitted that they were between 7 and 14. Almost all of them were armed. Other reports indicated that RUF forces were using a similar proportion of child combatants at the front line. In his subsequent report to the UN Security Council on 31 July 2000, the Secretary-General reported that both the RUF and forces fighting for the government continued to use children in combat.[5] He expressed deep concern about continuing human rights abuses, including the forced recruitment of children, and urged *"all fighting forces to immediately release all child combatants among their forces and to cease the recruitment of children as combatants"*.

[5]Fifth Report of the Secretary-General on the United Nations Mission in Sierra Leone, S/2000/751.

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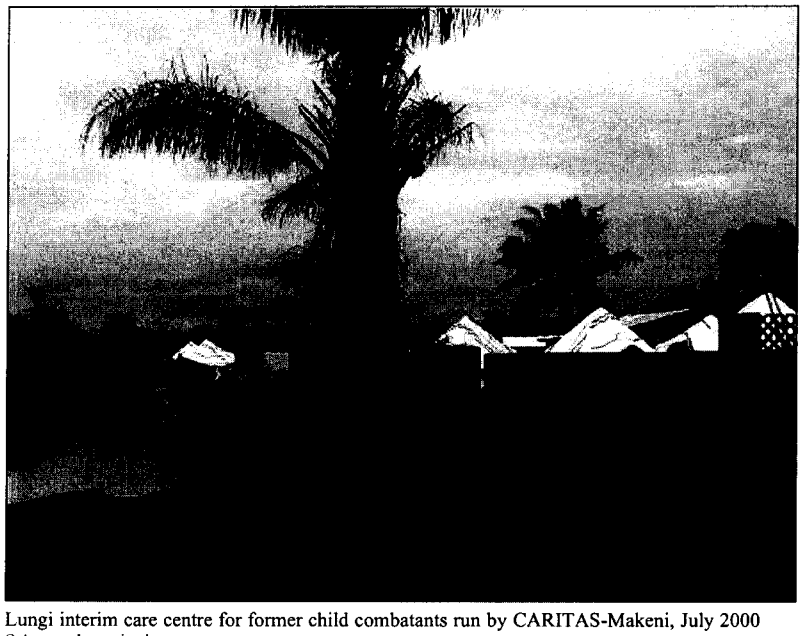
Continuing recruitment of children by the RUF

Since May 2000 RUF forces have continued to abduct and forcibly recruit children as combatants, some of whom had previously been demobilized. While some of the children recruited by both rebel and government-allied forces since May 2000 were forcibly recruited, usually after being abducted, others were reported to have volunteered to join the RUF. It appears, however, that in many cases these children had little option but to do so. Reports from Kambia District, Northern Province, during May 2000 described RUF forces going from village to village demanding a quota of men and boys, most of whom were forced to join under duress. Local traditional rulers, known as Paramount Chiefs, were ordered to provide a certain number of recruits and families were forced to hand over children, including those aged under 18. For example, in Madina Junction, Kambia District, 300 men and boys were demanded. Similar reports have been received from the towns of Kambia and Kamakwie. This practice explained the comparatively high number of young men and boys, without their families, who fled across the border into Forécariah region, Guinea, during May 2000. Reports of forcible recruitment were also received from Mange in Port Loko District.

In Makeni, when the RUF first confronted UNAMSIL troops in early May 2000, children were pressed by RUF forces by threats and intimidation into joining them. RUF commanders positioned vehicles at the entrance of an interim care centre, run by CARITAS-Makeni, and repeatedly coaxed the older boys to rejoin them, through enticement and implicit threat. Some of the children were told by RUF forces that their families had been traced and that the RUF would help them return to their homes. It was also reported that the RUF had threatened to kill all those in the interim care centre if the children did not rejoin the RUF. Staff at the centre believed that up to 30 boys aged from 14 to 17 rejoined the RUF; other estimates put the number of those who rejoined the RUF at 40



Lungi interim care centre for former child combatants run by CARITAS-Makeni, July 2000
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or as many as 50. It appeared that shortage of food at the centre, which had been looted by rebel forces, was also a factor influencing the children's return to rebel forces. The centre had been looted on 2 May 2000 by rebel forces; some of the older boys in the interim care centre had tried to prevent the looting and one of the adult carers, a woman, had been beaten. The rebels came the following day and again looted the centre.

For fear of further attack, on 23 May 2000, 83 children from the centre - 73 boys and nine girls, most aged between 6 and 12 years - and 27 adult carers fled the centre for Freetown. On their arduous three-day trek their remaining possessions, including food and money, were stolen by RUF combatants. When they arrived in Petifu, Tonkolili District, some of the group, both children and adults, were beaten by members of the CDF. The children finally arrived safely in Freetown on 26 May 2000 and were taken to the interim care centre at Lungi.

One former child combatant, Francis, now aged 16 who had been abducted in 1998, described to Amnesty International on 15 July 2000 at the interim care centre in Lungi how RUF forces had tried to lure children back into their ranks from an interim care centre in Lunsar, Port Loko District: "*by then the rebels had moved from Makeni to Lunsar. They came to our camp and asked some children to join them again and we refused. We have rights to live and play. They encouraged us to join them. We told the manager of the centre to move us. At that time there were no vehicles; even the NGO's vehicle was not around. We walked along the road to Rogberi Junction where we met the rebels. They told us to return to our camp. We knew that they were killing people around. After that they said, please, come and join us or we are going to kill you people. After that we fled in the bush.*"

On 31 May 2000 RUF forces were reported to have killed two boys and a young man at the village of Maforay, near Port Loko, after they refused to join them. On 15 June 2000, a farmer from a village near Magbile, Port Loko District, between Masiaka and Rogberi Junction, described to Amnesty International the killing of his sons by RUF forces on 11 June 2000: "*My four sons, aged 11, 21, 23 and 25, were building a new hut when the rebels asked them to join them. They refused and the rebels shot and killed them.*" His three eldest sons were all farmers, married with children; his youngest son worked on his father's farm.

Continuing recruitment of children by government-allied forces

Government-allied forces have also continued to recruit children and use them in combat. Some of the child combatants who had been disarmed and demobilized after the peace agreement were again recruited to fight against the RUF. Government-allied forces comprise a loose alliance of the Sierra Leone Army, the AFRC and the CDF. Although in theory these various forces are under the command of the Chief of Defence Staff, in practice it appears that chain-of-command control is diffuse and often unclear and that, in the confused and unstable situation which prevails, it is unlikely that senior military personnel of the Sierra Leone Army exert effective control over all forces fighting on behalf of the government.

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When an Amnesty International delegation met the Deputy Minister of Defence, Chief Samuel Hinga Norman, who is also the National Coordinator of the CDF, in Freetown on 25 May 2000, he denied that the CDF recruited children or "initiated" them into the societies of traditional hunters. He said that the children with CDF forces had been rescued or captured from rebel forces and that they were handed over to child protection agencies. Chief Hinga Norman has publicly announced that child combatants will be demobilized from government and government-allied forces. In mid-July 2000 he held a meeting in Bo, Southern Province, with CDF leaders and "initiators". He instructed that no further children were to be "initiated" into the CDF. It is not clear, however, to what extent this instruction is being heeded. While it may reduce the number of children newly admitted into the CDF, it does not resolve the problem of those already with CDF forces.

A senior member of the CDF in Kenema, Eastern Province, told Amnesty International on 27 July 2000 that, although he personally opposed the use of children, he acknowledged that it was normal practice within the CDF. He was in the presence of two boys who appeared to be under 18 and who were both armed. He claimed that, before the peace agreement, there were some 600 children in the CDF forces around Kenema but that they were all subsequently demobilized and that there was no further recruitment of children.

On 12 June 2000 in Masiaka, an area where hostilities were continuing, much publicity was given to the apparent demobilization of 135 child combatants with government-allied forces, in particular the CDF. It subsequently transpired, however, that only 13 of these children were serving as combatants, nine with the CDF and four with the AFRC. It appeared that children and their families were attracted by the potential assistance and facilities provided to former child combatants, including food and education, as well as the opportunity to remove the children to safety from an area close to the front line. The children who were not former child combatants, and who had been separated from their families, were subsequently returned to their homes.

According to some reports, recruitment of children by the CDF is continuing in Bo and Moyamba Districts in Southern Province. It is often difficult, however, to distinguish between "initiation" into the societies of traditional hunters and recruitment to fight. Child protection agencies report that recruitment of children, including those who had previously been demobilized, is continuing. According to reports which remain unconfirmed, villages in Southern Province are expected to provide a certain number of children to the CDF. In some areas the CDF appear to be no longer using children so openly to guard checkpoints along major roads in Southern Province; children, some of them armed, have been seen close to checkpoints but hidden in the bush. In late May 2000 two children with the CDF aged about 14 or 15 were observed in Moyamba close to a checkpoint. In other areas, however, an increase in the number of children guarding checkpoints has been observed.

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Arming the children

Military assistance to rebel forces

Rebel forces in Sierra Leone have received and continue to receive significant military assistance, including arms and ammunition, despite a UN embargo on the provision of such assistance. UN Security Council Resolution 1132 (1997) of 8 October 1997 imposed an arms embargo on Sierra Leone following the military coup of 25 May 1997 which brought the AFRC to power. After the government of President Kabbah was restored to power in March 1998, UN Security Council Resolution 1171 (1998) of 5 June 1998 lifted the arms embargo on the government of Sierra Leone but prohibited the sale and supply of arms and related *matériel* to non-governmental forces in Sierra Leone.

In view of the appalling level of human rights abuses against civilians perpetrated by rebel forces, military assistance to rebel forces can be assumed to have contributed, and to continue to contribute, to continuing violations of international human rights and humanitarian law. Among these violations are the recruitment and use of child combatants. Arms and ammunition reaching rebel forces inevitably fall into the hands of the children abducted and forcibly recruited by rebel forces. Traffic in small arms and light weapons clearly facilitates and encourages the use of child combatants. Amnesty International is calling for the cessation of all military assistance to rebel forces in Sierra Leone, including the provision of arms, ammunition, combatants and training.

The government of Liberia has been consistently cited as violating the embargo on military assistance to rebel forces in Sierra Leone. Following a visit to Sierra Leone and Liberia in December 1998 the Chairman of the UN Security Council sanctions committee on Sierra Leone said that arms and ammunition were crossing into Sierra Leone from neighbouring countries, including Liberia, in violation of UN Security Council Resolution 1171 (1998).[6] At the time of the rebel incursion into Freetown in January 1999, the governments of both the United Kingdom (UK) and the United States of America (USA) unambiguously accused the government of Liberia of supporting rebel forces. Burkina Faso has also been reported to have acted as a transit route for military assistance to rebel forces in Sierra Leone. Some of this assistance has originated from countries in the former Soviet bloc and has been facilitated by the activities of international arms brokers and shipping agents, some of them based in Europe.

In April 1999 the commander of ECOMOG in Sierra Leone accused Liberia and Burkina Faso of transferring arms to rebel forces. He asserted that a Ukrainian-registered cargo plane had delivered arms and ammunition to Ouagadougou, the capital of Burkina Faso, for on-

[6]S/1998/1236, Report of the Security Council Committee established pursuant to Resolution 1132 (1997) concerning Sierra Leone, 31 December 1998.

shipment to RUF forces through Liberia.[7] A Gibraltar-based company was reported to have organized the arms shipment to Burkina Faso, using a UK-based air company.

These accusations against Liberia and Burkina Faso have continued and intensified, especially as the international community has focused increasing attention on the role of the illicit trade in diamonds from rebel-held areas of Sierra Leone in financing the provision of military assistance to rebel forces.[8]

On 5 July 2000 the UN Security Council passed Resolution 1306 (2000) which imposed an embargo on all diamond exports from Sierra Leone for 18 months until the government of Sierra Leone can establish a proper certification system for diamonds and regain full access to those areas of the country - notably in Eastern Province and in particular Kono District and Tongo Field - where RUF forces remain in control. Liberia was specifically referred to as a transit route for diamonds from rebel-held areas; the Security Council expressed its concern *"at the role played by the illicit trade in diamonds in fuelling the conflict in Sierra Leone, and at reports that such diamonds transit neighbouring countries, including the territory of Liberia"*. The resolution decided that *"all States shall take the necessary measures to prohibit the direct or indirect import of all rough diamonds from Sierra Leone to their territory"*.

The international diamond industry has meanwhile responded to growing international pressure. The International Diamond Manufacturers' Association and the World Federation of Diamond Bourses, meeting in Antwerp, Belgium, from 17 to 19 July 2000, agreed that they will not trade in diamonds from rebel-held areas of Sierra Leone. The industry has sought further legal action from governments, such as import control and certification systems.

In line with the provisions of Resolution 1306 (2000), on 31 July and 1 August 2000 the UN Security Council sanctions committee on Sierra Leone held a public meeting, which included representatives of the international diamond trade, governments and non-governmental organizations, to debate the role of the illicit trade in diamonds from rebel-held areas in procuring military assistance for rebel forces.

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[7]For further information, see *Neglected Arms Embargo on Sierra Leone Rebels*, published by Human Rights Watch on 15 May 2000.

[8]For further information on Amnesty International's position on military assistance to rebel forces and the trade in diamonds, see *Sierra Leone: Cutting the link between diamonds and human rights abuses "forever"* (AI Index: AFR 51/56/00) 14 July 2000, *Sierra Leone: Amnesty International calls for fast and effective action on diamonds* (AI Index: AFR 51/54/00), 30 June 2000, and *Sierra Leone: Cutting the link between diamonds and guns* (AI Index: AFR 51/27/00), 31 May 2000.

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Further allegations were levelled against Liberia and Burkina Faso, notably by representatives of the UK and USA governments. Ambassador Jeremy Greenstock of the UK said that: "*a variety of reliable sources show that President [Charles] Taylor [of Liberia] is orchestrating the activities of the RUF. He is giving direct military support, encouraging attacks against UNAMSIL and Sierra Leone government forces, providing strategic direction, influencing decisions on leadership and on command and control. Moreover, he is using the RUF to retain control of Sierra Leone's diamonds reserves.*" Ambassador Richard Holbrooke of the USA said that: "*there was reason to believe that RUF leaders and the President of Liberia have taken increasingly large commissions for each of themselves, and particularly for Liberian President Taylor for his services as a facilitator of diamond sales and related arms transfers*" and added that the government of Burkina Faso was also involved providing arms to the RUF.

The governments of both Liberia and Burkina Faso vigorously denied these allegations and called on the international community to conduct independent investigations in their countries in order to substantiate these claims.

The UN Security Council sanctions committee on Sierra Leone established a panel of five experts to continue to investigate the link between the diamond trade and the conflict in Sierra Leone, including the alleged implication of the governments of Liberia and Burkina Faso. The panel of experts is expected to report on its findings by the end of October 2000.

In Resolution 1314 (2000) on children and armed conflict, the UN Security Council expressed its grave concern at: "*the linkages between the illicit trade in natural resources and armed conflict, as well as the linkages between illicit trafficking in small arms and light weapons and armed conflict, which can prolong armed conflict and intensify its impact on children, and, in this regard, expresses its intention to consider taking appropriate steps, in accordance with the Charter of the United Nations.*"

Military assistance to government forces

Since May 2000 combatants below the age of 18 have continued to be recruited by the Sierra Leone Army and other government-allied forces, including the AFRC and the CDF.

While recognizing the responsibility of the Sierra Leone government to maintain security and protect its population and territory, Amnesty International opposes the provision of assistance to armed forces where it can be reasonably assumed to contribute to the recruitment of children under the age of 18 by the armed forces or other armed groups and their participation in hostilities. Effective mechanisms need to be put in place to monitor the distribution and use of arms and ammunition provided by other countries to the Sierra Leone Army and other forces fighting on behalf of the Sierra Leone government in order to ensure that they do not reach combatants under the age of 18. Continuing military assistance to

government forces should be conditional on guarantees being provided that such assistance does not facilitate the recruitment and use of child combatants, or contribute to other human rights violations. If evidence is found that military assistance from other countries facilitates the recruitment and use of child combatants, the international community has a responsibility to ensure that such assistance is suspended.

The UK government has provided substantial assistance to the government of Sierra Leone for training and equipping the new Sierra Leone Army. As a condition for proceeding with training and equipping the Sierra Leone Army, the UK government sought and obtained assurances from President Kabbah in March 1999 that children under the age of 18 would not be used by the Sierra Leone Army or the CDF and that equipment supplied would be used in accordance with international human rights and humanitarian law.

The UK leads what will become a 90-strong military training team composed of military personnel from several other countries. Some 200 UK military personnel are providing a two-month training for recruits for the new Sierra Leone Army; a first contingent of 1,000 recruits completed their training in July 2000 and a further contingent of 1,000 is now being trained. All have been over 18. In addition, the UK continues to provide arms and ammunition to the Sierra Leone Army.

On 23 May 2000 the UK Ministry of Defence announced that it would be transferring 10,000 self-loading rifles to the Sierra Leone Army to assist in military operations against the RUF. UK government officials stressed at the time that the program to train and equip the Sierra Leone Army would be carried out under strict supervision. It sought to allay fears that arms supplied by the UK government would fall into the hands of children. These fears were fuelled by a photograph published by a UK newspaper of a 14-year-old boy, alleged to be fighting with government-allied forces, with a weapon previously supplied by the UK government. A spokesperson for the UK government said on 24 May 2000 that: "*We have instructed the [(UK] High Commissioner in Sierra Leone to remind the President of his undertaking last year that UK-supplied weapons would be used only by regular soldiers and in accordance with international law.*" During a visit to Sierra Leone in early June 2000 UK Foreign Secretary, Robin Cook, obtained clear and public commitments from the leaders of government-allied force that they would not use child soldiers and that any remaining in their ranks would be disarmed and demobilized.

Further assurances were provided by the UK Secretary of State for Defence, Geoffrey Hoon, following an announcement that further military assistance, including ammunition, was to be transferred to the Sierra Leone Army. He was reported to have said on 12 July 2000 that: "*the ammunition is being provided subject to further reassurances that it will be used only by regular soldiers, in accordance with humanitarian law and human rights standards, and not by child soldiers.*"

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A violation of children's rights and a war crime

The recruitment and use of children under the age of 15 as combatants is prohibited by both international human rights law and international humanitarian law.

Invariably, the use of children as combatants violates the rights enshrined in the UN Convention on the Rights of the Child of 1989, ratified by Sierra Leone on 18 June 1990, for example by depriving them of a family environment, education and basic health care.

On 13 January 2000 the UN Committee on the Rights of the Child considered Sierra Leone's initial report on its implementation of the Convention on the Rights of the Child and adopted its concluding observations on 28 January 2000.[9] The Committee expressed "*its deep consternation at the very high numbers of children who have been forcibly recruited into armed forces, including children at least as young as five years old, and who have been forced to commit atrocities against other people, including other children and members of their community*". The Committee added that it was "*deeply saddened by direct effects of the armed conflict on all child victims, including child combatants, and is concerned with the tragic loss of life and severe psychological trauma inflicted upon them*".

Article 1 of the Convention on the Rights of the Child states that:

For the purposes of the present Convention, a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

Article 38 of the Convention on the Rights of the Child states that:

1. *States Parties undertake to respect and ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.*

2. *States Parties shall take all feasible measures to ensure that persons who have not attained the age of 15 years do not take a direct part in hostilities.*

3. *States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of 18 years, States Parties shall endeavour to give priority to those who are oldest.*

[9] Concluding Observations of the Committee on the Rights of the Child: Sierra Leone, CRC/C/15/Add.116.

4.	*In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.*

Amnesty International believes that voluntary or compulsory recruitment and participation in hostilities, whether on the part of governments or armed opposition groups, ultimately jeopardize the mental and physical integrity of anyone below the age of 18. For this reason, Amnesty International actively opposes the voluntary or compulsory recruitment, as well as participation in hostilities, of children below 18 by governments or armed opposition groups.

In line with the general age of majority set in the Convention of the Rights of the Child, Amnesty International and five other international non-governmental organizations have been calling for the age of military recruitment - be it voluntary or compulsory - as well as deployment in hostilities to be raised to 18.[10]

The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict states:

Article 1	*States Parties shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities.*
Article 2	*States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.*
Article 4(1)	*Armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years.*
(2)	*States Parties shall take all feasible measures to prevent such recruitment and use, including adoption of legal measures necessary to prohibit and criminalize such practices.*
(3)	*The application of the present article under this Protocol shall not affect the legal status of any party to an armed conflict.*

[10]Amnesty International, Human Rights Watch, International Federation *Terre des Hommes*, the International Save the Children Alliance, the Jesuit Refugee Service and the Quaker UN Office (Geneva) launched the Coalition to Stop the Use of Child Soldiers in June 1998. For further information, see *Stop Using Child Soldiers!*, Coalition to Stop the Use of Child Soldiers, second edition published by Rädda Barnen on behalf of the International Save the Children Alliance in November 1998.

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The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict was adopted by the UN General Assembly on 25 May 2000 and is now open for signature and ratification. The Optional Protocol raises the age for participation in hostilities, for both the armed forces and armed groups, from 15 to 18. Eight countries have so far signed the Optional Protocol; only one, Canada, has ratified it. UN Security Council 1314 (2000) on children and armed conflict urged member states to ratify the Optional Protocol.

The African Charter on the Rights and Welfare of the Child, which entered into force on 29 November 1999, is the only regional instrument which specifically prohibits the recruitment and use as combatants of children under 18 in both international and internal armed conflicts. Article 22 (2) requires States Parties to "*take all necessary measures to ensure that no child shall take a direct part in hostilities and refrain in particular from recruiting any child*". Sierra Leone has signed but not yet ratified the African Charter on the Rights and Welfare of the Child.

International humanitarian law - the laws of war - also prohibits the recruitment of children under 15 into the armed forces of governments and armed opposition groups as well as their participation in hostilities.[11]

Article 4 (3)(c) of Additional Protocol II to the Geneva Conventions states that:

> *Children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities.*

Francis, now aged 16 and at the interim care centre in Lungi, was abducted by rebel forces in 1998. He told Amnesty International on 15 July 2000: "*As far as the Geneva Conventions are concerned, we should not fight. They have violated our rights. Even the government troops, they some time ago made a mistake of killing the children because the rebels use children.*"

Many of the children who have been abducted and forcibly recruited have also been victims of deliberate and arbitrary killing, beatings and other forms of torture or ill-treatment. Girls have been raped and forced into sexual slavery. These abuses constitute the most serious violations of international humanitarian law. Article 3, common to all four Geneva Conventions, extends to "*armed conflict not of an international character*" (internal armed conflict) fundamental rules for the protection of those taking no active part in hostilities which each party

[11]Sierra Leone acceded to the Geneva Conventions of 12 August 1949 on 10 June 1965. On 21 October 1986 it acceded to both Additional Protocol I of 8 June 1977 relating to the Protection of Victims of International Armed Conflicts, and Additional Protocol II of 8 June 1997 relating to the Protection of Victims of Non-International Armed Conflicts.

to the conflict is "*bound to apply, as a minimum*". Under the terms of common Article 3, people who take no active part or who have ceased to take an active part in hostilities must be treated humanely in all circumstances. Common Article 3 specifically prohibits: "*violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; taking of hostages; outrages upon personal dignity, in particular humiliating and degrading treatment.*" This prohibition is binding not only on government forces but on all parties to internal armed conflicts, including armed political groups.



Former child combatants playing volleyball at the interim care centre at Lungi, July 2000
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Additional Protocol II of the Geneva Conventions relating to the protection of victims of internal armed conflicts, which develops and supplements common Article 3 of the Geneva Conventions, requires all parties to the conflict to treat humanely every person affected by the conflict. Article 4 of Additional Protocol II prohibits: "*violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment*" of all those not taking a direct part in hostilities or who have ceased to take part in hostilities.

In Resolution 1314 (2000) on children and armed conflict the UN Security Council urged: "*all parties to armed conflict to respect fully international law applicable to the rights and protection of children in armed conflict, in particular the Geneva Conventions of 1949*

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and the obligations applicable to them under the Additional Protocols thereto of 1977, the United Nations Convention on the Rights of the Child of 1989 and the Optional Protocol thereto of 25 May 2000, and to bear in mind the relevant provisions of the Rome Statute of the International Criminal Court."

Bringing to justice those who recruit and deploy children as combatants

Although the recruitment of children is unlawful in many countries, prosecution is rare. The majority of the world's nations finalized in July 1998 the Statute of a permanent International Criminal Court which will have jurisdiction to prosecute those charged with war crimes, genocide, aggression and crimes against humanity. Included in the list of war crimes is "*conscripting or enlisting children under the age of 15 years into national armed forces or using them to participate actively in hostilities*" and, in the case of an internal armed conflict, "*conscripting or enlisting children under the age of 15 years into armed forces or groups or using them to participate actively in hostilities*". The International Criminal Court will be formally established once 60 states have ratified the Statute, thereby giving the court jurisdiction over these provisions. Sierra Leone signed the Statute on 17 October 1998 and intends to ratify it shortly.

On 12 February 1999, Carol Bellamy, Executive Director of UNICEF, stated at a UN Security Council Open Briefing on the Protection of Civilians that: "*over 300,000 children, girls as well as boys, have participated as combatants in the 30 most recent conflicts. Many are recruited - others are abducted. Some join simply to survive. And many of these children, some less than 10 years old, have witnessed or taken part in acts of unspeakable violence, often against their own families or communities... Children's recruitment as members of the armed forces, their rape and slaughter, and the targeting of their schools and hospitals are recognized by the International Criminal Court statute for what they are: heinous atrocities.*"

The UN Security Council, in Resolution 1261 (1999) of 25 August 1999 on children and armed conflict, called on all parties concerned to comply strictly with their obligations under international law, in particular the Geneva Conventions, the Additional Protocols, and the Convention on the Rights of the Child, and stressed "*the responsibility of all States to bring an end to impunity and their obligation to prosecute those responsible for grave breaches of the Geneva Conventions of 12 August 1949*".

This was reiterated by the UN Security Council in Resolution 1314 (2000) in which it emphasized the responsibility of all States: "*to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity and war crimes, and, in this regard, stresses the need to exclude these, where feasible, from amnesty provisions and relevant legislation.*" In a statement issued on 11 August 2000 when the resolution was adopted,

UNICEF said that it: "*underlines the urgent need for an end to impunity for those who commit crimes against children.*"

Although the use of child combatants under 15 violates both international human rights and humanitarian law, no one in Sierra Leone has yet been brought to justice for these crimes. The peace agreement signed in July 1999 provided an amnesty for all activities undertaken in pursuit of the conflict, including human rights abuses, even when amounting to crimes against humanity or war crimes. The UN at the time added a disclaimer to the agreement that the amnesty would not apply to international crimes of genocide, crimes against humanity, war crimes and other serious violations of international humanitarian law. Although the amnesty did not apply to crimes committed after 7 July 1999, human rights abuses against civilians, including deliberate and arbitrary killings, mutilation, rape, abduction and forcible recruitment continued to be committed with impunity.

By June 2000, with the lack of implementation of key provisions of the peace agreement, the resumption of hostilities and the arrest of the leader of the RUF, Foday Sankoh, and other leading members of the RUF, initiatives by the authorities began to address the issue of impunity. On 12 June 2000 the government wrote a letter to the UN Secretary-General requesting assistance from the UN in establishing a special court to try Foday Sankoh and other senior members of the RUF for "*crimes against the people of Sierra Leone and for the taking of UN peace-keepers as hostages*".

On 14 August 2000 the UN Security Council passed Resolution 1315 (2000) on the creation of an independent special court. Amnesty International has urged that the special court try all those alleged to be responsible for crimes under international law, including crimes against humanity, war crimes and other serious violations of international humanitarian law, as well as certain grave crimes under national law, throughout the period since the conflict began in 1991. This would include the forcible recruitment and deployment of children under 15. Although forces of the RUF have been responsible for systematic and widespread abuses throughout the conflict, those of the AFRC, the Sierra Leone Army and the CDF have also been responsible for gross human rights abuses, including violations of international humanitarian law. Those allegedly responsible for these crimes, whether they be members of the RUF, the AFRC, the Sierra Leone Army and regardless of their current political position or allegiance, must be brought to justice.[12]

Child combatants themselves will not be brought to trial before the International Criminal Court, as the Statute bars it from exercising jurisdiction over any person who was

[12]For further information on Amnesty International's recommendations for ending impunity in Sierra Leone, see *Sierra Leone: The United Nations Security Council should strengthen the independent special court to prosecute perpetrators of human rights abuses* (AI Index: AFR 51/66/00), 4 August 2000, and *Sierra Leone: Ending impunity - an opportunity not to be missed* (AI Index: AFR 51/60/00), 26 July 2000.

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under 18 at the time that the crime was committed. Child combatants in Sierra Leone have been responsible for gross human rights abuses; many of the worst atrocities have been carried out by children who were abducted and subjected to horrifying acts of violence. In a situation where crimes have been committed by children terrorized and brutalized into submission, complex questions about their criminal responsibility are raised.

While recognizing the need for justice and accountability, former child combatants must be treated in accordance with the principles of juvenile justice, which place the best interest of the child as a priority, recognize the special factors and needs of childhood, and place an emphasis on rehabilitation and reintegration rather than punishment. In conformity with the provisions of the Convention of the Rights of the Child, arrest, detention or imprisonment of a child must be in accordance with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time. Any child who is detained should be held separately from adults.

The Sierra Leone government's responsibility to end the use of child soldiers

The government of Sierra Leone has made repeated commitments to demobilize all combatants under the age of 18, to raise the legal age of military recruitment to 18 and to fulfil its obligations under the UN Convention on the Rights of the Child.

Considering Sierra Leone's initial report in January 2000, the UN Committee on the Rights of the Child expressed its deep concern about the massive participation of children associated with fighting forces in Sierra Leone, either as combatants or in other roles. The Committee also noted that there is no minimum age defined by national legislation for voluntary recruitment, when the consent of a specified adult party is given. The Committee welcomed the government's intention to pass legislation raising the minimum age of recruitment to 18 and urged the government to move quickly towards passing this legislation and to ensure that the new legislation was enforced.

On 24 May 2000, following reports that children were either fighting with government-allied forces or were being allowed to remain in front-line positions, the government issued a statement reiterating its position on the recruitment of child soldiers (see appendix A).

The government stated that this practice was "*totally against government policy which stipulates that 18 years is the minimum age for bearing arms in Sierra Leone*". The statement continued: "*The Acting Chief of Defence Staff has been instructed to ensure that all those below the age of 18 currently involved in fighting on the side of the government should be immediately withdrawn, demobilized and handed over to competent institutions for rehabilitation. Henceforth, any commander who allows a child below 18 years to carry*

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arms within his area of operations or allows children to remain in areas of active conflict will face severe disciplinary action." It is not clear, however, what measures have been taken to implement these commitments.

On the same day Johnny Paul Koroma, leader of the AFRC, issued statements on behalf of the AFRC and the Commission for the Consolidation of Peace which he heads. In these statements Johnny Paul Koroma "*warned all warring factions to desist from recruiting child soldiers*" and stated his strong opposition to the recruitment of child soldiers by both government-allied forces and rebel forces.

On 22 March 2000 CARITAS-Makeni launched a campaign to end the use of child combatants. Secondary school children marched through the centre of Freetown and speakers representing the government, UN agencies and non-governmental organizations called publicly for an end to the use of child combatants.

A Declaration of Commitment to the Release of Child Combatants and Child Abductees by the Various Factions was drafted as part of the campaign and signed by Chief Hinga Norman, Deputy Minister of Defence and National Coordinator of the CDF, Johnny Paul Koroma, leader of the AFRC and Chairman of the Commission for the Consolidation of Peace, and Colonel Tom Carew, acting Chief of Defence Staff. RUF leader Foday Sankoh declined to sign the declaration (see appendix B). The declaration made the following commitments:

Article 1 *The parties hereto shall forthwith facilitate the disarmament of all child combatants, that is to say, children under the age of 18 years and bearing arms and shall take immediate steps to prevent the use of child combatants in any manner whatsoever.*



Poster for CARITAS-Makeni's campaign against the use of child soldiers © Amnesty International

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Article 2 *The parties hereto shall in tandem with the actions contemplated in Article 1 above, release, free and cause to be released, all children and other persons abducted both during the conflict and after the signing of the Lomé peace accord.*

Article 3 *The parties shall in utmost good faith facilitate the return and/or handing over of child combatants and abductees to UNAMSIL, disarmament, demobilization and reintegration camps and other humanitarian agencies by 15 May 2000 (the International Day of the Family), to enable them to receive care and attention and ultimately to be reunited with their families and relatives.*

Article 4 *The parties in this regard undertake to cooperate with UNAMSIL, all agencies concerned with the welfare of children and the war affected and shall assiduously work towards the attainment of goals enumerated in the Declaration.*



Demonstration by schoolchildren to launch CARITAS-Makeni's campaign against the use of child soldiers in Freetown, 22 March 2000 © Amnesty International

Following the signing of the peace agreement in July 1999 Foday Sankoh became the Chairman of the Commission for the Management of Strategic Resources, National Reconstruction and Development, and assumed the protocol rank of Vice-President. Other RUF members also became part of the government by being appointed to ministerial and deputy ministerial positions. The RUF therefore became obliged not only to implement the provisions of the peace agreement which it had signed, but also to implement the government's commitments under the Convention on the Rights of the Child.

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Article XXI of the peace agreement stated specifically that all prisoners of war and non-combatants should be released immediately and unconditionally by both parties. This would include the thousands of civilians, including children, who had been abducted by rebel forces. Article XXX of the peace agreement stated that the government of Sierra Leone should give particular attention to the issue of child combatants and should mobilize resources, both within Sierra Leone and from the international community, to address the special needs of former child combatants in the process of disarmament, demobilization and reintegration.

Foday Sankoh frequently denied that the RUF had abducted children. In a meeting with Amnesty International representatives on 25 March 2000 he said that the RUF had not abducted any children but had "rescued" them and was not holding any children captive. He was arrested on 17 May 2000, after more than 20 civilians were shot and killed by his forces during a demonstration outside his house in Freetown on 12 May 2000, and remains in detention. Other prominent members of the RUF are also detained. They are expected to be charged with a number of offences, including crimes amounting to violations of international humanitarian law.

In late April 2000, just before the resumption of hostilities, the government of Sierra Leone agreed to establish a National Commission for War-Affected Children in order to ensure that children's concerns are addressed at the highest political levels. This agreement was reached during a visit to Freetown on 29 and 30 April 2000 of the Special Representative of the UN Secretary-General for Children and Armed Conflict, Olara Otunnu, and the Canadian Minister of Foreign Affairs, Lloyd Axworthy.

Moves by the international community to end the use of child soldiers

The plight of children in Sierra Leone has been highlighted repeatedly by the international community and commitments have been made to assist the children whose lives have been blighted by nine years of conflict. In the Eighth Report of the UN Secretary-General on the UN Observer Mission in Sierra Leone (then known as UNOMSIL) of 23 September 1999, the Secretary-General stated that "*the plight of children is among the most pressing challenges currently facing Sierra Leone*".[13]

On 25 August 1999 the UN Security Council adopted Resolution 1261 (1999) on children and armed conflict. The Security Council urged States and all relevant parts of the UN: "*to intensify their efforts to ensure an end to the recruitment and use of children in*

[13]Eighth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, S/1999/1003.

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armed conflict in violation of international law through political and other efforts, including promotion of the availability of alternatives for children to their participation in armed conflict"; and also "*to facilitate the disarmament, demobilization, rehabilitation and reintegration of children used as soldiers in violation of international law.*"

At a debate on children and armed conflict at the UN Security Council on 26 July 2000, Carol Bellamy, Executive Director of UNICEF, said that many of the values, principles and concrete commitments enshrined in the Convention on the Rights of the Child remained unfulfilled, as did those of Resolution 1261 (1999). The Special Representative of the UN Secretary-General for Children and Armed Conflict, Olara Otunnu, said that the use of child combatants must be curbed by mobilizing political pressure, addressing the economic, social and political factors leading to the use of child combatants and increasing capacity on the ground for receiving and rehabilitating child combatants.[14] Commenting on UN Security Council 1314 (2000) on children and armed conflict which was passed of 11 August 2000, UNICEF said that: "*The council has reminded the world that it is both immoral and illegal to make children the victims and protagonists of war... It has helped to maintain awareness of the unacceptability of turning children into soldiers, of forcing millions of children and women to flee their homes, and of subjecting children to forced labour, sexual abuse and the pressure to commit atrocities.*"

Olara Otunnu has visited Sierra Leone on several occasions, most recently in April 2000, and has made recommendations for a special program for assisting children affected by the conflict. Following a visit in late August and early September 1999, he formulated a 15-point agenda for action for children affected by the conflict, which included recommendations in respect of: ending the recruitment and use of child combatants; access to and release of abducted children; demobilization of child combatants; and the establishment of a National Commission for Children in Sierra Leone.

UNAMSIL, whose current full strength is 13,000, but which is expected to be increased to 16,500 peace-keeping troops, was deployed to assist with the implementation of the peace agreement, including the disarmament, demobilization and reintegration of former combatants. UN Security Council Resolution 1313 (2000) of 4 August 2000 extended UNAMSIL's mandate until 8 September 2000 and requested the UN Secretary-General to make recommendations for the restructuring and strengthening of UNAMSIL.

The process of disarmament, demobilization and reintegration was first hampered by the failure of large numbers of combatants to disarm and demobilize and then halted by the resumption of hostilities in May 2000. The human rights section of UNAMSIL is providing training in human rights, including children's rights, and international humanitarian law for peace-keeping troops. Since the peace-keeping force comprises troops from several countries

[14]SC/6985, Security Council holds debate on children and armed conflict, 26 July 2000.

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with different training and experience, it is essential to ensure that adequate time and resources are devoted to comprehensive human rights training, including in children's rights. A child protection adviser was appointed to UNAMSIL in February 2000 and the UNAMSIL human rights section includes human rights officers with specific responsibilities for children's rights.

Resolution 1261 (1999) of 25 August 1999 on children and armed conflict specifically requested the UN Secretary-General to ensure that: "*personnel involved in United Nations peacemaking, peacekeeping and peace-building activities have appropriate training on the protection, rights and welfare of children.*" It urged States and relevant international and regional organizations to ensure that appropriate training was included in their program for personnel involved in similar activities.

At the end of the African Conference on the use of Children as Soldiers, held in Maputo, Mozambique, from 19-22 April 1999, participants adopted a declaration against the use of children as combatants. The Declaration calls on all African states to end the recruitment of all children under 18 into the armed forces. The Declaration also condemned the use of children by armed opposition groups and called upon these groups to end the recruitment of children and to demobilize or release into safety children already being used as combatants.

On 27 and 28 April 2000 a West African ministerial conference on war-affected children was held in Accra, Ghana, sponsored and co-hosted by the governments of Ghana and Canada. It brought together ECOWAS foreign ministers, as well as civil society organizations, donor governments, UN representatives, including Olara Otunnu, and children affected by conflict in the region. The primary objective of the event was to mobilize concrete action for child protection in a region whose children have been acutely affected by armed conflict. The conference focused on practical ways to implement and support international instruments of child protection, such as the African Charter on the Rights and Welfare of the Child and the Convention on the Rights of the Child.

At the end of the conference the delegates adopted and signed a West African Declaration on War-Affected Children which is expected to lead to commitments to: implementation of existing international, regional and local norms; ratification of the Statute of the International Criminal Court; incorporation of child rights and civilian protection into military training; and implementation or early warning/response systems to prevent armed conflict. At the conclusion of the conference, the Canadian Minister of Foreign Affairs said: "*The protection of children affected by war and the promotion of their well-being is a moral, political, social and economic imperative.*" The outcome of the conference will be discussed and developed at an International Conference on War-Affected Children to take place in Winnipeg, Canada, in September 2000.

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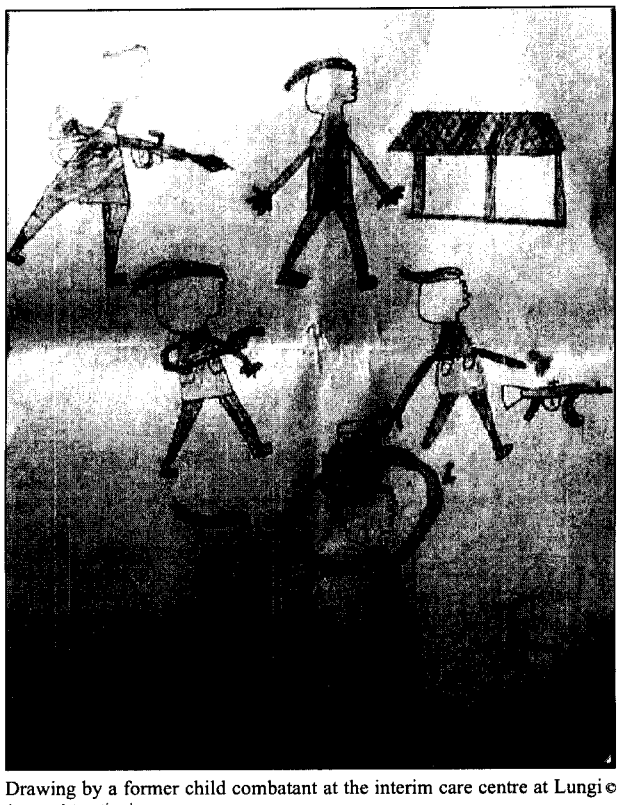
While some countries have made commitments towards providing assistance to children affected by the conflict and others have made significant contributions towards the disarmament, demobilization and reintegration of former combatants, the attention of the international community should continue to focus on the needs of former child combatants, both on securing their disarmament and demobilization and also providing the assistance they need to be rehabilitated and reintegrated into their families and communities. All these initiatives will require sustained commitment and resources from the international community.

Amnesty International's recommendations



Drawing by a former child combatant at the interim care centre at Lungi © Amnesty International

Amnesty International is urging that the Sierra Leone government, the leaders of the RUF and the international community implement swiftly and effectively the following recommendations in order to end the recruitment and use of child combatants in Sierra Leone and to meet the particular needs of former child combatants.

Recommendations to the Sierra Leone government, including the Chief of Defence Staff, the Deputy Minister of Defence and the leader of the AFRC:

- the highest priority should be given to the immediate disarmament, demobilization and reintegration of child combatants;
- prompt and effective measures should be taken by the government

to ensure that no child under the age of 18 is recruited for military service, including by passing legislation raising the minimum age for military recruitment to 18;

- the Chief of Defence Staff should ensure that there is effective chain of command over all forces fighting on behalf of the government to ensure the immediate demobilization and disarmament of child combatants currently serving in these forces and to ensure that no child under the age of 18 is recruited or used in the future;

- the leader of the AFRC should give immediate effect to his condemnation of the recruitment and use as combatants of children under the age of 18 by instructing AFRC forces to release all children, both those used as child combatants or in any way associated with AFRC forces;

- the Deputy Minister of Defence and National Coordinator of the CDF should immediately and unequivocally denounce the recruitment and use of children under the age of 18 by the CDF and instruct all CDF leaders to immediately demobilize and disarm all child combatants serving with the CDF and to cease any further recruitment;

- the government of Sierra Leone should take steps to implement the recommendations of the UN Committee on the Rights of the Child, including by identifying priorities relating to child combatants and defining strategies to implement those priorities;

- the government should ratify without delay the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the African Charter on the Rights and Welfare of the Child, and the Statute of the International Criminal Court;

- the government should take effective measures to end impunity and prosecute those responsible for crimes under international law including violations of international humanitarian law, such as the abduction and forcible recruitment of children under the age of 15.

Recommendations to the leaders of the RUF:

- leaders of the RUF should immediately and publicly condemn and prohibit the recruitment and use of child combatants and RUF forces should immediately cease forcible or voluntary recruitment and use of children under the age of 18;

- RUF forces should be instructed to release immediately all children either used as combatants or in any way associated with fighting forces;

- leaders of the RUF should make a public commitment to observing international humanitarian law, in particular Additional Protocol II of the Geneva Conventions of 1949;

- RUF forces should be instructed to end deliberate and arbitrary killings, rape, sexual abuse and other forms of torture or ill-treatment of all captured civilians, including children;

- RUF forces should also allow immediate, full and unhindered access by child protection agencies and UNAMSIL personnel supervising the disarmament and demobilization program to children who continue to be held;

- RUF forces should allow immediate, full and unhindered access by humanitarian agencies, both national and international, to all civilians, including children, who continue to be held, and the delivery of humanitarian assistance.

Recommendations to the international community:

- the international community should repeat its condemnation of the continuing recruitment and use of children as combatants in Sierra Leone which constitute a crime under international law and a violation of both international human rights and international humanitarian law;

- the highest priority should be given to implementing commitments made to end the use and recruitment of child combatants, including by taking concrete measures to implement UN Security Council Resolution 1314 (2000) of 11 August 2000;

- in all efforts to resolve the political and security crisis in Sierra Leone, including any reconsideration or renegotiation of the peace agreement signed in Lomé, Togo, on 7 July 1999, the needs of children affected by the internal armed conflict, including child combatants, should be given the highest priority;

- all governments should take all possible measures to end military transfers, including arms, ammunition, combatants and training, to rebel forces in Sierra Leone and enact legislation to prevent the trade in diamonds from rebel-held areas of Sierra Leone from facilitating the provision of military assistance to rebel forces;
- those governments which are providing military assistance, including training, arms and ammunition, to the Sierra Leone Army and other forces fighting on behalf of the government should first ensure that stringent safeguards are in place to ensure that this assistance does not facilitate or encourage violations of international human rights and humanitarian law, including the recruitment and use of child combatants; these safeguards should also include effective mechanisms to ensure that arms do not reach combatants under the age of 18; if evidence is found that such assistance facilitates the recruitment and use of child combatants, such assistance should be suspended;

- the international community should provide full and sustained support and assistance to relevant UN agencies and non-governmental organizations, both national and international, in order to strengthen initiatives for child protection, prevent further recruitment and use as combatants of children under the age of 18 and assist the disarmament, demobilization and reintegration of former child combatants, including by addressing their social, psychological and material needs;

- the child protection adviser and human rights section of UNAMSIL must be given full political support and adequate resources in order to undertake their work in relation to child protection;

- the UN should ensure that all troops participating in the UNAMSIL peace-keeping force are fully trained in international human rights and humanitarian law, including

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children's rights, and that they have training in addressing the specific needs of child combatants;

- the international community should ensure that those responsible for grave breaches of international human rights and humanitarian law, including the abduction and forcible recruitment of children, should be brought to justice; this should include provision of the necessary expertise and practical assistance for the independent special court to be established under UN Security Council Resolution 1315 (2000) of 14 August 2000.

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MINISTRY OF INFORMATION AND BROADCASTING

GOVERNMENT STATEMENT

WEDNESDAY, MAY 24, 2000

It has been brought to the attention of Government that there are some children who are either fighting alongside forces loyal to the Government of Sierra Leone, or are being allowed to remain in front line positions with the loyal forces. Government wishes to state that this practice is totally against Government policy which stipulates that 18 years is the minimum age for bearing arms in Sierra Leone.

It is the view of Government that children should not be involved in conflict, and it is the responsibility of the Government and all forces loyal to it to ensure that children are protected from the horrors of armed conflict. While it is acknowledged that some children may be voluntarily involved in fighting, and in some cases insist on being involved, even such children should not be allowed to carry arms or stay in areas of active conflict. They should be protected from themselves.

In the light of the above, the Acting Chief of Defence Staff has been instructed to ensure that all those below the age of 18 years currently involved in fighting on the side of Government should be immediately withdrawn, demobilized and handed over to competent institutions for rehabilitation. Henceforth, any commander who allows a child below 18 years to carry arms within his area of operations or allows children to remain in areas of active conflict will face severe disciplinary action.

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CARITAS MAKENI

STOP THE USE OF CHILD SOLDIERS CAMPAIGN

DECLARATION OF COMMITMENT TO THE RELEASE OF CHILD COMBATANTS AND CHILD ABDUCTEES BY THE VARIOUS FACTIONS.

HAVING regard to the provision of the said Lome Peace Accord, the United Nations Convention on the Rights of the Child, 1989 to which Sierra Leone is a State Party.

MINDFUL of the need to create conditions of stability where the children of Sierra Leone in particular can enjoy a secure environment and develop to their fullest potential.

BEARING IN MIND that to achieve the objective enunciated in the Convention on the Rights of the Child 1989, children need to grow up in an atmosphere of happiness, love and understanding, RE-AFFIRMING our commitment to the Peace Process in Sierra Leone, respectively, to the intent that the country shall return to normalcy within the minimum of time to enable the implementation of development programs

HEREBY ADOPT THIS DECLARATION OF COMMITMENT this 22nd day of March 2000.

ARTICLE 1

The parties hereto shall forthwith facilitate the disarmament of all child combatants that is to say, children under the age of eighteen years and bearing arms and shall take immediate steps to prevent the use of child combatants in any manner whatsoever.

ARTICLE 2

The parties hereto shall in tandem with the actions contemplated in Article 1 above, release, free and cause to be released, all children and other persons abducted both during the conflict and after the signing of the Lome Peace Accord.

ARTICLE 3

The parties shall in utmost good faith facilitate the return and/or handing over of child combatants and abductees to UNAMSIL, DDR Camps and other Humanitarian Agencies by May 15th, 2000 (the International Day of the Family), to enable them receive care and attention and ultimately to be reunited with their families and relatives.

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ARTICLE 4

The parties in this regard undertake to co-operate with UNAMSIL, all agencies concerned with the welfare of children and the war affected and shall assiduously work towards the attainment of the goals enumerated in the Declaration.

DONE AT FREETOWN THIS 22ND DAY OF MARCH 2000.

CHIEF SAMUEL HINGA NORMAN
DEPUTY MINISTER OF DEFENCE
AND LEADER OF CDF

CHAIRMAN FODAY SAYBANA SANKOH
CHAIRMAN, STRATEGIC MINERAL RESOURCES
COMMISSION AND LEADER OF RUFP

CHAIRMAN JOHNNY PAUL KOROMA
CHAIRMAN, COMMITTEE FOR THE
CONSOLIDATION OF PEACE

BRIG-GEN. MITIKISHEMAXWELL KHOBE
CHIEF OF DEFENCE STAFF,
SIERRA LEONE MILITARY ARMED FORCES

WITNESSES:

MD. JO ANNA VAN GAPEN
UNICEF REPRESENTATIVE
SIERRA LEONE

MR. JOSEPH RAHALL
CHAIRMAN,
NATIONAL FORUM FOR HUMAN RIGHTS

SIERRA LEONE

00010571

REPUBLIC OF SIERRA LEONE

POPULATION: **4,717,000 total 2,370,000 under-18s**
GOVERNMENT ARMED FORCES: **3,000-4,000 active, strength unknown paramilitary (Civil Defense Forces)**
COMPULSORY RECRUITMENT AGE: **no conscription**
VOLUNTARY RECRUITMENT AGE: **previously any age with consent; unknown if recent government commitments to an age limit of 18 has resulted in legislative change**
VOTING AGE (GOVERNMENT ELECTIONS): **21**
CHILD SOLDIERS: **indicated - 5,000-10,000 in government and opposition armed groups**
CRC-OP-CAC: **signed on 8 September 2000**
OTHER TREATIES RATIFIED: **CRC; ICC; GC/API+II**

Some 5000 child combatants serve among government and opposition forces, and a further 5,000 are estimated to have been recruited for labour among armed groups.[1] Armed groups typically rely on forced recruitment through abduction and drug use, and are responsible for particularly cruel and degrading treatment of children in their camps, often including the sexual slavery of girls. The Lomè peace agreement of July 1999 included important provisions on the demobilisation of child soldiers, however the resumption of fighting in May 2000 significantly slowed progress. To date slightly more than 1,800 children are reported to have entered disarmament, demobilisation and reintegration programmes. Underage recruitment, including the re-enlistment of some of those previously demobilised, has continued among all forces.

CONTEXT

Since 1991 Sierra Leone has been in the grips of internal armed conflict between government forces and international peacekeepers, and armed groups including the Revolutionary United Front (RUF) and the Armed Forces Revolutionary Council (AFRC). Thousands of men, women and children have been killed, raped, wounded or systematically mutilated. The Lomè peace agreement of July 1999 included important provisions on the demobilisation of child soldiers. Just over 24,000 combatants, including 1,700 children, were disarmed before the peace process collapsed in May 2000.[2] Renewed insecurity resulted in further abuses against civilians and massive displacement. A 30 day ceasefire signed in November 2000 held throughout the early months of 2001, however the RUF did not disarm and violence towards civilians, including returning refugees, continued. The RUF still controls large sections of the diamond-rich north and east of Sierra Leone.
Fighting in Sierra Leone has also affected neighbouring Guinea, where some 340,000 Sierra Leonean refugees reside. Since September 2000 rebel fighters have launched a series of cross-border attacks prompting military counter-attacks by Guinean forces.[3] The deployment of an ECOWAS border monitoring force, agreed upon in January 2001, has been delayed for months pending a status of forces agreement between Guinea and Liberia and approval by the UN Security Council.[4]
Liberia is also involved in the conflict in Sierra Leone, having actively supported the RUF since its inception in 1991 through arms and diamond trafficking. Liberia announced its intention to sever ties with the RUF following UN Security Council action in March 2001.[5]

GOVERNMENT

National Recruitment Legislation

The Sierra Leone government has made repeated commitments to raise the legal age of military recruitment to 18, demobilise all underage combatants, and fulfil its obligations under the UN Convention on the Rights of the Child.
There is no conscription in Sierra Leone.[6] In February 2000 the UN Committee on the Rights of the Child issued concluding observations on Sierra Leone's initial report, expressing concern over the continued failure to define minimum voluntary recruitment age in national legislation. Rather, Section 16(2) of the Royal Sierra Leone Military Forces Act 1961 states that volunteers under "the apparent age of 17_ years" may not be enlisted without the consent of parents or legal guardians. However the Committee welcomed the government's intention to pass legislation raising minimum recruitment age to 18, urging the government to move quickly in this direction and to ensure enforcement.[7]
On 24 May 2000, following reports of children fighting with government-allied forces or remaining in front-line positions, the government issued the statement that "government policy ... stipulates that 18 years is the

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CHILD SOLDIERS GLOBAL REPORT

"Everyone was dying. You saw the legs or hands of your friends lying in front of you. It was so horrifying, you couldn't make sense of it. It was hell... Boys lay on the ground for three or four days without being buried. We were fighting around their corpses." Rashid, an Ethiopian high school student who fought on the Badme front in 1999

"I didn't shout out because he is a sergeant and a higher rank. You don't disrespect your boss." 17-year-old British army recruit raped by her instructor in 1997

These are the voices of more than 300,000 children under 18 fighting in armed conflicts in more than thirty countries worldwide. Hundred of thousands more children have been recruited, both into governmental armed forces and armed opposition groups. Bringing together research on more than 180 countries and territories, this report provides a comprehensive survey of the global dimensions of this problem.

There is a growing international consensus against the use of children as soldiers. A new Optional Protocol to the Convention on the Rights of the Child prohibits governments and armed groups from using children under the age of 18 in hostilities. More and more governments and armed groups are adopting this international standard.

The Coalition to Stop the Use of Child Soldiers.

The Coalition to Stop the Use of Child Soldiers was formed in May 1998 by leading non-governmental organisations to prevent the recruitment and use of children as soldiers, to secure their demobilisation and to ensure their rehabilitation and reintegration into society. Its steering committee members currently include Amnesty International, Defence for Children International, Human Rights Watch, Jesuit Refugee Service, Quaker United Nations Office - Geneva, Rädda Barnen for the International Save the Children Alliance, International Federation Terre des Hommes and World Vision International and several regional NGOs from Latin America, Africa and Asia. The Coalition has built a worldwide network of NGOs, expert agencies and academic institutions in more than thirty countries.

"It is immoral that adults should want children to fight their wars for them... There is simply no excuse, no acceptable argument for arming children." Archbishop Desmond M Tutu

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SIERRA LEONE

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REPUBLIC OF SIERRA LEONE

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On 24 May 2000, following reports of children fighting with government-allied forces or remaining in front-line positions, the government issued the statement that "government policy ... stipulates that 18 years is the

minimum age for bearing arms in Sierra Leone". The government further reported that the Acting Chief of Defence Staff was "instructed to ensure that all those below the age of 18 currently involved in fighting on the side of the government should be immediately withdrawn, demobilised and handed over to competent institutions for rehabilitation. Henceforth, any commander who allows a child below 18-years to carry arms within his area of operations or allows children to remain in areas of active conflict will face severe disciplinary action."[8] At the International Conference on War-Affected Children in Winnipeg in September 2000 the government stated its commitment to the Optional Protocol to the Convention on the Rights of the Child regarding "voluntary recruitment into any fighting force before age 18".[9] However, it is unclear whether this commitment has resulted in appropriate legislative change.

Child Recruitment and Deployment
Government-allied forces comprise a loose alliance of the Civil Defence Forces (CDF) and the Sierra Leone Army (SLA), including more recently former AFRC members retrained by British forces. Chain-of-command control for these forces is in practice weak. This is particularly true of the largest and most powerful membership of the CDF, the *Kamajors*, which are well known for recruiting children.
It is not clear how far measures to prevent underage recruitment and demobilise child soldiers have been implemented by the various government-allied forces. There is evidence that these forces continued to recruit and use children in combat in 2000 and currently, including some previously disarmed and demobilised child combatants.

New Sierra Leone Army (SLA)
After the Lomè Peace Accord the Sierra Leone Army (SLA) began restructuring its units and training with the aid of foreign forces; UK military personnel are currently training the new SLA. By January 2001 some 6,500 persons, all age 18 or over, had completed training (not all of these soldiers are yet on active duty). Members of the new SLA are also being trained in child protection by UNICEF in conjunction with the Ministry of Defence, child protection agencies and the Ministry of Social Welfare.

Civil Defense Forces (CDF)
Since the war began civilians began forming self-defence militias comprised of various groups of traditional hunters, in particular the kamajors. The government came to rely on these militias, which officially became known as the Civil Defence Forces. The CDF has been accused of serious human rights violations including extrajudicial killings and execution of suspected rebels and collaborators, arbitrary arrest and detention, and induction of child soldiers.[10] However in May 2000 the Deputy Minister of Defence and National Co-ordinator of the CDF, Samuel Hinga Norman, denied the CDF recruited children or "initiated" them into militias comprising the CDF. He claimed children among CDF forces had been rescued or captured from armed groups and transferred to child protection agencies. In mid-July 2000 he further instructed CDF leaders and "initiators" not to recruit children.
While these instructions may reduce the number of children newly admitted into the CDF, it does not resolve the problem of those already in CDF forces. A senior member of the CDF in Kenema, Eastern Province, informed Amnesty International in 2000 that, although he personally opposed the use of children, it was normal practice within the CDF.

"I was beaten because I became separated from a CDF patrol."
Brima, a 12-year-old who became a soldier with the CDF at age 10, explained that when children disobeyed orders they were beaten unless their parents paid a fine.[11]

CDF recruitment of children – including some previously demobilised – is reportedly continuing in Bo, Kemema and Moyamba Districts in Southern Province. According to some reports, villages in Southern Province are expected to provide a certain number of children to the CDF. In some areas there appears to be an attempt to conceal the use of children to guard checkpoints along major roads in Southern Province; aid workers repeatedly report seeing children, some of them openly armed, others concealing arms or hiding themselves in the bush.[12] In other areas an increase in the number of children guarding checkpoints has been observed. In May 2000 a UN assessment mission observed children between 7 and 14 years old comprising 25 to 30 per cent of the SLA/CDF in the town of Masiaka. Militia members claimed the children had volunteered as fighting spread through the villages.[13] The low rate of child demobilisation after May 2000 (see below) suggests that many underage recruits may remain among these government forces.

Armed Forces Revolutionary Council (AFRC)
The AFRC was comprised primarily of former Sierra Leone Army (SLA) officers who organised a coup in 1997 and joined forces with the RUF. The AFRC forcibly recruited children and used them to fight against

government forces before the signing of the Lomè Peace Accord. The AFRC was also known to abduct young girls for use as sex slaves.
After the Lomè Accord the AFRC, led by Johnny Paul Koroma, re-joined the government as a political party. Some of its members re-joined the new SLA being trained by British forces.[14] Hundreds of other AFRC members, however, refused to join the government, instead occupying areas outlying the capital or joining an opposition group known as the West Side Boys which are known to include under-18s (see below). On 24 May 2000 Koroma issued a statement voicing his opposition to the recruitment of children and warned "all warring factions to desist from recruiting child soldiers".[15]

"I did not want to go; I was forced to go. They killed a lot of women who refused to go with them... when they capture young girls, you belong to the soldier who captured you."
Isatu was abducted by the AFRC at the age of 15.[16]

"When I go to the battle fields, I smoke enough. That's why I become unafraid of everything. When you refuse to take drugs, it's called technical sabotage and you are killed."
Sayo (age 14, ex-AFRC soldier) described how his skin was cut and cocaine rubbed in the wounds. [17]

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OPPOSITION
-

Currently the opposition group posing the greatest challenge to government forces is the Revolutionary United Front (RUF). Opposition groups also include the West Side Boys and, before the Lomè Accord, the AFRC (see above).

Child Recruitment and Deployment
Revolutionary United Front (RUF)
In May 2000 a RUF spokesman SWB Rogers was quoted as saying: "The RUF doesn't believe in using children as soldiers. When they are five or six, they are far too young to fight. We only use the older boys, from ten or eleven upwards."[18] The RUF is well known for its abduction and forcible recruitment of children, both boys and girls, for use as soldiers, sexual slaves and forced labour. In 2000 reports also emerged of armed groups forcing children to work in diamond fields under their control since the signing of the Lomè Accord in 1999.[19] The RUF commonly abducts children during attacks. After the January 1999 Freetown attack, in which an estimated 10 per cent of armed forces were children, more than 4,800 children were reported missing.[20] Of these about 60 per cent were girls, who are typically forced into sexual slavery.[21]
Since May 2000 RUF forces have continued to abduct and forcibly recruit children as combatants, often using drugs to induce their compliance and fighting ferocity. Others were reported to have volunteered to join the RUF, however it appears that in many cases these children had little option but to do so. From May through August 2000 reports from Kambia and Makeni Districts, Northern Province, described RUF forces going from village to village demanding a quota of men and boys, most of whom were forced to join under duress. Local traditional rulers, known as Paramount Chiefs, were ordered to provide a certain number of recruits and families were forced to hand over children, including those aged under 18. The RUF has also reportedly killed children who refused to join their forces and frequently extorted money from families of conscripted youths.
Recruits also include hundreds of those who were previously demobilised after the July 1999 peace agreement. Some 200 demobilised children were abducted on their way from Kabala to Freetown in January 2000.[22] In May re-recruitment increased with RUF commanders targeting interim care centres; at the Makeni rehabilitation centre for example, a group of 72 former child soldiers were forced to rejoin.[23] Some of the children were told by RUF forces that their families had been traced and that the RUF would help them return to their homes. It was also reported that the RUF threatened to kill everyone at the centre if the children did comply.[24]
Recent interviews of children staying at transit centres set up in Bo and Kenema as part of the demobilisation programme in 2000 confirmed reports of sexual violence and abuse of children, both boys and girls, by RUF personnel. Three adolescent boys interviewed by an aid worker reported they had been abducted around age 14 and 15 and were sexually abused by female members of the RUF. They also reported being sexually abused by male RUF members, apparently as a form of punishment. Other forms of abuse included being forced to aid and abet the rape of girls. Rape of girls by RUF members was frequently cited.[25]

"By then the rebels had moved from Makeni to Lunsar. They came to our camp and asked some children to join them again and we refused. We have rights to live and play. They encouraged us to

join them. We told the manager of the centre to move us. At that time there were no vehicles; even the NGO's vehicle was not around. We walked along the road to Rogberi Junction where we met the rebels. They told us to return to our camp. We knew that they were killing people around. After that they said, please, come and join us or we are going to kill you people. After that we fled in the bush."
- Former child soldier describes how the RUF tried to lure children back into their ranks. [26]

"I had to go through the training and learn to fight, otherwise the RUF people would beat me or kill me."
David, abducted by the RUF at the age of 10. [27]

West Side Boys
The West Side Boys are an ex-AFRC splinter group aligned with the RUF. Like the RUF they have committed serious human rights abuses including killing, abduction, deliberate mutilation, rape and the forced recruitment of children as soldiers.[28] In September 2000 British troops conducted raids on the West Side Boys, during which scores of child soldiers were seen fleeing into the jungle, likely to have rejoined armed groups.[29]

RELATED ISSUES

In Sierra Leone it is often difficult to distinguish between recruitment into armed conflict versus the initiation process young boys undergo to mark entry as an adult into societies of traditional hunters. For example, some parents may not try to prevent the recruitment of their children by the CDF due to the traditional status associated with membership in groups such as the *kamajors*, which are an important element of the CDF.

DEVELOPMENTS

International Standards
The government of Sierra Leone signed the CRC-OP-CAC on 8 September 2000 but does not uphold the "straight-18" position.

Appeals
The problem of child soldiers in Sierra Leone has attracted significant international and national attention. In January 2000 hundreds of people marched in Freetown to protest the recruitment of children and to demand such children be reunited with their families.[30] Some 40 child protection agencies and NGOs working with government have been constituted into a child protection committee coordinated by UNICEF,[31] and the government of Sierra Leone committed itself to establishing a National Commission for War-Affected Children. In October 2000 the UN Security Council urged the government of Sierra Leone to establish the promised Commission.[32] The Coalition vigorously lobbied for the establishment of a special court in Sierra Leone to try those responsible for the recruitment of child soldiers (see below).

Demobilisation
In 1999 little demobilisation appeared to be taking place. Following the Lomè peace agreement the RUF admitted that 30% of its forces were under 18 but that official demobilisation had not begun. Later that year a mere 111 children were said to have been demobilised. The CDF reported equally small numbers with approximately 100 children demobilising in October 1999.[33]
In January 2000 the pace picked up considerably and by May the UN reported that approximately 1,700 of an estimated 5,000 underage recruits had entered disarmament, demobilisation and reintegration programmes.[34] But renewal of hostilities that month derailed the process, and by November 2000 the total number of demobilised child soldiers had only risen to slightly over 1,800.[35] About 138 of these children, between the ages of 8 and 16, were handed over by the CDF in June 2000.[36] The UN Security Council reported in October 2000 that "a significant portion of the rank and file RUF would be willing to disarm but were not allowed to do so by their commanders, who often used brutal methods, including execution, to prevent fighters, including children, from leaving."[37]
Some of the demobilisation since 1999 has come about through self-disarmament, which established programmes were not always equipped to address. But in 2000 efforts were being made to establish reporting and outreach mechanisms that would facilitate the inclusion of such former combatants in disarmament and reintegration programmes.[38] A National Commission of Disarmament, Demobilisation and Reintegration is expected to be established in 2001.[39]

A particular challenge for reintegration programmes concerns child rape victims forced to live among the RUF. The taboo nature of the subject, the social ostracisation that often follows abuse, and the lack of appropriate government services all present significant obstacles to dealing with such victims of armed conflict. In March 2001 UNAMSIL announced the launch of a skills training project for about 390 young girls who had been abducted by armed groups as a step toward addressing the needs of such children.[40]

Special Court
In August 2000 the UN Security Council set in train the establishment of a special court to try war crimes in Sierra Leone, recommending that this court prosecute those with greatest responsibility for crimes. The Security Council agreed that all recruitment and use of child soldiers be considered a war crime under the Special Court in accordance with statute of the International Criminal Court.[41] Following considerable debate about whether 15 – 18-year-olds should also be eligible for trial, as initially proposed by the UN Secretary General, the Security Council later reiterated that the Special Court should target only those most responsible for war crimes, and recommended that juveniles appear before a separate Truth and Reconciliation Commission.[42]

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[4] UN IRIN, "ECOMOG capable of defending border, ECOWAS head says", 24 January 2001.
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[6] Report of the secretary-general submitted pursuant to commission resolution 1998/77, "Civil and political rights, including the question of: conscientious objection to military service", UN Doc. E/CN.4/2000/55, 17/12/99.
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[9] Statement by the Minister of Social Welfare, Gender and Children's Affairs, Shirley Gbujama, at the International Conference on War-Affected Children, Winnipeg, Canada September 2000.
[10] US Department of State, Sierra Leone Country Report on Human Rights Practices for 1999 and 2000. Washington D.C., 2000 and 2001.
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[21] AI, "Sierra Leone: rape and other forms of sexual violence against girls and

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[28] US Department of State, op. cit.
[29] BBC World news, "Sierra Leone: Child soldiers scatter into jungle after hostage release", 14 September 2000.
[30] IRIN, "Sierra Leone: march against recruitment of child soldiers", 22 March 2000.
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CHILD SOLDIERS: AN OVERVIEW

french version spanish version

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THE IMPACT OF SOLDIERING ON CHILDREN
A GLOBAL PROBLEM
Sub-Saharan Africa
Middle East and North Africa
Asia and the Pacific
Latin America
Europe, USA, Canada, Russia and Central Asia
TOWARDS A GLOBAL BAN ON CHILD SOLDIERS
WHY PROHIBIT MILITARY RECRUITMENT UNDER 18?

At any one time, more than 300,000 children under 18 – girls and boys - are fighting as soldiers with government armed forces and armed opposition groups in more than 30 countries worldwide. In more than 85 countries, hundreds of thousands more under-18s have been recruited into government armed forces, paramilitaries, civil militia and a wide variety of non-state armed groups. Millions of children worldwide receive military training and indoctrination in youth movements and schools. While most child soldiers are aged between 15 and 18, the youngest age recorded in this report is seven.

These statistics represent only a 'snapshot' of the problem, as children are recruited, captured, demobilised, wounded or even killed every day. Many of today's adult soldiers started out as children, growing up in military ranks; in many countries, with inadequate systems of birth registration, age can be difficult to determine.

Conflicts come and go as well; the more protracted the armed conflict, the more likely children will participate. In recent years, large numbers of children fighting in Latin America and the Middle East region have been replaced as conflicts recede by new generations of child soldiers in Africa and Asia. In the industrialised world, there is general trend away from conscription and towards volunteer, professional armies; combined with economic and social change this has made enlistment levels more difficult to sustain and placed downward pressures on recruitment age.

While many children fight in the frontline, others are used as spies, messengers, sentries, porters, servants and sexual slaves; children are often used to lay and clear landmines or conditioned to commit atrocities even against their own families and communities. Most child soldiers suffer physical abuse and other privations within the armed forces; in extreme cases, child soldiers are driven to suicide or murder when they cannot bear the mistreatment any longer. When children are used as soldiers, all children in a conflict zone are often suspected and targeted by the warring parties.

While some children are recruited forcibly, others are driven into armed forces by poverty, alienation and discrimination. Many children join armed groups after having experienced or witnessed abuse at the hands of state authorities. The widespread availability of modern lightweight weapons has also contributed to the child soldiers problem, enabling even the smallest children to become efficient killers in combat. International political and military support for armed forces and armed groups using children, sometimes linked to the exploitation of natural resources like diamonds or oil, has in many cases deepened conflicts and the involvement of children.

Many governments and armed groups claim to use children because of a shortage of adult recruits. But often children are recruited because of their very qualities as children – they can be cheap, expendable and easier to condition into fearless killing and unthinking obedience. Sometimes, children are supplied with drugs and alcohol to achieve these aims.

Often child soldiers are recruited from second countries, among refugee communities or ethnic disasporas, and trafficked across borders. Children from Angola, Burundi, Kenya, Rwanda and Uganda have fought alongside their adult sponsors in the civil war in the Democratic Republic of Congo. Children have been recruited from various countries of western Europe by Kurdish and Kosovar armed groups.

In many countries, military training and indoctrination is provided through schools and youth movements, often as a means of bolstering defence preparedness or recruitment levels. In Iraq, thousands of children aged 10 to 15 participate in the Ashbal Saddam (Saddam Lion Cubs) youth movement formed after the 1991 Gulf War; training reportedly includes small-arms use, hand-to-hand combat, and infantry tactics. In the United States of America, military-run programmes exist for children as young as eight. In the Young Marines, boys and girls from age 8-18 wear uniforms, are assigned military ranks, and participate in "boot camp" and rifle drills; the programme has over 200 units nation-wide, with 14,865 participants in early 2001.

The impact of soldiering on children

Child soldiers do not only lose their childhood and opportunities for education and development – they risk physical injury, psychological trauma and even death. Children are often at an added disadvantage as combatants in relation to adults.

Widely perceived to be a cheap and expendable commodity, child soldiers tend to receive little or no training before

being thrust into the front line. In the early 1980s, during the Iran-Iraq war, thousands of Iranian children, many straight from school, were sent with popular militias to the frontline, often given a symbolic key to the paradise promised them as martyrs. More recently, during the border war with Eritrea in 1999-2000, Ethiopian government forces reportedly press-ganged thousands of secondary schools students from marketplaces and villages, some of whom were used in human wave attacks across minefields. Children's immaturity may lead them to take excessive risks — according to one armed group commander in the Democratic Republic of Congo, "*[children] make good fighters because they're young and want to show off. They think it's all a game, so they're fearless.*"

Children may begin participating in conflict from as young as seven. Some serve as porters (carrying food or ammunition) or messengers, others as spies. In Myanmar, for instance civilians, including children as young as 10, are forced to porter for the military and even used as human shields and minesweepers: the International Labour Organisation reported in 1999 that children had been forced to sweep roads with tree branches or brooms to detect or detonate mines. As soon as children are strong enough to handle an assault rifle or a semi-automatic weapon (normally at 10 years of age), they may be used in frontline roles. One former child soldier from Burundi stated that: "*We spent sleepless nights watching for the enemy. My first role was to carry a torch for grown-up rebels. Later I was shown how to use hand grenades. Barely within a month or so, I was carrying an AK-47 rifle or even a G3.*"

When not actively engaged in combat, children can often be seen manning checkpoints. In Afghanistan, young students from religious schools in Pakistan perform military service with the Taleban, policing urban centres and checkpoints to free more experienced fighters for the front line. Others, such as 15-year-old Stevica in the Former Republic of Yugoslavia, perform domestic tasks: "*I prepare the weapons, I write reports from the field and I cook. I work for the Serb Tigers. There are 100 of us from Macedonia but we are all Serbs.*"

In many countries, girls too are used as soldiers, though generally in much smaller numbers than boys. Many governments and armed groups around the world are increasing the recruitment and functions performed by females in their armed forces, in many cases including girls under the age of 18. In Sri Lanka, for instance, young Tamil girls, often orphans, have been systematically recruited by the opposition Liberation Tigers of Tamil Eelam (LTTE) since the mid-1980s. Dubbed "Birds of Freedom", many are reportedly trained as suicide bombers as they may better evade government security. In October 1999, 49 children, including 32 girls aged between 11 and 15 years of age were among the 140 LTTE cadres killed in a battle with the security forces at Ampakamam in the north.

Girls are at particular risk of rape, sexual slavery and abuse, although the exploitation of boys for these purposes is also reported. Concy A., a 14-year old girl abducted from Kitgum in Uganda by the Lord's Resistance Army (LRA) and taken to camps in Sudan told how "*we were distributed to men and I was given to a man who had just killed his woman. I was not given a gun, but I helped in the abductions and grabbing of food from villagers. Girls who refused to become LRA wives were killed in front of us to serve as a warning to the rest of us.*" Grace A. gave birth on open ground to a girl fathered by one of her [LRA] abductors: "*I picked up a gun and strapped the baby on my back*" and continued to fight the government forces. In Colombia, girls fighting with armed groups are frequently subjected to sexual abuse. The Revolutionary Armed Forces of Colombia (FARC) operates a "sexual freedom" policy and there are reports of young girls being fitted with inter-uterine devices; one 15-year-old girl soldier who was killed was found to be pregnant.

Even in the supposedly sophisticated armed forces of industrialised countries, young recruits – especially girls – are subject to 'hazing', harassment and abuse. In recent years, cases of bullying and humiliation of under-18 recruits in the British Army have included mock execution, forced simulation of sexual acts, 'regimental baths' in vomit and urine and the forced ingestion of mud. In August 1997, a 17-year-old recruit to the British Army was forced to perform a sex act and raped by a drunken instructor while she was on manoeuvres. She told the judge that she "*didn't shout out because he is a sergeant and a higher rank. You don't disrespect your boss*". (The instructor was jailed for seven years in November 1998.) In 1999, one school district in the US state of Washington banned recruiters from schools after several Army recruiters from a local recruiting station were investigated for sexual harassment of high school girls.

Besides the risk of death or injury in combat, child soldiers suffer disproportionately from the rigours of military life. Younger children collapse under heavy loads; malnutrition, respiratory and skin infections and other ailments are frequent. Child soldiers may also be at additional risk of drug and alcohol abuse (often used to recruit children or desensitise them for violence), sexually transmitted disease, including HIV/AIDS, and unwanted pregnancies. Auditory and visual problems are common, along with landmine injuries.

Harsh training regimes and other forms of ill-treatment often lead to casualties and even deaths among young recruits. In Paraguay, 56 under-18s died during their military service, six of them in 2000 alone. On 3 April 2001, 17-year-old Héctor Adán Maciel was shot by a fellow conscript after he refused to give him cigarettes. He died due to inadequate medical care as the Armed Forces argued that intensive care would be too expensive. Maciel was recruited at 16 after the armed forces reportedly falsified his mother's signature on documents giving her consent. Between 1982 and 1999, 92 recruits aged 16 and 17 died during service with the British Army, including four deaths as result of battle wounds or injuries. In 1998 one 16-year-old Royal Marine recruit drowned wearing full kit during a river-crossing exercise during a 30-week commando training course; he was the fourth to die during training in two and a half years.

Children are often treated brutally and punishments for mistakes or desertion are severe. In May 2001 four children in the Democratic Republic of Congo, aged between 14 and 16, were sentenced to death by a military court under a special law designed to crack down on looting and robberies by gangs of child soldiers. In Ethiopia, young conscripts

claimed that comrades who tried to escape during attacks were shot; others who returned alive after battles were reportedly ill-treated, charged with desertion and even imprisoned in pits in the ground. In September 2000, the UN Committee on the Rights of the Child raised a general concern about the application of military laws to under-18 recruits, in possible contradiction with the Convention on the Rights of the Child and international standards on juvenile justice.

In many countries, child soldiers who are captured, escape or surrender often face ill-treatment, torture and even death. On 26 May 2000 in Nepal, one girl aged 17 was killed with five other Maoist suspects in Urma village, allegedly after being wounded and captured. In Burundi, the government has imprisoned and tortured children, many accused of collaborating with armed opposition groups, for long periods without charge or trial. Others face retaliation from the community and are given little protection. On 25 October 2000 in Sri Lanka, a mob from nearby villages attacked Bindunuwewa rehabilitation camp killing 26 inmates between the ages of 14 and 23; an inquiry is underway into the circumstances. In Sierra Leone, many demobilised children have been re-recruited by armed groups, sometimes from rehabilitation camps themselves.

Whenever even a few children are involved as soldiers in a conflict, all children in that particular community or area - civilian or combatant - come under suspicion. For instance, the UN Committee on the Rights of the Child and UN Special Rapporteurs have expressed concern about cases of extra-judicial execution, torture and 'disappearance' of juveniles suspected of involvement with armed groups in the northeast states of India. On 15 August 2000 in Colombia, an army unit near Pueblo Rico, Antioquia, mistook a party of schoolchildren for a guerrilla unit and opened fire, killing six children aged between 6 and 10 and wounding six others.

The full psychological impact on children of participation in armed conflict, especially for those who have witnessed or committed atrocities, is only beginning to be understood. According to one 14-year-old girl abducted by the Revolutionary United Front in Sierra Leone in January 1999, "*I've seen people get their hands cut off, a ten-year-old girl raped and then die, and so many men and women burned alive . . . So many times I just cried inside my heart because I didn't dare cry out loud.*" From Algeria, one report cites boys who appeared to be around the age of 12 decapitating a 15-year-old girl and then playing 'catch' with her head.

However there is growing experience today in many parts of the world with the physical and psycho-social rehabilitation of child soldiers and their successful reintegration into society, some of which is documented in this report. Often these programs combine the latest developments in psychology and child development with traditional custom and ritual. The adjustment from highly-militarised environments to civilian life can be extremely difficult, particularly for those who have lost or are rejected by their families or in societies where social infrastructure has been shattered by years of war. Special attention needs to be paid in such programs to the experience and needs of girls, who have often been overlooked in assistance programs and disadvantaged by traditional patriarchal social values.

These programs are vitally important to peacebuilding efforts and the long term stability and development of post-conflict societies. The United Nations, including in Security Council Resolution 1314 of August 2000, has recognised the importance of incorporating the disarmament, demobilisation and reintegration of former child soldiers into peace negotiations and agreements, and donors are committing more resources to this critical area. But a more consistent and long-term commitment is desperately needed if this problem is to be squarely addressed.

A GLOBAL PROBLEM

As this report shows, the use of children as soldiers is a global issue requiring a global response. While the problem has been most critical in Africa and Asia, children are used as soldiers by governments and armed groups in many countries in the Americas, Europe and Middle East. The following section provides a brief overview of each region, details of which can be found in the individual country entries contained in this report.

Sub-Saharan Africa

The Coalition to Stop the Use of Child Soldiers believes that more than 120,000 children under 18 years of age are currently participating in armed conflicts across Africa, some no more than 7 or 8 years of age. In recent years, the countries most affected by this problem have been Angola, Burundi, Congo-Brazzaville, the Democratic Republic of Congo (DRC), Ethiopia, Liberia, Rwanda, Sierra Leone, Sudan and Uganda.

Burundi and Rwanda have the lowest legal recruitment ages on the African continent, seemingly 15 or 16 years for volunteers. The overwhelming majority of African States set 18 as the minimum age for recruitment, whether voluntary or through conscription, in line with the African Charter on the Rights and Welfare of the Child, but in too many cases these laws are not applied in practice. Given the lack of systematic birth registration in many countries, however, younger children are inevitably recruited even where there is a will to prevent it. Several countries, such as Uganda and Chad, appear to accept recruits under 18 with parental consent; others, such as Botswana, Kenya and Zambia allow for the recruitment of children with the 'apparent age of 18'. Several countries, including South Africa and Mozambique, allow for the recruitment age to be lowered in time of war or national emergency; Angola has reduced its minimum conscription age several times since 1993, currently set at 17.

Even in armed forces that otherwise appear to respect recruitment procedures, the creation of government-sponsored militia forces tends to open the floodgates to child recruitment. In Sierra Leone, up to 30 per cent of government-sponsored Citizens Defence Forces in some areas are children between 7 and 14, despite government promises to the

contrary; UN officials report that children are no longer used to guard checkpoints but are hidden in the bush. During the 1998-1999 civil war, government militia in Congo-Brazzaville, widely blamed for serious human rights abuses, included many teenage children in their ranks. In some countries, such as Burundi and Rwanda, military schools appear to serve as backdoor recruitment into the armed forces of tens of thousands of children. In some cases it is difficult to distinguish between recruitment and traditional initiation rites of passage into adulthood, especially for young boys. In Sierra Leone, for example, young boys are initiated into traditional hunting societies which have become integrally involved with civil defence militias.
Some countries have recruited children from across their borders – there were reports throughout 2000 of Namibian children being recruited by Angolan armed forces in the border region; Ugandan and Rwandan armed forces were found to have recruited children to militias they have backed in the DRC's civil war; Kenyan street-children have reportedly been recruited by Burundi Hutu militias active in the same conflict; Rwandan forces recruited children in neighbouring countries to fight in both the DRC and Burundi.
Armed groups throughout Africa have a flagrant record of recruiting children and using them in combat. While some armed groups, such as the Union for the Total Independence of Angola (UNITA), have made public declarations and pledges to stop this abuse, these have often been flouted in practice. Others have made no such promises. Opposition forces in Sierra Leone, including the Revolutionary United Front (RUF) and Armed Forces Revolutionary Council (AFRC), have recruited children as young as seven in a civil war characterised by the most heinous human rights abuse. In Uganda, the LRA has systematically abducted children from their schools, communities and homes to camps in Sudan, forcing them to commit atrocities and become sexual slaves. Children who attempt to escape, resist, cannot keep up, or become ill are killed. In Angola, more than 3,000 children were reported to be fighting with UNITA, many forcibly recruited or abducted (some from neighbouring Namibia); girls as young as 13 had been forced to serve as porters, camp followers and concubines.

Middle East and North Africa
In the past two decades the Middle East and North Africa region has witnessed some of the worst and most egregious cases of the exploitation of children as soldiers. In the early 1980s, during the Iran-Iraq war, thousands of Iranian children, many straight from school, were used by popular militias in human wave attacks against Iraqi forces, often given a symbolic key to the paradise promised them as martyrs. Iraq also lowered its age for conscription and engaged in the widespread mobilisation of children during its war with Iran. In Lebanon, large numbers of children actively participated in the civil war with various paramilitary groups – until recent years, the South Lebanese Army, a militia supported by Israel in South Lebanon, forcibly recruited young teenagers to its ranks.
Today, while the situation is vastly improved, children under 18 across the region continue to serve with government and opposition armed forces or to be subject to various forms of militarisation in their communities and schools. The conflict in Sudan has long been recognised as one of the worst child soldier problems anywhere in the world. Thousands of children as young as 12 have been forcibly recruited into government-aligned and separatist groups in the south of the country. The Sudan Government has also provided support and protection to the Lord's Resistance Army, responsible for the abduction, brutal treatment and sexual slavery of approximately 10,000 children from northern Uganda since 1987.
In recent years, some countries of the region have begun to make the shift from conscript to professional volunteer armies. With changing economic and social conditions, some countries are finding it harder to attract voluntary recruits or ensure that young people complete their military service. These factors often lead to a downward pressure on the minimum age for military recruitment as armed forces struggle to maintain personnel levels. Several countries also rely on military personnel contracted from outside the region, including Pakistan and the United Kingdom, both of which recruit at 16.
Also common in the region is the mobilisation and militarisation of children through various militia and youth movements. Children are enrolled in special military schools in many countries, or given military drill and indoctrination in regular school programs.
Armed opposition groups throughout the region have a long history of recruiting and using children, sometimes from outside the region. In Algeria and Egypt, Islamist opposition groups have been reported to recruit children below 15. While information is difficult to confirm, various Kurdish armed groups in northern Iraq, Iran and Turkey have used child soldiers as young as ten. Children have been used as soldiers or guards by Islamist groups, tribal militia and Qat farmers in Yemen. Over past decades there has also been extensive political and material support from the region to governments and armed groups that have exploited children as soldiers, including in Uganda/Sudan, Lebanon, Chechnya and Afghanistan.

Asia and the Pacific
There has been widespread and considerable child participation in armed conflicts across Asia and the Pacific, with tens of thousands of children recruited, sometimes forcibly, into governmental armed forces, paramilitary groups or militia and non-governmental armed groups. The worst affected countries have been Afghanistan, Myanmar, Sri Lanka and, in the recent past, Cambodia.
Myanmar has one of the highest numbers of child soldiers in the world, both within governmental armed forces and

non-governmental armed groups. Some children, often under 15 years of age, are attracted by the prestige and power of the military, but many others have been forced to join. Orphans and street children are particularly vulnerable. Through economic circumstance and tribal ties, children have also joined ethnic minority armed groups pitted against the Burmese military.
Sri Lanka has seen many thousands of children used as soldiers by the armed opposition group, the Liberation Tigers of Tamil Eelam (LTTE). The LTTE has in the past mobilised special battalions of teenage girls and boys, some as young as ten years old. In October 1999, 49 children, including 32 girls aged between 11 and 15 years of age were among 140 LTTE cadres killed in a battle with the security forces at Ampakamam in the north. Despite international commitments to stop the use of child soldiers, there were reports throughout 2000 of renewed recruitment drives and military drilling in schools in LTTE-held areas.
In Afghanistan, a generation of children have grown up under arms – first as members of the resistance to Soviet forces, later as members of Afghanistan's many warring factions. The Taleban movement which today controls much of Afghanistan's territory and machinery of government continues to recruit young men trained and indoctrinated in Islamic schools or madrasas in neighbouring Pakistan. In 2000 there were also reports of escalating child recruitment by anti-Taleban forces in the north of the country.
During Cambodia's past civil war, there was widespread use of children, including girls, in combat by both the governmental armed forces and the Khmer Rouge. Cambodia today faces a major challenge with the demobilisation, rehabilitation and reintegration of former child soldiers.
Children have also participated with armed groups in the ongoing lower-intensity conflicts across India, Nepal, the Philippines, Indonesia and, in the recent past, Papua New Guinea and Solomon Islands. Children were mobilised as part of pro-Indonesian militias in the lead up to the popular consultation on East Timor's independence in September 1999; while the pro-independence armed group FALINTIL once recruited children, East Timor's new national council has set 18 as the minimum age for recruitment to the new nation's military forces.
For their part, Australia and New Zealand follow the lower standard of their western alliance partners, recruiting at 17 (16 in exceptional cases in Australia). China appears to conscript and accept volunteers, including girls, at the age of 17. While Japan claims not to recruit below 18, it does accept youth cadets into its Self Defence Force for technical training from age 15.

Latin America
Although the incidence of child soldiering has reduced in Latin America as conflicts come to an end across the region, thousands of children under 18 years of age continue to fight with both state and non-state armed forces or groups. The countries most affected by this problem have been Colombia and Peru, although large numbers of children are serving in the Paraguayan armed forces and problems persist in Mexico. The reintegration of former child soldiers in El Salvador, Guatemala and Nicaragua continues to pose major challenges.
Most Latin American States set 18 years or more as the minimum age for recruitment into the armed forces, whether voluntary or through conscription. Cuba is the only country in the region legally to conscript under-18s, although several countries allow voluntary recruitment at 16. Domestic legislation is not always applied in practice, however, and in several countries – notably Paraguay and Peru – there are reports of underage recruitment to the armed forces. Further, conscription laws are often applied in a discriminatory manner, targeting in particular the poor and minorities. An almost universal feature of armed forces across the continent is the brutalisation of recruits, especially young conscripts. In Argentina, abuse of recruits led to the ending of conscription, while problems are regularly reported in Bolivia, Chile, Cuba, Paraguay, Peru and Venezuela. As noted above, 56 under-18s died during their military service in Paraguay, six of them under the age of 18 in 2000 alone.
Government-aligned militias and paramilitaries have a long history of recruiting children during the civil wars that have beset the region. In Colombia, for instance, up to 50 per cent of some paramilitary units have been under 18. Military schools are also a common feature across Latin America, enrolling tens of thousands of teenagers each year. In some countries such as Chile, students are considered members of the armed forces.
Armed opposition groups in the region have also been responsible for the recruitment and use of child soldiers. In Colombia, the Armed Revolutionary Forces of Colombia (FARC) has stated that its minimum age of recruitment is 15 and the National Liberation Army (ENL) has denied recruiting children under 16, but both groups are known to have recruited younger. The FARC has even recruited children over the border with Venezuela where it runs some activities. In Peru, the leftist Sendero Luminoso (Shining Path) movement was believed to have forcibly recruited several thousand children from indigenous communities in areas under its control before its eventual disintegration.

Europe, USA, Canada, Russia and Central Asia
The problem of child soldiers is not confined to situations of armed conflict in the so-called 'developing' world. Some of the most industrialised countries of Europe and North America, with some of the most sophisticated armed forces in the world, continue to accept voluntary recruits at the age of 17, in some cases as young as 16. A Coalition survey of the Organisation for Security Cooperation in Europe (OSCE) found that more than half of all OSCE member States accept under-18s into their armed forces.
Alone among European States, the United Kingdom routinely sends 17-year-olds into combat – even though they are

not allowed under domestic legislation to drink, vote in elections, or even join the police force. British child soldiers were killed in the Gulf War as well as the Falklands conflict, and some 50 under-18s served among the British contingent in the KFOR peacekeeping force in Kosovo (despite the ban on under-18s in UN peacekeeping forces). Between March 1998 and March 1999, 36 per cent (or 9,466 recruits) of the total annual recruits were under 18. Although the UK has now signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, it has refused to raise its minimum recruitment age and has entered an interpretive 'declaration' that refuses to guarantee the non-deployment of under-18 recruits.
Recent US military practice has been to assign soldiers to units, including combat units, after completion of basic and technical training. Any soldier who is still 17 after completion of his or her training may therefore be assigned to a combat unit and deployed into combat operations. The United States has acknowledged that 17-year-old soldiers served in US operations in the Gulf War, Somalia and Bosnia. In June 1999, the Pentagon reported that less than one hundred 17-year-olds were serving in combat units at that time, primarily in the Balkans region.
Despite being the first country to ratify the new Optional Protocol, Canada continues to accept voluntary recruits at 16 (although it has passed legislation to prohibit their deployment).
The Russian Federation upholds 18 as the minimum age for all military recruitment, although there are disturbing reports about the attachment of young orphans and streetchildren to military units and camps. The five Central Asian states – Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan – maintain conscript armies with a minimum age of 18. Draft evasion and desertion are widespread, partly due to poor conditions, abuse and ill-treatment within the military. Most of these countries are now embarking on reform programs that will downsize and professionalise their military forces with increased emphasis on voluntary recruits. Islamist opposition groups in the region are reported to use child soldiers.
Children have participated in several European conflicts in recent years, mostly with armed opposition groups but sometimes with government-aligned paramilitaries. In Bosnia-Herzegovina, Chechnya, Nagorno-Karabakh, south-east Turkey, Kosovo, possibly in Daghestan and the Former Yugoslav Republic of Macedonia, children have spied, conveyed messages, carried weapons and ammunition, and, inevitably, killed and been killed. Children have been recruited from second countries in Europe and North America by Kurdish and Kosovar armed groups, and possibly by forces involved in conflicts elsewhere.

TOWARDS A GLOBAL BAN ON CHILD SOLDIERS

The past few years have seen some major breakthroughs at the international level towards a global ban on the use of children as soldiers.
The Convention on the Rights of the Child, adopted in 1989 and today almost universally ratified, generally defines a child as "every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier" (Article 1). However, it set the lower age of 15 in relation to the military recruitment and participation of children in armed conflict, while calling on states recruiting under 18 to give priority to the eldest (Article 38).
From 1993, efforts were made by the UN Committee on the Rights of the Child and under the auspices of the UN Commission on Human Rights to strengthen this prohibition on the use of children as soldiers. New momentum was given to this debate by the landmark study on children and armed conflict prepared by Graca Machel for the United Nations in 1995. The UN Secretary-General, UNICEF, the UN High Commissioner for Human Rights, the Special Representative of the UN Secretary-General for Children and Armed Conflict, together with many governments, regional bodies and non-governmental organisations called for the prohibition of all forms of military recruitment and participation of children under the age of 18 years (what became known as the "straight-18" position).
After many years of negotiations, on 25 May 2000, the United Nations General Assembly adopted by consensus the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. The new Optional Protocol helps to correct this anomaly by **raising from 15 to 18 years the minimum age for direct participation in hostilities, for compulsory recruitment and for any recruitment by non-governmental armed groups. It also calls on states to raise the minimum age and implement strict safeguards for any voluntary military recruitment under 18.**

While it falls short of the "straight-18" position, the Optional Protocol represents a significant step forward towards a global ban on child soldiers. It also builds upon a number of other significant developments in international law:
--The Rome Statute of a permanent International Criminal Court (ICC) defines "conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities" as a war crime when committed in either an international or non-international armed conflict (Article 8);
--International Labour Organisation (ILO) Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour, which entered into force in November 2000, defines a "child" as all persons under the age of 18 (Article 2) and includes "...forced or compulsory recruitment of children for use in armed conflict" among the worst forms of child labour (Article 3);
--the African Charter on the Rights and Welfare of the Child, which entered into force in November 1999, prohibits the recruitment or direct participation in hostilities or internal strife of anyone under the age of 18 (Article 22);
--the UN Security Council, in Resolutions 1261 and 1314, the UN General Assembly, the UN Commission on Human

Rights, the Organisation for African Unity, the Organisation of American States, the Organisation for Security and Cooperation in Europe and the European Parliament have all condemned the use of children as soldiers;
--the Organisation of the Islamic Conference has called for the non-recruitment of (refugee) children in any armed conflict; His Holiness Pope John Paul II has prayed for an end to the use of child soldiers.
The key provisions of the Optional Protocol and these other international standards are outlined in more detail in Appendix Four of this report.

WHY PROHIBIT MILITARY RECRUITMENT UNDER 18?

The Convention on the Rights of the Child generally defines a child as any person under the age of 18 (Article 1). In the vast majority of countries, national laws set 18 as the voting age because it marks the formal transition from childhood to adulthood and the legal and moral responsibilities which come with it. The same psychological maturity should therefore be required for making a decision to join the armed forces.
Article 32 of the Convention on the Rights of the Child requires States to protect children from "any work that is likely to be hazardous or to interfere with the child's education". Military service can jeopardise the health and safety of children. Some aspects of recruits' training - particularly live-ammunition exercises and physical endurance programs – can lead to death, injury and trauma.
Power relationships in the military often leave young recruits vulnerable to bullying, harassment, abuse and sometimes even rape.
Voluntary recruitment is often a choice not exercised freely; it is rarely based exclusively on the volition of the child, but tends to be conditioned by factors beyond his/her control. The line between voluntary, compulsory and forced recruitment is often ambiguous in view of various environmental factors that may coerce children to 'volunteer'. Children from the poorest, least educated and most marginalised sectors of society are often encouraged to join the armed forces as an economic and employment alternative.
Once recruited, children are members of the armed forces. International humanitarian law, which includes the Geneva Contentions of 1949 and their Additional Protocols of 1977, makes a fundamental differentiation between "civilians" and "combatants". Members of the armed forces are combatants under international humanitarian law, which means that they can lawfully kill and be killed, including when they are under 18 years of age. This could lead to situations where a person under 18 is prohibited from participating in hostilities but is nevertheless a lawful target by virtue of the fact that he or she is recruited and therefore a member of the armed forces.
In many countries birth registration is inadequate or non-existent and children do not know how old they are. A minimum age of 18 can be more effectively enforced by recruiters assessing age on the basis of physical development.

The Optional Protocol, together with other developments in the international legal framework, reflects the strong international consensus against the use of children as soldiers. The use of children as weapons of war is like the use of landmines or chemical and biological weapons – simply unacceptable in any circumstances.
Universal ratification of the Optional Protocol will lay the basis for a global ban on the use of child soldiers, backed by effective legal and programmatic measures on the ground. It would build upon the near universal ratification of the Optional Protocol's parent Convention on the Rights of the Child.
At time of publication, 79 states have signed the Optional Protocol, four have ratified (Canada, Bangladesh, Sri Lanka and Andorra) and many others are in the process of doing so. The Optional Protocol requires ten ratifications to come into force.
The UN General Assembly, the UN Security Council and the Secretary-General have called on all states to sign and ratify the Optional Protocol without delay. This call was echoed by ministers participating in the International Conference on War-Affected Children held in Winnipeg in September 2000. A series of regional conferences organised by the Coalition over the past two years have reinforced this call (see Appendix Five for conference declarations).
The Coalition to Stop the Use of Child Soldiers is campaigning for all states to sign and ratify the Optional Protocol without reservations and setting at least 18 as the minimum age for all forms of military recruitment. This ratification campaign has been endorsed and supported by the Special Representative of the UN Secretary-General for Children and Armed Conflict, the UN High Commissioner for Human Rights and UNICEF.

Most significantly, and as borne out in this report, a majority of countries today do not recruit children into their military forces below the age of 18. Many countries are taking this opportunity to review their current military legislation and practice and raise the minimum age for military recruitment to at least 18. Even some non-state armed groups, of every description and from every part of the world, have made international commitments to abide by this standard. For its part, the United Nations has set at least 18 and preferably 21 as the minimum age for civilian police and military observers on UN peacekeeping operations, one of the primary functions in which many armed forces are now engaged.

The Coalition hopes that this report, the first ever global survey of its kind, will generate new understanding of the dimensions of this problem and spur new efforts at the international, regional and national level for the protection of children from this abuse.

FACT 5

5. The Revolutionary United Front (RUF), under the leadership of Foday Saybana Sankoh, began organized armed operations in Sierra Leone in March 1991.

a.			This fact was judicially noticed in the *Brima* Decision, para. 34, Fact E.
b.	Exh. 1.212	n/a	Report of the Secretary-General on the Situation in Sierra Leone, 21 November 1995, S/1995/975, paragraph 2.
c.	Exh. 1.067	n/a	"Getting Away with Murder, Mutilation, and Rape: New testimony from Sierra Leone", Human Rights Watch, Vol. 11, No 3(A), June 1999, at Sect. III, p. 1.
d.	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998, http://www.unhcr.org/publ/RSDCOI/3ae6a6418.html, at p. 6.

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UNITED NATIONS

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Security Council

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GENERAL

S/1995/975
21 November 1995

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN SIERRA LEONE

I. INTRODUCTION

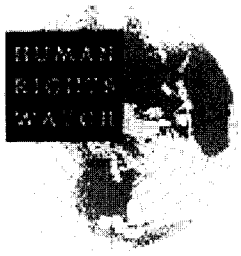
1. The present report is submitted pursuant to a number of requests from members of the Security Council. It covers the period since my good offices were formally requested by the Government of Sierra Leone in November 1994.

2. The conflict in Sierra Leone began in March 1991, when the forces of the Revolutionary United Front (RUF) launched attacks to overthrow the Government of the All People's Congress (APC) headed by former President Joseph S. Momoh. The conflict has so far caused the deaths of thousands of civilians, while many thousands more are internally displaced or are refugees in Guinea and Liberia.

3. On 29 April 1992, the Government of President Momoh was overthrown by a military coup and the National Provisional Ruling Council (NPRC) was established. Captain Valentine E. M. Strasser became the Chairman of NPRC and Head of State. After the coup, RUF made additional demands and continued its conflict with the new Government.

4. Towards the end of 1993, NPRC regained control of areas held by RUF in the southern and eastern parts of the country and subsequently announced a unilateral cease-fire in December 1993. Nevertheless, attacks on towns, villages and major highways escalated to unprecedented levels and spread throughout the country.

5. In a letter addressed to me on 24 November 1994, Chairman Strasser formally requested my good offices to bring the Government and RUF to negotiations, with the United Nations serving as an intermediary in that process. I dispatched a member of the Department of Political Affairs, Mr. Felix Mosha, to Sierra Leone to explore the possibilities of dialogue between the Government and RUF. He held a series of discussions from 15 to 22 December 1994 with Government officials, prominent citizens, religious leaders, resident diplomats and representatives of all United Nations bodies and agencies in Sierra Leone. He was not able, however, to establish contact with RUF in order to assess its



III. BACKGROUND

The Sierra Leonean civil war began in March 1991, when the Revolutionary United Front (RUF) entered Sierra Leone from Liberia, launching a rebellion to overthrow the one-party rule of the All Peoples Congress (APC). The RUF accused the APC, which had been in power since 1967, of rampant corruption, nepotism, and fiscal mismanagement. Despite the fact that Sierra Leone is extremely resource-rich, with large deposits of diamonds, gold, rutile, and bauxite, it is estimated to be one of the poorest countries in the world.

Under the leadership of Foday Sankoh, a corporal in the Sierra Leone Army who had been imprisoned in 1971 for his alleged involvement in an attempted coup against the APC, the RUF was originally made up of a mixture of middle class students with a populist platform, unemployed and alienated youths, and Liberian fighters from Charles Taylor's National Patriotic Front of Liberia (NPFL).[3] The ideological component to the movement, however, was never clearly actualized, and the rebellion quickly developed into a campaign of violence whose principal aim appeared to be simply to gain access to the country's diamond and mineral wealth.

From 1991 until the present, the RUF has fought with great brutality to overthrow the successive governments of both military and elected civilian regimes. Since the outbreak of the war, the country has been marked by instability. In 1992, APC President Joseph Momoh was overthrown in a military coup by Captain Valentine Strasser, whose National Provisional Ruling Council (NPRC) ruled until it was itself overthrown in 1996, by his deputy, Brigadier Julius Maada Bio.

Later in 1996, however, multi-party elections were held and won by Ahmad Tejan Kabbah, head of the Sierra Leone People's Party (SLPP), who pledged to bring about an end to the war. After coming to the negotiating table in Abidjan, the RUF and Kabbah's government signed a peace agreement in November 1996, the Abidjan Accord, which called for a cease-fire, disarmament, demobilization, and the withdrawal of all foreign forces. The cease-fire, however, was broken in January 1997 when serious fighting broke out in southern Moyamba District.

The conflict in Sierra Leone began in March 1991 when armed combatants crossed the border from Liberia into the South-Eastern part of the country, attacking and subsequently occupying the border town of Bomary in Kailahun District (**Muana, P.**, 1997, 77).

The attack has been variously attributed to a "spill over" of the Liberian civil war (**Carver, R.**, 1997, 1) organised by Charles Taylor, at that time a faction leader in Liberia, after the Sierra Leone regime joined the ECOMOG forces which tried to bring to an end the fighting in Liberia (**Freetown, J.**, 1996, 7). Other sources indicate that the rebels were members of the Sierra Leonean Revolutionary United Front (RUF) movement (**Abraham, A.**, 1997, 101). Most observers, however, suggest a combination of the two. In this view, a number of Sierra Leonean opposition groups had existed for a long period in neighbouring countries even before December 1989, when the Liberian civil war began, ostensibly united and armed by Charles Taylor (**Alao, A.**, 1998, 2; **Regional Surveys of the World 1998**, 1997, 907). The closeness and association between the Sierra Leonean and Liberian rebels has been traced back, by observes, to the joint military training they received in Benghazi, Libya in the 1980s. (**Richards, P.**, 1996, 2). Among them was the RUF leader Foday Sankoh, a former corporal in the national army of Sierra Leone who was jailed for seven years for plotting to overthrow the regime in 1971. (**Ibid.**). The attack caught the national army, the Republic of Sierra Leone Military Force (RSLMF) unprepared: it was ill-equipped, badly trained and highly politicised (**Freetown, J.**, 1996, 7).

In retaliation, the government of Monoh increased the number of soldiers enrolled in the armed forces sharply. The armed forces rose from 3,000 to 14,000 men in the first two years of the conflict and expenditures of the conflict accounted for 75% of state spending (**Reno, W.**, 1997, 19). A few months after the first attack, the RUF controlled one fifth of the country in the South-East region. In a counter offensive, the army (RSLMF) joined its forces with ULIMO (the United Liberian Movement for Democracy), an armed faction fighting against Charles Taylor's faction, the National Patriotic Front of Liberia (NPLF) and active in the border region between Liberia and Sierra Leone (**Richards, P.**, 1996, 5ff). Nigeria and Guinea also contributed with military support (**Regional Surveys of the World 1998**, 1997, 907). This collaboration eventually placed the RUF in an inferior position. The next major advance by the RUF was in the autumn of 1992, when they launched attacks on economic targets in the diamond-rich Kono district (**Africa Confidential**, 27 April 1998 [internet]).

In Freetown, the APC-led government had been overthrown by a group of junior officers in April 1992, the army was re-equipped and the subsequent fighting caused major losses among RUF combatants (**Ibid.**). In turn, the RUF changed its tactics. With the objective of avoiding established settlements which could easier be identified, several bush camps were built where young conscripts received military and ideological training. When the armed forces managed to recapture some of the locations in the diamondrich area of Pendemby, Kailahun and Koidu in late 1993, a new party in the war entered the scene : local civil defence forces, also known as *Kamajors* which had clashes with the army (**Richards, P.**, 1996, 13ff).

FACT 6

6. Throughout the armed conflict the RUF forces were also commonly referred to as "RUF" and "rebels" by the population of Sierra Leone.

a.			A similar fact was judicially noticed in *Sesay, Kallon, Gbao, SCSL-04-15-T, "Consequential Order regarding Decision on Prosecution's Motion for Judicial Notice and Admission of Evidence"* ("*Sesay* Decision"), 24 May 2005: "During the ensuing armed conflict, the RUF forces were also commonly referred to as 'RUF', 'rebels' and 'People's Army' by the population of Sierra Leone." (Fact K), but was not judicially noticed in the *Brima* Decision, *see* para. 39, Fact F.
b.	Exh. 1.026	ERN 00007066-00007069	Intelligence Report to the National Coordinator of CDF/SL, Deputy Minister of Defence, 30 November 1999, at ERN 00007066 (mentions a closed door address to "RUF rebels" by Sam Bockarie.)
c.	Exh. 1.066	ERN 00010661-00010676	"The Other War," Washington Post Magazine, 09 January 2000, at ERN 00010673 (says that after the AFRC invited the RUF to join their new government, "RUF rebels" entered Freetown openly for the first time).
d.	Exh. 1.067	n/a	Human Rights Watch Report: Getting Away with Murder, Mutilation, Rape, July 1999, Vol. 11, No. 3(A), available at Table of Contents (Section IVA is entitled "Human Rights Abuses Committed by RUF Rebels".) Also available at http://www.hrw.org/reports/1999/sierra.
e.	Exh. 1.095	ERN 00025070-00025080	U.S. Dept. of State Report, "Sierra Leone Country Report on Human Rights Practices for 1998," released by the Bureau of Democracy, Human Rights, and Labor, February 26, 1999, at ERN 00025071. ("Throughout the year, AFRC and RUF rebels committed numerous egregious abuses"...)
f.	Exh. 1.138	ERN 00028236	"Sierra Leone Coup: How Much Does Taylor Know," *Heritage*, 11 June 1997 – 17 June 1997. ("The RUF rebels, an offshoot of Taylor's NPFL, and the coup plotters are presently controlling part of the Sierra Leonean capital, Freetown...")
g.	Exh. 1.192	n/a	Final Communiqué of the ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone, 28 December 1998, at paras. 7, 10. ("Reports

			presented by ECOMOG Force Commander *inter alia* indicated that the rebels (AFRC/RUF) had upgraded both their troop strength and equipment in violation of the embargo on arms importation..." and "The Committee of Six (which now included Togo) on Sierra Leone appealed to the AFRC/RUF rebels.")
h.	Exh. 1.248	n/a	"RUF Rebels Swarming Lofa," *Daily Times*, 02 April 1997 (says about 2,000 RUF rebels have reportedly fled Sierra Leone to escape the wrath of the Sierra Leonean national army).

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DTG: 301300 Z NOV. 99

FM: DISTRICT ADMINISTRATOR C.D.F SIERRA LEONE H/Q PUJ. DISTRICT.

TO: NATIONAL COORDINATOR CDF(SL) AND DEPUTY MINISTER of DEFENCE – MINISTRY of DEFENCE STATE AVENUE F/TOWN.

ATTENTION H.E. PRESIDENT KABBAH.

INFO. C/MAN NATIONAL COORDINATING COMMITTE MINISTRY OF DEFENCE. SEC. NATIONAL COORDINATING COMMITTE MINISTRY OF DEFENCE, NATIONAL P.R.O.CDF (SL) NAT. H/Q F/TOWN AND ALL OPERATION AREAS.

TEXT: SITREP AS AT DATE. T/SHIP AND DISTRICT H/Q. INTEREST CDF(SL) FROM A RELIABLE SOURCE STATES THAT FODAY SANKOH AND HIS MEN ARE POLITIKING, BUT DOES NOT HAVE ANY GOOD INTENSION FOR THIS COUNTRY. BOTH FODAY SANKOH AND HIS SUBJECTS ARE SAYING THAT UNLESS HE RULE SIERRA LEONE. THAT IS WHY HE LEFT MOSQUITO IN KAILAHUN TO WORK A PLANE AND TOPPLE THE SLPP GOVERNMENT. INSREP FURTHER STATES THAT SOMES DAYS AGO SAM BOCKARIE PAID A VISIT TO ALL HIS REBEL HELD TERRITORIES RIGH DOWN TOKUIMA JOJOIMA NLAW AND MENDEKELEMA ETC. HIS CLOSE DOOR ADDRESS WITH RUF REBELS, HE ADDONISHED HIS MEN TO FIGHT ANY ECOMOG SOLDIERS, KAMAJORS OR ANY UN OBSERVERS THAT MAY VISIT THEIR TERRITORIES WITH THE HOPE OF DISARMING THEM. LATER WAS REVEAL TO THIS STATION THAT FROM THAT DAY THE REBELS HAVE STARTED LEANING THEIR MACHINE GUNS AND OIL THEM FOR ANY INTR –

6015 6B

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DTG: 301300 Z NOV. 99

FM: DISTRICT ADMINISTRATOR C.D.F SIERRA LEONE H/Q PUJ. DISTRICT.

TO: NATIONAL COORDINATOR CDF(SL) AND DEPUTY MINISTER OF DEFENCE – MINISTRY OF DEFENCE STATE AVENUE F/TOWN.

ATTENTION H.E. PRESIDENT KABBAH.

INFO. C/MAN NATIONAL COORDINATING COMMITTE MINISTRY OF DEFENCE. SEC. NATIONAL COORDINATING COMMITTE MINISTRY OF DEFENCE, NATIONAL P.R.O. CDF (SL) NAT. H/Q F/TOWN AND ALL OPERATION AREAS.

TEXT: SITREP AS AT DATE. T/SHIP AND DISTRICT H/Q. INTEREST CDF(SL) FROM A RELIABLE SOURCE STATES THAT FODAY SANKOH AND HIS MEN ARE POLITIKING, BUT DOES NOT HAVE ANY GOOD INTENSION FOR THIS COUNTRY. BOTH FODAY SANKOH AND HIS SUBJECTS ARE SAYING THAT UNLESS HE RULE SIERRA LEONE. THAT IS WHY HE LEFT MOSQUITO IN KAILAHUN TO WORK A PLANE AND TOPPLE THE SLPP GOVERNMENT. INSREP FURTHER STATES THAT SOMES DAYS AGO SAM BOCKARIE PAID A VISIT TO ALL HIS REBEL HELD TERRITORIES RIGH DOWN TOKUIMA JOJOIMA NLAW AND MENDEKELEMA ETC. HIS CLOSE DOOR ADDRESS WITH RUF REBELS, HE ADDONISHED HIS MEN TO FIGHT ANY ECOMOG SOLDIERS, KAMAJORS OR ANY UN OBSERVERS THAT MAY VISIT THEIR TERRITORIES WITH THE HOPE OF DISARMING THEM. LATER WAS REVEAL TO THIS STATION THAT FROM THAT DAY THE REBELS HAVE STARTED LEANING THEIR MACHINE GUNS AND OIL THEM FOR ANY INTR –

6016

00007067

DTG 301300 Z NOV 99

FM DISTRICT ADMINISTRATOR C.D.F. SIERRA LEONE H/Q
PUJ. DISTRICT.

TO NATIONAL COORDINATOR CDF(SL) AND DEPUTY MINISTER OF DEFENCE - MINISTRY OF DEFENCE STATE AVENUE F/TOWN.

ATTENTION H.E. PRESIDENT KABBAH.

INFO. C/MAN NATIONAL COORDINATING COMMITTEE MINISTRY OF DEFENCE. SEC. NATIONAL COORDINATING COMMITTEE MINISTRY OF DEFENCE, NATIONAL P.R.O. CDF (SL) NAT. H/Q F/TOWN AND ALL OPERATION AREAS.

EXT. SITREP AS AT DATE. T/SHIP AND DISTRICT H/Q INTEREST CDF(SL) FROM A RELIABLE SOURCE STATES THAT FODAY SANKOH AND HIS MEN ARE POLITICKING BUT DOES NOT HAVE ANY GOOD INTENSION FOR THIS COUNTRY. ETH FODAY SANKOH AND HIS SUBJECTS ARE SAYING THAT UNLESS HE RULE SIERRA LEONE. THAT IS WHY HE LEFT ABSENTO IN KAILAHUN TO WORK A PLANE AND TOPPLE THE CPP GOVERNMENT INTREP FURTHER STATES THAT SOMES DAY AGO SAM BOCKARIE PAID A VISIT TO ALL HIS REBEL HEADQUARTERS RIGHT DOWN TORUNA TO TOMA ULAM AND MENDE KELEMU ETC. HIS CLOSE DOOR ADDRESS WITH REBELS HE ADDENISHED HIS MEN TO FIGHT ANY ECOMOG LEADERS KUMATORS OR ANY CIVIL OBSERVERS THAT MAY VISIT THEIR TERRITORIES WITH THE HOPE OF DISARMING THEM. LATER WHIS REVEAL TO THIS STATION THAT FROM THAT DAY THE REBELS HAVE STARTED LOOKING THEIR WITH HAVE GUNS AND OIL THEM FOR ANY ATTACK.

LEADERS. FURTHER MORE MOSQUITO ORDERED HIS MEN TO DEPLOY THROUGH OUT THEIR TERRITORIES. HE ALSO WARNED HIS MEN NOT TO GIVE IN THEIR RIFLES TO ANY BODY. SAM BOCKARIE ASSURED THEM THAT THEY SHOULD TOPPLE OUR BELOVED SIERRA LEONE PEOPLES PARTY (SLPP) GOVERNMENT AND THAT HE IS ONLY WAITING ORDERS FROM HIS BOSS MAN FODAY SANKOH. SOURCES FURTHER STATED THAT MERCINERIES IN THIS COUNTRY IS THROUGH THE HELP OF DR. ABASS BUNDU, KEIFA SMART, MAMMA TOKTO AND OTHERS LIKE CHARLES TAYLOR ~~AND~~ HAS BEEN DISTRIBUTING IN BIG TOWNS LIKE MAKENI, FREETOWN, BO TOWN AND KENEMA FOR MAJORITY OF THIS MERCINARIES IN THIS COUNTRY ARE CURRENTLY FROM DOCUS MOSTLY GUINEANS. I ADVISE THAT GOVERNMENT SHOULD TAKE STEP IMMEDIATELY TO CHECK ALL FOREIGN NATIONALS. GOVERNMENT SHOULD THEREFORE ORDER SPECIAL BRANCH OF POLICE. AND IMMIGRATION DEPARTMENT IN ALL BIG TOWNS STARTING FROM KENEMA # TO CHECK AS APPROPRATE. PLEASE ACT IMMEDIATELY TO AVERT FODAY SANKOH AND SAM BOCKARIE MOVEMENT. ACCEPT INFO FOR IMMEDIATE ACTION. FIRM REGARD

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1600 HRS
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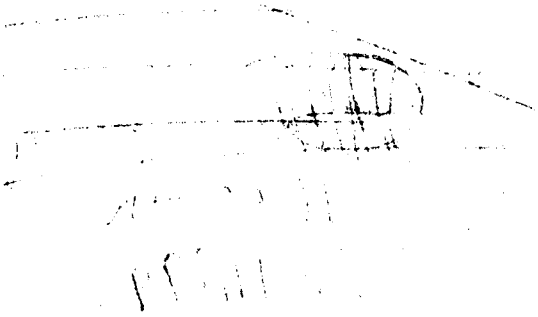

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The eventual winner, a former U.N. official named Ahmad Tejan Kabbah, campaigned on the slogan "The Future Is in Your Hands." Some Sierra Leoneans believe this electoral slogan helped give birth to the country's cycle of amputations. During the campaign, RUF rebels began cutting off civilians' hands to "send them back" to Kabbah in a grisly reply to his electoral speeches, according to human rights investigators. Still, tens of thousands of ordinary Sierra Leoneans risked their lives to vote. Witnesses said that in places such as the southern town of Bo, the vote went forward almost as a popular uprising against the rebels.

But soon after Kabbah took office, some former army bodyguards to the Strasser junta seized power—angry because they had not also been offered scholarships abroad. Calling themselves the Armed Forces Revolutionary Council, they invited the RUF to join their new government. RUF rebels entered Freetown openly for the first time, squatting in federal ministries and looting vigorously in a program dubbed "Operation Pay Yourself." Freetown residents went on strike and refused to cooperate with the new regime. West African governments, the United States and Britain persuaded Nigeria to send troops to restore Kabbah. Embarrassed by the presence of South African mercenaries, Washington also insisted that Kabbah break the contract with Executive Outcomes. Gradually, the Nigerians pushed the rebels out of Freetown. Kabbah returned to the shattered capital and the RUF appeared again to be routed. Sankoh, the RUF's supreme leader, was arrested, tried and sentenced to death.

But in the eastern forests, Mosquito rallied his retreating men, reorganized and plotted revenge. He launched as soon as the rains ended in the autumn of 1998. The RUF and their allies among the bodyguard junta slammed into Kono, then Makeni, then on toward Freetown. Ambassador Joseph Melrose evacuated the U.S. Embassy on Christmas Eve. Overconfident, underequipped Nigerian commanders allowed the rebels to enter the capital shortly after New Year's Day. The rebels organized forced marches of great crowds of abducted civilians to shield their advance.

By the end of January, the Nigerians had recovered just enough to begin slowly rousting the rebels from the capital and its eastern suburbs. But by then, thousands upon thousands of people had been killed, kidnapped or mutilated by the rebels.

FREETOWN: 'WE'VE COME TO SEE YOU ON A VERY IMPORTANT MATTER'

He felt sharp pain when the axe first fell. The second, third and fourth times, Amadu felt nothing. When Tommy had finished, the rebels picked Amadu up and kicked him away from the chopping block at the school gate. He did not stay to watch his brothers, Alpha and Dawda, who were behind him in line. Bleeding profusely, he walked and fell, walked and fell, then collapsed on the clay road.

Alpha stumbled upon him. He, too, was now bleeding from a stump. They walked about a mile toward Freetown. The streets were deserted. They knocked on a stranger's door along a main road. A family bundled them inside. Alpha and Amadu each asked for a poisonous potion of cleaning fluid; they had decided while walking that they wanted to commit suicide. Their hosts refused. They wrapped the brothers' wounds, gave them milk and tried to assure them that they would survive. The boys slept fitfully in the parlor. Nigerian artillery shells echoed outside. When the sun rose, the boys found themselves on a street newly controlled by pro-government forces. One of the family with whom they had stayed took them to the hospital. The boys were bedded in a ward where dozens of amputees were beginning to arrive.

The next day, their half-brother tracked them down. He told them that their 10-year-old brother, Dawda, had bled to death in the street after his amputation and had been buried in a makeshift grave nearby. Their parents and younger sister had been locked inside their home, which the rebels had set on fire. There was nothing left of them or the house, only charred concrete and rubble.

Outside the hospital where the brothers lay, scores of bloodied stragglers and desperate relatives wandered in the streets, searching for medical help or seeking news of the abducted. On street after street in the eastern suburbs, the rebels had staged elaborately orchestrated attacks. Families were corralled and divided, some selected for death, some for amputation, some set free. Children were raped within earshot or view of their parents. The disoriented survivors zigzagged toward Freetown's center, hoping for medical attention or refuge.

At the mosque in a section of Kissy's slopes called Rogbalan, about 100 Muslims and Christians had huddled for days in the sanctuary. Some were neighbors. Some were strangers seeking shelter, people whose names could not later be recalled, whose fate would be registered officially on the lists of the disappeared.

After days of harassment and threats, several rebels, including one described by survivors as no older than 10, arrived at the mosque's gate. They wore black T-shirts and women's wigs. A teenaged boy sitting on the mosque's steps was caught warning those in the sanctuary that the rebels were coming. The rebels told the teenager to open his mouth. One then jammed an assault rifle down his throat and shot him dead.

They entered the sanctuary and one rebel in a dreadlock wig stood before Alieu Ban-

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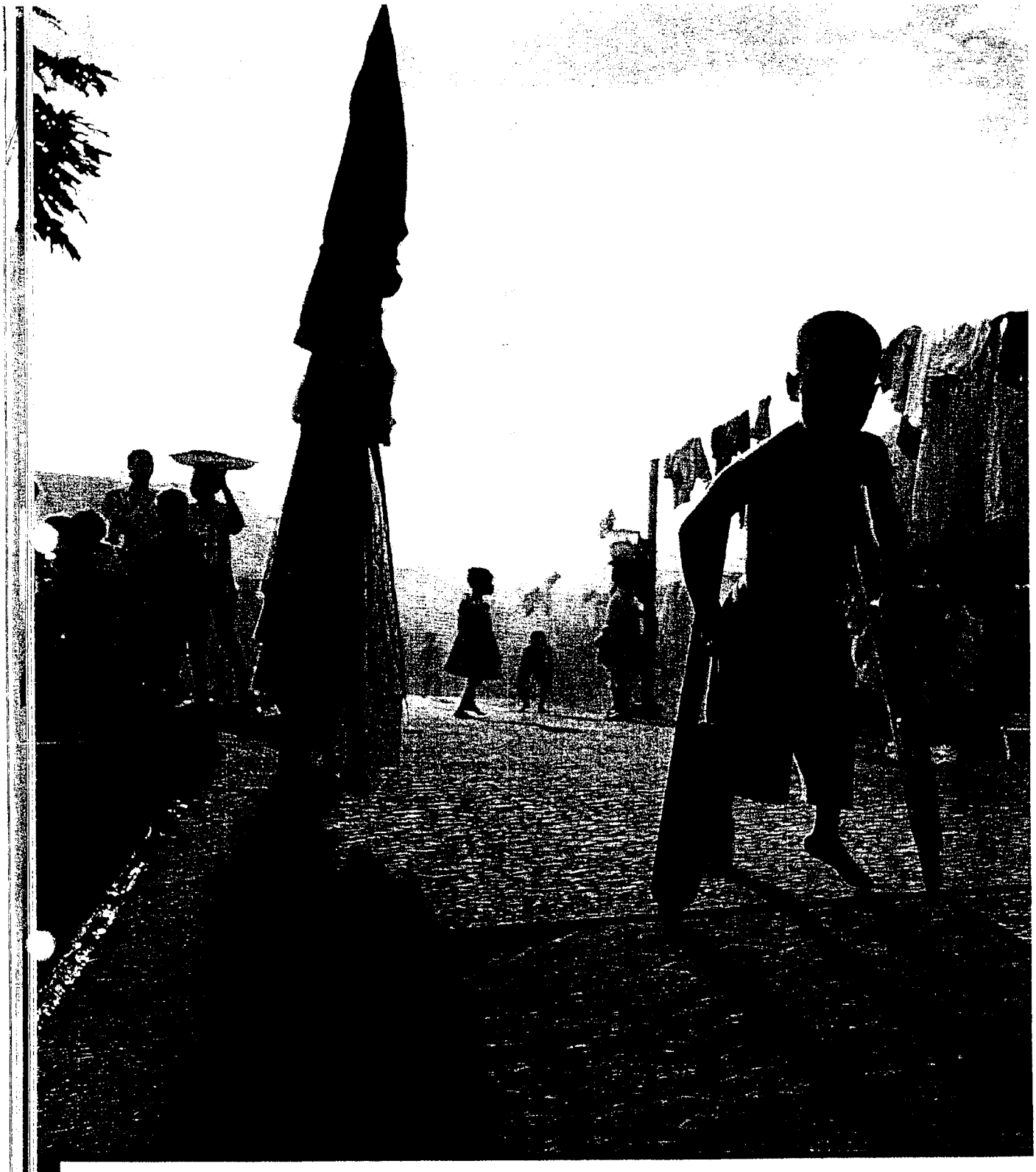

THE OTHER WAR

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THE GRATUITOUS CRUELTIES AGAINST CIVILIANS IN SIERRA LEONE LAST YEAR RIVALED THOSE COMMITTED IN KOSOVO AT THE SAME TIME. YET THE WORLD ALL BUT IGNORED IT, AND NOW WASHINGTON HAS BROKERED A DEAL THAT GIVES THE PERPETRATORS AMNESTY AND A PIECE OF THE ACTION

BY STEVE COLL PHOTOGRAPHS BY MICHEL DUCILLE

FREETOWN: *THE ABDUCTION OF HELEN*

Alpha heard banging at the gates of his family's compound, then gunshots. He looked out a second-story window and saw the rebels. Some wore the combat camouflage of Sierra Leone's disintegrated army. Some wore black jeans, knit polo shirts, Tupac Shakur T-shirts. A few had wrapped their hair in handkerchiefs patterned with the American flag. All of them wore red bandannas around their foreheads. Adhesive strips patched their faces, as if they had been scratched by angry cats. The strips masked incisions where the rebels had ingested cocaine, amphetamines or other drugs that wired their heads for battle.

In eastern Freetown on Monday morning, January 18, 1999, a war that was at that moment the world's cruelest, as well as its most invisible, entered the parlor of the Jalloh family, where breakfast lay unfinished on a table in the center of the room. It was not easy to say why the rebels entered one house and not another, but a faint air of prosperity hung over this gated compound on Kissy Road. Dalibeh Jalloh's nine children by two wives included the three sweet-faced sons now standing frightened by the window. The oldest was Alpha, 22, who traded gold-plated watches he bought in Guinea, had a girlfriend, danced in Free-

A 5-year-old boy makes his way through the Doctors Without Borders amputee camp in Freetown, the capital of Sierra Leone. Below, Sam "General Mosquito" Bockarie.



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town's nightclubs, and who now listened as the rebels crashed through the last door and climbed the stairs.

They demanded money and Alpha's father handed over bundles. Gun barrels swung to the three brothers. A rebel commander ordered them outside. Their mother sat in a chair before the unfinished food and wept. Their father begged: "Please don't take them. They are my children. Don't take them."

Outside, the rebels forced them into line. They marched up a red clay road past small shacks and shops toward green, grassy hills.

"We are going back to the bush," a rebel taunted, "but we are leaving something with you."

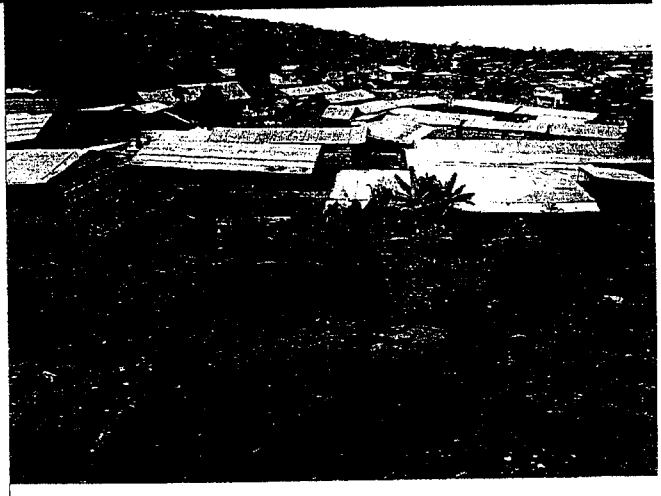
The brothers began to cry. The line of youths swelled with other abductees as they walked. Some rebels told the boys their hands would be cut off and sent back to the democratically elected president of Sierra Leone, Ahmad Tejan Kabbah, as a symbol of the rebels' power. Others said the boys would be killed. The Jalloh brothers begged to be taken to the rain forest, where they could be indoctrinated as rebels and join the "revolution."

"No, we are sending you to Tejan Kabbah. We are not taking you to the jungle."

Two hundred yards up the slope they reached a school driveway. Before a metal gate stood a tall, thin rebel wearing black jeans, a black T-shirt and a red bandanna. Drug strips covered his face. The others called him Tommy. He held an axe.

A neighbor the boys knew as Sheikou went first. As rebels trained assault rifles at his head, he stretched on his stomach on broken concrete before the school gate and extended his arm.

Tommy raised the axe high above his head and slammed it down. Once, twice, three times, four times. Sheikou's severed hand seemed to jump away from him.



The line shuffled forward. Alpha, weeping and shaking, watched his younger brother Amadu, 17, stretch out his right arm.

As Tommy raised his axe, Alpha closed his eyes.

HELEN JOLTED AWAKE. "We've come!" she heard the rebels shout. "You thought we were not coming back to the city! We're here!"

It was three days later in a middle-class neighborhood up the slope from the school gate, where the war would now force entry into the second-story apartment of a salaried government bureaucrat and his 20-year-old daughter, Helen.

Helen: an earnest student who radiates such energy and possesses

MAP BY MIKE REAGAN

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such physical beauty that on the streets of some other capital, people might assume she was famous. She has a daughter by her boyfriend, Abdul. She lives at home in the wind-caressed suburban hills above Freetown, where she lounges with her doting father, and sneaks away with Abdul, and thinks about going into business, as she and her girlfriends have sometimes done in small ways, trading shampoo and food from an old metal shipping container across from a Catholic church.

Helen, who, like Alpha, belongs to a generation of young Africans whose parents' ambitions have delivered them from rural poverty to urban aspiration. They have come of age in a networked, electronic, globalized, syncretic era that for all its fractures manages to connect even to them. One world, ready or not, even in Sierra Leone, which the United Nations describes as the poorest country in the world. In Freetown, the Atlantic-washed capital, there is not a regular supply of electricity or a reliable telephone system, but inevitably, there is a functioning cyber-cafe, and the streets pulse with battery-powered hip-hop music and generator-operated satellite news and the buying power of Western Union money transfers sent by the tens of thousands who have made it to Europe and America. A progressive generation of young and ambitious Africans, you might say admiringly, except that besides Helen and Alpha, it also includes Tommy and his nihilistic brethren—acronym-happy ex-soldiers and self-styled revolutionaries who roam and sprawl across the continent, armed with Chinese- and East European-manufactured assault rifles, propelled by grievance, greed and a broad experience of impunity.

"We are all internationalists now, whether we like it or not," British Prime Minister Tony Blair said last year, explaining why the world intervened militarily to stop paramilitary bloodshed in Kosovo (as it would later in East Timor). Expanding global trade, satellites, the World Wide Web and human migration have combined to create "the beginnings of a new doctrine of international community," one where "globalization is not just economic, it is also a political and security phenomenon," giving birth to a world where "we cannot turn our backs on conflicts and the violation of human rights within other countries if we want still to be secure." Acknowledging the obvious limits of such a doctrine, however, Blair worried that "as yet . . . our approach tends towards being ad hoc."

Blair sought to measure his millennial ideas by the world's conduct in Kosovo during the last year of the 20th century. But an African might want to measure them against the world's conduct in Sierra Leone during that same year of 1999.

A year when, on the night of January 21, eight weeks before the war began in Kosovo, two rebels entered Helen's suburban apartment, roughed up her father and told him that they were taking away his daughter.

He begged them to leave her alone. "If you keep complaining, we're going to kill you," one of the rebels said.

The next morning, her parents watched Helen walk at gunpoint up the hill, through the mango trees, past the Kissy Mental Hospital, toward the peaks that pointed to the country's interior.

Helen found herself walking with another girl from the neighborhood who had also been abducted. The pair wept and begged to be released.

"I am a school-going girl," Helen said.

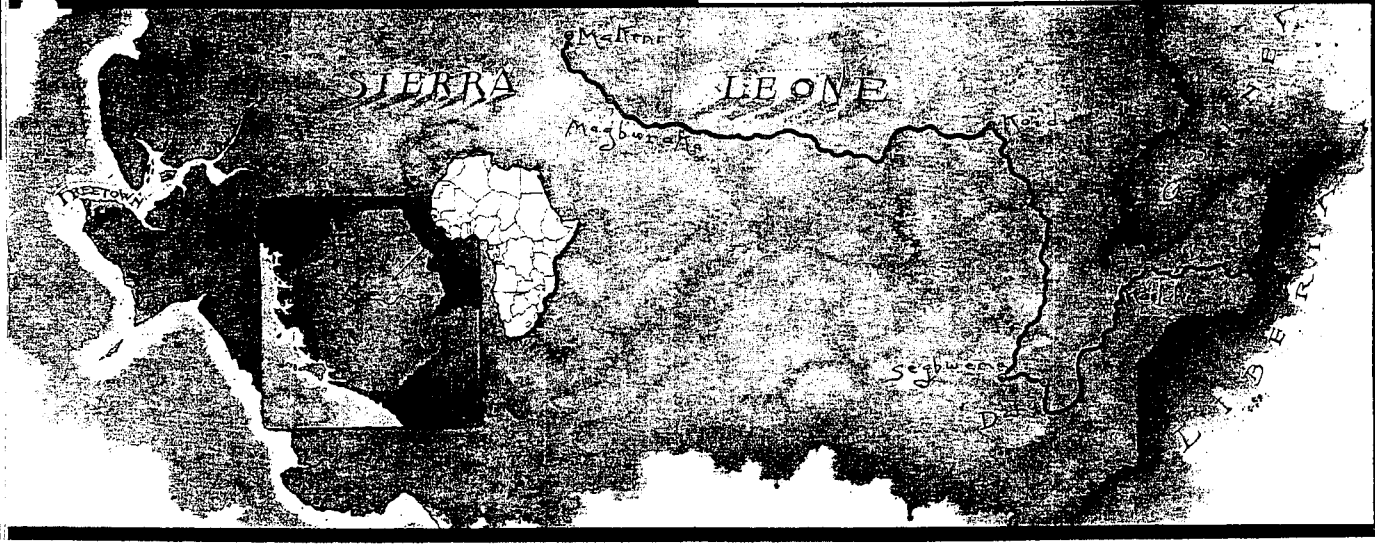
"I don't want to know," replied her captor, whom she would come in the months ahead to know as Colonel Bloodshed.

The rebels took them into the grass and raped them. Then they pushed them on toward camp.

DAWA: A BORDERLESS WORLD

At the spot on the world's maps where northwestern Liberia officially ends and eastern Sierra Leone begins lies a shell of broken concrete, the remains of a small customs building burned in war. A village gate concocted from a tree trunk and rope marks the border crossing at Dawa. No government officials from either country work here. There are only teenagers with assault rifles. They do not much care for passports or formalities.





War-wounded civilians: Brothers Alpha and Amadu Jalloh, top far left, walk in the Kissy neighborhood of Freetown, not far from where rebels amputated their arms last year. Bottom left, the Doctors Without Borders compound. Near left, Helen, a 20-year-old mother who was abducted, raped and imprisoned for months by rebels who invaded her family's suburban apartment.

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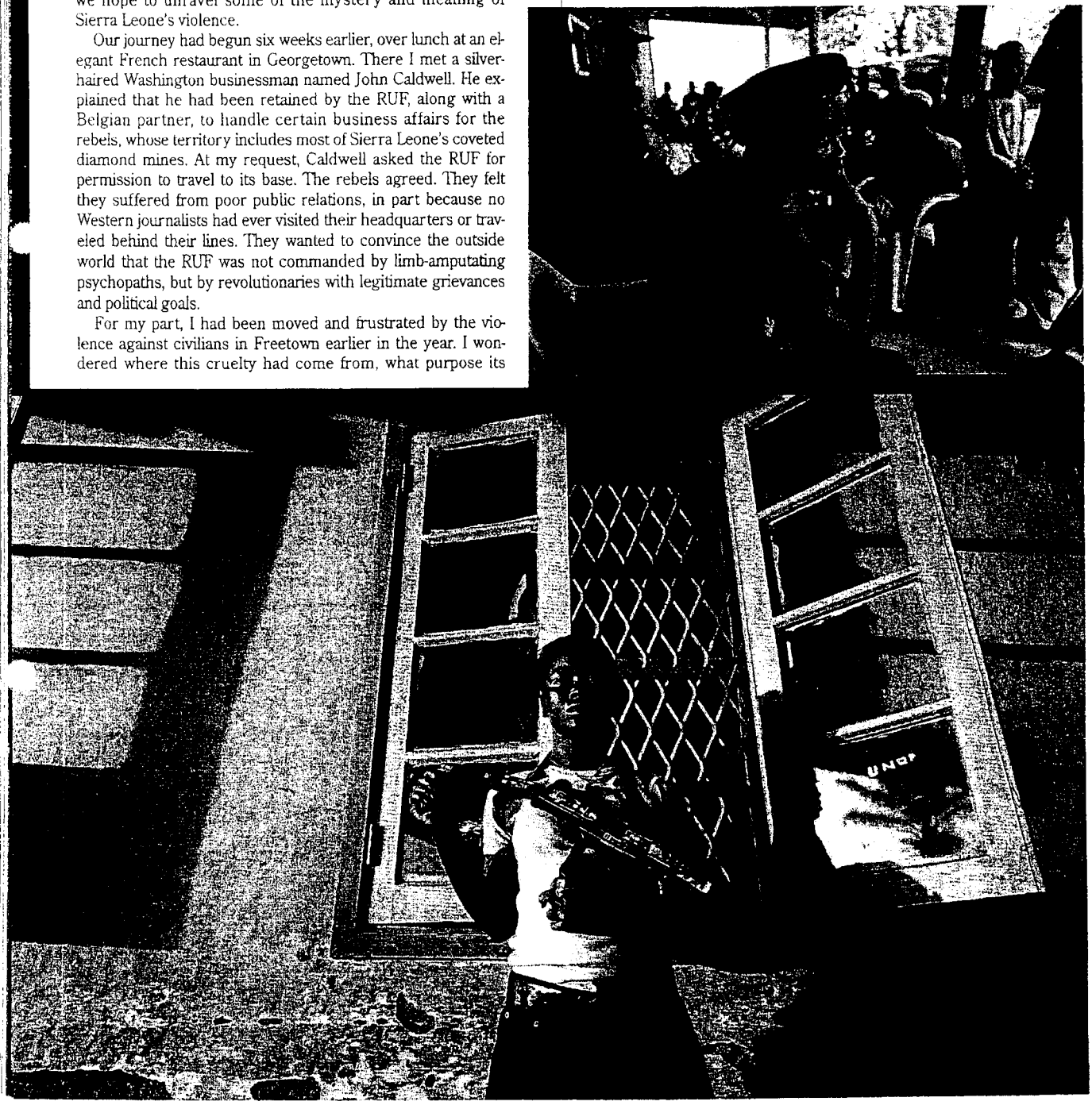
A man in a red beret steps briskly to our jeep and introduces himself as town commander of the Revolutionary United Front, or RUF, Sierra Leone's fearsome rebel army. Two other rebels crowd forward, announcing themselves as "Chuck Norris" and "Rambo." Welcome, they declare sincerely.

Behind us lies 30 hours of Liberian wonderland—a sinkhole-filled, eroded jungle track that our Mitsubishi Pajero traversed at a bone-rattling, rock-slinging average of about 5 mph. A few miles ahead lies the RUF's base headquarters in the isolated rain forest town of Buedu. There we—myself and Washington Post photography editor Michel duCille—have been invited to interview and photograph Sam "General Mosquito" Bockarie, the RUF's military leader. As much as any other person, he will decide whether Sierra Leone begins the new century at war or peace. In getting to know the general, we hope to unravel some of the mystery and meaning of Sierra Leone's violence.

Our journey had begun six weeks earlier, over lunch at an elegant French restaurant in Georgetown. There I met a silver-haired Washington businessman named John Caldwell. He explained that he had been retained by the RUF, along with a Belgian partner, to handle certain business affairs for the rebels, whose territory includes most of Sierra Leone's coveted diamond mines. At my request, Caldwell asked the RUF for permission to travel to its base. The rebels agreed. They felt they suffered from poor public relations, in part because no Western journalists had ever visited their headquarters or traveled behind their lines. They wanted to convince the outside world that the RUF was not commanded by limb-amputating psychopaths, but by revolutionaries with legitimate grievances and political goals.

For my part, I had been moved and frustrated by the violence against civilians in Freetown earlier in the year. I wondered where this cruelty had come from, what purpose its perpetrators imagined. More than 10,000 people had been murdered, raped, abducted or maimed by rebels in a campaign of calculated terror. In their vividness and gratuitous cruelty, the mass amputations epitomized the powerlessness of ordinary Africans at the turn of the millennium. They also marked a climactic spasm in a grinding eight-year civil war shaped by familiar patterns. Outsiders exploited Sierra Leone's diamonds and other resources. Neighboring nations sought advantage by interfering with internal conflicts. Post-colonial politics lay in ruins, felled by autocracy and corruption. The international media paid little attention. And the great powers stood aside, numbed by Africa's wars and poverty. Finding money to halt aggression against civilians, build democratic society or even vaccinate children in a country like Sierra Leone had become a demoralizing, often futile endeavor in official Washington. Many



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In rebel territory: Revolutionary United Front troops, above, fall in for morning inspection. Clockwise from left: an RUF guard at Magburaka; the eight bodyguards who escorted the author and photographer through the rain forests of eastern Sierra Leone in a Toyota pickup; a 15-year-old female guard at Magburaka; General Mosquito at headquarters in Buedu.

Africans added all this up and saw systematic racism—a place in global affairs that reflected continuous discrimination and exploitation since the days of the Atlantic slave trade.

That the unchecked amputations in Sierra Leone coincided with NATO's forceful intervention in Kosovo only drew these frustrations to a sharper point. Of course, the two conflicts took place in vastly different arenas. NATO's intervention in Kosovo occurred in a place where the United States and European powers had deep strategic and military interests. They had no such interests in Sierra Leone, other perhaps than the advancement of their values. But there was more involved in the comparison than the interests of governments and military planners.

In Kosovo, the middle-class status and racial features of the victims, as well as echoes of Europe's Holocaust, allowed many Americans to empathize with the Kosovars, to feel and imagine what happens when armies loose themselves on civilians. The resulting popular outrage in the United States and Europe helped ensure the reversal of the expulsion of civilians by Serbia's government and bolstered plans to indict President Slobodan Milosevic and other responsible Serbs on war crimes charges. But in Sierra Leone, outside engagement with the war came to be dominated by pity-inducing, context-empty images of the limbless, whether in media coverage or during visits by politicians to Freetown's rehabilitation camps for amputees. These stripped-down, politics-free pictures of armless victims helped to consign Sierra Leone's war to the mental box many Americans reserve for Africa. Few understood, for example, that most of Freetown's victims were as urban and middle class as Pristina's.

The greatest contrast lay in the outcomes. The violent campaign against civilians carried out by rebel forces in Freetown last January not only failed to stir American and European governments, it set the stage for a United Nations-endorsed rebel triumph. Early last summer, as NATO declared victory in Kosovo, West African nations, the United States, Britain and the United Nations provided diplomatic and financial backing for a peace agreement that delivered amnesty to the rebels. The agreement—called the Lome accord, after the capital of Togo, where it was signed July 7—also gave the RUF several cabinet seats in a transition government, granted the rebels effective control over the nation's diamond mines, and invited them to join national elections next year to be supported by U.N. peacekeepers. In other words, notwithstanding what happened in Freetown last January—or, rather, *because* of what happened—the rebels achieved something like victory.

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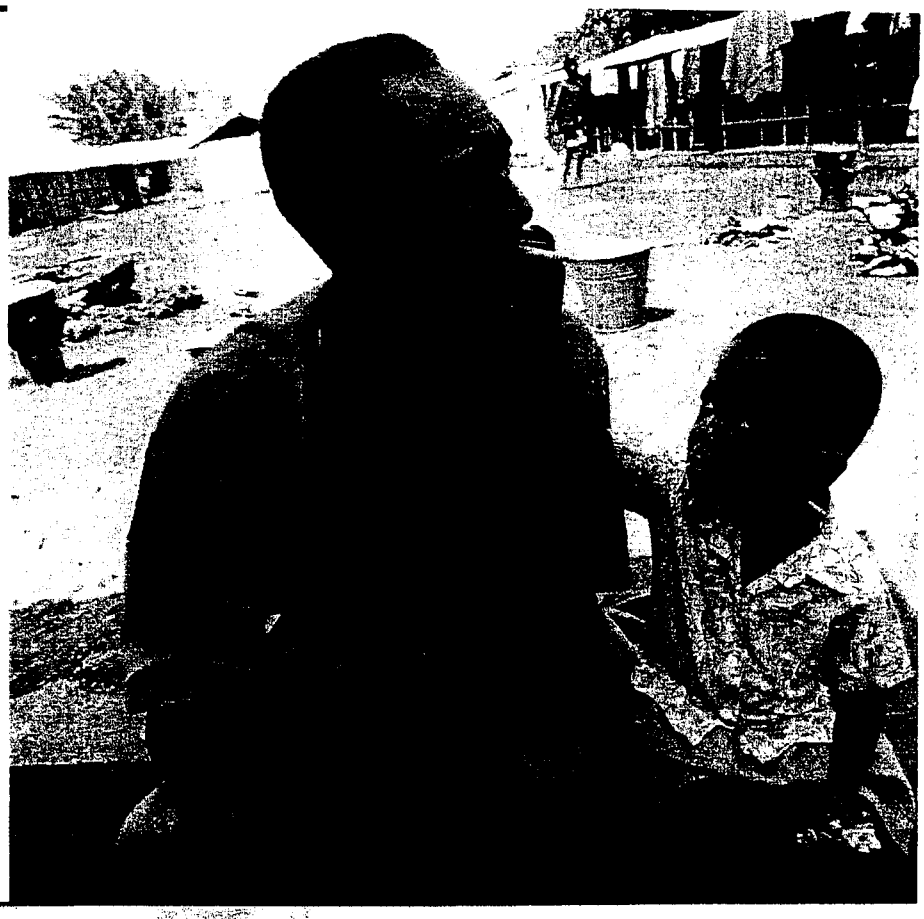

As we rattled among palms and through neck-high grasses along the clay track into rebel headquarters at Buedu, one question hanging over Sierra Leone was whether the Revolutionary United Front really wanted the peace it had won. A shaky cease-fire had prevailed since July between government and rebel forces, but clashes among rebel factions erupted regularly. The Lome agreement requires all combatants to disarm under U.N. supervision and enter into rehabilitation camps for schooling and job training. But the camps, especially in the forest areas controlled by General Mosquito, have mostly stood empty.

Mosquito has been the focus of Sierra Leone's anxiety about whether peace will hold. Leading a force of more than 10,000 armed men, he was perhaps the most feared man in Sierra Leone. As the RUF's chief of defense staff, he was the rebels' most prominent battlefield commander in recent years, the man in charge on the ground while the movement's supreme political leader, a former army photographer named Foday Sankoh, languished in jail or in exile. Rarely photographed or seen in public, Mosquito moved like a shape-shifting spectral demon around the country's rain forests, surfacing via satellite telephone to issue blood-curdling threats through Freetown media or the BBC World Service. Rumor and debate raged about his motivations and ambitions. What kind of country did he want? What role did he imagine for himself? Could he accept peace, or was he now so accustomed to jungle warfare—so unable to imagine an alternative for himself—that violent "revolution," whatever that meant, had effectively become his lifetime profession?

In the answers to those questions lies the credibility of the international community that bargained with Mosquito. In them too lies the future of Sierra Leone, and part of Africa's future as well.



BUEDU: *IN MOSQUITO COUNTRY*

"I am a good-looking man, a big showman, I like good living," Mosquito declared, tilting to aim a menacing stare at the Egyptian colonel sitting beside him. "Can you *en-camp* me!!?"

No, the Egyptian allowed, it seemed unlikely that Mosquito would enroll in a U.N. rehabilitation camp. The colonel sat nervously with three other U.N. military observers in a circle of plastic chairs assembled in fading light on a dirt lawn near the Buedu bungalow housing Mosquito's offices. The U.N. team had turned up in confused circumstances late that afternoon at the town's western entrance. They seemed to think they had been arrested.

Mosquito sat center stage at this ambiguous tribunal, resplendent in quasi-military dress: a felt beret with two pinned stars, combat camouflage, a silver pistol and, around his neck, a medallion in the shape of Africa hooked to a shiny gold chain.

For the past half-hour, he had declaimed about the failings of the United Nations in Sierra Leone and around the world. He complained bitterly that U.N. observers such as these four had been traversing RUF-controlled territory without his knowledge. He dramatically threatened to withdraw security guarantees for U.N. personnel. He mentioned the commander of Sierra Leone's U.N. military observer force by name and threatened him with death.

And then, after declaring, "We are ready to disarm, but it should be done in a way that guarantees our security and provides something of what we fought for," Mosquito told the officers they could go. They saluted and extended backpedaling handshakes, jumped in their jeeps and sped west toward government-held territory.

Mosquito had arranged this spectacle as much for our benefit as for

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the United Nations', it seemed. We had been in Buedu since early the previous morning, and increasingly the place seemed a phantasmagoric theater.

Our host was ebullient. He talked for hours about the war, the prospects for peace, and his own life story, which involved his rise from professional nightclub dancer and women's hairdresser to national revolutionary commander. He buzzed flamboyantly around town on an off-road motorcycle. He changed clothes frequently—safari suits, European designer wraparound sunglasses, the latest designer jeans and, for a family photo on our final morning, a smart charcoal double-breasted suit.

He would pull up to us on his dirt bike, lean back on the seat, and make pronouncements in lilting English such as, "I am a military man and I don't think I can transform myself into a civilian. I will die as a soldier." Pause. "Or I will retire as a soldier." Vroooooom . . .

"You know," he observed delightedly during one long account of the war, "I really admire myself."

Mosquito is a Big Man in a very small town. He delivered thumping speeches to his men about his decision to live in the rain forest rather than in Freetown. He forswore political ambition. "I don't want to be minister. I don't want to be president," he told them. "All I want is to see this revolution through. But we will not disarm until total revolution is achieved in Sierra Leone."

Total revolution? And that would look like?

The arid phrases of Moammar Gadhafi's Green Book, the Libyan leader's manifesto for "people's revolution," blew through Buedu like a bad wind. Free schooling, free medical care, an end to corruption, nepotism and tribalism—these have been the slogans of RUF pamphlets and radio broadcasts for years. The rebels' themes successfully tap popular disgust over Sierra Leone's failed one-party politics after independence. They speak to a generation of rural young people—including Mosquito himself—who never made it to Freetown, whose families lacked the pluck or position to stake a claim in Kissy's suburban hills, and who found themselves shut out by Sierra Leone's failed education system and corrupt public sector.

Yet as a practical matter, you could locate more socialist engineering in Montgomery County than in eastern Sierra Leone. War-ravaged RUF-controlled territory is so poor that it is all most people can do to feed themselves from small rice plots and fruit trees. The RUF appoints commanders to run towns and cities, honors traditional chiefs where they have survived, and lately has tried to work with foreign charities and citizen committees to develop social services. But the forests remain a desperate subsistence economy.

Confident theories of national revolution rang out noisily in Buedu nonetheless. Most startling was the ideological fountainhead of one Martin Coker, "personal assistant to General Mosquito," who told us he had lived in the Washington, D.C., area for much of the 1990s.

We first heard the improbable, clipped tones of Coker's middle-

After the terror: At the Doctors Without Borders amputee camp, top left, Lansana Sesay smokes with his grandson's help. Bottom left, a man removes his shirt while his wife tends to their child. Below, the Rogbalan mosque, where dozens were massacred.



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The rift: RUF founders General Mosquito and Foday Sankoh have disagreed over the peace process. Mosquito, above, answers questions about human rights and, right, wields his satellite phone. Opposite page: top, Sankoh en route to a rally in Magburaka; bottom, onlookers outside his compound there.

class British accent as we unpacked ourselves from our jeep upon arrival in Buedu. "Good morning!" declared a tall, polite man holding an official-looking bundle of papers. "Welcome to the defense headquarters of the Revolutionary United Front!"

Born to an elite Freetown family, Coker attended school in Britain and then migrated to America, where he developed a business putting up ceilings in major D.C. area office buildings—including, he said, CIA headquarters in Langley. A neo-Marxist as well as an entrepreneur, he listened regularly to WPFW's Pacifica Radio talk shows and fed his revolutionary yearnings at leftist bookstores in Dupont Circle. In 1997, some sort of spiritual crisis—he said it involved portentous dreams, his faith in God, and a belief in the urgency of a people's revolution in Sierra Leone—caused him to return to Africa. There he presented himself unannounced as an intellectual who wished to serve the RUF. He wound up at Mosquito's base camp.

Coker ran the general's satellite telephone, television and radio systems; helped to write Mosquito's letters to RUF colleagues, the United Nations and foreign heads of state; maintained a computer room; and helped to supervise "Radio Freedom, voice of the People's Army of Sierra Leone," an FM station in Buedu that Coker said was paid for with a particularly fine diamond, and which was now broadcasting rap music and RUF messages across the country's eastern forests.

Delighted to have his hometown newspaper visiting Buedu, Coker asked about the Wizards' prospects (poor, we admitted) and became our effusive guide to the RUF's nascent revolutionary society. Intelligent, articulate and plagued by recurring malarial fever, he seemed a tropical, slightly unhinged version of one of those political commissars the Soviets used to place on their nuclear-armed submarines—feared and influential, but vulnerable to fragging.

Arrayed along a dirt track and made up of perhaps 100 homes, Buedu teemed with young men carrying assault rifles. Some of them were "recruits" captured in battle, taken from their families and indoctrinated in RUF ideology. These included boys no older than 14 who belonged to the feared "Small Boys Unit," or SBU, notorious in Freetown for carrying out grotesque acts of violence. In Buedu, the boys typically worked as household help for senior commanders. Coker arranged for us to interview several, even as he railed against

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the West's criticism of "child soldiers." Elitist human rights activists fail to understand, he explained, that in a people's army, families must move together "on the front lines"—husband, wife, children all fighting the people's war together.

As Coker listened, the boys told us how pleased they were to be RUF volunteers—they could hardly have said otherwise in the circumstances. But in reciting how they were captured in battle and separated from their families, nostalgic emotion sometimes reached their throats.

"I have a family I've left behind, but I'll stay with this family until it's time to look and decide," said Corporal Jonathan Phillie, contemplating his future if peace holds. He was only in sixth grade when he was captured by the RUF three years ago; he does sometimes think about a world beyond Buedu. "I want to be a doctor," he said. "It's a blessed job."

BUEDU: AT THE CROSSROADS

On our final night at RUF headquarters, we sat with Mosquito in a dark concrete room and talked for hours about his past and future, tracing a journey that holds many threads of West Africa's crisis.

He never knew his father, quit school at 19 and struggled as a diamond miner, sometimes supporting himself as a nightclub dancer. "I was fed up with Sierra Leone." He migrated to Monrovia, the capital of Liberia, where "a lady convinced me to try to learn to be a beautician. I was not easily convinced to do the work at first because I thought it was women's work. I was feeling impoverished, and she led me to a salon, and it impressed me. A whole apartment with a hall and passages . . . all wall-to-wall carpet. I saw a young man standing over some high-ranking women and I said, 'No problem, a good-looking man like myself, I can do it.'"

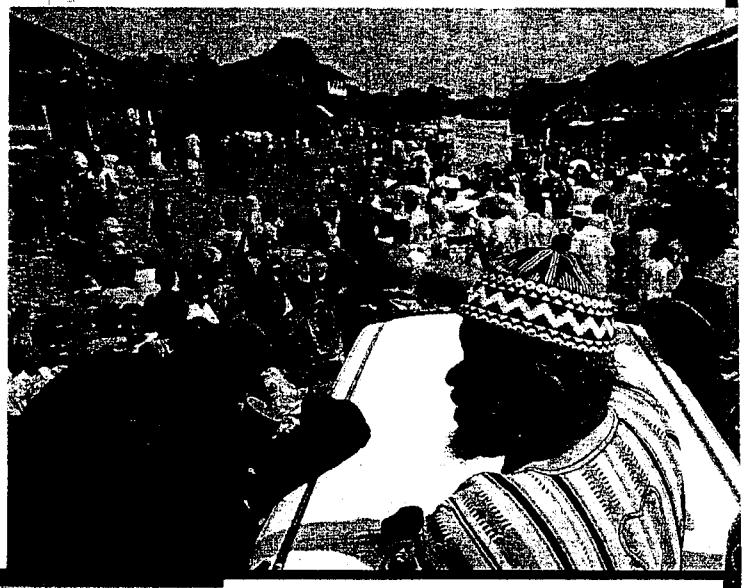
Mosquito paused. "Even now, I can do any hairstyle."

Like many among his generation, he thought of aiming for Europe or America. He took courses that would qualify him as an electrician. He had an ambitious plan: to move to Abidjan, the relatively prosperous West African capital of the Ivory Coast, do electrical work and become a beautician in a parlor frequented "by high government women." He would then seduce and cajole his way to France. "That was my big plan—to jump to Paris and become the person about whom people say, 'He's the top man.'"

Then civil war erupted in Liberia. "I think if the war hadn't happened, I would have been somebody in Paris by now," he reflected. "I would have changed my position [by now] to London or maybe the United States." Instead, he started hanging out with Liberians who were gathering arms and volunteering for combat. He heard about a plan to recruit Sierra Leoneans to start their own revolutionary force. He traveled abroad to what he would only call "an undisclosed location" (almost certainly Libya) for extensive classroom and combat training. At revolution school he met Sierra Leonean political dissidents, including Foday Sankoh. Together they formed the RUF in 1991. "I was not recruited. I recruited myself." He began to read the Green Book and, "I became interested in this, that these are some of the things that man can do."

I asked about his battlefield leadership of the RUF's war and the terrible violence inflicted on civilians. He had been waiting for questions about human rights. As he prepared to answer, he pulled his pistol out of his jeans pocket and set it on his thigh. It seemed an instinctive gesture.

"I don't believe in innocent killing in the field," he replied emphatically. Through his satellite and Internet connections to global news, it became clear, Mosquito had studied in some depth his potential problems under war crimes law. He criticized Mary Robinson, the U.N. high commissioner for human rights, because she had suggested that RUF commanders might eventually be subject to prosecution, despite the Lome accord's amnesty. He insisted that he, personally, had only executed men under justifiable circumstances—to enforce martial law or prevent desertions. "I have no outlaw record," he said. "If soldiers have raped, I have executed them. If soldiers have dropped arms, I have disciplined them. Those are the only two crimes I have committed."





What about the dozens of boys and young women in his own camp who had been abducted and recruited by the RUF? "We don't force people to join," he answered. "When we capture these girls, we encourage the young people to join," and they do, voluntarily.

He claimed that he had never ordered amputations of civilians. He said ex-soldiers allied with the RUF, but not directly under its command, were responsible for the worst atrocities in Freetown in January. (Human rights investigators say those ex-soldiers probably did carry out a large proportion of the violence, but that RUF combatants also carried out amputations, killings and abductions.) Mosquito accused government militias of carrying out amputations and then blaming them on the RUF. (We met amputees in Buedu who told credible stories of being tortured by the *continued on page 22*

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teresting about Burmese food. Ohno kaukswe is creamy with coconut milk and studded with chicken, earthy and seductive. Mohingar is more forceful, a thick, grainy fish broth the color of Army fatigues. It's an untamed cousin of France's bourride, perhaps strange and funky at first, but it grows on you. Both these soups are filling, accompanied by a bowl of noodles as thin as twine. Ladle the soup over the noodles and squeeze on plenty of lime, shredding in a few coriander leaves, onions or chilies if you like. Sour leaf soup is for those of us addicted to the strongest olives, anchovies, capers and pickles. It's a clear tart broth with rough-textured greens and a few plump shrimp—wonderful if it suits your palate's range.

Accompany the soups with some fritters—in Burma you might even cut them into the soup as croutons. Squash fritters are the most popular, the vegetable nearly melting inside its crackly fried batter. They're as light as tempura but twice as crunchy and three times as flavorful. Gram fritters—chickpea cakes lighter and milder than falafel—are subtle, and take well to their tamarind dip. Potato samosas and vegetable egg rolls are light, thin-crusted versions of their Indian and Chinese counterparts. The cabbage rolls taste unfinished, or at least unseasoned and unsauced; their cilantro dip, though, is dazzling.

The other category of first courses is salads, a range from mango to sardine. Like the fritters, they come in portions meant for sharing. These chopped and shredded melanges are accented with crunchy dried beans, crisp fried garlic, sesame oil, cilantro, scallions and sometimes chilies; all would benefit from a squeeze of lime and maybe a dash of salt. A Burmese would be delighted to find pickled green tea leaf salad on the menu, but its bitter astringency makes it an acquired taste; the pungent ginger salad probably has more universal appeal. A salad of green papaya and another of sliced fried tofu are even more succulent. Cauliflower is served warm and vinegary, a touch sugary, with flecks of cilantro and sesame seeds.

The entrees have one unfortunate characteristic in common: They're oily. Beyond that, they are mostly simple stews—chunks of pork with tart fresh mango, or blandly curried chicken and potatoes—or stir-fries of squid with shrimp and ham or of chopped sour vegetables.

A whole fish is fried darkly crisp and coated with a startling amount of hot pepper and salt. And there are noodle dishes from all of Southeast Asia, served hot or cold. The waiter was right to suggest that we'd like Penang-style noodles, warm and fragrant with curry spices, stirred with chicken and bright, firm vegetables. But no entrees are more satisfying than the vegetarian ones, especially the pumpkin curry, which tastes like the slightly sweetened Afghan stewed pumpkin, though without its yogurt topping. Mushrooms, pale meaty ones, are stir-fried with noodle-thin sheets of dried bean curd. Tofu also joins forces with tomatoes, green or sour mustard plant or bean sprouts.

Desserts don't get more homey than Myanmar's. Some days there's a comforting tapioca—warm, sweet coconut milk floating translucent pearls. Often there's a grainy cake made from cream of wheat and rice flour, with a hint of molasses flavor from its palm sugar, pleasant even when it's a little chewy from reheating. Ice cream with chocolate cream, and apple or banana cake are on the menu if not always in the kitchen.

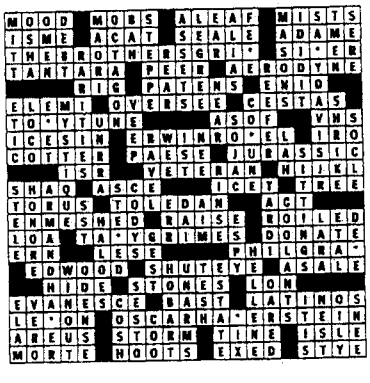
Dining at Myanmar is about as predictable as a hike in an unfamiliar forest. You need to be prepared and might have to put up with a few wrong turns. But it's an invigorating adventure.■

To search for restaurant reviews or to chat with Phyllis C. Richman online, click on Entertainment, then Restaurants, at www.washingtonpost.com. Richman's live discussions take place Thursdays at noon.

TURNING TABLES

New Heights has another hill to climb. Its fine young chef, John Wabeck, is leaving by the end of the month to become chef at Brix in Napa Valley. —P.C.R.

SOLUTION TO LAST WEEK'S PUZZLE



WAR

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government militias. New York-based Human Rights Watch accuses the militias of human rights violations, but says abuses by the RUF and its allied ex-soldiers have taken place on a far greater scale.)

Once the amputations began, Mosquito said, each side retaliated against the other. "It started as a revenge. If some have done it to your relatives, you will go back and do this. To boys who had their hands cut . . . when you see this with your own eyes, you want to take revenge on their families."

Mosquito tells his men he is protected from bullets by magic powers. As we talked late into the night, he stood and stripped off his shirt to show scars across his shoulders and arms—from bullets that have bounced off him, he said. He pulled down his jeans to show similar wounds on his thighs.

Yet the longer he talked, the more it became clear that, superpowers or no, Mosquito at 35 lacked a convincing vision of his own future. Last spring, he said, Lebanese intermediaries working for the U.S. government offered him $2.5 million to leave Sierra Leone and settle peacefully in Nigeria. He said he asked the negotiators to bring the cash to the Liberia-Sierra Leone border. "I was going to ambush them, deal with them ruthlessly and spend the money on arms," he said. They refused to come. Afterward, he told that story repeatedly to his followers and vowed never to be bought off. Still, as the night wore on, he talked wistfully of Paris or America, even though he knew he would be vulnerable to arrest in such places. Other times he talked of his desire to lead Sierra Leone's army after the next election. And then, over and over, he waved his arms and threatened angrily to retreat from Buedu to the rain forest and start the war all over again. If he were provoked by the United Nations or Freetown's government, he said, "I'm envisaging another serious battle in Sierra Leone. I told all my men to clean all their barrels and wait."

BUEDU TO KOIDU:
THE BEST INTENTIONS

Freed blacks and white Christian abolitionists in Britain and America created Sierra Leone as a new, enlightened "Province of Freedom" in 1792. Since then, the export of American and European values to this stretch of the West African coast has been a sorry, violent, hypocritical business.

Like Liberia next door, Sierra Leone owes its existence as a modern nation-state to international humanitarian law, at least as it was understood by British and American reformers in the late-18th and early-19th centuries. Abhorring slavery but unable to imagine a

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multiracial society at home, British idealists conceived of Freetown as a homeland for free but impoverished black populations languishing in Canada and London. The former included Jamaican Maroons, who had won their freedom in revolt, and American blacks who had been freed from slavery to fight with Britain during the American Revolutionary War but were then shipped off to freezing Nova Scotia when the redcoats lost. Later, British opponents of the Atlantic slave trade began seizing slave vessels on the high seas and freeing their human cargo in Freetown's harbor. Few of these freed slaves could figure out how to get home again, so Sierra Leone became a melting pot of African cultures and tongues from as far south as Angola.

Even as we plunged into the interior, my Jamaican-born colleague, Michel, could understand much of the local creole, which contains phrases and inversions closely related to Jamaican dialect. It felt odd, amid such dense forest, to hear the linguistic residue of such a long, tangled history of Western exploitation and reform—although no more odd than it was to encounter Mosquito's satellite-downloaded globalism.

"Open the arsenal!" our host declared dramatically on our final afternoon in Buedu, as his men loaded supplies into a "Mad Max" special, a dented Toyota pickup equipped with several boxes of rocket-propelled grenade shells, half a dozen grenade launchers, an equal number of cans of sardines (for sustenance, not defense), a dozen cans of beer and soda, and a last-minute gift from Mosquito himself, a three-quarters-full bottle of Irish cream liqueur. The pickup would also carry us, an RUF colonel, two other commanders, one of our Liberian police escorts and, in the truck bed, all of our luggage plus eight bodyguards armed with assault rifles. I liked our chances in an ambush, but wondered if the potential for spontaneous combustion had been underestimated.

Our plan was to travel the length of RUF-controlled Sierra Leone, from the far northeastern corner of the country, through diamond territory and finally to the provincial town of Makeni, about 100 miles from Freetown. We set out late in the afternoon. Our driver popped in a cassette and Kirk Franklin's "Revolution" rocked from the speakers as we raced down a grassy track. Half-empty smoky villages appeared every few miles, ragged and visibly impoverished, a sharp fall from the more prosperous impression of RUF headquarters.

These eastern forests have borne the brunt of Sierra Leone's tragedy for nearly a decade. When Gadhafi and Liberian warlord Charles Taylor launched the RUF in the autumn of 1991, hoping to rattle their enemies in Freetown's government, it was here that the original band of 100 cadres, including Mosquito, first attacked government outposts and enrolled recruits. There has been little letup since.

The RUF's most significant early achievement was to stimulate a coup in Freetown. A 28-year-old army captain, Valentine Strasser, who had grown tired of battling the RUF without a regular paycheck, marched to the capital with some of his men and demanded their salaries. Sierra Leone's president—heir to an undistinguished line of undemocratic politicians—panicked and fled. Strasser decided that, well, since the office was vacant, he would appoint himself president. It was a measure of popular desperation that this *Lord of the Flies* government of twentysomething junior officers initially received a warm welcome. Four years later in 1996, Britain and the United States persuaded the junta to leave by offering the novel inducement of scholarships and stipends to study abroad at the universities of their choice.

The grim statistics of Sierra Leone's sliding life expectancies and ballooning rates of child mortality are compiled in eastern towns like Pendembu, where we slept our first night out of Buedu. There is little food distribution or medical service of any kind behind RUF lines. The government cites security concerns and says the RUF won't cooperate. The RUF says the government is starving it of services to weaken the rebels' political base. The braver international charities, such as Doctors Without Borders, make occasional forays into the eastern forests. (Mosquito kidnapped two Doctors Without Borders volunteers last month, releasing them unharmed days later.) But refugees lured home by reports of peace find essentially a wasteland. Only the bounty of the rain forest—particularly its fruit trees—prevents a famine.

"We are all tired of the war now," our host in Pendembu, RUF Colonel Vindey Cosi, told us. "Whenever the leader says we should disarm, we will disarm. But we are waiting for an order."

We saw the problem the next morning in Daru: empty tents flapping in the wind in an open field between an RUF checkpoint and a government barracks, manned by Nigerian soldiers who serve in effect as Sierra Leone's army. The tents had been erected to receive disarming RUF combatants under the Lome accord and to rehabilitate them for new lives in peacetime. But under Mosquito's orders, no combatants had yet arrived.

We had to cross government lines at Daru to traverse the only bridge over the wide Moa River that could handle our truck. That afternoon, pointed north toward the diamond mines, we entered dense, empty forest. In silence we cut through swamp, grasses, palms, mango groves and soaring hardwood giants. Streams crisscrossed the track every half mile, and we slid across bridges strapped from logs, rocks and the occasional steel beam. Flowering plants and fronds obscured the sky. Spiders and dragonflies as big as fists splashed into the cabin as we crashed through puddles three feet deep.

Apparitions of poverty or war flashed by periodically: a boy no older than 11 standing sentry, an AK-47 strapped to his shoulder; disheveled families in nearly empty villages, cooking over smoky fires; two boys carrying rice bags who fled into the bush when they saw our heavily armed vehicle.

We limped at dusk into Koidu, rocking on two flat tires and a snapped shock absorber, headlights gone. Once we realized where we had at last arrived, the streams we forded acquired a new allure. In the pinkish half-light, you stared at the stones and sand and wondered what a rough diamond might look like.

Koidu and surrounding Kono District are the prize that for generations has lured colonizers, mercenaries, bandits, prospectors and revolutionaries to Sierra Leone's interior. After slavery, its outpouring of diamonds has been the source of the country's greatest misery and exploitation. Scraped over by thousands of greedy hands, the region no longer ranks among the world's better diamond fields, but it still yields enough to fire imaginations and fuel the schemes of crooks, killers and politicians.

Around a bend loomed the abandoned, rusting hulk of a mining complex built a few years before by a private corporation of South African mercenaries whose 1995 intervention in Sierra Leone's war marked a strange nadir. Too busy partying in Freetown to contain the bush-disciplined RUF, Strasser's twentysomething junta hired Pretoria-based Executive Outcomes, a private company, to fight its war. Strasser paid $15 million and a share of Koidu's diamond concessions to the firm, which was led by retired white officers from the notorious apartheid-era 32 Battalion of the South African special forces. Executive Outcomes staged a lightning triumph, using attack helicopters, artillery and well-paid black Angolan and Namibian troops to push the RUF from Freetown's outskirts all the way to small enclaves in the east. The mercenaries secured Kono, erected a massive defense perimeter around the diamond areas, laid antipersonnel mines through the forest, and settled in to start digging out their reward.

The success of Executive Outcomes set in motion the events that led ultimately to the horror in Freetown last January. The twentysomething junta went back to school. The appearance of stability created by the mercenaries led to peace talks with the RUF and a proposal for free elections. But the accord quickly fell apart. The RUF complained that elections were being rushed before it could organize as a political party; the government complained the RUF was not serious about peace. The United Nations pressed forward with the vote early in 1996, declaring it would not be held back by the rebels.

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The eventual winner, a former U.N. official named Ahmad Tejan Kabbah, campaigned on the slogan "The Future Is in Your Hands." Some Sierra Leoneans believe this electoral slogan helped give birth to the country's cycle of amputations. During the campaign, RUF rebels began cutting off civilians' hands to "send them back" to Kabbah in a grisly reply to his electoral speeches, according to human rights investigators. Still, tens of thousands of ordinary Sierra Leoneans risked their lives to vote. Witnesses said that in places such as the southern town of Bo, the vote went forward almost as a popular uprising against the rebels.

But soon after Kabbah took office, some former army bodyguards to the Strasser junta seized power—angry because they had not also been offered scholarships abroad. Calling themselves the Armed Forces Revolutionary Council, they invited the RUF to join their new government. RUF rebels entered Freetown openly for the first time, squatting in federal ministries and looting vigorously in a program dubbed "Operation Pay Yourself." Freetown residents went on strike and refused to cooperate with the new regime. West African governments, the United States and Britain persuaded Nigeria to send troops to restore Kabbah. Embarrassed by the presence of South African mercenaries, Washington also insisted that Kabbah break the contract with Executive Outcomes. Gradually, the Nigerians pushed the rebels out of Freetown. Kabbah returned to the shattered capital and the RUF appeared again to be routed. Sankoh, the RUF's supreme leader, was arrested, tried and sentenced to death.

But in the eastern forests, Mosquito rallied his retreating men, reorganized and plotted revenge. He launched as soon as the rains ended in the autumn of 1998. The RUF and their allies among the bodyguard junta slammed into Kono, then Makeni, then on toward Freetown. Ambassador Joseph Melrose evacuated the U.S. Embassy on Christmas Eve. Overconfident, underequipped Nigerian commanders allowed the rebels to enter the capital shortly after New Year's Day. The rebels organized forced marches of great crowds of abducted civilians to shield their advance.

By the end of January, the Nigerians had recovered just enough to begin slowly roasting the rebels from the capital and its eastern suburbs. But by then, thousands upon thousands of people had been killed, kidnapped or mutilated by the rebels.

FREETOWN: 'WE'VE COME TO SEE YOU ON A VERY IMPORTANT MATTER'

He felt sharp pain when the axe first fell. The second, third and fourth times, Amadu felt nothing. When Tommy had finished, the rebels picked Amadu up and kicked him away from the chopping block at the school gate. He did not stay to watch his brothers, Alpha and Dawda, who were behind him in line. Bleeding profusely, he walked and fell, walked and fell, then collapsed on the clay road.

Alpha stumbled upon him. He, too, was now bleeding from a stump. They walked about a mile toward Freetown. The streets were deserted. They knocked on a stranger's door along a main road. A family bundled them inside. Alpha and Amadu each asked for a poisonous potion of cleaning fluid; they had decided while walking that they wanted to commit suicide. Their hosts refused. They wrapped the brothers' wounds, gave them milk and tried to assure them that they would survive. The boys slept fitfully in the parlor. Nigerian artillery shells echoed outside. When the sun rose, the boys found themselves on a street newly controlled by pro-government forces. One of the family with whom they had stayed took them to the hospital. The boys were bedded in a ward where dozens of amputees were beginning to arrive.

The next day, their half-brother tracked them down. He told them that their 10-year-old brother, Dawda, had bled to death in the street after his amputation and had been buried in a makeshift grave nearby. Their parents and younger sister had been locked inside their home, which the rebels had set on fire. There was nothing left of them or the house, only charred concrete and rubble.

Outside the hospital where the brothers lay, scores of bloodied stragglers and desperate relatives wandered in the streets, searching for medical help or seeking news of the abducted. On street after street in the eastern suburbs, the rebels had staged elaborately orchestrated attacks. Families were corralled and divided, some selected for death, some for amputation, some set free. Children were raped within earshot or view of their parents. The disoriented survivors zigzagged toward Freetown's center, hoping for medical attention or refuge.

At the mosque in a section of Kissy's slopes called Rogbalan, about 100 Muslims and Christians had huddled for days in the sanctuary. Some were neighbors. Some were strangers seeking shelter, people whose names could not later be recalled, whose fate would be registered officially on the lists of the disappeared.

After days of harassment and threats, several rebels, including one described by survivors as no older than 10, arrived at the mosque's gate. They wore black T-shirts and women's wigs. A teenaged boy sitting on the mosque's steps was caught warning those in the sanctuary that the rebels were coming. The rebels told the teenager to open his mouth. One then jammed an assault rifle down his throat and shot him dead.

They entered the sanctuary and one rebel in a dreadlock wig stood before Alieu Ban-

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gura, the mosque's gray-flecked imam.

"We've come to see you on a very important matter," the rebel announced. "We're going to kill all of you."

"If God Almighty agrees, that will happen," Bangura replied.

They told him to take a few steps back and then they opened fire, tilting their barrels down to the floor where dozens lay huddled, spraying wildly from left to right as the refugees screamed. Some ran and were gunned down in the courtyard or in the hallway leading to a small school out back.

They missed the imam, though he stood right before them—a miracle, it would be widely agreed. As the shooting erupted, a man lying nearby, struggling with pain, kicked Bangura's legs and knocked him on his back. He felt other people's blood washing over him, even into his eyes.

The stories of other massacres would later echo with common themes: the strange, almost formal deliberateness; the chilling dialogue between killers and victims, talk that often touched on politics, although the civilian victims usually knew little; and the terrible images of the rebels with their faces covered with drug patches or masks or bandannas or wigs.

All through late January, corpses lay unattended in the streets. At the Kissy Mental Hospital farther up the hill, Human Rights Watch would later report, about 16 men were executed and six women hacked with machetes. At the Brotherhood of the Cross and Star Church in nearby Wellington, another 12, including three children, were massacred with pistols and assault rifles. In the eastern suburbs, families were locked in their houses and burned alive. Entire streets were sprayed with kerosene and set alight.

Human Rights Watch, citing the government's senior medical examiner, later reported that 7,335 corpses were registered for burial after the January rebel offensive. Thousands more people simply disappeared—dead or kidnapped, their families did not know.

HELEN'S FAMILY WAS AMONG THEM: They had no idea what had become of her after she was led away into Kissy's hills by the rebels.

As Kissy burned, Helen lay imprisoned at a rebel camp not far away. For what she would later recall as a period of about two weeks, she was gang-raped by boys and men roving in and out of the base. Like many other women abducted by the rebels, she worked to partially protect herself by forging a union with Colonel Bloodshed, relying on him to keep others away. By February, shelled by Nigerian and Guinean troops, they struck camp and trekked to the bush. They arrived at an isolated patch of jungle called the Occra Hills and settled in. Helen was forbidden to speak freely with other rebel captives. In the deepest trough of night, she remembers, "when they were asleep, I would raise up my head to see if everyone was sleeping. But there was no way to escape."

February passed this way. And March, April. The BBC resounded with news of a major war in the Balkans. In Sierra Leone, the war ebbed; negotiations for peace had begun in neighboring countries, sponsored by the United Nations. The rebels awaited the results.

"One night," Helen recalls, "they were drunk after smoking and drinking. All drunk, and dancing. And they all passed out . . . I was watching them, thinking."

She sat down beside another abductee, her friend Fatmatah. "Right now, these people are drunk. Let's run away," Helen recalls saying.

"They'll kill us," Fatmatah whispered.

"They will not know. They're drunk."

They watched some more. Fatmatah summoned her courage. "Let's not take a thing," Helen said. "Let's run."

Helen slipped into the forest and soon Fatmatah followed. They began to run. For hours they crashed through the blackness, slicing themselves on vines and brambles. They reached a stream and rested until dawn. In the light they stumbled down from the hills, found a village and were sheltered by an old woman. After two days, Helen pressed on for Freetown alone. She walked until she found the main road, waved down a van, spilled out her tale and begged the driver for a ride.

In Freetown hours later she spotted an uncle in the street, leaped out, and asked about her family. Her father, the government official, was in Connaught Hospital. The rebels had burned her home. Everything was lost. But her parents had survived.

At Connaught, she ran to Ward 8, where her uncle said her father was recovering. She spotted him sitting in the sun behind a railing on a second-story balcony.

"Papa! Papa! I've come! I've come!" she shouted.

Astonished, he called to his wife and raced to meet his daughter. Weeping and shouting, they embraced in the hospital hallway, and Helen saw the bandaged stumps above her father's elbows where his two arms had been.

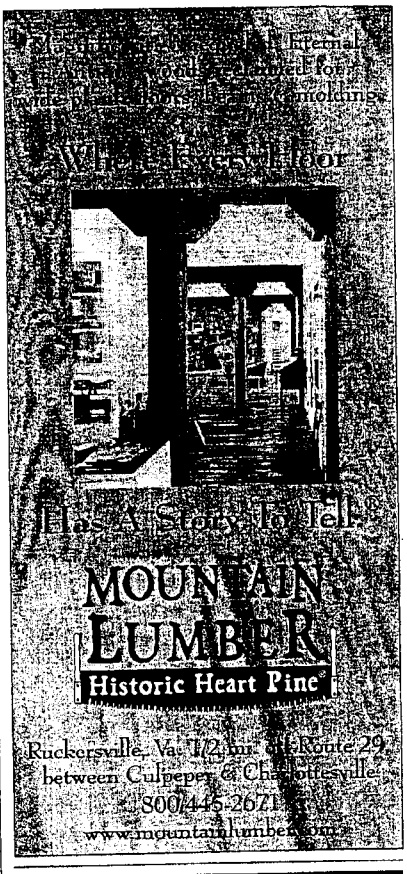
VII. MAGBURAKA: TOWARD POLITICS

Secret societies in painted faces, the graying pooh-bahs of a paramount chieftaincy, the women's league, children, traders and notables of every stripe—out they poured by the thousands into dusty streets under a brutal sun, swaying and singing and shouting joyously that the Big Man had come to town.

"Peace!" he promised when he climbed from a shiny car.

"Revolution!" they cried, knowing the drill.

It was the nearest thing to normalcy we had





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een in our travels through rural Sierra Leone—a holiday festival masquerading as a political rally in Magburaka. To the pent-up, school-less, war-weary citizenry of Makeni District, just a few hours drive from Freetown, it hardly mattered who was the guest of honor. The party was the thing, and just about any Big Man would do. But as it happened, our slog across RUF territory had led us finally to the rebels' boss of bosses, "The Leader," as even General Mosquito called him, former television cameraman Foday Sankoh.

Shaking his ample belly as he danced and weaved through the throng, Sankoh seemed a fuzzy and wizardly man, mild and eccentric. "No more war," he told the young RUF combatants who had lined up to greet him in an honor guard, symbolically taking assault rifles out of the boys' hands. "No more war."

When Gadhafi organized the RUF, Sankoh was apparently the most credible dissident he could attract to his desert guerrilla school. He must have seemed an unlikely cult revolutionary. A poorly educated farmer's son, Sankoh had enlisted in the army in 1956 and never rose above the rank of corporal. His superiors sent him to Scotland for training as a cameraman, then assigned him to Sierra Leonean national television. One day in 1969 he went to cover a mutiny in an army barracks. Instead of reporting on the uprising, he decided to join; he was jailed for five years when the coup failed. Freetown's hulking concrete prison became "my first university in politics," Sankoh said, where he "read about all revolution—in the U.S., China, elsewhere." Upon release, he traveled east to the rain forest and "used my camera, my photography, as a front to organize."

He fought in the bush during the early years of the war, but after 1996 languished in custody or exile until the Lome accord was signed last July. Sankoh ceded the battlefield to Mosquito. Tensions between the two men ran high. In Buedu, Mosquito complained to us bitterly that Sankoh was rushing too quickly to embrace peace, that he was selling out the RUF combatants to an uncertain future. The two men had spent very little time in each other's company during the last several years and each clearly worried that the other might attempt an arrest or assassination.

"He is my son," Sankoh said of Mosquito. "Why should Mosquito have in mind any plan to overthrow the RUF? He would destroy himself."

The United States and the United Nations have invested considerable hope in Sankoh. They rely on his assertion that he wants to enter politics and run for Sierra Leone's presidency. The Clinton administration's special envoy to Africa, Jesse Jackson, helped persuade Sankoh to embrace the Lome deal. When the negotiations reached a critical stage, President Clinton called him—Sankoh has been dining out on the conversation ever since. "What rebel leader gets called by the president of the United States?" he asked. "I only got that call because I fought in the bush for so many years."

Not to mention the amputations and kidnappings. Here, too, Sankoh went further than Mosquito. He sometimes apologized in public for wartime atrocities and begged public forgiveness for excesses committed by the RUF. While he said his enemies staged amputations in order to blame the RUF, he was also careful to argue that all of the most offensive atrocities occurred only after 1996—a period when he was no longer leading the RUF in the field. When government militias began the amputations and blamed the RUF, he said, they created a "political-propaganda machine" that turned opinion against the rebels.

"But the people know the truth of what happened."

That may be so. The question is whether it will matter.

VIII. WASHINGTON: THE MEANINGS OF SIERRA LEONE

Was there really anything the United States or its European allies could have done to ameliorate Sierra Leone's violence? Perhaps—and it would not have involved a wrenching decision to put U.S. or NATO soldiers at risk. But it would have required a view of Africa far different from the one that has shaped U.S. foreign policy during most of the last decade.

As U.S. troops withdrew from Somalia six years ago after sustaining casualties on a humanitarian mission, American journalist Robert Kaplan wrote in the Atlantic Monthly an influential essay partially set in Sierra Leone titled "The Coming Anarchy." He described the country as engulfed by "an increasing lawlessness that is far more significant than any coup, rebel incursion, or episodic experiment in democracy," a lawlessness that signaled a world where "criminal anarchy emerges as the real 'strategic' danger," where Africa and much of the rest of the Third World would be marked by "the withering away of central governments, the rise of tribal and regional domains, the unchecked spread of disease, and the growing pervasiveness of war."

Kaplan's thesis that Africa was drifting beyond governance took hold with many members of Congress, diplomats and foreign policy analysts. It seemed to capture their own gathering revulsion and exhaustion with post-Cold War challenges America faced in the Third World, especially in violent corners of Africa. Americans and Europeans watched passively during Rwanda's genocide in 1994, where hundreds of thousands of African civilians died in a killing spree far greater in scale than anything that has taken place in Sierra Leone. President Clinton later expressed pangs of regret. Nine months before the crisis in Freetown, he embarked on a six-country tour of Africa, and he apologized in Rwanda for the West's failure to intervene. But in early 1999, as the rebels entered Sierra Leone's capital and began to butcher civilians, the United States shut its embassy and stood down; among other things, Clinton now had a Senate impeachment trial on his hands.

There *was* an alternative. By late 1998, Nigeria had already placed thousands of troops in Sierra Leone with support from a broad alliance of African governments. This alliance would almost certainly have battled the rebels indefinitely if the United States and Britain had provided funding, intelligence, communications and weaponry—as they have subsequently pledged to do, on a more limited scale, to support the Lome accord. Nigerian and other African troops fighting from a U.S.- and European-supplied high-technology platform almost certainly could have pushed the RUF out of nearly every major city and town. Not that a military victory would have been certain or inexpensive. Nor would it have necessarily curtailed violence against civilians, as the Kosovo intervention showed. But reducing the RUF to a marginal, defeated force scattered in the bush probably could have been achieved with an all-African intervention army roughly the size of the one that eventually entered Kosovo.

Of course, no such scenario was ever seriously entertained. State Department officials say it was hardly even discussed at the White House. Sierra Leone is probably the last place on Earth in which today's Pentagon would wish to fight. Moreover, the handful of specialists paying attention weren't sure the RUF could be defeated on the battlefield. And the humanitarians in Washington and London who complained about Africa's neglect had little stomach for a military solution. When Tony Blair's government was caught early in 1999 trying to smuggle arms to Kabbah to help him fight the rebels, outrage among liberals in Britain forced the government to apologize and back down.

So instead, the United States and Britain leaned on Sierra Leone's elected president to open peace talks with the rebels just weeks after they had slaughtered thousands in Freetown. The Clinton administration turned the case file over to Jesse Jackson, a special envoy with virtually no bureaucratic clout, a negotiator with a one-peace-fits-all approach. General Mosquito, commanding 10,000 teenagers in the rain forest, discovered that he could bring the world's most powerful military nations to the bargaining table through the selective application of force. "When I ran out of alternatives, I had no choice but to go on the offensive, to use

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force, which is all they understand," he says. "I had the upper hand—I told them that they had to release Sankoh and go around the table" for settlement talks.

And why would the United States go along with his demands? To secure peace, argues Jackson, but also because an isolationist Congress and an indifferent public meant the United States had no alternative but negotiation. "If we could go in there with half of the Kosovo budget and use that budget as an essential force to democratize, we'd have something to offer," Jackson says. But countries only intervene where public opinion insists or strategic interests are seen to be at stake. "This, of course, is press coverage," Jackson says. "If Americans had seen Sierra Leoneans walking down the street amputated, babies bludgeoned and pregnant women stabbed, Americans would have been as upset over Sierra Leone as they were over Kosovo . . . Part of this thing is putting light on Africa."

Defending the peace negotiations and amnesty plan for the rebels, the architects of the Lome accord cite East Africa's Mozambique as inspiration. There a similar peace agreement persuaded Renamo—a guerrilla group that once terrorized and mutilated civilians—to forswear violence and enter politics. Last month, Mozambique staged its latest successful elections after five years of peace and surging economic growth. Renamo leaders sit in parliament; they have no war crimes tribunals to fear.

But much has changed in the world since Mozambique's peace was forged in 1994. War crimes tribunals have convened for Yugoslavia and Rwanda. Chile's former military dictator, Gen. Augusto Pinochet, has been arrested on torture charges in Britain. And in Kosovo, of course, an entire war was framed in 1999 around the ideas of international humanitarian law.

Now comes a U.N.-sponsored amnesty absolving the RUF and its allies of kidnapping, rape, murder and amputation. "For civil society in Sierra Leone, for civil society in Africa generally, the amnesty shook the concept of accountability to the core," argues Peter Takirambudde, executive director for Africa at Human Rights Watch. "It represented a major retreat by all the parties—the U.N., the Clinton administration, the others. For the rest of Africa, where there are rebels in the bush, the signal is that atrocities can be committed—especially if they are frightening atrocities. The lesson to other rebels is that half measures will not do."

That is certainly the lesson Mosquito has learned. Last month, four weeks after we left his camp, Mosquito reportedly fled Buedu in a spasm of bloodshed. The Nigerian general commanding pro-government forces in Sierra Leone announced that Mosquito had executed eight of his senior aides after accusing them of conspiring against him, and that he had then left the country. In Freetown, Sierra Leoneans initially celebrated. The RUF appointed a new general loyal to Sankoh to command guerrillas in the eastern forests. On December 29, Sankoh held a press conference in the capital. He announced that Mosquito had been fired for insubordination, the BBC reported, and he sharply criticized the peace process. Mosquito surfaced in Monrovia, where Charles Taylor, now president of Liberia, said he hoped to broker a reconciliation between Mosquito and Sankoh. How many men had followed Mosquito? Had Martin Coker stayed with him, or had he been among the executed "conspirators"? The RUF did not say.

There were reports from Liberia that Mosquito would be offered—or forced to accept—a life in exile. But who would enforce such a deal? Reading the confused reports of his retreat from Buedu, I remembered that at several points during our long talks about his future, Mosquito had hinted that if he was forced to break openly with Sankoh, he would simply start his own, new revolutionary movement to carry on the violent struggle. Perhaps this was what he now intended. His countrymen will find out soon enough.

IX FREETOWN: AMONG THE WOUNDED

Some of Freetown's amputees live in a village of blue and white canvas shacks, not far from the center of town. The "Medecins Sans Frontieres Amputee and War Wounded Camp," as it calls itself on a sign scrawled near a busy road, holds 371 registered amputees and their families. Drainage ditches run among rows of tacked-together homes supplied by a patchwork of foreign charities. A primary school assembles each morning under an open thatched-roof gazebo. Up the slope, men are raising felled tree limbs to construct a new mosque.

It is an eerie, nervous time in Freetown. An uncertain peace has held just long enough that some rebels are beginning to drift out of the bush and back into the capital, looking for jobs or friends or just a break from sleeping on the ground. Sierra Leone is small enough and frightened enough that people keep track of strangers in their midst, and sometimes a neighborhood can identify returning rebels just as soon as they shuffle up the road. Then questions of justice and equity and international law acquire an immediacy not often felt in The Hague. Some of the returnees have been lynched or burned alive. More often the streets ring out with shouts or threats or spontaneous debates.

The appetite for peace runs so deep and so broad in Sierra Leone that it smothers all else. Even some who have been badly abused by the rebels are prepared to accept them into politics if it truly means peace. Ask about justice, and you hear about its impossibility—no one can imagine how you could give evidence safely. The rebels are ministers now, they drive around town in new cars with sirens and armed escorts. They can snap their fingers and come and take you in the night. Who is going to testify against them? Such doubts flow from an accurate reading by ordinary Sierra Leoneans of their own powerlessness.

In the voices of the wounded pulses an impressive effort to close off the past. To do so requires a resilience that no outsider can readily imagine. Listening and listening, you begin to feel that the survivors of such an invasion map not only a random distribution of luck, but also a selection of a certain kind of emotional muscle.

And yet there are those who atrophy, even now, even in the snug village of blue and white canvas shacks, where Alpha and Amadu Jalloh, two brothers with two complementary arms, share a room behind a flap and drift off to town most days to hustle and trade in a loose network of shops run by their diminished family.

It is Alpha everybody worries about. He sickens easily, he won't often leave the amputees' camp. You walk with him around town and you discover that when a 22-year-old with girlfriends and gold watches and a reputation in the neighborhood has his arm chopped off while lying face down in the road, he loses something other than a useful limb. He becomes a spectacle, a source of political meaning, an object of pity, an object of disgust.

"Look at what the bastards did!" onlookers call out in anger as we walk along the road where the rebels had escorted him the year before.

Alpha is staring at the eroded red clay.

"Right now, walking with you, I feel ashamed," he tells me. "I have no fitness. They are pitying me."

They are, of course. If he sits in the cashier's chair at his sister-in-law's vegetable stall, customers will simply walk up to him and hand him money—not for vegetables, but for him. It infuriates him.

"I would rather have died than be living like this," he says softly.

We reach the school gate where Tommy stood a year earlier. Alpha points out the spots where the line formed, where the boys lay down, where the axe fell.

He doubles over. He is not feeling well. We need to go back down the hill. We need to take him to the doctor.

"My arm hurts," Alpha says. ■

Steve Coll is The Post's managing editor. He will be fielding questions and comments about this article at www.washingtonpost.com/liveonline *on Monday at 1 p.m.*

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Sierra Leone

Getting Away with Murder, Mutilation, Rape

New Testimony from Sierra Leone

July 1999, Vol.11 No 3(A)



Sierra Leone: Violations of the Peace Accord (May 2000)

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To the RUF:
To the Government of Sierra Leone:
To ECOMOG/ECOWAS:
To the International Community:

III. BACKGROUND

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Massacres, Individual Murders, and Fire-Related Deaths
Burning Alive
The Use of Games to Maximize Terror
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The Use of Civilians as Human Shields
The Use of Drugs by the RUF and Forced Drugging of Civilians
Mutilation and Amputation
Rape and Sexual Assault
Abduction
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V. HUMAN RIGHTS ABUSES COMMITTED BY ECOMOG, SIERRA LEONEAN DEFENSE FORCES, AND POLICE
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shared de facto responsibility with the police in security matters. Government forces, particularly poorly trained CDF units that included child soldiers, committed numerous serious human rights abuses, and ECOMOG forces also committed some abuses.

Sierra Leone is an extremely poor country, with a market-based economy and a per capita income of less than $100 per year. It is estimated that only one-fifth of adults are literate. Although it is rich in natural resources and minerals (particularly diamonds, gold, rutile, and bauxite), and has large areas of fertile land suitable for farming, the junta period and the continuing insurgency have brought normal extraction and agricultural production almost to a standstill. There is little manufacturing, and there are few exports; approximately 70 per cent of the Government's budget comes from external assistance. Years of corruption and mismanagement have resulted in a crumbling infrastructure; many schools, hospitals, government buildings, roads, and bridges have been damaged or destroyed in the fighting and through neglect.

The Government's human rights record was characterized by serious problems. Some members of the security forces, including the Civil Defense Forces, committed extrajudicial killings, and tortured and beat suspected rebels and rebel collaborators. Prison and jail conditions remained harsh and sometimes life-threatening. Government forces sometimes interfered with humanitarian relief efforts. The Government arrested and detained persons under emergency decrees approved by Parliament that authorized indefinite detention without trial. Pretrial detention often was prolonged. The Government restricted freedom of speech and of the press, and harassed, arrested and detained journalists for their coverage of security-related issues. Government forces limited movement within the country due to the civil conflict. Violence and discrimination against women, and prostitution remained problems. CDF units inducted child soldiers and female genital mutilation continued to be a widespread practice. Discrimination against ethnic minorities persisted. There was some forced labor in rural areas. Child labor persists. ECOMOG forces operating in support of the Government occasionally beat and detained noncombatants. In the period directly following the removal of the junta from power, there was a significant number of vigilante-style extrajudicial killings by citizens; upon being restored to power, the Government, with EGOMOG support, acted forcefully to end these killings.

Throughout the year, AFRC and RUF rebels committed numerous egregious abuses, including brutal killings, severe mutilations, and deliberate dismemberments, in a widespread campaign of terror against the civilian population known as "Operation No Living Thing." While still in power in January and February, junta forces continued their previous pattern of abuse, which included assaults and other acts of intimidation against political opponents, nongovernmental and other civic and humanitarian organizations, and citizens. During the fighting for Freetown in February, their retreat to the interior in March, and their advance on the capital in December, junta forces were responsible for killings, kidnapings, mutilation, rape, and destruction of property. One particularly vicious practice was cutting off the ears, noses, hands, arms, and legs of noncombatants who were unwilling to cooperate with or provide for the insurgents. The victims ranged from small children to elderly women; in some cases, one limb was cut off, in others two limbs, typically two hands or arms. Rebel forces also detained, decapitated, burned alive, and inflicted bullet and machete wounds on civilians; many died from their wounds before they could obtain any form of treatment. The rebel forces abducted missionaries and aid workers, ambushed humanitarian relief convoys and raided refugee sites. The junta forces continued the long-standing practice of abducting villagers and using them as forced laborers, as sex slaves, and as human shields during skirmishes with Government and ECOMOG forces. Boys were forced to become child soldiers. Rebel forces used rape as a terror tactic against women. Rebel atrocities prompted the internal displacement of hundreds of thousands of civilians. As many as half a million persons fled to neighboring countries to escape the civil conflict, and remain outside the country on their own or in refugee camps, primarily in Guinea and Liberia.

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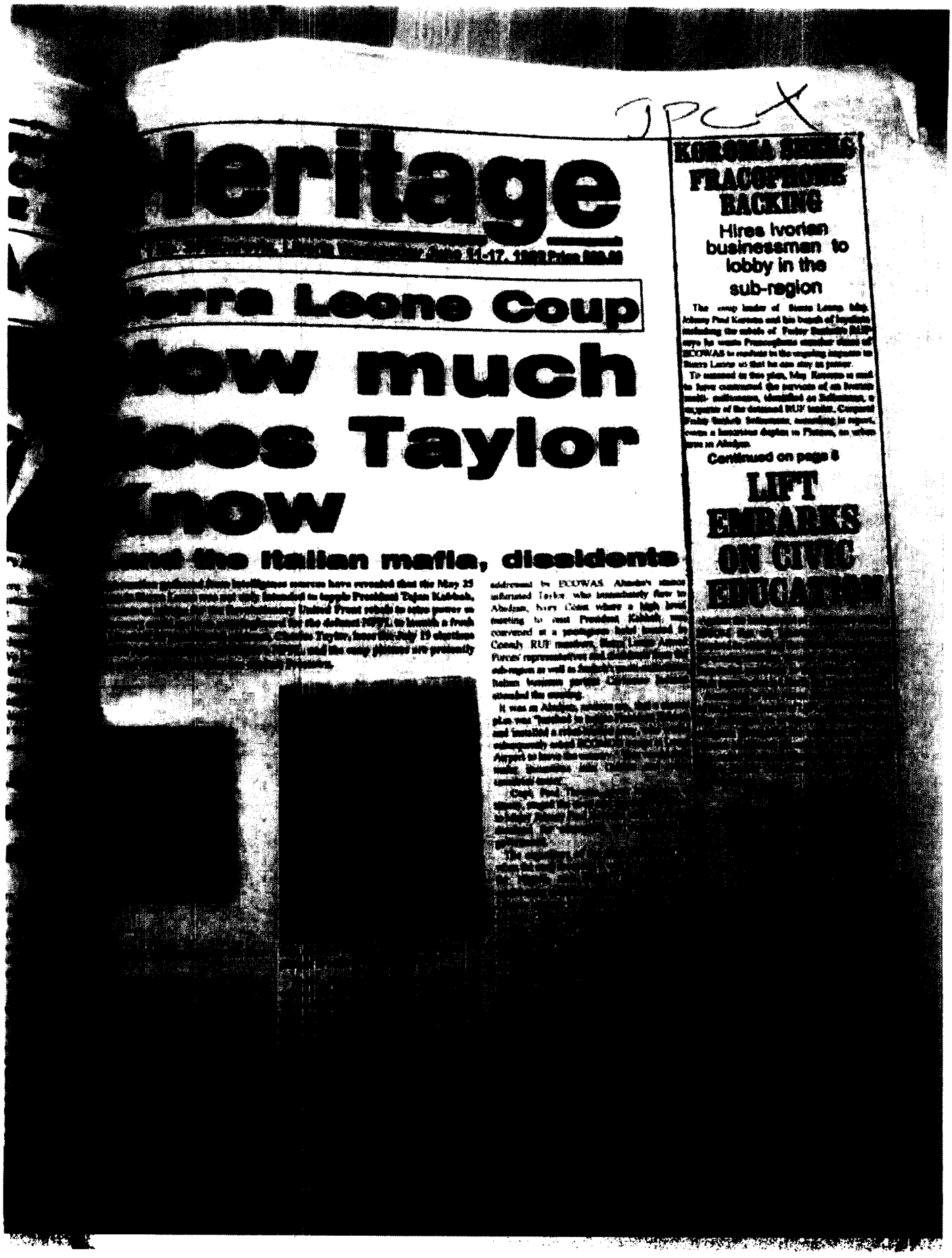

Heritage

[illegible] June 11-17, 1992 Price [illegible]

[illegible]erra Leone Coup

[illegible]ow much [illegible]ees Taylor [illegible]now

[illegible] the Italian mafia, dissidents

[illegible] have revealed that the May 25 [illegible] was not only intended to topple President Tejan Kabbah, [illegible] Revolutionary United Front rebels to seize power in [illegible] the defunct NPFL to launch a fresh [illegible] Charles Taylor, lose the July 19 elections [illegible] NPFL and the coup plotters are presently [illegible] Freetown.

[illegible] addressed by ECOWAS. Abidjan's stance infiltrated Taylor, who immediately flew to Abidjan, Ivory Coast where a high level meeting to oust President Kabbah was convened at a prestigious hotel located in Coondy. RUF members, Sierra Leone Armed Forces' representatives and [illegible] sub-region as well as [illegible] Italian business partner [illegible] attended the meeting.

It was in Abidjan, [illegible] plan was "launched [illegible] and installed a [illegible] subsequently asked [illegible] Airport to leave the [illegible]

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KOROMA SEEKS FRACOPHONE BACKING

Hires Ivorian businessman to lobby in the sub-region

The coup leader of Sierra Leone, Maj. Johnny Paul Koroma and his bunch of loyalists including the rebels of Foday Sankoh's RUF says he wants Francophone member states of ECOWAS to endorse in the ongoing impasse in Sierra Leone so that he can stay in power.

To succeed in this plan, Maj. Koroma is said to have contracted the services of an Ivorian multi-millionaire, identified as Sellemann, a supporter of the detained RUF leader, Corporal Foday Sankoh. Sellemann, according to report, owns a luxurious duplex in Plateau, an urban area in Abidjan.

Continued on page 8

LIFT EMBARKS ON CIVIC EDUCATION

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ECONOMIC COMMUNITY OF WEST AFRICAN STATES

Extraordinary meeting of the Committee of Five on Sierra Leone.
Abidjan, 28 December 1998

Final Communique

Ministers of Foreign Affairs of the Committee of Five on Sierra Leone met in extraordinary session on 28 December in Abidjan, Cote d'Ivoire, to review recent developments in Sierra Leone. They were joined by the Minister of State for Foreign Affairs of Togo, the current ECOWAS chair.

2. The following members of the committee attended the meeting:

- Republic of Cote d'Ivoire
- Republic of Ghana
- Republic of Guinea
- Republic of Liberia
- Federal Republic of Nigeria
- Togolese Republic
- Burkina Faso in its capacity as OAU Chairman
- The ECOWAS Executive Secretary

3. Also attending the meeting as observers were:

- Republic of Sierra Leone, represented by the Minister of Foreign Affairs
- The Representative of the United Nations Secretary-General andRepresentative of the United Nations Observers Mission in Sierra Leone (UNOMSIL)
- The Representative of the United Nations High Commissioner for refugees
- The US President's Special Envoy to Liberia
- The Representative of the Government of the United Kingdom
- ECOMOG Force Commander

4. Speeches were read at the opening session by the Minister of State for Foreign Affairs of the Republic of Cote d'Ivoire, the Minister of State for Foreign Affairs of the Togolese Republic and the ECOWAS Executive Secretary.

5. All speakers were unanimous in their commendation of the initiative taken by His Excellency, General Abdulsalami Abubakar, Head of State, Commander-in-Chief of the Armed Forces of Nigeria and His Excellency General Gnassingbe Eyadema to Togo, current chairman of the ECOWAS Authority of Heads of State and Government in convening this extraordinary session of the Committee of Five on Sierra Leone. They stressed the need to find a speedy solution to the alarming situation in Sierra Leone posed by the renewed fighting by men of the junta and the RUF. They stated that the new development should be viewed with grave concern by all ECOWAS countries and the international community, given its attendant potential for engulfing the entire sub-region in crisis and compromising the development efforts of ECOWAS Member States.

6. A message of support from the OAU Secretary-General to the Committee of Five was read. The meeting took note of the reports presented by the ECOMOG Force Commander, the Foreign Affairs Minister of Sierra Leone, the Special Representative of the United Nations Secretary-General, the representative of UNOMSIL, the representative of the Government of the United Kingdom and the Special Representative of the President of the United States.

7. These reports indicated that the rebels (AFRC/RUF) had upgraded both their troop strength

and equipment in violation of the embargo on arms importation and now had more mobile forces on the ground. Both the Force Commander and the Sierra Leone Foreign Minister implicated Liberia in providing military support to the rebels. The Liberian Foreign Minister denied any involvement of his country in Sierra Leone and called for an international investigation.

8. The meeting was also informed that mercenaries were fighting alongside the rebels, in contravention of international law.

9. After deliberation, the Committee decided to revive its activities which had been suspended since the return to constitutional order in Sierra Leone on 10 March 1998. It was also agreed that Togo should have automatic right of membership of the Committee and preside over the Committee of Six thus created, for the duration of the country's tenure as the Chair of ECOWAS.

10. The Committee of Six on Sierra Leone:

a. appealed to the AFRC/RUF rebels to cease fighting immediately, to lay down their arms and to recognise the government of President Ahmed Tejan Kabbah as the legitimate government in Sierra Leone.
b. expressed total support for the legitimate government of Sierra Leone and for its efforts to restore peace and stability to Sierra Leone.
c. called on the UN Security Council to reaffirm support for the legitimate Government in Sierra Leone and for full compliance with its resolutions on Sierra Leone.
d. urged the international community to leave the rebels in no doubt that their activities are doomed to failure as they would never be accorded recognition as the legitimate government of Sierra Leone.
e. commended Ghana, Guinea and Nigeria for having committed troops to ECOMOG Forces in Sierra Leone.
f. launched an appeal to all ECOWAS countries which had pledged troops to honour their commitments without delay.
g. called on the UN, OAU, European Union, and the Contact Group on Sierra Leone to expedite the provision of logistic support, particularly transport and communication equipment to ECOMOG, to improve its mobility and effectiveness.
h. expressed grave concern at the aggression being perpetrated against the Republic of Sierra Leone and strongly condemned the activities of the countries which are providing support to the rebels in Sierra Leone, in violation of the decisions of the ECOWAS Authority of Heads of State and Government and the United Nations Security Council.
i. condemned the presence of mercenaries in Sierra Leone, and demanded the immediate withdrawal of all mercenaries from that country, the sub-region and the African continent.
j. strongly condemned the atrocities, particularly the mutilation being perpetrated by the rebels against the civilian population in Sierra Leone.
k. called on the Chairman of ECOWAS to embark on initiatives to develop true and genuine rapprochement between the Heads of State of Sierra Leone and Liberia in order to create mutual confidence and commitment to ensuring stability in the sub-region.
l. resolved to resume its activities and to deploy all measures necessary to re-establish dialogue, as prescribed in the Abidjan accord and the Conakry peace plan, between the government and the rebels.
m. called on the rebels to immediately cease hostilities, participate in dialogue, and take up the offer of amnesty made by the government of Sierra Leone.
n. expressed warmest congratulations and support to ECOMOG for the bravery and courage shown by the force despite the arduous conditions in which it operates.

11. The meeting called on all ECOWAS countries and the international community not to support the rebellion.

12. The meeting expressed appreciation and deep gratitude to President Henri Konan Bedie, and to the Ivoirian government and people for the warm welcome accorded to participants and for the facilities made available towords the success of their deliberations.

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n. expressed warmest congratulations and support to ECOMOG for the bravery and courage shown by the force despite the arduous conditions in which it operates.

11. The meeting called on all ECOWAS countries and the international community not to support the rebellion.

12. The meeting expressed appreciation and deep gratitude to President Henri Konan Bedie, and to the Ivoirian government and people for the warm welcome accorded to participants and for the facilities made available towords the success of their deliberations.

6043

DONE AT ABIDJAN THIS 28TH DAY OF DECEMBER 1998

DAILY TIMES

DAILY TIMES APRIL 2, 1997 MONROVIA, LIBERIA

RUF Rebels Swarming Lofa

BY ALPHONSUS NYANTI
FROM SAPPIMAH, LOFA COUNTY

About 2,000 rebels of the Revolutionary United Front (RUF) of neighbouring Sierra Leone have made their way into Liberia, and are now residing in Sappimah, Bopulu and other towns in Lofa County.

Information gathered from both civilians and rebels by our reporter, who visited the area last Saturday, indicated that the majority of the RUF fighters fled to Liberia to escape the wrath of Sierra Leonean's national army, which is said to be supported by Nigeria and Guinea.

Two female RUF fighters, who identified themselves as Josephine and Ruth, said they ran away from Sierra Leone because of the lack of attention given them by Cpl. Foday Sankoh, their leader, coupled with the shortage of arms and ammunition.

The Sierra Leonean rebels, who are manifold and scattered all over the place, move about unarmed and do not bother or otherwise intimidate civilians.

However, several civilians spoken to said although the rebels pose no problem to them, they would prefer for them to leave in order that Lofans wanting to return home may be able to do so. Our reporter was also informed that many of them are now claiming to be Liberian citizens, apparently in an effort to assimilate themselves and vote during the forthcoming general and presidential elections in May.

The fighters themselves have expressed fear of what they called "Callabar hunters," bare-footed men armed with single-barrel guns and cutlasses who roam the forests of Sierra Leone in search of RUF fighters.

"Losers Mu Alliance Res

Aspirants for public office have been cautioned to learn how to accept defeat in the interest of democracy. Mrs. Mary



Gbarma

A 50-member delegation comprising citizens of

FACT 7

7. Throughout the armed conflict the RUF forces were also commonly referred to as the "People's Army" by the population of Sierra Leone.

a.			A similar fact was judicially noticed in the *Sesay* Decision: "During the ensuing armed conflict, the RUF forces were also commonly referred to as 'RUF', 'rebels' and 'People's Army' by the population of Sierra Leone." (Fact K), but was not judicially noticed in the *Brima* Decision, para. 39, Fact F.
b.	Exh. 1.037	ERN 00007769-00007770	Proposal for the tentative integration of the people's army into the national army and the political circle, 13 August 1997.
c.	Exh. 1.038	ERN 00007793-00007796	Sierra Leone People's Army Trg. Base Manpower Statistic, 21 May 1998, at ERN 00007793.
d.	Exh. 1.387	ERN 00008200-00008207	Situation Report on Some Parts of Kailahun District, 22 December 1997, at ERN 00008200 (Memo from the G5 office of the People's Army to Johnny Paul Koroma.)
e.	Exh. 1.058	ERN 00009672-00009681	Letter to Foday Sankoh from the Black Guard Commander, Undated, at ERN 00009672 (discusses forming the People's Army).
f.	Exh. 1.168	n/a	"Sierra Leone-Children: Young, Armed and Dangerous," by Lansana Fofana, *Inter Press Service*, 1 July 1997, available at http://pangaea.org/street_children/africa/sierra.htm. ("According to some reports, the children are being armed by the new military junta, the Armed Forces Revolutionary Council (AFRC) and its allies, the Revolutionary United Front (RUF) now known as the People's Army, to fight the local hunters militia, the Kamajors.")
g.	Exh. 1.001	00004092-00004097	Sierra Leone Humanitarian Situation Report 08-14 Jul 1997, UN Department of Humanitarian Affairs, paras. 1-5 (ERN 00004092-00004093), available at www.reliefweb.int. (Para. 1 says the Peoples Army attack on ECOMOG at Lungi Airport was led by RUF commander Sam Bockarie; paras. 2-4 all refer to activities by the Peoples Army, and para. 5 reports that the Kenema-Kono highway was secured by the Peoples Army following AFRC/RUF re-enforcement of the area.)

6046 7B

THE PEOPLE'S ARMY OF SIERRA LEONE

00007769

TO:- His Excellency Major J.P. Koroma,
Head of State and Chairman,
Armed Forces Revolutionary Council (AFRC)
State House,
FREETOWN.

FROM:- The Military High Command And War Council,
People's Army of Sierra Leone.

SUBJ:- PROPOSAL FOR THE TENTATIVE INTEGRATION OF THE PEOPLE'S ARMY INTO THE NATIONAL ARMY AND THE POLITICAL CIRCLE

DATE:- 13th August, 1997.

Sir,

After series of deliberation, members of the Military High Command and the People's War Council of the People's Army have adopted this proposal which with all due respect is being submitted to you for your perusal and timely consideration.

I. MILITARY INTEGRATION

The People's Army deemed it expedient at this time to be tentatively integrated into the Sierra Leone Army which is to be dubbed "National Army". This will alleviate the numerous constraints which continue to bug the People's Army. Should this proposal be accepted we suggest the initial integration of Five Thousand men. In addition, we suggest the occupation of prominent positions by key Commanders of the People's Army in the integrated National Army. This is unequivocally spelled out below:

(a) Colonel Sam Bockarie, Field Commander of the People's Army, to be the Second-in-Command to the Chief of Defence Staff (C.D.S.)

(b) Lieutenant-Colonel Issa H. Sesay, Battle Group Commander of the People's Army, to be Second-in Command to the Chief of Army Staff (C.O.A.S.).

(c) Colonel Isaac Mongue to be Second-in-Command to the Chairman of Joint Security.

.../2.

Seen
file 6/12

II. OCCUPATION OF REMAINING MINISTRIES

It has also been proposed that in order to keep the governmental machinery in motion the remaining Ministries which belong to the People's Army should be occupied by the following people.

(a) Captain Lawrence Wormandia, Ministry of Energy and Power.

(b) Lieutenant Eldred Collins, Ministry of Trade and Industry.

(c) Lieutenant-Colonel Peter Vandy, Under-Secretary Lands, Housing and Environment.

(d) Captain Patrick S. Bainda, Under-Secretary, Ministry of Education.

III. SUPREME COUNCIL

A complete list of the members of the Supreme Council will be submitted soon. Colonel Michael Lamin has been named a member of the Supreme Council and the representative of the People's Army in any AFRC delegation.

Respectfully submitted.

Yours faithfully,

For

Colonel Sam Bockarie,
Battle Field Commander,
People's Army of Sierra Leone.

cc: The Secretary-General, AFRC, State House.
cc: The Chief of Army Staff, AHQ, Mil. HQ, Cockerill North.
cc: The Chief of Defence Staff, DHQ, Cockerill North.

6048

Sierra Leone people army

Subj- Try base manpower statistic.
Date- 21st may 1998

① BASIC RECRUITS

GALLANT MEN = 480
W.A.C's = 70
S.B.O.I. = 53
TOTAL = 603

② INSTRUCTORS.

13 INSTRUCTORS

S-4 UNIT.

3 S-4

00007793

③ COMBAT MEDIC

7 MEDICS & 1 SECURITY

④ CARPENTER.

CARPENTER.

⑤ SIGNAL UNIT.

2 OPERATORS & 1 SECURITY

6049

Sierra Leone people

Subj - Try base manpower statistic.
Date - 27th may 1998

① BASIC RECRUITS

GALLANT MEN = 480
W.A.C's = 70
S.B.K.I. = 53
TOTAL = 603

② INSTRUCTORS.

13 INSTRUCTORS

S-4 UNIT.

3 S-4

00007793

③ COMBAT MEDIC

7 MEDICS & 1 SECURITY

④ CARPENTER.

CARPENTER.

⑤ SIGNAL UNIT.

2 OPERATORS & 1 SECURITY

(6)

20 BASE SECURITIES

STAFFS ON THE BASE

TOTAL = 248 STAFFS

00007793

00007794

REVOLUTIONARY UNITED FRONT OF SIERRA LEONE 6057

CAMP LION TRAINING BASE - BUNUMBU 00007795

TO: THE G-1 COMMANDER - WAR OFFICE - BUEDU.
FROM: THE TRAINING COMMANDANT - BUNUMBU.
SUBJECT: TRY BASE MEN POWER STATISTIC 21st May 1998.

1. BASIC RECRUITS

Gallant Men	480
W.A.C.'s	70
S.B.U.	53
Total	= 603

2. INSTRUCTORS.

13 Instructors

S - 4 UNIT

3 S - 4

3. COMBAT MEDIC

7 Medics & 1 Security

4. CARPENTER.

1 Carpenter

5. SIGNAL UNIT.

2 Operators & 1 Security

6. BASE SECURITIES.

20 Base Securities

STAFF ON THE BASE

Total = 48 Staff

REVOLUTIONARY UNITED FRONT OF SIERRA LEONE

6052

00007796

CAMP LION TRAINING BASE - BUNUMBU

TO: THE G-1 COMMANDER - WAR OFFICE - BUNUMBU.
FROM: THE TRAINING COMMANDANT - BUNUMBU.
SUBJECT: TAX BASE MEN POWER STATISTIC 21st day 1998.

1. BASIC RECRUITS

Gallant Men ---------- 480
W.A.C.'s ---------- 70
S.B.U. ---------- 53
Total ---------- = 603

2. INSTRUCTORS.

13 Instructors

S - 4 UNIT

3 S - 4

3. COMBAT MEDIC

7 Medics & 1 Security

4. CARPENTER.

1 Carpenter

5. SIGNAL UNIT.

2 Operators & 1 Security

6. BASE SECURITIES.

20 Base Securities

STAFF ON THE BASE

Total = 48 Staff

FROM: The Office of the G-5, The Peoples' Army of Sierra Leone - Freetown

6053

00008200

TO: The Chairman and Head of State
H. E. Major J.P. Koroma
State House
Freetown

DATE: 22nd December 1997

SITUATION REPORT ON SOME PARTS OF KAILAHUN DISTRICT

The following personnel's of the Peoples' Army:

1. Capt. Patrick V. Lamin, The G-5 Commander
2. Madam Isatu Kallon - A Business Woman
3. Chief Tamba Boima of Kissi Kama Chiefdom
4. Cpl. Alpha Jalloh - Security and
5. Charles Kamara were part of a Government delegation headed by the Under Secretary of State Internal Affairs to deliver a special message from H.E. The head of State to the People of Kailahun District, to assess and suggest ways and means of rehabilitation of Government Departments and especially the Institutions of Chiefs in the District.

After a long briefing by the Secretary of State Internal Affairs in his office the delegation finally left Freetown on Thursday, the 11th December 1997 at 6:45 p.m. With some members of the delegation of the People's Army expressing dissatisfaction over: -

a. conjection since there were few vehicles for the delegates and so we had to squeeze in the vehicles that were available

b. A sum of Twenty five thousand leones was handed out to each delegate of the Peoples Army which we in turn gave our different dependants to up-keep them while we were away.

6054

00008200

FROM: The Office of the G-5, The Peoples' Army of Sierra Leone - Freetown

TO: The Chairman and Head of State
H. E. Major J.P. Koroma
State House
Freetown

DATE: 22nd December 1997

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b. A sum of Twenty five thousand leones was handed out to each delegate of the Peoples Army which we in turn gave our different dependants to up-keep them while we were away.

The Head of the Peoples Army delegation Capt. ...

were happy to proceed on the trek after his sugar-coated speech to us. Having gone through a lot of hazards we finally arrived in Bo during the early morning hours of Friday 12th December, 1997. At about 10:30a.m. that morning we paid a courtesy call on the SOS South, Mr. A.F. Kamara whom we found to be a fine gentleman and dedicated member of our Revolution. He helped us recover from the events of the past night by discussing some of his struggles with corrupt officials in his Department in particular and the entire Department in general.. We were later joined by the former S.O.S. East Capt. E.J. Kanneh and we left Bo for Kenema almost immediately.

In Kenema, our delegation drove up to the Residence of the SOS East. After some rest, we were invited to a meeting at the Office of the SOS East in Kenema. It was at this meeting that it was revealed to us that H.E. The Chairman gave a mission to the SOS East to proceed with two Guinean soldiers to Buedu to verify allegations that the Peoples Army was recruiting Guinean Nationals to launch an attack on the Guinean Government in collaboration with the son of the Late Guinean President, President Ahmed S. Toure. Our delegation hesitated since we could not go along with such a mission without the approval of Col. Sam Bockarie the battle Field Commander of the Peoples Army who was, as we were made to understand, giving a bloody nose to the Kamajors at Panguma and Tongo on that very day. We also saw, in the company of the SOS East some members of staff of the Radio and Television.

We were made to understand at this meeting also that they were on a special assignment to see whether our prisoners Capt. Philip Palmer and others were still alive and if so, the Radio and TV crew were to be granted permission to film and interview them. The head of the Peoples Army Delegation Capt. Patrick Vandi Lamin sent a radio message to Col. Sam Bockarie (alias Mosquito) informing him about the above situation. Col. Sam Bockarie expressed a desire to be present while the interviews were given for security reasons. He arrived from Tongo on the night of the 14th December 1997. After some long discussions with the SOS East, he agreed to go with us on these missions and to beef up the security, much to the relief of all delegates since there was a Kamajor threat at the Mano Junction. Segbwema road the previous night, Major S.F. Gortor the former Under Secretary of State Internal Affairs also said he would like to

00008201

Segbewema and invited Mr. Sulaiman Koroma, Assistant District Officer to join us. We all arrived in Pendembu at about 10:30 a.m. Monday 15th Deceber 1997.

6058

In Pendembu, the following morning Madam Isatu Kallon held a brief meeting at the home of one of her close friends Madam Fatmata with some members of the womens wing in Pendembu. Madam Isatu Kallon disclose to the members of the Womens Wing that H.E. Major Johnny Paul Koroma sent them seasons greetings. She further stated that the Chairman and Head of State wants every body in Kailahun District in particular to be aware that RUF and AFRC are an embodyment of the People of Sierra Leone. We are one body and one soul. Madam Kallon told the women. In reaction to Madam Kallon's speech, the women expressed grieviances that H.E. Major Johnny P. Koroma cared more for the men than they the women because he sent vehicles to collect their men and left them behind to continue the struggle.

00008202

They were however, hopeful that since Madam Kallon was in Freetown, they would not be entirely forgotten. They were grateful to the Head of State for having considered them by including Md Isatu Kallon in this delegation. They said they realise the big challenge the AFRC Government is facing. They expressed solidarity with every effort the government is making to secure the release of our Leader Cpt. Foday Saybana Sankoh from detention in Nigeria. The delegation left that every day for Kailahun.

We arrive in Kailahun at about 11:15 a.m. and we were met by the Chiefdom Commander of Luawa Chiefdom. After exchanging customary greetings, Capt. Patrick Vandi Lamin expressed dismay over the poor attendance of the meeting since he had sent various radio messages to all G-5 commanders informing them about our mission to parts of the Kailahun District. Reacting, the Chiefdom Commander expressed his sincere apology to the delegation and said that the attendance was poor because of the news they got about the destruction the ALPHA Jet had caused a few days ago at Benduma a few miles from Daru. Capt. Lamin disclosed to the gathering that one of his daughters had being one of the victims killed in that bombardment at Benduma which is his home town. He told the people that God had sent H.E. Major Johnny

the grips of criminal and greedy politicians. We later witnessed the filming and interview of thirty four captured Kamajors infront of Bauya's compound in Kailahun.

6057

We noticed that the entire Town was badly damaged with several houses razed to the ground. The areas where the District Office and other offices stood were thick forests. Some people, however, have started returning to clean their homes and start life anew. We hope that before long more people will return to Kailahun which is thinly populated for now. The delegation later left for Buedu.

00008203

Buedu is the shabby and dusty chiefdom headquarter town of Kissi Tong chiefdom. We could not reach the Chiefdom Commander probably because he did not get our message. We were told that he resides at Benduma about four miles from Buedu. We saw a good number of houses erect but trhe town was temporarily deserted because we suspected the people were holdng a Trade Fair along, the banks of the river moa several miles from Buedu. We were informed that our people exchanged some produce for valuable items of food stuffs and clothers. We could not wait for them because we had to go to Kangama, the Chiefdom Headquarter town of Kissi Teng Chiefdom.

Paramount Chief Tamba Jusu Gamawa is the Paramount Chief of Kissi Teng Chiefdom. He was captured by our fighting forces since 1991 and had stayed with us ever since. We would have loved to meet him at Kangama but he was visibly absent from the town. We later discovered that he was infact playing host to our prisoners. Since he was away in his farm harvesting his rice, the authorities order that the prisoners be brought before the TV and radio crew for an interview and filming. The following people, Captain Philip Palmer, Fayia Musa, Ibrahim Deen-Jalloh, Dr. Mohamed Barrie and a Radio Operator Miss Juliet Gbassay James were paraded before the cameras and journalists who started working immediately.

Our delegation could not speak to the people Kangama on that day as we did not control our movements. Co. Sam Bockari who gave us a lift all the way to Kangama could not wait because he was in a hurry to return to the Kenema District to put down the activties of the Kamjors. Our delegation had only one vehicle which was used by

Tamba Boima, Madam Isatu Kallon and Charles Kamara told Col. Sam Bockari that we had a special mission for the area but we could not do it properly becaause we had no vehicles of our own. We asked the then Under Secretary of State, Internal Affairs if he could stay with us and accomplished our mission but he was in such a hurry to leave the area. We could not tell why he was in such a hurry to leave that area. So we had to return without accomplishing our mission for the lack of our own vehicle.

608

00008204

ASSESSMENT

The administration of the entire district had broken down for nearly seven years now. The road condition is deplorable which is why the war started in that district. It was one of the most neglected district from Independence to the present day. The politicians sucked the district dry year in year out for the past thirty seven years, thus breeding a fertile ground for a Revolution. We were considered Sierra Leoneans when it was time to harvest our produce during the dry seasons. We are cut off from the rest of our country during the rainy seasons. At such times we looked up to Liberia and sometimes Guinea for our basic requirements. We could not even speak the Krio of Sierra Leone instead we speak the "Liberian English". This is part of the reasons why we are mistaken sometimes for Liberians. These and many many more reasons why we are so head-strong in putting down arms.

SUGGESTIONS

(1) A delegation of this nature should be visiting the area frequently to prove that the new Government cares for the people.

(2) A road network should be constructed to open up the district to the rest of the country so that communication with the rest of Sierra Leone could be possible at all times.

(3) We suggest that the present leadership remain in power until unification and rehabilitation is effected so that we do not see those politicians who are responsible for our present plight show their ugly and corrupt faces to us at election times.

factories are necessary for the district because the plantations can readily feed these factories and at the same time easing unemployment and improving infrastructure in the district.

6059

(5) With the sanctions and embargo imposed on us, a graded road between Koindu and Segbwema could fetch us fuel from neighbouring Liberia and Guinea in exchange for cocoa and coffee.

00008205

(6) The Government should make arrangements for the people to return home now that the rains have hung limp. They could begin the process of rehabilitation within the country.

(7) It will be in the interest of the Government if she could make arrangements for refugee in neighbourng Liberia return home after thorough screening. Refugees along the Moa river can wait until relationship between us and the Kamajors improves because most of the Kamajors in the country now are brought from our refugee in Guinea and brain-washed to join the Kamajor mulitia. We experience this situation while the outsted Government was in power.

The delegation left Kangama for Buedu where we were asked to wait for food and refreshment. While waiting for such good gestures since we were all hungry we heard the sound of the ALFA Jet and every body took to his or her heels. As a result the convoy had to seek shelter along the bushy part of the Buedu-Kailahun road and waited for food. We ate hastily and drove off to Pendembu via Kailahun. We hoped to pass the night at Pendembu but the delegation did not still recover from the rude shock the ALFA Jet opened us to and so the delegation travelled to Kenema. In that hurry one delegate was left behind that night. Mr. Charles Kamara had to pay his way all the way from Pendembu to Kenema where he found the rest of the delegation waiting for him.

Between Kenema and Bo we had series of break down with the vehicle the Peoples Army Delegation was travelling. The vehicle visited the garage several times in Bo without success. The then Under Secretary Internal Affairs grew impatient and

abandoned us. We were stranded as we had no money to pay [illegible]
home. Major S.F. Gottor told us before he left that he had spent all the money he had for us on that vehicle. Captain Patrick Vandi Lamin therefore contacted the S.O.S. South in Bo, Captain A.F. Kamara and he was kind enough to assist with [illegible] thousand leones as transport fare for the five members of our delegation. Before we could board another vehicle for the trip our vehicle emerged which we boarded. We drove up to about three miles to Taiama junction where the vehicle nearly caught fire. The vehicle broke down completely. All efforts to get it running again failed. We became stranded and night was falling. We had to push that vehicle up to Taiama junction where we found a good number of brave soldiers at Taiama junction headed by Lieutenant Kabia.

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00008206

They put Lieutenant Koker who was urgently moving to his assignment area in Makeni on board an over loaded trailer. We were to wait for help from other vehicles plying the Bo/Freetown route. But there was no luck, Madam Isatu Kallon boarded a vehicle which conveyed her to mile Ninety-One for a fare of three thousand leones. Chief Tamba Boima and Charles Kamara had to pass the night at Taiama junction amidst the threats of Kamjors threatening to attack the area. We had a sleepless night but by the grace of God no Kamjor came.

The following morning Lieutenant Kabia asked some ladies to prepare some food for us before we continued our journey to Freetown downcast and dispirited. Captain Patrick Vandi Lamin and his security had journeyed on board another vehicle the previous night.

Faithfully submitted by:

Captain Patrick Vandi Lamin
Madam Isatu Kallon
Chief Tamba Boima
Alpha Jalloh and Charles Kamara
PEOPLES ARMY DELEGATION

cc: The Battle Group Commander
" Battle Field Commander
" G-1 Commander
" Col A.K. Sesay, Sec. Gen. AFRC.
" Col. Peter B. Vandi - S.L.P.A
" Madam Isatu Kallon
" File Copy
" War Council Chairman RUF—PEOPLES ARMY

6061

KAILAHUN DISTRICT

PLACES VISITED			
CHIEFDOMS	PARAMOUNT CHIEFS	REMARKS Deceased	ELECTED
Jawie	vacant	"	Brima John Bull
Luaua	vacant	"	Sallu Ensa (I) (Lamina)
Upper Bambara	vacant	"	Foday Adembaima
Kissi Kama	F.M. Jabbah *	-	Tamba Boima
Kissi Teng	Tamba Jusu Gamawa	-	Tamba Jusu Kamara
Kissi Tongi	Nyuma Sengu		Samuka Tamba
	Sahr Kallon		
AREAS UNREACHED			
Dea	Thomas Ngaima	-	
Penguia	Francis S. Kabba Sei	-	
Jaluahun	M.B. Jimmy Jujuah	-	
Mandu	-	-	M.B. Jimmy Jajuah
Malema	-	-	
Yawei	-	-	
Peje Bongie	-	-	
Peje West	-	-	

00008207

REVOLUTIONARY PEOPLE'S ARM TE
OF S/LEONE

6062

0009672

TO: THE LEADER.
FROM: THE BLACK REVOLUTIONARY GUARDS
SUBT: SITUATION REPORT

Sir, on behalf of the entire Black Guard uni
se are hereby taking this opportunity to make a
ummary report to let you know or understand the
ituation on the ground.

To start with, we thank the Almighty God as
er your previous concentization programmes to
the entire movement that this is a Holy war which
very body within the movement have realised, because
n your absent the struggle continues with lot of
developments.

Sir, as you left us in 1996 to go and sign the
Abidjan accord, lot of enemy pressure (casualty)
was mounted on us, but due to the dedication and
loyalty of the Command you left on the ground, we
were abled to contain situation untill the A.F.R.C
Cour'de tat, werein you instructed the High-Commar
for us (R.U.F) to join the brothers inther to for
the people's Army, and defend the soverignty of our
mother land.

The external delagates who were with you in
Abidjan also went over the media that they have
upple the leadership of the R.U.F, and were to
extend of insighting people, but due to the
witness and the security existance of the High

00009673

Command, we were able to trick them to come on the ground for us ~~to~~ work out all necessary modalities. They came through the Guinea/Sierra Leone boarder (Nongowa Ferry) and were finally arrested by us and brought on the ground in a lock'd up.

Furthermore, when we join the brothers, some of our senior officers and elders were given ministerial positions in the A.F.R.C Government. All the same things were not working well with the R.U.F members ~~this~~ in which the High-Command even decided to leave the city Freetown and decided to base in the provinces. Things were not put in a proper shape as the so called Honourables were just doing things as they like. There was no proper Command and control until Ecomog decided to make a final strike into Freetown in which they succeeded in driving the entire A.F.R.C from the city.

When Freetown fell in the hands of Ecomog High-Command therefore decided at once without any delayance as there was no command and control move straight to our original base (Kailahun) and position the R.U.F Combatants to the old former 1991 defensive points, which were NIUMA, BONBOHUN and JOJOIMA. These positions were seriously defended untill when the Ecomog advance to Kenema and Daru. From then, the forces had tried there level best to penetrate

the defensive position, but no chance had being given to them. In the North, the enemies captured Makeni and tried to advance to Kono. Our men retreated and defended part of Kono.

Due to the security situation, the High Comm and therefore instructed the then B.G.E Brigadier Issah Sesay to try by all means to report with the former A.F.R.C chairman J.P.K to Kailahun. As a result, J.P.K ~~and~~ and his body guards were brought to Kailahun as per instruction. They were welcome by the High-Command and Elders.

Sir, at this stage, the High-Command, J.P.K, Senior officers, Junior Officers and the entire Combatants held a forum and finally agreed to continue the struggle under one structure and Command.

Immediately Freetown and the provincial Headwaters fell in the hands of ECOMOG, the High-command was call to report by the president of Liberia Mr Charles Taylor wherein the president seriously briefed the High-Command and gave him the confidence, that he should not give up but to keep up the struggle and uphold the Revolution until the Leader returns. The president gave full assurance to the High-Command, and promise to give his maximum support to the R.U.F. The president also took an oath that he will never betray his brother (late Foday Sankoh). From that point, the President gave huge quantity of logistics (Ammunition)

to the High-Command for us to start repelling the ECOMOG advancement or to contain situation.

10 this development when the High-Command returned from Liberia, he briefed J.P.K pertaining to the latest development, and met him personally to give a helping hands with diamonds or any foreign currency he had brought from Freetown for him to impress President Taylor.

As a result, J.P.K denied bitterly that he had brought no diamond with him whereas the High command had gathered informations that J.P.K has brought lots of diamond with him, but he wants to keep it on his own without financing the movement as we are now under one umbrella. Therefore, the High-Command gave instruction to Brigadier Issah Sesay and Brigadier Mike Lamin for them to properly search J.P.K for diamond. After the searching lots or large quantity of diamond was taken from J.P.K and his body guards. Later the parcels of diamond was given to Mr Ibrahim (General) and sister Memunatu for them to travel with the parcels directly to President Taylor.

10 this development, the High Command was able to recieve the first satellite phone from General Ibrahim which he was use to do some important contacts with.

After General Ibrahim returned back to Burkina-Faso, the High-Command also received a good carriage of diamond from Kono. He also plan to

send another good percel to General Ibrahim in Burkina-faso for Ammunition and Arms as he had started making some important Contacts for materials. The High Command therefore decided to hand over the said percel of diamond to the B.G.C Brigadier Issah Sesay inother for him to pass through Monrovia and make his way to Burkina-faso and meet General Ibrahim to work out fast modalities to get some needed materials for us.

Brigadier Issuh Sesay left the base and travel along with Col Jungle and some Liberia securities to Monrovia. He did not make his way through as he only stop in Monrovia, and Information was later recieved by the High-Command that the parcel of diamond has droped from Brigadier Issah He therefore return on base and gave the same report to the High-Command.

The joint security therefore ~~took~~ investigated the B.G.C and took statement from him.

Later a forum was held pertaining this issue, and the senior officers and elders suggested to suspend the issue until the arrival of the Leader.

Moreso, President Taylor Continues to give arising hands with logistics which involves foodstuff and materials. The High Command was called in every month to report to Monrovia for briefing.

The High Command later called Brigadier Gen Denis Mingle (Superman) on a forum for a mission to be carried-out to capture the whole

of Kono. They came up with an agreement to apply some guerilla tactics to overun the strategic positions in Kono district. A plan was drawn but superman never went with the plan and the mission fail without capturing Kono and over thirty (30) M.I.A on our side. and also K.I.A.

After this said mission, superman was able to put some man-power together and proceed to Kabala axis and created a jungle there.

In sept 1992 the High Command called a Vanguared forum. He addressed the forum and made all the Vanguards to understand that they should tighten-up their belts and officiate themselves as Vanguards of this Revolution. Also as to how best they should operate to promote the good image of the struggle. In this forum the High-Command tried to constructively criticize the way superman is behaving. The High Command made superman available over the communication for a dialogue. In their dialogue, He criticize superman for putting a Lebanese woman behind him which is delaying the operation. Infact to this, the Hig. Command therefore instructed superman to report for a better plan-up, but he responded that he will not report to the call. From that point superman started operating on his own

without taking any instruction or Orders from the high Desk.

In October, the High-Command was again call by president Taylor. We therefore went along with him to Monrovia. The High Command was instructed by president Taylor to move to Burkina-Faso and meet with the Burkina president.

The high-Command, the war Council chairman and one S.L.A representative Col Eddy Kanneh took the trip to Burkinafaso. They met president Blaise Campoare, and they were highly welcome. They took two weeks in Burkinafaso They were given words of confidence and assurance by president Blaise that he will not let Cpl Eddy Sankoh down atall. The president told the High-Command to be very hard in Command to withhold the movement until the arrival of the leader. Infact he instructed the High Command to forward the R.U.F Issue to the O.A.U as he is the current O.A.U Chairman.

On their return, they were given huge quantity of materials for serious offensive to start a Campaign for the release of our leader. The delegation return back to monrovia in November. The delegation return back to base and held an immediate forum for a serious offensive to commense.

All the Combatants were happy and agree to start the operation in Capturing Kono. The said operation —

was given to the B.F.C Bridgadier Issa Sesay. huge quantity of material was given to the B.F.C and he immediately left for Kono. They also held a forum in Kono and succeeded in overrunning the entire Kono district and capture some artillary weapons and huge quantity of Arms and Ammunition. The whole operation was therefore given to the Late Col Rambo who further extended the operation to Tonkolili and advance to Makeni. After the fall of Makeni, the Late Col as per instruction went and recieve Bridgadier Superman to join the operation.

They therefore extended the operation to Port-Loko as far as Waterloo and Kambia axis.

Furthermore, Col Rambo also tried his level best to link up with the other brothers that entered Freetown, but the Freetown operation was not Co-ordinated as the said Commander Black Jah was not going by the instruction from the High Command. When they retreated from Freetown, the L.F.C met them and told them to present a Comprehensive report pertaining the whole Freetown operation, but they deliberately fail to do so.

According to the Black Guards security information, they brought some diamonds and lot of foreign Currency from Freetown, but they never presented anything to the High Command.

The late Col Rambo even arrested six brothers

thousand (600:000) U.S dollars from some of the men from Freetown, and presented the said sum to the B.F.C Bridgadier Issa, and also some diamon

Again there was instruction from the High Desk for Lt Col Gibril Massaqoi to report for important enquiry and briefing, but he refuse the call for over four (4) good times.

As a result, there was an instruction from the High-Command to the B.F.C for Lt Col Gibril Massaqoi to be arrested and turn over.

The B.F.C further went along with the Late Col Rambo and some Black guards as per instruction to arrest Lt Col Gibril and Maj Nya.

During this process, superman and his men put on stiff resistance and even open fire and launch some R.P.G Bombs, therefore scatter the whole group and killed some men and went to the extend of advancing to makeni and attack the residence of the B.F.C and vandalize the whole compound and took every thing in the compound including the materials for operation and enough foreign currency and diamond. He even extended in raising the compounds of some other senior officers.

After some days, he came for the second time and attack makeni and killed Col Rambo and some security personnels, fire some people and but they missed to kill the B.F.C and chase him all the way to makali and miss

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the second time.

According to security findings, most of the senior officers can not give any advice or try to contain that situation. Instead they keep on insighting to spark the situation.

According to Superman, he has vowed not to ever take command from the High Command.

In regards to the mining process, it is only recently that the authorities has given the go ahead for mining to be going on. Lt Col Kennedy is the overall mining commander. They have being getting some small small pieces which is in our big record book.

Another development is that one buisness man from Cuba by the name of Carlos offered the movement one F.M radio station, and the station itself has being built up a hill in Dodo Kotuma.

Also in ~~Decem~~ January, the High Command organise an operation for ~~the~~ seghewma to be captured inother to cut the supply between Daru Barracks and Kenema. The said operation went on smoothly, but unfortunately fail to capture. We in fact left another operation at hand to attack Kenema.

In conclusion Sir, we are hereby suggesting that the issue of Superman should immediately be put under control before he try to mislead some of our struggle brothers.

Faithfully submitted — Your Revolutionary Guards R.U.F S/L

STREET CHILDREN
Africa

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Inter Press Service (IPS)
1 July 1997

SIERRA LEONE-CHILDREN: Young, Armed and Dangerous

by Lansana Fofana

FREETOWN -- Since the military coup in May, hundreds of child soldiers have fled from camps for demobilised fighters and are back on the streets armed with AK-47s and rocket propelled grenades.

It is a common sight to see the child soldiers patrolling the streets in major cities throughout Sierra Leone, bringing renewed fears that children are being drawn once again into armed conflict.

According to some reports, the children are being armed by the new military junta, the Armed Forces Revolutionary Council (AFRC) and its allies, the Revolutionary United Front (RUF) now known as the People's Army, to fight the local hunters militia, the Kamajors.

The Kamajors, who fought alongside government troops against the RUF during the civil conflict, have vowed to march on Freetown, the capital, to oust the junta and re-instate President Ahmed Tejan Kabbah.

There have been reports of fighting in the Southern District of Bo between the combined forces of the AFRC/RUF and the Kamajors. Hundreds of child soldiers are reportedly among the AFRC/RUF fighters.

Many of the children had been placed in camps for demobilised soldiers following the November 1996 Peace Accord signed between the ousted government of President Kabbah and the RUF rebels.

According to one weekly newspaper report here, "more than 60 percent of (a group of) 1000 fighters" screened by the Disarmament, Demobilisation and Resettlement Committee before the May 25 coup were children.

Thousands of child soldiers had been demobilised and encamped at Jui, about 30 kilometres east of Freetown, where they were receiving technical and vocational training in a programme sponsored by the United Nations Children Fund (UNICEF).

Referring to the flight of the children back into the conflict, Thomas Sesay, a counselling officer at the Jui camp said: "This is unfortunate because we had succeeded in transforming most of these kids and had reintegrated them into society."

Sierra Leone has one of the world's worse records for recruiting children as soldiers. Between 1992 and 1996, the period of the worst fighting between the government forces and the RUF, an estimated 4,500 children were forced to fight on both sides.

Children were abducted and forced to commit various atrocities. Some were ordered to torture and murder their own relatives, before being taken to other villages to slaughter others.

UNICEF, an international advocacy organisation for children's rights, has repeatedly called on the Sierra Leonean authorities to stop using children as soldiers. "UNICEF calls on all warring sides to put an end to the use of children as combattants and to incorporate provisions for their physical and emotional welfare in a future peace settlement," Carol Bellamy, UNICEF's Executive Director said at the height of the conflict.

"Children should have no part in war. By making them agents of civil conflict and depriving them of their childhood, the vicious cycle of violence is perpetuated," she added. "Child soldiers are a symptom of the wider problem, the complete neglect of a whole generation..."

Thousands of children have been orphaned by the Sierra Leonean conflict, making them vulnerable for recruitment. According to some estimates, 8000 children were separated from their families or orphaned by the civil unrest.

The chair of the Civil Liberties Congress, lawyer Sulaiman Banja Tejan-Sie, said this trend must be reversed as a matter of urgency.

"We cannot wait until the situation gets worse. These kids have the temptation of drugs and money and many have lost their parents," Tejan-Sie said. "It is high time someone tells these soldiers and rebels to stop recruiting innocent kids."

According to sociologist Kama Bangura of the University of Sierra Leone, children are not just affected by being forced to carry a gun. The war, he said, has disrupted their lives in many ways.

"Children will be hardest hit by the gradual collapse of basic services," Bangura said. "Food distribution has been disrupted, immunisation campaigns have been halted, leaving children susceptible to epidemics of measles, typhoid and whooping cough."

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Source: UN Department of Humanitarian Affairs
Date: 14 Jul 1997

Sierra Leone Humanitarian Situation Report 08 - 14 Jul 1997

This report has been prepared by the office of the United Nations Humanitarian Coordinator for Sierra Leone in Conakry, Guinea

SECURITY

1. On 9 July, the Peoples Army attacked Lungi Airport in a bid to break through ECOMOGs outer security perimeter and destroy the 98.1 FM radio station which has recently served as a mouthpiece for President Kabbah and which they believed to be in the area. (See point seven below). The attack was comprehensively repulsed by ECOMOG troops and reliable Freetown sources have reported that at least 350 Peoples Army soldiers were killed by a combination of Nigerian and Guinean forces. The RUF commander who led the attack, Sam Bockarie (known as Mosquito) was injured in the foot during the fighting and has been seen in hospital by reliable eyewitnesses.

2. During the weekend of 12-13 July, the Peoples Army suffered another significant setback during fighting with Nigerian forces involving heavy artillery in the Jui and Hastings area. Although precise numbers of casualties are unknown, two trucks laden with corpses were observed returning to Freetown on the afternoon of 13th July. While the Nigerians suffered some casualties, the Peoples Army clearly incurred far more severe losses. ICRC reported 26 newly-wounded civilians at Netland and Connaught hospitals on 14 July. AFRC claims that Nigerian troops that were using Guineans as human shields have been ridiculed by ECOMOG Force Commander, Victor Malu. An ECOMOG warplane was observed flying over Freetown at the start of the fighting, but it was not seen to have dropped any ordnance.

3. Nigerian troops are now in control of Hastings Airport and the area up to and including Allen town. Residents from these areas are relocating in large numbers to the hills and into central Freetown. The main road out of Freetown is effectively closed as few vehicles have been observed on this route since 13 July. In Freetown, the Peoples Army have been preparing heavy machine gun positions on the high ground in the Hill station area. Some of these guns are mounted on the back of pick-up trucks and are mobile.

4. There has been sporadic but intense fighting between the RUF and the kamajors during the past week in the Zimmi area and an estimated 1,500 civilians and 300 kamajors are believed to have been forced into Liberia. Control of the strategically-important Bo Waterside bridge on the Sierra Leone/Liberia border has fluctuated between the two sides. Although the RUF was believed to have taken the bridge earlier in the week, Chief Norman, Deputy Minister of Defense and de facto leader of the kamajors, reported that the kamajors were in control of the bridge on 14 July.

5. The Kenema-Kono highway, which was previously controlled by the kamajors, has

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now been secured by the Peoples Army following AFRC/RUF re-enforcement of the area.

POLITICAL DEVELOPMENTS

6. The date of Major Koromas proposed meeting with the ECOWAS committee of four has been changed from 15 July to 17 July. The meeting is scheduled to take place in Abidjan and not in Conakry.

7. President Kabbah has made several broadcasts to Sierra Leone over the 98.1 FM radio station which have proved to be a considerable irritant to the AFRC. In his first broadcast on 8 July, Kabbah urged the AFRC to step down to spare the people of Sierra Leone further pain and suffering. He also ordered soldiers and RUF to report to the nearest ECOMOG base and declare their loyalty. This tactic has been partially successful as several AFRC soldiers have since surrendered to Nigerian forces at Lungi.

8. On 8 July, in an attempt to undermine the impact of Kabbahs broadcast which took place earlier in the day, the AFRC announced its 19 member Cabinet. The majority of the posts are filled by former representatives of the National Provisional Ruling Council (NPRC). For example, Captain SAJ Musa, Secretary of Mineral Resources and Chief Secretary; Victor Brandon, Secretary of Development and Economic Planning; Col. Dr. KIS Kamara, Secretary of Health and Sanitation; Major Kula Samba, Secretary of Social Welfare, Children and Gender Affairs.

9. The Finance Secretary, Joe Amara Bangali, was a former minister in the APC and the Foreign Secretary; Dr. Paolo Bangura, was a former Ambassador to the UN. The RUF are represented through the appointment of Foday Sankoh as Deputy Chairman and SB Rogers as Acting Secretary of Lands and Environment. Two portfolios, namely Trade, Industry and State Enterprises and Energy and Power, have not been filled but the posts have been reserved for representatives of the Peoples Army. 37 posts in the Supreme Council have also been created, but only 22 have been filled to date. The extent to which nominees were consulted prior to their appointment is debatable. In a radio broadcast on BBCs *Focus*, Mr. Saaba Tumor, who was appointed Director of Information and Broadcasting, denied all knowledge of his appointment.

10. In a statement issued on 11 July following its meeting with the Committee of the four ECOWAS Foreign Ministers, the UN Security Council reiterated its view that the attempt to overthrow President Kabbahs government was unacceptable and called for the immediate and unconditional restoration of constitutional order in Sierra Leone. The Security Council expressed deep concern over the negative humanitarian consequences of the continuing crisis in Sierra Leone as well as its threat to regional stability. The Security Council welcomed the mediation efforts initiated by ECOWAS and expressed its full support for these efforts as set out in the communique issued at the meeting of the ECOWAS Foreign Ministers in Conakry on 26 June. Finally, the Security Council stated that it would continue to follow the progress of efforts aimed at the peaceful resolution of the crisis and that it was ready to consider appropriate measures if constitutional order in Sierra Leone is not restored without delay.

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11. The Commonwealth Ministerial Action Group, on which nine different Commonwealth countries are represented, convened on 10-11 July to review developments in Gambia, Nigeria and Sierra Leone. In its discussions on Sierra Leone, the Group urged the international community to continue to deny recognition to the AFRC and decided that participation of Sierra Leone in the councils of the Commonwealth would be suspended pending the restoration of legitimate government.

12. On 10 July, the EU issued a statement welcoming ECOWAS efforts to resolve the crisis in Sierra Leone. The EU particularly, welcomed the inclusion of the OAU on the ECOWAS committee of Four. With regard to its aid programme, it was stated that Pending the return of the legitimate government to Freetown . . . the EU maintains its view that development aid to Sierra Leone cannot be continued in the present circumstances.

HUMANITARIAN DEVELOPMENTS

13. The Inter-Agency Standing Committee (IASC) has endorsed the joint UN/NGO Strategy and protocols for Sierra Leone as well as the United Nations Strategy for Inter-Agency Emergency Humanitarian Response. See Sitrep dated 24-30 June for more details. The US-based NGO consortium, INTERACTION, has also expressed written support for these strategies.

14. There has been much speculation over the status of the embargo in Sierra Leone as envisaged in the ECOWAS communique. There is no doubt that there are four Nigerian warships off the coast of the Western Area as at 14 July. Although these vessels are not visible to Freetown residents, they have successfully prevented commercial ships from docking at Freetowns port. Rocketing insurance premiums have also been a significant deterrent to shipping companies. There have, however, been many reports of pirogues and other small vessels successfully circumventing the blockade.

15. Media reports of an influx of a million people into Bo town are hugely exaggerated. ACF and MSF, both of whom have a presence in Bo estimate that less than 10,000 people have moved into Bo since the coup.

FOOD AID

16. The increase of the price of rice in Freetown to 40,000 leones per bag from its previous cost of 25,000 leones per bag is a clear indication that rice shortages are becoming increasingly acute. Although retailers still have rice available in their stores, wholesalers have exhausted their stocks as no food vessels have arrived in Freetown since the coup. Attempts by the business community to import rice into Freetown at the request of the AFRC have been unsuccessful primarily due to the exorbitant cost of insurance. Food agencies have managed to transport limited quantities of commodities (approximately 500 MTs) to Makeni and Bo during the past week. There is still a capacity of approximately 1,400 MTs in warehouses in Port Loko and Kambia.

17. The food aid pipeline for humanitarian relief remains healthy. Providing there are

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no unforseen complications, there will be 10,000 MTs of food aid in Conakry available for programmes in Sierra Leone by the end of July. Another 5,000 MTs of food commodities are due to arrive in Conakry during August 1997. Distribution modalities will be determined by the Committees on Food Aid.

18. Existing targeted feeding programmes as outlined in previous sitreps continue. A one-off emergency distribution is being planned for approximately 8,000 displaced in Kabala in Koinedugu district in the Northern province of Sierra Leone. As the normal population of Kabala is estimated to be 10,000 people, this new influx is putting considerable strain on the coping mechanisms of the local population.

HEALTH

19. **Freetown**. There is a concern over the maintenance of the drug pipeline for the eight clinics currently being operated by ICRC, SLRC and MSF in Freetown. Staff from these agencies are investigating how long existing stocks will last. The caseload for the ICRC/MSF surgical programme has continued to decrease notwithstanding recent admissions due to the fighting in the vicinity of Hastings. ActionAid has agreed to make incentive payments to Blue Flag volunteers working on cholera prevention in Freetown.

20. **Bo**. An assessment of the MSF-supported hospital in Bo on 5 July revealed that the hospital building has not been damaged by recent fighting although the emergency department is still under rehabilitation. There is deemed to be sufficient local surgical capacity to treat casualties from possible future clashes. There were only 40 in-patients in the hospital as at 5 July this is attributable to insecurity and inaccessibility due to poor public transport to local areas.

21. **Kenema**. Merlin continues to support the Kenema government hospital in the Under Five clinics (the Pediatric Ward and the Lassa Fever Ward). Support is provided through the provision of therapeutic and supplementary foodstuffs and essential drugs and equipment. Merlin also plays a supervisory role as well as enhancing cholera preparedness. The programme is supervised by Merlins Medical Coordinator who is based in Monrovia. Although Merlins drug supplies were left intact, the pharmacy in Kenema hospital was completely looted. ICRC is seeing an average of 800 patients per week at the Nongowa clinic in Kenema. Drugs are provided by ICRC, Merlin and UNICEF.

CHILD PROTECTION

22. Although the family tracing and reunification network in Sierra Leone was temporarily disrupted by the coup and the departure of several key staff, efforts are being made to restart the reunification programme as the regional focus organisations, ADRA and Christian Brothers are still operational.

23. At the first Child Protection meeting in Conakry on 7 July, it was acknowledged that there were several impediments to successful implementation of child protection/demobilisation programmes in addition to security constraints namely: lack of reliable numbers of child soldiers as the only source of information was the former Disarmament, Demobilisation and Reintegration (DDR) Unit under MNRRR; uncertainty over potential AFRC counterparts (e.g., the former programme manager

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of the DDR Unit, Major Kula Samba, is now Secretary of Social Welfare, Children and General Affairs and the former Army Chief of Staff, Col. Max Kanga is now Director of the National Relief, Rehabilitation and Demobilisation Commissions); the degree to which any programme might apply to the kamajors; and the current capacity of NGOs to implement any programmes. UNICEF is exploring the possibility of a pilot demobilisation project for 50-100 children to test the publicly-stated commitment of the AFRC to demobilisation of child soldiers.

REFUGEES

24. Concern Worldwide, the Irish NGO which still has one expatriate in Freetown, has reported that a caseload of 7,700 Liberian refugees have been receiving WFP food on a regular basis since the coup. All Liberian refugees have moved out of Jui camp to Waterloo camp, Clay Factory Camp and Freetown. Concern Worldwide continues to run a medical and therapeutic feeding programmes in Segbwema.

25. 200 of the 489 Sierra Leonean refugees who have been living in Waterloo camp in Freetown since their repatriation prior to the coup have indicated that they would like to return to their areas of origin. The first group of 40 will return by bus to the Eastern province as soon as possible.

This report is available on the internet through RELIEFWEB:
http://www.reliefweb.int

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Comments

FACT 8

8. The AFRC was founded by members of the Armed Forces of Sierra Leone. Soldiers of the Sierra Leone Army (SLA) comprised the majority of the AFRC membership.

a.			A similar fact was judicially noticed in the *Brima* Decision, para. 44, Fact I: "The AFRC was founded by members of the Armed Forces of Sierra Leone who seized power from the elected government of the Republic of Sierra Leone via a coup d'etat on 25 May 1997. Soldiers of the Sierra Leone Army (SLA) comprised the majority of the AFRC membership" Agreed statement of fact number 17: "The AFRC seized power from the elected government of the Republic of Sierra Leone via a coup d'état on 25 May 1997" - *Prosecutor v. Taylor*, Case No. IT-03-01-PT-226, "Joint Filing by the Prosecution & Defence Admitted Facts and Law", 26 April 2007.
b.	Exh. 1.059	ERN 00009683-00009683	Transcript of Sierra Leone Broadcasting Service, Radio Announcement, 25 May 1997, 19h30 GMT. [available at http://www.sierra-leone.org/index.html]
c.	Exh. 1.062	ERN 00009698-00009699	The Sierra Leone Gazette, Vol. CXXVIII, Thursday, 18th September, 1997, No. 54, Government Notice No 215, "The Administration of Sierra Leone (Armed Forces Revolutionary Council) Proclamation, 1997"
d.	Exh. 1.030	ERN 00007671-00007674	"The Administration of Sierra Leone (Armed Forces Revolutionary Council) Proclamation, 1997", Supplement to the Sierra Leone Gazette Extraordinary Vol. CXXVIII, No. 34, dated 28th May 1997.
e.	Exh. 1.354	n/a	Sierra Leone News Archive from 25 May 1997 and 28 May 1997, http://www.sierra-leone.org/slnews0597.html
f.	Exh. 1.152	n/a	United States Department of State, "Sierra Leone Country Report on Human Rights Practices for 1997", released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998, at p. 1.
g.	Exh. 1.172	n/a	Amnesty International 1998 Annual Report on Sierra Leone (the Republic of), p. 1

SLBS TRANSCRIPTIONS

SLBS Radio, 25 May, 19:30 GMT

Good evening fellow citizens. This is Captain (Paul Thomas), spokesman of the Armed Forces Revolutionary Council, AFRC. The government of Alhaji Ahmed Tejan Kabbah has been overthrown. In view of the above, the following should be adhered to with immediate effect, and all government ministers should report at Defense Headquarters. All foreign troops with particular reference to [words indistinct] should return to base and await further instructions. All borders -- land, air, and sea -- are closed until further notice. All commanders at the front must be in full control of their men. The Special Security Division, SSD, are required to take orders only from Defense Headquarters, and for operations of all security forces, it is a must.

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The Sierra Leone Gazette

Published by Authority

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PUBLIC SERVICE NOTICES

FREETOWN. *18th September, 1997*

Govt. Notice No. 219

New Appointment

MINISTRY OF HEALTH AND SANITATION

Foray, Dr. Lynda Musu, Temporary Houseman, 12.3.97.
Kenneh, Sartie Mohamed, Temporary Houseman, 12.3.97.
Rogers, Dr. Iris Tenneh, Temporary Houseman, 12.3.97.

Leave of Absence

ACCOUNTANT-GENERAL'S

Weekes, Mrs. C. O., 298 days, 1.8.97.

AUDIT

Ceaser, Mrs. A. A., 108 days, 28.4.97.

MINISTRY OF AGRICULTURE, NATURAL RESOURCES AND THE ENVIRONMENT

Sesay, Dr. M. A., 521 days, 8.10.95.

MINISTRY OF WORKS

Turay, K. M., 940 days, 23.10.96.

Left the Sierra Leone Civil Service

ACCOUNTANT-GENERAL'S

Bangura, I. M., Stock Verifier, retired on pension, 10.7.97.

CO-OPERATIVE

Kamara, I. K., Co-operative Superintendent, retired on pension, 15.8.97.
Kenneh, D. A. S., Co-operative Superintendent, retired on pension, 21.8.97.
Siaffa, E. M., Assistant Co-operative Superintendent, retired on pension, 28.7.97.

SIERRA LEONE BROADCASTING SERVICE/TELEVISION

Conteh, K., Senior Diesel Fitter, retired on pension, 31.7.97.
Koroma, A., Senior Driver, retired on pension, 11.6.97.

MINISTRY OF WORKS

Joaque, A., Third Grade Clerk, retired on pension, 17.6.97.

ARMED FORCES REVOLUTIONARY COUNCIL SECRETARIAT

Govt. Notice No. 215

THE ADMINISTRATION OF SIERRA LEONE
(ARMED FORCES REVOLUTIONARY COUNCIL) PROCLAMATION, 1997

(P.N. No. 3 of 1997)

P.N. No. 3 of 1997. Pursuant to subparagraph (2) of paragraph 1 of the Administration of Sierra Leone (Armed Forces Revolutionary Council) Proclamation, 1997, the following persons constitute the

PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTING DEPARTMENT, SIERRA LEONE
BY AUTHORITY OF THE ARMED FORCES REVOLUTIONARY COUNCIL
Annual Subscription:—Inland—Le90,000.00, Overseas—Le300,000.00
To be purchased from the Government Bookshop, Wallace Johnson Street, Freetown. Price:—Le1,000.00 G.P. O 330 97 1,200 9.97.

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Armed Forces Revolutionary Council with effect from the 25th day of May, 1997—

(1)	Major Johnny Paul Koroma ...	*Chairman*
(2)	Corporal Foday S. Sankoh ...	*Deputy Chairman*
(3)	Captain S. A. J. Musa	*Member*
(4)	Colonel A. K. Sesay	*Member*
(5)	Staff Sergeant Abu Sankoh ...	*Member*
(6)	Staff Sergeant Alex T. Brima ...	*Member*
(7)	Staff Sergeant Brima B. Kamara	*Member*
(8)	Colonel Sam Bockarie	*Member*
(9)	Major Morris Kallon	*Member*
(10)	David G. Kallon	*Member*
(11)	Colonel Issa H. Sesay	*Member*
(12)	Colonel Gibril Massaquoi ...	*Member*
(13)	Colonel Michael Lamin	*Member*
(14)	Squadron Leader Victor L. King ...	*Member*
(15)	Major J. B. Cater-Tarawallie ...	*Member*
(16)	Captain Lawrence S. Womandia ...	*Member*
(17)	Lieutenant Eldred Collins ...	*Member*
(18)	Warrant Officer II Franklyn Conteh	*Member*
(19)	Warrant Officer II Samuel Kargbo	*Member*
(20)	Sergeant K. Bangura	*Member*
(21)	Sergeant S. B. Khanu	*Member*
(22)	Sergeant George Adams	*Member*
(23)	Sergeant Sahr Gborie	*Member*
(24)	Sergeant Sulaiman Turay ...	*Member*
(25)	Sergeant K. Kallay	*Member*
(26)	Corporal Momoh Bangura ...	*Member*
(27)	Lance-Corporal Hector Bob-Lahai	*Member*
(28)	Lance-Corporal Ibrahim D. Sesay	*Member*
(29)	Staff Sergeant Moses Kabbia ...	*Member*
(30)	Lance-Corporal Abdul M. Sesay ...	*Member*
(31)	Mohamed Saidu Kamara ...	*Member*
(32)	Bai Hinga Kurrary-Bangura ...	*Member*
(33)	Abdulai Michael Munu	*Member*
(34)	Kandeh Sorie-Sebba Bangura ...	*Member*

DATED this 3rd day of *September, 1997.*

MAJOR JOHNNY PAUL KOROMA
Chairman,
Armed Forces Revolutionary Council.

CHAIRMAN'S OFFICE

Govt. Notice No. 220 **M.P./OP. 37 Vol. V**

PUBLIC HOLIDAYS ACT

Under the provision of Section 2 of the Public Holidays Act (cap. 58), the following days will be observed as Public Holidays throughout Sierra Leone:—

FRIDAY, 29TH AUGUST, 1997
FRIDAY, 5TH SEPTEMBER, 1997

S. L. MATTURI
for Secretary to the Chairman, AFRC.

MINISTRY OF DEFENCE

Govt. Notice No. 221

SUBSTANTIVE PROMOTION—OFFICER
ARMED FORCES OF THE REPUBLIC OF SIERRA LEONE

In accordance with Section V paragraph 121 (a) of the Army Orders of 1965, the undermentioned Commissioned officer of the Armed Forces of the Republic of Sierra Leone has been promoted with effect from 23rd August, 1997 with Seniority as Officer with effect from the date shown against his name:—

(a) To Lieutenant
Second Lieutenant F. T. K. Koroma (SL800)—AFRSL
7th August, 1996.

E. B. KAMARA,
for Director-General.

COURT

Govt. Notice No. 217

IN THE HIGH COURT OF THE REPUBLIC OF SIERRA LEONE

It is hereby notified for the information of the General Public that the September, 1997 Criminal Session of the High Court in Freetown will commence on Tuesday the 16th day of September, 1997.

A. SHOWERS (Mrs.),
Master and Registrar.

MASTER'S OFFICE,
HIGH COURT,
FREETOWN.

MINISTRY OF LOCAL GOVERNMENT AND COMMUNITY DEVELOPMENT

Govt. Notice No. 218

REVISED CHIEFDOM COUNCILLORS LIST — MAFORKI CHIEFDOM, PORT LOKO DISTRICT

No.	*Name*	*Town/Village*	*Office*
1.	P.C. A. Modu III, MBE, JP	Port Loko	P/Chief
2.	Saidu Kanu	do.	C/Speaker
3.	Pa Kekorr Kamara	do	Cere/Chief
4.	Pa Kumrabai Dumbuya	do.	do.
5.	Pa Kapr Masim	do.	do.
6.	Ya Bomkapr Masim	do.	do.
7.	Pa Kapr Gbogboro	do.	do.
8.	Ya Bomporo	do.	do.
9.	Haja Bomwarrah Yansanch	do.	do.
10.	Pa Alimamy Sesay	do.	do.
11.	Ya Alimamy Mansaray	do.	do.
12.	Ya Alimamy Bedor	do.	do.
13.	Ya Alimamy Mansaray	do.	do.
14.	Ya Alimamy Bateh	do.	do.
15.	Ya Alimamy Modu	do.	do.
16.	Ya Alimamy Sofarah	do.	do.
	SANDA SECTION		
17.	Pa Alimamy Dumbuya	Sanda Street	Sec. Chief
18.	Alhaji Morlai Sankoh	Davies Street	Councillor
19.	Alhaji Fadika	do.	do.
20.	B. S. Kamara	Sanda Street	do.
21.	Abu Kabia	do.	do.
22.	Alimamy Conteh	do.	do.
23.	Yaya Deen Kamara	do.	do.
24.	S. Mella Bangura	do.	do.
25.	Alpha Bangura	Adams Street	do.
26.	Abdul B. Kamara	do.	do.
27.	Alpha G. Dumbuya	Sanda Street	do.
28.	Alhaji Momodu Fallah	Fatmabrima St.	do.
29.	Abu Bakarr Bangura	do.	do.
30.	Abdul S. Bangura	Wharf Road	do.
31.	Abu S. K. Bangura	do.	do.
32.	Abu S. K. Bangura	do.	do.
33.	A. K. Molloh	Davies Stree	do.
34.	Gbassay Kamara	do.	do.
35.	Abdul R. Wurie	do.	do.
36.	Joseph B. Kamara	do.	do.
37.	Alhaji Cole	do	do.
38.	Julius S. Bangura	do.	do.
39.	Saidu M. Dumbuya	Aribo Street	Councillor
40.	Sullay K. Bangura	do.	do.

XD

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Copy Exh. 1 — Berthan Macauley

PUBLIC NOTICE

Supplement to the Sierra Leone Gazette Extraordinary Vol. CXXVIII, No. 34

dated 28th May, 1997

Ex. A1

PUBLIC NOTICE No. 3 OF 1997

Published 28th May, 1997

00007671

PROCLAMATION

ADMINISTRATION OF SIERRA LEONE (ARMED FORCES REVOLUTIONARY COUNCIL) PROCLAMATION, 1997

Short title

PROCLAMATION TO MAKE PROVISION FOR THE INTERIM ADMINISTRATION OF THE REPUBLIC OF SIERRA LEONE BY THE ARMED FORCES REVOLUTIONARY COUNCIL: ITS ESTABLISHMENT AND CONSTITUTION, AND FOR OTHER MATTERS CONNECTED THEREWITH.

WHEREAS it is a fundamental duty of the Armed Forces of the Republic of Sierra Leone to secure and maintain the safety of the State and public order;

AND WHEREAS the actions and utterances of the erstwhile Government, political parties and their leaders, have created conditions which can lead to tribal factions, bloodshed and tribal warfare;

AND WHEREAS it is necessary and expedient to avert immediately that trend of affairs and for provision to be made for the maintenance of law and order in Sierra Leone and for the proper administration by law, of the State of Sierra Leone;

NOW, THEREFORE, We, the members of the Armed Forces of the Republic of Sierra Leone, in cooperation with the people of Sierra Leone, in order to ensure the maintenance of law and order, domestic tranquility, the enjoyment of the blessings of liberty, unity and democracy to the people of Sierra Leone and all persons living therein, do hereby proclaim as follows:—

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Constitution of Armed Forces Revolutionary Council.

1. (1) There is hereby established a Council to be known as the ARMED FORCES REVOLUTIONARY COUNCIL (hereinafter referred to as "the Council").

(2) The Council shall consist of —

(a) a Chairman;

(b) a Deputy Chairman; and

(c) other members, not exceeding 27 in number.

Amended No. 4 of 1997 by Decree No. 8 of 1997

(3) Subject to subparagraph (2), the Council may, by a majority vote at any meeting, appoint members or terminate the appointment of any member.

(4) There shall be a Secretary-General who shall be appointed by the Council and shall perform such functions as the Council may determine.

Suspension of certain provisions of the Constitution. Act No. 6 of 1991.

2. (1) All the provisions of the Constitution of Sierra Leone, 1991, which came into operation on 1st October, 1991, which are inconsistent or in conflict with this Proclamation or any law made thereunder shall be deemed to have been suspended with effect from 25th May, 1997.

(2) Without prejudice to the generality of subparagraph (1) —

(a) the Parliament elected under the said Constitution of Sierra Leone and in existence immediately before 25th May, 1997, is dissolved;

(b) all political parties are dissolved and membership in political parties is prohibited with effect from 25th May, 1997.

Power of Council to make laws

3. (1) The Council shall have power for such purposes as it may think fit, and in the national interest, to make laws which shall be known as decrees.

(2) Any decree made by the Council may be amended, repealed, revoked or suspended by another decree made by the Council.

Act No. 8 of 1971.

(3) Every decree made by the Council shall be deemed to be an Act as defined in section 3 of the Interpretation Act, 1971.

(4) Any decree made by the Council shall be signed by the Chairman or, in the absence of the Chairman, by the Deputy Chairman of the Council.

(5) Subject to any decree made by the Council, all enactments in force in Sierra Leone immediately before 25th May, 1997, shall continue in force:

Provided that any enactment in force in Sierra Leone immediately before 25th May, 1997, which is inconsistent or in conflict with any provision of this Proclamation or any decree made thereunder shall be deemed to have been suspended as from 25th May, 1997.

Publication and commencement of decrees.

4. Every decree made by the Council shall be published in the *Gazette* and shall come into operation on the date of such publication or on such other date as may be provided in or under the decree, or in any other enactment.

Public Service to continue.

5. Subject to any decree made by the Council, the public service of Sierra Leone as it existed immediately before 25th May, 1997, shall continue in existence, and any person holding or acting in any office in the public service immediately before that date, shall continue in office subject to any decree and other enactment in force after that date.

Adaptation of references to President, Minister, etc. Act No. 6 of 1991

6. Subject to any decree made by the Council, any reference to President, Vice-President, Minister or Cabinet in the Constitution of Sierra Leone which came into operation on 1st October, 1991, or in any enactment

continued in existence by virtue of this Proclamation sh. . on and after 25th May, 1997, be construed as a reference to the Council or to such person or authority as the Council may by Order appoint.

Detention of persons.

7. (1) The Council may, where it considers it necessary in the interest of public safety or public order so to do, make an order against any person directing that he be detained.

(2) Subparagraph (1) shall be deemed to have come into operation on 25th May, 1997.

(3) Any order made under subparagraph (1) directing that any person be detained shall not be questioned in any court of law.

Power to make subsidiary legislation.

8. Without prejudice to the generality of paragraph 3, and subject to paragraph 6, any power vested in any person or authority, other than the Council, to make any law under any enactment shall continue to apply accordingly.

Power to amend or repeal Proclamation.

9. The Council shall have power to amend, repeal or suspend this Proclamation or any provision thereof.

Commencement.

10. This Proclamation shall be deemed to have come into operation on 25th May, 1997.

MADE at Freetown this *28th* day of *May, 1997.*

MAJOR JOHNNY PAUL KOROMA,
For and on behalf of the Armed Forces of the Republic of Sierra Leone.

PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTING DEPARTMENT, SIERRA LEONE—
BY AUTHORITY OF THE ARMED FORCES REVOLUTIONARY COUNCIL
GAZETTE EXTRAORDINARY No. 34 OF 28TH MAY, 1997.

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25 May: Soldiers this morning overthrew the civilian government of President Ahmad Tejan Kabbah. The coup was led by Major Johnny Paul Koroma, who announced Sunday that he had taken control of the country. "As custodians of state security and defenders of the constitution (we) have today decided to overthrow the Sierra Leone Peoples Party government because of their failure to consolidate the claims achieved by the brokers of peace," Koroma told the nation. He accused Kabbah's government of being "nurtured on tribal and sectional conflict." Koroma said he has invited RUF leader Foday Sankoh to join his government. "In this regard we appeal to the international community and the Nigerian government in particular to release Corporal Foday Sankoh," he said. Gunfire continued into the evening hours as looting soldiers moved around the city in vehicles commandeered from civilians, NGO's, and the government; soldiers also burned down the Treasury building. Freetown is under a dusk-to-dawn curfew, and coup leaders have said that looters, military or civilian, will be shot on sight. The country's borders have been sealed and Lungi Airport and the seaports have been ordered closed. Coup leaders and a Guinean newspaper said President Kabbah has fled to Conakry, Guinea. Connaught Hospital reported 5 dead--including 2 civilians--and 21 injured by midday, but said more casualties were expected.

Heavy shooting was reported in Freetown some time after 4:00 a.m. Sunday from the direction of State House and military headquarters, and continued for several hours. Witnesses reported fighting near the national assembly between soldiers and Nigerian troops who are in Sierra Leone under a military cooperation agreement. A spokesman for the coup leaders, Corporal Tamba Gborie, made a statement Sunday morning over SLBS (state radio): "The Tejan Kabbah government has been removed from power following the successful coup today," he said. "I will inform the nation of further developments. I am just an ordinary man and also the spokesman for the coup." Gborie said the Nigerian forces were now cooperating with the coup leaders, and he called on the Nigerian and Guinean troops assisting the army to keep out of the fighting, saying it was an internal matter. He condemned the Tejan Kabbah government, saying "We want democracy but not this democracy...Enough is enough, we have to build our nation. We want a democracy but...the government has introduced tribalism." A second reason for the coup, he said, was the poor wages soldiers receive, particularly when compared to the compensation received by the Kamajors, a militia comprised of traditional hunters. He said the activities of the Kamajors would be banned. "We are the national army," he said. "They are not, any more." He accused Kabbah of "crying down" the army. All ministers, politicians, and senior officers in the armed forces above the rank of lieutenant colonel were ordered to report to Cockerill Barracks in Freetown. Gborie said that the rebel war is over, implying an RUF connection to the coup. He said that the coup leaders will appeal to Nigeria for the release of RUF leader Foday Sankoh, who is being detained by the Nigerians in Abuja.

The coup began early Sunday morning when three or four pickup trucks carrying about 20 heavily armed soldiers in civilian clothing drove up to Pademba Road Prison. An explosion followed, evidently from grenades used to blast open the steel gates. The soldiers freed hundreds of prisoners, including 9 soldiers on trial for previous coup attempts against President Kabbah. Nigerian troops who were guarding a nearby broadcasting station approached the prison, but withdrew. Truckloads of soldiers then drove up in their ceremonial uniforms, firing in the air around the prison, then withdrew toward the center of Freetown.

In their first decree since assuming power, the coup leaders abolished the Kamajors, a civilian militia of traditional hunters. They have also called for the return to Sierra Leone of Captain Solomon "SAJ" Musa, who was linked

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to coup allegations in 1993, and General Julius Maada Bio, the leader of the NPRC until the military handed over power to the civilian government last year. An unconfirmed report from Freetown says the coup leaders have called upon United National People's Party (UNPP) leader John Karefa-Smart to join them, a suggestion strongly rejected by a family member.

Update: Shooting continued in Freetown Sunday evening as soldiers went on a looting spree. The soldiers have been seen in Sierra Leone government vehicles, as well as vehicles "commandeered" from the United Nations, religious missions, the Red Cross, ASSP, Farmco, North Central Agricultural Project (NCAP), and those belonging to civil servants and members of parliament. In the wake of the coup, a number of unconfirmed rumors have been circulated. One unconfirmed report says that soldiers have broken into the World Food Programme warehouse in Kissi and looted the rice stores. Another claims that President Ahmad Tejan Kabbah and his wife Patricia fled to Guinea with a 62 carat diamond which was in Kabbah's possession pending the resolution of a dispute over its ownership.

Reaction: Ambassador to the United States John Leigh: *"This is totally surprising and totally uncalled for. There is no need for a coup in Sierra Leone today. Now Sierra Leone is going to be in a difficult condition...All the aid and all the job I have been doing over here to bring economic development to Sierra Leone are now on hold until this matter is resolved...These people are out to line their pockets...It's going to bring more hardship and difficulty to the country, and that is not the way to make change."* United Nations Secretary General Kofi Annan: *"The United Nations and the international community firmly uphold the principle that the will of the people shall be the basis of the authority of governments, and that governments, democratically elected, shall not be overthrown by force...The United Nations and the international community attach the greatest importance to a democratic order for Sierra Leone...The United Nations continues to stand ready to assist the people of Sierra Leone in their quest for a society grounded in democracy, the rule of law, respect for human rights, and the pursuit of peace and national reconciliation."* Annan expressed concern about the safety of the civilian population, and said he "strongly condemns taking into custody" Sierra Leonean U.N. staff and the looting of U.N. offices, vehicles, and equipment.

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U.S. State Department
Human Rights Reports

U.S. Department of State
Sierra Leone Country Report on Human Rights Practices for 1997
Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998.

SIERRA LEONE

Sierra Leone is controlled by a military junta. On May 25, dissident junior officers of the Republic of Sierra Leone Military Forces (RSLMF) violently seized power from the 14-month-old democratically elected Government of President Ahmed Tejan Kabbah. The United Nations Security Council condemned the overthrow of the government and called upon the military junta to restore the elected Government unconditionally. Major Johnny Paul Koroma, awaiting trial on charges stemming from a September 1996 coup attempt, was freed from prison and named Chairman of the new Armed Forces Revolutionary Council (AFRC). The AFRC immediately suspended the Constitution, banned political parties and all public demonstrations and meetings, and announced that all legislation would be made by military decree. Koroma invited the rebel Revolutionary United Front (RUF) to join the AFRC in exercising control over the country. The RUF quickly took control of the military junta, although Koroma remains nominal Chairman of the AFRC. Rule is arbitrary; maintenance of law and order has collapsed. The judiciary, like other civil institutions, has effectively ceased to function.

The Organization of African Unity (OAU) designated the Economic Organization of West African States (ECOWAS) to bring about the restoration of the constitutional government. After ECOWAS negotiations with a joint AFRC/RUF delegation failed to make progress toward the restoration of the elected Government, ECOWAS imposed regional sanctions and an embargo against the military junta. On October 8, the United Nations Security Council imposed sanctions prohibiting the importation of weapons, military materiel, and petroleum as well as international travel by members of the military junta. Dozens of civilians were killed in clashes between AFRC/RUF forces and the ECOWAS Monitoring Group (ECOMOG) as ECOMOG attempted to enforce the sanctions. On October 23, AFRC/RUF and ECOWAS delegations signed a peace plan calling for the restoration to power of President Kabbah on April 22, 1998. Both President Kabbah and AFRC Chairman Koroma publicly endorsed the Conakry Plan. However, the junta did not cooperate in attempts to refine the details of the peace plan and by year's end had taken no steps to implement it.

Before May 25, the RSLMF was responsible for external and, together with the police, internal security, primarily against RUF attacks. The RSLMF was supported by Nigerian and Guinean military contingents and by personnel working under a training and logistics contract with Executive Outcomes, a private South African mercenary firm. In compliance with the November 1996 Abidjan Peace Agreement, President Kabbah terminated the contract with Executive Outcomes at the end of January. For 20 months, Executive Outcomes had played the critical role in government efforts to protect major towns and diamond mining areas from RUF attacks. Groups of traditional hunters (including the Mende Kamajohs, Temne Kapras, and Koranko Tamaboros) organized as civil defense militias, with government support defended their chiefdoms from RUF attacks and RSLMF looting. Neither the RSLMF nor the civil defense militia were fully under government control. After

U.S. State Department
Human Rights Reports

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May 25, the RUF joined with RSLMF troops loyal to the AFRC junta and renamed itself the People's Army of Sierra Leone. RSLMF forces loyal to the AFRC appear to function separately from RUF troops. They also fought occasional battles against each other. In June the AFRC formed joint military and police antilooting squads and gave them authority to shoot looters on sight.

Before the coup on May 25, government security forces and the RUF committed numerous human rights abuses. After May 25, the scale of violence and human rights abuses committed against civilians by the AFRC and RUF greatly increased. In addition members of the Civil Defense Force allegedly committed serious human rights abuses.

Sierra Leone is an extremely poor country. Before the civil war began in 1992, more than 70 percent of the 4.5 million citizens were involved in some aspect of agriculture, mainly subsistence farming. Although the country has substantial mineral resources, including diamonds, gold, rutile, and bauxite, official receipts from legal exports have been small in recent years. For decades the majority of diamond and gold production has been smuggled abroad. The economic infrastructure has nearly collapsed due to corruption, neglect, and war-related disruptions. The 6-year RUF insurgency dislocated more than 40 percent of the country's population, placing additional burdens on Sierra Leone's fragile economy. According to the United Nations, the average life expectancy is now only 34 years. One child out of four dies before the age of 5. The economic embargo imposed on the military junta by ECOWAS caused the customs duties to dry up, depriving the AFRC of 85 percent of its expected revenue flow.

Sierra Leone's human rights record worsened significantly and is now extremely poor. Before the May 25 coup, government military forces committed serious human rights abuses, including extrajudicial killings, beatings, arbitrary arrest and detention, and illegal searches. Under the elected Government as well as under the military regime, there were reports that police abused suspects during arrest and interrogation. Prison conditions remained life threatening. Prior to May 25, lengthy delays in trials, prolonged pretrial detentions, and violations of due process were problems. Government harassment of the press was also a problem. Discrimination against ethnic minorities persisted, and violence against women remained widespread, as was violence against children, including female genital mutilation (FGM) and the use of child soldiers.

Prior to the coup, RUF forces continued to attack villages and ambush travelers, killing, torturing, raping, and mutilating civilians. The RUF abducted children and forced them to commit atrocities, including the torture and murder of their relatives. The RUF raped and sexually abused young girls and women during attacks.

After May 25, AFRC and RUF forces committed numerous, serious human rights abuses including deliberate extrajudicial killings of unarmed civilians, torture, mutilation, rape, beatings, arbitrary arrest and detention, and illegal searches. The military junta routinely jailed antiregime civic leaders and students without judicial process; junta forces killed some detainees; amputated the arms of others; and raped women as punishment for their opposition to the regime. After the coup, the court system ceased to function. The AFRC announced that it would replace the judiciary with People's Revolutionary Courts manned by ordinary citizens. There is no evidence that these or any other courts are functioning. The military junta harassed, beat, detained, and arrested journalists.

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RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

Before and after the coup, government military forces and the RUF committed political and extrajudicial killings. Soldiers and RUF troops engaged in looting, robbery, and extortion frequently killed civilians. The situation became much worse on May 25 when coup leaders freed hundreds of prisoners from Pademba Road prison and gave them military uniforms and weapons. Freed prisoners, AFRC troops, and RUF forces engaged in looting, rape, and murder. Foreign countries evacuated several thousand foreign citizens and tens of thousands of Sierra Leoneans fled Freetown. Up to 100 civilians were killed in the violence surrounding the coup. Hundreds more have been murdered subsequently in both random violence and political killings. In mid-June, AFRC officials created antilooting squads including the Western Area Security Patrol and gave them authority to shoot looters on sight. Antilooting Decree Number Six published on November 28, but effective retroactively to May 28, made looting punishable by firing squad. AFRC and RUF officials summarily executed at least 120 soldiers and civilians accused of looting and other crimes. Eight senior members of the AFRC who looted the Iranian Embassy on New Year's Eve were demoted or lightly fined.

Throughout the last half of the year, there was fierce fighting between AFRC/RUF forces and Kamajohs in several areas in the Southern and Eastern Provinces. AFRC/RUF forces routinely summarily executed captured Kamajohs. AFRC/RUF forces routinely shot and tortured civilians and looted their property while searching for Kamajohs. While the Kamajohs usually turned AFRC/RUF prisoners over to ECOMOG, a few AFRC/RUF prisoners were executed while in Kamajoh custody.

At least one person was killed and another injured in Bo on May 27 when AFRC soldiers shot at a crowd of about 5,000 persons demonstrating against the coup. The demonstration started when large quantities of looted goods were discovered in the army's possession.

At least 80 people, including 30 civilians, were killed during fighting in Kenema between RSLMF troops and Kamajohs during the first weekend in May. Fighting started when soldiers shot at a truck of Kamajohs, killing three, as they drove past the army base at Kpetema. At least 22 people, including at least 6 civilians, were killed in fighting that started that weekend between RSLMF troops and Kapras at Camp Charlie near Matotoka.

On May 29, at Masingbi in the Eastern Province, AFRC soldiers ambushed a group of Kamajohs, killing 20 of them. RUF forces firing automatic rifles, grenade launchers, and mortars repeatedly attacked the town of Moyamba at the end of June. During 1 attack they killed more than 10 people, including women and children.

In June the Western Area Security Patrol and antilooting squads in other parts of the country executed at least two dozen people including four soldiers who tried to rape four nuns and loot their residence on June 11. Their bodies were dumped into the sea. In other cases, armed robbers were hacked to pieces or decapitated. A teenage boy caught breaking into a house in Freetown on June 25 was hacked to death; his arms and head were chopped off and one testicle placed in his mouth by the antilooting squad.

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On June 26, AFRC/RUF troops searching for Kamajohs killed at least 25 people in Bo District. Soldiers took Albert Sandy Demby, paramount chief of Baoma Chiefdom and father of Vice President Albert J.E. Demby, from his home in Gerihun, Bo District, and shot him in the stomach, killing him. The soldiers then attacked and burned the villages of Sembehun and Telu Bongor, the home of Deputy Defense Minister Samuel Hinga Norman.

During an attack on the town of Moyamba at the end of June, RUF troops tortured student leader Sheku Kabbah in public before killing him; they gouged out his eyes and cut off his ears before cutting his throat.

On July 8, a young woman was summarily executed by uniformed soldiers in Freetown for publicly supporting President Kabbah. Junta military officers executed three soldiers in July in Kenema for looting.

On August 12, AFRC troops executed a soldier in Freetown after he shot and killed a mechanic who asked the soldier to pay for five gallons of gasoline that the soldier had taken from the gas station. An angry crowd chased the soldier to a police station. Other soldiers rushed in and dragged him out, stripped off his uniform, and shot him at least five times.

On August 18, at least 11 people were killed when AFRC forces attacked students attempting a "march for democracy" in protest against the AFRC. One student from Njala University was chopped into pieces by the military forces. Many students remain missing and the number killed may be higher. Many students also were arrested arbitrarily and tortured (see Section 1.c.).

In August AFRC soldiers beat and cut the throat of paramount chief Dessima from the Dame chiefdom near Kenema. His deputy was abducted and presumed killed. In late August, seven men were arrested and taken to Cockerill Military Headquarters after arriving at a Freetown wharf from Lungi across the river. Six were shot after being accused of involvement with FM 98.1 radio station; one later was released.

On September 1, members of the Kamajoh and Kapra militias beheaded four people who they suspected of being soldiers or AFRC sympathizers. The four were traveling from Bo to Makeni in a commercial vehicle that stopped at a CDF checkpoint at Gumahun, 25 miles from Bo. After the vehicle was searched, the driver was identified as a retired soldier and arrested. Two other men in military T-shirts also were arrested, along with the girlfriend of one of the men. All four were summarily executed. The other passengers in the vehicle were allowed to continue their journey to Makeni.

Ten soldiers were executed by firing squad on October 25. Military police head Captain John Harleston said that all 10 had pleaded guilty to murder charges during a 1-day trial. Other sources said that two of those executed had been accused of beating the girlfriend of a military officer. Harleston said that the executions were meant to send a signal to undisciplined soldiers and to reassure the civilian population.

Nine passengers on a bus traveling between Kenema and Bo were killed on November 2 in a clash between AFRC soldiers and members of the Kamajoh militia. Sierra Leone Road Transport Company officials said the fighting began when soldiers on the bus ignored an order to disembark at a Kamajoh roadblock.

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On December 3, eight armed robbers were executed by firing squad in a soccer field in Koidu town in the eastern Kono District. A junta spokesman said that the eight had appeared before a 1-day military tribunal. One of the eight persons executed, Jonathan Moore, had been serving a 25-year sentence when he was released from prison during the coup.

b. Disappearance

Thousands of civilians disappeared following the May 25 junta takeover. In many cases, it is unclear whether the individuals were killed, captured by AFRC/RUF forces, or whether they successfully fled the country. Some individuals subsequently reappeared in refugee camps or in other parts of the country. The whereabouts of hundreds of people detained by junta officials since the coup remain unknown. In most cases, family members are too frightened of the junta to inquire about the location of their missing relatives.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the now suspended Constitution prohibits torture, there were numerous reports that government security forces at times used torture. For example in January, a soldier on trial for treason for the September 1996 plot to overthrow the government alleged that he had been forced to sign a confession under torture. Joseph Yajah, a former security officer at State House, testified in court that he was tortured at CID headquarters where deputy head Samuel Soumassa urged him to change his statement. Yajah said he was tied to a chair in the squad office, stripped naked, had ice water poured on him, and was subjected to electric shocks. He said police officers stuffed a cap in his mouth when he screamed. Yajah also testified that a subinspector put out a cigarette on his head and ordered other men to scratch his back with wire. The police denied the allegations.

In the week of the military takeover, the level of violence by military and RUF forces caused the exodus of hundreds of thousands of civilians from Freetown, the capital, and other population centers. Soldiers and released prisoners engaged in wholesale looting of private homes, businesses, diplomatic residences, international organizations, and warehouses of humanitarian assistance organizations. In particular local and foreign officials and businessman were targeted for looting and beatings. Their female family members were targeted for rape. Similar acts of abuse and violence continued through the end of the year. Both AFRC and RUF forces used torture on numerous occasions. Since 1991 the RUF waged an armed rebellion marked by violent attacks against civilians. After the RUF joined the AFRC junta in Freetown, RUF Spokesman Eldred Collins admitted responsibility for the atrocities committed in the country's interior. He asserted that the RUF "burned, looted, maimed, and killed," not because it wanted to, but because "that was the only way we could have uprooted a rotten system."

A leader of the AFRC beat student leader Ansu Bockarie and cut him with a razor blade in early June.

On August 18, AFRC and RUF soldiers killed at least 11 students during a student "march for democracy" against the junta in Freetown. A large number of students and other protesters suffered severe injuries when AFRC and RUF forces breaking up the march attacked them with machetes and bayonets. Four had their arms chopped off. Approximately 20 female students were arrested and taken directly to the residences of AFRC/RUF leaders who sexually assaulted them. Some are still detained. One female student remains missing.

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President of the Civil Liberties Congress Soulaiman Banja Tejan-Sie was arrested on August 18 and beaten with military helmets and gun butts. His arms were tied with rope, and he was put in the truck of a car belonging to an AFRC leader. After several hours in the car, he was taken to Cockerill Military Headquarters where he was interrogated and beaten. He was later transferred to Pademba Road prison's death row and was denied washing and sanitary facilities. He was denied food for the first 3 days that he was detained. The AFRC released Tejan-Sie on August 28, but kept him under close surveillance until he fled the country in early October.

In the Eastern Province near Tongo, AFRC officials harassed, intimidated, and tortured miners to find the location of diamonds. In August a miner was roped over a fire in the Kono area by a junta official to make him disclose where he had hidden a recently found diamond. The miner surrendered the diamond and his tribe had to pay AFRC officials a large ransom sum for his release.

RUF soldiers tortured and killed numerous persons (see Section 1.a.). On October 2, three soldiers and one member of the RUF attacked Olu Jones at his house. He was tied, beaten, and stabbed in both ears with a bayonet. In the early morning, the soldiers took him to Cockerill Military Headquarters.

Refugees fleeing Sierra Leone reported torture and abuse of civilians by AFRC soldiers and the RUF, particularly in the Mende areas in the south and east where the AFRC and RUF were fighting the Kamajohs. AFRC/RUF soldiers burned villages suspected of supporting the Kamajohs. Civilians were beaten and tortured. Women and girls were raped, sexually tortured, and forced into sexual slavery.

Both the AFRC and the RUF use rape as an instrument of control and punishment. The military junta has not taken steps to control violence by soldiers against women and often encourages it.

Prison conditions remain life threatening. The quality of food and medical care was poor. In mid-May, Pademba Road prison held 60 percent more inmates than its capacity. The majority of those were on remand awaiting trial. When the AFRC seized power on May 25, it broke open the Pademba Road prison and freed all inmates. By the end of the year, Pademba Road prison was again seriously overcrowded with persons detained by the AFRC. Many detainees are held in metal shipping containers at Cockerill military headquarters.

The AFRC junta occasionally granted the International Committee of the Red Cross (ICRC) and Prison Watch limited access to prisoners, many of whom were officials in the previous government, journalists, or student protesters. In August Prison Watch reported that most detainees in Pademba Road prison were brutalized and beaten during arrest and interrogation, and none had been formally charged or had access to legal counsel.

d. Arbitrary Arrest, Detention, or Exile

The AFRC junta suspended the Constitution and gave itself far-reaching powers of detention. Any person can be arrested "in the interest of public safety." There are no safeguards against arbitrary arrest or indefinite detention without charge or trial. Members of the elected Government and people associated with it, members of the Sierra Leone People's Party (SLPP), journalists, students, and human rights activists have been arbitrarily arrested and

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detained without charge in what the junta calls "military safe custody." Police and military officials arrest without warrant and detain indefinitely any person they suspected of posing a threat to military rule. With the collapse of the rule of law, all civilians are at risk of arbitrary arrest and detention.

Several hundred detainees are being held at Pademba Road prison, Cockerill military headquarters, Criminal Investigation Department (CID) headquarters, and police stations or military installations throughout the country. While some detainees have been released after a short time, others have been held for weeks or months. Many have been beaten or tortured (see Section 1.c.). Most detainees who are released go into hiding or flee from the country.

In the days immediately following the coup, several members of President Kabbah's cabinet and other senior government and military officers were detained at Cockerill military headquarters. Soldiers conducted house-to-house searches for others. Most of these detainees were released after a few days. On June 16, at least eight senior military officers and seven civilians associated with the SLPP were arrested and accused of conspiring to overthrow the AFRC. None was charged with a crime; however, they were not allowed visitors. Most were released within several weeks.

Hundreds of people have been detained and beaten by junta troops searching for the transmitter of a clandestine, prodemocracy radio station that began broadcasting in July.

More than 120 people were arrested on August 18 and 19 as the National Union of Sierra Leone Students (NUSS) attempted to hold a "march for democracy" in protest against the AFRC. Eighty-six students were taken to Pademba Road prison where they were held for 12 days before release. Another 35 students were taken to Cockerill military headquarters. Others were taken to CID headquarters and about 20 women were taken directly to the residences of junta leaders. In October the junta admitted that it was still holding 37 students; many more, including some women, remained missing.

On September 16, People's Army troops attacked the town of Bonthe, on Sherbro Island, searching for a Kamajoh training center. The soldiers arrested 60 civilians suspected of sympathizing with the Kamajohs and took them to Moyamba for questioning. It is not clear what happened to them afterwards.

On October 13, the junta arrested eight people, including the elected Government's Deputy Minister of Marine Resources Mamoud Sesay, newspaper editor Prince Akpu, and Temne tribal chief Alhaji King Naimbana for "involvement in subversive activities." At the time the junta admitted to holding another 33 detainees it described as "prodemocracy activists."

On November 26, the AFRC arrested Chief A.B. Tomboyeke in Baoma Chiefdom, Bo District while searching for Kamajohs.

Prior to the coup, on March 29 RUF forces abducted several of its own members at Nongowa in Kailahun District in the Eastern Province. Two of those abducted, Fayia Musa and Ibrahim Deen-Jalloh, had been appointed as RUF representatives to the Commission for the Consolidation of Peace established by the Abidjan Peace Accord, which was signed by the Government and the RUF in November 1996. In April they were reported to be on trial in an RUF people's court for plotting to overthrow RUF leader Foday Sankoh. The captives' condition was uncertain at year's end.

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The junta refused to allow several prominent businessmen, government officials, and journalists to leave the country. Because of the violence surrounding the coup and the RUF's reputation for brutality, hundreds of thousands of Sierra Leoneans fled the country fearing for their lives. Many more left later after being targeted by the junta. President Kabbah and members of his government are among those now in exile in Guinea.

The junta does not practice forced exile; however, thousands have fled for their own safety.

e. Denial of Fair Public Trial

The suspended Constitution included provisions for an independent judiciary. Virtually all magistrates have fled the country; several were beaten, and some were raped by prisoners released from prison during the coup. The court system has not functioned since May 25. The AFRC announced that it would replace the judiciary with People's Revolutionary Courts manned by ordinary citizens, but there is no evidence that these or any other courts are functioning.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The AFRC monitored actions by citizens to prevent them from acting in a manner it deemed prejudicial to its continuation in power and to control association or communication with other persons. The junta erected roadblocks to control movement and conducted surveillance of the homes of people it perceives as opponents. Telephones and mail are monitored by the military junta. There were numerous occasions of abusive treatment of citizens by soldiers and police throughout the country, including forced entry into homes, robberies, and assaults. Many of these abuses were sanctioned by or committed by high-ranking members of the junta. Joint military and police Antilooting Squads frequently executed soldiers caught looting homes.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

The RUF fighting against three successive governments resulted in an estimated 20,000 deaths since 1991. More than one-third of Sierra Leone's 4.5 million citizens are displaced internally or are living as refugees in neighboring countries because of insecurity and violence stemming from the civil war and the AFRC/RUF takeover. After taking power, junta forces seized food aid destined for displaced persons and refugees, and looted the headquarters and warehouses of international aid organizations, making humanitarian relief difficult. The AFRC also planted land mines around ECOMOG installations and at other strategic sites in an attempt to hinder their efforts to restore the constitutional government.

There were many serious violations of humanitarian law throughout the country before as well as after the military takeover. Military and RUF forces committed summary executions of prisoners and killings, torture, rape, and mutilation of civilians. Traditional hunter societies (including the Mende Kamajohs, Temne Kapras, and Koranko Tamaboros) organized as civil defense militias and sought to protect their chiefdoms from both RUF attacks and military looters. At times they executed military or RUF forces that they had captured. Hundreds of civilians were killed in fighting between military and RUF troops and the civil defense forces.

Despite the Abidjan Peace Agreement signed in November 1996, and a cease-fire in effect,

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RUF rebels and elements of the government security forces continued to attack villages and ambush vehicles. RUF forces continued to abduct villagers and force them into involuntary servitude, making them serve as porters, sexual slaves, human shields, and fighters, among other abuses. Civilians were murdered, maimed, tortured, and raped in these attacks. In some cases, perpetrators could not be identified; however, it is generally believed that RUF forces, military personnel, and ordinary thieves, committed attacks on civilians. Even in the instances where perpetrators could be identified, the Government took no action against them.

In early May, the RUF resumed targeting international organizations. On May 7 several miles from Makeni, RUF gunmen attacked two United Nations vehicles with machine gun fire. The driver of one vehicle was killed and another U.N. employee was injured. The next day two more humanitarian aid workers were injured when the RUF attacked two World Food Program vehicles on the Makeni-Lunsar road.

Beginning on May 9, forces generally believed to belong to the RUF began a campaign of attacks against villages in the Northern province. Armed groups in both military uniforms and civilian clothes attacked at least 10 villages with sticks, machetes, guns, and rocket propelled grenades. The attacks caused 8,000 people to seek refuge in the Northern province capital of Makeni and thousands more to flee to Guinea. In the attack on Kalangba village, more than a dozen people were killed and 87 houses burned. In Gbandembu village, the clinic and 124 of 130 houses were burned. Scores of people whose hands and feet had been cut off by rebel forces sought medical attention in Makeni. Many people were also abducted in these attacks. On May 14, these forces, including many young boys, captured the northern town of Kamakwie, leaving dozens of corpses lying in the streets. They destroyed the hospital, dispensary, and pharmacy, and burned more than 60 houses. In separate attacks in mid-May, the RUF killed more than 100 people in the eastern towns of Kalihun and Bomaru.

On the morning of June 2, after the junta broke off negotiations with the international community, a Nigerian warship shelled AFRC/RUF military installations in the western end of Freetown for several hours. In response 150 RUF soldiers attacked and then set fire to the Mammy Yoko Hotel where some 600 foreigners were awaiting evacuation and where ECOMOG forces and Nigerian negotiators had set up their headquarters. At least one person at the hotel died in the attack and six were injured, including five Nigerian soldiers guarding the hotel. Later that day RUF troops also attacked the Bintumani hotel. At least 62 civilians were killed and more injured by the RUF-fired rocket-propelled grenades and Nigerian shells that fell into residential areas.

In late June, virtually the entire population of Magburaka fled 60 miles to Makeni after RUF troops entered the town and began harassing civilians.

On September 16, AFRC and RUF troops searching for a Kamajoh training center attacked the town of Bonthe on Sherbro Island, looting and destroying much of the town. At least 34 Kamajohs were killed. Sixty civilians were arrested and taken away for questioning.

In fighting during October, AFRC and RUF supporters looted and burned homes of President Kabbah's family and supporters of the elected Government, including the homes of Chairman of the Commission for Consolidation of the Peace Desmond Luke, Minister of Works Emmanuel O. Grant, and Deputy Minister in the Vice President's Office Theresa

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Koroma. At least seven villages in Baoma chiefdom, Bo District were abandoned in late October after AFRC/RUF troops burned the houses and stole the rice crop.

On November 26, AFRC soldiers burned 13 houses in the villages of Pelewahun Ngiyeibu and Gerihun in Bo district while searching for Kamajohs.

On December 3, Kamajohs seized a Sierra Leone Red Cross truck delivering relief food to Moyamba. They reportedly manhandled the Red Cross staff and told them that in the future, they should receive all relief supplies for distribution.

On December 9 and 10, AFRC and RUF forces launched attacks on Kamajoh strongholds in of Joru and Gorahun villages in Kenema District and Sonoshun, Fairo and Dia villages in Pujehun District. The villages were attacked by an AFRC helicopter gunship, artillery, and rocket propelled grenades. AFRC and RUF troops looted the villages, set fire to houses and rice farms, and raped several women. Similar AFRC/RUF attacks on Kamajoh strongholds throughout the eastern and southeastern parts of the country continued through the end of the year with significant fighting along the border with Liberia.

ECOMOG artillery and rocket attacks killed numerous civilians. In June a Nigerian warship shelled AFRC/RUF installations in Freetown for several hours. At least 150 civilians were killed and more were wounded during fighting that started on July 12 between AFRC/RUF and ECOMOG forces at the ECOMOG bases at Lungi Airport, Hastings Airfield, Jui, and Kossoh near Freetown. Junta forces attacked the ECOMOG bases and nearby towns seeking a new clandestine radio station that had recently broadcast a speech by President Kabbah.

About 15 civilians were killed in fighting that began when AFRC and RUF forces attacked the ECOMOG base at Lungi Airport on August 13. Most of the civilians were killed when ECOMOG troops tried to shell the attacking AFRC/RUF troops. A senior AFRC official said the junta would continue to harass ECOMOG troops until they left the airport.

Twenty-one civilians were killed and many more wounded during heavy fighting that broke out on September 4 when ECOMOG troops at Lungi Airport launched artillery and air attacks against two container ships docking at Queen Elizabeth Quay in violation of the ECOWAS embargo. There were reports that some of the ECOMOG shells fell in residential areas. Most of the civilian casualties were at Marbela Market. It is not clear whether the market was hit by an ECOMOG shell or by antiaircraft rounds fired from AFRC positions at Fourah Bay College on Mount Aureol.

On September 5, ECOMOG Force Commander Major General Victor Malu issued a "final warning" that ECOMOG would attack any ships violating the ECOWAS embargo. The next day a Nigerian Alpha jet dropped bombs into the water near a Ukrainian cargo ship Seaway as it unloaded in violation of the embargo. Three paramilitary policemen and a port official were seriously injured. The following day, another Nigerian aircraft dropped two bombs on the ship. No injures were reported in the second attack. General Malu claimed that, in addition to rice, the ship had been discharging arms and ammunition for the junta. In the following days, AFRC officials reportedly smuggled much of the rice into Guinea and sold it for their personal gain.

Hundreds of people died in 2 weeks of heavy fighting that started on October 8 between AFRC/RUF troops and ECOMOG forces. Hostilities began when an AFRC helicopter

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gunship fired at an ECOMOG helicopter ferrying supplies between ECOMOG bases. In retaliation a Nigerian Alpha jet fired rockets at, and dropped bombs on, the AFRC helicopter after it had returned to its base at Cockerill Military Headquarters. The AFRC reported that four soldiers and two civilians were killed in the attack on Cockerill. AFRC and RUF troops then attacked ECOMOG positions at Lungi Airport, Kossoh Town, and Jui. Dozens of civilians were killed by artillery fired by both sides. The fighting spread as AFRC/RUF troops attacked Nigerian ECOMOG contingents at Bo and Kenema. AFRC military trucks patrolled Freetown, arresting soldiers who had gone AWOL and refused to fight against ECOMOG troops, and forcibly impressed others into service. On October 16, at least 14 civilians were killed in the eastern outskirts of Freetown by ECOMOG artillery fired from Lungi Airport at AFRC/RUF troops attacking ECOMOG forces at Jui and Kossoh Town. Eight civilians were killed and 20 injured the same day when a bomb dropped by a Nigerian Alpha jet exploded in a market at Kissy. The Alpha jets also targeted junta radio and television transmitters. The AFRC placed antiaircraft guns in residential areas. Shells fired by these guns frequently fell in residential areas.

On December 11, AFRC forces at Daru barracks in Kailahun District fired on a Nigerian Alpha jet. The jet dropped two bombs that killed several people in the nearby village of Benduma.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The suspended Constitution provided for freedom of speech and of the press. In practice, however, prior to May 25 the Kabbah Government detained some journalists without charge and charged some with sedition, libel, and contempt of Parliament for their coverage of alleged government corruption, the civil war, and human rights issues. The elected Kabbah Government's frequent use of criminal libel and sedition charges encouraged self-censorship. Imposition of heavy fines financially crippled some members of the private press. Forty-six newspapers circulated while the elected Government was in power. On May 14, Parliament passed the Media Practitioner Act, designed to drastically curtail the numbers of journalists and newspapers. The law required all journalists to have an academic degree in journalism and to register with the authorities every year; editors are required to have 10 years professional experience. About 80 percent of the country's journalists could not meet these criteria; if enforced, the law would prevent them from working as journalists.

Shortly after the coup, the AFRC harshly criticized the Media Practitioner Act and asserted that press freedom would be unrestricted. However, journalists, like other critics of the junta, quickly became targets for harassment and intimidation. Dozens of journalists fled the country in fear of the military junta. In September following publication of a story in the Standard Times that revealed discord among members of the AFRC Supreme Council, the junta announced that newspapers were required to obtain permission before publishing. At year's end, only about six newspapers remained, all operating at the discretion of the AFRC Minister of Information. Under the elected Government five radio stations operated in Freetown and one in the provincial city of Bo. After May 25, the only regularly operating broadcast media were government radio and television stations tightly controlled by the military junta and the clandestine station FM 98.1 operated by the elected Government in exile. The AFRC/RUF junta took severe measures attempting to close FM 98.1, including torturing people who might know its location and electronically jamming its broadcasts.

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Many of the journalists who remained in Sierra Leone after May 25 were harassed, detained, arrested, and beaten by the military junta for reporting perceived to be critical of the AFRC or the RUF.

Under the elected Government, Punch newspaper correspondent Pat Kawa was arrested on January 24 on defamation charges after reporting allegations of financial improprieties by government officials. The case was dismissed in court on March 3. Footprints magazine publisher Harry Evans was arrested on March 6 and held without charge for a week after publishing an article alleging that the Minister of Presidential Affairs had imported 50 automobiles without paying customs taxes. Footprints editor Mohammed Karim and staff writer Njai Kanthba also were arrested and held for 3 days on spurious charges of drug possession. Three journalists from Expo Times newspaper were arrested without charge on March 19 following publication of an article entitled "Abacha's Wild West Gangsterism," about the detention of RUF leader Foday Sankoh by the Nigerian government. They later were charged with spying and possession of a secret military document and were released on bail after 2 weeks.

On May 27, AFRC military personnel looted the Concord Times newspaper offices. Fearing for their safety, the newspaper's staff went into hiding. On June 4, two armed men searching for a Kabbah Government minister broke into the home of Standard Times newspaper managing editor Phillip Neville. When he denied sheltering the official, Neville was beaten. On June 9, Sky FM talk show host Ojukutu Macaulay went into hiding after a group of AFRC soldiers threatened to kill him for speaking against the military takeover. Following a June 11 story in For Di People newspaper about travel to Libya by an AFRC delegation, the junta warned journalists to seek clarification from AFRC headquarters before publishing sensitive security information. For Di People subsequently closed after receiving verbal threats from AFRC officials. In mid-June British Broadcasting Corporation (BBC) stringer Sylvester Rogers went into hiding after learning that AFRC soldiers were trying to locate him. On October 2, AFRC Spokesman Allieu Kamara admitted that security personnel had taken Rogers into "safe restriction" after Rogers had attempted to leave the country without a police permit.

On July 8, The Point newspaper managing editor Budu Hayes was arrested at his home and detained at AFRC military headquarters until the following day. The soldiers who arrested Hayes alleged that he was harboring people fighting against the revolution. Also on July 8, The Democrat newspaper reporter Saloman Conteh and freelance correspondent Jeff Bowlay Williams were arrested at Democrat offices by 20 soldiers and interrogated at AFRC military headquarters. They then were transferred to Pademba Road prison and held 11 days without charge. The Democrat stopped publication when they were arrested. Business Vision reporter Martins I. Martins was arrested on July 19 and detained at AFRC military headquarters for 2 days on suspicion that he had communicated with President Kabbah. When he returned to his home, he discovered that it had been looted. On July 26, AFRC soldiers arrested Unity Now editors Dominick Lamine and Sahr Mbayoh and confiscated the newspaper's computers. AFRC officials claimed that the newspaper had subversive materials. The two editors were had incommunicado and released several days later. AFRC soldiers continued to search for the newspaper's editor-in-chief Frank Kposowa, who went into hiding to avoid arrest. On July 26, Kenema-based BBC stringer Suliman Momodu also went into hiding after learning that he was being sought by AFRC soldiers. On July 28, AFRC soldiers arrested New Tablet production manager Suliman Janger and seized 900 copies of the newspaper. Soldiers also arrested five newspaper vendors. New Tablet editor Gibril Foday Musa went into hiding to

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avoid arrest. On July 30, AFRC soldiers seized 1,500 copies of the Standard Times at the newspapers offices. The soldiers were searching for managing editor Philip Neville who had gone into hiding after receiving threatening phone calls for articles critical of the AFRC.

On August 18, AFRC soldiers arrested Voice of America correspondent Kelvin Lewis, Sky FM talk show host Ojukutu Macaulay, and their driver as they were on their way to cover a student demonstration against the junta. Soldiers beat them with machetes and gun butts and threatened to kill them. They were detained overnight in a metal shipping container at AFRC Cockerill military headquarters but released the next day. On September 1, BBC stringer Prince Brimah was ordered detained by AFRC Secretary of State for the Southern province, Major Augustine Kamara, who reportedly was displeased by his report about the execution of four persons at a CDF roadblock on the road between Bo and Makeni (see Section 1.g.). Kamara ordered Brimah taken to a police station where he was detained for 4 hours in a cell full of feces and then released. On the morning of September 20, several people who had gathered at the Mende Central Mosque in Freetown were beaten by security forces seeking information about the FM 98.1 radio station.

In early October, Concord Times acting editor Foday Fofana and the acting secretary of the Sierra Leone Association of Journalists (SLAJ) Fallah Ensa-Ndemah went into hiding after receiving information that they were to be arrested on subversion charges stemming from the SLAJ's denunciation of the AFRC junta and its control of the press. Freelance journalist Donald Davis was arrested on October 8 and detained in Pademba Road prison. Freelance journalist Abdul Salam Timbo was arrested on subversion charges on October 10 and is being held incommunicado. On October 10, a truckload of solders arrested Punch newspaper Editor David Tambaryoh at his residence. He was held for 3 days on subversion charges stemming from his alleged contact with legitimate Sierra Leone government officials. Armed men searching for Tambaryoh's personal property looted his sister-in-law's home and twice raped her and her daughter. After his release, Tambaryoh went into hiding. Umaru Fofana, a freelance correspondent for The Vision newspaper and the BBC was shot in the leg and physically abused on October 11 by junta forces who claimed that he was reporting for FM 98.1. He was released later that day. Democrat newspaper acting editor John Foray and freelance journalist Abdul Kpowsa were beaten by junta forces and detained without charge on October 11. AFRC soldiers arrested For Di People editor Paul Kamara on October 16 and took him to Pademba Road prison. The soldiers smashed and looted the office, and confiscated the newspaper's computers and Kamara's car. The soldiers gave no reason for Kamara's arrest.

On November 13, the AFRC temporarily suspended the Standard Times and detained several of its reporters after it printed a story suggesting that the AFRC/RUF junta was involved in a plot with Liberian President Charles Taylor to overthrow the Government of Guinea. The suspension was lifted a week later after the newspaper retracted the story. On November 21, the AFRC temporally suspended The Democrat after it reported a burglary at the British High Commissioner's offices and home by seven uniformed men. It also subsequently retracted this story.

On November 22, police arrested Standard Times editor Ibrahim Karim Sei, The Democrat editor Pious Foray, and Concord Times acting editor Dorothy Awonoor-Gordon, and four other journalists. A police spokesman said that all three newspapers had carried "dubious articles" that threatened to undermine the security of the State. The seven journalists were detained for a week without charges. The Concord Times also had published an article

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disclosing the delivery of lubricating oil to the Freetown power plant, in violation of U.N. Security Council sanctions.

On December 16, journalist Vandi Kallon was detained and brutally beaten by AFRC officials who accused him of passing information to radio station FM 98.1 and ECOMOG. There was no information on his circumstances at year's end.

The elected Government respected academic freedom. All schools and universities were closed after May 25 as both teachers and students stayed away in protest against the AFRC's seizure of power.

b. Freedom of Peaceful Assembly and Association

The suspended Constitution provided for freedom of assembly; however, at times the elected Government limited this right. The elected Government permitted many street demonstrations.

In February, however, police and armed forces personnel killed two persons and injured 20 others in breaking up a riot by several hundred youths against the postal service. The police fired tear gas and started shooting after rioters hurled stones at them. One of the dead men was shot in the chest as he emerged from an Ash Wednesday mass at Sacred Heart Cathedral near the post office where the riot was taking place. President Kabbah criticized the police for using excessive force in dispersing the rioters.

On March 11, police fired tear gas to disperse hundreds of students at the Parade Grounds soccer field in Freetown. The National Union of Sierra Leone Students (NUSS) had called the meeting to plan protests against the Government's decision to give retirement benefits to former President Major-General Joseph Momoh. The police refused to issue a permit for the meeting, claiming that security could not be ensured, and suggesting that the students meet instead on college campuses.

On March 14, police attacked 2,000 students attempting to meet in an open park. Before NUSS Secretary-General Abdulai Bayraytay was to address the crowd, 50 riot policemen disrupted the meeting to arrest him and other student leaders. When students attempted to prevent the leaders' arrests, the police attempted to disperse the crowd with tear gas and batons, injuring at least 15 persons. Several more students were detained by the police. A government statement said that police had been ordered "to take appropriate but reasonable action to prevent a student group meeting anywhere throughout Sierra Leone." It said that the students could hold meetings on any of the college campuses, but not elsewhere.

After May 25, the military junta restricted freedom of assembly and banned public demonstrations and meetings. At least one person was killed and another injured in Bo on May 27 when AFRC soldiers shot at a crowd of about 5,000 people demonstrating against the coup. The demonstration started when large quantities of looted goods were discovered in the army's possession. Nearly all the shops in Bo and an Action Contre La Faim warehouse were looted 2 days earlier when the junta released all the inmates at the Bo prison.

The military junta violently broke up a student march in Freetown on August 18. Using assault weapons and machetes, AFRC/RUF soldiers killed at least 11 students and maimed

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many others with machetes and bayonets. Soldiers shooting rocket-propelled grenades and automatic weapons set up roadblocks and searched the streets, making arrests wherever a group had gathered. AFRC/RUF forces chased students into Connaught hospital and assaulted patients as they searched for students. Students and citizens harboring students were severely beaten when found and detained in the Pademba Road prison.

Also on August 18, combined operation by AFRC and RUF troops and State Security Division police armed with automatic weapons, rocket-propelled grenades, and antiaircraft guns broke up a student demonstration in the Southern province capital of Bo. After marching for a short distance, the students were confronted by the security forces, who dispersed them with tear gas.

The suspended Constitution provided for the right to form political, economic, social, and professional organizations, and the elected Government respected this provision in practice.

The AFRC junta restricted freedom of association and outlawed political parties and activities.

c. Freedom of Religion

The suspended Constitution provided for freedom of religion. The Kabbah Government respected this right in practice. Most religious institutions have continued to operate under the junta. However, due to security concerns, most foreign missionaries left the country. On August 17, AFRC security forces detained Secretary General of the Council of Churches in Sierra Leone (CCSL) Alimamy Kokomah at his church and ordered him to cancel an interreligious worship service scheduled for Freetown's national stadium. Security officers turned back people who attempted to reach the stadium that evening. The AFRC also denied a CCSL request that it be allowed to host some form of worship service at its headquarters, alleging the possibility of infiltration.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The military junta tightly controls travel within the country. Most politicians, government officials, and businessmen left the country immediately after the coup. Many prominent persons were given safe haven through international evacuation efforts following the coup. Numerous checkpoints manned by AFRC/RUF soldiers make travel difficult. The junta refused to allow several prominent businessman, government officials, and journalists to leave the country. The junta severely restricts internal travel and emigration.

Approximately 1.4 million of Sierra Leone's 4.5 million citizens are displaced within the country. An estimated 238,000 Sierra Leoneans are refugees in Guinea and Liberia, including as many as 40,000 who fled to Guinea and 25,000 to Liberia following the coup. Several thousand more have sought refuge in The Gambia, Cote d'Ivoire, Guinea-Bissau, and Mali. Many middle class Sierra Leoneans fled to Europe, Great Britain, and the United States.

Prior to the coup, the Government cooperated with the office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. Several hundred thousand refugees and displaced persons returned to their homes

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in the months following the November 1996 signing of the Abidjan Accord. Many of these returnees were forced to flee their homes again after the May 25 coup. Sierra Leone had provided asylum to 17,000 Liberians; several thousand of these refugees fled following the coup, but 5,500 Liberian refugees remained in the Freetown area, awaiting safe passage to Liberia. After the evacuation of United Nations personnel in early June, they were assisted by the ICRC.

There is no formal process for granting political asylum.

Prior to the coup, there were no reports of forced return of persons to a country in which they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. On May 25, a military junta seized power from the civilian government which was chosen in free and fair elections. The AFRC suspended the Constitution, banned political parties, and announced that all legislation would be made by military decree. The military junta routinely threatened, harassed, imprisoned, tortured, and killed citizens who sought to challenge the military's seizure of power. The junta has not negotiated in good faith with the Committee of Five (C-5) foreign ministers appointed by ECOWAS to bring about the return of the Kabbah Government and the restoration of constitutional order. Parliament has not functioned since the military takeover. Many civil servants refuse to report to work until constitutional order is restored.

There is 1 woman in the 34 member AFRC Supreme Council and 1 woman in the 20 member Cabinet.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Under the elected Government, several local human rights organizations operated including a local chapter of Amnesty International, the Civil Liberties Congress, Prison Watch, the National Commission for Democracy and Human Rights, and the Society for Advancement of Civil Rights. Most members of these groups fled to Conakry, Guinea, from where they report on violations of human rights in Sierra Leone. Those who have stayed in Sierra Leone have to restrict their activities severely for their own safety.

On August 17, soldiers seeking Civil Liberties Congress President Soulaiman Banja Tejan-Sie arrested and beat three people closely associated with him. He was arrested the next day and taken to Cockerill military headquarters where he was tortured. He was then forced at gunpoint to appear on national television and to call upon students to cancel the "march for democracy" planned for that day. He was detained without charge at Pademba Road prison for 11 days and then placed under close
surveillance until he fled the country in October. The junta allowed ICRC and Prison Watch to visit the Pademba Road prison at least through October.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

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The suspended Constitution prohibited discrimination against women and provided for protection on the basis of race and ethnicity, except for the prohibition against citizenship for persons with a non-African father. This provision effectively blocks citizenship and political participation of those of Lebanese descent, and other persons with non-African fathers.

Women

Violence against women, especially wife beating, is common. Police are unlikely to intervene in domestic disputes except in cases of severe injury or death. Sierra Leone does not recognize domestic violence against women as a societal problem, and neither the elected Government nor the AFRC junta gave it high-level attention. Rape is a recognized societal problem and is punishable by up to 14 years' imprisonment. The elected Government enforced this law; however, the AFRC and the RUF use rape for both control and punishment.

The suspended Constitution provided for equal rights for women, but in practice women face both legal and societal discrimination. Their rights and status under traditional law vary significantly, depending upon the ethnic group to which they belong. The Temne and Limba tribes of the north afford greater rights to women to inherit property than does the Mende tribe, which gives preference to male heirs and unmarried daughters. However, in the Temne tribe, women cannot become paramount chiefs. In the south, the Mende tribe has a number of female paramount chiefs.

Women do not have equal access to education, economic opportunities, health facilities, or social freedoms. In rural areas, women perform much of the subsistence farming, all of the child rearing, and have little opportunity for education. The average educational level for women is markedly below that of men; only 6 percent are literate. At the university level, men predominate. Due to the military takeover, efforts by local NGO's to educate women on their civil rights and civic responsibilities have been suspended.

Children

Infant and child mortality is very high. In 1995 one child in four died before the age of 5 and one-third of children under the age of 5 were underweight.

As many as a few thousand RUF fighters are child soldiers who are as young as 8 years of age. They often are smaller physically than the rifles they carry. Abducted by the RUF from their villages, brutalized, and used to transport supplies, the children eventually become fighters. The armed forces also took boys off the streets of Freetown to expand its forces. The armed forces provided little or no training to the boys. This undisciplined and unsupervised group committed many atrocities. After the coup, parents began to ask the traditional hunter societies to initiate their young male children to protect them from abduction and forcible recruitment by the RUF. Human rights groups believe that a large number of the children abducted into the various armed forces, or otherwise traumatized by the war as civilians, experience serious psychological problems.

In late February, RSLMF soldiers and Kamajohs cooperating in a government operation rescued several hundred war orphans, most from 9 to 15 years of age, living in the forests in Kailahun and Kenema districts. Most of the children fled to the forests after RUF rebels attacked and destroyed their villages 4 years earlier.

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Occasional instances of ritual murders of boys and girls, as well as adults, associated with illegal secret societies, have been reported in the past. There were no reported cases during the year. Female genital mutilation (FGM), which is condemned by international health experts as damaging to both physical and psychological health, is widely practiced on young women and girls, especially in traditional ethnic groups and among the less-educated. While UNICEF estimates the percentage of females who have undergone this procedure may be as high as 90 percent, local groups believe this figure is overstated.

In January the women's Bondo society initiated approximately 600 young women in the Grafton displaced persons camp near Freetown in a ceremony that included FGM. About 100 girls required medical treatment for complications including bleeding and serious infections caused by the multiple use of unclean knives or glass used in the procedure. An active press campaign by secret societies countered the well-publicized international effort against FGM. The 28-year- old woman abducted in 1996 by a secret society and subjected to FGM eventually found a lawyer to take her case, but now there are no functioning courts. On July 2, AFRC Chairman Johnny Paul Koroma told the executive council of the Bondo Society that he supports FGM and other traditional practices and that after the coup they could now perform these rites without hindrance.

People with Disabilities

Questions of public facility access and discrimination against the disabled have not become public policy issues. No laws mandate accessibility to buildings or provide for other assistance for the disabled. While there does not appear to be outright discrimination against the disabled in housing or education, with the high rate of unemployment, few disabled persons work in offices or factories.

Many citizens suffered debilitating injuries during the war. Many had limbs cut off by RUF fighters. A few NGO's have provided prostheses, but the vast majority of victims remain without assistance of any kind.

National/Racial/Ethnic Minorities

Ethnic loyalty remains an important factor in government, the military, and business. Complaints of corruption within ethnic groups and ethnic discrimination in government appointments, contracts, military commissions, and promotions are common. Residents of non-African descent face institutionalized political restrictions. The Constitution restricts citizenship to persons of patrilineal Negro-African descent. This constitutional restriction effectively denies citizenship to many long-time residents, notably the Lebanese community. The Lebanese community was targeted for looting by military and RUF forces during the AFRC takeover. Nigerian citizens were also targeted by the junta for harassment, arrest, and detention because of the dominant role played by Nigerian troops in the ECOMOG forces enforcing the U.N. and ECOWAS sanctions. RUF members killed two Nigerian citizens on September 9 in apparent retaliation for ECOMOG attacks against ships violating the ECOWAS embargo. In early September, at least 20 Nigerian citizens were accused of spying for ECOMOG, arrested, and held at Cockerill military headquarters. Another six Nigerians were arrested in mid-September as they traveled from Freetown to the interior of the country. The reason for their arrest is unknown.

Section 6 Worker Rights

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a. The Right of Association

Under the elected Government, the now suspended Constitution provided for the right of association. All workers, including civil servants, had the right to join trade unions of their choice. Unions were independent of the government. All labor unions had by custom joined the Sierra Leone Labor Congress (SLLC), but membership was voluntary. There was no legal prohibition against SLLC leadership holding political office, and leaders have held both elected and appointed government positions.

The Trade Union Act provides that any five persons may form a trade union by applying to the Registrar of Trade Unions, who has statutory powers under the act to approve the creation of trade unions. The Registrar may reject applications for several reasons, including an insufficient number of members, proposed representation in an industry already serviced by an existing union, or incomplete documentation. If the Registrar rejects an application, his decision may be appealed in the ordinary courts, but applicants seldom take such action. Approximately 60 percent of workers in urban areas, including government employees, are unionized, but unions have had little success in organizing workers in the agricultural and mining sectors.

Under the elected Government, unions had the right to strike without exception, but the Government could require 21 days' notice. Although union members may be fired for participating in even a lawful strike, no such incidents were reported. Unions were free to form federations and confederations and to affiliate internationally. The SLLC is a member of the International Confederation of Free Trade Unions, and the elected Government placed no restrictions on international travel or contacts of trade unionists.

Following the coup most businesses shut down and school teachers and many other public servants refused to return to work until the elected Government was restored. Leaders of the SLLC defied a junta demand that SLLC order all its members back to work. At year's end, most businesses and government offices and all schools remained closed as employees continued to refuse to return to work, despite warnings by the AFRC that those who did not return to work would be fired.

b. The Right to Organize and Bargain Collectively

The legal framework for collective bargaining is the Regulation of Wages and Industrial Relations Act. Collective bargaining must take place in trade group negotiating councils, each of which has an equal number of employer and worker representatives. Most enterprises are covered by collective bargaining agreements on wages and working conditions. The SLLC provides assistance to unions in preparation for negotiations. In case of a deadlock, the Government may intervene. It has not, however, used decrees to prevent strikes.

No law prohibits retribution against strikers. Should an employee be fired for union activities, the individual may file a complaint with a labor tribunal and seek reinstatement. Complaints of discrimination against unions are made to an arbitration tribunal. Individual trade unions investigate alleged violations of work conditions to try to ensure that employers take the necessary steps to correct abuses.

There are no export processing zones.

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c. Prohibition of Forced or Compulsory Labor

The suspended Constitution prohibited forced and bonded labor, including that by children. However, under the Chiefdom's Council Act, compulsory labor may be imposed by individual chiefs, requiring members of their villages to contribute to the improvement of common areas. This practice exists only in rural areas. There is no penalty for noncompliance.

The elected Government did not require compulsory labor. However, an old decree requires that homeowners, businessmen, and vendors clean and maintain their premises. Failure to comply is punishable by fine or imprisonment. The last Saturday of each month is declared a National Cleaning Day. There have been reports of security forces publicly humiliating citizens to ensure compliance.

The AFRC forcibly impressed teenage boys into military service. The RUF frequently abducted villagers, including children, during its attacks and forced the abductees into involuntary servitude as laborers for the RUF. Many of the children eventually became fighters for the RUF. This continued even after the RUF joined the AFRC junta.

d. Status of Child Labor Practices and Minimum Age for Employment

The minimum age for employment is officially 18 years, but in practice there is no enforcement because there is no government entity specifically charged with this task. Children routinely assist in family businesses, especially those of vendors and petty traders. In rural areas, children work seasonally on family subsistence farms.

Because the adult unemployment rate is high (an estimated 70 percent in some areas), few children are involved in the industrial sector. There have been reports that young children have been hired by foreign employers to work as domestics overseas at extremely low wages and in poor conditions. The Department of Foreign Affairs and International Cooperation is responsible for reviewing overseas work applications to see that no one under the age of 14 is employed for this purpose and to enforce certain wage standards.

The suspended Constitution prohibited forced and bonded labor, including that by children; however, there was some compulsory labor in rural areas (see Section 6.c.). The AFRC forcibly impressed teenage boys into military service.

e. Acceptable Conditions of Work

There is no minimum wage. Purchasing power declined drastically as incomes dropped and inflation rose to 40 percent. Most workers have to pool incomes with their extended families and engage in subsistence food production to maintain a minimum standard of living. The Government's suggested standard workweek is 38 hours, but most workweeks for the few people who have jobs exceed 38 hours. The Government sets health and safety standards, but the standards are outmoded and often not enforced. The Health and Safety Division of the Department of Labor has inspection and enforcement responsibility, but the lack of funding and transportation limit its effectiveness.

Health and safety regulations are included in collective bargaining agreements, but there is no evidence of systematic enforcement of those health and safety standards. Trade unions

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provide the only protection for workers who file complaints about working conditions. Initially, a union makes a formal complaint about a hazardous work condition. If this is rejected, the union may issue a 21-day strike notice. If workers remove themselves from dangerous work situations without making a formal complaint, they risk being fired.

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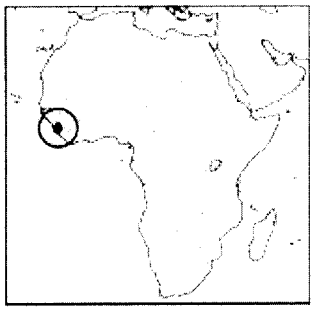

AI REPORT 1998:
SIERRA LEONE

(This report covers the period January-December 1997)

Hundreds of suspected opponents of a military coup were arbitrarily detained. They included supporters of the ousted government, journalists, students and human rights activists. Most, if not all, were prisoners of conscience. Many were tortured or ill-treated. Dozens of extrajudicial executions of political opponents were reported. Thirty-five people sentenced to death by military courts were executed. Armed opposition groups were responsible for deliberate and arbitrary killings and torture.

On 25 May President Ahmad Tejan Kabbah's government, in power since elections in 1996, was overthrown in a military coup. The Armed Forces Revolutionary Council (AFRC) which took power was subsequently joined by the armed opposition Revolutionary United Front (RUF) which had fought government forces for five years until a peace agreement in November 1996. The AFRC cited the failure to implement this agreement as one of the reasons for seizing power. The Constitution was suspended, political parties banned and demonstrations prohibited. The AFRC assumed extensive powers of detention, without safeguards against arbitrary arrest or indefinite detention without charge or trial.

The AFRC was headed by Lieutenant- Colonel (formerly Major) Johnny Paul Koroma who, with hundreds of other prisoners, was freed from the Central Prison, Pademba Road, in Freetown, on the day of the coup. He had been among nine soldiers charged in December 1996 with conspiring to overthrow the government, but not yet tried (see *Amnesty International Report 1997*).

Almost all sectors of society opposed the coup which was also strongly condemned by the international community _ including the UN, the Organization of African Unity (OAU), the Commonwealth and the European Union. West African (predominantly Nigerian) troops present in Sierra Leone clashed repeatedly with AFRC and

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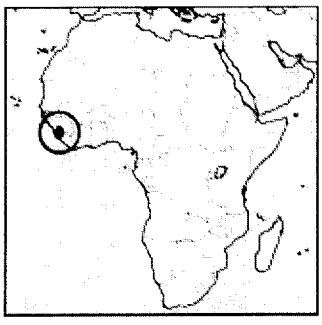

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RUF forces. There was also fighting between a civilian militia of *kamajors* (traditional hunters) loyal to President Tejan Kabbah and AFRC and RUF forces. Nigerian forces used shelling to enforce an embargo on oil and arms imposed by the international community. Fighting and shelling resulted in hundreds of civilian casualties.

In October representatives of the AFRC and five other West African countries agreed on President Tejan Kabbah's return to power by April 1998. However, implementation of this agreement, which included cessation of hostilities, disarmament and demobilization, encountered serious set-backs. Fighting between soldiers and *kamajors* intensified in December and disarmament had not begun by the end of the year.

The reintegration within Sierra Leone agreed in November 1996 of hundreds of thousands of returning refugees and internally displaced people _ nearly half the population _ was thwarted by violence and insecurity following the coup. Thousands of civilians throughout the country were again forced to flee their homes. Many fled to other West African countries, where some encountered rejection at the frontier (see **Gambia** and **Liberia** entries), while others became internally displaced. Following the coup, many people associated with the ousted government or suspected of opposing the AFRC were arbitrarily detained. An accurate assessment of their number was impossible but it appeared to be several hundred.

Immediately after the coup, several members of the ousted government and senior military officers were detained briefly at Cockerill military headquarters in Freetown. In June at least 15 senior military officers and civilians, including Dr Sama Banya, a prominent political figure, and Abu Aiah Koroma, former Minister for Parliamentary and Political Affairs, were arrested and accused of conspiring to overthrow the AFRC. Most were released in the following weeks, but Dr Sama Banya and five others remained in detention until late July and under house arrest until October.

A radio station began broadcasting in July, transmitting messages supporting the ousted government. Many people suspected of either knowing the location of the transmitter or of passing information to the radio station were arrested.

In October Mohamed B. Sesay, a former government minister, was among several people arrested and accused of subversive activities. He was held at police Criminal Investigation Department (CID) headquarters in Freetown before being released uncharged.

Those speaking out against human rights violations were arbitrarily detained. Some fled Sierra Leone and threats against those who remained severely restricted their activities. The president of a human rights organization, the Civil Liberties Congress, Sulaiman Banja Tejan-Sie, was arrested in August and forced at gunpoint to appear on television to call on students not to proceed with planned demonstrations. He was severely beaten, had his arms tied tightly and was locked in the boot of a car for several hours. He was again beaten at Cockerill military headquarters before being transferred to Pademba Road prison where he was denied food and washing facilities for several days. He was released without charge after 11

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days.

In October soldiers and RUF members attempted to arrest the Secretary General of the Sierra Leonean Section of Amnesty International. Isaac Lappia, apparently suspected of opposing the AFRC and passing information outside Sierra Leone, escaped arrest; however, family members and others at his house were beaten and briefly detained.

Many students were vocal in their opposition to the AFRC. More than 120 people, mostly students, were arrested in August after attempting to stage a march for democracy. Most of those arrested were released after 12 days; others, however, were believed to have been held until October. Some students, including Juliet Jones, remained missing; it was unclear whether they had been arrested or had gone into hiding.

The AFRC's stated commitment to press freedom on coming to power was short-lived. In July the Sierra Leone Association of Journalists condemned unprecedented harassment and intimidation of journalists. That month four members of staff of *The Democrat* newspaper, and three others at its premises, were arrested by soldiers searching for the clandestine radio transmitter. Although four were released a few days later, Jeff Bowley Williams, Salomon Conteh and Fatmata Kamara were held for 12 days. Two journalists on their way to cover the students' demonstration in August were arrested with their driver and taken to Cockerill military headquarters. Kelvin Lewis, a correspondent for *Radio France Internationale* and *Voice of America*, and Winston Ojukutu Macaulay, a *British Broadcasting Corporation* (BBC) correspondent previously arrested in June, sustained serious injuries from beatings by soldiers who also threatened to kill them. Both journalists and their driver were released the following day. During October and November the crack-down on the press intensified; at least 20 journalists, including Jon Z. Foray, editor of *New Storm*, and Jonathan Leigh, editor of the *Independent Observer*, were detained without charge for up to two weeks.

Before the coup, in March, three journalists of the *Expo Times* newspaper were arrested on charges of spying, following an article criticizing the detention of RUF leader Foday Sankoh in Nigeria (see below). Released on bail, their trial was scheduled for May but the coup intervened and in July the charges against them were effectively dropped.

At least 15 people, both soldiers and civilians, were arrested in November, accused of conspiring to overthrow the AFRC and abort the return to civilian rule agreed the previous month. They included Stephen Bio, a businessman and close relation of the former Head of State who ceded power to President Tejan Kabbah, and Gibril Massaquoi, a prominent RUF member. None had been tried by the end of the year.

Following the coup, torture and ill-treatment by both soldiers and RUF members were widespread. In June Ansu Bockarie, a student leader, was reportedly beaten and cut with a razor blade by a prominent AFRC member. Students arrested in August were beaten, cut with machetes or stabbed with bayonets. Some women

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students were reported to have been sexually assaulted while held at the residences of AFRC members.

Many journalists detained during the year were tortured or ill-treated. In October Umaru Fofanah, a freelance journalist suspected of providing information to the clandestine radio station, was reportedly tortured and shot in the leg by soldiers.

Some of those arrested in Freetown were held in conditions amounting to cruel, inhuman or degrading treatment. For example, Sam Goba, arrested in September because of his close association with President Tejan Kabbah, was held with others in a freight container at Cockerill military headquarters for several months. His health seriously deteriorated as a result and his fate was unclear at the end of the year.

There were also reports of torture and ill-treatment by soldiers and RUF members in areas of the country affected by fighting with *kamajors*, in particular around Kenema in the east and Zimmi in the south. Villagers accused of supporting the *kamajors* were beaten and had their arms tied tightly behind their backs, causing serious injuries; women and girls were raped and forced into sexual slavery.

Many civilians died in the violence following the coup, some of whom were deliberately killed for political reasons by soldiers and RUF members. Soldiers searching for *kamajors* in Southern Province in June were reported to have killed about 25 people in the villages of Telu Bongor and Sembehun, as well as Albert Sandy Demby, father of the ousted Vice-President and a traditional leader, who was shot dead at his home in Gerihun. Also in June more than 10 people, including women and children, were reported to have been deliberately and arbitrarily killed when armed men, believed to be RUF members, attacked the town of Moyamba; a student, Sheku Kabbah, was reported to have had his eyes gouged out, ears cut off and throat slit. Many civilians were deliberately killed during fighting around Zimmi, Southern Province, in June. In December about 100 villagers were reportedly shot dead by soldiers posing as *kamajors* in the east of the country.

At least six students were shot dead in August by security forces. They included Morie Momoh, shot when soldiers entered his hostel room. In late August, six men suspected of involvement with the clandestine radio station were reportedly shot dead at Cockerill military headquarters.

Following the coup, several people were summarily executed by soldiers in Freetown following repeated AFRC warnings that suspected looters would be shot on sight.

In October, November and early December, 35 people, mostly soldiers but including some civilians, were executed by firing-squad following conviction for murder and other offences by military courts. Reports suggested, however, that in some cases no trial had taken place. In late November the AFRC passed retroactive legislation providing for the death penalty for looting or commandeering vehicles.

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Despite the November 1996 agreement providing for immediate cessation of hostilities, unarmed civilians continued to be tortured and killed by RUF forces in the months before the coup, particularly in Tonkolili District, Northern Province. In January dozens of civilians were reported to have been killed and young girls raped in RUF attacks on several villages. According to reports, when soldiers moved into forest areas in Kailahun District, an RUF stronghold in Eastern Province, in February, they found more than 100 young children separated from their families, including three girls whose hands had been deliberately cut off and another child with an ear cut off. Similar atrocities by the RUF were reported during attacks on villages, including Kalangba and Pendembu, north of Makeni, in May before the coup; dozens of civilians were killed and others mutilated by having their arms or feet cut off.

In late March RUF members abducted at least five of their own members, a Sierra Leonean diplomat and members of the Guinean security forces in Kailahun District shortly after an announcement by prominent RUF members that Foday Sankoh had been removed as leader because he had obstructed the peace process. Foday Sankoh had been detained on arrival in Lagos, Nigeria, in early March, apparently for possession of arms and ammunition; he remained under house arrest in Nigeria at the end of the year. Two of those abducted, Fayia Musa and Ibrahim Deen-Jalloh, were RUF representatives on the Commission for the Consolidation of Peace established by the peace agreement. Although the diplomat was freed shortly after the coup, five RUF members remained held at the end of the year.

There were also reports that *kamajors* fighting AFRC and RUF forces deliberately killed, tortured and ill-treated civilians. In September four people, including a woman, who were suspected of being soldiers or AFRC supporters, were reportedly summarily executed by being beheaded when the vehicle in which they were travelling from Bo to Makeni was stopped by *kamajors*.

In February Amnesty International received a response from the Minister of Justice to its request for clarification of the death in custody of a soldier among those arrested with Major Johnny Paul Koroma (see *Amnesty International Report 1997*). The reply included a post-mortem report, rejected allegations of ill-treatment during interrogation and stated that he had died after attempting to escape by jumping from a window. In March Amnesty International called for the humane treatment and release of RUF members held hostage. Following the coup Amnesty International repeatedly called for an end to arbitrary arrest and detention, torture and ill-treatment, and extrajudicial executions, and in October published a report documenting these violations, *Sierra Leone: A disastrous set-back for human rights*. It called on the international community to give priority to the protection of human rights in efforts to resolve the political crisis in Sierra Leone. Amnesty International strongly condemned executions in October, November and December, called for the repeal of retroactive legislation extending the scope of the death penalty and urged that no further executions take place.

Annual Report UPDATE:

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From January to June 1998

The arbitrary detention, torture and killing which characterized the period of rule by the Armed Forces Revolutionary Council (AFRC), joined by the armed opposition Revolutionary United Front (RUF), after it came to power in May 1997 continued unabated into 1998.

Several prominent members of the community in Kenema, in Eastern Province -- including the chairman of the town council, B.S. Massaquoi -- accused of supporting a civil defence force loyal to ousted President Ahmad Tejan Kabbah were arrested in January and tortured; B.S. Massaquoi was killed by members of the RUF on 8 February.

Later that week the AFRC and RUF were removed from power by the West African force, known as ECOMOG, deployed in Sierra Leone. As the AFRC and RUF retreated from Freetown they killed, raped and mutilated hundreds of civilians. Horrific abuses were carried out in the east and the north of the country.

In Yifin, in Northern Province, at least two hundred unarmed civilians were killed when the village was attacked in late April. The number of those killed continues to rise as violence has spread throughout Northern Province.

Several hundred victims -- school children, housewives, farmers, traders -- are being treated in hospitals in Freetown, Makeni and Magburaka for crude amputations or attempted amputations, bullet and machete wounds. Many have had their arms, feet or ears cut off. Victims have reported women and children being rounded up, locked into a house which was then set alight. Women have been raped and suffered other forms of sexual assault. Men who refused to rape members of their own family were reported to have had their arms hacked off.

It has taken some of the victims days, if not weeks, to reach medical assistance. Many others -- possibly hundreds -- have fled into the bush. Some 250,000 Sierra Leonean refugees have arrived in neighbouring Guinea and Liberia since April 1998 -- many with amputated limbs, severe lacerations and suffering from disease, starvation and exhaustion after weeks in the bush.

An Amnesty International delegation which visited Sierra Leone in May met victims of these atrocities.

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FACT 9

9. Sierra Leone was controlled by the combined forces of the AFRC and RUF, after the coup d'état, from about 25 May 1997 until about 14 February 1998.

a.	Exh. 1.061	ERN 00009689-00009689	Transcript of Sierra Leone Broadcasting Service Radio Broadcast, 30 May 1997 19:22 GMT. (Announcement by the RUF of its acceptance of the AFRC invitation to join in partnership for the government.)
b.	Exh. 1.152	n/a	United States Department of State, "Sierra Leone Country Report on Human Rights Practices for 1997", released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998, at p. 3.
c.	Exh. 2.182	ERN 00013413-00013416	Address by Major Johnny Paul Koroma, available at http://www.sierra-leone.org/koroma060197.html. (Koroma outlines the reasons why he invited the RUF to join the coup during the junta period.)
d.	Exh. 1.225	ERN 00007081-00007086	Minutes of the First Meeting of the AFRC held at the Conference Hall, Defence HQ on Saturday 19th July 1997. (Secret minutes of the first AFRC meeting, chaired by Johnny Paul Koroma, attended by RUF and AFRC leaders.)
e.	Exh. 1.065	ERN 00009772-00009775	Minutes of an Emergency Council Meeting of the AFRC held at State House on Monday 11th August 1997. (Supreme Council Meeting minutes showing the AFRC and RUF are working together. Items discussed included the financial position of the country, foreign aid and discipline among council members.)
f.	Exh. 1.209	n/a	Howard W. French, "Nigerians Take Capital of Sierra Leone as Junta Flees," New York Times, Feb. 14, 1998, Section A, Page 3, Column 1, Foreign Desk.
g.	Exh. 1.033	ERN 00007703-00007710	The Sierra Leone Gazette, Vol. CXXVIII, No. 52, 04 September 1997, at P.N. No. 3 of 1997 (ERN 00007704) (lists members of the Armed Forces Revolutionary Council from both the AFRC and the RUF, including leaders Johnny Paul Koroma, Foday Sankoh, SAJ Musa, Alex Tamba Brima, Sam Bockarie, Morris Kallon, Issa Sesay, Gibril Massaquoi, Michael Lamin, and Eldred Collins).
h.	Exh. 1.034	ERN 00007711-00007718	The Sierra Leone Gazette, Vol. CXXVIII, No. 53, 11 September 1997, at P.N. No. 3 of 1997 (ERN 00007711-00007712) (lists members of the Armed

			Forces Revolutionary Council from both the AFRC and the RUF).

SLBS TRANSCRIPTIONS

SLBS Radio, 30 May, 19:22 GMT

["Special Message" by Revolutionary United Front Spokesman Lieutenant David Collins] Fellow citizens of this our beloved Sierra Leone, brothers and sisters in arms, and serious concerned citizens, it gives me great pleasure at this time when history is being made within the borders of Sierra Leone in the liberation of our people in this our blessed country. you will agree with me that the Sierra Leone Army is in a deplorable condition according to existing standards; that is, molestation, intimidation, harassment, tribalism, state protectionism and the main sources of these conditions.

The Army needs a complete revolution so as to defend and protect the sovereignty of the state. The RUF/SL [Revolutionary United Front of Sierra Leone] has called for your cooperation to accomplish this desired mission. You all will agree with me that the rights of the Sierra Leonean people have been denied them by a handful of criminals who have been using their position to boast and perpetrate their selfish aims--the politicians in this regard. The RUF has come to give the power to the people through pure democracy and it is the voice of the people.

Since 1991, we have been fighting against the APC [All People's Congress], the NPRC [National Provisional Ruling Council], and the SLPP [Sierra Leone People's Party] governments respectively. These various governments did not understand the RUF calls. But today, the AFRC government has [words indistinct] and understandably invited the RUF/SL for a concerted effort. We are determined to bring complete safety to the people of this country with our sincerity, [word indistinct], and dedication of purpose.

We have come with 5,000 armed men to safeguard and to give security to this nation. As you all know, this is an internal affair. We need no foreign intervention. We need no more war in this our blessed country. This country of liberty, unity, justice, and freedom. We ask the international community to bear with us to put things into correct shape. As you all know, the RUF, under the leadership of Corporal Saybannah Sankoh, is struggling very hard to bring good sanity, good living conditions and other aspects to the Sierra Leonean people. But the politicians have been sabotaging these efforts. We welcome the present government in Sierra Leone. We embrace them so that we can bring total peace to this country.

Any intervention into the internal affairs of this our country, the RUF will never leave no stone unturned but to put things into correct shape. On behalf of the RUF and the whole country and especially our leader, Foday Saybannah Sankoh, we are here to bring peace and sanity to Sierra Leone. We are urging all citizens to be law-abiding, to embrace this revolution so that we can build a society worth living in.

RUF, as you have heard from our leader, Foday Saybannah Sankoh, now we are on march with the AFRC, and we are now the People's Army. No more RUF, but the People's Army, to bring peace and security to the people of this our country. I thank you all.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

Before and after the coup, government military forces and the RUF committed political and extrajudicial killings. Soldiers and RUF troops engaged in looting, robbery, and extortion frequently killed civilians. The situation became much worse on May 25 when coup leaders freed hundreds of prisoners from Pademba Road prison and gave them military uniforms and weapons. Freed prisoners, AFRC troops, and RUF forces engaged in looting, rape, and murder. Foreign countries evacuated several thousand foreign citizens and tens of thousands of Sierra Leoneans fled Freetown. Up to 100 civilians were killed in the violence surrounding the coup. Hundreds more have been murdered subsequently in both random violence and political killings. In mid-June, AFRC officials created antilooting squads including the Western Area Security Patrol and gave them authority to shoot looters on sight. Antilooting Decree Number Six published on November 28, but effective retroactively to May 28, made looting punishable by firing squad. AFRC and RUF officials summarily executed at least 120 soldiers and civilians accused of looting and other crimes. Eight senior members of the AFRC who looted the Iranian Embassy on New Year's Eve were demoted or lightly fined.

Throughout the last half of the year, there was fierce fighting between AFRC/RUF forces and Kamajohs in several areas in the Southern and Eastern Provinces. AFRC/RUF forces routinely summarily executed captured Kamajohs. AFRC/RUF forces routinely shot and tortured civilians and looted their property while searching for Kamajohs. While the Kamajohs usually turned AFRC/RUF prisoners over to ECOMOG, a few AFRC/RUF prisoners were executed while in Kamajoh custody.

At least one person was killed and another injured in Bo on May 27 when AFRC soldiers shot at a crowd of about 5,000 persons demonstrating against the coup. The demonstration started when large quantities of looted goods were discovered in the army's possession.

At least 80 people, including 30 civilians, were killed during fighting in Kenema between RSLMF troops and Kamajohs during the first weekend in May. Fighting started when soldiers shot at a truck of Kamajohs, killing three, as they drove past the army base at Kpetema. At least 22 people, including at least 6 civilians, were killed in fighting that started that weekend between RSLMF troops and Kapras at Camp Charlie near Matotoka.

On May 29, at Masingbi in the Eastern Province, AFRC soldiers ambushed a group of Kamajohs, killing 20 of them. RUF forces firing automatic rifles, grenade launchers, and mortars repeatedly attacked the town of Moyamba at the end of June. During 1 attack they killed more than 10 people, including women and children.

In June the Western Area Security Patrol and antilooting squads in other parts of the country executed at least two dozen people including four soldiers who tried to rape four nuns and loot their residence on June 11. Their bodies were dumped into the sea. In other cases, armed robbers were hacked to pieces or decapitated. A teenage boy caught breaking into a house in Freetown on June 25 was hacked to death; his arms and head were chopped off and one testicle placed in his mouth by the antilooting squad.

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Address by Major Johnny Paul Koroma
Head of State and Chairman of the Armed Forces Revolutionary Council
Freetown - 1 June 1997

My fellow countrymen, friendly nations and members of the international community. The big question at this moment on the lips of everybody inside and outside the country is what prompted us to oust former President Ahmed Tejan Kabbah and his government from power.

Before dwelling on the main above-mentioned theme of my address, I want first and foremost on behalf of my colleagues avail myself o this opportunity to solemnly extend our sincere and heartfelt sympathy and expression of regret for the unfortunate incidents that occurred during the takeover operation in which some of our brothers and sisters, as well as foreign nationals, lost their lives and property.

In this regard, the AFRC, as you have been informed through the media, has taken appropriate measures to prevent the recurrence of such unfortunate incidents. My address this evening is not only directed to fellow Sierra Leoneans. It is also meant to enlighten concerned non-nationals and the international community about the welfare of our beloved country, on the main motive of our action.

I have already emphasized in my last two addresses that our action was not motivated by selfish [as heard] and greed for power. The main objective of the AFRC to seize power is to restore lasting peace and political stability in this country, which has been ravaged and continues to be shattered by a senseless war.

On this vital issue of restoring peace and political stability in our country, I would like on behalf of the Armed Forces Revolutionary Council and the entire nation to pay a special and fitting tribute to the Ivorian head of state, His Excellency President Henri Konan Bedie, with special mention to his Foreign Minister Amara Essy, the government and people of La Cote d'Ivorie for the very important role they played in getting Corporal Foday Saybana Sankoh, the charismatic leader of the Revolutionary United Front of Sierra Leone around the negotiating table, that resulted to the signing of the Abuja peace accord last November. But for the relentless efforts of the authorities of this great African country, in the true state of African solidarity, we will not even have been thinking about...[pauses] talking about inviting the RUF leader to command his fighters to (?cease) hostilities and to join the revolution with the sole objective of bringing lasting peace to our beloved country.

The AFRC would also like to seize this opportunity to thank friendly sister countries in the subregion, namely the Federal Republic of Nigeria, the Republic of Guinea, and Ghana for their effective and invaluable role in averting irreparable destruction of our fatherland at the height of the rebel war. The AFRC would also like to behalf of the entire nation to thank the international community and NGO's [words indistinct] to the United Nations Organization, the Commonwealth, the OAU, the International Alliance, the

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International Community of the World Force for the very important roles they played toward the success of the Abidjan peace process.

Fellow countrymen, friendly nations, members of the international community, I would now like to dwell on the main theme of my address this evening. The main reason that prompted us to take the [word indistinct] and timely decision to overthrow the former regime and to extend an invitation to RUF Cpl. Foday Sankoh and the RUF to operate with us.

It is true the wind of democracy has blown and continues to blow around the world. Patriotic and national Sierra Leoneans, old and young, put in everything, sometimes at the expense of their lives, during the transition process to democratic rule with the objective of being in tune with progressive nations around the globe and restoring lasting peace and political stability in Sierra Leone. After five years of military governance, our country was returned to democratic rule with great pains, but due to lack of political ingenuity and sincere commitment on the part of former President Tejan Kabbah and some of his lieutenants, the hard-won democracy was being gradually jeopardized by the flagrant antidemocratic and unpatriotic practices of the lat regime. The unanimous vote in favor of the new president by SLPP parliamentarians and the appointment of ruling party stalwarts to most of the key positions of the state's administrative machinery is a palpable truth of such tendencies.

In an exclusive interview granted to the West African magazine of March this year in Washington, OAU Secretary General Dr. Ahmed Salim Ahmed (sic.) rightly opined, and quote, "Progressive African leadership must now operate, above all, on the clear knowledge that the question of peace, security, and political stability of their respective continent is of primordial importance. Without peace, security, and political stability, it is not possible that any country will achieve the type of democratic and economic growth, the type of social development that we aspire to," quote. [as heard]

This is why my colleagues and I on the AFRC have decided to focus on the question of resolving our internal conflicts. The war that has shattered our once flourishing economy, with much more of [word indistinct] efforts and reality. [words indistinct] this priority of priorities--the return of lasting peace and political stability in our country--is achieved, we will then focus on the whole question of democratization and greater respect for human rights. Military issues, the question of economic and social development, the question of security and stability, and the issue of democratization and human rights are related. If we are to achieve the objective the AFRC will set for itself and address the new challenges that face our country [sentence as heard]. The AFRC will endeavor to address each of these goals and their [word indistinct] within the present context of the social and political situation prevailing in the country.

Our brother Cpl. Foday Saybana Sankoh is quick to understand this when he emphatically stated in his radio message to the nation from Abuja that a democracy without peace, security, and political stability is baseless. The remarkable economic growth and social development achieved by our sister and friendly Republic of La Cote

d'Ivoire is due to the legendary peace, security, and political stability in that country. Foreign investors and economic operators will only pour in their money into countries that will guarantee their personal security and that of their investment.

Fellow countrymen, you will surely agree with me that the unseated president and some of his round pegs in square holes collaborators dragged their feet in implementing the priority clauses stipulated in the Abuja peace accord related to developments of mutual forces to carry out encampment and disarming of combatants. The Commission of the Consolidation of Peace, PCP, was never given the attention needed to carry out its functions.

Fellow countrymen, I will not dwell much on the negative [word indistinct], but let me touch on some of its saddest aspects. The death toll could be estimated at about 15,000 troops. Damaged property could easily amount to several billions of leones. The economy has been completely crippled. Thousands of families which once enjoyed the warmth of living together have been separated. Innocent citizens, mainly comprised of agricultural workers in rural areas, were mutilated and maimed, rendering them physically handicapped and useless throughout the rest of their lives. The brain drain in the country during the war reached unprecedented proportions with its negative effects on the standard of education in our university and other institutions of higher learning. Children in their thousands have become homeless, orphans, and street-beggars. Persons traumatized by the atrocities of the war have become mentally unbalanced. Fellow countrymen, the negative spoils of the war cannot be fully exhausted in this address.

Nationalistic and patriotic Sierra Leoneans as well as well-meaning non-nationals and the international community will now understand why the AFRC deem it at this point in time to drive away the enemies of this nation and to call upon Cpl. Foday Sankoh and the RUF to join the revolution so as to bring about lasting peace and to arrest the unmerited and unwarranted sufferings of our people.

With the return of lasting peace and political stability in this country, Sierra Leoneans will regain their lost personality and integrity, but more especially our shattered economy [words indistinct] foreign investment. Our country will once more regain its rightly place among the progressive nations of the world.

My fellow countrymen, we are undergoing a very crucial stage in the history of our country. Our destiny and that of generations yet unborn is in our hands. Shakespeare rightly put, quote, "There is a tide in the affairs of men which, taken on the tide (sic.) leads on to fortune, omitted all their voyage is bound in shallow waters," unquote.

We should not leave the fate of this only country that we have to be determined by other people for their own personal aggrandizement. The Lord Almighty, our creator, loves this country. He has made it possible for us to know our enemies at the right time. The Biblical saying "God's time is the best" should be an eye opener for us. Prayers said in our numerous churches and mosques on Sundays and Fridays throughout the national territory for the return of lasting peace to our beloved country have not gone in vain. My

fellow countrymen, our priority of priorities today is peace. Peace is an inseparable factor for human development. We have been longing for it for the past six years. Thanks to God, it is here. The Armed Forces Revolutionary Council and true patriots of this country are therefore solemnly appealing to all Sierra Leoneans, irrespective of their ethnic grouping, creed, social standing, and political affiliation, within and outside our national territory to join the God-inspired revolution for the ultimate salvation of our beloved fatherland.

I will end my address by declaring three days fasting and prayers throughout the country, from Sunday, 1 to Tuesday 3 June 1997. United We Stand, Divided We fall. I thank you very much.

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COPY No. 4 of 31

AFRC SECRETARIAT
STATE HOUSE

19th July 1997

See Distribution

MINUTES OF THE FIRST MEETING OF THE A.F.R.C. HELD AT THE CONFERENCE HALL, DEFENCE HEADQUARTERS ON SATURDAY 19TH JULY 1997.

PRESENT

1.	MAJOR J. P. KOROMA	-	CHAIRMAN
2.	CAPTAIN S. A. J. MUSA	-	CHIEF SECRETARY OF STATE
3.	STAFF SERGEANT A. SANKOH	-	PLO I
4.	STAFF SGT. TAMBA ALEX BRIMA	-	PLO II
5.	STAFF SGT. BRIMA BAZZY KAMARA	-	PLO III
6.	MAJOR J. B. KATTA-TARAWALLIE	-	MEMBER
7.	SQUANDRON LEADER V. L. KING	-	MEMBER
8.	COLONEL DENNIS MINGO	-	MEMBER
9.	COLONEL ISSAC T. MUNGOH	-	MEMBER
10.	LT.COL. ISSA H. SESAY	-	MEMBER
11.	LT.COL. GIBRIL MASSAQUOI	-	MEMBER
12.	MAJOR MORRIS KALLON	-	MEMBER
13.	CAPTAIN LAWRENCE S. WOMANDIA	-	MEMBER
14.	LT. ELDRED COLLINS	-	MEMBER
15.	WOI FRANKLYN CONTEH	-	MEMBER
16.	WOI SAMUEL KARGBO	-	MEMBER
17.	STAFF SGT. BRIMA KAMARA	-	MEMBER
18.	SERGEANT S. B. KHANU	-	MEMBER
19.	SERGEANT GEORGE ADAMS	-	MEMBER
20.	SERGEANT SAHR GBORIE	-	MEMBER
21.	SERGEANT SULAIMAN K. TURAY	-	MEMBER
22.	CORPORAL MOMOH BANGURA	-	MEMBER
23.	LANCE CPL. IBRAHIM D. SESAY	-	MEMBER
24.	C. S. O. D. KABBIA	-	MEMBER
25.	PRIVATE ABDUL M. SESAY	-	MEMBER
26.	COLONEL A. K. SESAY	-	SECRETARY-GENERAL

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ITEM 1. CHAIRMAN'S OPENING REMARKS

ACTION

1. In his Opening Remarks, the Chairman emphasised the need for punctuality in Council meetings. As a broad based Government, members are required to hold on to their responsibilities with utmost seriousness. so that our civilian counterparts are assured of our commitment.

2. The Principal Liaison Officers and the Honourable Members, he went on, must be seen to be setting the best of examples. He emphasised that all hostilities must now stop noting that the success of the Revolution will depend on how well the civilians are treated. He further went on to say that the Principal Liaison Officers must be able to control situations and make sure that looting is stopped. On the question of arrests, he intimated members that henceforth the proper police procedure must be adopted.

3. The question of the release of Reverend Pratt from the Central Prisons at Pademba Road was raised. No one among the Council Members was able to tell who authorised his release.

DECISIONS

4. It was decided that the Principal Liaison Officers must work out a programme that will help improve security and put a stop to looting.

ALL PLO's

5. Proper police procedures must henceforth be adopted in any arrest and the Chairman must be informed accordingly.

ALL MEMBERS

6. The release of Reverend Pratt from the Central Prisons must be investigated.

PLO I

ITEM 2. THE PEOPLE'S ARMY

7. The Chairman observed that there is a problem among some members of the People's Army which has to be addressed

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immediately. He therefore asked what was the problem between Lt. Collins and Colonel Issa.

8. In his reaction, Colonel Issa blamed Lt. Collins for bypassing, dodging and impersonating. In addition, Lt. Collins is reported to have failed to adhere to an order from Colonel Sam Bockarie for him to report to Kenema with Colonel Issa. Members had the view that jealousy may have arisen against Lt. Collins for the several foreign trips he has made. Colonel Issa however, clarified that Lt. Collins is responsible for foreign missions and that there is no need for envy.

9. In his reaction, Lt. Collins reported that he spoke with Colonel Sam Bockarie who gave him orders in anger and abruptly cut off the communication. Since then Lt. Collins has been extremely worried. The question of Lt. Collins going to report to Colonel Sam Bockarie in Kenema was extensively discussed. The idea of giving him an escort for his security was also examined.

DECISIONS

10. It was decided that the Senior Members of the People's Army must ensure that no problem arise amongst them until the return of Corporal Foday Sankoh.

PEOPLE'S ARMY

11. It was decided that the Chairman will look into the problem of Colonel Sam Bockarie and Lt. Collins.

CHAIRMAN

ITEM 3. BRIEF ON THE ABIDJAN TRIP

12. Corporal Gborie joined the meeting at this point and briefed members about the trip to Abidjan. He explained about the initial difficulties they encountered with the Nigerian Foreign Minister especially with the position he took on the deliberations. He explained in detail how they went about things until there was a change of mind by the Nigerian Foreign Minister and the other delegates in favour of the Sierra Leone Delegation.

13. He however cautioned that, we can only retain the success we have made so far if we can maintain a very high standard of

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discipline. He emphasised that any act of agression against civilians will not help us in the next ECOWAS Meeting.

14. In his contribution, the Chairman urged members to take note of Corporal Gborie's report, emphasising that the People's Army have been doing extremely well. He reported having spoken to the First Battalion on the same line and hoped to talk to the People's Army and the Special Task Force very shortly.

DECISIONS

15. It was decided that a high standard of discipline must be maintained and all forms of agression against civilians must be stopped. **ALL MEMBERS**

ITEM 4. FILM SHOW

16. A special film was played for Council Members to learn from the experience of the Ghanaian Fourth Republic. The film was to serve as an example from which all members can learn. In the film, very high standards of orderliness and discipline was reflected among all service personnel.

ITEM 5. KONO ISSUE

17. Following the difficulties that came along with the political impasse, an initiative was taken to send a team down to Kono to do some mining. By all indications, the team was not believed to have worked well and therefore the Chief Secretary of State was mandated to go on the spot check and stop all mining operations.

18. He was able to come with the following: One (1) Piece of Diamond weighing Fourteen (14) Carats and Two (2) Assortments of Small Diamonds weighing Nineteen (19) and Thirty-One (31) Carats respectively. The Chairman reminded members that with the mineral resources we have in this country, there should be no need to rely on funding from external agencies.

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19. The Chairman further went on to note that there has been indications about secret deals between Tejan Kabbah and General Sani Abacha which are being investigated.

DECISIONS

20. It was decided that the diamonds would be sold as time goes on to provide salaries for government workers.

CHIEF SECRETARY OF STATE

21. It was decided that Council Members would be informed the sooner any information about the deal between Tejan Kabbah and General Abacha is confirmed.

CHAIRMAN

ITEM 6 ANY OTHER BUSINESS

22. Quite a number of members contributed under this item. Prominent among the issues included the following:

(a) **Secrecy and Indiscriminate Shooting**

i. In his contribution, the Chief Secretary of State emphasised the problem of secrecy on issues relating to Council. He intimated members that there is always a temptation for members to be swayed into discussing Council affairs and cautioned members to be very vigilant.

ii On the issue of indiscriminate shooting, he asked all Principal Liaison Officers and Honourable Members to try and work out a program that would support the Western Area Security Patrol. He further went on to emphasise that the May 25 Revolution cannot be justified by mere political rhetorics and that only practical result oriented programs would be the answer.

(b) **Recognition**

In his contribution, Colonel Isaac reported about the problem of recognition between the People's Army and other service men. He emphasised that it is awkward to see the People's Army on one side and the Armed Forces personnel getting a confrontation in public.

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(c) **Power of the People**

i. In his contribution, Lt. Collins drew the attention of Council to the importance of meeting the people. He emphasised that the arms belong to the people and that arms are also used to protect the people. The people must therefore be embraced to avoid hostilities. If the AFRC is to claim to have brought changes, the minds of Council Members must be liberated first to get God's wisdom. He further intimated that the Ministry of Information must come up with programs that will reflect our rich cultural heritage.

ii. In addition, Lt. Collins emphasised that contracts awarded by the previous governments must be re-examined as they were not done in the interest of the people. He also highlighted the need to come up with active agricultural projects.

iii. Finally, Lt. Collins drew Council's attention to the fact that they must be prayerful at all times and informed members that in the People's Army, morning and evening Prayers are a standing order.

A. K. SESAY
Colonel
Secretary-General

Distribution
ALL MEMBERS

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Ref: SG/Mg/AFRC/97/4

COPY No. 2 of 41

AFRC SECRETARIAT
STATE HOUSE

16th August 1997

See Distribution

MINUTES OF AN EMERGENCY COUNCIL MEETING OF THE A.F.R.C. HELD AT STATE HOUSE ON MONDAY 11TH AUGUST 1997.

PRESENT

MAJOR J. P. KOROMA	-	CHAIRMAN
CAPTAIN S. A. J. MUSA	-	CHIEF SECRETARY OF STATE
STAFF SGT. ABU SANKOH	-	PLO I
STAFF SGT. TAMBA ALEX BRIMA	-	PLO II
IBRAHIM BAZZY KAMARA	-	PLO III
SQUANDRON LEADER V. L. KING	-	MEMBER
COLONEL MIKE LAMIN	-	MEMBER
LT.COL. ISSA SESAY	-	MEMBER
MAJOR MORRIS KALLON	-	MEMBER
LT. ELDRED COLLINS	-	MEMBER
F. KALLAY	-	MEMBER
HASSAN BANGURA	-	MEMBER
GEORGE ADAMS	-	MEMBER
SULAIMAN K. TURAY	-	MEMBER
C. S.O. D. KABBIA	-	MEMBER
COLONEL A. K. SESAY	-	SECRETARY-GENERAL

INTRODUCTION **ACTION**

1. In his opening remarks, the Chairman emphasised the importance of Council Meetings and informed members that henceforth no member would be allowed entry into the hall after his arrival. For a start, all those absent for the meeting without a valid excuse are to be suspended from Council for a period of two (2) sittings.

AIM

2. The aim of the Meeting was to discuss the general financial position of the country.

ITEM I: GENERAL FINANCIAL POSITION

3. The Chairman intimated members that the general financial situation in the country is bad and that we have burst the bank ceiling by Five Hundred Million (Le 500,000,000). This has been so because our detractors are still at work asking people not to pay taxes and sabotaging revenue generating areas.

4. With calm determination, and relentless effort, we shall forge ahead to revamp the economy on the few areas we have at hand. He commended members for their patience and understanding over pay issue since no Council Member has had salary so far.

5. The Chairman went on to inform Members that he would not make major changes on the pay-scale of the previous government which he now ran down as follows:

(a)	Chairman	=	Le 1,500,000
(b)	Vice Chairman	=	Le 1,000,000
(c)	Secretary-General	=	Le 1,000,000
(d)	Secretary of State	=	Le 690,000
	Plus Allowance	=	Le 200,000
(e)	Under Secretary of State	=	Le 590,000
	Plus Allowance	=	Le 200,000

6. The Salary-scale of Council Members, he went on, will therefore fall between Le 690,000 and Le 1,000,000. He also spoke generally about the various Ministries and Institutions that have been paid so far.

7. The Chairman intimated Members that the only source, Government can now raise funds from include the following:

(a) Sale of Petroleum Products.
(b) Imports and Customs Duties
(c) Proceeds from sale of Diamonds

DECISIONS

8. It was decided that Council Members must put their men under control, and make prudent use of fuel. **ALL**

9. Council Members must make sure that their men do not interfere with operations at the Ports. **ALL**

ITEM II: APPOINTMENT OF BANK GOVERNOR

10. When the Bank Superintendent was initially approached to accept the appointment as Bank Governor, he suggested to be appointed as Superintendent. Based on his performance, it is considered to appoint him Governor, Bank of Sierra Leone.

DECISION

11. It was decided that he be appointed as the substantive holder of the position of Governor of the Bank of Sierra Leone. **SECRETARY GENERAL**

ITEM III. CHINESE AID

12. Following an earlier request the Chairman made to the Chinese Government, he has now been informed that the Chinese Government is willing to give in aid the sum of Two Million United States Dollars (US$ 2,000,000) in the form of food, medicine and other relief items. An Ambassador Ku has now been sent to the Republic of Guinea to organise the signing of the Agreement for the aid.

DECISION

13. It was decided that the Government of Sierra Leone will put together a delegation fairly quickly to go and sign the Agreement.

ITEM IV. DISCIPLINE

14. The Chairman and Council Members were extremely concerned about the attitude and conduct of some Council Members. It was noted that as Members of the Highest Council of the Land, Members must conduct themselves with respect and honesty.

15. It is a shame, the Chairman went on, to hear of Honourable Members threatening to fight in the street. A case in point was the conflict between the PLO I and the Chief Security Officer to His

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Excellency the Chairman. The two Honourable Members were allowed to explain themselves and the matter was resolved amicably.

16. The Chairman intimated Members that our detractors are planning to cause trouble for the Armed Forces Revolutionary Council before we are one hundred (100) days in office. He therefore encouraged Members to view themselves as a single unit and share information to avoid gossip.

DECISION

16. All Principal Liaison Officers must have effective control over the Honourable Members within Council.

PLO I
PLO II
PLO III

A. K. SESAY
Colonel
Secretary-General

Distribution
ALL MEMBERS

1 of 1 DOCUMENT

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February 14, 1998, Saturday, Late Edition - Final

SECTION: Section A; Page 3; Column 1; Foreign Desk

LENGTH: 944 words

HEADLINE: Nigerians Take Capital of Sierra Leone as Junta Flees

BYLINE: By HOWARD W. FRENCH

DATELINE: ABIDJAN, Ivory Coast, Feb. 13

BODY:

The capital of Sierra Leone, Freetown, fell to Nigerian forces today, sending the military leadership into flight and clearing the way for the return of the elected President.

After a brief but intense struggle for power, Nigerian jets today intercepted at least two helicopter gunships carrying senior members of the junta who were fleeing to neighboring Liberia after the collapse of their defenses. The military leaders, reportedly as many as 50, were forced to land near the Liberian capital, Monrovia, and were taken into custody at a Nigerian-run base.

Freetown fell after three days of heavy Nigerian bombardment and intense fighting. There were reports early today of fleeing junta members being chased through the capital by angry mobs, who beat those they captured to death and burned the bodies.

The defeat set the stage for the return to office of Ahmad Tejan Kabbah, Sierra Leone's first democratically elected President. He had served for only one year before his overthrow at the hands of a coalition of junior officers, escaped prisoners and members of a rural rebel movement. The whereabouts of the leader of the junta, Lieut. Col. Johnny Paul Koroma, were unknown today.

"Our forces have occupied about 90 percent of the town," said Gen. Timothy Shelpidi, commander of the Nigerian-led regional peacekeeping force known as Ecomog, which mounted the attack on Freetown. "Mr. Tejan Kabbah will be returning home in the very near future."

Mr. Kabbah's return would represent one of the rare instances of unilateral African intervention to restore an overthrown government in a neighboring state. It also would mark the first time that a democratically-elected African government has been restored by force.

In 1979 the Tanzanian Army mounted a cross border intervention into Uganda that overthrew the dictatorship of Idi Amin.

Although the junta in Sierra Leone had earned little of the international notoriety of Mr. Amin, its brief rule will be remembered as a devastating period by the people of Sierra Leone, who cheered the arrival of the Nigerians in the

streets of the capital.

The junta seized power last May after Colonel Koroma broke out of prison. The military rule began witha week of unbridled looting in Freetown. And the regime, in response to its rapid isolation by the international community, instituted an unprecedented reign of terror, hunting down critics, closing newspapers and killing perceived enemies or driving them into exile.

Speaking in a telephone interview from Conakry, Guinea, where he has lived in exile, Mr. Kabbah said that his country would now require not only a reconstruction program, but also a concerted effort at national reconciliation. The country's already weak economy was destroyed under military rule.

"The junta people succeeded in one thing, and that was in making people hateful toward one other," he said. "We will have to embark on a massive civic education program, to do a better job explaining what democracy means to our people, and teach them to love each other again."

Asked about his own plans, he said: "I shall obviously go home and make sure that all the areas that have been liberated are handed over to Ecomog. Ecomog will deploy throughout the country and carry out a process of disarmament and demobilization."

An even more urgent need, according to international agencies, is food and medical relief. The country has been largely cut off from the outside world since the coup. According to the World Food Program, there is little food in the capital to feed a population estimated at 650,000.

As much as it was a victory for Mr. Kabbah and for Sierra Leonean democracy, the defeat of the military leaders was a huge victory on a risky gamble by Nigeria as well. As Africa's largest country and a nation that has been under often harsh military rule for all but 10 years since independence from Britain in 1960, Nigeria has come under increasing international pressure to restore democratic rule at home.

Nigeria has announced plans for democratic elections in August, but the transition program has already encountered strong international skepticism amid signs that Gen. Sani Abacha intends to stay in office through noncompetitive elections. By defeating the Sierra Leone regime, Nigeria clearly hopes to burnish its credentials as West Africa's regional superpower.

"The West has stood by and claimed to be powerless as a number of African democracies have been overthrown," said one African diplomat. "Whatever one thinks of Nigeria's domestic affairs, they have a strong case now for a major foreign success."

Today's victory nonetheless represented a sharp change of fortunes for Nigeria's efforts in support of Mr. Kabbah, which began in catastrophe.

In this offensive, diplomats say that Nigeria appeared to have learned not just from that early reversal, but from its long experience of intervention in Liberia. The principal lessons, according to one Western diplomat were: "Don't act until you are sure of overwhelming force, and don't let regional diplomacy give you cold feet once you are ready to act."

After the final assault began, Nigeria came under mounting criticism from many in the immediate region, particularly French-speaking countries that have traditionally looked nervously upon Nigeria as a country bent on dominating West Africa. The United Nations Security Council lent force to the complaints with a call on Wednesday for an immediate cease-fire.

By then, however, with Nigerian forces already encircling Freetown, and dominating the hilltops that overlook the city, appeals like this were too little too late.

GRAPHIC: Photo: A boatload of refugees from Sierra Leone who fled the fighting in Freetown arrived yesterday in Conakry, Guinea's capital, after 12 hours at sea. (Reuters)

Map of Sierra Leone showing location of Freetown: Freetown fell to Nigerian-led forces after three days of fighting.

LOAD-DATE: February 14, 1998

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ARMED FORCES REVOLUTIONARY COUNCIL SECRETARIAT

Govt. Notice No. 215

THE ADMINISTRATION OF SIERRA LEONE

(ARMED FORCES REVOLUTIONARY COUNCIL) PROCLAMATION, 1997

(P.N. No. 3 of 1997)

P.N. No. 3 of 1997. Pursuant to subparagraph (2) of paragraph 1 of the Administration of Sierra Leone (Armed Forces Revolutionary Council) Proclamation, 1997, the following persons constitute the Armed Forces Revolutionary Council with effect from the 25th day of May, 1997—

(1)	Major Johnny Paul Koroma ...	*Chairman*
(2)	Corporal Foday S. Sankoh ...	*Deputy Chairman*
(3)	Captain S. A. J. Musa	*Member*
(4)	Colonel A. K. Sesay	*Member*
(5)	Staff Sergeant Abu Sankoh ...	*Member*
(6)	Staff Sergeant Alex T. Brima ...	*Member*
(7)	Staff Sergeant Brima B. Kamara	*Member*
(8)	Colonel Sam Bockarie	*Member*
(9)	Major Morris Kallon	*Member*
(10)	David G. Kallon	*Member*
(11)	Colonel Issa H. Sesay	*Member*
(12)	Colonel Gibril Massaquoi ...	*Member*
(13)	Colonel Michael Lamin	*Member*
(14)	Squadron Leader Victor L. King ...	*Member*
(15)	Major J. B. Cater-Tarawallie ...	*Member*
(16)	Captain Lawrence S. Womandia ...	*Member*
(17)	Lieutenant Eldred Collins ...	*Member*
(18)	Warrant Officer II Franklyn Conteh	*Member*
(19)	Warrant Officer II Samuel Kargbo	*Member*
(20)	Sergeant K. Bangura	*Member*
(21)	Sergeant S. B. Khanu	*Member*
(22)	Sergeant George Adams	*Member*
(23)	Sergeant Sahr Gborie	*Member*
(24)	Sergeant Sulaiman Turay ...	*Member*
(25)	Sergeant K. Kallay	*Member*
(26)	Corporal Momoh Bangura ...	*Member*
(27)	Lance-Corporal Hector Bob-Lahai	*Member*
(28)	Lance-Corporal Ibrahim D. Sesay	*Member*
(29)	Staff Sergeant Moses Kabbia ...	*Member*
(30)	Lance-Corporal Abdul M. Sesay ...	*Member*
(31)	Mohamed Saidu Kamara ...	*Member*
(32)	Bai Hinga Kurrary-Bangura ...	*Member*
(33)	Abdulai Michael Munu	*Member*
(34)	Kandeh Sorie-Sebba Bangura ...	*Member*

DATED this *3rd* day of *September, 1997.*

MAJOR JOHNNY PAUL KOROMA
Chairman,
Armed Forces Revolutionary Council.

MINISTRY OF LOCAL GOVERNMENT AND COMMUNITY DEVELOPMENT

Govt. Notice No. 206

REVISED CHIEFDOM COUNCILLORS LIST — KOYA CHIEFDOM, PORT LOKO DISTRICT 1996

No.	Name	Town/Village	Post
1.	P.C. Bai Kompa Bomboli	Maclaka	P/Chief
2.	Pa Nenghema Pallo	do.	C/Speaker I
3.	Alhaji Bakarr Dumbuya	do.	C/Speaker II
4.	Pa Kapr Kompa	Mongo	C/Chief
5.	Ya Bentilla Kamara	Rokon	do.
6.	Ya Borncilla Sankoh	Mawoma	do.
7.	Ya Bompoeh Bomboli	Makarraiowy	do.
8.	Ya Bonawera Bomboli	Maraka	do.
9.	Pa Roke Yek	Magbeni	do
10.	Pa Roke Bomboli	Konrahai Noria	do.

KAMARA SECTION

11.	Pa Ahmadu Sesay	Makalie	Section Chief
12.	Momoh Sebay	do.	Headman
13.	Pa Santigie Conteh	do.	Councillor
14.	Morlai Sesay	do.	do.
15.	Morlai Kamara	do.	do.
16.	Hassan Kanu	Maheri	do.
17.	Hassan Sesay	do.	do.
18.	Pa Santigie Conteh	Malai	do.
19.	Foday Sesay	do.	do.
20.	Sheka Conteh	Ro-N'yolia	do.
21.	Abu Koroma	Rokonteh	do.
22.	Amadu Kanu	do.	do
23.	Amadu Sankoh	Maforay	do.
24.	Pa Santigie Sorie	do.	do.
25.	Pa Santigie Sesay	Masebana	do
26.	Amadu Kanu	do.	do.
27.	Pa Santigie Kamara	Magbanku	do.
28.	Pa Kapr Kamara	do.	do.
29.	Yanika Kanu	do.	Headman
30.	Chernor Sesay	do.	Councillor
31.	Sheku Kanu	Mafodia	do.
32.	Momoh Kanu	do.	do.
33.	Sampha Kamara	Mafunda	do.
34.	Alie Koroma	do.	do.
35.	Unisa Kargbo	Makeharie	do.
36.	Hassana Kargbo	Robiss I	do.
37.	Mohamed Kanu	Rochain	do.
38.	Ibrahim Koroma	Mapatheneh	do.
39.	Brima Conteh	Bathasump/Ronorla	do.
40.	Alpha Conteh	Moyamba	do.

ROSARR SECTION

41.	Pa Bubu Kaiorko	Mabora	Ag. Sec. Chief
42.	Sorie Turay	do.	Headman
43.	Pa Santigie Conteh	do.	Town Chief
44.	Amadu Kaiorko	do.	Councillor
45.	Sillah Kaiorko	do.	do.
46.	Brima Conteh	Rosarr	Headman
47.	Pa Santigie Bangura	do.	Town Chief
48.	Amidu Kargbo	Makeni Ferry	Headman
49.	Shaka Kanu	do.	Councillor
50.	Sullay Koroma	do.	do.

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The Sierra Leone Gazette

Published by Authority

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PUBLIC SERVICE NOTICES

FREETOWN. *4th September, 1997*

Govt. Notice No. 208

Leave of Absence

ADMINISTRATION

Bangura, Mrs. H. M., 185 days, i.e., 3.11.96 to 31.5.97, inclusive.

Left the Sierra Leone Civil Service

MINISTRY OF WORKS

John, J. E., Senior Quantity Assistant, retired on pension, 30.6.96.

OBITUARY

Govt. Notice No. 209 **M.P./F/68**

The death is announced with regret of Sowa, P., Third Class Prison Officer, Prisons Department, which sad event took place on 27th May, 1997.

Govt. Notice No. 210 **M.P./F/68**

The death is announced with regret of Koroma, A. S., Chief Officer Class One, Prisons Department, which sad event took place on 5th June, 1997.

Govt. Notice No. 211 **M.P./F/68**

The death is announced with regret of Kargbo, A. M., Temporary Typewriter Mechanic, Government Printing Department, which sad event took place on 2nd June, 1997.

Govt. Notice No. 212 **M.P./F/68**

The death is announced with regret of Koroma, M., Works Service Employee, Provincial Secretary's Office Northern Province, Makeni, which sad event took place on 25th May, 1997.

Govt. Notice No. 213 **M.P./F/68**

The death is announced with regret of Davies, A., Third Class Prison Officer, Prisons Department, which sad event took place on 8th July, 1997.

Govt. Notice No. 214 **M.P./F/68**

The death is announced with regret of Beo, M., Nursing Aide, Ministry of Health and Sanitation, which sad event took place on 31st April, 1997.

DECLARATION OF VACANT POST

Govt. Notice No. 205 *M.P./PF. 4617*

Conteh, Brimah, Engineer, Sierra Leone Broadcasting Service/Television, having been absent from duty without leave or reasonable excuse since 1st July, 1995 is held to have vacated his post with effect from that date.

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(9)	Major Morris Kallon	*Member*
(10)	David G. Kallon	*Member*
(11)	Colonel Issa H. Sesay	*Member*
(12)	Colonel Gibril Massaquoi ...	*Member*
(13)	Colonel Michael Lamin	*Member*
(14)	Squadron Leader Victor L. King ...	*Member*
(15)	Major J. B. Cater-Tarawallie ...	*Member*
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(20)	Sergeant K. Bangura	*Member*
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(22)	Sergeant George Adams	*Member*
(23)	Sergeant Sahr Gborie	*Member*
(24)	Sergeant Sulaiman Turay ...	*Member*
(25)	Sergeant K. Kallay	*Member*
(26)	Corporal Momoh Bangura ...	*Member*
(27)	Lance-Corporal Hector Bob-Lahai	*Member*
(28)	Lance-Corporal Ibrahim D. Sesay	*Member*
(29)	Staff Sergeant Moses Kabbia ...	*Member*
(30)	Lance-Corporal Abdul M. Sesay ...	*Member*
(31)	Mohamed Saidu Kamara ...	*Member*
(32)	Bai Hinga Kurrary-Bangura ...	*Member*
(33)	Abdulai Michael Munu	*Member*
(34)	Kandeh Sorie-Sebba Bangura ...	*Member*

DATED this 3rd day of *September, 1997.*

MAJOR JOHNNY PAUL KOROMA
Chairman,
Armed Forces Revolutionary Council.

MINISTRY OF LOCAL GOVERNMENT AND COMMUNITY DEVELOPMENT

Govt. Notice No. 206

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2.	Pa Nenghema Fullah	do.	C/Speaker I
3.	Alhaji Bolaar Dumbuya	do.	C/Speaker II
4.	Pa Kapr Kompa	Monge	C/Chief
5.	Ya Bonnitta Kamara	Rokon	do.
6.	Ya Bonnitta Sankoh	Mawoma	do.
7.	Ya Bomponeh Bomboli	Makamahony	do.
8.	Ya Bonnwura Bomboli	Masaka	do.
9.	Pa Roke Yeh	Magbeni	do
10.	Pa Roke Bomboli	Komrabai Norla	do.

KAMARA SECTION

11.	Pa Almamy Sesay	Makalie	Section Chief
12.	Momoh Sesay	do.	Headman
13.	Pa Santigie Conteh	do.	Councillor
14.	Morlai Sesay	do.	do.
15.	Morlai Kamara	do.	do.
16.	Hassan Kanu	Mahera	do.
17.	Hassan Sesay	do.	do.
18.	Pa Santigie Conteh	Kalai	do.
19.	Foday Sesay	do.	do.
20.	Sheka Conteh	Ro-N'yolia	do.
21.	Abu Koroma	Rokuntoh	do.
22.	Amadu Kanu	do.	do
23.	Amadu Sankoh	Majoray	do.
24.	Pa Santigie Sorie	do.	do.
25.	Pa Santigie Sesay	Masesana	do
26.	Amadu Kanu	do.	do.
27.	Pa Santigie Kamara	Magbanku	do.
28.	Pa Kapr Kamara	do.	do.
29.	Yashbai Kanu	do.	Headman
30.	Chernor Sesay	do.	Councillor
31.	Sheku Kanu	Mafadia	do.
32.	Momoh Kanu	do.	do.
33.	Sampha Kamara	Mafunda	do.
34.	Alie Koroma	do.	do.
35.	Unisa Kargbo	Makeberie	do.
36.	Hassana Kargbo	Robina I	do.
37.	Mohamed Kanu	Rochain	do.
38.	Ibrahim Koroma	Mapathench	do.
39.	Brima Conteh	Bathasmp/Ronorla	do.
40.	Alpha Conteh	Moyamba	do.

ROSARR SECTION

41.	Pa Bubu Kaloriko	Mabora	Ag. Sec. Chief
42.	Sorie Turay	do.	Headman
43.	Pa Santigie Conteh	do.	Town Chief
44.	Amadu Kaloriko	do.	Councillor
45.	Sillah Kaloriko	do.	do.
46.	Brima Conteh	Rosarr	Headman
47.	Pa Santigie Bangura	do.	Town Chief
48.	Amidu Kargbo	Makeni Ferry	Headman
49.	Shaka Kanu	do.	Councillor
50.	Sullay Koroma	do.	do

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No.	Name	Town/Village	Post
51.	Alie Kargbo	Moyamba	Headman
52.	Abu Sankoh	do.	Councillor
53.	Karimu Conteh	Robis	Headman
54.	Abdulai Bangura	do.	Councillor
55.	Bundu Kanu	Makankry	Headman
56.	Momoh Sesay	Masumalia	do.
57.	Bassie Bangura	do.	Councillor
58.	Sallieu Kamara	Magbele-lol	Headman
59.	Bai Bangura	do.	Councillor
60.	Baimba Kalorko	Rogbaneh	Headman
61.	Yaya Bangura	do.	Councillor
62.	Alimamy Conteh	Magboko/ Maronko	Headman
63.	Mamudu Conteh	Rogbpro/Makalie	do.
64.	Alpha Kamara	Robis/Maalemah	do.

ROKEL SECTION

65.	Pa Alimamy Sesay	Rogbai/Rotifunk	Section Chief
66.	Abdulai Koroma	Rogbai	Headman
67.	Pa Santigie Sesay	Ropot	Town Chief
68.	Sorie Fornah	Rotifunk	Headman
69.	Pa Santigie Kabba	do.	Town Chief
70.	Momodu Sillah	do.	Councillor
71.	Momodu Fallah	Ropollon	Headman
72.	Pa Santigie Kamara	do.	Town Chief
73.	Pa Nfa Sesay	do.	Councillor
74.	Samuel Koroma	Royeli/Mende	Headman
75.	Maligie Kamara	Rofenyea	do.
76.	Ansumana Turay	Masaffie	do.
77.	Mohamed Conteh	do.	Councillor
78.	Pa Santigie Kamara	Royanka/ Mashaka	Headman
79.	Pa Santigie Kanu	Rotkene/Makin	Town Chief
80.	Abdulraman Kamara	Rowareh Regboo	Headman
81.	Morioh Fallah	Rotifunk	Councillor
82.	Sullay Conteh	Makin	do.
83.	Mohamed Koroma	Royeleh	do.
84.	Osman Yatheh	Rofanyea	do.
85.	Pa Santigie Kargbo	Ropat	Town Chief

MAWOMA SECTION

86.	Pa Alimamy Kanu	Mawoma	Section Chief
87.	Pa Santigie Kanu	do.	Councillor
88.	Lamina Sesay	do.	Headman
89.	I. H. Brun Kanu	do.	Councillor
90.	Gbassay Kamara	do.	do.
91.	Sheka Kanu	do.	do.
92.	Abdulai Kamara	do.	do.
93.	Bai Kanu I	do.	do.
94.	Allie Kamara	do.	do.
95.	Lamina Kamara	do.	do.
96.	Bai Kanu II	do.	do.
97.	Ibrahim Kanu	do.	do.
98.	James M. Kanu	do.	do.
99.	Alhaji Idrissa Turay	Makanrankay	do.
100.	Foday Bear	do.	do.
101.	Pa Santigie Gbla	do.	do.
102.	Sherifu Thulla	do.	do.
103.	Amadu Kamara	do.	do.
104.	Ibrahim Kanu	do.	do.
105.	Foday Folla	do.	do.
106.	Musa Gbla	do.	do.
107.	Sorie Bia	do.	do.
108.	Mohamed Turay	Makanrankay	Councillor
109.	Abu Conteh	do.	do.
110.	Fatu Thullah	do.	do.
111.	Pa Santigie Koroma	Mamoa	do.
112.	Foday Kamara	do.	Headman
113.	Sorie Koroma	do.	Councillor
114.	Abu Koroma	do.	do.
115.	Brima Kamara	do.	do.
116.	Foday Yellow	do.	do.
117.	Sullay Kamara	do.	do.
118.	Sidique Sesay	do.	do.
119.	Pa Santigie Sesay	Makali	Town Chief
120.	Sampha Kaloko	do.	Headman
121.	Alimamy Kargbo	do.	Councillor
122.	Amadu Kanu	do.	do.
123.	Hassan Kanu	do.	do.
124.	N'karimu Kaloko	do.	do.
125.	Mohamed Koloko	Mamulai	Headman
126.	Pa Santigie Kanu	do.	Councillor
127.	Abdulai Conteh	do.	do.
128.	Usifu Kamara	do.	do.
129.	Allie Sesay	do.	do.
130.	Bassie Conteh	Mamusa	Headman
131.	Foday Tejan Kanu	do.	Councillor
132.	Usman Turay	Makankry	Headman
133.	Amadu Kamara	do.	Councillor
134.	Alimamy Kamara	Mateh (1)	Headman
135.	Abu Falla	do.	Councillor
136.	Mohamed Koroma	do.	do.
137.	Abdulai Kanu	do.	do.
138.	Foday Thollie	Mateh (2)	do.
139.	Abdulai Falla	do.	do.
140.	Umaro Kabia	Robana	Headman
141.	Sorie Turay	do.	Councillor
142.	Unisa Kabia	do.	do.
143.	Brima Forna	do.	do.
144.	Amidu Koroma	Makiani	do.
145.	Assana Koroma	do.	Headman
146.	Pa Santigie Kamara	Mabiseh	do.
147.	Pa Bai Kamara	do.	Councillor
148.	Brima Kamara	do.	do.
149.	Alhaji Brima Kamara	Mabarrow	do.
150.	Mohamed Koroma	do.	Headman
151.	Ibrahim Koroma	do.	Councillor
152.	Abu B. Koroma	do.	do.
153.	Bassie Koroma	Makantor	Headman
154.	Abdulai Turay	do.	Councillor
155.	Mohamed Thollie	do.	do.
156.	Alimamy Thoronka	Bathbana	Headman
157.	Assana Koroma	do.	Councillor
158.	Foday Koroma	do.	do.
159.	Mohamed Turay	Mafulumu	Headman
160.	Amadu Conteh	Matopi	do.
161.	Foday Kamara	Royanka	do.
162.	Brima Koroma	do.	Councillor
163.	Amadu Koroma	Mabalay/M	Headman
164.	Shaka Kamara	Makolerr	do.
165.	Osman Turay	do.	Councillor
166.	Amadu Kanu	do.	do.
167.	Musa Kamara	do.	do.
168.	Alpha Kargbo	Makabi	Headman
169.	Brima Koroma	do.	Councillor
170.	Abdulai Koroma	do.	do.
171.	Abdulai Kanu	do.	do.

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No.	Name	Town/Village	Post
172.	Bai Forna	Mabankra	Headman
173.	Abu Forna	do.	Councillor
174.	Pa Santigie Conteh	Mabaiwonko	do.
175.	Foday Kanu	do.	Headman
176.	Amadu Koroma	do.	Councillor
177.	Sheka Kanu	do.	do.
178.	Bassie Forna	do.	do.
179.	Alie Kamara	Mamara	do.
180.	Amadu Koroma	do.	do.
181.	Assana Bangura	do.	Headman
182.	Pa Santigie Conteh	Matimbo	Town Chief
183.	Amadu Kanu	do.	Headman
184.	Captain Koroma	do.	Councillor
185.	Ibrahim Kargbo	do.	do.
186.	Musa Conteh	do.	do.
		FONDU SECTION	
187.	Pa Alimamy Tornka	Masiaka	Section Chief
188.	Alfred Koroma	Fondu	Councillor
189.	Amadu Koroma	do.	Headman
190.	Amadu Kamara	do.	2nd H/man
191.	Morlai Bangura	do.	Councillor
192.	Bassie Kamara	do.	do.
193.	Abdulai Sesay	Bake Curve	Headman
194.	Momoh Kamara	do.	Councillor
195.	Mohamed Kargbo	do.	do.
196.	Alie Kargbo	do.	do.
197.	Abdulai Fornah	do.	do.
198.	Alpha Yemor Koroma	do.	do.
199.	Pa Santigie Sesay	Masalia	Town Chief
200.	Alie Bangura	do.	Councillor
201.	Bassie Follah	do.	Headman
202.	Pa Santigie Kamara	do.	Town Chief
203.	Lamin Koroma	Masiaka	Councillor
204.	Alhaji Amadu Kargbo	do.	do.
205.	Borboh Fornah	do.	do.
206.	Hassan Kabia	do.	do.
207.	Foday Kargbo	do.	do.
208.	Brima Janneh	do.	do.
209.	Alpha Kanu	do.	do.
210.	Foday Kargbo II	do.	do.
211.	Momodu Barrie	do.	do.
212.	Alimamy Kamara	do.	do.
213.	I. S. Kargbo	do.	do.
214.	Hassan Kargbo	do.	do.
215.	Tamba K. Bangura	do.	do.
216.	Amadu Carpenter Kamara	do.	do.
217.	Sorie B. Kanu	do.	do.
218.	Sullay Kalokoh	do.	do.
219.	Imam Umaro Conteh	do.	do.
220.	Alhaji Alie Koroma	do.	Headman
221.	Foday Sesay	do.	Councillor
222.	Imam Alimamy Kargbo	do.	do.
223.	Gbassay Bangura	do.	do.
224.	Kadiatu Mansaray	do.	do.
225.	Mohamed Kargbo	Magbando	Headman
226.	Bai Dumbuya	do.	Councillor
227.	Abibu Koroma	do.	do.
228.	Pa Ibrahim Sesay	do.	do.
229.	Brima Koroma	do.	do.

No.	Name	Town/Village	Post
230.	Pa Santigie Kroma I	Madiwa	Town Chief
231.	Maligie Koroma	do.	Councillor
232.	Hassan Kargbo	do.	do.
233.	Abdulai Koroma II	do.	2nd H/man
234.	Alie Sankoh	Masiray	Headman
235.	Bassie Koroma	do.	Councillor
236.	Hassan Sankoh	do.	do.
237.	Pa Santigie Bangura	Rofchain	Town Chief
238.	Sunna Bah	do.	Councillor
239.	Saidu Follah	Matsikoh	Headman
240.	Amadu Conteh	do.	Councillor
241.	Alimamy Kargbo	Magbassanka	Headman
242.	Foday Kargbo	do.	Councillor
243.	Dauda Koroma	Masakaray	Headman
244.	Morlai Sesay	do.	Councillor
245.	Foday Sesay	Kamator	Headman
246.	Brima M. Sesay	do.	Councillor
247.	Brima Kargbo	Makuru	Headman
248.	Sorie Bangura	do.	Councillor
249.	Pa Santigie Kargbo	do.	do.
250.	Alhaji Momoh Kargbo	do.	do.
251.	Sullay Kanu	Madigba	Headman
252.	Foday Kargbo	do.	do.
253.	Alpha Unisa Bangura	do.	do.
254.	Santigie Ndaymor	Masra-Kata	do.
255.	Brima Kanu	do.	Councillor
256.	Bai Marro Kargbo	Kaindeika	Headman
257.	Foday Mammy Kanu	Magbala	do.
258.	Momoh Kargbo	Rogbere	Headman
259.	Momoh Mantika	Rogboro	do.
260.	Kabba Kargbo	Petifu	do.
261.	Mohamed Kargbo	do.	Councillor
262.	Abdulai Follah	Malusene	Headman
263.	Ibrahima Sankoh	Makekoh	do.
264.	Komrabai Kargbo	Kindama	do.
265.	Assana Bangura	Fondu	Councillor
266.	Lamina Sesay	Petifu	do.
267.	Abdulai Conteh	Madiwa	Headman
		FUTA SECTION	
268.	Komrabai Kamara	Komrabai	Ag. S/Chief
269.	Ibrahim Kamara	do.	Headman
270.	Issa Kargbo	do.	Councillor
271.	Ansumana Sesay	Futa	Headman
272.	Santigie Mansaray	do.	Councillor
273.	Ansumana Kargbo	do.	do.
274.	Morlai Turay	do.	do.
275.	Abdul Bubu Kamara	do.	do.
276.	Brima Dumbuya	Rokon	Headman
277.	Hassan Forna	do.	Councillor
278.	Alusine Dumbuya	do.	do.
279.	Pa Santigie Kargbo	do.	do.
280.	Pa Santigie Kanu	Mabamba	Headman
281.	Raka Fornah	do.	Councillor
282.	Pa Roke Kamara	Rosint	Headman
283.	Pa Roke Sesay	Mafira	do.
		RORIPONKA SECTION	
284.	Pa Alimamy Turay	Mabateh	Section Chief
285.	Abu Kamara	do.	Headman
286.	Alie Kamara	do.	Councillor
287.	Abu Dumbuya	Makombeh	Headman
288.	Pa Santigie Kanu	do.	Councillor
289.	Momoh Follah	Robanka	Headman
290.	Sheka Follah	do.	Councillor
291.	Momoh Follah	Mamary	Headman
292.	Alpha Mansaray	Makelfala	do.
293.	Momoh Turay	Mamara	do.

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No.	Name	Town/Village	Post
294.	Kadie Kanu	Ma-Alusine	Headman
295.	Sineh Kamara	do.	Councillor
296.	Bai Kargbo	Roponka	Headman
297.	Morlai Turay	do.	Councillor
298.	Mohamed Sesay	Madimaee	Headman
299.	Bai Kamara	do.	Councillor
300.	Sanpha Kargbo	Bandasirma	Headman
301.	Foday Kanu	do.	Councillor
302.	Momoh Turay	Rowal	Headman
303.	Keli Turay	do.	Councillor

MAGBANDOMA SECTION

304.	Pa Alimamy Kamara	Magbadoma	Section Chief
305.	Foday Sesay	do.	Headman
306.	Amadu Thorley	do.	Councillor
307.	Bai Kaloriko	do.	do.
308.	Alpha Kabia	Fondu-loi	Headman
309.	Abu Bangura	Maballay	do.
310.	Alie Foliah	do.	Councillor
311.	Brima Bangura	do.	do.
312.	Ansumana Kamara	Mamama	Headman
313.	Amara Kamara	do.	Councillor
314.	Lamina Kamara	do.	do.
315.	Modu Kamara	do.	Headman
316.	Abu Kanu	Rokupr	do.
317.	Moray Sesay	Magbonto-bana	do.
318.	Kabba Kamara	do.	Councillor
319.	Alpha Kamara	do.	do.
320.	Raka Koroma	Mando	Headman
321.	Hassana Kargbo	Matalbain	do.
322.	Amadu Koroma	do.	Councillor

GBAIBAI SECTION

323.	Pa Alimamy Dumbuya	Gbabai	Section Chief
324.	Abu Dumbuya	do.	Headman
325.	N'fa Dumbuya	do.	Councillor
326.	Bai Dumbuya	do.	do.
327.	Dr. A. N. D. Koroma	do.	do.
328.	Abdulai Dumbuya	Rogbanch	Headman
329.	Amadu Bontor	do.	Councillor
330.	Osman Kargbo	do.	do.
331.	Mohamed Kamara	Sumbuya	Headman
332.	Pa Santigie Sankoh	do.	Councillor
333.	Alpha Sesay	do.	do.
334.	Sullay Bangura	Rolal	do.
335.	Saidu Koroma	do.	do.
336.	Amadu Kargbo	Mathaka	Headman
337.	Sillah Bangura	do.	Councillor
338.	Abdulai Dumbuya	Mamaligie	Headman
339.	Brima Fornah	do.	Councillor
340.	Santigie Sesay	Maabaka	Headman
341.	Pa Santigie Kargbo	do.	Councillor
342.	Sorie Gbassay Dumbuya	Makompa	Headman
343.	Sorie Sesay	Mamara	do.
344.	Amara Bangura	Rokoluna	do.
345.	Abass Kamara	Komrabai	do.

TUMBA/MABAIMBADAMA SECTION

346.	Pa Alimamy Kamara	Thumba	Section Chief
347.	Pa Santigie Kamara	M'Baimba	Town Chief
348.	Foday Kargbo	do.	Councillor
349.	Hassan Dumbuya	do.	Headman
350.	Santigie Sesay	Rogbam	do.
351.	Hassan Kamara	Rogbanthima	do.
352.	Alpha Bangura	Mamana	do.
353.	Khalil Bangura	Makokoma	Councillor
354.	Farama Sesay	Kambia	Headman
355.	Pa Santigie Kargbo	M'baimba	Councillor
356.	Yusifu Kabia	do.	do.
357.	Momoh Raka	Rochain	Headman
358.	Sullay Kabia	do.	Councillor
359.	Gbasia Kabia	Mafileh	do.
360.	Sheku Kargbo	do.	do.
361.	Abu Sesay	Rokonta	Headman
362.	Pa Morlai Kamara	Kakandeh	Councillor
363.	Osman Kamara	do.	Headman
364.	Amidu Sesay	Matholie	do.
365.	Abdulai Kamara	Lasengbeh	Councillor
366.	Hassan Kamara	do.	Headman
367.	Abdulai Bangura	do.	2nd H/man
368.	Pa Santigie Kargbo	do.	Town Chief

MAKITTA SECTION

369.	Alusine Kamara	Komrabai Konta	Ag. Sec. Chief
370.	Foday Sesay	Maritfa	Councillor
371.	Alusine Kargbo	do.	do.
372.	Gbassay Kamara	Maagbema	Headman
373.	Assana Bangura	do.	do.
374.	Sillah Dumbuya	Mathaka	do.
375.	Farama Sesay	Mange	do.
376.	Abu Bangura	do.	Councillor
377.	Bomboli Dumbuya	do.	do.
378.	Pa Santigie Sankoh	Thimbo	Town Chief
379.	Yaya Kamara	Rogbap	Councillor
380.	Momoh Dumbuya	Taindikom	Headman
381.	Santigie Bangura	Makali	do.
382.	Abu Sankoh	Makasahan	do.
383.	Lamina Kamara	Masorie	do.
384.	Brima Bia	Robaka	do.
385.	Thaim Kanu	Kenema	do.
386.	Dauda Kamara	Mabankura	do.
387.	Saidu Kamara	do.	Councillor
388.	Salamy Kamara	Robine	Headman
389.	Alusine Kamara	Komrabai Konta	do.
390.	Jacob Bangura	Royurf/Mabaya	Headman
391.	Santigie Kamara	Bigriver/Komali	do.
392.	Momoh Sankoh	Komrabai Bomboli	do.

BENKAI SECTION

393.	Pa Alimamy Dumbuya	Rogbunkor	Section Chief
394.	Morlai Dumbuya	do.	Headman
395.	Amadu Dumbuya	do.	Councillor
396.	Sheka Dumbuya	Mabain	do.
397.	Brima Kanu	do.	Headman
398.	Wusu Dumbuya	Rotkomp	do.
399.	Morlai Kamara	do.	do.
400.	Saidu Dumbuya	do.	Councillor
401.	Brima Sesay	do.	do.
402.	Brima Bangura	Benkai	Headman
403.	Pa Santigie Bangura	do.	Councillor
404.	Sullay Kamara	Belech/Mabuya	do.
405.	Momoh Bangura	Kagbele	Headman
406.	Pa Santigie Bangura	do.	do.
407.	Sallieu Kargbo	Mayorma	do.
408.	Hassana Dumbuya	do.	Councillor
409.	Kulay Kamara	Robomp	Headman
410.	Sinen Sesay	Romaka	do.
411.	Mohamed Kamara	Malonkoh	do.
412.	Kabba Morray	do.	Councillor

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No.	Name	Town/Village	Post
413.	Bassie Kanu	Mathankia	Headman
414.	Lamina Bangura	Royale	do.
415.	Abdulai Sesay	Makepit	do.
416.	Pa Santigie Sesay	Rogbom	do.
417.	Foday Sesay	Gbonko M'buya	do.
418.	Sorie Sesay	Makambo	do.
		MAGBENI SECTION	
419.	Pa Bai Kamara	Magbeni	Ag. Sec. Chief
420.	Thaimu Kamara	do.	Headman
421.	Salamie Sankoh	do.	Councillor
422.	M. C. B. Kamara	do.	do.
423.	S. B. Kamara (Amie)	do.	do.
424	Santigie Kamara	do.	do.
425.	Ibrahim N.Kanu	do.	do.
426.	Shek Sorie Gbla	do.	do.
427	Bassie Sesay	Makuna	Headman
428	Sineh Kamara	Masuba	do.
429.	Yaya Kamara	do.	Councillor
430.	Bassie Kamara	do.	do.
431.	Santigie Sesay	Warrima/ Masantigie	do.
432.	Momodu Sesay	do.	do.
433.	Gbassay Fofanah	Masaygbay/ Masentho	Headman
434.	Mohamed Kanu	do.	Councillor
435.	Morlai Kanu	Mamasa/ Masantigie	do.
436.	Abu Kamara	do.	Headman
437.	Molai Kamara	do.	Councillor
438.	Abu Fofanah	Masorie/ Masemgba	Councillor
439.	Sheka Fofanah	do.	do.
440.	Hassana Fofanah	do.	do.
441.	Babadie Dumbuya	Masorie Potho	Headman
442.	Musa Kabia	do.	do.
443.	Alie Kabia	do.	Councillor
444.	Hassana Sesay	do.	do.
445.	Abdulai Bangura	Malegbeh	Headman
446.	Alie Conteh	do.	Councillor
447.	Mohamed Bangura	do.	do.
448.	Abdulai Conteh	Malenki	Headman
449.	Saidu Dumbuya	do.	Councillor
450.	Brima Kamara	do.	do.
451.	Sembu Conteh	Magbontho Kali	do.
452.	Abdulai Sesay	do.	do.
453.	Amadu Kamara	Sarr Marank	Headman
454.	Sorie Mella	do.	Councillor
455.	Abu Bangura	do.	do.
456.	Alimamy Koya Dumbuya	do.	do.
457.	Pa Santigie Bangura	Magbotho-Sor	Town Chief
458.	Brima Kamara	do.	Councillor
459.	Bai Kamara	do.	do.
460.	Saidu Kamara	do.	do.
461.	Amidu Conteh	do.	do.
462.	Gbassay Bangura	do.	do.
463.	Bai Conteh	do.	do.
464	Foday Kamara	do.	do.
465.	Foday Conteh	do.	do.
466.	Yawa Turay	Ropollon	Headman
467	Hassana Kargbo	do.	Councillor
468	Amadu Kamara	do.	do.
469	Foday Turay	do	do

No.	Name	Town/Village	Post
470.	Molai Kargbo	Madigba	Headman
471.	Amadu Kamara	do.	Councillor
472.	Amadu Conteh	do.	do.
473.	Brima Follah	do.	do.
474.	Momoh Bangura	Mabaifu	Headman
475.	Alimamy Bubu Kamara	do.	Councillor
476.	Santigie Dumbuya	do.	do.
477.	Alimany Kanu	do.	do.
478.	Momoh Dumbuya	Korr-Ratha	Headman
479.	Lamina Kargbo	do.	Councillor
480.	Pa Santigie Kamara	do.	do.
481.	Alie Kamara	do.	do.
482.	Santigie Kargbo	do.	do.
483.	Bassie Bangura	do.	do.
484.	Morlai Kamara	Chaindekom	do.
485.	Sorie Conteh	do.	do.
486.	Momodu Bangura	Mafonkay	Headman
487.	Alusine Kabia	do.	Councillor
488.	Sheka Kanu	Makainkai	do.
489.	Alie Kamara	Mayekson	Headman
490.	Kapr Sesay	do.	Councillor
491.	Assana Kabia	do.	do.
492.	Amadu Kamara	do.	do.
493.	Osman Turay	Gbom Fithirie	Headman
494.	Amadu Kamara	Maiakoh	do.
495.	Brima Kanu	do.	Councillor
		MATHIRIE SECTION	
496.	Momoh Kargbo	Macocoyama	Ag. Sec. Chief
497.	Julius Cole	do.	Councillor
498.	Mohamed Koroma	do.	Headman
499.	Hasaana Kargbo	do.	Councillor
500.	Thomas Sesay	do.	do.
501.	Earnest Kamara	do.	do.
502.	Santigie Sesay	Songo	do.
503.	Sidique Kamara	do.	do.
504.	Ansu W. T. Kamara	do.	Headman
505.	Brima Kamara	do.	Councillor
506.	Alfred S. Sesay	do.	do.
507.	H. Y. Mansaray	do.	do.
508.	Amadu Tarawallie	do.	do.
509.	Shaka Kamara	do.	do.
510.	Adikali Kamara	do.	do.
511.	Gibrilla Sesay	do.	do.
512.	Abu S. Kamara	do.	do.
513.	Amadu Wurie Kamara	do.	do.
514.	Pa Kamara	Mayani	Headman
515.	Pa Ansumana Kamara	do.	Councillor
516.	Amara Kamara	do.	do.
517.	Abu Kamara	Mathirie	Headman
518.	Assana Kamara	do.	Councillor
519.	Sorie Kamara	do.	do.
520.	Alhaji S. A. T. Koroma	Makossch	do.
521.	Amadu Bia	do.	Headman
522.	Pa Amadu Kargbo	Makombay	Headman
523.	Sallu Kargbo	do.	Councillor
524.	Brima Kanu	do.	do.
525.	Pa Santigie Kamara	Makondo	do.
526.	Alpha Dumbuya	do.	do.
527.	Assana Dumbuya	do.	do.

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No.	Name	Town/Village	Post
528.	Alpha Dumbuya	Mafainklay	Headman
529.	Abdulai Koroma	do.	Councillor
530.	Bai Conteh	do.	do.
531.	Saidu Kamara	Kamato/Songo	do.
532.	Abdulai Kamara	Macocoyama	do.
533.	Assana Kanu	do.	do.
534.	Osman Bendo	do.	do.
535.	Alie Turay	Magbentha	Headman
536.	Lamina Dumbuya	Maworto	do.

MATTENEH SECTION

537.	Pa Adikali Conteh	Matheneh	Section Chief
538.	Momoh Bangura	do.	Headman
539.	Alie Kamara	do.	Councillor
540.	Pa Santigie Kamara	do.	do.
541	Saidu Bangura	do.	do.
542.	Pa Alhaji Kargbo	do.	do.
543.	Pa Santigie Turay	do.	do.
544.	Gbonbono Sesay	do.	do.
545.	Momodu Kargbo	do.	do.
546.	Abdulai Conteh	do.	do.
547.	Osman Conteh	do.	do.
548.	Musa Kargbo	Petifu I	Headman
549.	Brima Bangura	do.	do.
550.	Alusine Kargbo	do.	Councillor
551.	Thaim Sesay	do.	Headman
552.	Brima Bangura	do.	Councillor
553.	Abdulai Fornah	Magbon	Headman
554.	Brima Koroma	do.	Councillor
555.	Abdulai Kanu	do.	do.
556.	Abu Lofty Sesay	do.	do.
557.	Alpha Conteh	Ma Kitteh	Headman
558.	Pa Santiigie Gbla	do.	Councillor
559.	Sheku Conteh	do.	do.
560.	Hassana Conteh	do.	do.
561.	Abu Kanu	do.	do.
562.	Ibrahim Koroma	Magbonkapie	Headman
563.	Pa Santigie Fornah	do.	Councillor
[illegible].	Ibrahim Kargbo	do.	do.
[illegible]	Alpha Kamara	do.	do.
566.	Momoh Kargbo	do.	do.
567.	Ibrahim Koroma	Rogberay	Headman
568.	Sherifu Kamara	do.	Councillor
569.	Saidu Kanu	do.	do.
570.	Santigie Sankoh	Masimore	Headman
571.	Hassana Lakoh	do.	Councillor
572.	Brima Sankoh	Magbanneh	Headman
573.	Pa Santigie Kamara	do.	Councillor
574.	Bassie Fornah	do.	do.
575.	Alie Kargbo	Moyamba	Headman
576.	Amadu Kabia	do.	Councillor
577.	Ibrahim Conteh	Makombon	Headman
578.	Bassie Conteh	do.	Councillor
579.	Unisa Sesay	Maserie Gbondo	Headman
580.	Pa Santigie Conteh	do.	Councillor
581.	Sorie Kargbo	do.	do.
582.	Sorie Kamara	do.	do.
583.	Alie Sankoh	do.	do.

SANDA SECTION

584.	Pa Santigie Sankoh	Rogbaneh	Ag. Sec. Chief
585.	Abdulai Kanu	Rosanda	Headman
586.	Foday Kanu	do.	Councillor
587.	Amadu Kanu	do.	do.
588.	Foday Kamara	Masimbara	Headman
589.	Sullay Kamara	do.	Councillor
590.	Mohamed Kamara	do.	do.
591.	Pa Santigie Tarawallie	do.	Town Chief
592.	Alie Kamara	Mabarren	Headman
593.	Momoh Sankoh	do.	Councillor
594.	Sullay Thollie	Matholllie	do.
595.	Alie Kamara	Komrabai Nyolla	Headman
596.	King Fallah	do.	Councillor
597.	Pa Roke Bombolie	do.	do.
598.	Gbassay Kamara	do.	do.
599.	Foday Sesay	Makolo	Headman
600.	A. B. M. Koroma	do.	Councillor
601.	Sosie Ojukwu Sesay	do.	do.
602.	Amadu Kabia	do.	do.
603.	Gbentha Kanu	do.	do.
604.	Kandeh Kanu	Mamara	Headman
605.	Pa Santigie Kamara	do.	Town Chief
606.	Alhaji Amara Kamara	do.	Councillor
607.	Sillah Turay	Malegbeh	Headman
608.	Hassana Sesay	Mayesie	do.
609.	Issa Bangura	Matham	do.
610.	Abdulai Kamara	Mangaray	do.
611.	Pa Ansumana Bangura	do.	do.
612.	Amadu Sankoh	do.	Councillor
613.	Sorie Kanu	Madick	do.
614.	Aruna Kanu	do.	do.
615.	Abdulai Kamara	Mathembo	Headman
616.	Alpha Bangura	do.	Councillor
617.	Momoh Turay	Mamusa/Malenka	do.

ROBIA SECTION

618.	Pa Alimamy Koroma	Mafillie	Section Chief
619.	Momoh Koroma	do.	Headman
620.	Amadu Dumbuya	do.	Councillor
621.	Momoh Turay	Malimba	Headman
622.	Yolla Turay	Robia	do.
623.	Amidu Kamara	do.	Councillor
624.	Osman Sesay	Malaisoko	Headman
625.	Abu Kamara	do.	Councillor
626.	Assana Dumbuya	do.	Headman
627.	Pa Santigie Koroma	Konta	Town Chief
628.	Alpha Kalokoh	do.	Headman
629.	Kolleh Kamara	Rogberray	do.
630.	Alhaji Mohamed Kamara	do.	Councillor
631.	Lamina Kamara	Bake Bana	Headman
632.	Mustapha Dumbuya	Royeima	Councillor
633.	Amadu Kamara	Masoko	Headman
634.	Bai Kargbo	Madimokai	do.
635.	Alpha Susu	Komrabai	Councillor
636.	Amara Sesay	Roloko	Headman
637.	Brima Sesay	do.	Councillor
638.	Pa N'baimba Jalloh	Mayoko	Headman

MAKAMBI SECTION

639.	Pa Alimamy Kugbelu	Makambi	Section Chief
640.	Pa Santigie Kanu	do.	Town Chief
641.	Pa Yamba Saybeteh	do.	Councillor
642.	Amadu Sesay	do.	do.

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No.	Name	Town/Village	Post
643.	Papa Kargbo	Masheak	Headman
644.	Santigie Kamara	Makabbie	Councillor
645.	Sinneh Sesay	Rokirrma	Headman
646.	Bassie Kargbo	do.	Councillor
647.	Sorie Kamara	Robis	Headman
648.	Bai Kanu	Masoko	do.
649.	Alimamy Kanu	do.	Councillor
650.	Dibbeen Kargbo	Kissy	Headman
651.	Amidu Koroma	do.	Councillor
652.	Bai Fornah	do.	do.
653.	Sorie Koroma	do.	do.
654.	Brima Mansaray	Mayeima Bana	Headman
655.	Albert Tarawallie	Makoi	do.
656.	Hassana Tarawallie	do.	Councillor
657.	Amidu Tarawallie	do.	do.
658.	Bassie Kamara	do.	do.
659.	Alie Banday	Petifu Hamburg	Headman
660.	Dauda Conteh	do.	Councillor
661.	Saidu Kamara	Makunthel	do.
662.	Sullay Kamara	Rogbaneh	do.
663.	Alie Kamara	Madaka	do.
664.	Brima Kamara	Makarboh	do.
665.	Momoh Koroma	do.	do.
666.	Sorie Fornah	Mamorlai	do.
667.	Brima Sesay	Masogboi	Headman
668.	Amadu Conteh	Robaykoh	do.
669.	Momodu Kanu	Masantigie	do.
670.	Mohamed Mansaray	Makosseh	do.
671.	Ibrahim Kamara	Jabama	do.
672.	Idriss Kamara	Mabaima	do.
673.	Abdulai Kanu	Mabuttel/Kadi	Councillor
674.	Osman Kargbo	Matakay	do.
675.	Brima Kamara	Matimbasa	Headman
676.	Amadu Kabia	Kigbal	do.
677.	Amidu Kargbo	Mamanso	do.
678.	Abdulai Sesay	Gbohbu	do.
679.	Saidu Kargbo	Magbanah	do.

FOREDUGU SECTION

680.	Pa. Alimany Lahai	Foredugu	Section Chief
681.	Foray Bundu	do.	Headman
682.	Foday Kamara	do.	Councillor
683.	Alpha Sesay	Ro-laya	Headman
684.	Sillah Sesay	do.	Councillor
685.	Foday Bia	Mayon	Headman
686.	Amadu Bangura	do.	Councillor
687.	Komboh Bundu	do.	do.
688.	Bai Bundu	Mano	Headman
689.	Mohamed A. Bundu	do.	do.
690.	Abu Senior	do.	Councillor
691.	Saidu Kanu	Ro-gbomkainday	Headman
692.	Lamina Conteh	Bath-lol	do.
693.	Sineh Bangura	do.	Councillor
694.	Alimany Bundu	Makandeh	Headman
695.	Lamina Sesay	Makaray	do.
696.	Thaimu Kamara	Kurankoh	do.
697.	Alhaji Amara	do.	Councillor
698.	Bassie Kamara	Kuramkoh	do.
699.	Gbanabom Falla	Maputha	Headman
700.	Sorie Kanu	Masorie Baimba	do.
701.	Pa Santigie Kanu	do.	Councillor
702.	Musa Kanu	do.	do.
703.	Amidu Bundu	Mabillah	Headman
704.	Ansumana Bangura	do.	Councillor
705.	Mohamed Bundu	do.	do.
706.	Mohamed Kamara	do.	do.
707.	Bai Sesay	Mafentha	Headman
708.	Alpha Osman Kamara	do.	Councillor
709.	Alie Sesay	do.	do.
710.	Morlai Kargbo	Ropath	Headman
711.	Sorie Turay	do.	do.
712.	Santigie Bundu	do.	do.
713.	Amadu Kamara	Pay-Bull	Headman
714.	Mohamed Kamara	Masumana	do.
715.	Brima Bangura	do.	Councillor
716.	Brima Kargbo	do.	do.
717.	Amadu Kanu	do.	do.
718.	Alimamy Conteh	Magbonkneh	Headman
719.	Foday Kamara	Makamborie	do.
720.	Abdulai Kanu	do.	Councillor
721.	Sinneh Fornah	Mabamboo	Headman
722.	Alhaji Foday Fornah	do.	Councillor
723.	Issa Kamara	Mayorma	Headman
724.	Sullay Kamara	do.	Councillor
725.	Wusu Kamara	do.	do.
726.	Hassan Kamara	do.	do.
727.	Foday Bia	do.	do.
728.	Omaro Kanu	do.	do.
729.	Hassan Wanduni	do.	do.
730.	Sorie Sankoh	do.	do.
731.	Mohamed Najib	Ro-worreh	Headman
732.	Brima Follah	Mabeku	do.
733.	Abdulai Kargbo	do.	Councillor
734.	Mohamed Sesay	Mabain	Headman
735.	Santigie Bundu	do.	Councillor
736.	Pa Santigie Kamara	do.	Town Chief
737.	Santigie Sesay	Makabbie	Headman
738.	Pa Santigie Bangura	do.	Town Chief
739.	Brima Kanu	do.	Headman
740.	Abdulai Koroma	Royeima	do.
741.	Brima Turay	Mafengbeh	do.
742.	Abu Kargbo	Makoya	do.
743.	Brima Kanu	Mabendu	do.
744.	Sorie Kamara	do.	Councillor
745.	Mustapha Kargbo	do.	do.
746.	Brima Conteh	Mabintha	Headman
747.	A. T. Falla (J.P.)	Makoya	Councillor

CHIEFDOM COMMITTEE MEMBERS

1.	P. C. Bai Kompa Bomboli II	Masiaka	*Chairman*
2.	Pa Nengbana Falla	Speaker	*Member*
3.	Alhaji S. A. T. Koroma	Makosseh	*do.*
4.	Alhaji Amadu Kargbo	—	*do.*
5.	Pa Sidique Kamara	Songo	*do.*
6.	Pa Adikali Conteh	Matenneh	*do.*
7.	Pa Alimamy Ojukwu Sesay	Makabbie	*do.*
8.	Pa Alimamy Lahai Bundu	Mabillah	*do.*
9.	Pa Sorie Kamara	Mabain	*do.*
10.	Pa Sheka Dumbuya	Maoreh	*do.*
11.	Pa Bubu Kalokoh	Mamamah	*do.*
12.	Pa Modu Kamara	do.	*do.*
13.	H. Y. Mansaray	Songo	*do.*
14.	Mr. A. B. M. Koroma	Makoloh	*do.*
15.	Mr. I. H. Kanu	Masiaka	*do.*

REVISED by me at Masiaka Koya Chiefdom on *10th January, 1990.*

M. S. JALLOH,
for Senior District Officer.

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PUBLIC SERVICE NOTICES

FREETOWN. *11th September, 1997*

Govt. Notice No. 216

New Appointment

MINISTRY OF HEALTH AND SANITATION

Jones, Dr. Louis Bankole, Temporary Houseman, 12.3.97.
Kassim, Dr. Mariatu, Temporary Houseman, 12.3.97.
Kargbo-Labour, Dr. Ibrahim James, Temporary Houseman, 12.3.97.
Osaio-Kamara, Dr. Brima, Temporary Houseman, 12.3.97.
Paba-Garnon, Dr. Elaime Baby, Temporary Houseman, 12.3.97.
Pratt, Dr. Rawlandson Ivor, Temporary Houseman, 12.3.97.
Sesay, Dr. David Fatta, Temporary Houseman, 12.3.97.

Leave of Absence

MINISTRY OF HEALTH AND SANITATION

Nana, Mrs. J. E., 99 days, 7.1.96.

Left the Sierra Leone Civil Service

MINISTRY OF HEALTH AND SANITATION

Bartholomeu, F. S., Public Health Aide, retired on pension, 18.8.95.
Ngauja, J. S. B., Nurse Anesthetist, retired on pension, 8.8.92.
Wyse, Mrs. H., Cloakroom Attendant, retired on pension, 10.7.97.

LAW OFFICERS'

Bangura, T., Messenger, retired on pension, 28.6.96.

MINISTRY OF SOCIAL WELFARE

Koker, A., Temporary Social Employment Worker, retired on pension, 9.9.97.

SIERRA LEONE BROADCASTING SERVICE/TELEVISION

Koroma, A., Senior Driver, retired on pension, 11.6.97.

ARMED FORCES REVOLUTIONARY COUNCIL SECRETARIAT

Govt. Notice No. 215

THE ADMINISTRATION OF SIERRA LEONE
(ARMED FORCES REVOLUTIONARY COUNCIL) PROCLAMATION, 1997

(P.N. No. 3 of 1997)

P.N. No. 3 of 1997. Pursuant to subparagraph (2) of paragraph 1 of the Administration of Sierra Leone (Armed Forces Revolutionary Council) Proclamation, 1997, the following persons constitute the

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BY AUTHORITY OF THE ARMED FORCES REVOLUTIONARY COUNCIL
Annual Subscription:—Inland—Le90,000.00, Overseas—Le300,000.00
To be purchased from the Government Bookshop, Wallace Johnson Street, Freetown. Price:—Le1,000.00 G.P. O.324/97 1,200 9/97

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Armed Forces Revolutionary Council with effect from the 25th day of May, 1997—

(1)	Major Johnny Paul Koroma ...	*Chairman*
(2)	Corporal Foday S. Sankoh ...	*Deputy Chairman*
(3)	Captain S. A. J. Musa	*Member*
(4)	Colonel A. K. Sesay	*Member*
(5)	Staff Sergeant Abu Sankoh ...	*Member*
(6)	Staff Sergeant Alex T. Brima ...	*Member*
(7)	Staff Sergeant Brima B. Kamara	*Member*
(8)	Colonel Sam Bockarie	*Member*
(9)	Major Morris Kallon	*Member*
(10)	David G. Kallon	*Member*
(11)	Colonel Issa H. Sesay	*Member*
(12)	Colonel Gibril Massaquoi ...	*Member*
(13)	Colonel Michael Lamin	*Member*
(14)	Squadron Leader Victor L. King ...	*Member*
(15)	Major J. B. Cater-Tarawallie ...	*Member*
(16)	Captain Lawrence S. Womandia ...	*Member*
(17)	Lieutenant Eldred Collins ...	*Member*
(18)	Warrant Officer II Franklyn Conteh	*Member*
(19)	Warrant Officer II Samuel Kargbo	*Member*
(20)	Sergeant K. Bangura	*Member*
(21)	Sergeant S. B. Khanu	*Member*
(22)	Sergeant George Adams	*Member*
(23)	Sergeant Sahr Gborie	*Member*
(24)	Sergeant Sulaiman Turay ...	*Member*
(25)	Sergeant K. Kallay	*Member*
(26)	Corporal Momoh Bangura ...	*Member*
(27)	Lance-Corporal Hector Bob-Lahai	*Member*
(28)	Lance-Corporal Ibrahim D. Sesay	*Member*
(29)	Staff Sergeant Moses Kabbia ...	*Member*
(30)	Lance-Corporal Abdul M. Sesay ...	*Member*
(31)	Mohamed Saidu Kamara ...	*Member*
(32)	Bai Hinga Kurrary-Bangura ...	*Member*
(33)	Abdulai Michael Munu	*Member*
(34)	Kandeh Sorie-Sebba Bangura ...	*Member*

DATED this *3rd* day of *September, 1997.*

MAJOR JOHNNY PAUL KOROMA
Chairman.
Armed Forces Revolutionary Council.

COURT

Govt. Notice No. 217

IN THE HIGH COURT OF THE REPUBLIC OF SIERRA LEONE

It is hereby notified for the information of the General Public that the September, 1997 Criminal Session of the High Court in Freetown will commence on Tuesday the 16th day of September, 1997.

A. SHOWERS (Mrs.),
Master and Registrar.

MASTER'S OFFICE,
HIGH COURT,
FREETOWN.

MINISTRY OF LOCAL GOVERNMENT AND COMMUNITY DEVELOPMENT

Govt. Notice No. 218

REVISED CHIEFDOM COUNCILLORS LIST — MAFORKI CHIEFDOM, PORT LOKO DISTRICT

No.	*Name*	*Town/Village*	*Office*
1.	P.C. A. Modu III, MBE, JP	Port Loko	P/Chief
2.	Saidu Kanu	do.	C/Speaker
3.	Pa Kekorr Kamara	do.	Cere/Chief
4.	Pa Kumrabai Dumbuya	do.	do.
5.	Pa Kapr Masim	do.	do.
6.	Ya Boimkapr Masim	do.	do.
7.	Pa Kapr Gbogboro	do.	do.
8.	Ya Bomporo	do.	do.
9.	Haja Bomwarrah Yansaneh	do.	do.
10.	Pa Alimamy Sesay	do.	do.
11.	Ya Alimamy Mansaray	do.	do.
12.	Ya Alimamy Bedor	do.	do.
13.	Ya Alimamy Mansaray	do.	do.
14.	Ya Alimamy Bateh	do.	do.
15.	Ya Alimamy Modu	do.	do.
16.	Ya Alimamy Sofarah	do.	do.
	SANDA SECTION		
17.	Pa Alimamy Dumbuya	Sanda Street	Sec. Chief
18.	Alhaji Morlai Sankoh	Davies Street	Councillor
19.	Alhaji Fadika	do.	do.
20.	B. S. Kamara	Sanda Street	do.
21.	Abu Kabia	do.	do.
22.	Alimamy Conteh	do.	do.
23.	Yaya Deen Kamara	do.	do.
24.	S. Mella Bangura	do.	do.
25.	Alpha Bangura	Adams Street	do.
26.	Abdul B. Kamara	do.	do.
27.	Alpha G. Dumbuya	Sanda Street	do.
28.	Alhaji Momodu Fallah	Fatmabrima St.	do.
29.	Abu Bakarr Bangura	do.	do.
30.	Abdul S. Bangura	Wharf Road	do.
31.	Abu S. K. Bangura	do.	do.
32.	Abu S. K. Bangura	do.	do.
33.	A. K. Molloh	Davies Street	do.
34.	Gbassay Kamara	do.	do.
35.	Abdul R. Wurie	do.	do.
36.	Joseph B. Kamara	do.	do.
37.	Alhaji Cole	do.	do.
38.	Julius S. Bangura	do.	do.
39.	Saidu M. Dumbuya	Aribo Street	Councillor
40.	Sullay K. Bangura	do.	do.
41.	Abdulai Fofanah	Kola Lane	Councillor
42.	Alhaji M. Bangura	Tanene Street	do.
43.	Sorie I. Bangura	do.	do.
44.	Alhaju B. M. Turay	do.	do.
45.	Alhaji M. Bangura	do.	do.
46.	Lamin M. Kargbo	do.	do.
47.	Amadu Bun Kamara	do.	do.
48.	Tamba Kamara	Sanda Street	do.
	KONDOTO SECTION		
49.	*Vacant*	Kondoto Road	Sec. Chief
50.	Haja Fatu Modu	do.	Councillor
51.	M. M. Sankoh	do.	do.
52.	A. B. Sesay	do.	do.
53.	Kekuda Tarawalie	do.	do.
54.	Lansana M. Fofanah	do.	Headman/ Councillor
55.	Sorie Kanu	do.	Councillor
56.	Santigie Kamara	Kodoto Road	do.
57.	Allie Kamara	Kondoto Road	do.
58.	Hassana Sesay	do.	do.
59.	Santigie Kargbo	Kondoto Lane	do.
60.	Morlai Sesay	do.	do.

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FACT 10

10. During the period from about 25 May 1997 until about 14 February 1998, the combined forces of the AFRC/RUF were known as the Junta.

a.	Exh. 1.007	ERN 00004201-00004217	Fifth Report of the Secretary-General on the Situation in Sierra Leone, S/1998/486, 9 June 1998, at para. 13 ("Following the expulsion of the illegal military junta from the capital, Freetown, in mid-February"…).
b.	Exh. 1.320	ERN 00010224-00010225	"Security Council Committee on Sierra Leone Releases List of Junta Members Affected by Sanctions," Press Release SC/6472, 28 January 1998.
c.	Exh. 1.139	ERN 00028237	"Under the Command of Samba Malloun: Junta to Launch Major Offensive", news article in Liberian newspaper *The Heritage*, dated 30/04/1998-04/04/05/1998.
d.	Exh. 1.152	n/a	United States Department of State, "Sierra Leone Country Report on Human Rights Practices for 1997", released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998, at p. 3 (reports that thousands of civilians disappeared following the May 25 junta takeover).
e.	Exh. 1.168	n/a	"Sierra Leone-Children: Young, Armed and Dangerous" Lansana Fofana, Inter Press Service, July 1, 1997.

10. On 22 May 1998, President Kabbah, in a comprehensive policy statement delivered at the State opening of the second session of Parliament, outlined major national policies his Government intends to pursue. These include: establishing guidelines for development activities, a framework for the creation of a new army and the restructuring and retraining of the police force; improving relations with neighbouring countries; reviving the national economy; strengthening key sectors of activity; and promoting civic education to sensitize Sierra Leoneans to the true meaning of peace and democracy. The President has also called for national reconciliation.

11. From 30 to 31 May 1998, the Minister of Internal Affairs, Mr. Charles Margai, and the Deputy Defence Minister, Chief Hinga Norman, visited Makeni and Kenema and called on all remnants of the Armed Forces Revolutionary Council/Revolutionary United Front (AFRC/RUF) forces to surrender within two weeks, promising them that they would be protected and treated fairly in accordance with the law.

12. On 4 June 1998, at a summit meeting of the leaders of the three Mano River Union countries, President Conteh and President Kabbah of Sierra Leone met at Conakry to discuss mutual cooperation in the subregion and relations between Liberia and Sierra Leone. Liberia was represented by the Vice-President, Mr. Enoch Dogolea.

Action taken by the Monitoring Group of the Economic Community of West African States

13. Following the expulsion of the illegal military junta from the capital, Freetown, in mid-February and the restoration of the democratically elected Government of President Ahmad Tejan Kabbah in the capital, ECOMOG moved swiftly to secure the area around Freetown, as well as the northern and southern provinces of the country, especially the towns of Makeni, Kambia and Kabala in the north and Bo and Kenema in the south. ECOMOG forces also advanced eastwards towards the Kono and Kailahun districts, where the forces of the former junta were concentrated.

14. Though ECOMOG has continued to make progress, it is severely overextended and its advance has been beset by logistical constraints, as well as by fierce resistance from elements of the AFRC and the RUF, the partners in the former junta. In mid-May, however, ECOMOG seized Koindu and Buedu on the eastern border of Sierra Leone with Guinea.

15. As ECOMOG troops approached, armed former junta elements attacked the local civilian population, killing, raping and mutilating hundreds of them, causing tens of thousands of Sierra Leoneans to flee into Liberia and Guinea in the last few weeks and tens of thousands more to flee into the interior of Sierra Leone. Hundreds of patients have been admitted to hospitals suffering from amputation of limbs and ears and severe lacerations. Humanitarian organizations fear that the actual number of victims may be much larger (see sect. III below).

16. ECOMOG is being supported by units of the Sierra Leonean Civil Defence Force (CDF), which is composed of irregular community-based fighters who fought the junta before the restoration of the legitimate Government. The Civil

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UNITED
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Security Council

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FIFTH REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN SIERRA LEONE

I. INTRODUCTION

1. By paragraph 5 of its resolution 1162 (1998) of 17 April 1998, the Security Council authorized the deployment, with immediate effect, of up to 10 United Nations military liaison and security advisory personnel in accordance with paragraph 44 of my report of 18 March 1998 (S/1998/249) to Sierra Leone for a period of up to 90 days, to work under the authority of my Special Envoy, to coordinate closely with the Government of Sierra Leone and with ECOMOG, the Monitoring Group of the Economic Community of West African States (ECOWAS), to report on the military situation in the country, to ascertain the state of and to assist in the finalization of planning by the Government of Sierra Leone and ECOMOG for future tasks, such as the identification of the former combatant elements to be disarmed and the design of a disarmament plan, as well as to perform other related security tasks as identified in other paragraphs of my above-mentioned report.

2. By paragraph 10 of that resolution, the Council requested me to report periodically, including on the activities of those military liaison and security advisory personnel and on the work of the office of my Special Envoy in Sierra Leone, within the reporting time-frame set out in paragraph 16 of resolution 1132 (1998) of 8 October 1997. The present report is submitted in accordance with that time-frame, by which the Security Council requested the submission of a report every 60 days.

II. DEVELOPMENTS SINCE MY LAST REPORT

Action taken by the Government of Sierra Leone

3. Following its restoration on 10 March 1998, the Government of Sierra Leone has acted to consolidate its authority throughout the country as far as possible. On 16 March, President Kabbah, acting with the support of Parliament, proclaimed a state of emergency empowering him to take measures to ensure security and stability. These measures included the right to detain suspects and restrict their movements, the imposition of a curfew and the right to

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requisition property. The Government also announced the expulsion of 22 persons and the deprivation of 10 others of Sierra Leonean citizenship for collaborating with the junta and for economic crimes and immigration irregularities.

4. On 20 March 1998, President Kabbah announced that his new streamlined Cabinet would comprise persons of known competence and integrity. The members of the Cabinet, which consists of 15 Ministers, 11 Deputy Ministers and 5 Ministers of State, have all been confirmed by Parliament, as have the President's nominees for the post of Chief Justice and many positions in parastatal bodies. The President has also appointed a Policy Advisory Committee to guide the Government on crucial issues of national interest and to monitor the functioning of the public institutions.

5. The Government has also taken steps to establish a National Commission for Reconstruction, Resettlement and Rehabilitation, responsible for stimulating and coordinating related donor, Government and non-governmental activities. In accordance with its terms of reference, the National Commission would, in close collaboration with domestic and international funding agencies, draw up a two-year national rehabilitation, resettlement and reconstruction plan involving, inter alia, the repatriation and resettlement of internally displaced persons and refugees.

6. On 27 March 1998, the Minister for Foreign Affairs of Zimbabwe, Mr. Stan Mudenge, led a five-person Commonwealth delegation on a visit to Freetown in order to explore ways in which the Commonwealth could assist Sierra Leone in the task of national reconstruction and peace-building. At the conclusion of the visit, the participants announced that they would urge all member Governments of the Commonwealth to assist Sierra Leone bilaterally in every practicable way in its efforts to achieve national reconstruction and reconciliation, and to contribute to the Trust Fund to support peacekeeping and related activities in Sierra Leone.

7. On 21 April 1998, a three-man team of British police experts visited Sierra Leone to advise the Government on the restructuring of the police force and the improvement of its equipment. The team also discussed the recruitment and role of police advisers and relations between the police and armed forces, among other matters. The United Kingdom of Great Britain and Northern Ireland has also provided the Government with communications equipment for the police.

8. From 4 to 8 May 1998, the Government received a multi-donor joint mission by the World Bank, the United Nations Development Programme (UNDP), the African Development Bank (AfDB), the United Kingdom Department for International Development and the European Union (EU) to discuss a range of development-related matters. The joint mission also discussed the demobilization and reintegration of ex-combatants, as described in more detail in section V below.

9. As described in section III below, on 6 May 1998, the Government instituted, in Freetown, the trials of a number of persons accused of plotting, participating in or collaborating with the coup d'état and the illegal junta.

10. On 22 May 1998, President Kabbah, in a comprehensive policy statement delivered at the State opening of the second session of Parliament, outlined major national policies his Government intends to pursue. These include: establishing guidelines for development activities, a framework for the creation of a new army and the restructuring and retraining of the police force; improving relations with neighbouring countries; reviving the national economy; strengthening key sectors of activity; and promoting civic education to sensitize Sierra Leoneans to the true meaning of peace and democracy. The President has also called for national reconciliation.

11. From 30 to 31 May 1998, the Minister of Internal Affairs, Mr. Charles Margai, and the Deputy Defence Minister, Chief Hinga Norman, visited Makeni and Kenema and called on all remnants of the Armed Forces Revolutionary Council/Revolutionary United Front (AFRC/RUF) forces to surrender within two weeks, promising them that they would be protected and treated fairly in accordance with the law.

12. On 4 June 1998, at a summit meeting of the leaders of the three Mano River Union countries, President Conteh and President Kabbah of Sierra Leone met at Conakry to discuss mutual cooperation in the subregion and relations between Liberia and Sierra Leone. Liberia was represented by the Vice-President, Mr. Enoch Dogolea.

Action taken by the Monitoring Group of the Economic Community of West African States

13. Following the expulsion of the illegal military junta from the capital, Freetown, in mid-February and the restoration of the democratically elected Government of President Ahmad Tejan Kabbah in the capital, ECOMOG moved swiftly to secure the area around Freetown, as well as the northern and southern provinces of the country, especially the towns of Makeni, Kambia and Kabala in the north and Bo and Kenema in the south. ECOMOG forces also advanced eastwards towards the Kono and Kailahun districts, where the forces of the former junta were concentrated.

14. Though ECOMOG has continued to make progress, it is severely overextended and its advance has been beset by logistical constraints, as well as by fierce resistance from elements of the AFRC and the RUF, the partners in the former junta. In mid-May, however, ECOMOG seized Koindu and Buedu on the eastern border of Sierra Leone with Guinea.

15. As ECOMOG troops approached, armed former junta elements attacked the local civilian population, killing, raping and mutilating hundreds of them, causing tens of thousands of Sierra Leoneans to flee into Liberia and Guinea in the last few weeks and tens of thousands more to flee into the interior of Sierra Leone. Hundreds of patients have been admitted to hospitals suffering from amputation of limbs and ears and severe lacerations. Humanitarian organizations fear that the actual number of victims may be much larger (see sect. III below).

16. ECOMOG is being supported by units of the Sierra Leonean Civil Defence Force (CDF), which is composed of irregular community-based fighters who fought the junta before the restoration of the legitimate Government. The Civil

Defence Force includes Kamajors, who are regionally based rural militia mainly from the south and parts of the east, as well as Tamaboros from the Koinadugu district, Donsos from the Kono district and Kapras, who are mainly from the Tonkolili district in the north. Though many CDF members are hunters who use traditional weapons, others are primarily farmers or students who joined the armed struggle against the junta. They are armed with a wide variety of weapons and often lack formal training and discipline. Though technically under ECOMOG control, their command and control structures are loose and informal.

17. On 4 and 5 May 1998 at Accra, my Special Envoy attended the seventeenth meeting of ECOWAS Chiefs of Staff convened to discuss the situation in Sierra Leone. At the meeting, the Nigerian Chief of Defence Staff, Major-General A. A. Abubakar, outlined ECOMOG's objectives in Sierra Leone as follows: the attainment of peace, the training of a new Sierra Leonean army, and the disarmament, demobilization and reintegration of Sierra Leonean combatants into society, accompanied by humanitarian assistance. The achievement of these objectives would be followed by the withdrawal of ECOMOG.

18. ECOMOG has deployed three brigades and an independent battalion, altogether comprising approximately 12,000 men, in Sierra Leone and has appealed for a further 6,000 to enable it to carry out its functions more effectively. A number of participants expressed willingness, in principle, to contribute forces to ECOMOG's operations in Sierra Leone. However, the countries concerned stressed that they were not in a position to do so without substantial financial and logistical assistance.

Action taken by the United Nations

19. Beginning on 4 May 1998, pursuant to resolution 1162 (1998), eight military liaison personnel were deployed in Freetown under the authority of my Special Envoy. The military officers, who are led by a Brigadier-General from India, are from Kenya (two), the Russian Federation (two), the United Kingdom (one) and Zambia (two). Two police advisers, one from Namibia and one from Kenya, as well as an adviser on planning for disarmament and demobilization, are expected to be deployed shortly. Some vehicles and communications equipment have also been deployed to Sierra Leone for the use of the officers.

20. The liaison officers have begun to travel through parts of the country to assess the situation with a view to finalizing plans for their deployment and for the disarmament of former combatants. The ECOMOG Force Commander, Brigadier-General Maxwell Khobe, has welcomed their arrival and promised his full cooperation.

21. The office of my Special Envoy has also been strengthened by the addition of a political affairs officer and a human rights adviser. In addition, I have taken steps to strengthen the human rights element of the office of my Special Envoy and have approached a number of Governments on an urgent basis to request them to make available suitably qualified trial monitors.

22. From 26 to 29 May 1998, my Special Representative for Children in Armed Conflict, Mr. Olara A. Otunnu, visited Sierra Leone to assess the plight of children affected by the conflict. During his visit, Mr. Otunnu met with

President Kabbah, Ministers and Parliamentarians, as well as with the Force Commander of ECOMOG, the National Coordinator of CDF and representatives of United Nations agencies and non-governmental organizations. He visited Daru, Segbwema and Kenema, accompanied by the Minister for Social Welfare, Gender and Children's Affairs, Mrs. Shirley Gbujama, my Special Envoy, the United Nations Resident Coordinator and the representative of UNICEF.

23. In discussions with the Government, ECOMOG and CDF, important commitments were made to my Special Representative in relation to the rights, protection and welfare of children. It was agreed that a joint task force for the demobilization of child combatants, comprising the Government, ECOMOG, CDF, the United Nations and international humanitarian agencies, would be constituted. The Government agreed not to recruit children under 18 years of age into a new national army. The Civil Defence Force committed to stop recruiting and initiating children under 18 and to begin the process of demobilization of child combatants within their ranks. Along with ECOMOG, CDF also undertook that children captured in or fleeing from areas held by junta elements would receive special protection. President Kabbah directed that a coordination group consisting of relevant Ministries, United Nations agencies and non-governmental organizations, be established to coordinate an effective national response to the needs of children affected by armed conflict. Following their discussion with Mr. Otunnu, an all-party group of Parliamentarians constituted a caucus to serve as parliamentary advocates for the rights, protection and welfare of children affected by armed conflict in Sierra Leone.

24. At the conclusion of his visit, Mr. Otunnu proposed that the international community make Sierra Leone one of the pilot projects for a more concerted and effective response in the context of post-conflict peace-building.

Military and security situation in Sierra Leone

25. The security situation in Freetown continues to be favourable, with a strong but discreet ECOMOG presence and widespread deployment of the Sierra Leonean police. Schools, banks and markets are functioning normally, some international air links to the airport at Lungi have been restored and food and fuel products are widely available. Nevertheless, ECOMOG has continued to recover weapons in house-to-house searches conducted on the basis of information received about the presence in Freetown of former junta members and common criminals.

26. Despite ECOMOG's initial success in driving the elements of the junta rebels back towards the east of the country, several groups of rebels appear to have broken out of the Kailahun district and have moved northwards and westwards in an apparent attempt to re-establish some of their former bush camps in the north. They have been attacking towns and villages, terrorizing local communities and extorting food from them. The situation in the north is now considered unsatisfactory and food convoys have to be guarded by armed escort.

27. Moreover, in the course of their retreat towards the eastern part of the country, former junta elements inflicted extensive damage and engaged in indiscriminate looting and property destruction. In particular, hospitals in most communities lack beds, drugs and equipment.

28. The United States has contributed $3.9 million to ECOMOG over a four-month period through the logistics services company Pacific Architects and Engineers, which provided services to ECOMOG in Liberia. Some vehicles have already been made available. It is anticipated that this assistance will result in further gains by ECOMOG against the former junta forces. However, this contribution is not expected to assist in the deployment of additional ECOMOG forces, for which further contributions, whether bilaterally or through the Trust Fund to support peacekeeping and related activities in Sierra Leone, will be needed.

29. There are reports that many of the fighters supporting the former junta in the east are in fact Liberian nationals. The Monitoring Group of the Economic Community of West African States believes it has identified some of the dead combatants as Liberians after clashes with junta elements and has reportedly captured more than 100 Liberian fighters in the vicinity of Kailahun and in Kono district.

30. On 5 May 1998, President Taylor wrote to me deprecating the "disturbing allegation" that the Government of Liberia was involved in the conflict in Sierra Leone and stressing his commitment to the maintenance of peace in the region. President Taylor informed me that he had proposed to the Chairman of ECOWAS that ECOMOG "cordon off" the border between the two countries, and said he would welcome the concurrence of the United Nations with his suggestion that United Nations monitors be deployed in the border area.

31. On 7 May 1998, the Liberian Government issued a policy statement reaffirming that it would not permit its territory to be used to destabilize any neighbouring country and stating that President Taylor had approved the deployment of an ECOMOG observer unit at the border between Liberia and Sierra Leone in Lofa County, Liberia.

32. The Government of Sierra Leone has welcomed the issuance of the policy statement and has disclosed that a Liberian delegation visiting Freetown to attend the funeral of the late spouse of the President, Mrs. Patricia Kabbah, had met with President Kabbah and discussed the improvement of relations between the two countries.

33. In some parts of the country, misconduct by some members of CDF, arising from their indiscipline and lack of training, has given rise to complaints from civilians.

III. HUMAN RIGHTS

34. Since early May 1998, a human rights adviser has been attached to the office of my Special Envoy. His main tasks have included the observation of the treason trials and, in close consultation with the Special Envoy and the United Nations High Commissioner for Human Rights, examining modalities to increase the capacity of the office to monitor the human rights situation in Sierra Leone and to assist the Government in meeting its international human rights obligations in a sustainable manner. In carrying out its human rights functions, the office will work closely with all relevant elements of civil society, including national and international non-governmental organizations. Both the

Attorney-General and the Chief Justice of Sierra Leone have offered their full cooperation to my Special Envoy and his staff in the exercise of his human rights functions.

35. The main focus of human rights concerns since my last report has been the attacks on civilians by armed, uniformed groups, which are consistently reported to be members of the rebel forces. They have systematically mutilated or severed the limbs of non-combatants around the towns of Koidu and Kabala, in a zone that stretches as far west as Masiaka, south of Port Loko. The scale of the attacks can be estimated from the accounts of victims who have been admitted to hospital. For instance, in the period from 6 April to 21 May 1998, 225 people were admitted to Connaught Hospital in Freetown with war wounds. All but one were reported to be civilians. Of these, a quarter were amputees and half were victims of deep lacerations. The patients report that for every one person who reached the hospital, some five other victims of attacks are either dead or missing. In the same period, there have been some 500 admissions of war-wounded persons to other hospitals in Sierra Leone.

36. Of those victims who have received treatment, most are male, ranging in age from 8 to 60 years. The youngest amputee admitted to hospital is, however, a six-year-old girl, one of whose arms was completely severed. Victims also report that babies have been taken from their mothers' arms and burned alive. There are numerous reports of rape, including one of the multiple rape of a 12-year-old girl. Doctors at one hospital state that lacerations inflicted on one 60-year-old woman are the result of a failed attempt to behead her.

37. The office of my Special Envoy continues to receive information about human rights abuses perpetrated by forces loyal to the junta in the period before the restoration of the Government. From all parts of the country there are reports of extrajudicial killings, rape, arbitrary detention, including for purposes of sexual abuse, torture of children (especially of child-combatants), forced labour and the looting and destruction of residential and commercial premises and property. It will remain important to document these actions with a view to tackling issues of impunity and as an element in the process of promoting reconciliation and healing of society.

38. Information has also been received regarding widespread acts of extrajudicial revenge killings perpetrated against alleged junta collaborators following the restoration of the Government. In just one town, Kenema, there are reports of some 50 revenge killings. Some of those killed were children, with at least one case occurring in Freetown. There are reportedly still many people in hiding for fear of being subjected to revenge attacks. Reportedly some 100 of those hiding in the Freetown area are children. The Government has given assurances that revenge attacks will be investigated and prosecuted.

39. Reports indicate that elements of the Kamajors are responsible for violation of the human rights and rights under humanitarian law of both combatants and non-combatants. This militia force continues to include large numbers of male children. Concerns have been expressed to the Government on these matters and it has indicated that it is taking action to correct the situation (see paras. 22-24 above).

40. My Special Envoy continues to monitor the implementation of the state of emergency declared by the President on 10 March 1998, under which, inter alia, persons may be detained indefinitely without being charged or tried. There are more than 1,000 such detainees held at Pademba Road Prison in Freetown. The Government has established a screening committee to expedite the process of releasing detainees and bringing others to trial.

41. The Government is prosecuting 59 persons in the regular courts for charges, variously, of treason, murder and arson. Another trial of some 20 people is scheduled to start in the coming weeks, as are a number of courts martial. The civilian trials have, so far, proceeded in conformity with normal criminal procedure. Matters of concern are brought to the attention of the Government. The office of my Special Envoy will continue to observe the trials and will seek to augment its capacity in this regard.

42. On 27 May 1998, a delegation of Amnesty International, which had been studying the situation in Sierra Leone, met with my Special Envoy. The purpose of the Amnesty mission was to examine incidents that had occurred during the period of junta rule, as well as the extent of atrocities currently being committed by the remnants of the junta. Amnesty International is also reviewing the detention and trial in Freetown of persons accused of participating in or collaborating with the junta.

IV. HUMANITARIAN SITUATION

43. The humanitarian situation in Sierra Leone is fluid. In the western area and the southern and eastern provinces (with the exception of Kailahun district), aid agencies have begun to reactivate programmes as they have benefited from improved security and access. In northern and north-eastern Sierra Leone, however, the situation has continued to deteriorate as a result of the activity of the former junta forces described above.

44. The humanitarian consequences of the wave of atrocities are very severe. Government hospitals in Makeni, Magburaka and Kabala and health clinics throughout the north have been overwhelmed by the influx of civilians suffering from amputations and maimings and are hampered by staff shortages and logistical constraints.

45. There has already been an outbreak of measles in two camps in the north and there is a severe risk of further outbreaks of epidemics such as cholera with the imminent onset of the rainy season. Furthermore, the non-governmental organization Action contre la Faim, which operates therapeutic feeding centres in Makeni and Magburaka, has reported a large influx of malnourished children under the age of five. Admissions have doubled during the past week. Malnutrition levels are increasing, and there are indications that the 10 per cent global acute malnutrition threshold, at which an emergency response is required, is being breached. If the security situation in the north continues to deteriorate, there is a serious risk that the harvest will be looted by armed elements, thus further undermining the food security of the rural population.

46. The Office of the United Nations High Commissioner for Refugees (UNHCR) has reported that refugees from Sierra Leone are continuing to flow into Faranah, Kissidougou and Guéckédou prefectures in eastern Guinea at a rate of 300 people per day. Many new arrivals, particularly children, suffer from malnutrition. UNHCR has documented the recent cases of at least 82 victims of rebel atrocities, including 28 who were mutilated. The refugees come mainly from the districts of Kailahun, Kono and Kenema. The influx is taking place despite reported attempts by the remnants of the junta to prevent people from leaving those areas. At the same time, about 40,000 internally displaced persons have flooded into the towns of Masingbi, Makeni, Kabala and Magburaka. Over the past three months, some 237,000 Sierra Leoneans have poured into Guinea and Liberia, bringing the total number of Sierra Leonean refugees in the two neighbouring countries to 530,000 people since the start of the conflict in 1991.

47. On 2 June 1998, UNHCR issued an urgent appeal for $7.3 million to help refugees who have fled from the rebel forces. The amount is designed to cover relief assistance to new arrivals in Guinea and Liberia until the end of the year. This followed a visit to Freetown from 2 to 3 June 1998 by the Assistant High Commissioner for Refugees, Mr. Soren Jessen-Petersen.

48. The humanitarian response to the crisis in the north has been severely constrained by the difficulty of access owing to security risks. Road travel from Freetown to Makeni and Koidu is restricted, since agencies are reluctant to travel by road for fear of attacks. Furthermore, many aid agency staff were threatened by AFRC/RUF elements during the period of the ECOMOG intervention and no relief agency has deployed international staff permanently up-country since then.

49. Nevertheless, the United Nations Children's Fund (UNICEF), the World Health Organization (WHO) and the non-governmental organization Médecins sans Frontières have sent medicines, bedding and plastic sheeting to the north. The International Committee of the Red Cross (ICRC) and Médecins sans Frontières have offered to coordinate the joint distribution of medical supplies to hospitals in Makeni, Magburaka and Kabala. UNICEF has delivered supplies to Kenema and supported efforts by the local authorities to immunize more than 400 children against measles, and the World Food Programme (WFP) is providing assistance to health institutions.

50. From 5 to 6 May 1998, the Humanitarian Assistance Coordination Unit also co-sponsored a workshop for community leaders in the Bo district concerning the code of conduct that governs the activities of relief workers. The workshop was planned in response to incidents of the commandeering of vehicles by Kamajors and ECOMOG in the area. Non-governmental organizations have since reported that the Kamajors have facilitated the safe passage of relief supplies and it is now intended to conduct similar workshops in other parts of the country, including Kenema.

51. An inter-agency mission led by the United Nations Humanitarian Coordinator on 19 May 1998 to Daru and Segbwema found the situation in the south-east of the country, which had been inaccessible for some months for security reasons, more favourable than expected in some respects. However, large numbers of

unaccompanied children were identified who are in need of family-tracing services, feeding and health care.

52. Mr. Sergio Vieira de Mello, Under-Secretary-General for Humanitarian Affairs, will visit Sierra Leone from 10 to 12 June 1998 in order to observe at first hand the ongoing humanitarian programmes and the current difficulties faced by the humanitarian community.

V. DISARMAMENT AND DEMOBILIZATION

53. Both the Abidjan Agreement of 30 November 1996 between the Government of Sierra Leone and RUF and the Conakry Agreement of 23 October 1997 between ECOWAS and AFRC contain provisions for the disarmament and demobilization of Sierra Leonean fighters and their reintegration into society. In his statement at the State opening of Parliament, President Kabbah called on all remnants of the AFRC/RUF to surrender, offering them assurances that they would be treated humanely in accordance with the Geneva Convention and its additional Protocols. The President also indicated that elements of the Conakry Agreement and the Abidjan Agreement would be taken into consideration in the implementation of the disarmament and demobilization programme. The prompt implementation of such a programme is regarded as essential to the stability of Sierra Leone and of the subregion in general.

54. Following the removal of the junta by force by ECOMOG in February and the subsequent ECOMOG action throughout the rest of the country, the Abidjan Agreement and the Conakry Agreement are considered to have been effectively superseded. However, in the parts of the country that have now been brought under Government control, some aspects of those instruments that govern the disarmament and demobilization of former Sierra Leonean fighters might still be applicable. These include the following categories: members of the former Republic of Sierra Leone Military Forces (RSLMF), including members of AFRC, the country's former army, which has now effectively been dissolved; members of RUF; members of CDF; and child soldiers.

55. Both ECOMOG and the Government have developed plans for the disarmament and demobilization of former combatants and for their reintegration into society. Pursuant to the recommendations of the joint mission described in paragraph 8 above, the Government has adopted a comprehensive framework for the disarmament, demobilization, reinsertion and reintegration of ex-combatants and their families. The plan envisages the establishment of a Sierra Leone veterans assistance board to be chaired by President Kabbah, which would, in close cooperation with ECOMOG, the United Nations and donors, supervise the disarmament and demobilization of an estimated 32,000 former combatants in three phases, provisionally over the next 19 months. A small executive secretariat will be charged with the implementation of the policies of the Board in close coordination with ECOMOG and the United Nations.

56. The demobilization process will begin with a rigorous registration process to ensure that eligible ex-combatants receive identification documents. The first priority is the demobilization of some 5,000 to 7,000 former members of the Republic of Sierra Leone Military Forces already disarmed by ECOMOG and

assembled in camps around Freetown, i.e., at Wilberforce Barracks, Benguema Training Centre and Lungi. ECOMOG has recently reported that the numbers of men at each camp have fallen, apparently because some of the men have been provisionally released. Units of CDF in parts of the country deemed secure by the Government and local authorities will also be demobilized in phase I and will undergo a similar and registration exercise. Some CDF units have already returned to their communities of origin in preparation for the disarmament process, though many CDF fighters have also recently been moved up to the Daru area, apparently to join the offensive against the former junta forces at Kailahun. On 25 March 1998, President Kabbah formally requested the international community to provide food for the maintenance of the 7,000 ex-combatants for a two-month period.

57. Preliminary estimates indicate that there are some 1,000 disabled soldiers, 500 female ex-combatants and about 2,500 children. Under the plan, all adult ex-combatants will receive the same reinsertion assistance, the level and nature of which will be determined by the Sierra Leone Veterans Assistance Board, in consultation with donors. The reinsertion assistance will be provided in instalments in order to provide a transitional safety net to ex-combatant families, to encourage them to remain in their areas of resettlement and to monitor their reintegration progress. Furthermore, the Government intends to provide a community-based social and economic reintegration assistance to assist ex-combatants to return to sustainable and productive lives in their communities. Particularly vulnerable groups of ex-combatants, such as child soldiers and the disabled, will receive specialized assistance.

58. The Government intends to proceed with the disarmament, demobilization, reinsertion and reintegration process as far as possible, notwithstanding continuing fighting in some parts of the country. The rapid demobilization of the encamped RSLMF will reduce the security and cost burden borne by the Government and ECOMOG in maintaining the camps. Insofar as adequate reinsertion and reintegration assistance and effective monitoring systems are put in place as planned, the Government is confident that this process will contribute to national reconciliation and reconstruction.

59. Though the plan envisages specific phases, provisionally scheduled to culminate in January 2000, these depend in part on the willingness of those who are still resisting ECOMOG's advance and terrorizing civilians in the north to surrender. It is not clear at this time whether these men, who appear to include the most violent and ruthless supporters of the former junta, intend to surrender or, if so, under what circumstances this might take place.

60. Another important aspect of the plan that remains to be clarified concerns the source of the funding. The plan is not accompanied by a cost estimate, but an earlier Government assessment of the likely costs arrived at a figure of some $14 million. Since that estimate was arrived at in respect of a more modest operation, the likely cost of the current exercise is likely to exceed it. No commitment has yet been made by donors for the funding of the exercise. However, the Government believes it has made some progress in identifying sufficient funds to continue to feed the surrendered soldiers for the next two months or so.

61. On 5 June 1998, my Special Envoy convened a meeting of United Nations agencies, non-governmental organizations and donor representatives to discuss the coordination of international support and contributions to the disarmament, demobilization and reintegration of the 7,000 ex-combatants.

62. On 12 June 1998, the World Bank, which participated in the multi-donor joint mission mentioned in paragraph 8 above, will send two consultants to Sierra Leone to discuss with all participants the further refinement of the plan, including practical arrangements to make it operationally effective. These arrangements are expected to include the provision of strong technical assistance to the executive secretariat of the Sierra Leone Veterans Assistance Board.

VI. PROPOSED ACTION TO BE TAKEN BY THE UNITED NATIONS

63. In the complex and volatile situation currently prevailing in Sierra Leone, the priority task is to promote stability and security by disarming and demobilizing as many former combatants as possible, as soon as possible. The plan adopted by the Government on the advice of the multi-donor joint mission provides a useful basis to accomplish this goal, though much remains to be done in terms of identifying sources of funding and determining the precise roles to be played by the international community. In general terms, I would envisage that, under the overall authority of the Government, my Special Envoy would ensure that the various donors continued to coordinate their activities closely. Within that framework the United Nations Development Programme (UNDP), working through the United Nations Office for Project Services, and in close cooperation with donors and implementing partners, would carry out the arrangements put in place for disarmament and demobilization prior to the May 1997 coup.

64. In this context, I intend to convene a high-level conference in the near future in order to mobilize assistance for the disarmament, demobilization and reintegration process, and for the reconstruction, rehabilitation of Sierra Leone. The conference would also address the need to provide logistical and other support to ECOMOG in order to improve its capacity to carry out its peacekeeping role, as well as for emergency and humanitarian needs.

65. Moreover, I believe the United Nations could render immediate assistance to Sierra Leone by deploying a limited number of unarmed military observers to assist in tasks of pressing importance. Such a deployment at this stage could lend much-needed impetus to a fragile but vital process, which deserves the support of the international community. It could also assist my Special Envoy to avert further bloodshed among civilians and combatants alike - both ECOMOG and Sierra Leonean - by helping to encourage the surrender of former junta elements in the event that this appeared to be possible. Finally, a more visible United Nations presence could serve to bolster the confidence of the Government and people of Sierra Leone in the commitment to their cause of the international community and encourage more substantial donor support for disarmament, demobilization and longer-term rehabilitation and development.

66. I have therefore developed a concept of operations for a United Nations peacekeeping observer mission, initially for a six-month period, whose immediate objectives would be the following:

(a) To monitor the military and security situation in the country as a whole with a view to assisting the Government and ECOMOG in the subsequent implementation of disarmament and demobilization phases as outlined in the Government's plan;

(b) To monitor the demobilization of former combatants already disarmed by ECOMOG and concentrated in secure areas of the country. This would involve collaboration with ECOMOG in its activities, including the provision of security and arms collection and destruction;

(c) To assist in monitoring respect for international humanitarian law at disarmament and demobilization sites;

(d) To monitor the voluntary disarmament and demobilization of members of CDF in their home regions and to monitor progress in the creation of a new national army;

(e) To observe, as security conditions permit, the situation in the north and east of the country, with a view to assisting in the disarmament and demobilization of surrendering former junta forces;

(f) To continue to provide my Special Envoy for Sierra Leone with regular information concerning the military and security situation in the country as a whole.

67. The mission would be known as the United Nations Observer Mission in Sierra Leone (UNOMSIL) and would be led by my Special Envoy, Mr. Francis G. Okelo, who would be designated Special Representative for Sierra Leone. The Chief Military Observer would be Brigadier-General Subhash C. Joshi (India), who is currently the team leader of the small military liaison cell deployed to Sierra Leone pursuant to resolution 1162 (1998). UNOMSIL would subsume the office of my Special Envoy and its staff and the related cost estimates will be issued shortly as an addendum to the present report.

68. The activities described above would require up to 70 officers, as well as a medical unit of up to 15 persons, with the necessary equipment and civilian administrative support staff.

69. In view of the volatile security situation outside the capital, the deployment would take place in phases, with the first group of approximately 40 military observers being deployed, starting during the month of July 1998, to Freetown, Hastings and Lungi. The timing of subsequent deployments would then depend on the security situation, the progress of implementation of the Government's disarmament and demobilization plan and the availability of the necessary logistical equipment and resources. In this connection, I would call on the Government of Sierra Leone to be prepared to make available to the mission such premises and services as they can. At this stage, I would provisionally anticipate that the second phase of deployment would then take place in August-September, with the final phase beginning in October.

70. The observers would be deployed at each of the three camps where former Republic of Sierra Leone Military Forces are now being detained, i.e.,

Wilberforce Barracks, Benguema Training Centre and Lungi; at the three ECOMOG Brigade headquarters at Hastings, Makeni and Bo; and at a headquarters location to support the Chief Military Observer. During the next phases, subject to the considerations identified above, observers could be deployed outside the immediate area of Freetown, including to the home regions of CDF members returning to undertake voluntary disarmament and demobilization as and when they considered their home communities sufficiently secure.

71. The mission would be provided with adequate air support in order to ensure mobility and security, as well as casualty and medical evacuations. A boat would also be required to facilitate travel and communications between Lungi and Freetown.

72. Should the Security Council agree to these measures, I will establish security arrangements for United Nations personnel with the Chairman of ECOWAS and conclude a status of mission agreement with the Government of Sierra Leone.

73. The deployment described above would require a commensurate expansion in the size of the office of the Special Representative, including information and political officers, as well as the necessary administrative and support staff.

74. I would also propose to increase to four the number of human rights officers attached to the office of my Special Envoy. These officers, under the direction of the Special Representative, and in close cooperation with the United Nations High Commissioner for Human Rights, would have a monitoring role and the task of addressing the country's long-term human rights institution building needs.

75. An increase in the number of civilian police advisers from two to five would also be required. These officers would advise the Government and local police officials on police practice, training and recruitment, in particular on the need to respect internationally accepted standards of policing in democratic societies. They would also monitor the progress of the restructuring of the Sierra Leonean police force.

76. At this point, it is difficult to assess whether an expansion of the mission might be needed six months from now and, if so, what form it might take. My recommendations on this matter will depend on ECOMOG's progress in restoring security throughout the country. If the presence of United Nations personnel in areas of continuing insecurity is considered desirable in order to reduce bloodshed by encouraging armed elements to surrender, or if areas of Sierra Leone now secure come under threat from hostile elements, thought must be given to ensuring the security of United Nations personnel. Although ECOMOG is a capable force and has indicated it would guarantee the security of the observers, it is also a potential target of attacks by the remnants of the junta. Unarmed military observers under its protection might not be regarded as neutral by hostile armed elements and their safety might therefore be jeopardized.

77. For those reasons, I could envisage the possibility, at a future stage, of recommending the deployment of a highly mobile unit of armed United Nations troops, operating in close cooperation with ECOMOG but independent of it, to

protect observers in locations where their security might be at risk, but where their neutral presence may be helpful in encouraging armed elements to surrender. However, I do not believe that the time is ripe to make such a recommendation to the Council at this stage.

78. The deployment of ECOMOG troops at the border with Liberia could help lay to rest allegations of the influx of arms or the provision of armed assistance to the junta by foreign forces. I commend the Government of Liberia for its policy statement reaffirming that it will not permit its territory to be used to destabilize any neighbouring country. Verification that this was the case would, in my view, improve the security climate throughout the entire subregion and improve mutual confidence among its member countries. I hope there will be further discussions between the Heads of State of the subregion on these matters.

79. I therefore intend to pursue with President Taylor his proposal for the deployment of a small contingent of United Nations military observers at the border with Sierra Leone, in order to assist in verifying that Liberian territory is not being used to destabilize Sierra Leone and that foreign forces are not assisting the remnants of the former junta there. I will also discuss the matter with President Kabbah and with the Chairman of ECOWAS and revert to the Council in due course.

VII. OBSERVATIONS AND RECOMMENDATIONS

80. Since my last report, the situation in Sierra Leone has in some respects improved considerably. Since its restoration on 10 March 1998, the Government has moved rapidly to reassert its authority throughout much of the country. President Kabbah has nominated a compact Cabinet of acknowledged experts in their fields, all of whom have been confirmed by Parliament, as well as a Chief Justice.

81. However, in the eastern part of Sierra Leone and parts of the north, the remnants of the former junta continue to resist ECOMOG forces and attack Sierra Leonean civilians. I join with the Council in deploring the continued resistance to the legitimate Government, in calling on the supporters of the junta to lay down their arms, and in condemning the mutilations, rapes, looting and other atrocities carried out by junta elements against the civilian population. I also align myself with the commendation expressed for ECOWAS and ECOMOG in the presidential statement adopted on 20 May 1998 (S/PRST/1998/13) for the important role they are playing to restore peace and security in Sierra Leone, and support the call for Member States to provide technical and logistical support to assist ECOMOG to continue to enhance its ability to carry out its peacekeeping role and contribute to bringing an end to the atrocities being committed against the people of Sierra Leone. In this context, I welcome the logistical assistance provided by the United States. I am also grateful for the contribution made by the United Kingdom, and invite other Member States to make contributions to the Trust Fund to support peacekeeping and related activities in Sierra Leone.

82. It is clear that there are a significant number of victims of rebel atrocities who remain in the bush or who are otherwise unable to receive medical attention. I applaud the efforts of United Nations humanitarian personnel, ECOMOG and the non-governmental organizations in locating and aiding victims. However, more must be done as a matter of urgency, including the provision of additional medical and surgical capacity, including hospital beds. In the longer term, the agencies and the non-governmental organizations concerned will need to offer support in the form of prosthesis services for all amputees and psycho-social treatment of traumatized victims and their families. In this context, I welcome the intention of ICRC to dispatch a surgical team to Sierra Leone to augment local medical facilities.

83. I call on the Government of Sierra Leone to continue to show the necessary resolve to adhere to international human rights standards and its own distinguished legal traditions in ensuring that those accused of the gravest crimes against the State and its people receive fair trials. I am aware that the Government has held to this course so far in the face of strongly voiced public contempt for the accused.

84. I express my appreciation to those Member States and others who have contributed to the flash appeal for humanitarian assistance and for various humanitarian projects.

85. I recommend that the Security Council establish an observer mission in Sierra Leone, to be known as the United Nations Observer Mission in Sierra Leone (UNOMSIL), with the mandate and concept of operations described in paragraphs 66 to 71 above and with the necessary augmentation of civilian and civilian police staff as set out in paragraphs 73 to 75 above.

86. During the six-month period of the mandate, I would keep the situation closely under review and would make further recommendations to the Council concerning a possible extension or expansion of the mission as the circumstances permitted.

87. I support the recommendation of my Special Representative for Children in Armed Conflict that Sierra Leone be made one of the pilot projects for a more concerted and effective response in the context of post-conflict peace-building.

88. Finally, I wish to express my appreciation to my Special Envoy and to all United Nations staff in Sierra Leone for their efforts over the past several weeks.



Department of Public Information
Cartographic Section

Map No. 3802 Rev. 2 UNITED NATIONS
January 1997

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28 January 1998

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Press Release
SC/6472

SECURITY COUNCIL COMMITTEE ON SIERRA LEONE RELEASES LIST OF JUNTA MEMBERS AFFECTED BY SANCTIONS

The following was issued today by the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone:

The Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone decided to release the following list of members of the military junta in Sierra Leone, adopted by the Committee on 8 January 1998, whose entry into or transit through other States is to be prevented in accordance with paragraph 5 of Security Council resolution 1132 (1997):

List of the Members of the Military Junta in Sierra Leone

THE SUPREME COUNCIL OF THE ARMED FORCES REVOLUTIONARY COUNCIL

Name Title

1. ADAMS, George/Sergeant Arrested 2. BANGURA, Kandeh Sorie-Sebba/Mr. 3. BANGURA, K. /Sergeant. 4. BANGURA, Momoh/Corporal 5. BOB-LAHAI, Hector/Lance Corporal 6. BOKARIE, Sam/Colonel (Revolutionary United Front aka Commander Moskita. - RUF) 7. BRIMA, Alex Tamba/ Staff Sergeant Principal Liaison Officer II, Works and Labour, Sierra Tel, Customs and Excise, SALPOST 8. CATER-TARAWALLIE, J.B./Major 9. COLLINS ,Eldred/Lieutenant Secretary of State, Works, Energy & Power [RUF, Liberian] 10. CONTEH, Franklyn/Warrant Officer II 11. GBORIE, Sahr/Sergeant 12. KABIA, Moses/Staff Sergeant Chief Security Officer 13. KALLAY, K./ Sergeant 14. KALLON, David G./Mr. 15. KALLON, Morris/Major 16. KAMARA, Brima Bazzy/Staff Sergeant Principal Liaison Officer III, aka Ibraham Bazzy Agriculture, Forestry and Fisheries, Energy and Power, Lotto and Income Tax

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Name Title

17. KAMARA Mohamed Saidu/Mr. 18. KARGBO, Samuel/Warrant Officer II 19. [redacted] 20. KING, Victor L./Major Secretary of State, Office of the Chairman 21. KOROMA, Johnny Paul/Major Chairman of the Supreme Council of the Armed Forces Revolutionary Council (AFRC), Head of State & Commander-in- Chief 22. KURRARY-BANGURA, Bai Hinga/Mr. 23. LAMIN, Michael S./Colonel Member of the People's Army Leadership 24. MASSAQUOI,

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Gibril/Colonel Arrested 25. MUNU, Abdulai Michael/Mr. 26. MUSA, Solomon A.J./Captain Chief Secretary of State & Secretary of State, Lands Mines and the environment 27. SANKOH, Abu/Hon. Staff Sergeant Principal Liaison Officer I, Mineral Resources, Transport and Communications, Lands and Environment 28. SANKOH, Foday Sayabana/Corporal Deputy Chairman of the Supreme Council of AFRC, Deputy Head of State and Deputy Commander- in-Chief 29. SANKOH, Haroun S./Mr. 30. SESAY, Abdul Karim/Colonel Secretary General of the Supreme Council of AFRC 31. SESAY, Abdul M./Lance Corporal 32. SESAY, Ibrahim D./Lance Corporal 33. SESAY Issa H./Colonel 34. TURAY, Sulaiman/Sergeant 35. WOMANDIA, Lawrence S./Captain Secretary of State, Trade Industry and State Enterprises

SECRETARIES OF STATE

1. BANGALI, Joe Amara/ Mr. Secretary of State, Finance. 2. BANGURA, Alimamy Pallo/Mr. Secretary of State, Foreign Affairs & International Cooperation 3. BANGURA, David/Reverend Secretary of State Religious Affairs 4. BANGURA, Kandeh S./Mr. Secretary of State, Information, Tourism and Cultural Affairs

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Name Title

5. BRANDON, Victor O.F./Mr. Secretary of State, Development & Economic Planning 6. GOTTOR, Fatoma Sanoh/Major Secretary of State, Northern Region. 7. KAIGBANGA, Sahr Kondewa/Mr. Secretary of State, Education aka J.K. Kaibanga 8. KAMARA, Augustine F./Major Secretary of State, Southern Region 9. KAMARA, Karefa I.S./ Colonel Secretary of State, Internal Affairs 10. LEIGH, Baila/Dr. Secretary of State, Health and Sanitation 11. MANLEY-SPAINE, Ajibola E./Mr. Attorney General & Secretary of State, Judicial Matters 12. MANSARAY, A.Y.K./Captain Secretary of State, Eastern Region 13. OSHO-WILLIAMS, Cecil Akindele/Mr. Secretary of State, Transport & Communications 14. ROGERS, Solomon.Y.B./Mr Secretary of State, Agriculture and Natural Resources 15. SAMBA, Kula/Major (US Citizen) Secretary of State, Social Welfare, Children & Gender Affairs 16. SESAY, UmaruDin/Mr. Secretary of State, Recreational Sports 17. THOMAS, Paul/Captain Secretary of State Marine Resources 18. WILLIAMS, Abdul Salami/Mr. Secretary of State, Employment Industrial Relations, Youth and Social Mobilization

OTHERS

1. KAMARA, Allieu Badara/Mr. Under-Secretary of State, Information & Spokesman 2. TURAY, Gabriel/Major Under-Secretary of State, Foreign Affairs and International Cooperation 3. MILTON, John E./Major Acting Director of Information 4. KOROMA, S.F.Y./Brigadier-General Chief of Defence Staff (brother of Major Johnny Paul Koroma)

This list is to be updated on a regular basis. The Committee is currently considering additional names provided to it, including those of adult members of the immediate families of members of the military junta. The list has been distributed to all Member States and international organizations/agencies. * ***

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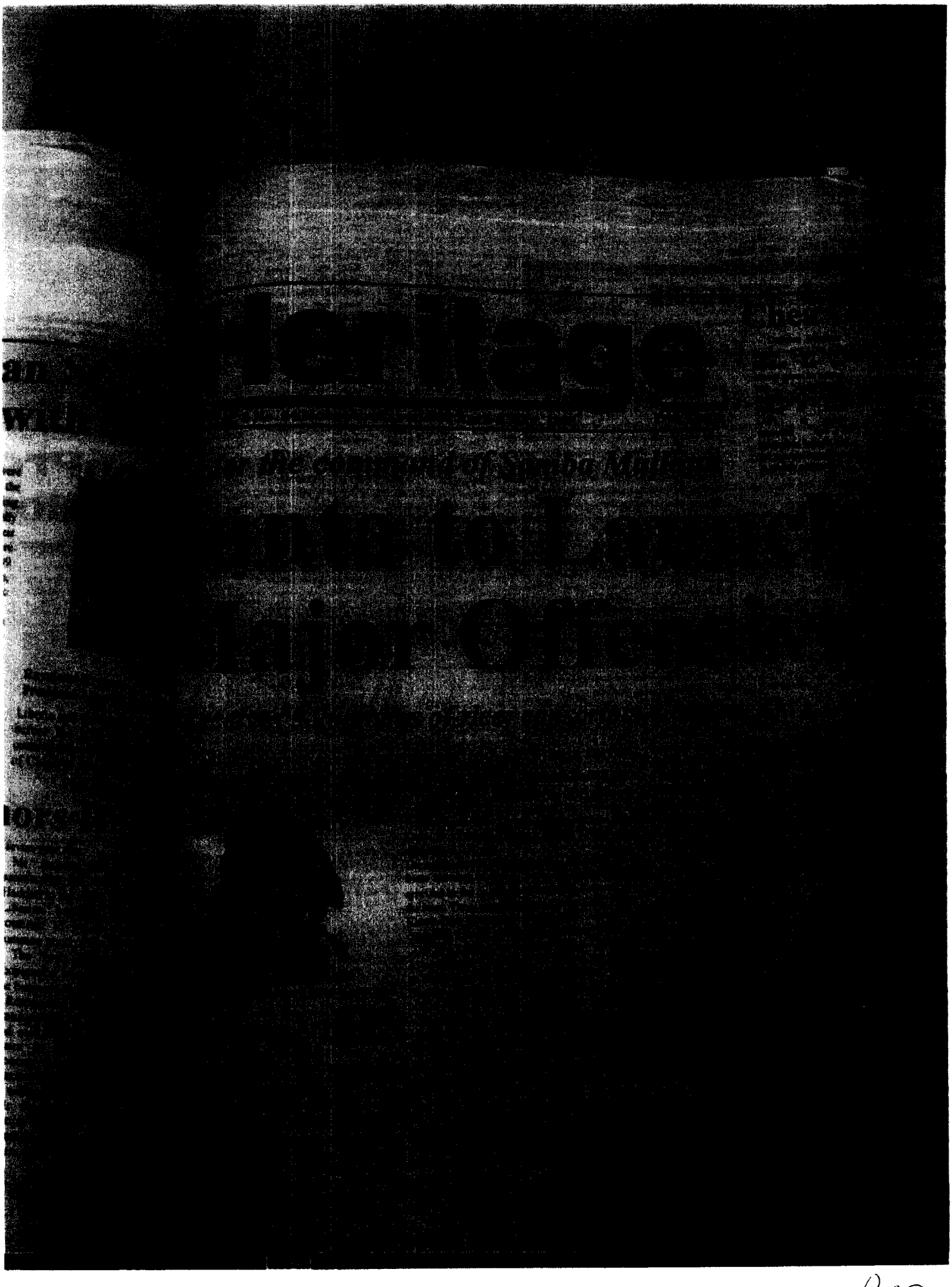

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

Before and after the coup, government military forces and the RUF committed political and extrajudicial killings. Soldiers and RUF troops engaged in looting, robbery, and extortion frequently killed civilians. The situation became much worse on May 25 when coup leaders freed hundreds of prisoners from Pademba Road prison and gave them military uniforms and weapons. Freed prisoners, AFRC troops, and RUF forces engaged in looting, rape, and murder. Foreign countries evacuated several thousand foreign citizens and tens of thousands of Sierra Leoneans fled Freetown. Up to 100 civilians were killed in the violence surrounding the coup. Hundreds more have been murdered subsequently in both random violence and political killings. In mid-June, AFRC officials created antilooting squads including the Western Area Security Patrol and gave them authority to shoot looters on sight. Antilooting Decree Number Six published on November 28, but effective retroactively to May 28, made looting punishable by firing squad. AFRC and RUF officials summarily executed at least 120 soldiers and civilians accused of looting and other crimes. Eight senior members of the AFRC who looted the Iranian Embassy on New Year's Eve were demoted or lightly fined.

Throughout the last half of the year, there was fierce fighting between AFRC/RUF forces and Kamajohs in several areas in the Southern and Eastern Provinces. AFRC/RUF forces routinely summarily executed captured Kamajohs. AFRC/RUF forces routinely shot and tortured civilians and looted their property while searching for Kamajohs. While the Kamajohs usually turned AFRC/RUF prisoners over to ECOMOG, a few AFRC/RUF prisoners were executed while in Kamajoh custody.

At least one person was killed and another injured in Bo on May 27 when AFRC soldiers shot at a crowd of about 5,000 persons demonstrating against the coup. The demonstration started when large quantities of looted goods were discovered in the army's possession.

At least 80 people, including 30 civilians, were killed during fighting in Kenema between RSLMF troops and Kamajohs during the first weekend in May. Fighting started when soldiers shot at a truck of Kamajohs, killing three, as they drove past the army base at Kpetema. At least 22 people, including at least 6 civilians, were killed in fighting that started that weekend between RSLMF troops and Kapras at Camp Charlie near Matotoka.

On May 29, at Masingbi in the Eastern Province, AFRC soldiers ambushed a group of Kamajohs, killing 20 of them. RUF forces firing automatic rifles, grenade launchers, and mortars repeatedly attacked the town of Moyamba at the end of June. During 1 attack they killed more than 10 people, including women and children.

In June the Western Area Security Patrol and antilooting squads in other parts of the country executed at least two dozen people including four soldiers who tried to rape four nuns and loot their residence on June 11. Their bodies were dumped into the sea. In other cases, armed robbers were hacked to pieces or decapitated. A teenage boy caught breaking into a house in Freetown on June 25 was hacked to death; his arms and head were chopped off and one testicle placed in his mouth by the antilooting squad.

STREET CHILDREN
Africa

6177 IOE

Inter Press Service (IPS)
1 July 1997

SIERRA LEONE-CHILDREN: Young, Armed and Dangerous

by Lansana Fofana

FREETOWN -- Since the military coup in May, hundreds of child soldiers have fled from camps for demobilised fighters and are back on the streets armed with AK-47s and rocket propelled grenades.

It is a common sight to see the child soldiers patrolling the streets in major cities throughout Sierra Leone, bringing renewed fears that children are being drawn once again into armed conflict.

According to some reports, the children are being armed by the new military junta, the Armed Forces Revolutionary Council (AFRC) and its allies, the Revolutionary United Front (RUF) now known as the People's Army, to fight the local hunters militia, the Kamajors.

The Kamajors, who fought alongside government troops against the RUF during the civil conflict, have vowed to march on Freetown, the capital, to oust the junta and re-instate President Ahmed Tejan Kabbah.

There have been reports of fighting in the Southern District of Bo between the combined forces of the AFRC/RUF and the Kamajors. Hundreds of child soldiers are reportedly among the AFRC/RUF fighters.

Many of the children had been placed in camps for demobilised soldiers following the November 1996 Peace Accord signed between the ousted government of President Kabbah and the RUF rebels.

According to one weekly newspaper report here, "more than 60 percent of (a group of) 1000 fighters" screened by the Disarmament, Demobilisation and Resettlement Committee before the May 25 coup were children.

Thousands of child soldiers had been demobilised and encamped at Jui, about 30 kilometres east of Freetown, where they were receiving technical and vocational training in a programme sponsored by the United Nations Children Fund (UNICEF).

Referring to the flight of the children back into the conflict, Thomas Sesay, a counselling officer at the Jui camp said: "This is unfortunate because we had succeeded in transforming most of these kids and had reintegrated them into society."

Sierra Leone has one of the world's worse records for recruiting children as soldiers. Between 1992 and 1996, the period of the worst fighting between the government forces and the RUF, an estimated 4,500 children were forced to fight on both sides.

Children were abducted and forced to commit various atrocities. Some were ordered to torture and murder their own relatives, before being taken to other villages to slaughter others.

UNICEF, an international advocacy organisation for children's rights, has repeatedly called on the Sierra Leonean authorities to stop using children as soldiers. "UNICEF calls on all warring sides to put an end to the use of children as combattants and to incorporate provisions for their physical and emotional welfare in a future peace settlement," Carol Bellamy, UNICEF's Executive Director said at the height of the conflict.

"Children should have no part in war. By making them agents of civil conflict and depriving them of their childhood, the vicious cycle of violence is perpetuated," she added. "Child soldiers are a symptom of the wider problem, the complete neglect of a whole generation..."

Thousands of children have been orphaned by the Sierra Leonean conflict, making them vulnerable for recruitment. According to some estimates, 8000 children were separated from their families or orphaned by the civil unrest.

The chair of the Civil Liberties Congress, lawyer Sulaiman Banja Tejan-Sie, said this trend must be reversed as a matter of urgency.

"We cannot wait until the situation gets worse. These kids have the temptation of drugs and money and many have lost their parents," Tejan-Sie said. "It is high time someone tells these soldiers and rebels to stop recruiting innocent kids."

According to sociologist Kama Bangura of the University of Sierra Leone, children are not just affected by being forced to carry a gun. The war, he said, has disrupted their lives in many ways.

"Children will be hardest hit by the gradual collapse of basic services," Bangura said. "Food distribution has been disrupted, immunisation campaigns have been halted, leaving children susceptible to epidemics of measles, typhoid and whooping cough."

Return to PANGAEA HomePage

FACT 11

11. After the 25 May 1997 coup d'état, a governing body called the Supreme Council was created within the AFRC/RUF Junta.

a.	Exh. 1.030	ERN 00007671-00007674	Administration of Sierra Leone (Armed Forces Revolutionary Council) Proclamation 1997, published in Sierra Leone Gazette, Extraordinary Vol. CXXVIII, No. 34, 28 May 1997, paras. 1-10.
b.	Exh. 1.065	ERN 00009772-00009775	Minutes of an Emergency Council Meeting of the A.F.R.C. held at State House on Monday 11th August 1997
c.	Exh. 1.090	ERN 00019284-00019285	"AFRC Names New Team." Supreme Council members listed
d.	Exh. 1.001	ERN 00004092-00004097	Sierra Leone Humanitarian Situation Report 08-14 Jul 1997, UN Department of Humanitarian Affairs, at para. 9 (ERN 00004093), available at www.reliefweb.int. (Says 37 posts in the Supreme Council have also been created, but only 22 have been filled to date.)

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Copy Exh. 1 — Berthan Macauley

PUBLIC NOTICE

Supplement to the Sierra Leone Gazette Extraordinary Vol. CXXVIII, No. 34

dated 28th May, 1997

PUBLIC NOTICE No. 3 OF 1997 Ex. A1

Published 28th May, 1997

PROCLAMATION 00007671

ADMINISTRATION OF SIERRA LEONE (ARMED FORCES REVOLUTIONARY COUNCIL) PROCLAMATION, 1997 — Short title

PROCLAMATION TO MAKE PROVISION FOR THE INTERIM ADMINISTRATION OF THE REPUBLIC OF SIERRA LEONE BY THE ARMED FORCES REVOLUTIONARY COUNCIL: ITS ESTABLISHMENT AND CONSTITUTION, AND FOR OTHER MATTERS CONNECTED THEREWITH.

WHEREAS it is a fundamental duty of the Armed Forces of the Republic of Sierra Leone to secure and maintain the safety of the State and public order;

AND WHEREAS the actions and utterances of the erstwhile Government, political parties and their leaders, have created conditions which can lead to tribal factions, bloodshed and tribal warfare;

AND WHEREAS it is necessary and expedient to avert immediately that trend of affairs and for provision to be made for the maintenance of law and order in Sierra Leone and for the proper administration by law, of the State of Sierra Leone;

NOW, THEREFORE, We, the members of the Armed Forces of the Republic of Sierra Leone, in cooperation with the people of Sierra Leone, in order to ensure the maintenance of law and order, domestic tranquility, the enjoyment of the blessings of liberty, unity and democracy to the people of Sierra Leone and all persons living therein, do hereby proclaim as follows:—

00007672

Constitution of Armed Forces Revolutionary Council.

1. (1) There is hereby established a Council to be known as the ARMED FORCES REVOLUTIONARY COUNCIL (hereinafter referred to as "the Council").

(2) The Council shall consist of —

Amended No. 4 of 1997 by Decree No. 8 of 1997

(a) a Chairman;

(b) a Deputy Chairman; and

(c) other members, not exceeding 27 in number.

(3) Subject to subparagraph (2), the Council may, by a majority vote at any meeting, appoint members or terminate the appointment of any member.

(4) There shall be a Secretary-General who shall be appointed by the Council and shall perform such functions as the Council may determine.

Suspension of certain provisions of the Constitution. Act No. 6 of 1991.

2. (1) All the provisions of the Constitution of Sierra Leone, 1991, which came into operation on 1st October, 1991, which are inconsistent or in conflict with this Proclamation or any law made thereunder shall be deemed to have been suspended with effect from 25th May, 1997.

(2) Without prejudice to the generality of subparagraph (1) —

(a) the Parliament elected under the said Constitution of Sierra Leone and in existence immediately before 25th May, 1997, is dissolved;

(b) all political parties are dissolved and membership in political parties is prohibited with effect from 25th May, 1997.

00007673

Power of Council to make laws

3. (1) The Council shall have power for such purposes as it may think fit, and in the national interest, to make laws which shall be known as decrees.

(2) Any decree made by the Council may be amended, repealed, revoked or suspended by another decree made by the Council.

Act No. 8 of 1971.

(3) Every decree made by the Council shall be deemed to be an Act as defined in section 3 of the Interpretation Act, 1971.

(4) Any decree made by the Council shall be signed by the Chairman or, in the absence of the Chairman, by the Deputy Chairman of the Council.

(5) Subject to any decree made by the Council, all enactments in force in Sierra Leone immediately before 25th May, 1997, shall continue in force;

Provided that any enactment in force in Sierra Leone immediately before 25th May, 1997, which is inconsistent or in conflict with any provision of this Proclamation or any decree made thereunder shall be deemed to have been suspended as from 25th May, 1997.

Publication and commencement of decrees.

4. Every decree made by the Council shall be published in the *Gazette* and shall come into operation on the date of such publication or on such other date as may be provided in or under the decree, or in any other enactment.

Public Service to continue.

5. Subject to any decree made by the Council, the public service of Sierra Leone as it existed immediately before 25th May, 1997, shall continue in existence, and any person holding or acting in any office in the public service immediately before that date, shall continue in office subject to any decree and other enactment in force after that date.

Adaptation of references to President, Minister, etc. Act No. 6 of 1991

6. Subject to any decree made by the Council, any reference to President, Vice-President, Minister or Cabinet in the Constitution of Sierra Leone which came into operation on 1st October, 1991, or in any enactment

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continued in existence by virtue of this Proclamation sh. . on and after 25th May, 1997, be construed as a reference to the Council or to such person or authority as the Council may by Order appoint.

Detention of persons.

7. (1) The Council may, where it considers it necessary in the interest of public safety or public order so to do, make an order against any person directing that he be detained.

(2) Subparagraph (1) shall be deemed to have come into operation on 25th May, 1997.

(3) Any order made under subparagraph (1) directing that any person be detained shall not be questioned in any court of law.

Power to make subsidiary legislation.

8. Without prejudice to the generality of paragraph 3, and subject to paragraph 6, any power vested in any person or authority, other than the Council, to make any law under any enactment shall continue to apply accordingly.

Power to amend or repeal Proclamation.

9. The Council shall have power to amend, repeal or suspend this Proclamation or any provision thereof.

Commencement.

10. This Proclamation shall be deemed to have come into operation on 25th May, 1997.

MADE at Freetown this *28th* day of *May, 1997.*

MAJOR JOHNNY PAUL KOROMA,
For and on behalf of the Armed Forces of the Republic of Sierra Leone.

PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTING DEPARTMENT, SIERRA LEONE—
BY AUTHORITY OF THE ARMED FORCES REVOLUTIONARY COUNCIL
GAZETTE EXTRAORDINARY No. 34 OF 28TH MAY, 1997.

6184

AFRC - SECRET 00009772

Ref: SG/Mtg/AFRC/97/4

COPY No. 2 of 41

AFRC SECRETARIAT
STATE HOUSE

16th August 1997

See Distribution

MINUTES OF AN EMERGENCY COUNCIL MEETING OF THE A.F.R.C. HELD AT STATE HOUSE ON MONDAY 11TH AUGUST 1997.

PRESENT

MAJOR J. P. KOROMA	-	CHAIRMAN
CAPTAIN S. A. J. MUSA	-	CHIEF SECRETARY OF STATE
STAFF SGT. ABU SANKOH	-	PLO I
STAFF SGT. TAMBA ALEX BRIMA	-	PLO II
IBRAHIM BAZZY KAMARA	-	PLO III
SQUANDRON LEADER V. L. KING	-	MEMBER
COLONEL MIKE LAMIN	-	MEMBER
LT.COL. ISSA SESAY	-	MEMBER
MAJOR MORRIS KALLON	-	MEMBER
LT. ELDRED COLLINS	-	MEMBER
F. KALLAY	-	MEMBER
HASSAN BANGURA	-	MEMBER
GEORGE ADAMS	-	MEMBER
SULAIMAN K. TURAY	-	MEMBER
C. S.O. D. KABBIA	-	MEMBER
COLONEL A. K. SESAY	-	SECRETARY-GENERAL

INTRODUCTION **ACTION**

1. In his opening remarks, the Chairman emphasised the importance of Council Meetings and informed members that henceforth no member would be allowed entry into the hall after his arrival. For a start, all those absent for the meeting without a valid excuse are to be suspended from Council for a period of two (2) sittings.

AIM

2. The aim of the Meeting was to discuss the general financial position of the country.

ITEM I: GENERAL FINANCIAL POSITION

3. The Chairman intimated members that the general financial situation in the country is bad and that we have burst the bank ceiling by Five Hundred Million (Le 500,000,000). This has been so because our detractors are still at work asking people not to pay taxes and sabotaging revenue generating areas.

4. With calm determination, and relentless effort, we shall forge ahead to revamp the economy on the few areas we have at hand. He commended members for their patience and understanding over pay issue since no Council Member has had salary so far.

5. The Chairman went on to inform Members that he would not make major changes on the pay-scale of the previous government which he now ran down as follows:

(a)	Chairman	=	Le 1,500,000
(b)	Vice Chairman	=	Le 1,000,000
(c)	Secretary-General	=	Le 1,000,000
(d)	Secretary of State	=	Le 690,000
	Plus Allowance	=	Le 200,000
(e)	Under Secretary of State	=	Le 590,000
	Plus Allowance	=	Le 200,000

6. The Salary-scale of Council Members, he went on, will therefore fall between Le 690,000 and Le 1,000,000. He also spoke generally about the various Ministries and Institutions that have been paid so far.

7. The Chairman intimated Members that the only source, Government can now raise funds from include the following:

(a) Sale of Petroleum Products.
(b) Imports and Customs Duties
(c) Proceeds from sale of Diamonds

DECISIONS

8. It was decided that Council Members must put their men under control, and make prudent use of fuel. **ALL**

9. Council Members must make sure that their men do not interfere with operations at the Ports. **ALL**

ITEM II: APPOINTMENT OF BANK GOVERNOR

10. When the Bank Superintendent was initially approached to accept the appointment as Bank Governor, he suggested to be appointed as Superintendent. Based on his performance, it is considered to appoint him Governor, Bank of Sierra Leone.

DECISION

11. It was decided that he be appointed as the substantive holder of the position of Governor of the Bank of Sierra Leone. **SECRETARY GENERAL**

ITEM III. CHINESE AID

12. Following an earlier request the Chairman made to the Chinese Government, he has now been informed that the Chinese Government is willing to give in aid the sum of Two Million United States Dollars (US$ 2,000,000) in the form of food, medicine and other relief items. An Ambassador Ku has now been sent to the Republic of Guinea to organise the signing of the Agreement for the aid.

DECISION

13. It was decided that the Government of Sierra Leone will put together a delegation fairly quickly to go and sign the Agreement.

ITEM IV. DISCIPLINE

14. The Chairman and Council Members were extremely concerned about the attitude and conduct of some Council Members. It was noted that as Members of the Highest Council of the Land, Members must conduct themselves with respect and honesty.

15. It is a shame, the Chairman went on, to hear of Honourable Members threatening to fight in the street. A case in point was the conflict between the PLO I and the Chief Security Officer to His

Excellency the Chairman. The two Honourable Members were allowed to explain themselves and the matter was resolved amicably.

16. The Chairman intimated Members that our detractors are planning to cause trouble for the Armed Forces Revolutionary Council before we are one hundred (100) days in office. He therefore encouraged Members to view themselves as a single unit and share information to avoid gossip.

DECISION

16. All Principal Liaison Officers must have effective control over the Honourable Members within Council.

PLO I
PLO II
PLO III

A. K. SESAY
Colonel
Secretary-General

Distribution
ALL MEMBERS

00019284

6188

EXPO TIMES WEEKEND
EXPOSING TODAY FOR TOMORROW

Those who plot evil shall wander away and be lost, But those who plan good shall be granted mercy and quietness
Proverbs N: 22

Vol. 1 No. 21 Friday, July 11, 1997 INDEPENDENT (1996 Best Seller Award Winner) Le200

Another battle for Zimmi

Sojas repel Kamajors, ULIMO -K

By Max Jimmy

Troops loyal to the AFRC government reportedly scored another success over the combined forces of kamajors and Ulimo K fighters at the border town of Zimmi in the south of the country.

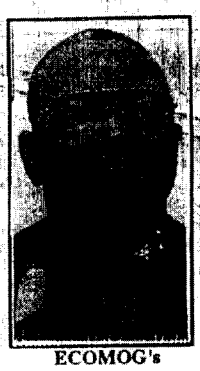
Defense Information spokesman Major John Milton said the invaders led by former Deputy Defense Minister Captain (rtd) Samuel Hinga Norman launched two unsuccessful attacks on the border town with Liberia early yesterday morning.

Casualty figures on either side were not known.

However, unconfirmed reports state that the invading forces suffered heavy casualty and Major Milton intimated that only a few soldiers sustained injuries during the exchange of fire.

Reports of the alleged complicity of Alhaji Kromah's Ulimo K fighters fighting alongside the kamajors, according to military sources, confirmed earlier claims that the Liberian faction leader is aiding the ousted government in their bid to reverse the May 25 coup.

Meanwhile, the ECOMOG Field Commander General Victor Malu confirmed the incident of fighting in a BBC interview last evening and stated categorically that they will not allow any spillover of the problems in Sierra Leone to disturb the Liberia elections coming up on July 19.



ECOMOG's Victor Malu



ULIMO- K's Alhaji Kromah

Gen. Malu also disclosed that ECOMOG did treat some wounded cases from the fighting.

COMMENTARY

Khoryama is afraid of his shadow !!

By Gibril G. Koroma

I was very shocked to read a front page story of THE NEW SIERRA LEONEAN newspaper of Thursday July 10 titled EXPO EDITOR VOWS TO SETTLE OLD SCORES.

I was shocked that George Khoryama, an old man with grand children, can come down so low and make a mimicry of himself.

How can someone who claims to have spent over a decade in journalism write a front page story entirely based on RUMOURS or his imagination?

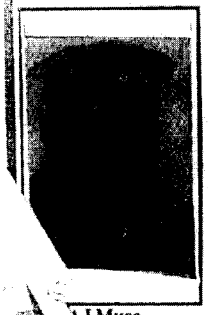
Khoryama said he has "been informed by close friends who also happen to have contact" with me that I have vowed to settle old scores with him "now that the RUF have come to town." Coming from a so-called seasoned journalist, I find such statements very unfortunate. Khoryama also claimed that Foday Sankoh is my uncle and that I insulted the people over Sankoh's arrest.

All I can say in answer to Khoryama's nonsense (which sounded like the ranting of a man desperately afraid for his life) is that:

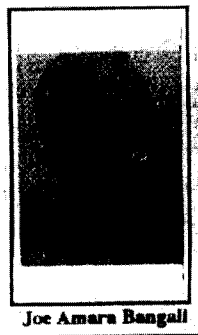
1. I am not related to Foday Sankoh neither have I any links with the RUF. My consience is very clear on that. All Khoryama has to do as a journalist is to investigate and come out with the FACTS now that the RUF is in town.
2. Sankoh is from somewhere around Magburaka and I am from Yonibana in the Tonkolili district. I am not related to him in any way.Khoryama knows that,he is just being mischievous,like a small boy.
3. Khoryoma should not be so terrified by the RUF because most of them come from his home district of Kailahun. They are his brothers and sisters. I dont think they would hurt him. Sam Bockarie(MOSQUITO) and Dennis Mingo are from Kailahun.
4. As for the Abacha article, the whole country has now seen what I was warning Abacha and the SLPP about. The detention of Sankoh led to the RUF-AFRC alliance . Fact.
5. Khoryama has nothing to fear from me. I never consider a man who never writes without insulting people. For example in his editorial of Thursday July 10 he said papers which do not write like STANDARD TIMES, FOR DI PEOPLE and DEMOCRAT belong to the gutter press. How can you make such a statement, Khoryama? Are you going mad? Who said we should all write the same way? Have you never heard of FREEDOM OF EXPRESSION? Our paper is against military coups,foreign military intervention and sanctions.We are for peaceful negotiations,period.
6. In conclusion, I would like to pray to God that nothing happens to Khoryama during the reign of this junta despite his recklessness and unprofessionalism. I also hope members of his family would make sure he does not die of malaria or cholera or any other nasty disease in the next 100 years. I really mean it.

AFRC names new team

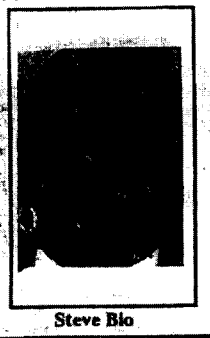
After some seven weeks of suspense, the AFRC finally announced its cabinet and other key positions on Wednesday July 9. It has been seen in many quarters as the broadest-based government ever, comprising representatives from virtually all sectors of society. (See Page 2 for the full list of appointees)



J Musa



Joe Amara Bangali



Steve Bio



Omrie Golley

OPINION. The Crown or Bloodshed

By Major (Rtd) Sahr Roberts

The heart of man is desperately wicked and deceitful. You cannot by just looking at the outside appearance of man discern the thought and desires of his heart. A man may look so innocent and may portray friendliness, patriotism and loyalty to others and country while his heart is full of cruelty, bitterness, hate and revenge. It is only the spirit of God that can break through the deceitful skin and expose the real man inside. God still speaks to men and women today who have the spiritual eyes and ears to discern the signs of the hour. He has his ways of proving nations and individuals to show those that are born of his spirit and those who belong to the devil, and He does this by removing His divine protection over man and withholding his provision, which allows Satan to afflict us with all manner of sickness and problems and take away the blessings - wealth positions and possessions [illegible]. This removal of God's protective edge over man and withholding of his provision creates extreme and [illegible] conditions, crisis and problems that force the [illegible] to react inaccordance with the stuff it is made of. Those that are born of God will stand, irrespective of the trial, because they have the witness inside them that they are surrounded by an impregnable and impenetrable power which no power of the enemy can break through or touch. Those who belong to the devil will crumble in the face of trial and agree with the devil's suggestion that it is the end of their lives, wealth and position. In order to regain lost wealth and positions, they may start manifesting the devil's charcter and ministry on earth which is to kill, to steal and destroy. In his words, God says he will shake everything in Heaven and on Earth so that only those whose faith are fixed on his infallible and impregnable power will remain.

On the 25th May 1997, God decided to shake the very foundation of this Nation to prove the genuiness of individuals and expose the ungodly and unpatriotic tendencies hidden in the hearts of many highly placed and respectable sons of the soil. Indeed everything that can be shaken politically, economically, socially, domestically, morally and religiously was and is still shaking. People, under this condition, have reacted in different ways; portraying the character of the real man inside them. Typical examples are Tejan Kabbah and James Jonah. Many Sierra Leoneans did not know the real Tejan Kabbah and the real James Jonah inside. We only looked at Tejan Kabbah from the outside and concluded that the was a righteous and Godfearing man, whose long years of outside exposure and wealth of experience gained while working with the United Nations would help hold the nation together and put her on a sound footing. We considered James Jonah as a model of civilization whose peaceable conduct sent the signal that he cannot be governed by the ruthless and barbaric law of retaliation and vengeance. Yet the trials of the [illegible] two respectable and illustrious sons of the soil to be the real agents of the devil, Satan, who would destroy anything standing between them and the crown. Tejan Kabba who before May 25th, was the symbol of National unity, overnight became the symbol of National disintegration.

The new Sierra Leone warlord is now marshalling all the troops of the sub-region against a traumatized and miserable nation yet to recover from a six-year bloody rebel war that has caused grief and suffering on many who have nothing to do with politics.

Tejan Kabba and James Jonah, once household names, now spell terror, bloodbath and nightmare in the hearts of many who lost relatives and loved ones during the Nigerian bombardment of the city and thousands of others bound to suffer hardship and die of starvation because of Kabba's approved embargo on the nation and his continued threat to use his influence in the United Nation's and among ECOWAS leaders to wage a full-scale war on our people. It is disheartening that Tejan Kabba and James Jonah did not use there same influence to bring reconciliation to our blessed land.

Tejan Kabba, unlike the good shepherd spoken about in the Bible, who would rather die protecting his flock than leave them at the mercy of wild animals, deserted the nation and people he swore to protect at the first sign of danger. Together with his entire family, he sought "Safe Haven" in Guinea from where he is lauching his vendetta against his people, little bothering about the cost of his action on the nation as long as he can get back the crown. ECOWAS leaders by their support of Kabba's action are showing the world the sort of love they have for the sub-region and their respective countries. I will only caution especially the one-time military men who themselves seized power from the legally consituted governments of their countries, to see whether the [illegible] forced them to act are not present in the Sierra Leone situation today.

Sierra Leone [illegible] be used as an experimental ground for the [illegible] resolution of ECOWAS; designed to entrench in power, most times against the wishes of the people, ruthless and unpatriotic dictators.

The UN Security Council needs to be informed that the ways and designs of African military operations are completely differenet from theirs and that these seeming exponents of democracy in Africa are not an example of what they are preaching and therefore have no right to attack this nation and sacrifice the lives of their poor innocent soldiers who may not have the will power and moral justification necessary to spur the soldier to give his best in battles. Let these ECOWAS leaders first take the logs out of their eyes before attempting to take the speck out of ours.

EXPO TIMES

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Conrad Roy
PRODUCTION MANAGER
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SUB-EDITOR
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Makeni
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Emmanuel Turay
Kenema
Mohamed Mansaray,
Desmond Monya Tia
Kono
Mariama Coker
Bo
Mohamed Kalokoh
Edie P.J Vandy
Pujehun
Ibrahim Kamara
ADVERT AGENT
Magdalene Y. Mani
COMPUTER TYPIST/LAYOUT
Adama T.Sesay
COMPUTER ASSTS.
Septina C. Reffell
Musu Kamara
RECEPTIONIST
Cecelia Massaquoi
PRODUCTION ASST.
Idrissa Turay
OFFICE ASSISTANT
Osman Kamara

Cabinet and other appointments

Cabinet

1) Maj. J.P. Koroma - Chairman - AFRC, HE, Commander in Chief of the Armed Forces, & Secretary of Defence
2) Cpl Foday Sankoh - Deputy Chairman - AFRC, Dep. HE & Commander in Chief of the Armed Forces
3) Capt. SAJ Musa - Chief Secretary Of State & SOS Mineral Resources
4) Dr Paolo Bangura - Foreign Affairs
5) Robin OL Mason - Attorney General and Secretary of Judicial Affairs
6) Joe Amara Bangali - Finance
7) Osho Williams - Transport & Communications.
8) Victor Brandon - Development & Economic Planning
9) A A Vandy (Peoples Army) - Ag. Agriculture, Forestry & Fisheries
10) Capt. (rtd) Jumo Jalloh - Works & Labour
11) Brig (rtd) Modibo L Lymon - Internal Affairs
12) Maj. Kula Samba - Social Welfare, Children & Gender Affairs
13) Umaru Deen Sesay - Youth, Sports & Soc. Mobilisation
14) S.P Rogers (Peoples Army) - Ag. SOS Lands & Environment
15) Col. KIS Kamara - Health & Sanitation
16) Mrs Shirley Rogers-Wright - Education
17) Squadron Leader VL King - Chairman's Office
18) Peoples Army -Trade, Industries & State Enterprises
19) Peoples Army -Energy & Power

Directors

1) Saaba Tumoe -Information & Broadcasting
2) Saidu B.Turay -Tourism & Culture
3) Col (rtd) Max Khanga - National Relief, Rehabilitation & Demobilisation Commissions (NARECOM)
4) Olu Beckley - Housing Corporation
5) Brig. DK Anderson - Director General of Defence

Regional Secretaries

1) Maj. A.M Koroma -North
2) Maj. A F Kamara - South
3) Capt (rtd) Edward Kanneh -East

PLOs

1) Staff Sergeant Abu Sankoh -Mineral Resources, Transport & Communications, Lands & Environment.
2) S/Sgt Alex Brima -Works & Labour, Sierratel, Customs & Excise, SALPOST
3) S/Sgt Ibrahim Bazzie Kamara -Agriculture, Forestry & Fisheries, Energy & Power, LOTTO, Income Tax

Advisers to PLOs

1) Syl Juxon - Smith PLO 1
2) Hindolo Trye - PLO 2
3) Brig. (rtd) Modibo L. Lymon PLO 3

Chairman's Office

Maj J.P. Koroma- C/man & H E
SAT Baryoh - Secretary
Allie B Kamara - PRO / Spokesman
Capt. AYK Mansaray - Military Assistant
Capt. Simbo Sankoh - ADC
Dep. Supt. Police Senessi Ndoleh -ADC
Lt PT Gbondo - ADC
S/Sgt Moses Kabia - CSO
Capt. Keita - Logistics Officer
Lt Bhanja Marah - Communications Officer
Lt. Col. (rtd) Andrew Koroma - National Intelligence Service Director
Dr Philip D. Sesay - State Chief of Protocol
Mohamed Samura- Press Officer
Capt. A B Koroma OC WASP
Capt. E. Dumbuya- Operations Officer
Lt. DEU Sesay - Operations Officer
Lt. Akim - Operation Officer
Lt. Commander Miller - Laiason Officer
Chief Officer Sowe - Prisons
Lt. Comdr Sheikh Bangura - Naval Intelligence Officer - State House

Supreme Council

Maj J P Koroma
Cpl Foday S Sankoh
Capt SAJ Musa
Col. AK Sesay - Secretary
Maj. Katta Tarawallie
Warrant Officer Class 2 Conteh F
W/O 2 Kargbo
S/Sgt Abu Sankoh PLO 1
S/Sgt Tamba Alex Brima PLO 2
S/Sgt Ibrahim Bazzie Kamara PLO 3
Sgt George Adams
Sgt Brima kamara
Sgt. Bangura H
Sgt. Kanu S B
Sgt. Kallay
Sgt. Sulaiman Turay
Sgt. Kabia M
Pte Abdul Sesay
Cpl. Momoh Bangura
L/Cpl Hector
L/Cpl Ibrahim Sesay
Paramount Chief -East
Paramount Chief -South
Paramount Chief- North
1 rep Labour Congress
* * Bar Assoc
* * Medical & Dental Assoc
* * Trade Unions
* * NUSS
* * Chamber of Commerce
* * S/L Petty Traders Union
* * Youth Organisations
* * SLAJ
* * Women's Organisations
* * Civil Defence Units
* * RUF
* * SLTU
* * Council of Tribal Heads, Westen Area

Special Envoys & Ambassadors

Jimmie Golley
Brig (rtd) JOY Toure
Brig (rtd) Hassan Conteh
Alhaji Amadu Jalloh
Ambassador Dauda Kamara
Syl Juxon - Smith
Maj. (rtd) EP Coker
Steve Bio
Maj Gen (rtd) JS Gottor
Maj (rtd) Sahr Roberts
Dr Kandeh Baba Conteh
Ibrahim Bah
Cmdr Sesay (Navy)

Under Secretaries Of State

Lt Col ABY Kamara - Defence
Hassan Barrie - Energy & Power
IMF Sesay - Finance
Mohamed A Bangura - Trade, Industries & State Enterprises
Dr Matilda King - Health
Capt Paul Thomas - Mineral Resources
Maj. F S Gottor- Internal Affairs
Abu Bakarr Sesay - Development & Economic Planning
Peoples Army -Lands & the Environment
Peoples Army - Education
Capt. Johnny Moore - Youth, Sports & Social Mobilisation
Dep. Supt. Police Dennis Kamara - Agriculture, Forestry & Fisheries
Maj. (rtd) Gabriel Toure - Foreign Affairs

Promotions & Appointments

Lt. Cmdr F A Gilbert - Cmdr Navy & Ag. Chief of Naval Staff
Flying Officer A H Bangura - Fl Lt Air Wing Cmdr.

*Cmdr - Commander
*Fl Lt - Flight Lieutenant

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now been secured by the Peoples Army following AFRC/RUF re-enforcement of the area.

POLITICAL DEVELOPMENTS

6. The date of Major Koromas proposed meeting with the ECOWAS committee of four has been changed from 15 July to 17 July. The meeting is scheduled to take place in Abidjan and not in Conakry.

7. President Kabbah has made several broadcasts to Sierra Leone over the 98.1 FM radio station which have proved to be a considerable irritant to the AFRC. In his first broadcast on 8 July, Kabbah urged the AFRC to step down to spare the people of Sierra Leone further pain and suffering. He also ordered soldiers and RUF to report to the nearest ECOMOG base and declare their loyalty. This tactic has been partially successful as several AFRC soldiers have since surrendered to Nigerian forces at Lungi.

8. On 8 July, in an attempt to undermine the impact of Kabbahs broadcast which took place earlier in the day, the AFRC announced its 19 member Cabinet. The majority of the posts are filled by former representatives of the National Provisional Ruling Council (NPRC). For example, Captain SAJ Musa, Secretary of Mineral Resources and Chief Secretary; Victor Brandon, Secretary of Development and Economic Planning; Col. Dr. KIS Kamara, Secretary of Health and Sanitation; Major Kula Samba, Secretary of Social Welfare, Children and Gender Affairs.

9. The Finance Secretary, Joe Amara Bangali, was a former minister in the APC and the Foreign Secretary; Dr. Paolo Bangura, was a former Ambassador to the UN. The RUF are represented through the appointment of Foday Sankoh as Deputy Chairman and SB Rogers as Acting Secretary of Lands and Environment. Two portfolios, namely Trade, Industry and State Enterprises and Energy and Power, have not been filled but the posts have been reserved for representatives of the Peoples Army. 37 posts in the Supreme Council have also been created, but only 22 have been filled to date. The extent to which nominees were consulted prior to their appointment is debatable. In a radio broadcast on BBCs *Focus*, Mr. Saaba Tumor, who was appointed Director of Information and Broadcasting, denied all knowledge of his appointment.

10. In a statement issued on 11 July following its meeting with the Committee of the four ECOWAS Foreign Ministers, the UN Security Council reiterated its view that the attempt to overthrow President Kabbahs government was unacceptable and called for the immediate and unconditional restoration of constitutional order in Sierra Leone. The Security Council expressed deep concern over the negative humanitarian consequences of the continuing crisis in Sierra Leone as well as its threat to regional stability. The Security Council welcomed the mediation efforts initiated by ECOWAS and expressed its full support for these efforts as set out in the communique issued at the meeting of the ECOWAS Foreign Ministers in Conakry on 26 June. Finally, the Security Council stated that it would continue to follow the progress of efforts aimed at the peaceful resolution of the crisis and that it was ready to consider appropriate measures if constitutional order in Sierra Leone is not restored without delay.

FACT 12

12. The Supreme Council included the following members: Johnny Paul Koroma, Foday Sankoh, S.A.J. Musa, Tamba Alex Brima, Ibrahim Bazzy Kamara, Mike Lamin, Issa Sesay, Morris Kallon, and Eldred Collins.

a.	Exh. 1.062	ERN 00009698-00009699	P.N. No. 3 of 1997, Dated: 3 September 1997. Published in The Sierra Leone Gazette, VOL. CXXVIII, No. 54, 18 September 1997, p. 324. (ERN 00009699)
b.	Exh. 1.065	ERN 00009772-00009775	Minutes of an Emergency Council Meeting of the AFRC held at State House on Monday 11th August 1997, dated 16 August 1997, at ERN 00009772
c.	Exh. 1.090	ERN 00019284-00019285	"AFRC Names New Team," *Expo Times Weekend*, 11 July 1997.

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Armed Forces Revolutionary Council with effect from the 25th day of May, 1997—

(1)	Major Johnny Paul Koroma ...	*Chairman*
(2)	Corporal Foday S. Sankoh ...	*Deputy Chairman*
(3)	Captain S. A. J. Musa	*Member*
(4)	Colonel A. K. Sesay	*Member*
(5)	Staff Sergeant Abu Sankoh ...	*Member*
(6)	Staff Sergeant Alex T. Brima ...	*Member*
(7)	Staff Sergeant Brima B. Kamara	*Member*
(8)	Colonel Sam Bockarie	*Member*
(9)	Major Morris Kallon	*Member*
(10)	David G. Kallon	*Member*
(11)	Colonel Issa H. Sesay	*Member*
(12)	Colonel Gibril Massaquoi ...	*Member*
(13)	Colonel Michael Lamin	*Member*
(14)	Squadron Leader Victor L. King ...	*Member*
(15)	Major J. B. Cater-Tarawallie ...	*Member*
(16)	Captain Lawrence S. Womandia ...	*Member*
(17)	Lieutenant Eldred Collins ...	*Member*
(18)	Warrant Officer II Franklyn Conteh	*Member*
(19)	Warrant Officer II Samuel Kargbo	*Member*
(20)	Sergeant K. Bangura	*Member*
(21)	Sergeant S. B. Khanu	*Member*
(22)	Sergeant George Adams	*Member*
(23)	Sergeant Sahr Gborie	*Member*
(24)	Sergeant Sulaiman Turay ...	*Member*
(25)	Sergeant K. Kallay	*Member*
(26)	Corporal Momoh Bangura ...	*Member*
(27)	Lance-Corporal Hector Bob-Lahai	*Member*
(28)	Lance-Corporal Ibrahim D. Sesay	*Member*
(29)	Staff Sergeant Moses Kabbia ...	*Member*
(30)	Lance-Corporal Abdul M. Sesay ...	*Member*
(31)	Mohamed Saidu Kamara ...	*Member*
(32)	Bai Hinga Kurrary-Bangura ...	*Member*
(33)	Abdulai Michael Munu	*Member*
(34)	Kandeh Sorie-Sebba Bangura ...	*Member*

DATED this *3rd* day of *September, 1997.*

MAJOR JOHNNY PAUL KOROMA
Chairman,
Armed Forces Revolutionary Council.

CHAIRMAN'S OFFICE

Govt. Notice No. 220 **M.P./OP. 37 Vol. V**

PUBLIC HOLIDAYS ACT

Under the provision of Section 2 of the Public Holidays Act (cap. 58), the following days will be observed as Public Holidays throughout Sierra Leone:—

FRIDAY, 29TH AUGUST, 1997
FRIDAY, 5TH SEPTEMBER, 1997

S. L. MATTURI
for Secretary to the Chairman, AFRC.

MINISTRY OF DEFENCE

Govt. Notice No. 221

SUBSTANTIVE PROMOTION—OFFICER
ARMED FORCES OF THE REPUBLIC OF SIERRA LEONE

In accordance with Section V paragraph 121 (a) of the Army Orders of 1965, the undermentioned Commissioned officer of the Armed Forces of the Republic of Sierra Leone has been promoted with effect from 23rd August, 1997 with Seniority as Officer with effect from the date shown against his name:—

(a) To Lieutenant
Second Lieutenant F. T. K. Koroma (SL800)—AFRSL
7th August, 1996.

E. B. KAMARA,
for Director-General.

COURT

Govt. Notice No. 217

IN THE HIGH COURT OF THE REPUBLIC OF SIERRA LEONE

It is hereby notified for the information of the General Public that the September, 1997 Criminal Session of the High Court in Freetown will commence on Tuesday the 16th day of September, 1997.

A. SHOWERS (Mrs.),
Master and Registrar.

MASTER'S OFFICE,
HIGH COURT,
FREETOWN.

MINISTRY OF LOCAL GOVERNMENT AND COMMUNITY DEVELOPMENT

Govt. Notice No. 218

REVISED CHIEFDOM COUNCILLORS LIST —
MAFORKI CHIEFDOM, PORT LOKO DISTRICT

No.	*Name*	*Town/Village*	*Office*
1.	P.C. A. Modu III, MBE, JP	Port Loko	P/Chief
2.	Saidu Kanu	do.	C/Speaker
3.	Pa Kekorr Kamara	do	Cere/Chief
4.	Pa Kumrabai Dumbuya	do.	do.
5.	Pa Kapr Masim	do.	do.
6.	Ya Bomkapr Masim	do.	do.
7.	Pa Kapr Gbogboro	do.	do.
8.	Ya Bomporo	do.	do.
9.	Haja Bomwarrah Yansaneh	do.	do.
10.	Pa Alimamy Sesay	do.	do.
11.	Ya Alimamy Mansaray	do.	do.
12.	Ya Alimamy Bedor	do.	do.
13.	Ya Alimamy Mansaray	do.	do.
14.	Ya Alimamy Bateh	do.	do.
15.	Ya Alimamy Modu	do.	do.
16.	Ya Alimamy Sofarah	do.	do.
	SANDA SECTION		
17.	Pa Alimamy Dumbuya	Sanda Street	Sec. Chief
18.	Alhaji Morlai Sankoh	Davies Street	Councillor
19.	Alhaji Fadika	do.	do.
20.	B. S. Kamara	Sanda Street	do.
21.	Abu Kabia	do.	do.
22.	Alimamy Conteh	do.	do.
23.	Yaya Deen Kamara	do.	do.
24.	S. Mella Bangura	do.	do.
25.	Alpha Bangura	Adams Street	do.
26.	Abdul B. Kamara	do.	do.
27.	Alpha G. Dumbuya	Sanda Street	do.
28.	Alhaji Momodu Fallah	Fatmabrima St.	do.
29.	Abu Bakarr Bangura	do.	do.
30.	Abdul S. Bangura	Wharf Road	do.
31.	Abu S. K. Bangura	do.	do.
32.	Abu S. K. Bangura	do.	do.
33.	A. K. Molloh	Davies Stree	do.
34.	Gbassay Kamara	do.	do.
35.	Abdul R. Wurie	do.	do.
36.	Joseph B. Kamara	do.	do.
37.	Alhaji Cole	do	do.
38.	Julius S. Bangura	do.	do.
39.	Saidu M. Dumbuya	Aribo Street	Councillor
40.	Sullay K. Bangura	do.	do.

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AFRC - SECRET 00009772

Ref: SG/Mtg/AFRC/97/4

COPY No. 2 of 41

AFRC SECRETARIAT
STATE HOUSE

16th August 1997

See Distribution

MINUTES OF AN EMERGENCY COUNCIL MEETING OF THE A.F.R.C. HELD AT STATE HOUSE ON MONDAY 11TH AUGUST 1997.

PRESENT

MAJOR J. P. KOROMA	-	CHAIRMAN
CAPTAIN S. A. J. MUSA	-	CHIEF SECRETARY OF STATE
STAFF SGT. ABU SANKOH	-	PLO I
STAFF SGT. TAMBA ALEX BRIMA	-	PLO II
IBRAHIM BAZZY KAMARA	-	PLO III
SQUANDRON LEADER V. L. KING	-	MEMBER
COLONEL MIKE LAMIN	-	MEMBER
LT.COL. ISSA SESAY	-	MEMBER
MAJOR MORRIS KALLON	-	MEMBER
LT. ELDRED COLLINS	-	MEMBER
F. KALLAY	-	MEMBER
HASSAN BANGURA	-	MEMBER
GEORGE ADAMS	-	MEMBER
SULAIMAN K. TURAY	-	MEMBER
C. S.O. D. KABBIA	-	MEMBER
COLONEL A. K. SESAY	-	SECRETARY-GENERAL

INTRODUCTION **ACTION**

1. In his opening remarks, the Chairman emphasised the importance of Council Meetings and informed members that henceforth no member would be allowed entry into the hall after his arrival. For a start, all those absent for the meeting without a valid excuse are to be suspended from Council for a period of two (2) sittings.

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EXPO TIMES WEEKEND

EXPOSING TODAY FOR TOMORROW

Those who plot evil shall wander away and be lost, But those who plan good shall be granted mercy and quietness

Proverbs 14: 22

Vol. 1 No. 21 Friday, July 11, 1997 INDEPENDENT (1996 Best Seller Award Winner) Le200/=

Another battle for Zimmi

Sojas repel Kamajors, ULIMO -K

By Max Jimmy

Troops loyal to the AFRC government reportedly scored another success over the combined forces of kamajors and Ulimo K fighters at the border town of Zimmi in the south of the country.

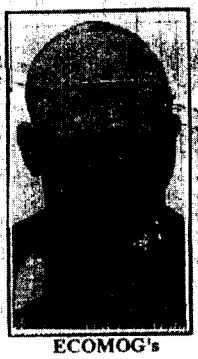
Defense Information spokesman Major John Milton said the invaders led by former Deputy Defense Minister Captain (rtd) Samuel Hinga Norman launched two unsuccessful attacks on the border town with Liberia early yesterday morning.

Casualty figures on either side were not known.

However, unconfirmed reports state that the invading forces suffered heavy casualty and Major Milton intimated that only a few soldiers sustained injuries during the exchange of fire.

Reports of the alleged complicity of Alhaji Kromah's Ulimo K fighters fighting alongside the kamajors, according to military sources, confirmed earlier claims that the Liberian faction leader is aiding the ousted government in their bid to reverse the May 25 coup.

Meanwhile, the ECOMOG Field Commander General Victor Malu confirmed the incident of fighting in a BBC interview last evening and



ECOMOG's Victor Malu



ULIMO- K's Alhaji Kromah

stated categorically that they will not allow any spillover of the problems in Sierra Leone to disturb the Liberia elections coming up on July 19.

Gen. Malu also disclosed that ECOMOG did treat some wounded cases from the fighting.

COMMENTARY

Khoryama is afraid of his shadow

By Gibril G. Koroma

I was very shocked to read a front page story of THE NEW SIERRA LEONEAN newspaper of Thursday July 10 titled EXPO EDITOR VOWS TO SETTLE OLD SCORES.

I was shocked that George Khoryama, an old man with grand children, can come down so low and make a mussa ce of himself.

How can someone who claims to have spent over a decade in journalism write a front page story entirely based on RUMOURS or his imagination?

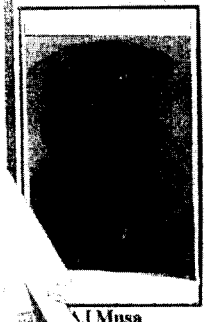
Khoryama said he has "been informed by close friends who also happen to have contact" with me that I have vowed to settle old scores with him "now that the RUF have come to town." Coming from a so-called seasoned journalist, I find such statements very unfortunate. Khoryama also claimed that Foday Sankoh is my uncle and that I insulted the people over Sankoh's arrest.

All I can say in answer to Khoryama's nonsense (which sounded like the ranting of a man desperately afraid for his life) is that:

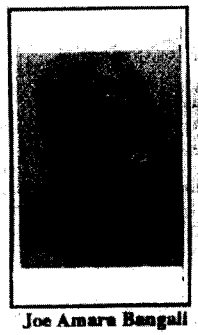
1. I am not related to Foday Sankoh neither have I any links with the RUF. My consience is very clear on that. All Khoryama has to do as a journalist is to investigate and come out with the FACTS now that the RUF is in town.
2. Sankoh is from somewhere around Magburaka and I am from Yonibana in the Tonkolili district. I am not related to him in any way.Khoryama knows that,he is just being mischievous,like a small boy.
3. Khoryama should not be so terrified by the RUF because most of them come from his home district of Kailahun. They are his brothers and sisters. I dont think they would hurt him. Sam Bockarie(MOSQUITO) and Dennis Mingo are from Kailahun.
4. As for the Abacha article, the whole country has now seen what I was warning Abacha and the SLPP about. The detention of Sankoh led to the RUF-AFRC alliance . Fact.
5. Khoryama has nothing to fear from me. I never consider a man who never writes without insulting people. For example in his editorial of Thursday July 10 he said papers which do not write like STANDARD TIMES, FOR DI PEOPLE and DEMOCRAT belong to the gutter press. How can you make such a statement, Khoryama? Are you going mad? Who said we should all write the same way? Have you never heard of FREEDOM OF EXPRESSION? Our paper is against military coups, foreign military intervention and sanctions.We are for peaceful negotiations,period.
6. In conclusion, I would like to pray to God that nothing happens to Khoryama during the reign of this junta despite his recklessness and unprofessionalism. I also hope members of his family would make sure he does not die of malaria or cholera or any other nasty disease in the next 100 years. I really mean it.

AFRC names new team

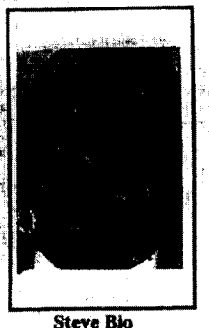
After some seven weeks of suspense, the AFRC finally announced its cabinet and other key positions on Wednesday July 9. It has been seen in many quarters as the broadest-based government ever, comprising representatives from virtually all sectors of society. (See Page 2 for the full list of appointees)



AJ Musa



Joe Amara Bangali



Steve Bio



Omrie Golley

OPINION The Crown or Bloodshed

By Major (Rtd) Sahr Roberts

The heart of man is desperately wicked and deceitful. You cannot by just looking at the outside appearance of man discern the thought and desires of his heart. A man may look so innocent and may portray friendliness, patriotism and loyalty to others and country while his heart is full of cruelty, bitterness, hate and revenge. It is only the spirit of God that can break through the deceitful skin and expose the real man inside. God still speaks to men and women today who have the spiritual eyes and ears to discern the signs of the hour. He has his ways of proving nations and individuals to show those that are born of his spirit and those who belong to the devil, and He does this by removing His divine protection over man and withholding his provision, which allows Satan to afflict us with all manner of sickness and problems and take away the blessings - wealth positions and possessions that belong to us. This removal of God's protective cover, man and withholding of his provision creates extreme and unbearable conditions, crisis and problems that force the real man inside to react inaccordance with the stuff it is made of. Those that are born of God will stand, irrespective of the trial, because they have the witness inside them that they are surrounded by an impregnable and impenetrable power which no power of the enemy can break through or touch. Those who belong to the devil will crumble in the face of trial and agree with the devil's suggestion that it is the end of their lives, wealth and position. In order to regain lost wealth and positions, they may start manifesting the devil's character and ministry on earth which is to kill, to steal and destroy. In his words, God says he will shake everything in Heaven and on Earth so that only those whose faith are fixed on his infallible and impregnable power will remain.

On the 25th May 1997, God decided to shake the very foundation of this Nation to prove the genuiness of individuals and expose the ungodly and unpatriotic tendencies hidden in the hearts of many highly placed and respectable sons of the soil. Indeed everything that can be shaken politically, economically, socially, domestically, morally and religiously was and is still shaking. People, under this condition, have reacted in different ways; portraying the character of the real man inside them. Typical examples are Tejan Kabbah and James Jonah. Many Sierra Leoneans did not know the real Tejan Kabbah and the real James Jonah inside. We only looked at Tejan Kabbah from the outside and concluded that the was a righteous and Godfearing man, whose long years of outside exposure and wealth of experience gained while working with the United Nations would help hold the nation together and put her on a sound footing. We considered James Jonah as a model of civilization whose peaceable conduct sent the signal that he cannot be governed by the ruthless and barbaric law of retribution and vengeance. Yet the trials of the [illegible] exposed the respectable and illustrious sons of the soil to be the real agents of the devil, Satan, who would destroy anything standing between them and the crown. Tejan Kabbah who before May 25th, was the symbol of National unity, overnight became the symbol of National disintegration.

The new Sierra Leone warlord is now marshalling all the troops of the sub-region against a traumatized and miserable nation yet to recover from a six-year bloody rebel war that has caused grief and suffering on many who have nothing to do with politics.

Tejan Kabba and James Jonah, once household names, now spell terror, bloodbath and nightmare in the hearts of many who lost relatives and loved ones during the Nigerian bombardment of the city and thousands of others bound to suffer hardship and die of starvation because of Kabba's approved embargo on the nation and his continued threat to use his influence in the United Nation's and among ECOWAS leaders to wage a full-scale war on our people. It is disheartening that Tejan Kabba and James Jonah did not use there same influence to bring reconciliation to our blessed land.

Tejan Kabba, unlike the good shepherd spoken about in the Bible, who would rather die protecting his flock than leave them at the mercy of wild animals, deserted the nation and people he swore to protect at the first sign of danger. Together with his entire family, he sought "Safe Haven" in Guinea from where he is launching his vendetta against his people, little bothering about the cost of his action on the nation as long as he can get back the crown. ECOWAS leaders by their support of Kabba's action are showing the world the sort of love they have for the sub-region and their respective countries. I will only caution especially the one-time military men who themselves seized power from the legally constituted governments of their countries, to see whether the [illegible] that forced them to act are not present in the Sierra Leone situation today.

Sierra Leone should not and must not be used as an experimental ground for the [illegible] resolution of ECOWAS, designed to entrench in power, most times against the wishes of the people, ruthless and unpatriotic dictators.

The UN Security Council needs to be informed that the ways and designs of African military operations are completely different from theirs and that these seeming exponents of democracy in Africa are not an example of what they are preaching and therefore have no right to attack this nation and sacrifice the lives of their poor innocent soldiers who may not have the will power and moral justification necessary to spur the soldier to give his best in battles. Let these ECOWAS leaders first take the logs out of their eyes before attempting to take the speck out of ours.

Cabinet and other appointments

Cabinet

1) Maj. J.P. Koroma - Chairman - AFRC, HE, Commander in Chief of the Armed Forces, & Secretary of Defence
2) Cpl Foday Sankoh - Deputy Chairman - AFRC, Dep. HE & Commander in Chief of the Armed Forces
3) Capt. SAJ Musa - Chief Secretary Of State & SOS Mineral Resources
4) Dr Paolo Bangura - Foreign Affairs
5) Robin OL Mason - Attorney General and Secretary of Judicial Affairs
6) Joe Amara Bangali - Finance
7) Osho Williams - Transport & Communications
8) Victor Brandon - Development & Economic Planning
9) A A Vandy (Peoples Army) - Ag. Agriculture, Forestry & Fisheries
10) Capt. (rtd) Jumo Jalloh - Works & Labour
11) Brig (rtd) Modibo L Lymon - Internal Affairs
12) Maj. Kula Samba - Social Welfare, Children & Gender Affairs
13) Umaru Deen Sesay - Youth, Sports & Soc. Mobilisation
14) S.P Rogers (Peoples Army) - Ag. SOS Lands & Environment
15) Col. KIS Kamara - Health & Sanitation
16) Mrs Shirley Rogers-Wright - Education
17) Squadron Leader VL King - Chairman's Office
18) Peoples Army -Trade, Industries & State Enterprises
19) Peoples Army -Energy & Power

Directors

1) Saabe Turnoe -Information & Broadcasting
2) Saidu B.Turay -Tourism & Culture
3) Col (rtd) Max Khanga - National Relief, Rehabilitation & Demobilisation Commissions (NARECOM)
4) Olu Beckley - Housing Corporation
5) Brig. DK Anderson - Director General of Defence

Regional Secretaries

1) Maj. A.M Koroma -North
2) Maj. A F Kamara - South
3) Capt (rtd) Edward Kanneh -East

PLOs

1) Staff Sergeant Abu Sankoh -Mineral Resources, Transport & Communications, Lands & Environment.
2) S/Sgt Alex Brima -Works & Labour, Sierratel, Customs & Excise, SALPOST
3) S/Sgt Ibrahim Bazzie Kamara -Agriculture, Forestry & Fisheries, Energy & Power, LOTTO, Income Tax

Advisers to PLOs

1) Syl Jaxon - Smith PLO 1
2) Hindolo Trye - PLO 2
3) Brig. (rtd) Modibo L. Lymon PLO 3

Chairman's Office

Maj J.P. Koroma- C/man & H E
SAT Baryoh - Secretary
Allie B Kamara - PRO / Spokesman
Capt. AYK Mansaray - Military Assistant
Capt. Simbo Sankoh - ADC
Dep. Supt. Police Senessi Ndoleh -ADC
Lt PT Gbondo - ADC
S/Sgt Moses Kabia - CSO
Capt. Keita - Logistics Officer
Lt. Bhanja Marah - Communications Officer
Lt. Col (rtd) Andrew Koroma - National Intelligence Service Director
Dr Philip D. Sesay - State Chief of Protocol
Mohamed Samura- Press Officer
Capt. A B Koroma DC, WASP
Capt. E. Dumbuya- Operations Officer
Lt. DEU Sesay - Operations Officer
Lt. Akim - Operation Officer
Lt. Commander Miller - Laison Officer
Chief Officer Sowe - Prisons
Lt. Comdr Sheikh Bangura - Naval Intelligence Officer - State House

Supreme Council

Maj J P Koroma
Cpl Foday S Sankoh
Capt SAJ Musa
Col. AK Sesay - Secretary
Maj. Katta Tarawallie
Warrant Officer Class 2 Conteh F
W/O 2 Kargbo
S/Sgt Abu Sankoh PLO 1
S/Sgt Tamba Alex Brima PLO 2
S/Sgt Ibrahim Bazzie Kamara PLO 3
Sgt George Adams
Sgt Brima kamara
Sgt. Bangura H
Sgt. Kanu S B
Sgt. Kallay
Sgt. Sulaiman Turay
Sgt. Kabia M
Pte Abdul Sesay
Cpl. Momoh Bangura
L/Cpl Hector
L/Cpl Ibrahim Sesay
Paramount Chief -East
Paramount Chief -South
Paramount Chief- North
1 rep Labour Congress
" " Bar Assoc
" " Medical & Dental Assoc
" " Trade Unions
" " NUSS
" " Chamber of Commerce
" " S/L Petty Traders Union
" " Youth Organisations
" " SLAJ
" " Women's Organisations
" " Civil Defence Units
" " RUF
" SLTU
" " Council of Tribal Heads, Western Area

Special Envoys & Ambassadors

Connie Golley
Brig (rtd) JOY Toure
Brig (rtd) Hassan Conteh
Alhaji Amadu Jallon
Ambassador Dauda Kamara
Syl Jaxon - Smith
Maj. (rtd) EP Coker
Steve Bio
Maj Gen (rtd) JS Gottor
Maj (rtd) Sahr Roberts
Dr Kandeh Baba Conteh
Ibrahim Bah
Cmdr Sesay (Navy)

Under Secretaries Of State

Lt Col ABY Kamara - Defence
Hassan Barrie - Energy & Power
IMF Sesay - Finance
Mohamed A Bangura - Trade, Industries & State Enterprises
Dr Matilda King - Health
Capt Paul Thomas - Mineral Resources
Maj. F S Gottor- Internal Affairs
Abu Bakarr Sesay - Development & Economic Planning
Peoples Army -Lands & the Environment
Peoples Army - Education
Capt. Johnny Moore - Youth, Sports & Social Mobilisation
Dep. Supt. Police Dennis Kamara - Agriculture, Forestry & Fisheries
Maj. (rtd) Gabriel Toure - Foreign Affairs

Promotions & Appointments

Lt. Cmdr F A Gilbert - Cmdr Navy & Ag. Chief of Naval Staff
Flying Officer A H Bangura - Fl Lt Air Wing Cmdr.

*Cmdr - Commander
*Fl Lt - Flight Lieutenant

PUBLISHER & EDITOR-IN-CHIEF
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DEPUTY EDITOR
A. Charles Roberts
GENERAL EDITOR
Gibril G. Koroma
NEWS EDITOR
Conrad Roy
PRODUCTION MANAGER
Abu Bakarr Shaw
SUB- EDITOR
Abdulai Bayraytay
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Emmanuel Turay
Kenema
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Desmond Monya Tia
Kono
Mariama Coker
Bo
Mohamed Kalokoh
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Pujehun
Ibrahim Kamara
ADVERT AGENT
Magdalene Y. Mani
COMPUTER TYPIST/LAYOUT
Adama T.Sesay
COMPUTER ASSTS.
Septina C. Reffell
Musu Kamara
RECEPTIONIST
Camilla Massaquoi
PRODUCTION ASSIT.
Idrissa Turay
OFFICE ASSISTANT
Osman Kamara

FACT 13

On 30 November 1996, Foday Saybana Sankoh [as Leader of the RUF] and President Ahmad Tejan Kabbah, [as] President of the Republic of Sierra Leone, signed a Peace Agreement in Abidjan, Ivory Coast [("*Abidjan Accord*")].

a.			This fact was judicially noticed in *Brima* Decision, para. 40.
b.	Exh. 1.226	ERN 00004337-00004344	*Abidjan Accord*, http://www.sierra-leone.org/abidjanaccord.html, at p. 8 (ERN 00004344).

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rural people;

j. seek to obtain debt relief in order to transfer funds from debt servicing to meet the urgent requirements of rebuilding a war-torn society.

ARTICLE 27

A broad-based Socio-Economic forum, in which the RUF/SL shall participate, shall be established with a feiw to enriching policy forumlation and execution in the socio-economic sector.

ARTICLE 28

The Government of Cote d'Ivoire, the United Nations, the OAU and the Commonwealth shall stand as moral guarantors that this Peace Agreement is implemented with integrity and in good faith by both parties.

Annex to this Agreement:

A nationwide sensitization programme for the peace process shall be pursued by the Parties, using all available means of communication to impress upon their combatants and the nation at large:

- the fact that hostilities have ended;
- the reasons for demobilization;
- the opportunities for reintegration of combatants; and
- the need for reconciliation and lasting peace.

Done in Abidjan this 30 day of the month of November, 1996.

Alhaji Dr. Ahmad Tejan Kabbah
President of the Republic of Sierra Leone

Corporal Foday Saybana Sankoh
Leader of the Revolutionary United Front (RUF)

Henri Konan Bedie
President of the Republic of Cote d'Ivoire

Berhanu Dinka
Special Envoy of the United Nations Secretary-General for Sierra Leone

Adwoa Coleman (M/S)
Representative of the Organization of African Unity (OAU)

Moses Anafu (DR)
Representative of the Commonwealth Organization

00004337

Peace Agreement between the Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL)

The Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL).

Moved by the imperative need for a just and durable peace in Sierra Leone;

Inspired by the equally imperative need for genuine national unity and reconciliation to end the fratricidal war in Sierra Leone;

Committed to promoting popular participation in governance and full respect for human rights and humanitarian laws;

Dedicated to the advancement of democratic development and to the maintenance of a socio-political order free of inequality, despotism and corruption;

Convinced that a sense of common purpose and patriotism is the need of the hour;

HEREBY AGREE as follows:

ARTICLE 1

The armed conflict between the Government of Sierra Leone and the RUF/SL is hereby ended with immediate effect. Accordingly, the two foes will ensure that a total cessation of hostilities is observed forthwith.

ARTICLE 2

The Government and the RUF/SL undertake that no effort shall be spared to effect the scrupulous respect and implementation of the provisions contained in this Peace Agreement to ensure that the establishment and consolidation of a just peace becomes a priority in Sierra Leone.

ARTICLE 3

A national body to be known as the Commission for the Consolidation of Peace shall be established within two weeks of the signing of this Agreement. The Commission shall be a verification mechanism responsible for supervising and monitoring the implementation of and compliance with all the provisions contained in this Peace Agreement.

The Commission, in fulfilment of this task during the period of consolidating the peace, shall co-ordinate and facilitate the work of the following bodies which will proceed to establish:

(i) Socio-Economic Forum;
(ii) Citizen's Consultative Conferences;
(iii) Multi-partisan Council;
(iv) Trust Fund for the Consolidation of Peace;
(v) Demobilization and Resettlement Committee;
(vi) National Budget and Debt Committee.

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The Commission shall comprise representatives of the Government and the Revolutionary United Front of Sierra Leone, drawing on the resources of state and civic institutions as and when necessary.

The Commission shall have the power to recommend the preparation of enabling measures contained in this Peace Agreement. It shall have the power to issue publicly its conclusions. The parties undertake to comply with the conclusions of the Commission.

The Commission shall have the power to prepare preliminary legislative drafts necessary for the implementation and development of the provisions contained in the present Peace Agreement.

The Parties undertake to consult the Commission before taking decisions on measures relating to the present Peace Agreement.

The Commission may similarly consult the Parties at the highest level whenever it is appropriate.

The Commission shall have access to and may inspect any activity or site connected with the implementation of the present Peace Agreement. The Commission shall have full powers to organise its work in the manner in which it deems most appropriate and to appoint any group or sub-committee which it may deem useful in the discharge of its functions.

The Commission shall have its own offices, adequate communication facilities and adequate secretariat support staff.

A Trust Fund for the Consolidation of Peace shall be established to provide funding for the implementation of the present Peace Agreement.

ARTICLE 4

Citizens' Consultative Conferences shall be organised once a year the first of which shall be organised within one hundred and twenty days of the signing of the present Peace Agreement in order to encourage people's participation and to invite recommendations for the formulation of guidelines and their implementation that will ensure truly fair and representative political processes.

ARTICLE 5

The disarmament of combatants will be effected upon their entry into the designated assembly zones, and demobilization and reintegration as soon as practicable thereafter.

The upkeep and welfare of the encamped combatants shall be the primary responsibility of the Government of Sierra Leone in conjunction with the Commission for the Consolidation of Peace, assisted by the international community.

ARTICLE 6

The Parties commit themselves to a well planned national effort on encampment, disarmament, demobilization and resettlement linked to national development objectives. To that end, a Demobilization and Resettlement Committee shall be established within a month of the signing

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of the present Peace Agreement.

The Committee shall coordinate the encampment, disarmament, demobilization and resettlement of RUF/SL combatants. The Committee shall work in coordination with all the relevant institutions and agencies.

Both Parties shall consult on the nomination of the membership of the Committee which shall not exceed seven persons.

The Committee shall be provided with adequate funding.

ARTICLE 7

The Demobilization and Resettlement Committee shall identify assembly zones and camp areas for RUF/SL combatants where they shall be registered, encamped and disarmed. The movement into the Assembly Zones shall commence within once month of the signing of this Agreement and be completed as soon as practicable but no later than three months from this date.

ARTICLE 8

The Parties shall request the international community to help supervise and monitor the encampment, disarmament, demobilization and reintegration processes. The Joint Monitoring Group shall have observers at any of these processes.

ARTICLE 9

The Commission shall, as a priority, make recommendations on the restructuring and re-orientation of the military as well as its leadership. In this context, members of the RUF/SL who may wish to be part of the country's military can become part of the new unified armed forces within a framework to be discussed and agreed upon by the Commission.

ARTICLE 10

The Government of Sierra Leone shall ensure the return to barracks of those units of the army not required for normal security duties and the downsizing of the Armed Forces of Sierra Leone (RSLMF), taking into account the security needs of the country.

ARTICLE 11

A Neutral Monitoring Group (NMG) from the international community shall be responsible for monitoring breaches provided under this Peace Agreement.

Both Parties upon signing this Agreement shall request the international community to provide neutral monitors.

Such monitors when deployed shall be in position for an initial period of three months.

The Neutral Monitoring Group shall report any violations of the ceasefire to its headquarters which shall in turn communicate the same to the headquarters of the Joint Monitoring Group

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comprising of representative of the Government of Sierra Leone and the RUF based in Freetown.

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ARTICLE 12

The Executive Outcomes shall be withdrawn five weeks after the deployment of the Neutral Monitoring Group (NMG). As from the date of the deployment of the Neutral Monitoring Group, the Executive Outcomes shall be confined to barracks under the supervision of the Joint Monitoring Group and the Neutral Monitoring Group. Government shall use all its endeavours, consistent with its treaty obligations, to repatriate other foreign troops no later than three months after the deployment of the Neutral Monitoring Group or six months after the signing of the Peace Agreement, whichever is earlier.

ARTICLE 13

The Parties agree that immediately following the signing of the present Peace Agreement, the RUF/SL shall commence to function as a political movement with the rights, privileges and duties provided by law; and that within thirty days, following that, the necessary conditions shall be created to enable the RUF/SL to register as a political movement according to law.

ARTICLE 14

To consolidate the peace and promote the cause of national reconciliation, the Government of Sierra Leone shall ensure that no official or judicial action is taken against any member of the RUF/SL in respect of anything done by them in pursuit of their objectives as members of that organization up to the time of the signing of this Agreement. In addition, legislative and other measures necessary to guarantee former RUF/SL combatants, exiles and other persons, currently outside the country for reasons related to the armed conflict shall be adopted ensuring the full exercise of their civil and political rights, with a view to their reintegration within a framework of full legality.

ARTICLE 15

The mandate and membership of the existing National Unity and Reconciliation Commission shall be expanded in consultation with the Commission for the Consolidation of Peace to enable it to undertake a sustained and effective campaign of civic education aimed at enhancing national unity and reconciliation, taking into account the imperative need to heal the wounds of the conflict.

ARTICLE 16

The Parties agree that the standards of accountability, integrity and probity in the public services of Sierra Leone shall be raised. To that end, immediate steps shall be taken to establish the office of Ombudsman to promote the implementation of a professional code of ethics, and the integrity and patriotism of all public servants. It shall also seek to eradicate all forms of corruption.

ARTICLE 17

The Parties shall approach the international community with a view to mobilizing resources which will be used to establish a trust fund to enable the RUF/SL to transform itself into a

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political party.

ARTICLE 18

The Parties agree to the principle of reforming the present electoral process in Sierra Leone. There shall, in that regard, be the full participation of citizens and their organizations in formulating electoral reforms.

The independence and integrity of the National Electoral Commission shall be guaranteed to ensure fair and acceptable electoral exercise.

In reconstituting the National Electoral Commission, the President shall consult all political parties and movements including the RUF/SL to determine the membership and terms of reference of that Commission, paying particular attention to the need for a level playing field in the nation's electoral politics.

Both the Government and the RUF/SL shall, together with other political parties, nominate men and women of professionalism, integrity and objectivity to the National Electoral Commission, not later than three months after the signing of the present Peace Agreement.

It is hereby agreed that no member of the National Electoral Commission shall be eligible for appointment to a political office by any government formed as a result of an election they were mandated to conduct.

ARTICLE 19

The Parties agree that the basic civil and political liberties which are recognised by the Sierra Leone legal system and are contained in the Declarations and Principles on Human Rights adopted by the UN and the OAU, especially the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, shall be fully guaranteed and promoted within Sierra Leone society.

These include the right to life and liberty, freedom from torture; the right to a fair trial, freedom of conscience, expression and association, and the right to take part in the governance of one's country.

To foster national reconciliation and ensure the full and unrestricted participation of the RUF/SL in the political process, the RUF/SL shall enjoy:

(i) freedom of the press and access to the media in order that they may be heard and informed.
(ii) freedom of association, expression, assembly and the right to mobilise and demonstrate freely, and to communicate politically in order that they may organise effectively and set up appropriate infrastructure.

All political prisoners and prisoners of war, if any, shall be released.

ARTICLE 20

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To monitor compliance with the basic rights guaranteed in the present Peace Agreement, as well as to promote human rights education throughout the various sectors of Sierra Leonean society, including schools, the media, the police and the military, an independent National Commission on Human Rights shall be established.

In pursuance of the above, technical and material assistance may be sought from the UN Special Commission on Human Rights, UN Centre for Human Rights, African Commission on Human and People's Rights and other relevant international organisations.

The National Commission on Human Rights shall have the power to investigate human rights violations and to institute legal proceedings where appropriate.

Further, a consortium of local human rights groups shall be encouraged to help monitor human rights observance.

ARTICLE 21

The Parties undertake to respect the principles and rules of international humanitarian law.

ARTICLE 22

In the pursuit of the reconstruction, rehabilitation and socio-economic development of Sierra Leone as a matter of the utmost priority, special attention shall be given to rural and urban poor areas, war victims, disabled persons and other vulnerable groups. The Government in conjunction with the Committee for Demobilization and Resettlement shall co-operate with all political parties and movements, including the RUF/SL, to raise resources internationally for these objectives during the initial phase of the consolidation of peace.

ARTICLE 23

The Government shall do all in its power to mobilize resources internally and externally to meet the needs of the post-war reconstruction and socio-economic development.

ARTICLE 24

The Parties agree that the independence of the Judiciary shall be strengthened in accordance with its role of ensuring the fair and impartial dispensation of justice in a democratic order. The composition of the present Judicial and Legal Service Commission shall be determined so as to ensure the independence of the Judiciary from the other organs of state as well as the political parties. Its membership shall include, in addition to judges and representatives of the legal profession and public services, representatives of other sectors of society not directly connected with the administration of justice.

ARTICLE 25

The Police Force shall be strengthened to ensure that the rule of law is upheld throughout Sierra Leone. To that end, the present Police Force shall be vetted. Furthermore, the professional training of the Police Force shall henceforth assure a new orientation, bu emphasizing professionalism, the importance of human dignity and democratic values and respect and

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protection of human rights. It shall, further, emphasise that the conduct of members of the Police Force shall be free from all partisan considerations of politics, ideology and social position and that the Police Force shall avoid and combat corruption.

Nominations for the Police Council will come from wider sectors of society prior to their appointment so as to ensure their truly civilian and non-partisan character.

ARTICLE 26

It is recognised that there is a socio-economic dimension to the conflict which must also be addressed in order to consolidte the foundation of peace. Accordingly, the socio-economic policy of Sierra Leone shall be guided among other things, by the following principles, taking into account available resources:

i. Enhancement of the nation's productive capactiy through meaningful grassroots participation in the reconstruction and development of the country;

ii. The provision of equal opportunities to all Sierra Leoneans especially those in the countryside and the urban poor, with the aim of equitable distribution of the nation's resources thereby empowering them to contribute effectively to decisionmaking and implementation of policies which affect their lives;

iii. Improving the quality of life of the people through the provision of, inter alia,

a. primary health care in all villages and towns;

b. affordable and quality housing, especially in the countryside and poor urban areas;

c. improved educational services to enable all children of primary and junior-secondary school age to receive free and compulsory schooling as well as provide the opportunity for the youth and all other Sierra Leoneans to receive affordable quality education;

d. clean drinking water and sewerage system in every village and town;

e. provide job opportunities in a systematic and sustainable way for the people, especially the youth;

f. promote and sustain rural development and support agriculture in terms of technical, credit and marketing facilities;

g. provide support for production and provision of basic food and nutritional requirements of the people and food security in general;

h. protect the environment and regulate the exploitation of natural resources in the interest of the people, as well as prohibit monopolies;

i. provide the required infrastructure such as roads, transport and communications, energy and rural electrification, for improved living conditions, especially of the

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rural people;

j. seek to obtain debt relief in order to transfer funds from debt servicing to meet the urgent requirements of rebuilding a war-torn society.

ARTICLE 27

A broad-based Socio-Economic forum, in which the RUF/SL shall participate, shall be established with a feiw to enriching policy forumlation and execution in the socio-economic sector.

ARTICLE 28

The Government of Cote d'Ivoire, the United Nations, the OAU and the Commonwealth shall stand as moral guarantors that this Peace Agreement is implemented with integrity and in good faith by both parties.

Annex to this Agreement:

A nationwide sensitization programme for the peace process shall be pursued by the Parties, using all available means of communication to impress upon their combatants and the nation at large:

- the fact that hostilities have ended;
- the reasons for demobilization;
- the opportunities for reintegration of combatants; and
- the need for reconciliation and lasting peace.

Done in Abidjan this 30 day of the month of November, 1996.

Alhaji Dr. Ahmad Tejan Kabbah
President of the Republic of Sierra Leone

Corporal Foday Saybana Sankoh
Leader of the Revolutionary United Front (RUF)

Henri Konan Bedie
President of the Republic of Cote d'Ivoire

Berhanu Dinka
Special Envoy of the United Nations Secretary-General for Sierra Leone

Adwoa Coleman (M/S)
Representative of the Organization of African Unity (OAU)

Moses Anafu (DR)
Representative of the Commonwealth Organization

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FACT 14

The *Abidjan Accord* between the Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL) required that the "two foes" ensure a total cessation of hostilities.

a.	Exh. 1.226	ERN 00004337-00004344	*Abidjan Accord*, http://www.sierra-leone.org/abidjanaccord.html, at p. 1, Art. 1 (ERN 00004337).

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Peace Agreement between the Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL)

The Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL).

Moved by the imperative need for a just and durable peace in Sierra Leone;

Inspired by the equally imperative need for genuine national unity and reconciliation to end the fratricidal war in Sierra Leone;

Committed to promoting popular participation in governance and full respect for human rights and humanitarian laws;

Dedicated to the advancement of democratic development and to the maintenance of a socio-political order free of inequality, despotism and corruption;

Convinced that a sense of common purpose and patriotism is the need of the hour;

HEREBY AGREE as follows:

ARTICLE 1

The armed conflict between the Government of Sierra Leone and the RUF/SL is hereby ended with immediate effect. Accordingly, the two foes will ensure that a total cessation of hostilities is observed forthwith.

ARTICLE 2

The Government and the RUF/SL undertake that no effort shall be spared to effect the scrupulous respect and implementation of the provisions contained in this Peace Agreement to ensure that the establishment and consolidation of a just peace becomes a priority in Sierra Leone.

ARTICLE 3

A national body to be known as the Commission for the Consolidation of Peace shall be established within two weeks of the signing of this Agreement. The Commission shall be a verification mechanism responsible for supervising and monitoring the implementation of and compliance with all the provisions contained in this Peace Agreement.

The Commission, in fulfilment of this task during the period of consolidating the peace, shall co-ordinate and facilitate the work of the following bodies which will proceed to establish:

(i) Socio-Economic Forum;
(ii) Citizen's Consultative Conferences;
(iii) Multi-partisan Council;
(iv) Trust Fund for the Consolidation of Peace;
(v) Demobilization and Resettlement Committee;
(vi) National Budget and Debt Committee.

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FACT 15

The *Abidjan Accord* stated that mercenaries from the corporation Executive Outcomes must withdraw from Sierra Leone.

a.	Exh. 1.226	ERN 00004337-00004344	*Abidjan Accord*, http://www.sierra-leone.org/abidjanaccord.html, at p. 4, Art. 12 (ERN 00004340).

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comprising of representative of the Government of Sierra Leone and the RUF based in Freetown.

ARTICLE 12

The Executive Outcomes shall be withdrawn five weeks after the deployment of the Neutral Monitoring Group (NMG). As from the date of the deployment of the Neutral Monitoring Group, the Executive Outcomes shall be confined to barracks under the supervision of the Joint Monitoring Group and the Neutral Monitoring Group. Government shall use all its endeavours, consistent with its treaty obligations, to repatriate other foreign troops no later than three months after the deployment of the Neutral Monitoring Group or six months after the signing of the Peace Agreement, whichever is earlier.

ARTICLE 13

The Parties agree that immediately following the signing of the present Peace Agreement, the RUF/SL shall commence to function as a political movement with the rights, privileges and duties provided by law; and that within thirty days, following that, the necessary conditions shall be created to enable the RUF/SL to register as a political movement according to law.

ARTICLE 14

To consolidate the peace and promote the cause of national reconciliation, the Government of Sierra Leone shall ensure that no official or judicial action is taken against any member of the RUF/SL in respect of anything done by them in pursuit of their objectives as members of that organization up to the time of the signing of this Agreement. In addition, legislative and other measures necessary to guarantee former RUF/SL combatants, exiles and other persons, currently outside the country for reasons related to the armed conflict shall be adopted ensuring the full exercise of their civil and political rights, with a view to their reintegration within a framework of full legality.

ARTICLE 15

The mandate and membership of the existing National Unity and Reconciliation Commission shall be expanded in consultation with the Commission for the Consolidation of Peace to enable it to undertake a sustained and effective campaign of civic education aimed at enhancing national unity and reconciliation, taking into account the imperative need to heal the wounds of the conflict.

ARTICLE 16

The Parties agree that the standards of accountability, integrity and probity in the public services of Sierra Leone shall be raised. To that end, immediate steps shall be taken to establish the office of Ombudsman to promote the implementation of a professional code of ethics, and the integrity and patriotism of all public servants. It shall also seek to eradicate all forms of corruption.

ARTICLE 17

The Parties shall approach the international community with a view to mobilizing resources which will be used to establish a trust fund to enable the RUF/SL to transform itself into a

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FACT 16

The *Abidjan Accord* stated that:

> "The Parties agree that the basic civil and political liberties which are recognised by the Sierra Leone legal system and are contained in Declarations and Principles on Human Rights adopted by the UN and the OAU, especially the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, shall be fully guaranteed and promoted within Sierra Leone society.
>
> These include the right to life and liberty, freedom from torture; the right to a fair trial, freedom of conscience [...]."

a.	Exh. 1.226	ERN 00004337-00004344	*Abidjan Accord*, http://www.sierra-leone.org/abidjanaccord.html, at p. 5, Art. 19 (ERN 00004341).

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political party.

ARTICLE 18

The Parties agree to the principle of reforming the present electoral process in Sierra Leone. There shall, in that regard, be the full participation of citizens and their organizations in formulating electoral reforms.

The independence and integrity of the National Electoral Commission shall be guaranteed to ensure fair and acceptable electoral exercise.

In reconstituting the National Electoral Commission, the President shall consult all political parties and movements including the RUF/SL to determine the membership and terms of reference of that Commission, paying particular attention to the need for a level playing field in the nation's electoral politics.

Both the Government and the RUF/SL shall, together with other political parties, nominate men and women of professionalism, integrity and objectivity to the National Electoral Commission, not later than three months after the signing of the present Peace Agreement.

It is hereby agreed that no member of the National Electoral Commission shall be eligible for appointment to a political office by any government formed as a result of an election they were mandated to conduct.

ARTICLE 19

The Parties agree that the basic civil and political liberties which are recognised by the Sierra Leone legal system and are contained in the Declarations and Principles on Human Rights adopted by the UN and the OAU, especially the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, shall be fully guaranteed and promoted within Sierra Leone society.

These include the right to life and liberty, freedom from torture; the right to a fair trial, freedom of conscience, expression and association, and the right to take part in the governance of one's country.

To foster national reconciliation and ensure the full and unrestricted participation of the RUF/SL in the political process, the RUF/SL shall enjoy:

(i) freedom of the press and access to the media in order that they may be heard and informed.
(ii) freedom of association, expression, assembly and the right to mobilise and demonstrate freely, and to communicate politically in order that they may organise effectively and set up appropriate infrastructure.

All political prisoners and prisoners of war, if any, shall be released.

ARTICLE 20

FACT 17

The *Abidjan Accord* stated that:

"The Parties undertake to respect the principles and rules of international humanitarian law."

a.	Exh. 1.226	ERN 00004337-00004344	*Abidjan Accord*, http://www.sierra-leone.org/abidjanaccord.html, at p. 6, Art. 21 (ERN 00004342).

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To monitor compliance with the basic rights guaranteed in the present Peace Agreement, as well as to promote human rights education throughout the various sectors of Sierra Leonean society, including schools, the media, the police and the military, an independent National Commission on Human Rights shall be established.

In pursuance of the above, technical and material assistance may be sought from the UN Special Commission on Human Rights, UN Centre for Human Rights, African Commission on Human and People's Rights and other relevant international organisations.

The National Commission on Human Rights shall have the power to investigate human rights violations and to institute legal proceedings where appropriate.

Further, a consortium of local human rights groups shall be encouraged to help monitor human rights observance.

ARTICLE 21

The Parties undertake to respect the principles and rules of international humanitarian law.

ARTICLE 22

In the pursuit of the reconstruction, rehabilitation and socio-economic development of Sierra Leone as a matter of the utmost priority, special attention shall be given to rural and urban poor areas, war victims, disabled persons and other vulnerable groups. The Government in conjunction with the Committee for Demobilization and Resettlement shall co-operate with all political parties and movements, including the RUF/SL, to raise resources internationally for these objectives during the initial phase of the consolidation of peace.

ARTICLE 23

The Government shall do all in its power to mobilize resources internally and externally to meet the needs of the post-war reconstruction and socio-economic development.

ARTICLE 24

The Parties agree that the independence of the Judiciary shall be strengthened in accordance with its role of ensuring the fair and impartial dispensation of justice in a democratic order. The composition of the present Judicial and Legal Service Commission shall be determined so as to ensure the independence of the Judiciary from the other organs of state as well as the political parties. Its membership shall include, in addition to judges and representatives of the legal profession and public services, representatives of other sectors of society not directly connected with the administration of justice.

ARTICLE 25

The Police Force shall be strengthened to ensure that the rule of law is upheld throughout Sierra Leone. To that end, the present Police Force shall be vetted. Furthermore, the professional training of the Police Force shall henceforth assure a new orientation, bu emphasizing professionalism, the importance of human dignity and democratic values and respect and

FACT 18

Active hostilities recommenced in Sierra Leone following a temporary lull in fighting after the signing of the *Abidjan Accord.*

a.			A similar fact was judicially noticed in the *Brima* Decision, para. 41, Fact H: "However, the active hostilities thereafter recommenced."
b.	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998, at p. 7.
c.	Exh. 1.015	ERN 00004333-00004336	Resolution 1132 (1997), Adopted by the Security Council at its 3822nd meeting on 8 October 1997.
d.	Exh. 1.014	ERN 00004329-00004332	Resolution 1181 (1998), Adopted by the Security Council at its 3902nd meeting, on 13 July 1998, at para. 1.
e.	Exh. 1.067	n/a	"Getting Away with Murder, Mutilation, and Rape: new Testimony from Sierra Leone", Human Rights Watch, Vol. 11, No. 3(A), June 1999, Sec. III, p. 1.

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In 1994, RUF launched a major campaign involving attacks on several locations in the country within very short intervals. New RUF camps were established during this campaign. The civil defence forces became very important in the effort to protect the civilians. In Bo, controlled by the army, a civil defence force patrolled in the streets at night and also tried to take control of the town (**Ibid.**).

The military situation was now in favour of the RUF. The advancement of the RUF had cut the government off its major source of revenue: the diamond trade. The RUF had attacked and shut down the Sierra Rutile and SIEROMCO plants in January 1995 (**Reno, W.**, 1997, 20). The government then turned to foreign mercenary companies for arms force. Executive Outcomes from South Africa was identified. The military operations of Executive Outcomes were linked to a business branch exploiting the diamonds of Sierra Leone. The revenue generated from the sale of the diamonds enabled the payment of Executive Outcomes. This strategy changed the military balance at the war front and the RUF rebels were repelled from the diamond mining areas by mid-1995 (**Reno, W.**, 1997, 21-22). The mercenaries from Executive Outcomes, assisted by the civil defence groups, worked 22 months in Sierra Leone (**Alao, A.**, 1998, 6; **Shearer, D.**, 1998, 49).

These successful attacks on the RUF were followed by a number of RUF captives surrendering to the army. The fact that the armed forces treated them well, constituted a danger to the RUF who then initiated a new wave of atrocities against the civilians (**Richards, P.**, 1996, 17). Apart from the surrender of smaller groups, the RUF also suffered major losses on the battlefield. Of the total number of rebels, estimated at 1,500, one-third were reportedly killed (**Reno, W.**, 1997, 22). The change in the military balance was followed by free multiparty elections in March 1996, the first since 1973 (**Ibid.**).

Attempts to reach a peace settlement had stalled because of the government's demand for peace before negotiations, while the RUF insisted on the withdrawal of all foreign troops from the country (**Richards, P.**, 1996, 17). A peace agreement was eventually signed on 30 November 1996 in Abidjan between the government of President Kabbah and the RUF (**United Nations Security Council**, S/1997/80, 26 January 1997), who had been assisted in the effort by representatives of the United Nations and the Organisation of African Unity (OAU) (**Richards, P.**, 1996, 18; **Alao, A.**, 1998, 4). The agreement provided, *inter alia*, for the transformation of RUF into a political party (**EIU Country Profile 1998-99**, 1998, 40). However, the restoration of peace was problematic as violence reportedly continued to be inflicted by rebels, soldiers or *sobels*, the latter said to be men who were allegedly soldiers by day and rebels at night (**Abraham, A.**, 1997, 103). The peace process collapsed completely in March 1997, when RUF leader Foday Sankoh was arrested on charges of arms trafficing in Nigeria (**EIU Country Profile 1998-99**, 1998, 41).

Civilians Organise Themselves

The armed forces did not provide protection to the civilians nor did the RUF although it stated its intention to liberate the Sierra Leonean people (**Abraham, A.**, 1997, 101). The civilian population had been targeted by both fighting parties since the beginning of the conflict and the lack of protection became self-

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UNITED
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Security Council

Distr.
GENERAL

S/RES/1132 (1997)
8 October 1997

RESOLUTION 1132 (1997)

Adopted by the Security Council at its 3822nd meeting, on 8 October 1997

The Security Council,

Recalling the statements of its President of 27 May 1997 (S/PRST/1997/29), 11 July 1997 (S/PRST/1997/36) and 6 August 1997 (S/PRST/1997/42) condemning the military coup in Sierra Leone,

Taking note of the decision of the thirty-third summit of the Organization of African Unity (OAU) held in Harare, Zimbabwe, from 2 to 4 June 1997 concerning the situation in Sierra Leone,

Taking note also of the Communique issued at the meeting of the Foreign Ministers of the Economic Community of West African States (ECOWAS) on Sierra Leone, held in Conakry, Guinea on 26 June 1997 (S/1997/499), the Declaration of the ECOWAS Committee of Four Foreign Ministers on Sierra Leone (the ECOWAS Committee) of 30 July 1997 (S/1997/646), and the final Communique of the summit of ECOWAS held at Abuja on 28 and 29 August 1997 and the Decision on sanctions against the military junta in Sierra Leone issued at the summit (S/1997/695, Annexes I and II),

Taking note also of the Secretary-General's letter of 7 October 1997 (S/1997/776),

Expressing its full support and appreciation for the mediation efforts of the ECOWAS Committee,

Reaffirming its view that the Abidjan Agreement (S/1996/1034) continues to serve as a viable framework for peace, stability and reconciliation in Sierra Leone,

Deploring the fact that the military junta has not taken steps to allow the restoration of the democratically-elected Government and a return to constitutional order,

Gravely concerned at the continued violence and loss of life in Sierra Leone following the military coup of 25 May 1997, the deteriorating humanitarian conditions in that country, and the consequences for neighbouring countries,

Determining that the situation in Sierra Leone constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. Demands that the military junta take immediate steps to relinquish power in Sierra Leone and make way for the restoration of the democratically-elected Government and a return to constitutional order;

2. Reiterates its call upon the junta to end all acts of violence and to cease all interference with the delivery of humanitarian assistance to the people of Sierra Leone;

3. Expresses its strong support for the efforts of the ECOWAS Committee to resolve the crisis in Sierra Leone and encourages it to continue to work for the peaceful restoration of the constitutional order, including through the resumption of negotiations;

4. Encourages the Secretary-General, through his Special Envoy, in cooperation with the ECOWAS Committee, to assist the search for a peaceful resolution of the crisis and, to that end, to work for a resumption of discussions with all parties to the crisis;

5. Decides that all States shall prevent the entry into or transit through their territories of members of the military junta and adult members of their families, as designated in accordance with paragraph 10 (f) below, provided that the entry into or transit through a particular State of any such person may be authorized by the Committee established by paragraph 10 below for verified humanitarian purposes or purposes consistent with paragraph 1 above, and provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

6. Decides that all States shall prevent the sale or supply to Sierra Leone, by their nationals or from their territories, or using their flag vessels or aircraft, of petroleum and petroleum products and arms and related matériel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territory;

7. Decides that the Committee established by paragraph 10 below may authorize, on a case-by-case basis under a no-objection procedure:

(a) applications by the democratically-elected Government of Sierra Leone for the importation into Sierra Leone of petroleum or petroleum products; and

(b) applications by any other government or by United Nations Agencies for the importation of petroleum or petroleum products into Sierra Leone

for verified humanitarian purposes, or for the needs of the Military Observer Group of ECOWAS (ECOMOG),

subject to acceptable arrangements for effective monitoring of delivery;

8. Acting also under Chapter VIII of the Charter of the United Nations, authorizes ECOWAS, cooperating with the democratically-elected Government of Sierra Leone, to ensure strict implementation of the provisions of this resolution relating to the supply of petroleum and petroleum products, and arms and related matériel of all types, including, where necessary and in conformity with applicable international standards, by halting inward maritime shipping in order to inspect and verify their cargoes and destinations, and calls upon all States to cooperate with ECOWAS in this regard;

9. Requests ECOWAS to report every 30 days to the Committee established under paragraph 10 below on all activities undertaken pursuant to paragraph 8 above;

10. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) to seek from all States further information regarding the action taken by them with a view to implementing effectively the measures imposed by paragraphs 5 and 6 above;

(b) to consider information brought to its attention by States concerning violations of the measures imposed by paragraphs 5 and 6 above and to recommend appropriate measures in response thereto;

(c) to make periodic reports to the Security Council on information submitted to it regarding alleged violations of the measures imposed by paragraphs 5 and 6 above, identifying where possible persons or entities, including vessels, reported to be engaged in such violations;

(d) to promulgate such guidelines as may be necessary to facilitate the implementation of the measures imposed by paragraphs 5 and 6 above;

(e) to consider and decide expeditiously requests for the approval of imports of petroleum and petroleum products in accordance with paragraph 7 above;

(f) to designate expeditiously members of the military junta and adult members of their families whose entry or transit is to be prevented in accordance with paragraph 5 above;

(g) to examine the reports submitted pursuant to paragraphs 9 above and 13 below;

(h) to establish liaison with the ECOWAS Committee on the implementation of the measures imposed by paragraphs 5 and 6 above;

11. Calls upon all States and all international and regional organizations to act strictly in conformity with this resolution, notwithstanding the existence of any rights granted or obligations conferred or imposed by any international agreement or of any contract entered into or any licence or permit granted prior to the entry into force of the provisions set out in paragraphs 5 and 6 above;

12. Requests the Secretary-General to provide all necessary assistance to the Committee established by paragraph 10 above and to make the necessary arrangements in the Secretariat for this purpose;

13. Requests States to report to the Secretary-General within 30 days of the date of adoption of this resolution on the steps they have taken to give effect to the provisions set out in paragraphs 5 and 6 above;

14. Requests all those concerned, including ECOWAS, the United Nations and other international humanitarian agencies, to establish appropriate arrangements for the provision of humanitarian assistance and to endeavour to ensure that such assistance responds to local needs and is safely delivered to, and used by, its intended recipients;

15. Urges all States, international organizations and financial institutions to assist States in the region to address the economic and social consequences of the influx of refugees from Sierra Leone;

16. Requests the Secretary-General to submit an initial report to the Council within 15 days of the adoption of this resolution on compliance with paragraph 1 above, and thereafter every 60 days after the date of adoption of this resolution on its implementation and on the humanitarian situation in Sierra Leone;

17. Decides, if the measures set out in paragraphs 5 and 6 above have not been terminated in accordance with paragraph 19 below, to conduct, 180 days after the adoption of this resolution and on the basis of the most recent report of the Secretary-General, a thorough review of the application of these measures and of any steps taken by the military junta to comply with paragraph 1 above;

18. Urges all States to provide technical and logistical support to assist ECOWAS to carry out its responsibilities in the implementation of this resolution;

19. Expresses its intention to terminate the measures set out in paragraphs 5 and 6 above when the demand in paragraph 1 above has been complied with;

20. Decides to remain seized of the matter.

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UNITED NATIONS

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Security Council

Distr.
GENERAL

S/RES/1181 (1998)
13 July 1998

RESOLUTION 1181 (1998)

Adopted by the Security Council at its 3902nd meeting, on 13 July 1998

The Security Council,

Recalling its previous relevant resolutions and the statements of its President,

Welcoming the continued efforts of the Government of Sierra Leone to restore peaceful and secure conditions in the country, to re-establish effective administration and the democratic process and to embark on the task of national reconciliation, reconstruction and rehabilitation,

Recognizing the important contribution of the Economic Community of West African States (ECOWAS) in support of these objectives,

Having considered the report of the Secretary-General of 9 June 1998 (S/1998/486 and Add.1),

Noting the objectives set by ECOWAS for its Military Observer Group (ECOMOG) as described in paragraph 17 of the report of Secretary-General,

Gravely concerned at the loss of life and immense suffering undergone by the people of Sierra Leone, including refugees and displaced persons, as a result of the continuing rebel attacks, and in particular at the plight of children affected by the conflict,

1. Condemns the continued resistance of remnants of the ousted junta and members of the Revolutionary United Front (RUF) to the authority of the legitimate government and the violence they are perpetrating against the civilian population of Sierra Leone, and demands that they lay down their arms immediately;

2. Emphasizes the need to promote national reconciliation in Sierra Leone, encourages all parties in the country to work together towards this objective, and welcomes the assistance of the Secretary-General and his Special Envoy in that regard;

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3. Welcomes the proposal in the report of the Secretary-General of 9 June 1998 on the establishment of the United Nations Observer Mission in Sierra Leone (UNOMSIL);

4. Notes that the Government of Sierra Leone has adopted a disarmament, demobilization and reintegration plan agreed with the International Bank for Reconstruction and Development, the United Nations Development Programme and other donors;

5. Commends the positive role of ECOWAS and ECOMOG in their efforts to restore peace, security and stability throughout the country at the request of the Government of Sierra Leone, and notes the role of ECOMOG in assisting the implementation of the disarmament, demobilization and reintegration plan adopted by the Government of Sierra Leone, including the provision of security and responsibility for arms collection and destruction;

6. Decides to establish UNOMSIL for an initial period of six months until 13 January 1999, and further decides that it shall include up to 70 military observers as well as a small medical unit, with the necessary equipment and civilian support staff, with the following mandate:

(a) To monitor the military and security situation in the country as a whole, as security conditions permit, and to provide the Special Representative of the Secretary-General with regular information thereon in particular with a view to determining when conditions are sufficiently secure to allow subsequent deployments of military observers beyond the first phase described in paragraph 7 below;

(b) To monitor the disarmament and demobilization of former combatants concentrated in secure areas of the country, including monitoring of the role of ECOMOG in the provision of security and in the collection and destruction of arms in those secure areas;

(c) To assist in monitoring respect for international humanitarian law, including at disarmament and demobilization sites, where security conditions permit;

(d) To monitor the voluntary disarmament and demobilization of members of the Civil Defence Forces (CDF), as security conditions permit;

7. Decides further that the elements of UNOMSIL referred to in paragraph 6 above shall be deployed as outlined in the Secretary-General's report, with approximately 40 military observers deployed in the first phase to ECOMOG-secured areas, and that subsequent deployments shall take place as soon as security conditions permit, and subject to progress on the implementation of the disarmament, demobilization and reintegration plan and the availability of the necessary equipment and resources;

8. Decides further that UNOMSIL shall be led by the Special Envoy of the Secretary-General, who will be designated Special Representative for Sierra Leone, that UNOMSIL shall subsume the office of the Special Envoy and its civilian staff, and that the augmented civilian staff, as recommended by the

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Secretary-General in paragraphs 74 and 75 of his report, shall perform, inter alia, the following tasks:

(a) To advise, in coordination with other international efforts, the Government of Sierra Leone and local police officials on police practice, training, re-equipment and recruitment, in particular on the need to respect internationally accepted standards of policing in democratic societies, to advise on the planning of the reform and restructuring of the Sierra Leone police force, and to monitor progress in that regard;

(b) To report on violations of international humanitarian law and human rights in Sierra Leone, and, in consultation with the relevant United Nations agencies, to assist the Government of Sierra Leone in its efforts to address the country's human rights needs;

9. Welcomes the commitment of ECOMOG to ensure the security of United Nations personnel, and in this regard welcomes also the intention of the Secretary-General to establish security arrangements for United Nations personnel with the Chairman of ECOWAS and to conclude a status of mission agreement with Government of Sierra Leone;

10. Decides that the elements of UNOMSIL referred to in paragraph 6 above shall be deployed when the Secretary-General informs the Council that security arrangements and the status of mission agreement have been concluded, and further decides to keep the deployment of UNOMSIL under review in the light of the prevailing security conditions;

11. Stresses the need for full cooperation and close coordination between UNOMSIL and ECOMOG in their respective operational activities;

12. Demands that all factions and forces in Sierra Leone strictly respect the status of UNOMSIL personnel, as well as organizations and agencies delivering humanitarian assistance throughout Sierra Leone, and that they respect human rights and abide by applicable rules of international humanitarian law;

13. Expresses its serious concern at the reports of cross-border arms flows and support to the rebels in Sierra Leone, welcomes the intention of the Secretary-General, as indicated in his report, to pursue with all parties concerned steps to eliminate these activities, and in that regard reaffirms the obligation of all States to comply strictly with the terms of the embargo on the sale or supply of arms and related matériel to Sierra Leone imposed by resolution 1171 (1998) of 5 June 1998, and to bring all instances of violations of the arms embargo before the Committee established by resolution 1132 (1997) of 8 October 1997;

14. Welcomes the efforts of the Government of Sierra Leone to coordinate an effective national response to the needs of children affected by armed conflict, and the recommendation of the Special Representative of the Secretary-General for Children in Armed Conflict that Sierra Leone be made one of the pilot projects for a more concerted and effective response to the needs of children in the context of post-conflict peace-building;

15. Further welcomes the decision of the Secretary-General to convene a high-level conference to mobilize assistance for peacekeeping activities, emergency and humanitarian needs and reconstruction and rehabilitation in Sierra Leone;

16. Reiterates its urgent appeal to States to make contributions to the Trust Fund which has been established to support peacekeeping and related activities in Sierra Leone, to provide technical and logistical support to assist ECOMOG to carry out its peacekeeping role, and to help facilitate other ECOWAS member States to provide additional troops to strengthen the deployment of ECOMOG in Sierra Leone;

17. Urges all States and international organizations to provide urgent humanitarian assistance to Sierra Leone, in response to the consolidated inter-agency appeal launched on 24 June 1998;

18. Encourages all States and international organizations to assist and participate in the longer term tasks of reconstruction and economic and social recovery and development in Sierra Leone;

19. Requests the Secretary-General to submit an initial report to the Council within 30 days of the adoption of this resolution and every 60 days thereafter on the deployment of UNOMSIL and on the progress of UNOMSIL in carrying out its mandate, and also to inform the Council on plans for the later phases of the deployment of UNOMSIL when security conditions permit these to be implemented;

20. Decides to remain seized of the matter.





III. BACKGROUND

The Sierra Leonean civil war began in March 1991, when the Revolutionary United Front (RUF) entered Sierra Leone from Liberia, launching a rebellion to overthrow the one-party rule of the All Peoples Congress (APC). The RUF accused the APC, which had been in power since 1967, of rampant corruption, nepotism, and fiscal mismanagement. Despite the fact that Sierra Leone is extremely resource-rich, with large deposits of diamonds, gold, rutile, and bauxite, it is estimated to be one of the poorest countries in the world.

Under the leadership of Foday Sankoh, a corporal in the Sierra Leone Army who had been imprisoned in 1971 for his alleged involvement in an attempted coup against the APC, the RUF was originally made up of a mixture of middle class students with a populist platform, unemployed and alienated youths, and Liberian fighters from Charles Taylor's National Patriotic Front of Liberia (NPFL).[3] The ideological component to the movement, however, was never clearly actualized, and the rebellion quickly developed into a campaign of violence whose principal aim appeared to be simply to gain access to the country's diamond and mineral wealth.

From 1991 until the present, the RUF has fought with great brutality to overthrow the successive governments of both military and elected civilian regimes. Since the outbreak of the war, the country has been marked by instability. In 1992, APC President Joseph Momoh was overthrown in a military coup by Captain Valentine Strasser, whose National Provisional Ruling Council (NPRC) ruled until it was itself overthrown in 1996, by his deputy, Brigadier Julius Maada Bio.

Later in 1996, however, multi-party elections were held and won by Ahmad Tejan Kabbah, head of the Sierra Leone People's Party (SLPP), who pledged to bring about an end to the war. After coming to the negotiating table in Abidjan, the RUF and Kabbah's government signed a peace agreement in November 1996, the Abidjan Accord, which called for a cease-fire, disarmament, demobilization, and the withdrawal of all foreign forces. The cease-fire, however, was broken in January 1997 when serious fighting broke out in southern Moyamba District.

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FACT 19

14. President Kabbah's government returned to power in Sierra Leone in March 1998.

a.			A similar fact was judicially noticed in the *Brima* Decision, para. 58, part of Fact P: "… President Kabbah's government returned in March of 1998."
b.	Exh. 1.078	n/a	Fourth Report of the Secretary-General on the Situation in Sierra Leone, 18 March 1998 (S/1998/249) paras. 9, 17.
c.	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998, at p. 9.
d.	Exh. 1.073	ERN 00011233-00011276	Human Rights Watch, "Sowing Terror, Atrocities against civilians in Sierra Leone", Vol. 10, No. 3 (A) July 1998, at p. 4 (ERN 00011237).

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5. I reaffirmed to the Committee of Five the desire of the United Nations for close cooperation between the United Nations and ECOWAS, and stated that ECOMOG needed to develop a concept of operations on the basis of which the United Nations could finalize its own deployment plan. ECOMOG should also compile a statement of its own logistical requirements in order to attract the necessary support from potential donors.

6. On the same day, responding to an attack by junta forces on their position at Lungi, ECOMOG launched a military attack on the junta, which culminated approximately one week later in the collapse of the junta and its expulsion by force from Freetown after heavy fighting. The fall of the city on 13 February, which was accompanied by widespread looting and some reprisal killings, led to the flight or capture of many soldiers and leaders of the junta. ECOWAS has assured me that the International Committee of the Red Cross (ICRC) has been allowed to visit prisoners detained by ECOMOG in Freetown. However, some of the former leaders of the Armed Forces Revolutionary Council (AFRC), including its Chairman, Johnny Paul Koroma, are believed to be still at large. Acting in concert with the local Kamajors and other traditional hunter militia (known as the Civil Defence Unit), ECOMOG has subsequently taken control of the towns of Bo, Kenema and Zimmi in the south of the country, and Lunsar, Makeni and Kabala in the north. ECOMOG has also reported the capture of Daru, which would mean that the remnants of the junta have now been dislodged from every major town except for Kailahun. Following scattered fighting in the latter part of February, the country now appears to be quiet. A number of foreign aid workers and missionaries taken hostage by armed elements in February were later released unharmed. However, press reports in mid-March indicated that Revolutionary United Front (RUF) members in Kono had murdered civilians and taken 200 hostages, reportedly including foreign nationals.

7. On 18 February, accompanied by the Executive Secretary of ECOWAS, Mr. Lansana Kouyaté, Minister Ikimi visited Sierra Leone to assess the situation on the ground. They interviewed some former junta soldiers now detained by ECOMOG and visited the State House complex and the Parliament buildings. Many of the government buildings were found to have been looted and were in poor condition, and a number of unexploded bombs were scattered about. However, the ECOWAS team, which was enthusiastically greeted by crowds, found that in many respects life had returned to normal in the capital. As noted below, my Special Envoy also visited Freetown on the same day.

8. From 25 to 27 February 1998, the Committee of Five met in the margins of the meeting of the Organization of African Unity (OAU) Council of Ministers held in Addis Ababa to review the situation in Sierra Leone. The Committee issued a communiqué, which was subsequently circulated as document S/1998/170.

9. On 4 March 1998, the members of the Committee of Five returned to New York and met again with members of the Security Council and with me. Chief Ikimi briefed me on his visit to Freetown on 18 February and his subsequent meeting with President Tejan Kabbah in Conakry. Following this meeting, it was announced that President Kabbah would return to his country on 10 March 1998.

10. ECOMOG has also prepared a detailed list of logistical requirements for its operations in Sierra Leone. During the visit to New York of the Committee of

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community could provide; and the urgent provision of humanitarian assistance. The President announced that he had created a task force to prepare the ground for the resumption of work by his Government, to assess damage to the infrastructure and to prepare for the resumption of education. President Kabbah identified the immediate priorities of his Government as the provision of humanitarian supplies and petroleum products, the reactivation of international aid programmes and the disarmament and demobilization of former combatants. Three other areas that required special attention have been identified as the training and restructuring of the police force, the creation of job opportunities for young people and the construction of low-cost housing. President Kabbah also indicated that he intended to streamline his administration and appoint technical experts to cabinet positions.

16. Following the removal by ECOMOG of the military junta from power, President Kabbah issued a statement announcing his intention to submit proposals to Parliament concerning the rebuilding of his country. The President also spoke out against the reprisal killings, which, in some cases, had accompanied the seizure of control from the junta.

17. On 10 March 1998, accompanied by General Sani Abacha, Chairman of ECOWAS and Head of State of Nigeria, as well as the Heads of State of Guinea, Mali and Niger, President Lansana Conteh, President Alpha Oumar Konare and President Ibrahim Bare Mainassara, and the Vice-President of Gambia, President Tejan Kabbah returned to Freetown to resume his office as Head of State of Sierra Leone. He was greeted by large and enthusiastic crowds. Mr. Ibrahima Fall, Assistant Secretary-General for Political Affairs, delivered on my behalf a message of congratulations to the President stating that his return represented the accomplishment of a major objective not only of the people of Sierra Leone, but also of ECOWAS, OAU, the United Nations and the entire international community. I expressed my deep regret at the violence, loss of life and property and immense suffering undergone by the people of Sierra Leone since the coup d'état and extended my condolences to the families of those who lost their lives in opposing it. Furthermore, I informed the President that the United Nations looked forward to working closely with him in helping his Government to reassert its authority and strengthen its capacity throughout the country.

18. In a statement made at the ceremony marking his return to Sierra Leone, President Kabbah declared his intention to embark on the process of national reconciliation and reconstruction of the country, to form a broad-based Government and to appoint a policy advisory committee. In his first meeting with my Special Envoy after his return, President Kabbah stressed the need for an early deployment of United Nations military personnel, the urgent provision of humanitarian assistance and the prompt establishment of the Trust Fund for Sierra Leone.

Military and security situation in Sierra Leone

19. Freetown is now fully under the control of ECOMOG and is increasingly secure. Some unexploded ordnance and landmines have been found, but these are not a threat to security. The peninsula on which the capital stands has also been secured. With the capture of almost every other major town in the country,

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Regional Peace-Keeping Efforts: ECOMOG

Created in August 1990, the Economic Community of West African States Monitoring Group (ECOMOG) was conceived as a multilateral regional peacekeeping force to intervene in Liberia's civil war. From the beginning, it was dominated by Anglophone West African States, in particular Nigeria, who contributed the majority of troops, materials and finances (**OCHA Integrated Regional Information Network for West Africa (IRIN-WA)**, 5 February 1998, 1 [Internet]). During the mission in Liberia, Gambia, Guinea, Ghana, Sierra Leone and several other African states also supplied troops, adding to a total of 15,000 soldiers at the height of the mission. In October 1990, ECOMOG succeeded in expelling the National Patriotic Front for Liberia, led by Charles Taylor, from the country. In successive years, ECOMOG gradually drove the Taylor faction out of Liberia. The force gained a bad reputation in Liberia, where they are thought to have attacked and looted humanitarian convoys (**International Crisis Group**, March 1998, 6 [Internet]). It also assisted the demobilisation process and monitored elections in Liberia in July 1997.

ECOMOG troops had used Freetown as a rear base since almost the start of the Liberian intervention. Moreover, Nigerian forces have been based in Sierra Leone as part of a bilateral defence pact (**Africa South of the Sahara**, 1998, 117). After the *coup d'état* of 25 May 1997, additional Nigerian troops, which had been serving in Liberia under ECOMOG's mandate, arrived in order to drive the RUF out of Sierra Leone. On 28 May 1997, Freetown came under naval bombardment in an attempt by the Nigerian armed forces to put down the *coup d'état* - under ECOMOG's auspices, also reinforced by troops sent from Guinea and Ghana (**Pitsch, A.**, 1997, 11 [Internet]) Although ECOMOG's involvement was supported both by the OAU and the UN from July 1997 onwards, many commentators criticised what they saw as 'a Nigerian unilateral initiative which [...]had contradicted the humanitarian nature of the force's mandate (**Africa South of the Sahara**, 1998, 117).

After a peace plan for Sierra Leone had been drawn up by the Economic Community of West African States (ECOWAS) ministers of foreign affairs in Conakry (Guinea) at the end of June 1997, ECOMOG's mandate was extended to Sierra Leone on 29/30 August 1997. The ultimate aim of the peace agreement was to remove the junta from power, be it by dialogue, sanctions or force. To this end, ECOMOG's mandate consisted of enforcing the economic sanctions imposed by ECOWAS, namely an air, land and sea blockade (**Economic Community of West African States**, 23 October 1997 [Internet]). There was, however, no specification as to the time limitation for sanctions before considering military force (**Ibid.**).

On 27 October 1997, after the peace agreement between AFRC representatives and the ECOWAS Committee was signed, ECOMOG became a regular peacekeeping force (**OCHA IRIN-WA**, 5 February 1998, 3 [Internet]).

On 5 February 1998, ECOMOG invaded Freetown unilaterally in order to overthrow the junta. During the period between the intervention and the return of president Kabbah on 10 March 1998, ECOMOG effectively acted as an interim government. The re-instatement of the Kabbah government by the ECOMOG

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I. SUMMARY

Since losing political power in February 1998, members of the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF) have been engaging in a war of terror against civilians in Sierra Leone. With no recognizable political platform, the AFRC/RUF rebel alliance is committing widespread and egregious atrocities against unarmed civilians in an attempt to regain power. As the violence in Sierra Leone continues, grave abuses continue to take place. Human Rights Watch interviewed civilian men, women, and children who had been intentionally mutilated or shot as recently as June 12, 1998 in eastern Sierra Leone.

Many thousands of Sierra Leonean civilians have been raped; deliberately mutilated, often by amputation; or killed outright in a campaign by the AFRC/RUF between February and June 1998 alone. Men, women and children, probably numbering in the thousands, have been abducted by the AFRC/RUF for use as combatants, forced laborers, or sexual slaves. Women have been actively targeted through sexual violence, including rape and sexual slavery. Children have been targets of killings and violence and are forcibly recruited as soldiers. In addition to various forms of physical abuse, innumerable Sierra Leoneans suffer from psychological trauma due to intentionally cruel methods of inflicting harm against these individuals and their communities.

These atrocities committed against civilians are the latest cycle of violence in the armed conflict that has devastated Sierra Leone for seven years. The fighting has caused the displacement of more than a million Sierra Leoneans. Most have become internally displaced, while hundreds of thousands have fled the country as refugees, predominantly to neighboring Guinea and Liberia.

The AFRC—led by a group of military officers—took power forcibly on May 25, 1997. During the nine months it was in power, the AFRC joined forces with the armed rebel group, the RUF, to form a regime characterized by serious human rights violations and a complete breakdown of the rule of law. In February 1998, a Nigerian-led peacekeeping force, the Economic Community of West African States Monitoring Group (ECOMOG), forced the AFRC/RUF out of power and reinstated former President Ahmad Tejan Kabbah, who had been elected president in March 1996 in the first multi-party elections for almost three decades in Sierra Leone. Since the reinstatement of Kabbah, the AFRC has joined forces with the RUF to wage a war against ECOMOG and the Kabbah government.

Since independence in 1961, Sierra Leone has endured a series of military regimes and rebellions in struggles over economic and political power. However, the latest round of violence is unique in the scale and grotesque nature of the attacks on civilians. Much of rural Sierra Leone is inaccessible due to the ongoing war, and information is available for the most part only through health facilities where victims seek care in Sierra Leone and through the testimonies of witnesses and survivors in neighboring Guinea and Liberia. Of the hundreds of testimonies collected by Human Rights Watch, many described situations in which the interviewee was the sole survivor among many victims. The cases reported in this document represent only a small fraction of the actual number of victims. The true number may never be known.

Human Rights Watch compiled information regarding the experiences of more than 500 survivors of atrocities committed in Sierra Leone between February and June of 1998. The vast majority of these abuses were perpetrated by members of the AFRC/RUF. Of this number, over 425 survivors of gunshot wounds, amputations and other mutilations, or rape were registered in Connaught, Magburaka, and Makeni hospitals in Sierra Leone. Approximately eighty-two survivors of the same types of abuse were identified in Guinea at Conakry, Faranah, Kissidougou, and Guéckedou hospitals during roughly the same period. In the Liberian refugee camps, Human Rights Watch interviewed victims of the conflict and former AFRC/RUF combatants living alongside one another.

Forces fighting on behalf of President Kabbah have also committed human rights abuses and violations of international humanitarian law. Civilian Defense Forces (CDFs), civilian militias who support the Kabbah

FACT 20

At a meeting in Abuja in July 1998, the President of the Republic of Liberia and President Kabbah condemned the atrocities against civilians in Sierra Leone.

a.	Exh. 1.227	ERN 00012386-00012400	First Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1998/750), 12 August 1998, at para. 5 (ERN 00012387).

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planning to use Sierra Leone as a base from which to attack Liberia. At the conclusion of the meeting, President Kabbah issued a statement reaffirming his commitment to subregional peace and security and calling for strict adherence to the existing non-aggression pact and good neighbourliness treaty contained in the Mano River Union Agreement.

5. On 1 July 1998, during my visit to Abuja, together with the President of Nigeria, General Abdulsalam Abubakar, I jointly convened a meeting between President Taylor and President Kabbah, the Heads of State of Liberia and Sierra Leone. The two Heads of State reached agreement at that meeting on a number of confidence-building measures to improve relations between their countries. The Presidents, inter alia, strongly condemned the continued rebel activities in Sierra Leone, as well as the horrendous atrocities committed there, and agreed to exchange official visits. The communiqué issued at the end of the meeting was circulated as document S/1998/629.

6. On 20 July 1998, President Kabbah paid a one-day visit to Monrovia at the written invitation of President Taylor to attend the Liberian National Reconciliation Conference. The meeting of the two Presidents was held in the presence of the Reverend Jesse Jackson, Special Envoy of the President of the United States of America to Africa. In a joint communiqué issued after the meeting, President Taylor and President Kabbah again condemned all atrocities and violations of human rights committed by combatants in Sierra Leone against civilians, as well as the continued rebel activities in that country. They reaffirmed their commitment to non-aggression against the territorial integrity of each other's country and pledged to continue their cooperation towards peace and security in the subregion. Both leaders renewed their call to the United Nations and the Economic Community of West African States (ECOWAS) to deploy observer units on the Liberia/Sierra Leone border and agreed to coordinate border security activities. President Taylor accepted an invitation from President Kabbah to visit Sierra Leone at a date to be announced.

7. In a later development, the Government of Sierra Leone has denied any involvement in an alleged plot to overthrow the Government of Liberia, which has been widely reported in Monrovia.

8. On 25 July 1998, the Nigerian Government released the leader of RUF, Corporal Foday Sankoh, to Sierra Leonean custody in Freetown. The Government of Sierra Leone has now detained Corporal Sankoh and issued a public statement calling on his supporters, who are still fighting, to surrender to ECOMOG, to my Special Representative or to any religious organization by 8 August 1998. The Government statement called for an end to fighting and urged Sierra Leoneans to turn their attention and energies to the elimination of poverty, disease and illiteracy. In a television appearance with the Sierra Leonean Minister of Information, Corporal Sankoh appealed to the remnants of RUF to halt atrocities against the people of Sierra Leone and to surrender to United Nations observers or to the Military Observer Group of ECOWAS (ECOMOG). A subsequent Government statement issued on 3 August reiterated the 8 August deadline for the amnesty. There has been no significant response to the Government's call.

9. Following the visit to Sierra Leone of my Special Representative for Children and Armed Conflict, Mr. Olara A. Otunnu, in May, the Government has

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UNITED NATIONS

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Security Council

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GENERAL

S/1998/750
12 August 1998

ORIGINAL: ENGLISH

FIRST PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN SIERRA LEONE

I. INTRODUCTION

1. By paragraph 19 of its resolution 1181 (1998) of 13 July 1998, the Security Council requested me to submit an initial report within 30 days of the adoption of the resolution and every 60 days thereafter on the deployment of the United Nations Observer Mission in Sierra Leone (UNOMSIL) and its progress in carrying out its mandate, and also to inform the Council on plans for the later phases of the deployment of UNOMSIL when security conditions permit these to be implemented. The present report, which is submitted pursuant to that request, describes developments since my fifth report on the situation in Sierra Leone (S/1998/486) dated 9 June 1998.

2. The present report is also submitted in accordance with paragraph 10 of resolution 1162 (1998) of 17 April 1998 and paragraph 8 of resolution 1171 (1998) of 5 June 1998.

II. SITUATION IN SIERRA LEONE

Activities of the Government of Sierra Leone

3. Since my last report, the Government of Sierra Leone has continued to strengthen its authority and improve its organization and functioning, including through the adoption, following a wide-ranging parliamentary debate, of a budget for the remainder of 1998. On 7 August, President Kabbah visited the provincial towns of Bo, Kenema and Makenie. Some 45 of the 52 paramount chiefs have returned to their districts in the south of the country.

4. Significant improvements have occurred in relations between Sierra Leone and Liberia. On 22 and 23 June, a Liberian delegation led by Senator Kekura Kpoto visited Freetown to deliver a special message from President Taylor to President Kabbah concerning ways to promote peace between Guinea, Liberia and Sierra Leone, the Mano River Union countries. The delegation also denied allegations that the Liberian Government was supporting the remnants of the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF), and expressed concern that some Liberian dissidents were reported to be

planning to use Sierra Leone as a base from which to attack Liberia. At the conclusion of the meeting, President Kabbah issued a statement reaffirming his commitment to subregional peace and security and calling for strict adherence to the existing non-aggression pact and good neighbourliness treaty contained in the Mano River Union Agreement.

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9. Following the visit to Sierra Leone of my Special Representative for Children and Armed Conflict, Mr. Olara A. Otunnu, in May, the Government has

accorded special attention, and has welcomed efforts by United Nations agencies, to promoting the welfare, rights and protection of children and to addressing challenges posed by the "youth crisis" and the high growth rate of the population. In July, Vice-President Albert Joe Demby publicized the 1998 edition of the UNICEF report, The Progress of Nations, while the Minister of Finance, Development and Economic Planning, Mr. James Jonah, delivered a radio address on World Population Day, in which he highlighted the Government's intention to rehabilitate and reconstruct all war-affected areas, increase the rate of economic growth faster than population growth and reduce poverty.

Activities of the Military Observer Group of the Economic Community of West African States and the military and security situation in Sierra Leone

10. Since the end of June, the military and security situation in Sierra Leone has improved somewhat as reports of atrocities committed by elements of the former junta have markedly declined. Despite the onset of the rainy season, ECOMOG, has maintained its pressure on Kailahun district, the remaining stronghold of the former junta in the eastern part of the country. At the same time, ECOMOG positions in Koidu, also in eastern Sierra Leone, have repeatedly come under mortar attack during the last few weeks and the situation in the north-east remains volatile and unpredictable, as was shown by the rebels' capture and brief occupation of Kabala.

11. Security in Freetown has generally been good. However, on 19 July 1998, a gun battle lasting approximately one hour broke out in Freetown between ECOMOG and a band of 15 men described as robbers. The men were all captured the same day without bloodshed.

12. In the countryside, elements of the former junta are concentrated around Kailahun and Koidu in relatively large numbers, while smaller groups have been operating in northern and central Sierra Leone. Sometimes these groups have harassed ECOMOG units and the civilian population, perpetrating atrocities and destroying property, but on a much smaller scale than was the case in June. Attacks by ECOMOG, including air strikes, are thought to have inflicted significant casualties on the rebels and broken them up into smaller groups, curtailing their activities. Reported shortages of food and ammunition among the rebels have increased the risk that they could attack ECOMOG convoys and isolated settlements in order to resupply themselves. The southern part of the country and the area around Freetown in the west have been calm, except for the incident described above.

13. On 27 July 1998, apparently after seizing weapons and ammunition in an attack on ECOMOG units at Bendugu in north-eastern Sierra Leone, junta supporters attacked ECOMOG troops in the town of Kabala. The attack, which was preceded by a feigned offer to surrender, was well-coordinated and launched from three sides. The rebels succeeded in taking the town and temporarily driving out the ECOMOG defenders. At about the same time, the rebels attacked a civilian bus about 10 kilometres south of Kabala, killing seven passengers.

14. By 31 July, ECOMOG troops moved back in force into Kabala as rebel forces withdrew. The rebels caused extensive property damage, including the destruction of some 200 houses, plundered the town and extorted money from the

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civilian population, whom they threatened to use as human shields in the event of a counter-attack. No mutilations have been reported.

15. During the past few weeks, ECOMOG has inducted fresh troops into the Kenema sector in south-eastern Sierra Leone, with a view to reinforcing its presence near Kailahun. The deployment of an additional brigade, comprising three battalions, has enabled ECOMOG to mount more aggressive patrols, at times in conjunction with the Sierra Leonean Civil Defence Force. ECOMOG has also reinducted former Republic of Sierra Leone Military Forces (RSMLF) personnel, amounting to approximately three battalions, or 2,500 men, alongside its own troops to assist with the protection of supply lines and, in some cases, in combat duties. The provision of logistical assistance to ECOMOG, thanks to the bilateral contribution of the United States of America, has helped to improve operational capacity. ECOMOG has also been withdrawing exhausted troops with a view to rotating them. Nonetheless, ECOMOG, with an estimated 10,000 troops in theatre, is still overstretched and in need of significant additional logistical support, in order to contain the rebels and restore and maintain order in the eastern and northern parts of the country.

16. While the Civil Defence Force is nominally under the command and control of ECOMOG, reports continue to be received of unruly or criminal behaviour on the part of some members of the Force outside their own home districts. Strains that developed between ECOMOG and the Civil Defence Force in some places appear to have been successfully resolved or contained through the intervention of senior commanders. Some members of the Force have also been accused of human rights violations and criminal acts, including looting, confiscation of vehicles and civil disturbances, although allegations of summary killings and the torture of prisoners have dropped sharply since the end of May, apparently as a result of intervention by the Government and ECOMOG. The Civil Defence Force has made a commitment to end its practice of recruiting and initiating child soldiers, who comprise a high proportion of their ranks and who have been sent into combat.

III. ACTIVITIES OF THE UNITED NATIONS

Deployment of UNOMSIL

17. Pursuant to the creation of UNOMSIL by the Security Council by resolution 1181 (1998), I wrote to the President of the Council on 16 July 1998 to inform him of the countries that were contributing observers to the mission (see S/1998/673 and S/1998/674) and of the appointment of Brigadier-General Subhash C. Joshi (India) as Chief Military Observer. In accordance with paragraph 9 of resolution 1181 (1998), I took advantage of the presence of President Kabbah at the special conference on Sierra Leone, held at Headquarters on 30 July 1998, to propose to him the terms of a status of mission agreement. As I informed the President of the Security Council in my letter of 3 August 1998 (S/1998/714), the Minister for Foreign Affairs of Sierra Leone, Mr. Sama Banya, at once replied indicating his Government's acceptance. As I also mentioned in my 3 August letter, on the basis of the Government of Sierra Leone's programme for the disarmament, demobilization and reintegration of former combatants, issued to participants at the special conference, I have

written to the Chairman of ECOWAS proposing arrangements by which ECOMOG would be responsible for the security of United Nations personnel in Sierra Leone.

18. In accordance with resolution 1181 (1998), the eight military liaison personnel already deployed in Sierra Leone since May 1998 pursuant to resolution 1162 (1998) have now been redesignated United Nations military observers. The additional 32 officers who are in the process of being deployed, including those in the first phase, are from China, Egypt, India, Kenya, Kyrgyzstan, New Zealand, Pakistan, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and Zambia. As of 10 August 1998, a total of 26 officers have been deployed in Sierra Leone, with more to come over the next few days (see annex). The medical unit is expected to arrive in the country by 20 August.

19. As indicated in my report of 9 June and as outlined in the Government plan mentioned in paragraph 17 above, one of the priority tasks of the military observers, in accordance with the mandate set out in resolution 1181 (1998), is to monitor the demobilization of former combatants already disarmed by ECOMOG and concentrated in secure areas of the country, primarily at Lungi. In addition, in order to continue to monitor and report on the military and security situation, two observers are already deployed at Bo and two at Makeni, with the headquarters of ECOMOG brigades based there.

20. The Chief Military Observer and his staff will continue to be based at Freetown and an observer team will cover the area around the capital, including Hastings. The largest deployment outside Freetown will be at Lungi, with smaller teams deployed to the ECOMOG brigade headquarters at Bo, Kenema and Makeni, as the security situation permits and as the Government makes progress in the implementation of its disarmament and demobilization plan. Further deployments are planned in due course to cover locations in the north, south and centre of the country, co-deployed with ECOMOG units, including in Sumbuya, Sulima, Zimmi, Joru and Kabala. Eventually, as order is restored to the parts of the country where fighting has been taking place and subsequent phases of deployment take place, it is envisaged that United Nations observers would also be co-deployed with ECOMOG units at Kailahun and Koidu.

21. As I informed the Council in my report of 9 June (S/1998/486, paras. 78-79), I have pursued with President Taylor the possibility of an eventual co-deployment of United Nations military observers with ECOMOG troops at the border between Liberia and Sierra Leone. This proposal was reiterated in the communiqués following the meetings between President Taylor and President Kabbah at Abuja on 1 July 1998 and at Monrovia on 20 July 1998. My Special Representative will, at the appropriate time, dispatch a small team of observers from Freetown to examine the feasibility of such a deployment and I will revert to the Council accordingly.

22. In accordance with resolution 1162 (1998), a civilian police adviser, Deputy Commissioner Maritz du Toit (Namibia), was deployed in Sierra Leone in July. Following the adoption of resolution 1181 (1998), four more advisers will be deployed as soon as possible. Their role will be to assist in restoring the confidence of the Government and people of Sierra Leone in the police force, which incurred widespread public contempt for its role in supporting the junta,

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and to advise the Government on training and re-equipment needs. The United Nations civilian police will work closely with a team of police advisers deployed at the request of the Government from Commonwealth countries.

23. Since his arrival, Deputy Commissioner du Toit has established close relations with the Government and with his counterparts and has paid extensive visits to Sierra Leonean police stations within and outside the capital. He has also met with the Commonwealth police advisers to discuss cooperation between the Commonwealth and the United Nations in the conduct of their respective mandates.

Special Conference on Sierra Leone

24. As outlined in my report of 9 June 1998 (S/1998/486, para. 64), on 30 July 1998 I convened a high-level conference at Headquarters to mobilize assistance for the disarmament, demobilization and reintegration plan, for the provision of logistical support to ECOMOG, for immediate humanitarian needs and for the reconstruction and rehabilitation of Sierra Leone. The conference was preceded by an organizational meeting on 24 June.

25. President Kabbah, accompanied by the Minister of Finance, Development and Economic Planning, Mr. James Jonah, and the Minister for Foreign Affairs, Mr. Sama Banya, made a statement before the Conference, setting forth his plans for national reconciliation and rehabilitation, including improvements in internal security and the Government's plan for the disarmament, demobilization and reintegration of Sierra Leonean former combatants. Representatives of some 55 countries, including the Ministers for Foreign Affairs of the Gambia, Guinea and Liberia, the Minister of State for Foreign Affairs of the United Kingdom of Great Britain and Northern Ireland, the Vice-Minister for Foreign Affairs of China, the Deputy Minister for Foreign Affairs of Ghana, the Assistant Secretary of State for Africa and the Assistant Secretary for Population, Refugees and Migration of the United States of America attended the Conference. Other participants included the Secretary-General of the Organization of African Unity and the Secretary-General of the Commonwealth, as well as the Executive Secretary of ECOWAS. United Nations specialized agencies and the relevant departments also sent representatives. The ECOMOG Force Commander, General Timothy Shelpidi, addressed the Conference on ECOMOG's needs.

26. Participants agreed on the need to establish an international contact group to mobilize and coordinate further support for Sierra Leone. I am presently reporting in greater detail on the conference, directly to the President of the Security Council, in a letter to be circulated as a document of the Council.

IV. DISARMAMENT AND DEMOBILIZATION

27. In a letter dated 11 August 1998 (S/1998/741), the Government of Sierra Leone conveyed to the President of the Security Council the programme for the disarmament, demobilization and reintegration of former combatants adopted by the Government of Sierra Leone. The programme describes in detail the institutional structures established by the Government to carry out its provisions, the financial management arrangements, the implementation schedule

and the roles of UNOMSIL and ECOMOG in the reinsertion and reintegration of former combatants. The disarmament process will be carried out by ECOMOG, with the monitoring of UNOMSIL, in accordance with its mandate as set out in resolution 1181 (1998).

28. The essentials of the Government's disarmament, demobilization and reintegration plan were described in my report of 9 June (S/1998/486, paras. 53-62). The objective of the exercise is to consolidate the security of the State through the disarming, demobilization and reintegration into society of an estimated total of 33,000 former combatants (8,000 RSLMF and RUF and 25,000 CDF) in three phases between July 1998 and June 2001, at an estimated cost of $33.6 million, of which $17.3 million would be required for phase one. It is anticipated that the first phase would comprise the demobilization of the disarmed former RSLMF and RUF personnel now in detention and an estimated 5,000 CDF combatants. Particular emphasis will be devoted to the psychosocial reintegration of former child combatants from all sides.

29. The programme will be implemented under the guidance of the National Committee on Disarmament, Demobilization and Reintegration, under the chairmanship of President Kabbah and comprising representatives of the Government, ECOMOG, donors and my Special Representative on behalf of the United Nations community. The Committee will operate, in collaboration with other Government departments, donors and non-governmental organizations (NGOs), through an Executive secretariat responsible for overall programme planning and implementation, as well as the transparent and accountable administration of the programme and the monitoring and evaluation of its progress.

30. Following the formal adoption by the Government of the programme, the National Committee has commenced work and the members of the Executive secretariat, which will be assisted by a technical adviser, have been nominated. On 16 July 1998, a team representing the Committee, including the Ministers of the Interior and Information, the National Security Adviser and my Special Representative, visited the camp site at Lungi where more than 4,000 disarmed former members of RSLMF are currently detained by ECOMOG, awaiting demobilization and reintegration. The object of the visit was to explain the disarmament, demobilization and reintegration process to the disarmed men and to the local community. Similar visits to other locations are planned for the future.

31. RSLMF has effectively been disbanded and is in a state of disgrace as a result of its participation in the illegal military coup of May 1997 and the subsequent junta rule. Though consideration is being given to reconstituting the Sierra Leone armed forces, it is considered unlikely that many of the ex-RSLMF personnel will be accepted for membership in it. The men detained at Lungi appeared to be well-treated, disciplined and receptive to the prospect of demobilization and rehabilitation. They were also aware of the intense hostility felt towards them by the general public and none have attempted to escape. Recently, some of the former RSLMF personnel have been reinducted into the ECOMOG force to assist in military operations.

32. One aspect of the reintegration process that has given cause for concern is the hostile attitude of the general public to former RSLMF personnel.

Resentment at the atrocities inflicted by the junta and its supporters is so widespread as to pose a threat to the physical safety of anyone associated with the junta. As I have reported earlier, a number of revenge killings have been reported throughout the country since the recapture of Freetown in February. My Special Representative will assist the Government in carrying out a vigorous sensitization and education campaign to increase public acceptance of former army personnel undergoing reintegration, an effort that could also be supported by donor contributions.

V. HUMAN RIGHTS

Abuses committed during and since the junta period

33. The human rights adviser working with my Special Representative for Sierra Leone has continued to compile accounts of atrocities committed both during and after the period of junta rule. Though some of these have yet to be rigorously examined, there is strong evidence of the systematic and widespread perpetration of multiple forms of human rights abuse against the civilian population, including rape. In recent weeks, elements of the former junta have continued to shell population centres such as Koidu and Daru and have used civilians as human shields in their military operations. There have been numerous instances of arbitrary execution, including of women and children, followed in some cases by mutilation of the bodies.

34. Though incidents of mutilation appear to have greatly declined since the end of June, it is feared that for each of the 600 or so persons attacked since March 1998 who survived and sought medical attention, at least 4 others are either dead or unaccounted for. The victims of these attacks are still making their way in small numbers to medical centres.

35. A survey of 9 of Sierra Leone's 150 chiefdoms indicates that some 700 civilian war-related deaths have occurred since February, including 200 in one village, Yifin, in late April. About 1,600 people have suffered war-related injuries in these chiefdoms since February, of whom 30 per cent are children. In Koidu, a reliable source has stated that 663 bodies were buried following the fighting in the area in mid-June. A significant percentage of the dead were women and children. At the same time, the killing of some 44 of the 144 paramount chiefs during that period indicates a deliberate attempt to target them.

36. The rebels are estimated to hold several thousand civilian captives, including women and children. They are used as porters, human shields and for forced sexual activity. Abductions continue to be reported in the north. It is believed that many RUF/AFRC fighters were themselves abducted as children and subjected to brutal initiation ceremonies.

37. Rebel forces tend to destroy property and homes in the villages they attack. Though no precise figures are available, there are indications of extensive damage to the housing stock in all areas that they have ravaged. The study of the 9 chiefdoms referred to above found that 1,619 homes had been destroyed. A survey of 3 other chiefdoms identified 600 destroyed houses and,

on 12 July alone, in a village near Masingbi, some 40 houses were destroyed. As noted above, the rebels also destroyed property in Kabala at the end of July.

38. The rebel campaign of terror and their military activities have resulted in the displacement of at least 350,000 people since February. Some 250,000 of these are now in Guinea and Liberia and the remainder are internally displaced in Sierra Leone. The persistence of the rebellion not only prevents their return, but also causes grave humanitarian problems for a significant element of the displaced population, as described in more detail below.

Treason trials and the administration of justice

39. The State is prosecuting 58 persons in the regular courts on a range of charges including treason, murder and arson, and two further trials are scheduled to begin soon. All defendants, if found guilty, face the possibility of the death penalty. The trials are proceeding against a background of widespread public anger and a desire for quick justice.

40. The court martial of 38 soldiers has begun before a judicial panel comprising Sierra Leonean army officers and presided over by a Judge Advocate who is an ECOMOG officer. Early concerns regarding procedure were speedily rectified by the Government after they had been raised by UNOMSIL, which continues to monitor both the courts martial and the proceedings in the regular courts. UNOMSIL is also continuing to persuade the Government to establish a channel for judicial appeals from court martial findings.

41. The Government concedes that the judicial system in Sierra Leone is entirely inadequate. Outside Freetown, the courts are not functioning at all and the traditional court system has collapsed. Sustained support will be needed to restore the judicial system in keeping with Sierra Leone's distinguished legal traditions.

42. There are six functioning prisons in Sierra Leone, but prisoners are also held in an unverifiable number of other facilities, including military camps. Most detainees in civilian facilities are being held pursuant to the emergency powers legislation introduced by the Government shortly after its restoration in March 1998. Conditions in many facilities are overcrowded and unsanitary and the food and medical care are inadequate. About 2,000 prisoners are being held in Freetown.

43. Reliable reports are being regularly received of poor discipline within the Civil Defence Force. In various locations throughout the country they have been accused of harassing the local population and engaging in extortion. It has also been reported that the initiation of new members, including children between the ages of 15 and 17, occurred near Magburaka during the third week of July. ECOMOG has established a complaints procedure to investigate any allegations of harassment of the local population by ECOMOG troops.

44. UNOMSIL has commenced a human rights technical cooperation needs assessment and has already identified widespread requirements, many of which should be addressed as a matter of urgency. These include the need for human rights education for government officials, traditional leaders, police officers,

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teachers of civic education, lawyers, journalists and NGO personnel. It is also necessary to provide technical support to the Government and the National Commission for Democracy and Human Rights to facilitate the application of human rights principles to State policy and practice. United Nations military observers will also receive training in aspects of international humanitarian law relevant to their duties.

VI. HUMANITARIAN SITUATION

45. The humanitarian situation in Sierra Leone continues to give cause for concern, especially in the light of the poor response to the Inter-Agency Appeal for Humanitarian Assistance to Sierra Leone. To date, only 5 per cent of the $20.5 million requested has been received. Humanitarian organizations in Sierra Leone continue to face fundamental questions on the modalities for the delivery of relief assistance in an environment characterized by unpredictable hostilities and systematic human rights abuses. The effort to balance the rights of civilians in need of assistance with the requisite level of operational security has required the constant review and modification of the United Nations and NGO codes of conduct and protocols for humanitarian agencies operating in Sierra Leone, in order to reflect the current situation.

46. Despite the ongoing debate, humanitarian assistance continues to have a significant impact on the dire health and nutritional status of hundreds of thousands of war-affected Sierra Leoneans. The most significant humanitarian activities since my last report include efforts to address the serious humanitarian crisis at Masingbi in north central Sierra Leone, the influx of spontaneous returnees from Liberia and the repatriation by the Office of the United Nations High Commissioner for Refugees (UNHCR) of Sierra Leonean and Liberian refugees. The United Nations Humanitarian Assistance Coordination Unit in Freetown now estimates that the number of internally displaced persons since the ECOMOG intervention in February 1998 has grown to more than 166,000. The recent clashes between rebel forces and ECOMOG around Kabala have provoked further displacements.

47. A rapid nutritional assessment carried out in Masingbi by the NGO, Action Contre la Faim, for children under the age of five revealed a global malnutrition rate of 39 per cent. Owing to insecurity in the Masingbi area during July, humanitarian organizations were forced to suspend operations and withdraw to Makeni. However, the United States NGO, CARE, succeeded in distributing assistance to more than 16,000 beneficiaries. Internally displaced persons continue to flow into Masingbi at a rate estimated at between 50 and 100 persons a day.

48. In collaboration with the Ministry of Health, the United Nations Children's Fund (UNICEF) is supporting the health care delivery system in Masingbi as well as in western Kono district, where they are providing drugs and basic medical equipment. The latest data on morbidity from Masingbi and Kono district have shown that the measles outbreak that was prevalent in the area is now under control as a result of the vaccination campaign carried out by the Ministry of Health and UNICEF.

49. Masingbi remains a critical focus for humanitarian intervention in terms of shelter for the current rainy season and coordination of other sectoral activities. The NGO, Concern Worldwide, has recently agreed to support shelter activities, while UNICEF and Action Contre la Faim will collaborate on water and sanitation matters. Food distributions by CARE and health activities by UNICEF, NGOs and the Government have had a significant impact in contributing to reducing the death rate in Masingbi and its environs from 899 deaths during June to 29 in July.

50. A joint Government, UNHCR and the World Food Programme (WFP) mission to Pujehun district in southern Sierra Leone has confirmed that there has been an influx of returnees from Liberia, who are thought to be crossing the border at the rate of some 90 per day. The most urgent needs of the returnees are food, health and shelter, which are to some extent being met by WFP and by NGOs.

51. UNHCR has continued to repatriate Sierra Leonean refugees to Freetown. A total of some 7,500 Sierra Leoneans, mainly from Guinea and Gambia, have been assisted in returning home. Furthermore, it is planned to bring 3,000 Sierra Leoneans home by air from Guinea during the month of August. UNHCR has also repatriated some 440 Liberian refugees from Sierra Leone.

52. A United Nations Humanitarian Assistance Coordination Unit database has been established to detail the condition of more than 166,000 internally displaced persons, the number of people displaced since the ECOMOG intervention in February 1998. However, this figure represents only a portion of the total number of internally displaced persons in the country. UNHCR estimates that, during the same period, more than 250,000 Sierra Leoneans have sought refuge in neighbouring countries.

53. A mission to Kabala, undertaken only days before the 27 July attack, estimated that some 18,000 civilians were residing in the town, including a large number of internally displaced persons from Kono district. As a result of the hostilities, unconfirmed reports indicate that the majority of the civilians were displaced to villages to the north and north-west of Kabala. It has been reported that large numbers of civilians were abducted from Kabala, as has been the practice of the RUF in the past. Furthermore, all reports indicate that all relief goods, medical supplies and logistics for humanitarian efforts were looted or destroyed during the brief occupation. Now that the situation has calmed, the humanitarian community is assessing the damage and making efforts to meet the needs.

VII. OBSERVATIONS AND CONCLUSIONS

54. The decision by the Security Council to create UNOMSIL and to expand its functions has been warmly welcomed by the Government and people of Sierra Leone, and the early signing of the status of mission agreement between the Government and UNOMSIL has also been of great assistance in providing a firm basis for our activities there. The adoption by the Government of Sierra Leone of a comprehensive programme for disarmament, demobilization and reintegration of former combatants, containing clearly defined roles for ECOMOG and the United Nations, has set the tone for UNOMSIL's future efforts.

55. The deployment of the first phase of UNOMSIL's 70 military observers and their equipment is also well under way. I am grateful to the troop-contributing countries for the dispatch with which they have acted in making these personnel available.

56. In my report of 9 June (para. 69), I identified three criteria which would govern subsequent deployments of military observers: the security situation, the progress of implementation of the Government's disarmament and demobilization plan and the availability of the necessary logistical equipment and resources. As I indicated then, I am keeping all three criteria under very close review and will keep the Council informed of all relevant developments while preparing for the next phase of the deployment. I am heartened by the progress made by ECOMOG in improving the security situation in the countryside, especially in eastern Sierra Leone, and renew my call to donors to contribute to ECOMOG's logistical requirements.

57. In this context, I am gratified by the success of the special conference on Sierra Leone, held at Headquarters on 30 July 1998, and look forward to working closely with the international contact group to be established to coordinate further support for Sierra Leone. In the meantime, I reiterate my call to donors to contribute to the Inter-Agency Appeal for Humanitarian Assistance to Sierra Leone in order to assist Sierra Leoneans in meeting their most basic and urgent needs.

58. The sharp reduction in human rights violations perpetrated by elements of the former junta since the end of June is to be welcomed, but I remain deeply concerned about the plight of innocent civilians in the country, who may still be suffering from the depredations of the rebel forces or at risk from future attacks. In parallel with the efforts being made by ECOMOG to restore law and order throughout the countryside, I continue to believe that every effort should be made to end the threat posed by the rebels.

59. For this reason, I believe that the disarmament, demobilization and reintegration plan adopted by the Government, and to be implemented with the assistance of ECOMOG and UNOMSIL, represents the best hope in the immediate future for consolidating the stability of the country and bolstering the authority of the Government throughout the territory of Sierra Leone. I therefore reiterate the plea I made on 30 July at the special conference for the donor community to lend every possible assistance to the Government in carrying out its plan. I welcome the commitment of the Government and the Civil Defence Force not to recruit children under the age of 18 as soldiers or to send them into combat, and urge them to implement their undertaking to demobilize any children currently under arms as soon as possible.

60. The development of technical capacity by the Government in the field of human rights deserves support. The results of a technical cooperation needs assessment performed by the office of my Special Representative reveal training needs. I encourage donors to assist the Government in meeting these needs.

61. Pursuant to resolution 1181 (1998), I will continue to keep the situation in Sierra Leone under close review and report to the Council on developments there and on the progress made by UNOMSIL.

62. I would like to express my appreciation to my Special Representative, Mr. Francis G. Okelo, to the Chief Military Observer, Brigadier Subhash C. Joshi, and to the civilian and military personnel of UNOMSIL for the efforts they are continuing to make to deploy the United Nations Observer Mission in Sierra Leone in accordance with the mandate provided by the Security Council.

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ANNEX

The United Nations Observer Mission in Sierra Leone

Contributions as at 10 August 1998

Country	Currently in position
China	3
Egypt	-
India	5
Kenya	2
Kyrgyzstan	-
New Zealand	2
Pakistan	5
Russia	5
United Kingdom	2
Zambia	2
	26*

* In addition to the Chief Military Observer, India.

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Map No. 4085 UNITED NATIONS
August 1998

Department of Public Information
Cartographic Section

FACT 21

At a 20 July 1998 meeting in Monrovia, the President of the Republic of Liberia and President Kabbah again condemned all atrocities and violations of human rights committed by combatants in Sierra Leone against civilians.

a.	Exh. 1.227	ERN 00012386-00012400	First Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1998/750), 12 August 1998, at para. 6 (ERN 00012387).

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planning to use Sierra Leone as a base from which to attack Liberia. At the conclusion of the meeting, President Kabbah issued a statement reaffirming his commitment to subregional peace and security and calling for strict adherence to the existing non-aggression pact and good neighbourliness treaty contained in the Mano River Union Agreement.

5. On 1 July 1998, during my visit to Abuja, together with the President of Nigeria, General Abdulsalam Abubakar, I jointly convened a meeting between President Taylor and President Kabbah, the Heads of State of Liberia and Sierra Leone. The two Heads of State reached agreement at that meeting on a number of confidence-building measures to improve relations between their countries. The Presidents, inter alia, strongly condemned the continued rebel activities in Sierra Leone, as well as the horrendous atrocities committed there, and agreed to exchange official visits. The communiqué issued at the end of the meeting was circulated as document S/1998/629.

6. On 20 July 1998, President Kabbah paid a one-day visit to Monrovia at the written invitation of President Taylor to attend the Liberian National Reconciliation Conference. The meeting of the two Presidents was held in the presence of the Reverend Jesse Jackson, Special Envoy of the President of the United States of America to Africa. In a joint communiqué issued after the meeting, President Taylor and President Kabbah again condemned all atrocities and violations of human rights committed by combatants in Sierra Leone against civilians, as well as the continued rebel activities in that country. They reaffirmed their commitment to non-aggression against the territorial integrity of each other's country and pledged to continue their cooperation towards peace and security in the subregion. Both leaders renewed their call to the United Nations and the Economic Community of West African States (ECOWAS) to deploy observer units on the Liberia/Sierra Leone border and agreed to coordinate border security activities. President Taylor accepted an invitation from President Kabbah to visit Sierra Leone at a date to be announced.

7. In a later development, the Government of Sierra Leone has denied any involvement in an alleged plot to overthrow the Government of Liberia, which has been widely reported in Monrovia.

8. On 25 July 1998, the Nigerian Government released the leader of RUF, Corporal Foday Sankoh, to Sierra Leonean custody in Freetown. The Government of Sierra Leone has now detained Corporal Sankoh and issued a public statement calling on his supporters, who are still fighting, to surrender to ECOMOG, to my Special Representative or to any religious organization by 8 August 1998. The Government statement called for an end to fighting and urged Sierra Leoneans to turn their attention and energies to the elimination of poverty, disease and illiteracy. In a television appearance with the Sierra Leonean Minister of Information, Corporal Sankoh appealed to the remnants of RUF to halt atrocities against the people of Sierra Leone and to surrender to United Nations observers or to the Military Observer Group of ECOWAS (ECOMOG). A subsequent Government statement issued on 3 August reiterated the 8 August deadline for the amnesty. There has been no significant response to the Government's call.

9. Following the visit to Sierra Leone of my Special Representative for Children and Armed Conflict, Mr. Olara A. Otunnu, in May, the Government has

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FACT 22

In July 1998, Foday Sankoh was transferred from Nigeria to Sierra Leone to face trial for treason.

a.	Exh. 1.230	n/a	Sierra Leone news archive from July 25, 1998, http://www.sierra-leone.org/slnews0798.html.
b.	Exh. 1.173	n/a	AI Report: 1999 Sierra Leone, http://www.amnesty.org/ailib/aireport/ar99/afr51.htm at p. 4.

25 July: The Nigerian government returned RUF leader Corporal Foday Sankoh to Sierra Leone on Saturday, where authorities say he is likely to face trial for treason and crimes against humanity. Hours after his return to Freetown, Sankoh appeared in handcuffs alongside Minister of Information Dr. Julius Spencer on SLBS television to urge his followers to stop terrorizing civilians and to lay down their weapons. Sankoh said he was sickened to learn that some of his fighters had apparently killed and maimed defenceless civilians. "I do not support the cutting off of peoples' hands and feet, and when I heard about this, I felt sick," he said. "Sankoh is not here for war. We have to stop the fighting and talk peace." He asked the government to fly him to rebel-held territory in the country's interior to convince his followers to end the bloodshed. Sankoh expressed regret for the suffering caused by the rebel uprising. "I condemn all atrocities against innocent civilians," Sankoh said. "My ideology as leader of the RUF was not to kill any innocent civilians or make them suffer but, you are not around during the fighting. Now that I am in Sierra Leone, if I am given the chance to talk to RUF fighters, they will stop atrocities...I want the people to understand that we did not bring war to kill them. My people were always accusing me of loving the civilians." Sankoh urged his RUF fighters, junta remnants, and the Kamajor militia to end hostilities. "I appeal to RUF rebels and junta to cease fire immediately and let us talk peace," Sankoh said. "You see the RUF and the Kamajors must stop the fighting against the people... and I think we can solve our problem in peace." In a statement read on SLBS radio, the government said it had given RUF rebels two weeks to lay down their weapons. Sankoh was returned to Freetown along with three Russian pilots arrested with Sankoh in Nigeria. There were no details on how Sankoh was returned to Sierra Leone or where he was being held, for what the statement called security reasons. Earlier, Presidential Spokesman Septimus Kaikai said Sankoh would be prosecuted for atrocities. "I am sure that he will have to appear in court for crimes he has committed against humanity," Kaikai said. "This is what the public expects."

Presidential Spokesman Septimus Kaikai said Saturday that Foday Sankoh could "absolutely" receive a fair trial in Sierra Leone. "People in this country are very fair," he told the BBC. "Indeed, we are having some of the best trials going on in the world today. The president of this country believes in the rule of law. So Foday Sankoh will, indeed, be able to have a very fair trial in this country, notwithstanding the crimes that he has committed against the people in this country." Kaikai acknowledged that some people had called for Sankoh to be lynched, but said these expressions were not indicative of the mood of the country. "People say those things out of anger; people say those things because they have been hurt, but that does not mean that the rest of the society is saying the same thing. The rest of the people in the country will still like to see the rule of law prevail and that is what, at the end of the day, that the Sierra Leoneans are fighting for." Kaikai said that the trial of Foday Sankoh should bring the Sierra Leone conflict to an end. "These are people who have actually destroyed this country for no other reason other than greed," he said. "So, we hope that whilst he makes those statements and he is brought to trial, and his people realise that nothing is going to be gained by continuing to fight, then they will lay down their arms and join forces with His Excellency Alhaji Tejan Kabbah in the rebuilding process of this nation of ours."

British Foreign Secretary Robin Cook is expected to announce sweeping changes in the running of the Foreign Office on Monday after release of the report by Sir Thomas Legg on the "Arms to Africa Affair" -- allegations of Foreign Office complicity in arms shipments to Sierra Leone, in possible violation of United Nations sanctions. The report is widely expected to criticise diplomatic officials rather than ministers, accepting the government's insistence that there was no ministerial knowledge of the affair. Foreign

Office sources said, however, that there was "no complacency" about the report. "They are confident Robin Cook has been right all along to say that there was no ministerial knowledge of or involvement in the events that led to this," a source said. "But to say that ministers are all confident of a clean bill of health is too over-confident, a bit too complacent ahead of the event."

In mid-February several foreign humanitarian aid workers were captured and held hostage for two weeks by ruf forces who demanded the release of their leader, Foday Sankoh, who had been detained in Nigeria since March 1997. An Italian priest abducted in Kamalu by rebel forces in November remained held hostage at the end of the year.

The cdf were responsible for extrajudicial executions and torture and ill-treatment of captured combatants and real or suspected supporters of the afrc and ruf. afrc soldiers were summarily executed by *kamajors* in Koidu in February; some were decapitated, others were doused with petrol or had tyres placed around them and were burned alive. At least 50 people were extrajudicially executed in Kenema in February. Human rights violations by the cdf decreased significantly after June, apparently following intervention by the government and ecomog.

There were some reports that ecomog forces were responsible for illegal detention of civilians and torture and ill-treatment of combatants during surrender or capture. Reports also suggested that ecomog forces handed over some captured rebels to the cdf who then summarily executed them. unomsil also expressed concern that ecomog forces did not consistently respect international humanitarian law in relation to the protection of non-combatants in areas affected by conflict.

Hundreds of people alleged to have collaborated with the afrc and ruf were held without charge under legislation allowing indefinite detention without charge or trial. By December about 100 detainees had been released unconditionally and others were released either on bail or pending further investigation after their cases were reviewed by the independent committee of investigation; in other cases the committee concluded that there was evidence of criminal offences.

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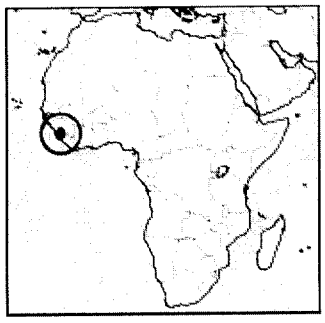

AI REPORT 1999:
SIERRA LEONE

The Armed Forces Revolutionary Council (afrc) continued to detain prisoners of conscience without charge or trial and was responsible for torture and extrajudicial executions. After their removal from power in February, the afrc and the armed opposition Revolutionary United Front (ruf) killed and mutilated thousands of unarmed civilians. A civilian militia supporting the government of President Ahmad Tejan Kabbah, the Civil Defence Forces (cdf), was also responsible for extrajudicial executions and torture, although on a significantly smaller scale. Hundreds of people alleged to have collaborated with the afrc and ruf were detained without charge by the reinstated government. Thirty-four soldiers were sentenced to death by a court martial which did not meet international standards for fair trial; 24 were executed. Forty-two civilians and the leader of the ruf were also sentenced to death.

The elected government of President Kabbah was reinstated after the afrc was forced from power in February by West African forces deployed in Sierra Leone _ the Economic Community of West African States (ecowas) Cease-fire Monitoring Group (ecomog). The afrc had seized power in a military coup in May 1997 and was joined by the ruf (see *Amnesty International Report 1998*).

During the ecomog offensive on Freetown, the capital, in February, afrc and ruf forces deliberately and arbitrarily killed many civilians. Several hundred others were injured or killed as a result of shelling by both sides, which in some cases appeared to be indiscriminate.

Following their removal from power and throughout the rest of the year, afrc and ruf forces embarked on a systematic campaign of killing, rape, mutilation, abduction and destruction in the east and north of the country. By December rebel forces had advanced towards Freetown and an attack on Freetown appeared imminent. The government of Liberia was widely reported to be providing

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combatants, arms and ammunition to rebel forces.

In late April President Kabbah announced that the cdf, composed of traditional hunters such as the *kamajors*, had been placed under the command of ecomog.

On 10 March President Kabbah proclaimed a state of emergency, subsequently ratified by parliament, which included provisions for indefinite detention without charge or trial. Some 2,000 soldiers and civilians suspected of collaboration with the afrc and ruf were detained following the ecomog intervention. Many were suspected of human rights abuses.

In May the government established an independent committee of investigation to review the cases of several hundred detainees and recommend whether they should be charged or released.

Implementation of a comprehensive plan for disarmament, demobilization and reintegration of former combatants, including an estimated 5,000 child soldiers, from the ruf, cdf and national army, was limited because of continuing conflict.

The un and other intergovernmental organizations repeatedly condemned as gross breaches of international humanitarian law the atrocities committed against civilians by rebel forces. The Special Representative of the un Secretary-General for Children and Armed Conflict, following a visit to Sierra Leone in May, called for a more vigorous and concerted response by the international community to the needs of children affected by the conflict.

In July the un Security Council established a peace-keeping operation, the un Observer Mission in Sierra Leone (unomsil). unomsil human rights officers consistently investigated and reported human rights abuses, monitored treason trials and undertook several other important initiatives which contributed to the protection of human rights.

On 30 July the un Secretary-General convened a special conference in New York, usa, attended by representatives of the government of Sierra Leone, intergovernmental organizations including the un, the Organization of African Unity, ecowas, the European Union and the Commonwealth, and humanitarian organizations. The conference agreed to establish an international contact group to coordinate support for efforts to restore peace, stability, democracy and human rights in Sierra Leone. It first met in November.

While in power, the afrc and ruf committed widespread human rights violations, including detention without charge or trial, torture and extrajudicial executions. Among prisoners of conscience detained by the afrc were Sylvanus Kanyako, a journalist on the *Herald Guardian*, and David Kamara, its proprietor, who were arrested in January, held without charge for three weeks, and tortured.

In mid-January in Kenema, Eastern Province, the ruf detained several community leaders accused of supporting the *kamajors*. They were repeatedly beaten and one died as a result. Some were

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released, but several others remained held, including B.S. Massaquoi, Chairman of the town council. He was killed by ruf forces in February, and his mutilated body was reported to have been found with 35 others in a mass grave near Kenema the following month.

After they were removed from power, afrc and ruf forces killed thousands of unarmed civilians, including many women and children, in the east and north of the country. The exact number of those killed remained unknown. The town of Koidu, in Kono District, Eastern Province, was virtually destroyed by rebel forces in April, and more than 650 bodies were reported to have been found there. More than 200 unarmed civilians were killed during an attack on Yifin, a village in Koinadugu District, Northern Province, in late April.

As many as 4,000 men, women and children suffered mutilation, crude amputations of their hands, arms, legs, lips or ears; others suffered lacerations and gunshot wounds. Survivors of attacks recounted that many others from their villages had been killed or had fled into the bush where many died of their injuries. They reported that villagers had been rounded up and locked in houses which were then set alight. Women and girls were systematically raped or subjected to other forms of sexual assault. Men who refused to rape members of their own families had their limbs amputated as punishment. Children were ripped from their mothers' backs and killed with machetes. Among the victims who were evacuated to Freetown was a 15-year-old schoolboy from Koidu who had severe lacerations to his right ankle after an attempted amputation; about 50 people with him were killed when they were attacked on 1 May.

Reports of atrocities declined significantly during July, but from August onwards, atrocities by rebel forces in Northern and Eastern Provinces escalated. In early September, for example, at least 40 civilians, including children, were reported to have been killed in Kamalu, Bombali District, Northern Province. Some of those killed had first been tortured and sexually assaulted and others were burned alive. Some 50 civilians were reported to have been abducted in Kamalu.

Hundreds of civilians, in particular children and young men and women, were abducted during attacks by rebel forces. They were forced to fight and used as forced labour; women and girls were forced into sexual slavery. All those abducted were at risk of ill-treatment and deliberate and arbitrary killing. As many as 10,000 civilians in rebel-controlled areas, in particular in Kailahun District, Eastern Province, were effectively held captive.

An estimated 570,000 civilians fled to neighbouring countries to escape the violence or became internally displaced. Many remained at risk of killing, mutilation and abduction. In September rebel forces attacked a refugee camp at Tomandu in Guinea, killing at least seven women refugees and three Guineans and forcing others to carry looted goods across the border. In November, 20 refugees in Tomandu who crossed the border in search of food had their hands cut off by rebel forces. The un High Commissioner for Refugees subsequently moved thousands of refugees from Tomandu to camps further inside Guinea.

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In mid-February several foreign humanitarian aid workers were captured and held hostage for two weeks by ruf forces who demanded the release of their leader, Foday Sankoh, who had been detained in Nigeria since March 1997. An Italian priest abducted in Kamalu by rebel forces in November remained held hostage at the end of the year.

The cdf were responsible for extrajudicial executions and torture and ill-treatment of captured combatants and real or suspected supporters of the afrc and ruf. afrc soldiers were summarily executed by *kamajors* in Koidu in February; some were decapitated, others were doused with petrol or had tyres placed around them and were burned alive. At least 50 people were extrajudicially executed in Kenema in February. Human rights violations by the cdf decreased significantly after June, apparently following intervention by the government and ecomog.

There were some reports that ecomog forces were responsible for illegal detention of civilians and torture and ill-treatment of combatants during surrender or capture. Reports also suggested that ecomog forces handed over some captured rebels to the cdf who then summarily executed them. unomsil also expressed concern that ecomog forces did not consistently respect international humanitarian law in relation to the protection of non-combatants in areas affected by conflict.

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In April, 59 civilian prisoners, one of whom later died in detention, were charged with treason and some also with murder and arson. Three separate trials began the following month before the High Court in Freetown. Sixteen defendants were convicted and sentenced to death in August, 11 in October and 15 in November. Seven were sentenced to terms of imprisonment and the others were acquitted. Appeals against conviction and sentence had not been heard by the end of the year. Another 22 civilians were charged with treason in December.

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A court martial of 37 soldiers, including prominent afrc members, charged with treason and other offences began in late July. In October, 34 were convicted and sentenced to death; the others were acquitted. Despite a 1975 Appeal Court ruling that the death

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penalty for treason was discretionary, the court martial refused to accept arguments that the death penalty was not mandatory for these offences. The court martial allowed no right of appeal to a higher jurisdiction, contrary to international standards for fair trial. The convicted soldiers appealed to a special committee for the prerogative of mercy, chaired by the President. Despite calls for clemency by the international community and submissions on behalf of 18 of those convicted to the un Human Rights Committee under the Optional Protocol to the International Covenant on Civil and Political Rights, 24 were publicly executed a week later. The others had their sentences commuted to life imprisonment.

In December, two journalists, Winston Ojukutu-Macaulay and Sylvester Rogers, both *British Broadcasting Corporation* correspondents, were arrested. Winston Ojukutu-Macaulay was charged with publication of false news for allegedly publishing false information about hostilities and failing to check his stories with ecomog, and released on bail. A third journalist was also sought.

Prisoners and detainees were held in conditions which in some cases amounted to cruel, inhuman and degrading treatment. Following large-scale detentions after February, the Central Prison, Pademba Road, in Freetown was severely overcrowded. Conditions were particularly harsh in prisons outside the capital and at the headquarters of the police Criminal Investigation Department and the Central Police Station in Freetown.

Before the afrc and ruf were removed from power, Amnesty International repeatedly appealed for the release of prisoners of conscience and an end to detention without charge or trial, torture and ill-treatment, and extrajudicial executions.

In late February Amnesty International requested that those detained for alleged collaboration with the afrc and ruf be charged and brought to trial in accordance with international standards with a minimum of delay and that those not to be charged be released. The Minister of Justice and Attorney General responded that detainees included prisoners of war and those who had surrendered for their own safety and that criminal investigations were proceeding.

In early May Amnesty International publicized escalating atrocities by rebel forces. It called for an end to human rights abuses against civilians and for the urgent establishment of an independent human rights presence in the country.

An Amnesty International delegation visited Sierra Leone in May and met government officials and members of the military, the legal profession and non-governmental organizations, as well as victims of human rights abuses.

Amnesty International addressed a report to the un special conference in July _ *The United Nations special conference on Sierra Leone: The protection of human rights must be a priority for the international community.* The report called for an end to impunity as a prerequisite for lasting peace and recommended: that unomsil be given the necessary resources to monitor violations of international humanitarian and human rights law; that particular

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FACT 23

In October 1998, Foday Sankoh was found guilty of treason and sentenced to death by the Sierra Leone High Court.

a.	Exh. 1.173		AI Report:1999 Sierra Leone, http://www.amnesty.org/ailib/aireport/ar99/afr51.htm at p. 4.
b.	Exh. 1.046	ERN 00008256-00008438	Judgment and Sentencing of *The State v. Col. Foday Saybana Sankoh*, 23 October 1998, at ERN 0008348-00008349.

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The summing-up cannot be done today because since yesterday my quarters have been without electricity. The summing up is now fixed for tomorrow. This case is adjourned to 23/10/98 for the summing-up.

5. to the jury.

(Sgd) S.A. Ademosu J.

Friday the 23rd October, 1998 — Before the Hon. Mr. Justice S.A. Ademosu J.

Case called. Accused are present in person.

10. Unisa Namara State Counsel for the State. All the jurors present.

Court:- Sum-up the evidence to the jury.

The jury retires at 12.55 p.m. to consider their verdict. and return at 3.5 p.m.

15. Accused still present in person.

S.E. Bereva A.S.G. and Unisa Namara for the State.

All the jurors present.

Mr. Foreman of the Jury - Have you considered your verdict.

20. Mr. Foreman to the Court - We have.

Court:- Is it unanimous.

00008348

Mr. Foreman - Yes My Lord.

What is your Verdict Count 1 - Guilty - Unanimous

" 2 - Guilty - Unanimous

25. " 3 - Guilty - Unanimous

" - Guilty - Unanimous

" 5 - Guilty - Unanimous

" 6 - Guilty - Not Guilty Unanimous

...../Count 7 - Not guilty

00008349

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Count 7 - Not Guilty - Unanimous

" 8 - Guilty - Unanimous

" 9 - Guilty - Unanimous

Mr. A.G. - I am quoting Sect. 3 (1) of the Treason & State Offences Act 1963. We have had so much on this expression liable to suffer death. For us it is a matter of discretion but having regard to the offences charged particularly in Sections 1 and 2 of the Act. We are submitting that the accused deserves nothing less than death sentence.

Allocutus:- I wish to say thanks to the jurors and to your Lordship for exercising so much patience with me. In the absence of legal representative I am asking that you will be lenient with me. I reserve my opinion for the Appeal Court, if I have a right of appeal. That is all I wish to say for now.

Sentence: I am of the opinion that the offence committed by the accused should be visited with seriousness it deserves. In the circumstances, the sentences counts 1 and 2 of this court is that you shall be taken from here to a place of maximum security from where you shall be taken and hanged by your neck until you die. May the Lord have mercy upon your soul. Sentences to run concurrently. The accused is informed that he has a right to appeal within 21 days.

(Sgd) S.A. Ademosu J.

23/10/98

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Cr./[redacted] App. No. 18/98

00008256

In the Court of Appeal for Sierra Leone

(Appeal Fixed for Argument on day, 19)

Between—

CORPORAL FODAY SAYBANA SANKOH —Appellant (s)

and

THE STATE —Respondent (s)

Appeal from the Judgment/Decision Honourable

Mr. Justice S.A. ADEMOSU [redacted]

Judge/[redacted] given at the

High Court— FREETOWN —on FRIday,

the 23RD day of OCTOBER 1998.

Cr. App. No. 18/98

00008257 6263

IN THE COURT OF APPEAL FOR SIERRA LEONE

BETWEEN:-

CPL FODAY SAYBANA SANKOH - APPELLANT

AND

THE STATE - RESPONDENT

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IN THE HIGH COURT OF SIERRA LEONE
HOLDEN AT FREETOWN

THE STATE 00008261

Vs.

CPL. FODAY SAYBANA SANKOH

DATED THE DAY OF SEPTEMBER, 1998.

AT THE SESSIONS OF the High Court holden in Freetown on the day of September, 1998, the COURT is informed by the ATTORNEY-GENERAL & MINISTER OF JUSTICE on behalf of the State that CPL. FODAY SAYBANA SANKOH is charged with the following offences.

COUNT 1

STATEMENT OF OFFENCE

TREASON contrary to Section 3(1)(a) of the Treason and State Offences Act 1963 (Act No.10 of 1963) as amended.

PARTICULARS OF OFFENCE

Cpl. FODAY SAYBANA SANKOH on a day unknown between the 1st day of January, 1997 and the 13th day of February, 1998 outside Sierra Leone endeavoured to overthrow the Government of Sierra Leone by unlawful means.

FURTHER PARTICULARS

1. CPL FODAY SAYBANA in a message sent by him on or about the 25th day of May, 1997 ordered rebels of his RUF rebel organisation to leave the bush and join forces with and give assistance to the AFRC in its efforts to overthrow the legitimate Government of sierra Leone by unlawful means and to replace the said Government by a military junta.

2. In obedience to the said order armed rebels of the said RUF rebel organisation invaded Freetown and other towns in Sierra Leone and joined forces with the AFRC to form an AFRC/RUF revolutionary regime which strove to overthrow the legitimate Government of Sierra

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Leone by unlawful means and to replace the said Government by the said AFRC/RUF revolutionary regime.

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COUNT 2

STATEMENT OF OFFENCE

TREASON contrary to Section 3(1)(b) of the Treason and State Offences Act 1963 (Act No.10 of 1963) as amended.

PARTICULARS OF OFFENCE

Cpl. FODAY SAYBANA SANKOH on a day unknown between the 1st day of January, 1997 and the 13th day of February, 1998 outside Sierra Leone endeavoured to carry out by force an enterprise which usurped the executive power of the State of Sierra Leone in a matter of both a public and a general nature.

FURTHER PARTICULARS

1. CPL FODAY SAYBANA in a message sent by him on or about the 25th day of May, 1997 ordered rebels of his RUF rebel organisation to leave the bush and join forces with and give assistance to the AFRC in its efforts to overthrow the legitimate Government of sierra Leone by unlawful means and to replace the said Government by a military junta.

2. In obedience to the said order armed rebels of the said RUF rebel organisation invaded Freetown and other towns in Sierra Leone and joined forces with the AFRC to form an AFRC/RUF revolutionary regime which strove to overthrow the legitimate Government of Sierra Leone by unlawful means and to replace the said Government by the said AFRC/RUF revolutionary regime.

3. CPL FODAY SAYBANAYA SANKOH ordered the rebels of the said RUF rebel organisation to take orders from the Chairman of the AFRC, Major Johnny Paul Koroma and to assist the AFRC in all ways including the use and supply of arms and ammunition in its endeavour to usurp by force the executive power of Sierra Leone and to be the Government of Sierra Leone.

4. CPL FODAY SAYBANA SANKOH sent emissaries to the AFRC in Sierra Leone to ensure that his orders to the

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rebels of the RUF as stated above were carried out and to advise the AFRC on the formation of a revolutionary Government in Sierra Leone in place of the legitimate Government.

COUNT 3

STATEMENT OF OFFENCE

TREASON contrary to Section 3(1)(d) of the Treason and State Offences Act 1963 (Act No.10 of 1963) as amended.

PARTICULARS OF OFFENCE

CPL. FODAY SAYBANA SANKOH on a day unknown between the 1st day of January, 1997 and the 13th day of February, 1998, outside Sierra Leone in time of war and with intent to assist the enemy solicited funds and military logistics to be employed by forces hostile to the State, and thereby doing an act which was likely to give assistance to the enemy.

COUNT 4

STATEMENT OF OFFENCE

TREASON contrary to Section 3(1)(c) of the Treason and State Offences Act 1963 (Act No.10 of 1963) as amended.

PARTICULARS OF OFFENCE

CPL. FODAY SAYBANA SANKOH on a day unknown between the 1st day of January 1997, and the 13th day of February, 1998 outside Sierra Leone incited members of a rebel organisation, the RUF to invade Freetown and other towns in Sierra Leone with armed force.

COUNT 5

STATEMENT OF OFFENCE

TREASON contrary to Section 3(1)(c) of the Treason and State Offences Act 1963 (Act No.10 of 1963) as amended.

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PARTICULARS OF OFFENCE

CPL. FODAY SAYBANA SANKOH on a day unknown between the 1st day of January, 1997 and the 13th day of February, 1998 outside Sierra Leone assisted members of a rebel organisation the RUF unlawfully to invade Freetown and other towns in Sierra Leone by land.

COUNT 6

STATEMENT OF OFFENCE

TREASON by soliciting contrary to Section 17 of the Treason and State Offences Act 1963 (Act No.10 of 1963) as amended.

PARTICULARS OF OFFENCE

CPL. FODAY SAYBANA SANKOH on a day unknown between the 1st day of January, 1997 and the 13th day of February, 1998, outside Sierra Leone solicited members of the Sierra Leone Military Forces to endeavour to commit an offence contrary to Section 3(1)(a) of the Treason and State Offences Act (Act No.10 of 1963) as amended, to wit, to endeavour to overthrow the Government of sierra Leone by unlawful means.

COUNT 7

STATEMENT OF OFFENCE

TREASON by soliciting contrary to Section 17 of the Treason and State Offences Act 1963 (Act No.10 of 1963) as amended.

PARTICULARS OF OFFENCE

CPL. FODAY SAYBANA SANKOH on a day unknown between the 1st day of January, 1997 and the 13th day of February, 1998 outside Sierra Leone solicited members of the Sierra Leone Military Forces to endeavour to commit an offence contrary to Section 3(1)(b) of the Treason and State Offences Act (Act No. 10 of 1963) as amended, to wit endeavour by them to carry out by force an enterprise which usurped the executive power of the State in a matter of both a public and general nature.

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COUNT 8 00008265

STATEMENT OF OFFENCE

TREASON by aiding and abetting contrary to Section 17 of the treason and State Offences Act 1963 (Act No.10 of 1963) as amended.

PARTICULARS OF OFFENCE

CPL FODAY SAYBANA SANKOH on a day unknown between the 1st day of January, 1997 and the 13th day of February, 1998, outside Sierra Leone aided and abetted members of the Sierra Leone Military Forces to commit an offence contrary to Section 3(1)(b) of the said Treason and State Offences Act 1963, to wit, endeavour by them to carry out by force an enterprise which usurped the executive power of the State in a matter of both a public and general nature.

COUNT 9

STATEMENT OF OFFENCE

TREASON by inciting contrary to Section 17 of the Treason and State Offences Act 1963 (Act No.10 of 1963) as amended.

PARTICULARS OF OFFENCE

FODAY SAYBANA SANKOH between the 1st day of January, 1997 and the 13th day of February, 1998, outside Sierra Leone incited members of the Sierra Leone Military Forces to commit an offence contrary to Section 3(1)(b) of the said Treason and State Offences Act 1963, to wit, to endeavour to carry out by force an enterprise which usurped the executive power of the state in a matter of both a public and a general nature.

ATTORNEY-GENERAL &
MINISTER OF JUSTICE

DATE OF TRIAL: PLEA VERDICT:
SENTENCE:

THE PRESIDING JUDGE

6273

Thursday the 24th September, 1998

Before the Honourable Mr. Justice S.A. Ademosu J.

The State Vs. Cpl. Foday Saybana Sankoh.

Case called.

00008266

Accused present in person.

S.E. Berewa A.G. & Minister of Justice with him Unisa Kamara.

State Counsel.

Court to the Accused:- Are you represented.

Accused to Court - No my Lord.

Mr. Berewa - We had hoped to commence the trial today in order to make sure that the accused is represented. I want the extra rule. I wrote to the Bar Association but there was no response. Perhaps your Lordship would assign a lawyer to the accused.

Accused to Court:- I need sometime to advise myself whether I should brief a lawyer to represent me. I need about two weeks.

Court:- Mr. A.G. the accused had all the time in the world to get a Counsel to represent. He was served long ago with the proofs of evidence. If your Lordship has bent over backwards to grant an adjournment the accused should know that we have come ready and willing to proceed but if the matter is going to be adjourned the accused should realise that we are not here for fun.

Court:- Adjourned to 1/10/98. Bail refused. Accused is to be remanded in custody.

(Sgd) S.A. Ademosu J.

24/9/98

6274

Thursday the 1st October, 1998 — Before the Hon. Mr. Justice S.A. Adenosu J.

S.E. Berewa A.G. with him Unisa Kamara State Counsel for the State.

00008267

Court to the Accused:- I am willing to be represented but I Haven't seen the lawyer. I was expecting somebody to represent me this morning, infact he should have come to me on Tuesday. United Nations Human Rights Representative gave me the name of the lawyer who should have represented me but I have not seen the lawyer. I am willing to be represented but I don't have the finance.

Mr. Berewa:- I don't know how Human Rights Representative came to this matter. If the accused says that he does not have the means to pay a lawyer I am prepared and willing to show that he has a lot of finance.

MEANS TEST

Accused affirms and states: I am Cpl. Foday Saybana Sankoh. I live in Freetown. I am the Leader of the R.U.F. I know that I am standing trial for the offence of Treason. I know that I have to have a legal representative to represent me in this trial. I don't have the money or means to pay a lawyer. The R.U.F. that I lead has no money. My organisation is a self reliant organisation. We don't have finance.

...../that is all

That is all.

XXD by Mr. Derewa A.G. I am the Leader of the rebel organisation. Since March, 1997 the Nigerian Government had been taking care of my needs. Maybe I received a huge sum of money in U.S. Dollars.

I have been receiving money from Cote De Voire Government and friends. I received monies in U.S. Dollars and C.F.A. Francs. I don't know one Mohamed Talibi of the People's Bureau for Libya in Accra. I deny your suggestion that before my detention in Nigeria I had been receiving monies from Mohamed Talibi. I paid for myself to go to Nigeria. I also paid for my A.D.Cs. They were my bodyguards. I paid for two advance party. We were four who went. We were to return from Nigeria. I left money for my soldiers before leaving for Nigeria. I deny that on the 4 h day of December, 1996 I received the sum of USD.29,000.00 from Mohamed Talibi who was working in the Libya Embassy in Ghana. I cannot remember receiving the sum of USD.500,000.00 from the same source (Libya Embassy in Ghana). I deny that my men were mining diamonds in Sierra Leone whilst I was in Abidjan. I admit that you and I spoke a lot. It is correct that my men occupied Kailahun District. Zimmi Town was occupied by both the government Forces and the R.U.F. My men were fed by the people. They did not do any mining. I deny that my men were harvesting the Coffee and Cocoa crops. Nobody displaced the people. I heard about Charles Taylor. I don't know him facially. I don't know if he is a generous man. I did not receive any money from Charles Taylor or US.2000. Charles Taylor did not give me the sum of USD.1000.00. We were fighting in the bush

...../with arms and

with arms and ammunition. I know that those things cost money but we never bought them. We caught them from government. I know one Martin Moinana, my signaller. I used to call them brother and sister. I know Gibril Massaquoi was with me in Nigeria. He escaped from Abuja. I deny that I have come to mislead the Court that I have no money. I don't have money anywhere be it in Sierra Leone or outside Sierra Leone. I deny keeping far away. I see the documents now shown to me. I recognise the handwriting on the document shown to me. The handwriting is not my own. I cannot remember the name Mohamed Talibi. There are many Talibi's. I know one Mohamed Talibi in Morocco I have travelled very wide. Of course I have been to Libya. I know a number of Talibi's. I am ready to tell the truth. I have been receiving money from Cote De Voire Government in C.F.A. I have been receiving money from the United Nations from Ambassadors in Cote De Voire and in Ghana in support of Peace Accord. I know of Mohamed. I know of Amara Essy of Foreign Minister of Cote De Voire. I received monies from the President of Nigeria. I have no account anywhere. I had some money with me when I was in Nigeria. The money is in the hands of Nigerian Security in Nigeria some of it was in pound Sterling, U.S. Dollars and C.F.A. Francs. I had 29 (Twenty-Nine) people with me in Abidjan. I spent some money on training. We received money from friends in Ghana. If we received money from Libya it was for peace Accord. I did not receive the money directly. I never saw the money. I did not receive from Libya through Ghana.

00008269 ...../ Nobody received

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Nobody received money from Libya for the R.U.F. Libya Ambassador gave us money. The Ambassador was not Mohamed. The lady was called Fatti. I cannot remember how much she gave. The Foreign Minister of Cote De Voire was giving me money. At times one Million C.F.A. Francs. My movement don't operate an account. Monies were sent through my foreign offices. It is a law in the movement that when we received money from anybody. I deny that I received the sum of USD. 29,000 and One Million U.S.D. General Sani Abacha gave my movement USD.50,000/00. to transfom my movement into a political party. This was in addition to the hospitality accorded me. I kept the money in my Villa. The money was in USD. Dollar bills. The USD 50,000 was for me to tr nsform my movement into a political organisation. I have not yet transformed my movement into a political organisation. That is all.

00008279

Court:- The USD 50,000 is among the monies taken from by the security in Nigeria. I reported to the Security in Nigeria and when I reported to the Lt. Col. Sam and even to the Task Force Commander Brigadier-General Maxwell Khobe. Part of the money can be used to pay my lawyer.

Court:- To enable the accused brief a Counsel this matter is adjourned to 5/10/98. Accused to remain in custody.

(Sgd) S.A. Ademosu J.
1/10/98

Monday the 5th October, 1998

Before the Hon. Mr. Justice S.A. Ademosu J.

Case called.

...../Accused present

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Accused present in person.

S.E. Berewa A.G. and Unisa Kamara - State Counsel for the state.

00008271

Accused to Court:- I made selection of four lawyer But I have not seen anyone since Saturday.

A.G. to Court:- As your Lordship ordered I got a list of all the registered lawyers in Sierra Leone. After which I was informed that the accused selected four, two of them are out of the jurisdiction. There is no constitutional requirement to go all out to find a lawyerr out of the jurisdiction. I went out of my way to write to the Bar Association to select one of the Members to defend the accused. After that I contacted the various Humanrights Organisation in town asking them to come to the aid of the accused persons by way of legal representation. One of them contacted a member of the legal association but the member made impossible conditions. There is no requirement on our part to do all this. It is the accused who should either defend himself or secure the services of a legal practitioner of his choice. We shall not allow this trial to be frustrated. Everything has been done. In the circustances, I am asking most respectfully that the trial commence today for very many reasons. The safety of the nation and of the people of this country hangs on the expeditiously disposition of this case. If in the course of the trial any member of the Bar has a change of mind, he can come in and defend the accused. Let the charges be read today and let the jury be panelled.

...../ Accused to Court

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Accused to Court - I wish to be given time to prepare myself.

00008272

Court. - Taking into consideration the fact that the accused has been given ample time to know what he is coming to meet by way of proofs of evidence and a copy of the indictment.

Charges read and explained to the accused.

Plea: Count 1 - Not guilty my Lord I am innocent.

" 2 not guilty

" 3 not guilty

4 not guilty

5 not guilty

6 not guilty

7 not guilty

8 not guilty

9 not guilty

Jurors are empanelled as follows

Samuel Coker

Santigie Kanu

Samuel George

Mohamed Swarray

Joseph Brima

Jonathan E. George

Samuel Scotland

T.J. Navo

A.F.A. Johnson

C.R. Wallace

William Decker

Leonard Sam Sesay - absent

Arthur Duncan

----../ Accused is informed

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Accused is informed of his right to object to any of the jurors and says that he has no objection to and they are sworn as follows:-

00008273

1. Samuel Coker - S.O.B.
2. Santigie Kanu - S.O.B.
3. Samuel George - S.O.B.
4. Mohamed Swarray - S.O.K.
5. Joseph Brima - S.O.B.
6. Jonathan E. George - S.O.B.
7. Samuel Scotland - S.O.B.
8. T.J. Navo - S.O.B.
9. A.F.A. Johnson - S.O.B.
10. C.R. Wallace - S.O.B.
11. William Decker - S.O.B.
12. Arthur Duncan - S.O.B.

Foreman of the Jury - T.J. Navo.

Charges read and explained to the jury.

Accused is given in charge of the jury.

Witness called

Opening address by the Attorney General

Mr. A.G. - We are a country that observes the rule of law. Since 1991 Sierra Leone has been described as a pariah state. We are going to show you why the accused is charged before you. We intend to call evidence to show that the accused endeavoured to overthrow the legitimate government of Sierra Leone; that he caused R.U.F. movement to join forces

...../with the Sierra

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with the Sierra Leone Army to overthrow the government of Sierra Leone; We will call somebody who has been with him. We want the trial to be a snap one. We will show you that the accused is not a man of peace. He is somebody who wants to hold this country to ransom. We are a country that respects the rule of law. I wish to call my first witness.

00008274

P.W.1 - S.O.B. - I am Martin Moinama. I now live at New England Ville Prison, Freetown. Prior to my going to Freetown I was an R.U.F. soldier. I became R.U.F. soldier since May, 1991. I know the accused very well. I was a signaller to the accused since 1994. As signal personnel, the accused used to give me instructions to pass them to the R.U.F. Commanders. I know the names of some of the commanders. Among them were Sam Bockarie alias Mosquito, Dennis Mingo, Col. Issa Sesay and C.O. Mohamed. These are some of them. I surrendered to Yeonog on 16th March, 1998. The accused was the rebel leader of R.U.F. organisation. My home town is Jojoima town near Liberia border when the war entered Jojoima most of them were Liberians. They were R.U.F. fighters. At that time we were building an Apostolic Church in Gawama Village. Whilst there I heard heavy bombardment coming from Bomaru Village. The bombardment continued for about three days. This was in 1991. Three days after the bombardment the war reached to our Village called Gawama. We were about one hundred men and children. The rebel base was at Kuiva Village. R.U.F occupied Kuiva and used it as a Gorilla training centre

...../C.O. Morri

6282

C.O. Morris Kallon was the commander. We were abducted and he told us that we were going to be trained to overthrow the A.P.C. government. When the rebels got to our Village, we fled into the bush. There we were taken by force. The rebels were armed. After we had been abducted I heard that one Alhaji Koroma was killed. I became apprehensive. I then ran away. But I was again apprehended. I was signaller in 1994. My first time of seeing the accused was at Baiwala town which was another rebel base. This was around May/June, 1991. After our preliminary training at Kuiva, we went to Baiwala for advance training. One Benedict who was a Liberian was the trainer. He chose me as his clerk. I was responsible for recording the names of recruits. After sometime he decided to send me to Pendembu Town for training as a signaller. I started working directly with the accused at Zogooda gorilla camp, in 1994. Zogooda is in Kenema District. I was with the accused since 1994. I was with the accused in Abidjan. The accused first left for Abidjan in July, 1996. I went to join him in Abidjan also in the month of July, 1996. I was with the accused until we went to Nigeria. I went with the accused to Nigeria sometime in 1997. I was the signaller. I was not involved in any military exercise. I was the one doing the writing for the accused. After writing the accused would sign it. I know the accused's signature very well. I see the two documents shown to me. I see the second page of the document. The signature on the letter is the accused's signature but the handwriting is not his.

..../The letter

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The letter is dated June 26, 1996. The letter was written by somebody else. I see the document now shown to me. It is a letter dated 4th December, 1996. The signature on it is the accused's own.

Court:- Both letters are shown to the accused. Tendered for indentification marked Z for the letter of June 26, 1996 and the letter of 4th Dec, 1996 marked Y.

00008276

Witness continues - As a signaller to the accused I was very close to the accused. I cannot mistake his signature for any other person's own. I know that the accused signed Peace Accord with the government of Sierra Leone. I was living with the accused in Abidjan when he went and signed the Peace Accord. The accused was talking in details about the Peace Accord with Mr. Deen-Jalloh, Musa Fayia and Dr. Mohamed Barri I was the one manning the Office. I know one Steve Bio. I saw him in Abidjan sometime in December of 1996. He came to the house allocated to the accused in Cocody in Abidjan. He came one night. He did not meet the accused. By then the accused had gone to Burkina Faso. Steve Bio came with a T. Shirt and a pair of shoes. He called me, one Ansumana Musa, one Auntie Jane Koya, Col. Gibril Massaquoi, and one Lt. Moriba Ansuman Musa was the accused's bodyguard. All of us in the house were R.U.F. Members. Steve Bio told us that he was on a mission. After three days the accused returned from Burkina Faso. After the accused had returned from Burkina Faso, the accused told us that Steve Bio was a very important man that had come to

...../join the

join the R.U.F. Steve Bio was present. He was staying with us in the house. Steve Bio lived in the house continiously for about three months. I was there. Steve Bio had previously told us that he would get logistics - arms and ammunition for us the R.U.F. The accused told us that Steve Bio had come to assist the R.U.F. to get arms and ammunition.

Whilst Steve Bio was staying with us, Steve Bio and Ansumana Musa - the bodyguard to the accused went ahead to Nigeria. Col. Gibril Massaquoi left alone. He left in the morning whilst the accused and I travelled the same evening to Nigeria. Only he and I travelled together by Cameroon Airlines. Steve Bio was the one who asked us to go to Nigeria. He said he had arranged for arms and ammunition with a Mr. Prince in Lagos. We arrived in Nigeria. We were arrested in Nigeria but I was not under any restrictions. The accused gave me One Hundred U.S. dollars. He told me to go back. I travelled by Ethopian Airlines. I went straight to Abidjan. Accused sent me to one Pa. Kallon of Abidjan. He asked me to tell Pa. Kallon that he was only resting in Nigeria; that the news on the B.B.C. was false and that he should not worry. I came to Sierra Leone around September, 1997.

Whilst I was in Abidjan I asked to listen to the radio. I can recognise the accused's voice very well on the radio. Even now if I hear his voice I will be in a position to recognise it. Whilst I was in Abidjan

...../I heard the

I heard the accused's voice on the B.B.C. telling the R.U.F. to come out of the bush and join Johnny and Koroma to defend their motherland. He also said that R.U.F. should thereafter be called "People's Army" and no longer R.U.F. The accused was the leader of the R.U.F. He was the one to give us orders. I took his orders for granted. He said the war was finished. I was happy when the accused said the war was over. I had just to obey the accused's orders. I came to Sierra Leone because I was straining. There was no food. I came to Sierra Leone to come and join the People's Army

When I came to Sierra Leone I saw most of our Members in town and villages.

Court:- At this stage this trial is adjourned to 6/10/98.

00008278 (Sgd) S.A. Adenosu J.
5/10/98

Tuesday the 6th October, 1998 — Before the Hon. Mr. Justice S.A. Adenosu J.

Case called. Accused present in person.

Same representation for the State. All the jurors present.

D.W.1 S.O.B. to continue his evidence.

I told the court that it was on the instructions we received from the accused that made me to come out of the bush. He said we - the R.U.F. troops should come out of the bush and that we should go and join the Sierra Leone soldiers to work for Johnny Paul Koroma. Whilst in the R.U.F. I was a Sergeant. I was a

...../signaller

signaller to the accused from 1994. I was sending radio messages and receiving radio messages for the accused. The accused gave me the messages to send. I had a special call sign. Every radio station had a name which we call "call sign whilst in Abidjan the call sign I was using one one X-ray' (1 1 X xray) We used code words. I would say call " 1 1 Xray when I want to send messages. Anoth call sign was 1.4 u. The U stands for uniform. The field commander's call sign was 1.4.U. The Fiel Commander was Sam Bockarie alias Mosquito.

I recall the month of February, 1997. I was signaller to the accused at that time. At that time I sent messages on the instructions of the accused. I sent the messages from call sign. i.i. Xray. I see the document now shown to me. I can remember the substance of the message I sent. I recognise this document very well. This was a message I sent on the instructions of the accused.

Court:- The documents is shown to the accused. He says that he is objecting to it on the grounds:-

1. A message that is not in my handwriting and operator's handwriting it can be written by any other person.

00008279

2. From Dec, 1996 up to Feb, 1997 I was not in Abidjan.
3. After Peace Accord in November, of 1996 I stopped sending messages.
4. I have a secretary who always writes messages she is one Jane Moyah.

...../ If an operator

If an operator writes a message in his own words I know that he originated that message. That is his own English that is all.

Mr. A.G. - I would say that the accused has not really given reasons for admissibility of this document. The witness has told the court that he the accused gave him this message to send and that the message was sent through the R.U.F. radio in Abidjan. Whether the message was written by the accused or somebody else would not matter. I would rely on the maxim. "He who does something through another does it himself". The witness was under the accused The accused gave witness a message to send. Whether the accused was in Abidjan or elsewhere would not matter. The message is relevant and admissible. I would therefore respectfully ask that the message be admitted. That is all.

RULING 00008289

I have carefully considered the reasons advanced by the accused in support of this objection to the admissibilit of the document sought to be tendered. In considering whether or not this document ought to be received in evidence I have taken into account the fact that the witness told the Court among other things that he recognised the document very well and that he recalled sending the message contained therein upon the instructions of the accused. I have also not overlooked the fact that the messa was allegedly sent by radio which means that that it must have been decoded. The witness being the one who claimed to have sent it upon the instructions of the accused I think the document can be received in evidence.

..../The contention

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the contention of the accused that he was not in Abidjan in Feb, 1996 or that he did not send out any message after the Abidjan Peace Accord and/or that he always had a female secretary/Operator writing messages for him would only affect the cogen or weight to be attached to the document. Once a proper foundation has been laid to make it admissibl the document should be received in evidence. In the instant case I have no hisitation in ruling that the document is admissible in law. The result is that the accused's objection is overruled.

Witness's evidence continuing. - The document is tendered marked Exh A. and read. It is always the Field Commander that the accused used to send messag to. He in turn sends messages to other stations. I know one Dennis Mingo alias "Superman". There are other call signs 25,35 and 16. The superman Dennis Mingo's call sign was 35. I was the one who sent the message in Exhibit A. There was a re-actio to the message in Exhibit A. Dennis Mingo (superman was Battalion Commander when we went to Abidjan. He was then a Major before the accused who was the Commander-in-Chief promoted him and others to the rank of Colonel. The Field Commander was the most senior. That is Sam Bockarie. There is a document to show that there was a reaction to the message in exhibit A.

00008281

Court. A document is shown to the accused.

Witness: I see the document now shown to me. I saw it before in Abidjan. It was with me in my office

..../in Abid

in Abidjan. The accused gave it to me and it was in my office. I have two record books. One to record messages sent out. The other one I used in recording messages received from outside. I was in the control station. I remember the substance of the message that he gave me. The reaction to the message I sent as that is contained in this document now shown to me. I would like the court to see it - Accused says he has no objection to the document going in as an exhibit. 00008282 The document is marked Exhibit B and read.

I sat to my 'O' Level in 1987 and I got Division III in Sciences. From 1987 to 1991 I was Sunday School Teacher. The accused was the one who taught one Liberian called "Capt You" how to send message. Capt. You later taught me. I was at Samuel Town Benguima when I came to Freetown. I was staying with a friend called Johnny. He too was R.U.F. There were R.U.F. all over Benguema - Samuel Town when I came down. I came to Freetown. I saw a lot of R.U.F. in Freetown. By then we were no longer called R.U.F. but People's Army. The government the was A.F.R.C.

From People's Army we started taking instructions or Orders from Johnny Paul Koroma of the A.F.R.C. following the B.B.C. message or orders from the accused.

Between September 1997 and March, 1998 when I

..../surrendered

6290

surrendered to Ecomog. We had a radio set at Benguema. The S.L. Army also had a radio set of their own. All the People's Army had weapons.

Mr. A.G. - I am applying to interpose another witness to enable me lay foundation for an exhibit I intend to tender through this witness.

Court: Application granted.

00008283

P.W.2 S.O.B. I am Francis Issa Hindowa. I live at 37c Aberdeen Ferry Road, Freetown. I am Officer at the West African Exams Council. I was in Freetown in the months of May and June, 1997.

Something happened around the 25th of May, 1997. In the early hours of the morning of the 25th May, 1997 my boy told me that they had opened Pademba Road Prisons and that all the prisoners had escaped. By then I was staying at No.40 Goderich Street. I opened my door I saw shops being broken into. Looking at the atmosphere there was choas I saw people in military uniforms all over the place. I ventured out. By the way I saw Sackville Street. I know that there was trouble. I went back into my house. Not too long after that I heard a radio broadcast that the government had been overthrown. I heard this on SLBS 99.9 radio station. The voice I heard was that of Gborie. That was the first announcement. The voice of other announcement. The voice I heard was that of Cpl. Foday Sankoh. Before that I heard the voice of a Paul Thomas who

..../ announced the

announced that he was the spokesman of the A.F.R.C. Because of the significance of the message I recorded the announcements made by Cpl. Gborie, Paul Thomas and Cpl. Foday Sankoh for historical reasons. I record Cpl. FodaySankoh's message in a Cassette Tape. The condition I used was not new and neither was it old. I know that it served my purpose. I recorded who broadcast what I said to be the voice of Cpl. Foday Sankoh. After recording, I kept the cassette in a place nobody had access to. I kept it in a box in my room. My wife had no access to the box in which I kept it. Since theday I kept it I have had cause to remove the cassette. I played it during the junta time. After that I heard the announcement by the legitimate government that anybody having any document or information about what happened during the junta period should go to the Attorney-General. Following this announcement I took the cassette to the A.G. I informed him about it. The A.G. asked me what was on the cassette and I told him. He then asked me to keep it until when he would call for it at the appropriate time. In my presence the cassette was played in the Office and to the hearing of the A-G. After playing it, He asked me to keep it. I took the cassette along with me. It has always been with me. From that day up to this date, the cassette has been in the same box with the same lock. As far as I know nobody has had access to the cassettes. I have the

...../ cassette

the cassette with me. I now produce and tender it - No objection by the accused. The cassette is tendered and marked exhibit C. Exhibit C is played. That is

XXd by Accused: I know you through pictures but not facially. I am not a businessman nor a technician and neither a broadcaster. I don't specialise in broadcasting messages. I am Mass communication specialist. The radio was given to me. I cannot remember having a licence for the radio. The voice according to the cassette was said to be that of Cpl. Foday Sankoh. I have listened to your voice on several times on the radio since 1991. The important thing in the cassette is the mesaage from Cpl. Foday Sankoh which was relayed by S.L.B.S. I was not there. I would not know how many people were at the S.L.B.S. when it was being played. What I can gather from the cassette is that for six years the R.U.F. and the Army were bitter enemies fighting a war in which many souls had been lost and for the message to say that you were coming together and it happened . That was a very important thing to me and that was why I recorded the message. I don't have the script of the cassette. I did the recording sometime in May, 1997. It was around the 29th of May. I cannot remember the

 ...../exact date.

exact date. I know that it was in the month of May, 1997.

XXD by the Jury: None.

Rexd - None.

P.W.1 is recalled to continue his evidence. He is reminded of his oath. I recall telling this Court yesterday that I know the voice of the accused very well. I would recognise the accused's voice in a cassette or radio. Exhibit C is played. I have listened to exhibit C. It was the accused's voice I heard on exhibit C. The broadcast over the B.B.C. is slightly differer but the substance is the same as in this cassette exhibit C.

Court:- Short stand down.

00008286

Hearing resumes.

Accused present in person.

Same representation for the State.

All the jurors still present.

P.W.1 is reminded of his Oath.

Whilst me and the R.U.F. were in Town. We were working for the A.F.R.C.. We were told that S.L.P.P. government had been overthrown. We were working to stay in power. I know that A.F.R.C. government was around. Johnny Paul Koroma was the Chairman. The accused was the Vice-Chairman according to the communication and pronouncement by Johnny Paul Koroma. When the message inExhibit

.....Exhibit

was sent by the accused, we the R.U.F. were fighting against the government of S.L.P.P. Fogbo is in Kailahun District. Kamajor's were the one who pushed the R.U.F. from Fogbo. The accused was saying that the R.U.F. should allow themselves to be pushed from Giehun which was R.U.F. supply line. Kailahun was a big training base for R.U.F. and so was Penderbu. Kailahun remained but Giema Village is what the R.U.F. called Burkina. The word 'Massacre' means destruction of lives and property. Whenever we laid ambush any vehicle entering would be fired at, especially at a place called Magbosi near Bradford. I prefer to be a civilian. I don't want to be a member of R.U.F. That is all.

00008287

XXD by accused:

Q. My brother Martin how did you manage to find yourself in Prison. I used to call you my son.

A. I was in Benguema when fighting took place in Freetown Col. Issa Sesay threatened to kill me. The reasons he gave was that all of us who went on escort to Nigeria we had gone to sell you to Gen. Sani Abacha. This happened at Masiaka. He instructed three S.S.D. Personnel to shoot me. I tried to escape from him. He shoot me on my leg. He also said that Steve Bio had brain washed us in Nigeria and that accounted for my escape from Nigeria. He told one Dr. Ziggle of Muiva not to treat me at all.

...../ at that time

At that time the R.U.F. were retreating. They told me not to join them. By then I was having a wound on my leg. It was the habit of R.U.F. to make false allegation against somebody. I agree with you that the document shown to me is a copy of my statement.

Q. You are a brother who don't use to tell lies when we were together?.

A. I am still the same man who doesn't tell lies.

Q. May I say that in this Court you are not speaking the truth?.

A. I have told the Court the truth. I don't tell lies. I have sworn on the Bible.

Q. When did you join me in Zogooda the headquarters?

A. In 1994 I was the one who opened the Kenema Bye-Pass

Q. I put it to you in this Court that you are not sayin the truth.

00008288

A. I am speaking the truth.

Q. Did I ever give you any assignment outside Zogooda?

A. It was one Lt. Col. Mohamed you gave an assignment and you asked me to accompany him as a radio operato

Q. Did you put all this in your statement?

A. I only answerd questions put to me.

Q. What assignment did I gave you?

A. You told us to go and attack Sierra Rutile and other places.

Q. Why did you not put this down in your statement?

A. I was never asked.

Q. How long were you with C.O. Mohamed.

...../About one

A. About one year and six months.

Q. When did you leave Zogooda?

A. End of 1994.

Q. What was the target

A. You said we should attack Sumbuya-Lugbu chiefdom

Q. What was the second target?

A. It was to attack Bo carnival show if you recall.

Q. You reached . up to Sierra Rutile?

A. Yes we went up to Mile 38.

Q. Let me remind you that you advanced to Lumpa in Waterloo.

A. That is true.

Q. Did you remember what instructions I gave your Field Commander. Did I not tell him to retreat?

A. I was on the radio. We retreated because of lack of ammunition.

Q. I told yourC.O. that you were to retreat?

A. We did retreat.

Q. Where did you retreat up to? 00008289

A. We retreated up to Rotifunk.

Q. I usually instruct the Field Commander What to do

A. That is true.

Q. It was what was dictated to you that is contained in your statement?

A. I was never dictated to what to say. I was never forced to make a statement.

Q. Could you remember stating that Col. Issa was after you?

A. That is true.

Q. You never said it was Col. Sam Bockarie alias Mosquito

...../But he instructed

6297

A. But he instructed somebody.

Q. In Rotifunk area you were there up to when?

A. Sometime in 1996.

Q. Were you at Zogooda when I left for Abidjan?

A. I was not there.

Q. Where were you?

A. I was with C.O. Mohamed.

Q. I put it to you that you were not in Zogooda when I went to Abidjan.

A. It is correct that I was not there.

Q. I put it to you that it was not in April, I left Sierra Leone.

A. It was about there or the after you had left that you sent for me.

Q. I know that I sent for you but it was in March, 1996.

A. If you say it was in March, no problem.

Q. When did you arrive in Zogooda?

A. In June, 1996.

00008299

Q. You arrived in Abidjan when?

A. End of July, 1996.

Q. In Abidjan who initiated the dialogue with the R.U.F.?

A. I was not there.

Q. Who sent for you.

A. It was C.O. Mohamed who called me.

Q. Was it not Brigadier General Julius Maada Bio who in January, 1996 initiated peace talk.

A. That was above me.

Q. Were you not always there whenever I talk directly to C.O. Mohamed?

A. Most times I was present but at times both of you usually have secret talks.

...../Whilst I was

6298

Q. Whilst I was in Abidjan were you not communicating by radio with me.

A. I did not know what happened in the beginning but we later received messages that we were talking about.

Q. You were talking about Steve Bio. Do you know Agnes Deen-Jalloh?.

A. I know that she is related to the Bios.

Q. Who told you that Steve Bio came to R.U.F. house in Abidjan?

A. He met me in the house.

00008291

Q. Did you know where Steve Bio put up?

A. Yes Hotel Ibis.

Q. Was it only Steve Bio who came to R.U.F.?

A. People were going there. We used to entertain them.

Q. You as a radio operator for R.U.F. what were your priorities?

A. Six of us were trained in computer operator.

Q. You were there when we signed the Peace Accord?

A. I was there.

Q. Was I not talking about peace after the Peace Accord?

A. Yes you were talking about peace.

Q. After signing the Peace Accord on November 30, 1996? Were you preparing to go back?

A. You were not preparing to attack but in December Steve Bio came and started talking about arms and ammunitions.

Q. Did I not advise you not to have anything to do with Steve Bio?

...../ Yes you did

6299

A. Yes You did but both of you were talking.

Q. You and I and one other person were scheduled to travel to Nigeria in the morning of 28th February by Nigerian Airways?

A. That is correct.

Q. Did you have any problem with the immigration at the Airport?

00008292

A. No problem.

Q. I put it to you that we were not arrested?

A. We were arrested because of your identity.

Q. Why was I arrested?

A. When they saw four pistols in your bag.

Q. For how long were you at the Police Station?

A. We were moving from one police station to another.

Q. Am I correct to say that I was tried in Lagos?

A. You were not tried.

Q. Where we not taken to a hotel?

A. Yes we were taken to Federal Hotel in Victoria Island.

Q. Do you know what happened to R.U.F. delegation to Abidjan?

A. Yes I know

Q. You heard the news?

A. The news I heard was the one by Fayia Musa over the B.B.C that you were no longer the Leader of R.U.F. By then you and I were eating on the same table.

Q. What was my reaction?

A. You said you did not believe the news.

Q. Whilst in Abidjan as an operator was I using codes in sending messages?

...../I am not

6300

A. I am not lying. The messages I have read were the ones I sent upon your instructions.

Q. Did you recall saying that the messages, one of them was not in your handwriting and the other one in Palmer's handwriting?

A. Yes but you were the one who gave instructions verbally.

Q. Messages are sometimes typed?

00008293

A. Yes you don't write.

Q. Exhibits A and B are not in my handwriting?

A. Yes. You don't write.

Q. Do you recall that I had to suspend some people in the Office about missing messages in the Office?

A. This is true.

Q. This exhibit B is it not from Dennis to Mosquito?

A. Yes Sir

Q. I put it to you that you were the one who sent the message?

A. Yeu were the one who sent message. You were not signing.

Q. I was not signing because I had confidence in you?

A. May be.

Q. You told us that when we were attacked we should defend ourselves.

A. Yes. That is true.

Q. Who sent the message that Fogbo was to be attacked

A. It was Mosquito.

Q. From the time you have been with the R.U.F. at Zogooda did you at anytime see us working with the Sierra Leone Army?

A. To my knowledge R.U.F. had no alliance with Sierra Leone soldiers.

...../Did I ever

6304

Q. Did I ever give you message to R.S.M.L.F.?

A. No.

Q. Did I talk with the Army to make coup detat?

A. You used to talk with Maada Bio?

Q. What is the transit between Freetown and Kailahun.

A. There are two routes which can be used and bye pass. Zogooda One is by Boajibu, Panguma, Baoma Oil Mills Bayama. The other route is from Mattru Jong,Koribondo.

Q. Have you been to Kailahun?

00008294

A. Yes.

Q. Before the Peace Accord I went to Bayya, Kangari Hills, Zogooda and Kailahun?

A. Yes

Q. In what year did we leave Kailahun?

A. 1993 ending when we passed through the bush to Baoma Koy

Q. Do you realise that all my telephone communications were out off in Abidjan?

A. Yes but you had a satelite Telephone.

Q. Did you know who damaged them?

A. The Ivorians.

Q. Can you tell this Court the objectives R.U.F. were fighting for?

A. The first one is that you told us that we were fighting against A. .C. government. You said it was a rotton government. The second reason you gave was that we were fighting against poverty. You also told us that yo were against military government. You said because most of us were drop-outs, you would integrate us into the society. That is all I know. You also said you were fighting for democracy. You also said you were fighting against the politicians and so on.

Q. Do you know the structures of the R.U.F.?

A. Yes I know.

Q. What are the structures?

A. I know the R.U.F. leader the Field Commander,

.../comba t

6302

combat Unit, Armorals, Signallers, War Council I.D.U's i.e. International Defence Unit; 1. Os. Intelligence Officers, Training instructors etc., etc.

Accused to Court:- That is all I have for the witness

Mr. Foreman of the Jury - No questions.

Mr. A.C. Rexd - None.

Court Adjourned to 7/10/98.

(Sgd) S.A. Ademosu J.
6/10/98

Wednesday the 7th October, 1998

Before the Hon. Mr. Justice S.A. Ademosu J.

Case called.

Accused present in person.

00008295

Same representation for the State.

All the jurors present.

P.W.3 - S.C.*. I am Mohamed Keita. I know live at the New England Prison Camp. I was a Member of the R.U.F. but since I have surrendered to Ecomog. I am no longer a Member of the R.U.F. I recognise the accused. I know him as the rebel leader of Revoluntionary United Front. I became a Member of the R.U.F. sometime in 1995. I am now 22 years of age. My parents and I were resident in Freetown.

In 1995 my father, mother and I went to one Village called Falaba in Koyamba District to buy gari. Whilst in the Village I heard of rebel atrocities in the area. Although we had relations in the Village I went with my father and mother, my aunt and another person to a village nearby. Whilst we were going to the Village nothing happened to us. But whilst in the Village one man ran to the Village. He told us something about the rebels. The man fainted. Not too long, I started hearing sporadic gun fire. This continued until we were

.../Surrounded

6803

surrounded by the rebels armed with guns and led by Sam Bockarie. He ordered all of us to sit on the ground which we did. They started searching the Village. Sam Bockarie searched my father and removed all the money in his pocket. Sam Bockarie fired at two of the men who were with us. He killed them. He then told us that he had shown us an example of what would happen to any of us who attempt to escape. My mother pleaded with Sam Bockarie to allow us to go since he had taken all the money in her husband's pocket. It was at that stage my father and my mother were tied. After tying them Sam Bockarie shot them. Both of them died on the spot. My aunt was also killed on the spot.

I was stripped naked together with other young men captured from the surrounding villages. We were about thirty (30). They tied us and started beating us and poured water on us. I told the Commando who was a little boy - I told him that I preferred to die than continue to live after my parents had been killed. The boy then inflicted a mark at the side of my neck with a bayonet. The mark is still there.

Court:- Witness is asked to show the scar to the accused and the jury and which he did.

Witness continues:- After wounding me Sam Bockarie alias Mosquito gave us loads to carry. I was given five gallon of palm oil in plastic container. Mosquito told us that we were going to his farm at Peiyama

6304

Peiyama was a rebel base near Tongo field. All the thirty of us including young girls and boys were taken as captives, and taken to Peiyama Camp. The breasts of the girls had started shooting out. The dead bodies of my parants and others killed were left on the spot. We travelled through the bush. We passed through a place called Kenema Bye-pass.

0000829?

We arrived at Peiyama Camp, on the next day. ALL THE THIRTY (30) boys and girls were taken to Peiyama Camp On arrival there we met other civilian captives. We were given military training. The training Officers were one Lt. Siaffa alias C.P.O. Siaffa and one Lt. Sheriff alias "Amyepeh". We were in Peiyma Camp until sometime in 1996. I know the accused. I saw the accused at Camp Peiyama. It was during Mustard Parade that Lt. Sheriff informed us that the rebel leader was coming to address us. Shortly, after that Lt. Sheriff identified somebody as Foday Sankoh. The person he identified to us is the accused in the dock. On that day the accused was having one short broom in one hand and a booklet on the other hand. The booklet's letter was "Bush Path towards Democratic Sierra Leone". The accused was the only one who talked. Lt. Sheriff was just standing beside him. The accused introduced himself as Corporal Saybana Sankoh. - R.U.F rebel leader. He said he was fighting against the A.P.C because the A.P.C. had destroyed the country. He said Education facilities are very poor and so was health. He added that we had a lot of minerals which were being exploited and sold without any benefit to the country. He urged us to join him to purge the system.

/ PARADE ONE

6305

At the parade, one of the captives pointed out to the accused that he was quite willing to join him but he could not understand why his men were killing maiming innocent civilians and looting their property. The accused asked the youngman to come up. He ordered that the youngman be shot. He was shot. After that no one in the parade uttered a word again before the accused left for Zogooda which was the rebel head-quarters.

00008298

After that day, I did not see the accused again before today. Whilst in the R.U.F. I was in the standby group. After Mosquito has gone to attack anywhere, my group would go and collect the looted items from the place and carry them to our camp at Peiyama. We left camp Peiyama after the Kamajors entered Peiyama in December of 1996. I learnt that there was order that we should transfer to Burkina Camp in Kailahun District. I was in Burkina Camp around the 25th of May, 1997. We were many who left Burkina Camp. We were all R.U.F. I had a small radio. I heard the accused's voice. I am familiar with the accused's voice. I would not mistake his voice for anybody else. I remember some of the words of the accused. I heard him say; "That as from now he was telling the commanders to go and join the AFRC so that S.L.P.P. would not come back to power again". That was the reason we come to Freetown led by Sam Bockarie alias Mosquito. After the message Mosquito said he would not have to walk in the bush again. Not too long, I saw vehicles coming. The vehicles had Sierra Leone soldiers on board them. The soldiers came with

.../several vehicles

6306

several vehicles including Landrovers and Toyota Hillux. They showed signs of fear, Sam Bockarie assured them that they should not be afraid of them again as their leader the accused had ordered them to join and work with the Army. We left Burkina Camp by vehicles. We passed the night at Daru Military Barracks. From there we went to Kenema. We reported at the Kenema Army Brigade where we were for two days. From there we travelled by vehicles to Mile 91. Whilst there one Tata Bus arrived. It brought us to Freetown. On arrival in Freetown we were taken to Benguima Barracks. A.F.R.C. soldiers welcomed us whilst the civilians were afraid of us.

Whilst at Benguima five of us escaped. We came to the City of Freetown. We did not go back to Benguima again, We we e just passing around the city begging people for alms. Only one of us had a gun. the rest of us were not armed. I surrendered to Ecomog on the 17th of February, 1998. This was at Juba. Whilst in Freetown we came across one of the rebels who told us that there was a lot of rebels in Freetown. He said he knew of an empty house that we could be lodged. We were led to the place. There was a lot of rebels there. We then joined them in Juba barracks with the other four friends, who came with me to Freetown. Whilst there we were learning from the engineering work that was going on. We were given food by Sierra Leone Soldiers. That is all.

XXD by accused.

...../Brother

6307

Q. Brother Mohamed Keita do you know Gbamgbana Villa

A. I know Gbamgbana Village.

Q. This is a court. Are you saying the truth?

A. I am.

Q. I am puting it to you that you are not saying the truth?

A. I am saying the truth.

Q. You made two statements to the Police? Is that not so?

A. Yes, I made two statements.

Q. In your statement to the Police you mentioned the name of one Mamawa?

A. Yes.

Q. I am putting it to you that this is the first time you are seeing me facially.

A. I know you facially before this day.

Q. I am suggesting to you that it would take you two weeks to get to Peiyama from where you said you were in Moyamba District.

A. That is not true.

Q. I am putting it to you that I have not been to Peiyama Camp since 1991.

A. You went to Peiyama Camp.

Q. Do you know Martin Amara Kolima my operator i.e. P.W.1?

A. I know him.

00008300

Q. Are you a commando of the R.U.F.

A. I am a commando.

Q. For how long were you with the R.U.F. in Peiyama?

A. Since 1995 when I was captured.

Q. Mohamed answer me. "Commando"

A. Brave strong and intelligent.

...../ You are not

6308

Q. You are not a commander of the R.U.F.

A. I am a Commando.

Q. I am putting it to you that in your statement to the Police you said it was Mawa who came to Talaba whereas in this Court you said it was Mosquito.

A. Mosquito was the one who came to me. The evidence I have given here is the truth.

Accused - That is all for the witness.

Q. by the Jury: No questions.

00008301

Rexmd - None.

P.W.4 - S.C.D. - I am Cornelia Adeyemi Patricia Doyle I live at 88, Blackhall Road, Kissy. I am a Stenographer attached to the Cabinet Secretariat but presently attached to the Attorney-General's Office. I was in the Court yesterday I heard a cassette play yesterday. I was asked to take down what the cassette was saying in shorthand i.e. to transcribe it. I transcribed it into English as it was. Exhibit C was the cassette. This is the transcript of what I made of what was in the cassette - Exhibit C. I signed it as far as my ability goes. The transcript is accurate. I now produce and tender it - No objection. The transcript is marked Exh C1 and read.

That is all.

XXD by the Accused - No questions.

XXd by the Jury - No questions.

Rexd - None. - Matter stood down for a short break.

Case called.

Accused present in person.

Same Representation for the State

.../all the ...

6309

All the jurors present.

P.W.5 - S.O.M. - I am Yusuf Dafue. I live at Kingtom Police Barracks, Freetown. I am Det. Sub/Insp of Police attached to the C.I.D. Freetown. I am also the detective mandated to investigate events of May, 1997. and the activities of the A.F.R.C. Those investigations include subject-matter of this trial. I recognise accused. I have seen the accused in the print media.

I recall the period Sunday 25th May, 1997. On that day I was at my residence. I was a member of Sierra Leone Police Force. My residence then was at No. 16N Teneba Road, Wellington. There was an incident on that day. There was a violent attempt to otherthro Alhaji Dr. Ahmed Tejan Kabba. On that day very early in the morning about 6 a.m. I heard an unusual firing of guns all over the place. I later learnt that Pademba Road Prisons had been opened and all the inmates let out. A few hours later I heard the voice of somebody who introduced himself as Corporal Tamba Gborie on F.M. 99.9 radio announcing that he had overthrown the government of Alhaji Dr. Ahmed Tejan Kabba. Another one was made by one Cpt. Paul Thomas of S.L.M.F. He spoke in his capacity as spokesman for an organisation called A.F.R.C. of which Johnny Paul Koroma was the Chairman. What I heard in the first broadcast was not substantially different from what I heard in the second broadcast. I was at home when I heard the announcements.

...../ There was

6310

There was chaos and random firing of guns in Wellington area. Two days later I came to the centre of Freetown and place of work at the C.I.D. The town was filled with armed men from the bush, some of them wearing military uniforms, others in T. shirts carrying A.K. 47 rifles. As a police Officer, I observed that the Treasury Building was burnt, shops were broken into and looted. People were being arrested indiscriminately. There was an atmosphere of fear among the populace within the city. Part of the Bank of Sierra Leone was also burnt.

I was in Freetown on Saturday the 24th May, 1997 up to midnight. The situation was not the same on that day as it was on the next. The Bank of Sierra Leone and the Treasury Building were in tact. The general atmosphere was peaceful and normal. Business was going on.

I heard another radio broadcast from S.L.B.S. F.M. 99.9. I listened to it. The voice was identified as that of Corporal Foday Saybanah Sankoh leader of the R.U.F. I can recall some of the things I heard in that broadcast. Exh C.1 is shown to the witness what I heard in that radio broadcast is not different from what I see in Exhibit C.1.

00008303

I recall the period 25th May, 1997 and 12th February, 1998. I was in Freetown during that period. I am in a position to describe the situation that prevailed in Freetown during that period. I heard that Dr. Ahmed Tejan Kabba fled

.../ the court

00008304

6311

the country for the Republic of Guinea from where he talked to the people of this Country about what happened about the coup. He said it over the radio. Schools and Colleges were closed because A.F.R.C. were rejected by the people of this Country. There was a general Civil disobedience by Civil Servants. Most of them were not going to work as they used to do prior to 25th May, 1997. Our seaport was closed to ships and so was the Airport. The seaport and Airport were closed as a result of sanctions imposed on the country. Almost all the diplomatic missions in this country closed down and the diplomats left the country. I managed on one occasion to travel to Waterloo. I saw Ecomog troops around Jui. The Ecomog troops were in charge of Jui. I found out that the Ecomog troops loyalty to Alhaji Dr. Ahmed Tejan Kabbah. I have heard the word "Kamajor". The people called Kamajors were Civil Militia fighting for restoration of Alhaji Dr. Ahmed Tejan Kabbah. As a Police Officer I observed that there was hostility between the Kamajors and the military force. The regime that was in power was called Armed Forces Revolutionary Council. The government was called AFRC/RUF Regime. In that regime were Sam Bockarie alias Mosquito, Collins, Dennis Mingo and Corporal Foday Saybana Sankoh, the accused. Major Johnny Paul Koroma was the chairman. His full title was

.../Chairman

Chairman and Head of State. The accused was the Vice Chairman. I see the documents now shown to me (The documents are identification E and F). I have seen these documents before during the course of the investigations. I received them together through an informant during the course of my investigations. I regarded them as important documents. I took custody of them. They have since been with me. I don't know where the originals of the documents are. Each of them is purported to be signed by Cpl. Foday Saybana Sankoh.

Mr. A.G. - I am applying under I.N. No. 8 Criminal Procedure and evidence Rule 1998 that these two documen be admitted as secondary evidence as original of these documents cannot be traced as in the nature of things the original maybe in the possession of a third party who is the addressee. This application is made under Rule 9.

Court:- to the accused. - You have a copy of the regulations. Accused to the court . Yes my Lord.

Mr. A.G. - I tender a letter dated 26th June 1996. No objection by the accused. The document is admitted and marked Exhibit D. and read.

Mr. A.G. - I tender a letter dated Dec, 4, 1996. No objection by the accused.

Court:- The letter is admitted and marked Exhibit E and read.

Witness evidence continues - I have heard the name

...../ of Abu Bakarr

00008306

of Abu Bakarr Kamara a Sierra Leone Soldier. I recall the months of June, 1997. I went to Ross Road on a Sunday of that month. On that day it was during the morning hours when I saw Abu Bakarr Kamara who was a prisoner at Pademba Road Prisons, prior to 25th May, 1997. He was charged with the offence of murder. Abu Bakarr Kamara had a rifle together with two of his colleagues who were in Military fatigue. He was searching for Det/Police Samandia whom he was threatening to kill because according to him Samandia was responsible for his detention at Pademba Road Prisons for the offence of murder. Words reached Samandia that he was being looked out for and so he abandoned his quarter. He took refuge somewhere else. Meanwhile Abu Bakarr Kamara was firing shots everywhere as he could not trace Samandia. Abu Bakarr Kamara left after saying somethings about Samandia's mother.

I know one Timothy Gerry as one who was with the accused. I came accross him during the course of the investigations. I received something from him during the course of investigation. I received from him a recorded video cassette titled "Birth of R.U.F." In the presence of Gerry my investigating team and I screened it. Video cassette shown to the accused. Having screened it I consider it to be a very important document having regard to the investigation being conducted. After I had screened it, I gave the cassette to Gerry. I asked him to keep it and

..../take great

6314

take great care of it. This is the cassette. Tendered for identification. Marked X for identification.

Court:- Cassette X is being screened but as time is against us this matter is adjourned to 8/10/98 for continuation of the screening and further hearing.

(Sgd) S.A. Ademosu J.
7/10/98

Thursday the 8th October, 1998 — Before the Hon. Mr. Justice S.A. Ademosu J.

Case called.

Accused present in person.

00008307

Same representation for the State.

All the jurors present.

P.W.5 - S.O.K. to continue his evidence.

I watched the cassette play - i.e. Exh C. and that was the cassette. I received from Timothy Serry. Timothy Serry is the one called into the court a few minutes ago.

XXD by accused I have no questions for the witness says the accused.

Q. by the Jury: No questions.

P.W.6 - S.O.K. I am Mohamed Kamara. I live at Kissy Police Barracks. I am Det/Insp. attached to C.I.D. Headquarters in Freetown. I recognise the accused.

On the 31st of August, 1998 I was on duty at the C.I.D. Headquarters, in Freetown when the Head of C.I.D. instructed me to investigate a case of treason against the accused. As a result I went to Cockerill Military Headquarters together with DET/C/Insp. Lahun. On arrival at the Cockerill Military Headquarters I

..../saw the

saw the accused in a conference hall. I cautioned him in English. He made a voluntary statement to me in English. At the conclusion, he read the statement. He admitted it to be true and correct. He signed it witnessed by Det/Cpl Insp. Lahun. I signed it as the recorder. This is the statement. I now produce and tender it, shown to the accused - No objection by the accused. Admitted and marked Exhibit F and read.

On the 4th of September 1998 I saw the accused at Cockerill Military Headquarters. I charged him with the offence of Treason. I cautioned him in English. He made a voluntary statement to me in English, which I recorded in English. At the conclusion, he read the statement. He admitted it to be true and correct before he signed it. I signed it as a recorder. Witnessed by Det/Insp. Macauley. This is the statement. I now produce and tender it. shown to the accused.

The statement is admitted and marked Exh G, and read.

That is all.

XXD by accused: I remember that you were taken to the Magistrate Court No.1. I cannot remember the date the matter was adjourned to. I don't know how long you had been in detention before a Warrant of Arrest was executed on you. I served you with a warrant of Arrest on the 4th of September, 1998. I never know about your being in detention since the 25th July, 1998 in Sierra Leone. I knew about your whereabout only when I was instructed on the 31st of August, 1998. That is all.

Rexd None.

00008308

Court:- Adjourned to 9/10/98.

(Sgd) S.A. Ademosu J.
8/10/98

6316

Friday the 9th October, 1998 — Before the Hon. Mr. Justice S.A. Ademosu J.

Case called. Accused present in person.

Same representation for the State.

00008309

All the jurors present.

P.W.7 S.O.K. - I am Timothy Serry. I live at 4 Boyle Lane, Murray Town, Freetown. I am a student at Technical Institute Congo Cross. I know the accused. I was once the personal bodyguard to the accused. I know the accused as the rebel leader of the R.U.F. I was myself a Member of the R.U.F. when the accused took me as his personnal bodyguard. I became a member of the R.U.F. in 1991.

I was in Kailahun District. My Village is called Tikonko not far from Bomaru where the rebels entered. When the rebels entered Bomaru my parents and I ran to a Village called Kangama about 15 miles from Bomaru. We were seeking refuge in the bush but came to the town in the night. Early hours of one morning the rebels entered the town. They were going from house to house searching for young men. Any youngman they found including me was asked to join the line. After that they took us to Kuiva Village which was their base. Kuiva is in Kailahun District. One of the commander of N.P.F. of Liberia told us that we were to be trained. It was the National Patriotic Front of Liberia who were Charles Taylor fighters and who were Liberians were the ones who

...../captured us.

captured us. None of them was a Sierra Leonean. We Were trained in Kuiva for one week before we were taken to Bailwala. We had physical training and also had military training. We were taught commando songs. We received military training at Bailwala for three months and two weeks. After the training we were sent to the War Front. My posting was to join Miama Village near Juru. We were sent as battle front soldiers. The Liberians had weapons. We did not. The Liberians escorted us. From there we were sent to Combat Camp where enemy may attack you and you attack in return. I was there for only two days before I started suffering from boil in my foot. I had to be taken back to Miama. Whilst there we had to go back to Kuiva when government troops attacked us. We moved back. It was towards the end of 1992 the accused sent for five intelligent officers from each unit or camp. Myself and four others were sent from our own camp to the accused who was then based in Sandaru in the Kailahun District. My commander then was one Barber who is now dead. He was missing in action. We travelled on foot from Miama to Baiwala. From Miama we were deployed in various villages. We travelled for two days before we got to Sandaru Village. We arrived there in the evening. We found the accused seated in a veranda listening to a radio. He had a small formation. In the accused's address to us, he said he wanted us to be his bodyguards. Our commander was one Lt. Benn.

..../whilst we

Whilst we were receiving military training at Baiwala, Cpl. Foday Sankoh - the accused came there once. He introduced himself at the base as the leader of the R.U.F. By then Liberians were the ones guarding him. He spoke to us about the reason for the struggle. Lt. Benn assigned us in turns as bodyguards to the accused. I and others stayed at Sandaru as bodyguard to the accused. I used to stand outside in the event of anybody coming to visit the accused. I would have to interrogate the person and search him for weapons before allowing him to see the accused. When government troops attacked Sandaru we retreated with Foday Sankoh and the accused to Koindu Town. We passed a night in Koidu Town. On the next morning the accused told me that the war had reached a stage that we could not afford to be using vehicle any longer. He said we should have to go into the jungle and were to ensure that nobody know his whereabouts and added that we should have less to do with the fighters. We entered the bush travelled on foot and came back to a Village near Kailahun. We did this for two days. Sam Bockarie alias Mosquito was then based at Giema Village in the Kailahun District. Giema Village is a few miles from Kailahun town. Sam Bockarie and Lt. Barber came to receive us. He led us to his base at Giema. The accused told Mosquito who was then a Captain that he wanted us to go into the jungles. Sam Bockarie sent for more combatants. The accused, Sam Bockarie and other combatant walked on foot for nine days from Giema to

...../Mormofarma

6319

Mormofarma in the Kenema District. By then the government troops were in Mormofarma. The combatar moved to the town for the purpose of fighting the government troops. I remained behind with the accused. After fighting had stopped we received a message that the rebels were in control of Mormofarma. The accused and all his bodyguards including myself moved to the town. When we entered Mormofarma town dead bodies of soldiers and civilians littered the town. The fighting continued to small Bo in Blama area. We crossed Moa river to cross to small Bo. On reaching there, the accused asked us to look for a thick forest. The other bodyguards including one Kachid went to look for the forest. They came back to tell us that they had found one near Kenema Town.

We moved to the forest. We removed C.I. Sheets from houses in Villages. We used them in building sheds. We covered them with the C.I. Sheets to protect us from rains. We were staying there with the accused whilst the fighting was spreading to various towns and villages in east, south and the northern regions. I know one Martin Moinama. I know him as a signaller. He was responsible for taking instructions from the accused whenever the accused wanted to send out messages to the field commanders. He would take down what the accused had to say and send it by radio message. Through the communication set the accused was briefed everyday about the activities in the war front through the communications that he and the

...../ones at

6320

ones at the canons front lines. As a bodyguard you are closer to the accused. He trusted us more than the fighters. Whenever I was on duty, if the accused gave instructions to the commanders I was always within hearing distance. In my presence he used to give instructions to the commanders.

From my personal knowledge, it is not possible for anybody to disobey his command. He is endowed with a commanding voice and he is held in awe by us all. We used to get food from the front line. The camp was called "Zogooda Camp. There was another camp called "Camp Zogoodai not far from Zogooda Camp where the accused was based with us his bodyguards. Camp Zogoodai was for advance military training. All the whitemen captured were taken to camp Zogoodai. I was deployed to Rutile area for about three months this was between 1994 and 1995. I returned to Zogooda in 1995. I was with the accused up to the time he left for Abidjan. I went with him to Abidjan as his bodyguard.

00008313

The accused and I were living together in the same house. All the bodyguards who accompanied the accused were always on duty. Martin Moinama i.e. P.W. 1 was with us. We were all living together in Abidjan. He went as a signaller, the communication man. I had access to the accused's bedroom. Whilst I had access to his bedroom, I had cause to take one video cassette titled Birth of R.U.F. From the accused's Office I took one satelite phone and seven pistols. I

...../ kept the

6324

I kept the cassette in my bag. When I decided to escape from the accused I went to Sierra Leone consul in Abidjan I revealed to him that I had decided to escape from the accused. I introduced myself to him as one of the accused's bodyguards. I showed him the satelite phone and the seven pistols as evidence of my sincerity. He told me that he was going to send a fax message to Freetown. He was in the process of sending it when you - the A.G. and one Sheka Mansaray arrived in Abidjan to meet the accused. I was introduced to both of you. I presented the satelite phone and seven pistols to you the A.G., Mr. Berewa I kept the video cassette in my bag upon your instructions and handed the satelite phone and the pistols to Mr. Fofana - the Consul for safe custody. I came to Freetown by air.

Before returning to Freetown, I was arrested by the Ivorian government. They requested for the pistols. They took them from me. The cassette was still with me. They asked for the cassette. I produced it. After looking at it they returned it to me and I kept it. I see the vedio cassette now shown to me. Identification "Z" identified as the cassette. Since it has been in my custody nobody has ever tampered with it. I like the court to see it. I now produced tender it no objection by the accused. The video cassette is admitted and marked Exhibit H. That is all.

XXD by accused:

Q. Are you alright in health?

A. Yes Sir.

Q. All what I have been saying happened before the Peace Accor

A. Yes Sir.

Q. Did you and I have ever been to Peiyema near Tongofield.

00008314

..../the answer

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A. The answer is yes.

Q. I am putting it to you that I have never been to Peiyema camp.

A. You and I used to go there.

Q. Do you remember the month you and I left Zogooda for Abidjan?

A. I think it was in March, 1996.

Accused - You are correct that it was in March, 1996

Q. On what date and month you escaped from me.

A. I cannot recall the exact date but it was before the signing of the Peace Accord.

Accused: That is all for the witness

Q. By the Jury: No questions.

Rexxd: None.

Court - Adjourned to 13/10/98.

(Sgd) S.A. Adebosu J.
9/10/98

Tuesday the 13th October, 1998 — Before the Hon. Mr. Justice S.A. Adebosu J.

Case called.

Accused present in person

00008315

Same representation for the State.

All jurors present.

Mr. Berewa - A.G. On the last occasion I said I was going to get the cassette transcribed but up till now it has been difficult to get somebody who understands the language used in the cassette. However we are working on it. I am minded to close my case today before the suming up I may have to apply to tender the transcript of the cassette

...../ before the

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before the summing up. This is to save time. In the circumstances, I wish to close the case for the prosecution. The accused was brought by consent in writing of a Judge. There is no committal warrant to tender. The necesary consent of the A.G. to prefer the indictment and the copy of the indictment and the warrant of arrest were served on the accused. I had to take all these precautions because I am prosecuting the case. I now hereby announce the close of the case for the prosecution.

Case for the the prosecution.

Accused is informed of is rights. Accused elects to state his defence from the dock. He wishes to call witnesses namely: Mrs.Shirley Gbujama - former Foreign Minister of Sierra Leone; one Capt. Paul Thomas of the former S.L. Army, Johnny Paul Koroma of the A.F.R.C.

Court:- As far as I am aware both Capt. Paul Thomas and Johnny Paul Koroma are at large.

Accused continuing. My other witnesses are Col. Gibril Massaquoi - Minister of Information
Dr. Julius Spencer.

Accused to Court:- I am applying for an order that Lt. Col. Sam Gbenoba make available to me, my audio cassette and small tape for my defence.

Court:- I order that Lt. Col. Sam Gbemboda do make available to the accused all the accused audio casset and tape recorder in his custody. I also order that subpoena be served on Mrs.Shirley Gbujama & Dr. J. Spencer.

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...../The accused's

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The accused's defence is fixed for Friday the 16th of October 1998.

(Sgd) S.A. Ademosu J.
13/10/98

Friday the 16th October, 1998

Before the Hon'l Mr. Justice S.A. Ademosu J.

Case called.

Accused present in person.

Same representation for the State.

All the jurors present.

Mr. A.G. - In compliance with your Lordship's order Mr. Shirley Gbujama and Dr. Julius Spencer went to meet the accused yesterday. I understood that the encounter was very cordial. At that meeting I understand that the accused indicated that he was not particularly keen to call them to come and testify. In any case Dr. Spencer who has to travel abroad today is here in obedience to the order of the Court. The other witness Lt. Col. Gibril Massaquoi of R.U.F. S.L. is available now. Mrs. Shirley Gbujama who is a Minister has a prior engagement to deputise the President at the ceremony in Lungi this morning.

The accused. I have indicated to the witnesses that I would not need them today. When I need them I will call them.

00008317

DEFENCE OPENS

Accused makes unsworn statement from the dock.

Accused states: I am Corporal Foday Saybana Sankoh. I live in Freetown. I am the leader of the Revolutionar

...../ United Front

United Front of Sierra Leone. I have a copy of the indictment in this case. I also know the charges th are levied against me. I think I am fortunate that the matter is before you and the jurors. I am to start my defence today against all the accusations of the state. You are very familiar with all the controversial laws and customs of this Country therefore I beg you to listen to me patiently.

Having heard the evidence in this matter and having heard the Minister of Justice in his submission with the proofs of evidence of witnesses which the prosecution has called in this Court. It is imperative for one to make my submissions in the High Court. I submit that the prosecution has failed to make out a case against me - the accused. Accused to Court:- I am no longer making a submission of no case. I will state my defence. I have listened carefully and having examined the statement of the offences, particulars of offence and further particulars which I am charged with. I am convinced that I am a victim of internal, international political conspiracy and manipulation to get rid of the accused & Cpl Foday Saybana Sankoh and destroy the R.U.F. of Sierra Leone of which I am the leader.

00008318

The charges against me are serious charges. I am asking my brother - jurors to listen to me carefully and examine the evidence of the witnesses. I will prove that the R.U.F. witnesses called are

..../part of

part of the conspiracy I am here not to defend myself but to defend a political movement of which I am the leader. In this court inorder to prove that I am victim of political conspiracy. I will prove the conspiracy that the S.L.P.P. government planned the conspiracy against me and the R.U.F. S.L. I am innocent. I did no wrong.

00008319

The charges against me according to the witnesses for the prosecution. I have not been in this country since 1st of March, 1997 to the 25th of July, 1998. Everybody knows that I think it is unlawful to bring me back to this country without extradiction order. Since I arrived on the 25th I was not informed that I was going to be charged. I was detained up to the time the trial started in the High Court. I think the international Law say that if I commit an offence in my country and I am in another country. Nigeria government should have been informed by Sierra Leone government and the latter would have applied for my extradiction. That did not happen in this case. I would recall the case for Brigadier Lansana. He was extradited from Liberia.

From the time I arrived on the 25th of July, I was not informed that I was going to be charged. I was not arrested. I was never told that I had been charged up to the time I made a brief appearance in the magistrate court.

According to the witneses - Martin Moinama Mohamed Keita and Timothy Kerry if you go into their

...../ evidence, you

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evidence you will see that there is no corroboration.

Let me take the statement of Martin Moinama (P.W.1) my radio operator what he was saying here. He was trying to prosecute other people - not me the accused in the dock. I am thinking about the date 1997 January to 13th February, 1998. I was not charged because I trained R.U.F. or organise R.U.F. movement. I was expecting a man who has been with me for a long time to say the truth in this court, and not allow himself to be influenced by anybody. Coming to P.W.1's statement there are two statement I have to deal with. I am saying that P.W.1 was not saying the truth. In the first place, it is not true that it was the R.U.F. who killed Alhaji Koroma of Jojoima. P.W.1 was not with me when I was building my headquarters at Zogooda. He was not there at all before my departure in Abidjan. By then he was in Rotifunk area under the command of C.o. Mohamed Tarawalli. I had to walk for 48 hours before the International Red Cross Helicopter picked me up for the trip to Abidjan. P.W.1 joined me in Abidjan. According to his evidence about Steve Bio I accepted Steve Bio in my residence at Cocody like any Sierra Leonean who is on a visit. I have no dealings with Steve Bio about buying arms and ammunition. There is no evidence before this court that Steve Bio gave arms and ammunition to R.U.F.S.L.

I now come to the two messages - Exhibits A and B. For the truth in this Court P.W.1 told the court that Exhibits A and B are not in my handwriting.

00008329 .../ He said

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He said the writing is not his own. I am not the one who originated these exhibits. There is no signature on them. Both messages are dated 24th February. The one written by Palmer as alleged by P.W.1 is exhibited B. Palmer was the one who tried to overthrow me in collusion with the then Members of C.C.P. P.W.1 was one of the conspirators. These messages to wit Exhibit A and B are fixed. The ink on them is still fresh. They are not a month old. This is just to get me in a situation I find myself today.

I know nothing about messages. The English is not mine. The language there is not mine. I left school in Standard VI. These are false allegations.

Let me remind the Court that the evidence concerning letters addressed to one Talibi i.e. Exhibits D and E. The handwriting is not my handwriting. I say again in this Court. I don't know Talibi I have not met him before. The letters were written by the conspirator Capt.Phillip Palmer of the R.U.F.S.L. I say that the handwriting on the two exhibits are not up to two months old. Neither of them bears my signature. At no time did I ask Capt. Palmer to draft anything for me. Even if I received funds is that an offence. I know that Libya Ambassador in Ghana was called Fatie. She is a woman. She gave R.U.F. money in Cedis about 46,000 cedis. There is no scrap of proof in this

...../court that

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court that I have received millions or arms or ammunition from anybody or world power.

I went to Nigeria with three of my bodyguards namely Martin Moinama P.W.1 one Ansumana Musa who is presently seriously ill and Lt. Col. Gibril Massaquoi. Ltd. Gibril, Massaquoi was my spokesman/ bodyguard/Press Officer. P.W.1 and I arrived in Nigeria on the 1st of March, 1997. We were met by Lt. Col. Gibril Massaquoi and Ansumana Musa. We had no problem at the airport. But on our way to the hotel we were stopped by Sweep Operation for identification. Identifying myself they became concerned, We were taken to a nearby Police Station. Four of us were taken to the Police Station. Searching the bags the police found four rounds pistol; no gun no anything. There was no one to claim ownership of the bag. I had to claim it as my bag. I am the leader. I had to take responsibility. Whilst the search was going the Police Officer informed the Commissioner of Police, Lagos. The telephone receiver was handed to me. I talked with the Commissioner. He asked me why I failed to travel in the morning flight. It was then I realised that there was an arraggement to receive me if I had gone by the morning flight. After our conversation, I was informed that one of th protocol Officers would collect us. Whilst we were waiting I saw Steve Bio. From there we were taken to Federal Guest House in Victoria Island. We were not arrested. No guards. Steve Bio was with

.../me in the

6330

me in the hotel. He never disclosed his mission to me. He is a businessman. On a Monday I received a protocol from Abuja. He came with a message from the Foreign Minister of Nigeria.

Before going to Nigeria I wrote a letter to H.E. Gen. Sani Abacha. This is a copy of the letter. I want the court to see it. Produced. I had a secretar She is called Auntie Jane. I read the letter. This is an official letter from the R.U.F. I signed the letter. The letter is admitted and marked Exh J and read.

Before my departue, I called the Nigerian Ambassador in Cote De Voire. This was around the 25th of February, 1997. I think he had to communicate with hi home government before he gave me the O.K. to go. Up to the 16th of March, 1997 I was in the same hotel with my bodyguards. The federal government of Nigeria was responsible for us in the hotel. Steve Bio was visiting me frequently as a friend. I used to take Steve Bio to restaurant. Before he left he spent about three to four days before he went back. From that day I have not seen him up to this day. I don't know his whereabout. My main purpose of going to Nigeria was to consolidate the peace accord. Whilst still in the hotel I heard in the B.B.C. news that I had been toppled by my men - Philip Palmer, Fayia Musa Deen Jalloh; Dr. Mohamed Barrie and one Mustapha who was my press secretary in Abidjan and one Sandy Out of this number Deen-Jalloh Fayia Musa, Sandy and one Agnes Taylor were the ones I sent here as members

...../of C.C.P.

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of C.C.P. i.e. Commission for the Consolidation of Peace. This can be confirmed by the Newspapers I received in Nigeria. I now say that I received this fax message. I want the court to see it. I now produce and tender it. Shown to the A.G. - No objection.

00008324

Court:- At this stage the accused says that he does not wish to put in the document. The document is withdrawn.

Accused continuing. It is well known to the whole world that a coup was attempted in the External delegation of R.E.F. in Abidjan. The members of the C.P.P. planned the coup to overthrow me. After the announcement of the coup against me, The President of Sierra Leone supported the coup. I have the proof. I will bring a cassette where you can here the President's voice.

I left Lagos for Abuja I was collected by two bodyguards. I dispatched P.W.1 to Abidjan the very day. I gave him the sum of US100/00. Since then I did not see P.W.1 again until when he came to testify in this court.

Court:- Case stood down for a short break.

Case called. Accused still present in person.

Same representation for the state. All the jurors present.

Accused, defence continuing.

At Abuja I was received as a guest of Federal government.

...../ But after or

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But after or around 20th April, 1997 I realised that I was detained. The conspiracy I was talking about concerned Mrs. Shirley Gbujama and some Foreign people in the sub-region. Whilst I was detained I received a political advice from Gen. Sani Abacha. Gen. Sani Abacha and I never sat together. I had no direct talk with him either facially or by telephone. One Dr. Abubakar was Gen. Sani Abacha's political adviser. He was the one Gen. Sani Abacha used to send to me. The last message I got through the policital Adviser was that I should wait for the Vice-President of Sierra Leone for a round table talk. Prior to that the political adviser told me that Gen. Sani Abacha was not aware that I was detained. The political adviser also told me that the Vice-President was in Abuja sent by President Kabba. I saw the Vice-President on the T.V. My detention was in the hotel. I was at Sheraton Hotel Abuja. Although I was detained but I had free movement. Two cars were at my disposal. I made use of them whilst I was there. I was there with Col. Gibril Massaquoi and Ansumana Musa. We were there up to May 25th, 1997.

In the evening of May 25, I heard the announcement of military take over in Sierra Leone. I was there in Sheraton Hotel room 1223 when I heard the announcement. By then Ansumana Musa had been removed from the hotel. Lt. Col. Gibril Massaquoi and Ansumana Musa were staying in one room. It was Lt. Col. Massaquoi who reported to me that he had not seen Ansumana Musa for a few hours past. Lt. Col. Gibril Massaquoi and

...../I were

00008326

I were discussing what we were going to do.

On the night of the 25th of May, 1997 I heard the announcement on the B.B.C. & C.N.N. V.O.A. and the radio that R.U.F. was invited to stop fighting and to bring the war to an end.

On Monday morning A protocol Officer from the Federal Ministry of Foreign Affairs called on me He said several words. He asked me; what my response was to the news. I told him that I would not do anything until I have had the views of Gen. Sani Abacha. I had several calls from abroad. I told them that I had nothing to say.

On the 27th May, 1997 I was called up by one Capt Paul Thomas by telephone. He told me that the Sierra Leone Army had taken over the government of Sierra Leone. He also told me something about the High Command of the R.U.F. He told me that he would like to get support of the R.U.F. so that peace could be restored and war come to an end. He also said Johnny Paul Koroma would talk to me later. My response was that we should wait and see. I asked him how he knew my telephone number. He said he got it from Abuja - Ministry of Foreign Affairs.

Later on I called one of the protocol Officers in the person of a Mr. Sulaiman. I asked him to enquire for me whether I could be permitted to regard to the announcement and/or about the events in Sierra Leone. He told me that I should not make any Press Release but could take over the media.

...../In the morning

In the morning hours of the 28th of May, 1997 I received another call from Capt. Paul Thomas. He said Pa. we want peace. We want you to talk to your men. He said this in Patwa. He said they would not like a repeat of what happened in Rwanda where rebels and they Army were fighting. I had to make a response which was recorded in a tape cassette. I made a response. My response was made because I wanted peace. My response was not because I wanted an Office because I am not a coup maker. I knew that the people of Sierra Leone wanted peace. The Army initiated peace when Brigadier Maada Bio was in power. In my response, I declared a unilateral and unconditional cease fire. I never requested for any position and no offer was made to me for any position. I met with Maada Bio in March, 1996. This was in Abuja. There he told me that he was going to handover to the elected President of Sierra Leone in the person of Alhaji Ahmed Tejan-Kabba. I told him that I was ready to talk with His Excellency President Kabba.

All what I am doing is for peace to prevail in Sierra Leone. Presideint Tejan Kabba and I signed the Peace Accord on 30th November, 1996. What I am trying to say is that since I came from the bush I have become a Peace-maker for my country. I want the court to see the Peace Accord. I now produce and tender it.

Court:- At this stage, the accused says that he is no longer tendering the Peace Accord. Document is returned to the accused.

Accused continues: What I am saying in this court I never knew Capt. Paul Thomas. I don't know Johny Paul Koroma. I have never seen him facially. I don't know

...../any of the

any of the coup-makers. I have not seen them before because I had no business with hem.

According to the charges against me incitement, aiding and abetting it has not been proved in this court that I incited R.S.L.F. to make a coup. I never know a coup was planned. It had happened already before I was informed by a protocol Officer who was in the hotel.

00008328

All these charges have not been proved that I gave money or ammunition to anybody. R.U.F. was getting arms and ammunition after laying ambushes. We relied on that. It was a self-reliant struggle e were on. The R.U.F. believed in self-Reliant philosophy. The R.U.F. cannot buy arms and ammunition. We don't have funds. Nobody and no government helped us. We have no alliance with the S.L. Army since 1991 up to the time I spoke to them after the coup. Up till now I have no money or ammunition to give to the R.U.F. No logistics. No hardware.

Since the 28th of May, 1997 I have not spoken to anybody to even my own soldiers in the R.U.F. Up to Oct 6, 1997 Gen. Sani Abacha's political adviser came to me. He told me something about Gen Sani Abacha (now deceased). He told me that the Foreign Minister of Nigeria, Ghana and Guinea would like to have an audiance with me on the 8th of October. By then I was removed from the hotel and taken to a villa. Lt. Col. Gibril Massaquoi escaped whilst I was still in the hotel.

On the 8th of October, 1997 I met with the three foreign ministers from Ghana, Guinea and Nigeria. We

.../discussed about

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discussed about the events in Sierra Leone. We talked about making a new peace accord and that they needed my support as the leader of R.U.F. They said I should co-operate with me otherwise there would be no peace in Sierra Leone. I was told that the International Community did not support the coup-makers. My response was to welcome the idea. I gave them certain conditions. I told them that Abidjan Peace Accord should be reviewed also that I should be allowed to go and talk to my people in the High command especially the people in the War Council and for me to return to Abidjan. These were the three conditions I gave them. Their reply was that I would only return after Conakry Peace Plan. I told them that I did not support the coup but making peace for enjoyment of the people of Sierra Leone. They told me that Johnny Paul Koroma said something about my coming back to Sierra Leone. Johnny Paul Koroma and I never hand any talk at any time up till today.

00008329

I had a lengthy discussion with the Foreign Ministers. I gave my blessing to the Conakry Peace Plan. I nominated one Mr. Rogers who was the Chairman of War Council and Col. Sam Bockarie alias Mosquito to serve in the delegation to Conakry in Guinea for the Conakry Peace Plan.

I think it was in the first week of November, 1997 I received an O.A.U. representative in the person of one Miss. Coleman. She was the O.A.U. representative in the Abidjan Peace Accord. She briefed me on the outcome of the Conakry Peace Talk. She told me that

..../the Army had

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the Army had agreed to hand over power back to His Excellency Tejan-Kabba in April, 1998. She told me that Abidjan Peace Accord was used in the negotiation She said on the return of President Tejan-Kabba I would have a role to play and that that role would be explained to me by Gen Sani Abacha who was the ECOWAS Chairman at that time. 00008330

Around 20-25 November, 1997 Gen Sani Abacha's Political Adviser came to me. He briefed me on the latest events in Sierra Leone. After briefing me, he asked me to write a letter to Gen. Sani Abacha for any requests I wished to make. I wrote a letter to Gen. Sani Abacha. The letter was to transform the R.U.F. into a political movement and that we needed money or funds.

Around December, 1997 I received a message from Gen Sani Abacha through his political Adviser Dr. Abu Bakarr. He told me that ECOWAS heads of State had told President Kabba to give me a position in his government but he never mentioned what position that I should expect. I never asked him for the position. All what I was asking for was to transform the R.U.F. into a political movement. I was told to exercise patience until President Kabba returns. I was assured that after President Kabba's return this Foreign Minister would come with me to Sierra Leone to be presented to the people of Sierra Leone.

In February, 1998 I was released from detention and taken to Three guards Battalion in Abuja. It

...../was announ

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was announced that I would be released on the 12th of April, 1998. I was in that Barracks when I heard of the death of Gen. Sani Abacha. I was there up to July the 25th when I was moved to the Airport. Since the 25th of July, 1998 I have been in Sierra Leone.

00008331

Court:- At this stage the accused is asking for an adjournment to enable hi interview Lt. Col. Gibril Massaquoi. He is also requesting that Lt. Col. Gibril Massaquoi be taken to him for interview.

Order: I hereby order that Lt. Col. Gibril Massaquo be taken to the accused for interview tomorrow. This matter is adjourned to Monday the 19th Oct at 9.30 A.M. Accused to remain in custody,

(Sgd) S.A. Ademosu J.
16/10/98

Monday the 19th October, 1998

Before the Hon. Mr. Justic S.A. Ademosu J.

Case called. Accused present in person.

Same representation for the State.

All the jurors present.

Accused's defence continues:

I now wish to put in the Abidjan Peace Accord. I now produce and tender it. No objection. The Abidjan Peace Accord is admitted and marked Exh K.

I refer to Article 14 of Exh K under Rubric "To consolidate the Peace and promote course of national Reconciliation". I was pursuing the Peace Accord that is why I am here today. The Peace Accord is still legal between the Sierra Leone government and

.../ the R.U.I

6339

and the R.U.F.S.L. To prove that I have to quote 1969 Geneva Convention International Treaties which stops denunciation of Treaties. It says that a party to an agreement who wants to withdraw should write in a letter in a period of three months and state reasons for their withdrawal which will be acknowledged by the party. My argument is that there is no notice of withdrawal by the government of Sierra Leone that they are withdrawing from the agreement.

When I was in Nigeria, I had to contact the United Nations. I wrote a letter to the United Nation I copied President Tejan Kabba. This letter was dated 10th May, 1997. I signed it I now produce and tender it. No objection. The letter is admitted and marked Exh L and read.

00008332

I have been trying very hard for us to work to achieve peace in Sierra Leone. Only the Foreign Minister of Cote D'Voire called me on the telephone. He promised to send his special assistant to brief me on the Action Plan to put the Peace Accord on track. Since then I have not heard from any of those people I sent letters to. That is all.

On my arrival in Freetown with my bod guard Ansumana Musa who has been very ill. He has been ill whilst we were in Nigeria. He was hospitalised. He was collected from the Hospital and brought to the Airport. He is still ill and admitted in the

,...../hospital here.

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hospital here. On my arrival at the Airport, I was asked to make a video of the interview by the Military Authority in the persons of Brigadier-General Maxwell Khobe and his Officers. I told them that I was prepared to give a press conference so that the rebels could leave the bush provided I would be released. They said that that could happen later but that there would be a video interview by Dr. Julius Spencer to which I consented. I ordered my men the rebels to cease fire. I don't know what is a happening I told the authority that before facing the camera for the interview I should be a free man so that I could talk freely.

I told the R.U.F. Members in the Interview that if they were the ones committing atrocities they should stop. That is not the R.U.F. ideology. We are not to intimidate, harrass and to kill civilians in our country - Sierra Leone. 00008333

After two days Brigadier-General Khobe and others called on me. By then I was detained. We discussed lengthily about the situation in the country as well as other security matters. I told them that I am not a war prisoner. I have been out of the country since March 1996 in search of peace. I told them that I was still pursuing the Peace Accord. I am still able, ready and willing to pursue the Peace Accord so that peace can prevail in Sierra Leone.

...../I expressed

6341

I expressed willingness to have a talk with President Tejan Kabba. They promised to arrange a meeting between me and President Tejan Kabba so that we could discuss and settle our problems. Brigadier-General Maxwell Khobe came back and told me that the President said I should be asked to apologise. I told him that that was not in place. I asked what wrong I committed or did that I should apologise for. I asked him to arrange for me to see the President so that we can do something for this Country. He left. He came back a week later. We discussed in general. I have not seen him ever since up to sometime in September.

00008334

Sometime in September, Brigadier-General Khobe called me. He said he needed statements from me. I told him that I was not in a position to give statement. I said I did not know why I was detained and added that I would have to consult a lawyer. Later on he left.

Not too long after I saw C.I.D. personnel. They asked me to give statements. They said I was going to be charged. I relied on the statements I gave them. They are exhibits F and G.

Sometime ago, I made a brief appearance in the magistrate court, Freetown. I was not arrested. I now agree after the deposition of DET/Insp. Mohamed Kamara in Sect 136 of C.P.A. Act 1965 proceedings has been read to me) that I was arrested and that a Warrant of Arrest was executed on me.

...../Coming to Mohamed

6342

Coming to Mohamed Keita and Timothy Serry my former bodyguard's evidence in this Court. I don't have much to say about these two witnesses I cross-examined them. As for Mohamed Keita P.W.3; I say that he was not a Member of R.U.F. He was not saying the truth. For Timothy Serry i.e. P.W.7 is another liar. He did not tell the truth. The question of the video cassette Exhibit H. He said he stole the video cassette Exhibit H from my bedroom; seven pistols and mobile satelitte telephone which was given to me by the government of Cote D'Voire. For Timothy Serry to surrender to the Sierra Leone government. That is all I wish to say as far as these two witnesses are concerned.

00008335

Accused to Court: At this moment I am asking for an adjournment till tomorrow for my witnesses.

Court: Accused is informed that the witness is around

Accused to Court - I am asking the court to please grant me an adjournment to tomorrow.

A.G. provided the adjournment is for tomorrow at the accused's instance. Adjourned to 20/10/98.

(Sgd) S.A. Ademosu J.
19/10/93

Tuesday the 20th October, 1998

Before the Hon. Mr. Justice S.A. Ademosu J.

Case called. Accused present in person

Same representation for the State.

All the jurors present.

Accused to Court - I have decided not to call any witness. Talking about the evidence in this court.

...../I have stated

6348

I have stated my defence. Case for the Defence.

Mr. A.G. - I have not come with my notes. I thought the accused was going to call at least two witnesses. After which he would have addressed the jury. I am asking for an adjournment to tomorrow afternoon.

Court: Adjourned to 21/10/98.

(Sgd) S.A. Ademosu J.
20/10/98

Wednesday the 21st October, 1998 — Before the Hon. Mr. Justice S.A. Ademosu J.

Case called. Accused present in person.

Same representation for the State.

All the jurors present.

00008336

Address by the A.G. & Min. of Justice.

Mr. A.G. Because the accused is not legally represented I will not do a full address. I will highlight a few salient points. We called a number of witnesses We tendered some exhibits.

The accused stand charged on a number of counts. All under the Treason and State Offences Act, 1963.

I will read count 1. This Offence can be tried in Sierra Leone. Sec 3 of the Act is read. Count 2 is read in full.

I like to deal with those two counts. The accused endeavoured to overthrow the government of Sierra Leone by unlawful means.

I will not be labour the point that there was mutiny in Sierra Leone on the 25th May, 1997.

What you have to decide is whether the accused

...../was part of

6344

was part of the attempt or endeavour to overthrow the legitimate government of Sierra Leone.

I submit that what came in on the 25th of May, 1997 is that the government of President Kabbah was never overthrown by the events of the 25th May, 1997 and subsequent events leading up to the ousting of that event's body on or about the 13th February, 1998. I submit in other words that there was no successful coup or revolution. The Supreme Executive Authortiy of Sierra Leone was before that period and after that period was vested and remain vested only in President Tejan Kabbah as provided for in Sect. 40 (1) of the Constitution of 1991.

My second submission is that position had to be changed legally only in the manner provided for in the Constitution itself.

My third submission is that to suspend the constitution as the AFRC/RUF purported to do is itself treason as provided for in Sect. 108/(3) of the Constitution. All those who assisted in the process of that suspension and sustaining that process committed treason.

I will be submitting that the accused assisted in the suspension of the Constitution mainly by the broadcast he made that the R.U.F. S.-. should join the AFRC.

00008337

My fourth submission is that at all material times, the AFRC/RUF was an illegal and an unconstitutional regime striving thus endeavouring to usurp the executive power of the state by force. Usurp meaning asserting a claim to any power you don't

...../have any right

00008338

have any right to.

The effort or the endeavour to overthrow the government of Sierra Leone failed.

My next submission is that the AFRC/RUF cannot even be said to be a defacto government of Sierra Leone. This is so because the categorisation of defacto and de jurie regimes. The concepts de facto; de jurie are more appropriate in International law and not applidable to municipal law.

The important thing in municipal law is whether an insurgent regime has become legal or is still illegal. The reason for this is that there cannot be in respect of one country and in respect of the government two different status. In other words as from the 25th of May, 1997 the AFRC/RUF was illegal throughout their stay. I refer to an authority on the issue of de facto or de jurie The issue is legal or illegal as there cannot be two government in one country. The first one is a Legatic. I refer to Mokotso & Ors. Vs. H.M. King Moshoeshoe II & Ors. (1989) Commonwealth Law Report series 24 Under consitutional & Administrative Law series. I am reading from page 145 on de facto and de jurie It says that it is not possible for a municipal court to say a government is or is not lawful.

There was this saying that the President ran away. I submit that the fact that he left or ran away that did not make him loose the status of a legitimate government. For this proposition, I rely on the case of Sierratel Vs. Barclays Bank (1998) 2 All E.R. 821.

....at p. 829.

6346

at p. 829. between the letters (c) and (d).. It says that there is no law for the two governments to exist at the same time. I submit that AFRC/RUF never established control in Sierra Leone and therefore an unsuccessful revolution. It retained the status of an illegal regime throughout.

What are the tests to be applied. I will refer to the case of Hetchel & Ors. Vs. D.P.P. & Anor (1986) Law Report of the Commonwealth Constitutional & Administrative Law series at P. 35 at page 71. For a revolutionary government to become a de jurie status the following conditions must exist.

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1. The revolution was successful - that the government is formerly established and there is no rival. I submit that AFRC/RUF was not firmly established administratively. There was no rival government in the case of NPRC. President Kabba was challenging them. The Kamajors were challenging the AFRC/RUF. They were all the time crying for territorial integrity.
2. If the rule is effective in that the people would by and large be obeying it. There was civil disobedience in the case of AFRC/RUF. The people were not prepared to obey them.
3. If the rule is in effective if the people were by and large obeying it. When the N.P.R.C. came it was a different matter.
4. That such confirmity and obedience was due to popular acceptance and support and not that submission to co-ercion or force.

...../I submit that

6347

I submit that the AFRC/RUF failed in all the tests. The fourth condition is that the Regime should not be oppressive. The case I have cited the judge said unless all the four conditions are fulfilled no court should declare such a regime legal.

I submit that the AFRC/RUF did not fulfil all those conditions. A few days after the coup the accus made a broadcast. He asked R.U.F to leave the bush and to come and join the AFRC. I refer to the evidence of P.W.3 and the transcript. P.W.3 Mohamed Keita said that whilst at Burkina Camp the R.U.F. received a radio message telling them to come and join the ARRC. Mohamed Keita said Mosquito the Field Commander put them in a vehicle. He said a number of them had arms. The cassette is there. You can listen to it again. The transcript is there.

00008340

You will also remember the evidence of Mohamed Dafai as to the condition prevailing during the military Regime. I will draw your attention to the fact that AFRC/RUF only used brutal force.

The accused tendered the Abidjan Peace Accord. Exh K. Exh K was signed on 30th November, 1996. Immediately Exh K was signed the accused threw it away. He fooled us. I draw your attention to Exh E. Exh E is read. It came about four days after the signing of exhibit E. Exhibit E is not a Treaty.

25.

...../ I now turn to

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I now turn to the messages. You will recall the evidence of P.W.1 - Martin Moinama. Each of the messages is very significant because they came in after the signing of the Peace Accord. I refer to Exh A. (Exh A is read to the Jury). You remember the letter of the 4th Dec, 1996. The accused was thanking his men for the job well done.

I will draw your attention to exhibit B. (Exhibit B is read).

Mr. A.G. I will not go in to detail. That is all I would like to talk about. In the light of the evidence I wish you find the accused guilty at least on counts 1 and 2, 3, 4 5, and others. All these we have proved beyond reasonable doubt. That is all. I wish to say.

00008341

ADDRESS TO THE JURY BY THE ACCUSED

I wish to thank you my Lord for giving me the opportunity for me to face the people of Sierra Leone in this court.

As far as the truth is concerned, I am innocent of all these charges. According to the evidence in this Court, I start with Count 1. I am going to the particulars of the offence. I don't know whether a coup is a legitimate government because I am not a coup maker. The act had been done by the military government how could I have assisted them. Before the act or the coup I have been out of the country since 1st March, 1996. I had no contact with the Army. I had no previous knowledge of the coup. From 1996 I had no knowledge of any coup

...../ being planned.

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being planned, in Sierra Leone. In support of my argument, I submit that there is no evidence before this court to say or prove that I had a prior knowledge of the coup.

00008342

The act had been done already how could I have endeavoured to overthrow the government of Sierra Leone. According to the announcement on the B.B.C. the government of President Ahmed Tejan-Kabbah had been overthrown. I never assisted anybody in the overthrow. I did not aid anybody. I don't have much to say about the particulars of offence in count 1. Let somebody come forward among the soldiers and say that I was part of the coup.

In my own experience, when one talks about invasion that should be preferable to foreign forces and not People's Army or R.U.F. who had been fighting for long with the Army, with the foreign forces, Guinean troops, Nigerian troops and Ghana troops who had been fighting up to the time of signing the Peace Accord on 30th November, 1996.

Invasion can be by land, sea and air.

I never gave orders to foreign forces to invade this country. I will never deny what I have done in this court. Anything I did in this country is for the sake of peace. I am pursuing peace. There has been war in this country. I never ordered my men to attack what I said in my message as contained in Exhibit C1.

Exhibit C1 is read.

Accused to Court - There are a few mistakes in

...../ Exhibit C1.

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00008343

Exhibit C1.

I will prefer the cassette itself (Exhibit C is played) What I was saying in the cassette Ehixibt C is for peace to prevail in Sierra Leone. Where there is a coup and a rebel war going just like in Rwanda. After the President had signed a Peace Accord with the rebels, the Army staged a coup which has now resulted in genocide. I did not want that to happen in Sierra Leone that was why when Paul Thomas asked me to stop my men. That was why I made the response. I told the R.U.F. to stop fighting. That the Army and the R.U.F. should stop fighting. I went to the extent of saying there was no more war in Sierra Leone. We should give peace a chance. There was jubilation in Freetown. One Victor Silver announced it over the B.B.C. My message in that cassette was aired around the 27th & 28th or 29th of May, 1997. There is nothing in exhibit C calling for invasion. I never had the intentic to attack or invade Freetown.

As far as Count 2 is concerned. I read the particulars of the Offence. How can I endeavour to overthrow a government that had been overthrown already. I would say that Count 2 is a repetition of count 1. I could not have endeavoured or solicit funds for the army before during or after the coup. I was in Nigeria. How could I have done all what I am alleged to have done. I was in detention in Nigeria. My Freedom was curtailed. The security around me

,,,,../ was sufficient

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was sufficient to show that my freedom was curtaile

The A.G. addressed the Jury about letters. I never received any money. All what he said was just to tarnish my reputation. The benefit of my doubt should be given to me as a layman more so where the prosecution have failed to prove a charge against me.

I now go to Count 3. The A.G. has not proved Count 3 at all.

Inow come to Count 4. How could I have incited the rebels to invade Sierra Leone because People's Army uprising is not an invasion because they are not foreign forces.

There is n o proof of any invasion in this court. Invasion took place in Sierra Leone.

Court: Short stand down at this stage.

Court resumes. Case called. Accused present in person. Same representation for the State. All the jurors present.

00008344

Accused's addresses to the Jury continues:

All these other charges are inter related. They are based on the same facts. There is no evidence that I sent emissaries to the Army in Sierra Leone. My organisation - the R.U.F. had no arms or ammunition. The coup makers had already accomplished their objective there was no need to incite any body. According to the Peace Accord all foreign forces should leave Sierra Leone. Gen Sani Abacha was with me up to the time I reported to him. The Kamajors, Kapras and

...../ Donors were

6352

Donsos were fighting the S.L. Military Forces, after the signing of the Peace Accord. At one stage the fighting was between the Kamajors, Kapras and Donsos one side and the S.L.A.F. on the other side. The man who was then the head of the Army was not really in charge. I heard over the radio whilst I was in Abuja what was happening between these groups. I was always in constant touch with His Excellency the President whilst I was in Abidjan. I expressed my concern about the infighting between the national Army. The Kamajors, Kapras and Donsos were still attacking the R.U.F. The Executive Outcome who were mercenaries and who should have left Sierra Leone within 21 days after signing the Peace Accord were still in Sierra Leone and attacking the R.U.F.

About Exhibits A and B which look like violations of cease fire. The cease fire was my own brainchild. Whenever I say Yes I mean it. I would never go back or renege on my word. The signature on Exh. A and B. are erased.

00008345

My brothers you have seen these two documents. I never sent any such statemtns or messages. They are produced just to implicate me.

I am a layman all the other counts are just to get me - Sankoh. I never solicited anybody to overthrow the government in gorilla war fare or People's

..../ uprising

uprising you don't need to buy arms. What you get is from the Army foreign forces through tactics we got arms and ammunition from the Army and foreign forces through ambushes.

All the other counts are saying almost the same thing. Nobody has been adduced in court that I incited the Sierra Leone Army during and or after the coup.

During and after the Peace Accord I have became an Ivorian. Because I could not get a Sierra Leone Passport I secured an Ivorian passport. This is my Ivorian Passport.

All these charges up to count 8, All I have to say is that I don't know anything about them. At no time I violated the Peace Accord. Up till the time, I went to Nigeria I was still upholding the Peace Accord.

00008346

I like the jurors to know that in any Military conflict especially the conflict in Sierra Leone is purely an internal matter. Why Sankoh organised a group of men. Something moved me. There was no good governance in Sierra Leone. It was necessary at that point in time to organise men to bring a change in Sierra Leone more so when the country had one political party system.

My Lord I think so far so good. I will appeal to you gentlemen of the jury not to be carried away by what you read in the Newspapers or what people say about me. I am not a bad person.

...patriotic

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I am a patriotic person. The economy of the Country should be in the hands of the people of Sierra Leone. Many people of various religious groups or organisation talked to me. I saw the need to change the policy of the government. I can never destroy my own brainchild. No civilian would come forward to say that I have dor anything wrong. I am ready now for the Peace Accord. God is using me. I committed no offence. That is all. I am still not calling no witness. Case for the Defence.

Court:- Adjourned to 22/10/98 for the summing up.

(Sgd) S.A. Ademosu J.

Thursday the 22nd October, 1998 — Before the Hon. Mr. Justic S.A. Ademosu J.

Case called. Accused present in person. Unisa Kamara State Counsel for the State. All the jurors present. S.E. Berewa the A.G. now appears.

Mr. Foreman of the Jury - I am making a formal application a copy of the indictment be made available to each of the jurors.

State Counse - I have already made several copie of the indictment they are with the Registrar.

Court to the Accused - Do you have objection to the jurors application.

Accused - No my Lord.

Court:- I hereby order that each juror be giver a copy of the indictment in the trial.

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The summing-up cannot be done today because since yesterday my quarters have been without electricity. The summing up is now fixed for tomorrow. This case is adjourned to 23/10/98 for the summing-up.

5. to the jury.

(Sgd) S.A. Ademosu J.

Friday the 23rd October, 1998 — Before the Hon. Mr. Justice S.A. Ademosu J.

Case called. Accused are present in person.

10. Unisa Namara State Counsel for the State. All the jurors present.

Court:- Sum-up the evidence to the jury.

The jury withdraws at 12.55 p.m. to consider their verdict. and return at 3.5 p.m.

15. Accused still present in person.

S.E. Berewa A.G. and Unisa Namara for the State.

All the jurors present.

Mr. Foreman of the Jury - Have you considered your verdict.

20. Mr. Foreman to the Court - We have.

Court:- Is it unanimous.

00008348

Mr. Foreman - Yes My Lord.

What is your Verdict Count 1 - Guilty - Unanimous

" 2 - Guilty - Unanimous

25. " 3 - Guilty - Unanimous

" - Guilty - Unanimous

" 5 - Guilty - Unanimous

" 6 - Guilty - Not Guilty Unanimous

...../Count 7 - Not guilty

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Count 7 - Not Guilty - Unanimous

" 8 - Guilty - Unanimous

" 9 - Guilty - Unanimous

Mr. A.G. - I am quoting Sect. 3 (1) of the Treason & State Offences Act 1963. We have had so much on this expression liable to suffer death. For us it is a matter of discretion but having regard to the offences charged particularly in Sections 1 and 2 of the Act. We are submitting that the accused deserves nothing less than death sentence.

Allocutus:- I wish to say thanks to the jurors and to your Lordship for exercising so much patience with me. In the absence of legal representative I am asking that you will be lenient with me. I reserve my opinion for the Appeal Court, if I have a right of appeal. That is all I wish to say for now.

Sentence: I am of the opinion that the offence committed by the accused should be visited with seriousness it deserves. In the circumstances, the sentences counts 1 and 2 of this court is that you shall be taken from here to a place of maximum security from where you shall be taken and hanged by your neck until you die. May the Lord have mercy upon your soul. Sentences to run concurrently. The accused is informed that he has a right to appeal within 21 days.

(Sgd) S.A. Ademosu J.
23/10/98

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TREASON TRIAL

THE STATE

Vs

FODAY SANKOH

SUMMING UP BY JUSTICE ADEMOSU

Mr. Foreman and Gentlemen of the Jury, it is now my turn and duty to sum up my evidence to you and before doing so I will implore you to divest your minds of all that you may have heard or read either in the Newspapers about the accused and or/his RUF outside the walls of this court. You have taken a solemn oath to return a true verdict according to the evidence tendered before you. My duty is to explain the law to you in the simplest way possible and to ask you to apply the law to the facts as presented before. You are to treat this matter dispassionately and with the seriousness it deserves. Your verdict must be a fair one. Without ill will or favour or sympathy because that is the oath you have taken. In every criminal case, it is the duty of the prosecution to establish the guilt of the accused and if such guilt is not established the accused must as of right be found not guilty.

The evidence therefore which must be adduced by the prosecution must be such as to satisfy you so that you feel sure of the guilt of the accused beyond reasonable doubt before you can say that the accused is guilty of any of the offences laid against him.

In this case the prosecution are alleging that the accused committed the offence of Treason and they called seven witnesses. The seven

witnesses called were the first witness, Martin Moinama, the second witness was a Francis Issa Hindowa, Francis Issa Hindowa, only told you in a nutshell that he on hearing the message to which the accused had already admitted to be the author of that he recorded that message and the cassette was tendered in this court which is exhibit "C " and the transcript of it was tendered through Miss Davies who was P.W.4. The accused has already condemned the transcript as not reflecting the words he used but he has since adopted Exhibit C as his message. Am I right?

FODAY SANKOH: That is so.

Judge Ademusu: The third witness was Mohamed Keita. The fourth witness was a police officer who tendered the accused statements. Mohamed Kamara is the witness. Then the fifth prosecution witness was Detective Sub Inspector Dafae. I shall deal with the evidence of these people when I come to tell you what the prosecutions case is. Now in the case of Mohamed Yousuf Dafae his own evidence was not controverted at all. When It came to the point of cross examination, the accused said I

have no question for him. So I will leave that for now. I'll come back to it.

The 6th witness Mohamed Kamara was the investigator who obtained exhibits F and G from the accused. Exhibits F and G are the voluntary cautioned statements and charged statements respectively of the accused. But for what it is worth I will read them to you.

Exhibit F. reads " Having heard the charges made against me all I have to say is that God will have to intervene. In any problem God is the answer. This is all."

The other one reads: "I'll reserve my opinion until I get a legal representative from Nigeria and the United Nations the OAU the Commonwealth and a representative from the Ivory Coast. This is all".

These are the statements. So as far as the statements are concerned, as far as that witness is concerned that is the end of his own evidence because he only obtained those two statements from the accused. The important witnesses called by the prosecution – let me go to the 6th P.W. and the 7th P.W. Timothy Serry who used to be the accused body guard, much as we have thought that the evidence of this witness was very important to the prosecution's case. I beg to defer. My reason for saying that is that this witness, there is no dispute that he was the accused's bodyguard. He was the personal bodyguard? But the evidence before you is very clear and unequivocal that this witness left the accused before the signing of the Abidjan Peace Accord. If he left the accused before the signing of the Abidjan Peace Accord, of what assistance can his evidence be to the

Prosecution when up to November 1996 anything done by the accused or his RUF movement were covered by the amnesty. For that reason I have not seen any damage he has done to the accused as far as I am concerned. Because the charges here which you have to bear in mind, are all in the particulars of offence which say for instance that Corporal Foady Saybana Sankoh on a day unknown between January, 1997 and the 13th day of February 1998 outside Sierra Leone endeavoured to overthrow the government of Sierra Leone by unlawful means. That is between 1st day of January 1997 and 13th day of February 1998 outside Sierra Leone endeavoured to overthrow the Government of Sierra Leone. This Timothy Serry was not there when the Abidjan Peace Accord was signed. He was trying to escape when the Ivorian Government apprehended him although the accused has told you not to believe his evidence. But he admitted tactly that the witness was his personal bodyguard. Up to the time of his escape and also that he stole certain things video casettes, four pistols, satelite phone, one video cassette entitled 'Birth of the RUF' which was shown here. We were not told when this cassette came into existence and as far as the charge or the charges against the accused are concerned, the witness told you that he was a student at the Technical College in Freetown. He had already left. He played no part in the coming to Freetown of the rebels. He was no longer a member according to his evidence. He was already a student and still a student at the Technical Institute although you are told not believe his story.

Now I have to come to the evidence of P.W.1 Martin Moinama. Martin Moinama, Mohamed Keita who was P.W.3. Martin Moinama was the one who was the signaller to the accused. He told you among other things that he was a signaller. He told you that in his capacity as signaller, his duties included passing information to RUF Commanders in their various locations as and when instructed to do so by the accused. The witness further disclosed that he was with the accused in Abidjan for one and a half years, before he and the accused went to Nigeria sometime in 1997.

The witness told you that he started working directly with the accused at Zogoda Camp some time in 1994 he said he was the one doing the writing for the accused and that after writing the accused would append his signature. The witness said he knew the accused signature very well. He could not mistake it for any other person's own. He was the one who managed the accused's office. He also said one Ansumana Musa was the accused bodyguard.

The evidence of the witness also revealed that he went with the accused to Nigeria. He went to Abidjan and from their to Nigeria and up to the time the accused was arrested. It was through this witness that the prosecution tendered certain vital documents. Exhibit 'A' which was said to be a message sent by the witness on the instruction of the accused and to which the accused raised some objections. He objected to Exhibit 'A' being tendered. He gave his reason for the objection. But when I come to deal with the importance of Exhibit 'A ' you will see what weight you will have to put on it. Now suffice it to say that the evidence of that

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witness, also is to the effect that he was a very close boy to the accused. He went to the extent of telling you that they were eating from the same table when they heard a certain announcement about the overthrow of the accused by a group of the RUF. He also told you that whilst in Nigeria that the Accused asked him to go back to Abidjan and gave him the sum of US$100. He came back according to him and finally made his way back to Sierra Leone and was in Sierra Leone when he heard the message ordering all the rebels to join forces with the AFRC. I will leave Exhibit C. The Exhibit C is the cassette But the purpose of it is that the RUF Rebels joined forces with the AFRC and if you like it to be played, that would be done so that you will refresh your memory. But in my opinion which is my own opinion and which you are not obliged to accept. Exhibit C1 is near enough to exhibit C. That is the Transcript and what is in the Transcript it reads:-

00008355

"To all RUF Combatants: am writing it to all RUF Combatants, People's War Council of high command and all Combatant and the RUF. You know, the gallant and Field Commander of RUF. Your Leader Corporal Foday Sankoh and the RUF I am now instructing you to disregard all previous instructions and order and stop all attacks and take defensive and don't go on the defensive. All, do not go on the offensive, I repeat, do not go on the offensive be on the defensive. All instructions, former instruction and operations should be cancelled. All commanders should be on the defensive. At this moment you have to work with the brothers in Freetown in the provinces and the entire army of the Sierra Leone Military forces and allow working together to bring peace in Sierra Leone. They ask me to work with them so that peace could prevail to our beloved motherland. So I will like you all to work with them as brothers we are no more enemies. The Enemies are the politicians not the

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soldiers, presently. The Field Commander and all Commanders, you always get instructions from me through Major Koroma. They are our brothers let no one fool you. You have to work with them to put situation under control, especially in the Western Area. You the Field Commander instruct the other Commander MINGO to stand by for any reinforcement needed by Major Koroma for any eventuality. We have to defend our sovereignty. You are to act on these orders immediately. Do not delay and you will hear me over the media, BBC and VOA only support the present operation in Freetown. Thank you all. My absence in Sierra Leone is of the blessing of God. RUF; arms to the people; power to the people; and wealth of our people should be in the hands of the people. RUF, brave, strong, intelligent, Bai Bureh, Jagua, Kailondo you are the children, victory, grant to them. Let's keep the revolution with our brothers, peace be with you. I will join you very soon. I say again, this is your Leader and Commander-in-Chief of the RUF Corporal Foday Sankoh. Thank you all."

00008356

This is a very vital document for the prosecution's case, and you will have to look at it whether it establishes the charges they are alleging against the accused person. You should give it a serious consideration because I believe you are all reasonable people. And that is why you are there. The accused has already adopted this Exhibit. He did not deny sending the message but he has told you that you should not believe the evidence of Martin Moinama. He said the evidence of Martin Moinama should be treated with reserve and what was the other evidence of Martin Moinama. Martin Moinama told you that after they had heard this message they left the bush. They the rebels, left the bush and came to Freetown and he was based at Benguema Training Camp. There is no

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dispute that Martin Moinama was an RUF. He is not disputing the fact that Martin Moinama was a signaller. The accused is not disputing that both of them traveled to Nigeria. There is no disputing that this Martin Moinama was among those who were in Freetown here as a result of the message sent by the accuse. And I will so rule the line of cross examination of the witnesses by the accused which you will consider. I will ask you to consider the evidence of Martin Moinama in totality, because the accused had given the impression that his evidence should be treated with doubt as well as the evidence of Mohamed Keita.

00008357

Since he is not legally represented. I will tell you the law, because he has asked you to treat with reserve the evidence of those witnesses. I will tell you when corroboration is necessary. The accused told you that the evidence of P.W.1 Mohammed Keita P.W.3 and Timothy Serry PW7 was not corroborated. But since he is not a lawyer, but it is inherent in the argument that he considered those three witnesses as accomplices. An accomplice is a person who might on the evidence be convicted of the offence in which the accused is charged. Having heard the evidence of the three young men P.W.1, P.W.3, P.W. 7 let me remind you about the evidence of Mohamed Keita. Mohamed Keita joined the RUF in 1995 and he was in Burkina camp in 1996 when he heard the message through his radio which he had in his hand. He went and joined the others. They came to Freetown Sam Bockarie alias Mosquito who was their Field Commander, arranged, for them to board the vehicles which were sent by the Sierra Leone National Army. He said several vehicles were sent to them which they boarded. That they were taken to Daru Military Barracks. He said at first when the National Army saw them, they saw signs of fear but Sam Bockarie had to allude the fears by telling them that

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we were all one because of the message their commander had sent to them, and that they were going to work together. The witness further said that from there they went to Kenema and reported at Brigade Headquarters in Kenema and stayed there for two days and from there they went to Benguema training camp and from there he found his way to Freetown. All this are not denied. But the question you have to ask yourselves is that the accused having admitted that he sent this message and having alsoadmitted that he was their commander-in-chief, could he have expected that his orders in Exhibit C1 to be ignored. He told you that you should not believe the evidence of these three witnesses including Timothy Serry.

00008358

Timothy Serry has told you that he had nothing to do with the accused after the signing of the Abidjan Peace Accord. Could he have been an accomplice. It is for you gentlemen of the jury to determine whether they are accomplices. If on the evidence which I shall outline to you. You come to the conclusion that they are accomplices then you will have to bring yourself to the fact whether you are able to believe their evidence. Even if you consider them as accomplices, you have to weigh their evidence in your minds as to whether, and having also watched their demeanour. whether they are people who told you the truth. But if you accepted their evidence, if you believe their evidence, although you may convict. Such evidence. But it is my bounding duty to point out to you and warn you that it might be dangerous for you to do so because of the fact that you have regarded them as accomplices. In order to remove any possibility of danger in acting upon such evidence you are to look for corroborating evidence of those witnesses whom you regard as accomplices. What then is a corroborating evidence. Corroborating evidence is that type of evidence or some independent testimony to the

commission of the crime and the connection of the accused therewith. It may be direct, it may be circumstantial which implicates the accused person and confirms in some material particulars not only the evidence given by the accomplices that the crime has been committed but also the evidence must point to the fact that it was the accused person who committed it. It is necessary that the corroborative evidence should corroborate. It should in every detail be the accomplices evidence. What is required is that there should be some independent evidence which definitely associates the accused with the crime. The evidence of one accomplice is no corroboration of the evidence of the other. But corroborating evidence varies according to the circumstance of the offence charged. if you are looking for a corroboration as I have told you, you may have to closely look at the evidence of P.W5 Yousuf Dafen the Detective Sub inspector, who was not cross examined by the accused; exhibit C, which the accused has already accepted as his message, and in any case, it is your duty to look at the surrounding circumstances and come to a conclusion whether you have found a corroborating evidence. Permit me to explain to you why the law says that the evidence of an accomplice is dangerous unless corroborated. It is because an accomplice is a participant in the alleged crime and having full knowledge of the crime alleged may have his own purpose to serve. To use the accused is own words the accomplice, if you say so here, may be part of his alleged internal and international conspiracy against the accused. This is why the law says it is dangerous to convict on the evidence. Having said all that, you are, however, perfectly entitled to act on the uncorroborated evidence, provided you feel you are satisfied after giving full weight to the warning that it is dangerous to convict. You come to the conclusion that the accomplice is without doubt spoke the

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truth. Then the fact that there is no corroboration of such evidence is of no moment and you are entitled to convict on it.

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The case for the prosecution more or less hinges on the exhibits. That prosecution is telling you that after the signing of the Abidjan Peace Accord, that the accused decided to renege on it.. That he abandoned the Abidjan Peace Accord and started to solicit funds from outside and military logistics to be employed by by RUF Rebels to continue to levy war against...the government of Sierra Leone. Now I have told you that it is not the business of the accused to prove his innocence. He is up till now innocent in the eye of the law. It is for the prosecution to prove what they alleged against him. What is the evidence? The evidence of Martin Moinama. I have told you, I will go before it and properly be in a position to decide whether or not the witness is a person ought to be believed. I will read his cross examination by the accused designed to suggest that the witness. not a truthful witness. Because the accused is not represented, I made sure that I recorded the questions and the answers given as part to the witness. and if it will not be too much to tell you that he started under cross examination by saying.

Question: You are a brother who don't use to tell lies when we were together?

Answer: I am still the same man who doesn't tell lies.

Question: May I say that in this court, you are not speaking the truth?

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Answer: I have told the court the truth. I don't tell lies I have sworn on the Bible.

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Question: When did you join me in Zogoda the heard quarters?

Answer: In 1994 I was the one who opened the Kenema Bye- pass.

5. Question: I put it to you in this court that you are not saying the truth.

Answer: I am speaking the truth.

Question: Did I ever give you any assignment outside Zogoda?

Answer: It was one .....Colonel Mohamed you gave an assignment and you asked me to accompany him as a radio operator.

10. Question: Did you put all this in your statement?

Answer: I only answer questions put to me.

Question: What assignment did I give you?

Answer: You told us to go and attack Sierra Rutile and other places.

Question: Why did you not put this down on your statement?

15. Answer: I was never asked. That is the answer.

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00008362

Question: How long were you with Colonel Mohamed?

Answer: About one year and six months.

Question: When did you leave Zogoda?

Answer: End of 1994.

5. Question: What was the target ?

Answer: You said we should attack Sumbuya Luobu Chiefdom.

Question: What was the second target?

Answer: It was to attack carnival show if you recall.

Question: You reach up to Sierra Rutile?

10. Answer: Yes we went up to Mile 38.

Question: Let me remind you that you advanced up to Lumpar in Waterloo?

Answer: That is true.

Question: Did you remember what instructions I gave your Field
15. Commander? Did I not tell him to retreat?

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Answer: I was on the radio. We retreated because of lack of ammunition.

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Question: I told your C.O. that you were to retreat.

Answer: We did retreat.

Question: Where did you retreat up to?

Answer: We retreated up to Rotifunk.

Question: I usually instruct the Field Commander, what to do.

Answer: That is true.

Question: It was what was dictated to you that is contained in your statement?

Answer: I was never dictated to, what to say. I was never forced to make a statement.

Question: Could you remember stating that Colonel Issa was after you?

Answer: That is true.

Question: You never said that it was Colonel Sam Bockarie alias Mosquito?

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Answer: But he instructed somebody.

Question: In Rotifunk area you were there up to when?

Answer: Some time in 1996.

Question: Were you at Zogoda when I left for Abidjan?

Answer: I was not there.

Question: Where were you?

Answer: I was with Colonel Mohamed.

Question: I put it to you that, you were not in Zogoda when I went to Abidjan.

Answer: It is correct that I was snot there.

Question: I put it to you that it was not in April I left Sierra Leone?

Answer: It was about three months after you had left that you sent for me.

Question: I know that I sent for you but it was in March 1996.

Answer: If you say it was in March, no problem.

Question: When did you arrive in Zogoda?

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Answer: In June 1996.

Question: You arrive in Abidjan when?

Answer: End of July 1996.

Question: In Abidjan who iniated the dialogue with the N.P.R.C?

Answer: I was not there.

Question: Who sent for you?

Answer: It was Colonel Mohamed who called me.

Question: Was it not Brigadier-General Julius Maada Bio who in January 1996, invited Peace Talk?

Answer: That was above me.

Question: Were you not always there when I talk directly to Colonel Mohamed?

Answer: Most times I was present, but at times both of you usually had secret talks.

Question: While I was in Abidjan were you not communicating by radio with me?

Answer: I did not know what happened in the beginning.

Question: But we later received messages that we were talking about Deen.

Question: You were talking about Steve Bio. Do you know one Agnes Deen-Jalloh?

Answer: I know that she is related to the Bio's.

Question: Who told you that Steve Bio came to RUF House in Abidjan?

Answer: He met me in the house.

Question: Did you know where Steve Bio put up?

Answer: Yes Hotel Ibis.

Question: Was it only Steve Bio who came to R.U.F. house?

Answer: People were going there. We used to entertain them.

Question: You as a radio operator for R.U.F. what were your priorities?

Answer: Six of us were trained in computer operation.

Question: You were there when we signed the Peace accord.

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Answer: I was there.

Question: Was I not talking about peace after the Peace Accord?

Answer: Yes you were talking about peace.

Question: After signing the Peace Accord on November 30 1996, were you preparing to go back.?

Answer: You were not preparing to attach but in December, Steve Bio came and started talking about arms and ammunition.

Question: Did I not advise you not to have anything to do with Steve Bio?

Answer: Yes you did, but both of you were talking.

Question: You and I and one other person were scheduled to travel to Nigeria in the morning of 28th February by Nigerian Airways?

Answer: That is correct.

Question: Did you have any problem in the Immigration at the Airport?

Answer: No problem.

Question: I put it to you that we were not arrested?

Answer: We were arrested because of the identity.

Question: Why was I arrested?

Answer: When they saw four pistols in your bag.

Question: For how long were we at the police station?

Answer: We were moving from one police station to another

Question: Am I correct to say that I was tried in Lagos?

Answer: You were not tried.

Question: Were we not taken to a hotel?

Answer: Yes we were taken to Federal Hotel in Victoria Island.

Question: Do you know what happened to R.U.F. delegation to Abidjan?

Answer: Yes I know.

Question: You heard the news?

Answer: The news I heard was the one by Faiah Musa over the B.B.C. that you were no longer the Leader of R.U.F.

By then you and I were eating on the same table.

Question: What was my reaction?

Answer: You said you did not believe the news.

Question: Whilst in Abidjan was I using codes in sending messages?

Answer: I am not lying. The messages I have read were the ones I sent upon your instructions

Question: Did you recall saying that the messages, one of them was not in your handwriting and the other in Palmer's handwriting?

Answer: Yes but you were the one who gave the instructions verbally.

Question: Messages are sometimes typed?

Answer: Yes, You don't write.

Question: Exhibits A and B are not in my handwriting?

Answer: Yes, you do'nt write.

Question: Do you recall that I had to suspend some people in the office about missing messages in the office?

Answer: That is true

Question: This Exhibit B is it not from Denis to Mosquito?

Answer: Yes sir.

Judge: I hope you will take note of that. Question and Answer. The question was put by the accused because exhibit B is an intelligence report. It reads:

"Following is an intercepted message received from enemy radio. Net quote from call signed 14th May Sam Bockarie. To call sign 35 May Denis Superman, Magbosi Hills.

Subject information and instruction Dated 24th February, 1997.

For your information, I spoke with the RUF Leader Foday Sankoh the RUF Leader at about 23.00hr. And according to Mosquito himself we were to attack anywhere we want to attach. Even if we can attack Freetown. No problem.

So in light of this you are to carry out operation as usual, and you are to cut of the highway totally and you are not to fear at all. I mean massacre.

Best regard.

Please accept for immediate and necessary action. Regards. Time 12.45 hrs.

Date 24-2-97

Judge Ademosu I must hasten to point out to you that the accused though he did not object to this document but he has asserted or told you that the ink on it was not even too monthold.

How he came to form that opinion I don't know. He has not told you that he is a handwriting expert and before you can assess the opinion, somebody's opinion, not even mine, you must be an expert and even there, if you have two experts saying two different things then the decision is yours you are to decide whether you agree with the expert. In this particular case he has not told you that he is an expert in handwriting and you are men of the world, the exhibits will be passed to you. You will examine them closely and see whether you agree with him. If you agree with him then you will decide whether to reject the document in.

In its entirety because you come to the conclusion that the document contains a fabricated statement, or a made up story. then you are entitled to form your own opinion as to

what to do with it.

But the prosecution is saying that this was document was handled by Martin Moinama during the course of his duty and Exhibit A which is dated 22nd of February 1997, these dates are very significant Abidjan Peace Accord was signed on November 30, 1996. Exhibit A is dated 23rd of February last year, 1997. The accused has attacked it, on the following grounds' that the message was not in his handwriting and neither in the operator's handwriting, he said it could have been written by any other person.

that from December 1996 up to February 1997 he was not in Abidjan.

that after signing the Peace Accord he stopped sending messages.

That he had a secretary who always writes messages

These were his grounds for objecting to this Exhibit A. He never objected to Exhibit B and as a matter of fact I read it just now. He asked the witness whether this Exhibit B did not emanate from Superman, Denis Mingo. But in another breath he is telling you that it is a fake document. He said.:

Did you not believe the news whilst in Abidjan. Did I use codes in sending messages?

Question: I am not lying. The messages I have read were the one I sent upon your instruction.

Answer: Did you recall saying that the message of one of them was not in your handwriting? The others were in Palmer's handwriting.

Question: Yes, but you were the one who gave the instructions verbally.

Answer: Do you recall that had - Yes this exhibit B is it not from Denis Mingo to mosquito?

Question: That was his question – This exhibit B – is it not from Denis Mingo to Mosquito?

Judge

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Ademusu: That was his question – This exhibit B – is it not from Denis Mingo to Mosquito?

Answer: Yes Sir,

Question: I put it to you that you were the one who sent the message

Answer: You were the one who sent the message. You were not signing.

Question: I was not signing because I had confidence in you

Answer: May be.

Question: Who sent the message that Fogbo was to be attacked?

Answer: It was Mosquito.

Question: From the time you have been with the RUF, at Zogoda, did you at any time see us working with the Sierra Leone army?

Answer: To my knowledge the R.U.F. had no alliance with the Sierra Leone soldiers

15. Question: Did I ever give you message to (R.S.M.L.F.) Sierra Leone Military Forces.

Answer: No.

Question: Did I talk with the army to make coup detat?

Answer: You used to talk with Maada Bio

Question: What is the transit between Freetown and Kailahun?

Answer: There are two routes which can be used and bye-pass Zogoda. One is by Boajibu, Panguma, Baoama Oil Mills, Bayama. The other route is from Mattru Jong, Koribondo.

Question: Have you been to Kailahun?

Answer: Yes

Question: Before the Peace Accord. I went to Banga, Kangari Hills, Zogoda and Kailahun?

Answer: Yes

Question: In what year did we leave Kailahun?

Answer: In 1993 ending when we passed through the bush to Baoma Koya.

Question: Do you realize that all my telephone communications were cut off in Abidjan?

Answer: Yes but you had a satelite telephone

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Question: Did you know who damage them?

Answer: The Ivorians

Question: Can you tell this court the objective RUF are fighting for.

Answer: The first one is that you told us you were fighting against APC government. You said it was a rotten government. The second reason you gave was that we were fighting against poverty. You also told us that you were against Military government. You said because most of us were drop-outs you would integrate us into the society. That is all I know. You also said you were fighting for democracy. You also said you were fighting against the politicians and so on.

Question: Do you know the structures of the RUF?

Answer: Yes I know

Question: What are the structures?

Answer: I know the RUF Leader, the Field Commander Combatant Unit; Armorals, Signallers; War Council IDUs i.e. Internal Defence Unit. I.O.s i.e. Intellence Officers'Training Instructors etc. etc.

That was the cross examination. Now having read all the questions and answers, It is left with you as intelligent people to decide whether you can say that this witness has told the story, this witness has told lies sufficiently to destroy the case of the prosecution. If your conclusion,

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is that yes the witness was lying. You should reject his evidence in its entirety, and return a verdict of not guilty against the accused.

To collapse the prosecution's case the evidence adduced, inconsistency, if any, must be a material one goes to the root of the matter. Not a fanciful one. It must be an inconsistency that is a grave one. For instance the accused has told you that this witness was not speaking the truth and he urges you to treat his evidence. You have seen the witness, you watched him. You have seen the trend of cross examination, you've heard his evidence, all what he said and even the accused started by saying I know that you are not used to telling lies and the witness told you that he was still the same person. So I will say that it is your own duty, it is my own duty to tell you that inconsistency to collapse the prosecution's case, must be a very material one going into the root of the matter. It must not be a fanciful inconsistency.

You will recall that PW1, that is Martin Moinama and PW3 Mohamed Keita gave a narrative of what happened a few years ago – Passage of time tend to fail human memory of matters of this nature and human observation. This is my opinion. It is not binding on you. You are men of the world, it is entirely a matter for you. The weight you will attach to the evidence adduced before you by these two witnesses. You are in duty bound to consider the accused's own version of the case. What the accused is saying is that these witnesses should not be believed. Are you in doubt rather Martin Moinama was a signaller? or that he was the accused signaller. They were travelling from one place to the other, But now that he has disowned him then you should not believe him. I would advise you not to take cognizance of whatever anybody might have said in this court about the revolution, about killing, maiming or

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destruction of property and life. Because the accused is not charged here; he is not before you for that. You should confine yourself to the period and that is between a day unknown between the 1st day of January 1997 and 13th day of February 1998. Anything said outside that period should not be considered against the accused and should not be counted against the accused because that period would be covered by the Amnesty. Because the Abidjan Peace Accord Article 14 of the Abidjan Peace Accord provides thus:

"No official or judicial action is taken against member of the RUF Sierra Leone by then in pursuit of their objectives as
member of that organisation. Up to the time of signing in respect of anything done by them."

The accused has relied on this. He relied on it and he says that the Abidjan Peace Accord was not violated by him. But still the period covered by this offences charged was between 1st of January 1997 and 13th February 1998. Can you go back and start to consider the evidence of what happened during the period 1991 or 1994 or 1996? That will be all yours and you are her to do justice.

Now the prosecution, as I told you called seven witnesses. These seven witnesses if you consider their evidence can break them down to two or three. The three are: PW1, Martin Moinama, PW3 Mohamed Keita, and PW5 Yousuf Dafea. These are the witnesses whose evidence you have to consider. Timothy Serry did not tell you that the accused was doing anything unlawful up to the time he left him. He went with the accused to Abidjan as his personal bodyguard and decided to leave the accused. Why should the witness not he believed? That is for you to decide.

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Martin Moinama, you heard his evidence, you watched his demeanour in the dock, I don't know what opinion you formed or the conclusion you come to. But at the same time in considering the case of the prosecution you have at the same time to consider the explanation and the defence that has been put up by the accused. He has told you times without number that he is innocent of all the charges levied against him. And the law agreed to that until the contrary is proved.

Now let us go to the other exhibits. The evidence here before you, a letter dated December 4th 1996, Exhibit E from the accused to one Mohamed Talibi, Peoples Bureau of Libya, Arab, Accra, Ghana. PW1 told you that the accused signed it. He said he knew the signature of the accused. Exhibit E reads:" "The Revolutionary United Front of Sierra Leone, dated December 4 1996. That was after the signing of the Peace Accord. From Corporal Foday S. Sankoh, Leader RUFSL Abidjan, La Cote D'voire. The Brother Mohamed Talibi, Peoples Bureau of Lybia Arab Peoples Jamahaira, Accra Ghana, Sir, urgent information, I received the USD29,000 United States Dollars, through Mr. Kallon, for which I am very grateful to you and the other brothers back home. We have signed the Peace Accord in November 30 1996. Just so as to releave our movement of the, enormous pressure from the International Community, while I will use this opportunity to transact my business in getting our fighting materials freely and easily.

I have already finished negotiations with my business partner and I have so far paid USD300,000 United States Dollars. Our agreement is that they should receive USD700,000 Dollars from me in Sierra Leone upon their arrival into my controlled territory. The total cost of the material is

USD2,000,000. The balance amount will be paid when the operation is completed.

I am therefore asking you and your brothers to urgently provide the needed USD700,000 Dollars, so that I will be in a position to live up to my commitment to my business partners, who will be coming very soon with these materials. I have always learnt from you people there is some money the Burkinabe Government, for the provision of our needed materials. But as you might have known by now, that Government have really not shown any keen interest in assisting us as a movement. I even had conversation with Commander Diendere these few days, but with no positive result.

I would therefore suggest that you prepare a letter for me to meet President Compaore on this issue as we never received anything from them and even my delegates in Quagadou have returned ever since to my location here. Please advice on this issue.

When I went in last week I was able to organise serious mining operations in precious minerals which I believe will help us to generate the needed foreign exchange for our mission. For now I am highly in need of this UDS700,000 in order to go in and be waiting for the arrival of my business partners. Please help me in this great hour of need and I promise not to let you down. Palmer will give you the rest of my message. My best regard to you and your family. (sgd.) Corporal Foday Sankoh.

Exhibit E was signed before and after the Peace Accord. If you want to do justice, Exhibits E which was sent about four days after the signing of the Abidjan Peace Accord tells a story which you have to consider as

reasonable people of good judgement. Now I had earlier told you that the accused has been protesting his innocence which he is entitled to do but the prosecution are alleging in this court that he is not. I have drawn your attention to the evidence of the witnesses. You have exhibit C, you have Exhibit E. Exhibit C was the message, Exhibit E was a letter I have just read dated December 4. Now what you have to ask yourselves is whether the evidence of Martin Moinama is worthy to be believed. You heard what he said against the accused its own explanation and denial. The accused has presented his case to the beat of his ability. He has told you to listen to him carefully and examine carefully the evidence of the witnesses which are what are expected to do. He has also told you that the RUF witnesses called are part of the conspiracy to destroy him. He said he was not defending himself, but a political movement on which he is the leader. You heard him say that he is innocent and has done no wrong. He is entitled to say so because in the eye of the law he is presumed to be innocent.

The accused said the RUF had received amnesty for everything done in pursuit of their objective as members of that organization and that no official or judicial action should be taken against them. Accused further stated that he expected PW1 Martin Moinama who had been with him for a long time to say the truth in this court. I will ask you to examine the evidence of Martin Moinama very carefully. Watch the trend of cross examination whether that is somebody that you should not believe and you have heard the accused's explanation.

Mr Foreman, Gentlemen of the jury it is my duty to remind you that neither the RUF nor any of the members are before you. It is only the accused who is standing trial before you for the offences charged.

Copy of the indictment of this has been supplied to everyone of you. The evidence as to who allegedly killed up to November 30 is none of your business in this court. More so as you are judges of facts. The accused told you amongst other things that during and after the Peace Accord he had become an Ivorian national. He produced an Ivorian passport but he never tendered it. Mr. Foreman gentleman of the Jury. I hope you would not allow yourself to be carried away by that statement that the accused is now an Ivorian National. I think I have all along told you that he went to Abidjan on 1st March, 1996 for peace talks and that peace could reign in Sierra Leone. But yet in his wisdom he secured the Ivorian passport whilst at the same time purporting to negotiate for peace in Sierra Leone. still continuing the accused stated that he did not know any of the coup makers. The R.U.F. Sierra Leone had no business with them. He said RUF Sierra Leone had no alliance with the national army since 1991 up to the time he spoke to them after the coup and you will recall that Martin Moinama also confirmed that aspect of his evidence. He said that that the RUF had no alliance with the National Sierra Leone Army. That is the the witness you should not believe. Now as I have told you, the accused also told you that the Peace Accord is still a legal documen in his own judgement, still stands by it up to now. He also told you that there is still time to transform the RUF into a political movement and he said it is not the RUF Sierra Leone's ideology to intimidate, harrass and kill civilians in Sierra Leone he says he is still able and willing to pursue the Peace Accord. He alleged that exhibits D and E were written by Captain Philip Palmer and you would recall that I read the evidence of Martin Moinama and also Exhibit E. He stated in the cross examination by the accused suggested to the witness that the message was in Palmer's handwriting, and in Exhibit E which I have just read, the accused especially stated Exhibit E it is there that Palmer didn't deliver my message. He will tell

you further in details. Palmer would deliver the rest of his message. My best regard to you and your family. That's the second to last line of Exhibit E at page 2 which you should examine very carefully.

Now what are the charges against the accused. It should be your concern whether these charges have be proved. It read thus: contrary to section 3(1) A of the Treason and state offences act 1963 (Act No.10 of 1963) as amended. The particulars are as follows:-

Corporal Foday Saybana Sankoh on a day unknown between the 1st day of January 1997 and the 13th day of February 1998 outside Sierra Leone endeavored to overthrow the Government of Sierra Leone by unlawful means.

Further particulars

Corporal Foday Saybana in a message sent by him on or about the 25th day of May, 1997, ordered rebels of his RUF rebel organisation to leave the bush and join forces with and give assistance to the AFRC in its efforts to overthrow the legitimate government of Sierra Leone by unlawful means and to replace the said Government by a military junta.

In obedience to the said order armed rebels of the said RUF rebel organization invaded Freetown and other towns in Sierra Leone and joined forces with the AFRC to form an AFRC /RUF revolutionary regime which strove to over throw the legitimate governments of Sierra Leone by unlawful means and to replace the said Government by the said AFRC/RUF revolutionary regime.

Now the evidence there is that the accused told you that Captain Paul Thomas informed him that the army had taken over the government of Sierra Leone and that according to the accused he said Captain Paul Thomas asked for RUF support, and whether he got the support or not that is for you to decide. If he got the support then I will now tell you the ingredient of the first offence and that is: when it is said that somebody endeavoured as defined in the Concise English Dictionary, New Edition mean to strive (after) a certain ends; – to strive, to make an effort to: exertion for the attainment of some object. The prosecution are alleging that the message sent by the accused caused the RUF rebels to leave the bush and join forces with and give assistance to the AFRC, whilst the latter was making effort to overthrow the legitimate government of Sierra Leone by unlawful means that means other than the constitutional means. A lawful government can only be thrown out lawfully by the constitutional means by which they came to power. You are to examine the evidence of the witnesses carefully. In considering the evidence you have to ask yourselves whether the allegations are supported that the RUF left the bush and also that they joined forces with the AFRC as alleged and this evidence you have to be satisfied before you can convict on it. And the evidence you have to look for are those of PW1, and PW2. He recorded Exhibit C that is Hindowa. He said he heard this message and told you that the important thing about the message in the cassette is the message from the accused. He said under cross examination by the accused that what he could gather from the cassette is that for six years the RUF and the army were bitter enemies fighting a war in which many souls had been lost and for that message to say that the army and the RUF were coming together and it happened, the witness added was a very important and historical event to him and that was why he recorded the

message . This evidence, by the witness is not disputed. Mohamed Kaita, PW3 told you that he was a member of the R.U.F. He was among them who came down. Mohamed Keita also said (provided you believe him) among other things that a lot of rebel came to Freetown. In obedience to the accused messages. If you believe him. Yousuf Dafea gave a narrative of the situation in Freetown on the day of the coup, and the radio announcements that were made. He said among other things that two days later he came to the centre of Freetown. He found that the town was filled with armed men from the bush. Some of them wearing military uniforms while others were wearing T shirts, carrying A.K. 47 rifles. That people were being arrested indiscriminately. That there was an atmosphere of fear among the people within the city. The witness confirmed hearing the accused radio message. He told you that the contents of Exhibit C is not different from what he heard. The accused say. The witness also told you that schools and colleges were closed between 25th May 1997 and 12th of February 1998, because the AFRC was rejected by the people of this country. He said there was a general civil disobedience by the civil servants. That most of them were not going to work. He told you that the Sea Port was closed to ships licenses the airport as a result of sanctions imposed. He said that almost all the diplomatic mission were closed down. The diplomats left the country and ECOMOG were in charge of Jui. That theyowed their loyalty to His Excellency the President. He went further to tell you that there was hostility between the Kamajors and the Military force. That the Government was called AFRC/RUF regime. That major Johnny Paul Koroma was Chairman and Head of State. That the accused was the Vice Chairman. All these evidence was not controverted, and not challenged. At the end of the witness evidence in chief the accused was asked whether he had questions for the witness. He said no questions.

But that does not make him guilty. It is for you to accept the evidence if you believe it. If you believe the evidence and you believe that the witness was telling the truth you accept it Would you say that the prosecution has still not made out a case. But before you say so you must look at the totality of the evidence including the evidence of Timothy Serry who was the accused's personal body guard.

TREASON

THE STATE VS. CPLT. FODAY SANKOH

SUMMING UP BY JUSTICE ADEMOSU

Tape 2

Who was the accused person's personal bodyguard . He said it was not possible for anybody to disobey the accused command. That evidence came from the accused personal bodyguard. So we have to look at all these evidence carefully because you are the judges of fact. You saw the witness, if you accept the witness, then has this Count I been proved to your satisfaction and without any reasonable doubt, if you are satisfied that it has been proved to your satisfaction then your Verdict should be that of guilty. If you feel on the other hand that you have any reasonable doubt in your mind created as a result of the explanation given by the accused, a reasonable doubt not a fanciful one, that doubt must be resolved in favour of the accused and return a Verdict of not guilty against him because he had told you that he wanted peace and he still wanted to see that peace reigns in Sierra Leone. So if you accept that because he is not bound to, it is not his duty to satisfy you, with his explanation, but if he gives an explanation which creates any doubt in your mind give him the benefit of it, that is as far as count I is concerned.

Let us now go to Count 2, and Count 2 says and for your information let me read to you that Treason because the accused also told you that he had been out of the country from the 1st of March 1996 he only came back on the 25th of July this year. For your information the offence of Treason can be committed by somebody whether within or outside Sierra Leone, that is what the law says.

Count 2 – is.. now one of the things you have to consider is (2) reads this, TREASON Contrary to Section 3(1) (b) of the Treason and States Offences Act 1963 (ACT, No.10 of 1963) as amended.

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PARTICULARS OF THE OFFENCE

Cpl. Foday Saybana Sankoh on a day unknown between the 1st day of January 1997, and the 13th day of February, 1998 outside Sierra Leone endeavour again, the same endeavour, which I have already told you the meaning of, to carry out by force an enterprise which usurp the Executive Powers of the State of Sierra Leone on a matter of both a public and general nature, and the Particular of Offence:

1. Cpl. Foday Saybana Sankoh in a message sent by him on or about the 25th day of May, 1997 ordered rebels of his RUF rebel organization to leave the bush and join forces with and give assistance to the AFRC in its efforts to over throw the Legitimate Government of Sierra Leone by unlawful means and to replace the said Government by a Military Junta.

2. In obedience to the said order armed rebels of the said RUF rebel organization invaded Freetown and other towns in Sierra Leone and joined forces with the AFRC to form an AFRC/RUF revolutionary regime which strove to overthrow the Legitimate Government of Sierra Leone by unlawful means and to replace the said Government by the AFRC/RUF revolutionary regime.

3. Cpl. Foday Saybana Sankoh ordered the rebels of the said RUF rebel organization to take orders from the Chairman of the AFRC, Major Johnny Paul Koroma and to assist the AFRC in all ways including the use and supply of arms and ammunition in its endeavor to usurp by force the Executive Powers of Sierra Leone and to be The Government of Sierra Leone.

Before I go to the 4th Count let me just read to you the portion of Exhibit C, just to refresh your memory. Exhibit C says the enemies are the Politicians, that is the message not the soldiers presently, the Field Commander and all Commanders, you always get instructions from me through Major Koroma, they are our brothers let no one fool you. You have to work with them to put the situation under control especially in the Western Area. This exhibit, this portion of the statement, you have to juxtapose it with the evidence of P.W.5 Yusuf Dafae who said that there was chaos in Freetown within the city and he also told you that the town was filled with armed men from the bush. He said to quote him correctly, the evidence he gave was not controverted. It was not challenged. The accused agrees with it that there was chaos in Freetown, the rebels came from the bush, armed, some in military fatigues and others in T-shirts. Then let us go to the other particulars. Cpl. Foday Saybana Sankoh sent emissaries to the AFRC in Sierra Leone to ensure that his orders to the rebels of the RUF as stated above were carried out and to advise the AFRC on the formation of a Revolutionary Government in Sierra Leone in place of the Legitimate Government.

Let me warn you straight away that there is no evidence in this Court that the accused sent any emissaries. Nobody said that. An attempt was made to say it but it was not allowed. There is no evidence that emissaries were sent by the accused to ensure that his orders to the rebels of the RUF as stated above were carried out and to advise the AFRC on the formation of a Revolutionary Government in the country in place of the Legitimate Government.

But the fact that, the particulars as laid there are not all proved it does not mean you have to discountenance the others, if you find that the others have been proved that charge can still be sustained and your verdict will be a verdict of guilty, if you believe that there is enough evidence to satisfy you, that those particulars are correct and they are proved to your satisfaction beyond all reasonable doubt.

COUNT 3 – TREASON Contrary to section 3(1) (d) of the Treason and State Offences Act 1963 (Act No. 10 of 1963) as amended. The same offence, Cpl. Foday Saybana Sankoh on a day unknown between the 1st of January, 1997 and the 13th day of February 1998, outside Sierra Leone in time of war and with intent to assist the enemy solicited funds and military logistics to be employed by forces hostile to the State, and hereby doing an act which was likely to give assistance to the enemy. Well you have heard the evidence and the prosecution are alleging that the Accused solicited funds, military logistics in time of war with intent to assist the enemy. You have to ask yourselves is there any evidence of whom the enemy was? Are you satisfied that the evidence support this Count? You have to consider the totality of the evidence and see whether, more so exhibit E which was the message alleged to have been sent. So if you believe that they are not faked, that Exhibit E is not.....It is a genuine document, you believe that exhibit E was written by the accused and signed by him and you accept it, you will have to decide whether that offence has been proved to your satisfaction because to assist somebody is to give aid to him. If you have any doubt whether that count has been proved the benefit of it should go to the accused and return a verdict of not guilty against him.

Count 4 – That is incitement, that he incited under Section 3 (1) ©, that he incited members of his rebel organization, the RUF to invade Freetown and other towns in Sierra Leone with other armed force. Incitement or Solicitation Mr. Foreman, Gentlemen of the Jury, is an Act, it is an attempt to procure the Commission of an offence by the agency of another person, but the offence does not rest on mere intention. To constitute the offence, the prosecution must prove that the accuse did an act towards carrying his intent to action, that is either by standing up or arguing somebody to stimulate, to promote, to encourage somebody to action, to spur up somebody, urge him, incitement can be persuading or attempt to persuade someone to commit a crime and if that person actually carried out that Criminal Act, he himself has been a participator, that is the Law. You are the judges of fact, it is your duty to apply the law to the totality of the evidence before you, and say whether you feel sure and satisfied that the prosecution has proved this charge as laid.

We can now go to Count 5 – It is alleged that out side Sierra Leone, the accused assisted member of a rebel organization, the RUF unlawfully to invade Freetown and other towns in Sierra Leone by land. You will recall that I have already given you the dictionary meaning of the word invade and only to add that the word assist means help, and encourage somebody. If you consider the totality of the evidence as to whether the accused assisted, or encouraged anybody, that he encouraged the RUF to invade Sierra Leone, but mind you the accused has told you that the word invasion means forceful entry by an enemy force. Is that not so? Foreign Forces and that RUF is not a foreign force.....Let me remind you that invasion, you are also to ask yourselves Gentlemen of the Jury whether there is any evidence of invasion by the RUF in Freetown, the invasion of Freetown and other towns in Sierra Leone by the RUF. The accused took

reat exception to the use of the word, invasion and in order to assist you gain in your decision, the dictionary meaning of the word is to enter a country as an enemy, to enter by force, to make an invasion, to impose on, to violate, to enter into the territory of another. The decision is entirely yours, whether in the light of this evidence before you the RUF rebels did any invasion as alleged.

I now go to Count 6. It says soliciting. That is soliciting members of the Sierra Leone Military Forces to endeavour to commit on offence contrary to Section 3(1)(a) of the Treason and State Offences Act as amended, to endeavour to overthrow the Government of Sierra Leone by unlawful means. Now let me quickly ask you. The question you have to ask yourselves is whether there is any evidence at all in this court that is alleging or pointing that the accused solicited any member of the Sierra Leone Military Forces, to endeavour to commit an offence? To overthrow the Government of Sierra Leone. Is there any such evidence? If there is no such evidence in support of that charge, I will ask you to return the verdict of not guilty on that Count.

I now go to Count 7. Treason by soliciting Contrary to Section 17 of the Treason and State Offences Act Cpl.. Foday Saybana Sankoh on a day unknown between the 1st day of January 1997 and the 13th day of February, 1998 outside Sierra Leone solicited members of the Sierra Leone Military Forces to endeavour to commit the offence Contrary to Section 3 (1) (b). Is there any evidence? If there is no evidence you will return a verdict of not guilty against him. And he himself had told you that there was no evidence that he incited or solicited members of the Sierra Leone Military Forces to endeavour to commit such an offence. We are again to look at Exhibit C (1) which the accused says they are

brothers. Now let me.....We will have to work through them to put situation under control especially in the Western Area. Is that sufficient to amount to solicitation? That is the question, you are to ask yourselves. You are reasonable people. If there is no evidence, in support of that Count, return a verdict of not guilty against the accused.

I now go to count 8-Treason by Aiding and Abetting Contrary to Section 17, said that outside Sierra Leone, Aided and Abetted members of the Sierra Leone Military Forces to commit an Offence, Contrary to Section 3(1)(b) of the said Treason and State Offences Act 1963, to wit, endeavour by them to carry out by force an enterprise which usurped the Executive Powers of the State in a matter of both a public and general nature. Aided and abetted to constitute those offences gentlemen of the jury, there should be clear evidence that the accused did something to facilitate the Commission of the offence. A man cannot be guilty of the offence unless his Act is of actual assistance. In this case, the Prosecution are alleging that the RUF was of actual assistance to the AFRC that is what they are saying. They say that without the RUF the AFRC Government would have collapsed, that's what they are saying in other words. In other words, the accused act must make effective contribution to a crime. That is the law. Did the accused make effective contribution to the crime? They attempted to overthrow the Legitimate Government. Your verdict will be the accused told you that he had no business with any of the coupist. He had not met any of them facially. He had no discussion with them. The accused explanation and Defence must be considered. It is your bounding duty to consider his defence, because without that you will not be doing justice. And it is your duty to do justice in this matter, and give matured consideration to the evidence that has so far been led.

I now go to the last count. Treason by inciting, Contrary to Section 17 of the same Act, said that outside Sierra Leone incited members of the Sierra Leone Military Forces to commit an Offence Contrary to Section 3(1)(b) of the said Treason and State Offences Act 1963 to wit, to endeavor to carry out by force an enterprise which usurped the Executive Powers of the State in a matter of both a public and a general nature. I have told you Mr. Foreman and Gentlemen of the Jury, that incitement or Solicitation is an Act, it is an attempt to procure the Commission of an offence by the agency of another person, but the offence does not rest on mere intention to constitute the offence. The Prosecution must prove that the act, the accused did is an act towards carrying out his intent to action. It must be proved that the accused persuaded or attempted to persuade the RUF or the AFRC to commit a crime. Is there any such evidence in support of that Count of incitement? Again I will refer you to this Exhibit C of which the Prosecutions' case hinges, read it, address it carefully and see whether you have evidence in support that after you have given matured consideration to it. Examine it closely, but if there is nothing there to support that count, I will invite you to return a verdict of not guilty against the accused But if in your own judgment, if in your own wisdom, you will find substantial evidence beyond all reasonable doubt, to show that the accused incited members of the Sierra Leone Military Forces to commit this offence then you can return a verdict of not guilty. But I must warn you that you cannot do so without considering the accused own side of the story, which he says to remind you that he did nothing other than talking to Cpt. Paul Thomas twice on the telephone that he had nothing else to do with the AFRC, that evidence, the weight you will attach to it and the weight you will put on this exhibit C, you are the judges of fact, it is your duty to apply the Law to the totality of the

evidence before you and see whether you are satisfied beyond all reasonable doubt that the Prosecution have proved the charge as laid, that is the end of the 9th Count charge.

Mr. Foreman and Gentleman of the Jury, the accused is charged with the offence of Treason. As I have told you earlier on the offence of Treason can be committed by a person within or outside Sierra Leone. It can even be committed by a non-Sierra Leonean ordinarily resident in Sierra Leone or in the Republic of Sierra Leone. The offence of Treason is committed when certain persons in furtherance of a common design come together and prepare to overthrow the Legitimate Government by unlawful means. In this case the government accepted was the Legitimate Government of Sierra Leone and Mr. Foreman and Gentlemen of the Jury, you will recall that the accused told you that on the night of the 25th of May, 1997, he had an announcement on the BBC, CNN, VOA and radio that RUF was invited to stop fighting and to bring the war to an end. He also told you that on the 27th of May he was called up by one Captain Paul Thomas by telephone and that Cpt. Paul Thomas told him "He told me that the Sierra Leone Army has taken over the Government of Sierra Leone, and he also told me that he will like to get support of the RUF so that peace could be restored and the war to come to an end. He also told me that Johnny Paul Koroma would talk to me later. The Attorney-General has already addressed you that what happened on the 25th May, was a Mutiny. Mutiny in Law is an offence against Service Law. It can be committed by any member of the Armed Forces who combine with one or more other members whether or not civilians are also involved to overthrow or resist lawful authority. The offence is committed if the aim of the combination is to disobey lawful authority in a manner subversive of discipline. The accused has told you at first that he adopted wait and see

attitude, but that in the morning of 28th May 1997, he received another call from the same Cpt. Paul Thomas entreating him to talk to his men because they wanted peace and would not like a repeat of what happened in Rwanda where the rebels and the RUF are fighting. He made a response later, because he wanted peace, that is what he said. He said he had to make this response which was recorded in a tape cassette and now you can accept this Exhibit C as the message, the accused told you...if you like to look at exhibit C, the cassette can be played back to you. The accused told you that his response was not because he wanted an office but the evidence of P.W.5, which was not challenged, is that he was to be Vice Chairman of the AFRC/RUF Military Regime. He added that he was not the coup maker, he said he knew that the people of Sierra Leone wanted peace. For your information the accused has since admitted that exhibit C was the message he sent and that was aired. Before exhibit C was aired the accused was well aware that there was Mutiny in Sierra Leone, that is not in dispute, but this....the accused has been protesting his innocense which he is entitled to do. Having heard exhibit C played and the accused himself having told from his lips that Cpt. Paul Thomas told you him that the Sierra Leone Armed Forces had taken over the Government of Sierra Leone. It will be necessary for you to determine the intention of the Accused in sending the message, in the light of the surrounding circumstances, bearing in mind that he has signed a Peace Accord with the Legitimate Government of Sierra Leone on November 30 1996. But how would you determine a man's intention. I know it is not possible for any one to lead.direct evidence of intention because you do not know what I am thinking and I do not know what you are thinking, but if I act you may be able to deduce from my conduct what I am thinking, the intention with which the Accused sent the message should be determined by you and that is by drawing the necessary inference from

the surrounding Circumstances including the fact that in the eye of the Law a man is presumed to intend the natural and probable consequences of his acts. Let me also make it plain to you that the Law presumes that everybody is sane or of sound mind until he says he is not, but then he will have to prove, it. Then the presumption of intention means that as a man is usually able to foresee what are the natural consequences of his act, so it is as a rule reasonable to infer that he did foresee them and intended them. This is an inference, which may be drawn unless there are other circumstances. So you determine a man's conduct and what a man was thinking from the end product of his action.

Mr. Foreman and Gentlemen of the Jury, the Accused told you that he had the news and that one of the coupists a Cpt. Paul Thomas told him that the Military had taken over the Government of Sierra Leone. Let me hasten to draw your attention to the fact that one of the common features of a Military rule is that the regime upon coming into power usually suspends some provisions of the Constitution of the country because the Regime does not derive his validity from the Constitution. Section 108 sub-section (8) of the constitution of Sierra Leone 1991 act No. 65 of 1991 is very lucid and inequivocal in its terms. It reads, I quote "Any Suspension, alteration, or repeal of is very lucid of this Constitution other than on the authority of parliament, shall be deemed to be Act of Treason. Another feature of Military rule is the suspension of the Elected Parliament, which provides a forum where by the Executive, can be called upon to account for their actions. As men of the world, you will know as a notorious fact, that ignorance of the Law is no excuse, be that as it may, if on the totality of the evidence adduced by the prosecution and the Accused explanation there is room for more than one view as to the intention of the accused. You are in duty bound to return a verdict of

not guilty in his favour, this is because when an explanation has been given by an accused person which raises a reasonable doubt, that accused person is entitled to be discharged even if such an explanation is not satisfactory to you. The benefit of such reasonable doubt must be resolved in his favour provided the doubt is reasonable, then your verdict will be that of not guilty. The prosecution's case appears to be hinged on the message of the 28th May 1997, and thereafter, you have toconsider the result and effect of that message. The accused is telling you in one breath that the Peace Accord he signed with the democratically elected Government on 30th November, 1996 is still in place and has not been violated. He is still upholding it. But in another breath telling you that he decided that his men in the RUF could work with the Sierra Leone Army who were trying to overthrow the Legitimate Government. Is this not a case where one is trying to serve God and Mammon at the same time? There is no dispute in the evidence before you that the accused recognized the fact that the government of President Alhaji Dr. Ahmed Tejan Kabbah was and is the democratically elected Government of Sierra Leone, whether the Accused could have worked with the National Army who was striving to overthrow that President without a violation of the Abidjan Peace Accord, is entirely a matter for you to decide.

Mr. Foreman, Gentlemen of the Jury let me make it plain to you that whereever I have had cause to express my opinion in this Summing up, the Law permits me to express my opinion but, the Law says, that you are not obliged to consider it. My own opinion is my property. You have to form your own conclusion. It is my duty to tell you that you are in duty bound to consider the Accused defence, which might create some reasonable doubt, and may I reiterate that the Accused is not required by Law to prove his innocence, or prove anything. It is sufficient to raise a

doubt as to his guilt; he is not bound to satisfy you of his innocence. If a reasonable doubt is raised in your minds as to his guilt, the benefit should go to him. You are here to ensure that justice is done and return a true verdict on the relevant evidence as I have so far highlighted. Let me again warn you that you have no business in considering anything, any other incidents, allegations that are not before you, I will urge you to give mature consideration to all the points raised by the accused and not neglecting the case presented by the prosecution.

Well Mr. Foreman and Gentlemen of the Jury, you may now wish to retire to consider your verdict on these counts if you so desire.

TAPE 3 - 23.10.98 - SUMMING UP BY JUSTICE ADEMOSU

THE STATE VS. FODAY S. SANKOH

Registrar: Put up Corporal Foday Saybana Sankoh

TJ Navo: Yes my lord

Santigie Kargbo: Yes my lord

Samuel George: Yes my lord

Mohamed Swarray: Present my lord

Joseph Brima: Yes

Jonathan E John: Present my lord

Samuel Scotland: Yes my lord.

Samuel Coker: Yes my lord

ASA Johnson Yes my lord

CR Wallace: Yes my lord

William Decker: Yes my lord

Author Duncan: Yes my lord

Registrar: Mr. Foreman of the Jury

Foreman: Yes my lord

Registrar: Have you considered your verdict?

Foreman: We have my lord

Registrar: Have you arrived at your verdict?

Foreman: Yes my lord

Registrar: Are you unanimous?

Foreman: Yes my lord

Registrar: How do you find the accused on Count 1 The Offence of Treason" contrary to section 3(1)(a)?

Foreman: Guilty my lord

Registrar: Are you unanimous?

Foreman: Yes my lord

The Judge: Found Guilty?

Registrar: Yes my lord

The Judge: Unanimous?

Registrar: Yes my lord

Registrar: How do you find the accused on Count 2; The Offence of Treason contrary to section 3(1)(b)

Foreman: Guilty my lord

Registrar: Are you unanimous?

Foreman: Yes my lord

Registrar: How do you find the accused on Count 3 The Offence of Treason contrary to section 3(1)(d)?

Foreman: Guilty my lord.

Registrar: Are you unanimous?

Foreman: Yes my lord

Registrar: How do you find the accused on Count 4, The Offence of Treason contrary to section 3(1)(c)?

Foreman: Guilty my lord

Registrar: Are you unanimous?

Foreman: Yes my lord

Registrar: How do you find the accused on Count 5, The Offence of Treason contrary to section 3(1)(c)?

Foreman: Guilty my lord

Registrar: Are you unanimous?

Foreman: Yes my lord

Registrar: How do you find the accused on Count 6, The Offence of Treason by Soliciting?

Foreman: Not Guilty my lord

Registrar: Are you unanimous?

Foreman: Yes my lord

Registrar: How do you find the accused on Count 7, The Offence of Treason by Soliciting?

Foreman: Not Guilty my lord

Registrar: Are you unanimous?

Foreman: Yes my lord

Registrar: How do you find the accused on Count 8, The Offence of Treason by Aiding and Abetting?

Foreman: Guilty my lord

Registrar: Are you unanimous?

Foreman: Yes my lord

Registrar: How do you find the accused on Count 9, The Offence of Treason by Inciting?

Foreman: Guilty my lord

Registrar: Are you unanimous?

Foreman: Yes my lord

Registrar: (Silence)

AG: My lord; I am quoting section 3(1) of the Treason and State Offences Act No.10 of 1963 under which the accused stands charged. We have had so much argument on this expression liable to suffer death. For us it is a matter of discretion but in this particular case, we would urge Your Lordship, having regard to the circumstances of the offence with which the accused stands charged especially in Counts 1 and 2, we would ask Your Lordship to exercise Your Lordship's discretion to impose the death sentence on the accused. He deserves nothing less my lord as a matter of discretion.

THE JUDGE:

Corporal Foday Saybana Sankoh, do you have anything to say before I pass sentence on you?

CPL. FS SANKOH:

Yes my lord. My lord, I wish to say thanks to my brothers for taking

such a decision and thanks go to you too my lord for your exercising patience with me as that was first statement in my defence. My lord, I think the law is a school master, for some of us who are laymen in law. I think I have learned a lot in this trial, with the absence of a legal representative, I think, I am asking you my lord to be lenient with the accused and I don't know what will be after the sentence, whether I have the privilege of appealing.

THE JUDGE:

You will definitely have it.

CPL. FS SANKOH:

I reserve my opinion for the Appeal Court, but I say thanks to you and all members of the Law Office and thank you to my brother the AG. We are brothers. We signed Peace Accord, lord, remember peace.

THE JUDGE:

Up, you can reserve the balance for the Appeal Court.

CPL FS SANKOH:

Thank you my lord.

THE JUDGE:

The sentence of this Court is that you shall be taken from here to a place of maximum security from where you shall be taken and hanged by your neck until you die. May the Lord have mercy upon your soul.

CPL. FS SANKOH:

Thank you my lord.

THE JUDGE:

You are entitled to 21 days. You are entitled to appeal within 21 days of this Judgement. You have an automatic right of appeal that is within 21 days.

CPL FS SANKOH:

Thank you my lord. I am still asking the Court my lord to provide for me a legal representative for my appeal.

AG: My lord on which Count is the sentence my lord?

THE JUDGE:

He is sentenced on Counts 1 and 2.

AG: As my Lordship pleases.

THE JUDGE:

The sentence to run concurrently. I have already considered what the AG said, and taking it into account that the atrocities following the offence that is committed by this AFRC/RUF ought to be visited with no less a penalty than death, and I believe that if you had not given them, such assistance, the so-called regime would have crumpled long, long ago, but by having you they stayed in power to the detriment of the people of this country, and therefore, I think to serve as a deterrent to others, therefore I have passed that sentence on you. May God have mercy on your soul.

CPL. FS SANKOH:

Thank you my lord, no argument about that. Thank you.

THE JUDGE:

You are taken down (Orderly). Sit down everybody. ..... I must express my thanks and appreciation for the patience you have had during the course of this trial and you, Mr. Foreman and gentlemen of the jury, you have really displayed that you are responsible people to be respected in the community. Others, the cooperation, I have received from you, has left me in no doubt that the respect the committee gave you by appointing you to serve was not misplaced, and therefore keep it up and may God be with us all.

AG: My lord I must also say my thanks and appreciation to your Lordship,

for your patience and lucid manner in which you summed up to the Jury. I mean it was too lucid for myself. I had no problem comprehending the issues as Your Lordship analysed them. I thank you very much my lord for that and the emotion, emotionless manner in which the trial was conducted. It is very difficult for any person who has been in Sierra Leone for that period to devour up emotion but I appreciate Your Lordship's calmness and emotionlessness. And also to the Jury of course, the verdict was just too clear and wise. I mean following on Your Lordship's direction. I thank you for your patience, your understanding in the Public Service, public duty which all of us are called once on a while to discharge. I thank you for discharging yours so honourably, and of course the press who had been with us, turning

us this way and that way but still we can't avoid them. They are a useful appendage to the judiciary system. We thank them also for their daily attendance my lord.

THE JUDGE:

I echo such sentiment.

AG: Court staff and all we thank them. He is saying I should say that to the

Defence Counsel should I for their absence, should I? For their absence.

THE JUDGE:

For lack of courage.

AG: Yes my lord for lack of courage.

ORDERLY:

This Court is adjourned sine die.

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EXH. "A"

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INTELLIGENT REPORT

FOLLOWING IS AN INTERCEPTED MESSAGE RECEIVED FROM ENEMY RADIO NET VOICE CONVERSATION. QUOTE. FROM CALL SIGN 11^{X} (RUF LEADER), TO CALL SIGN 14^{U} (MAJ. SAM BOCKARIE), SUBJECT RESPOND, DATE 23/2/97

I have received your message, but look, I have told you earlier on that you are to attack these people and push them even on to Freetown. Because President Kabbah is not serious over the Peace Accord. Since they have push you out of Fobu, dont allow them to take Giehun from you at all as that might be dangerous for our Head Quarter Kailahun. For you Superman (Bradford Area thank you very much for a job well done at Mathoi and Magbosi. You are to continue especially on the Highway. I really want to come and put situation under control in all your arears. But how could I come when the place is not safe. Inform me immediately when the area is safe, inorder for me to travel. If nothing more out. UNQUOTE. Please accept for your immediate and necessary action.

(Sgd) ?

Time - 1359 hours

Date - 24/2/97

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EXH "B"

00008408

INTELLIGENT REPORT

FOLLOWING IS AN INTERCEPTED MESSAGE RECEIVED FROM ENEMY RADIO NET. QUOTE. FROM CALL SIGN 14U (MAJ SAM BOCKARIE), TO CALL SIGN 35 (MAJ. DENIS SUPERMAN - MAGBOSI HILLS), SUBJECT - INFORMATION AND INSTRUCTION, DATE - 24/2/97.

For your information, I spoked with the RUF Leader Foday Sankoh last night at about 2330 hours and according to him, we are to attack any where we want to attack, even if we can attack Freetown no problem. So inlight of this, you are to carry on the operation as usual and you are to cutt-off the Highway totally and you are not to fear at all, I mean massacre.

Best regards. Unquote. Please accept for immediate and necessary action. Regards.

(Sgd) ?

Time - 1245 HRS

Date - 24/2/97

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EXH "C[1]"

To all RUF Combatants: am writing it to all RUF Combatants. People's War Council of high command and all Combatants and the RUF. You know, the gallant and Field Commander of RUF. Your Leader Corporal Foday Sankoh and the RUF I am now instructing you to disregard all previous instructions and orders and stop all attacks and take defensive and don't go on the defensive. All, do not go on the offensive. I repeat, do not go on the offensive be on the defensive. All instructions, former instruction and operation should be cancelled. All Commanders should be on the defensive. At this moment you have to work with the brothers in Freetown, in the provinces and the entire army of the Sierra Leone Military Forces and allow working together to bring peace in Sierra Leone. They ask me to work with them so that peace could prevail to our beloved motherland. So I will like you all to work with them as brothers we are no more enemies. The Enemies are the Politicians not the Soldiers, presently. The Field Commander and all Commanders, you always get instructions from me through Major Koroma. They are our brothers let no one fool you. You have to work with them to put situation under control, especially in the Western Area. You the Field Commander instruct the other Commander MINGO to stand by for any reinforcement needed by Major Koroma for any eventuality. We have to defend our sovereignty. You are to act on these orders immediately. Do not delay and you will hear me over the media BBC and VOA only support the present operation in Freetown. Thank you all. My absence in Sierra Leone is of the blessing of God. RUF. arms to the people; power to the people; and wealth of our people should be in the hands of the people. RUF, brave, strong, intelligent, Bai Bureh, Jagua, Kailondo you are the children, victory, grant to them. Lets keep the revolution with our brothers peace be with you. I will join you very soon. I say again that is your

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leader and Commander-in-Chief of the RUF Corporal Foday Sankoh.

Thank you all

" This portion is being translated into English as it was in Creole"

My brothers, that is all I have to tell you. You should take great care, work with the brothers. I hope they will not disappoint you and disappoint the other ranks who stand behind them today. You know we stand for peace, this can be achieved. Thank you

Transcribed by - Miss Cornelia Adekumbi

Patricia Davies - Stenographe

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EXH. "D" 648

"Z" ident.

REVOLUTIONARY UNITED FRONT

OF SIERRA LEONE (RUF/SL)

DATE: June 26, 1996

From : Cpl. Foday S. Sankoh,

Leader, RUF / SL

TO : Brother Mohamed Talibi,

Libayan Arab Peoples Jamahiriyya,

Accra, Ghana

SUBJECT: FOLLOW - UP REQUEST

I want to thank you and the other brothers back home again very much for the half million United States dollars (500,000 USD) which I received through you for the purchase of needed material to pursue the Military Mission.

However, I wish to let you all be informed that my business partners for these materials are here with me and we have had extensive discussions on this subject. Attached to this letter, you will find a list of materials (arms and ammunitions) and their costs for your serious and urgent attention. I now need one and a half million United States dollars (U S D 1,500,000) inorder to purchase twice the listed materials for effective and smooth operation.

My representative, Captain Philip S. Palmer, will elaborate on this all important and urgent mission as he is expected to travel along with my business partners somewhere for these materials if and only if the above-

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mentioned amount is available. These materials will be given to me at discount rates and so the requested amount plus the one already at hand will cover in addition all transportation costs for airlifting these materials.

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The airlifting of these materials to our controlled territory will be done before any payment for this mission is done by me. This is why I am urgently appealing to you and the other brothers back home for your usual coperation in providing this time the one and a half million United States dollars (U S D 500,000) to be at hand with me so that my business partners and my representative can proceed for these materials very quickly for fast and smooths operation.

Kind regards

(Sgd) : ?

Cpl. Foday S. Samkoh,

Leader, RUF/SL

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REVOLUTIONARY UNITED FRONT OF SIERRA LEONE

EXH. "E"

"Y" ident

Date: Dec 4, 1996

From : Cpl Foday S. Sankoh,

Leader, RUF/SL

Abidjan, La Cote D'Ivoire

To : Brother Mohamed Talibi,

Peoples Bureau of Libyan Arab Peoples Jamahiriya

Accra, Ghana

SUBJECT : URGENT INFORMATION

I received the U S D 29,000 (twenty-nine thousand United States dollars) through Mr. Daniel Kallon for which I am very grateful to you and the other brothers back home. We have signed the Peace Accord on November 29, 1996 just so as to relieve our movement of the enormous pressure from the International Community while I will use this opportunity to transact my business in getting our fighting materials freely and easily.

I have already finished negotiations with my business partners and I have so far paid U S D 300,000 (three hundred thousand United States dollars. Our agreement is that they should receive USD 700,000 (seven hundred thousand United States Dollars) from me in Sierra Leone upon their arrival with the materials into my controlled territory. The total cost of the material is USD 2,000,000 (two million United States dollars). The balance amount will be paid when the operation is completed.

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I am therefore asking you and your brothers to urgently provide the needed USD 700,000 (seven hundred thousand United States dollars) so that I will be in position to live up to my commitment to my business partners who will be coming very soon with these materials. As I have always learnt from you people, there is some money with the Burkinabe Government for the provision of our needed materials. But as you might have known by now that government have really not shown any keen interest in assisting us in our movement. I even had conversation with commandant DIENDERE those few days but with no positive result.

I would therefore suggest that you prepare a letter for me to meet President Compaore on this issue as we never received anything from them and even my delegates at Ouagadougou have returned ever since to my location here. Please advice on this issue.

When I went in last week, I was able to organize serious mining operations in precious minerals which I believe will help us to generate the needed foreign exchange for our mission. For now I am highly in need of this U S D 700,000 inorder to go in and be waiting for the arrival of my business partners. Please help me in this great hour of need and I promise not to let you down. Palmer will give you the rest of my message

My best regard to you and your family.

(Sgd) : ?

Cpl. Foday S. Sankoh

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Folio 11

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EXH. F"

Name - Foday Saybana Sankoh (Cpl.)

Address - Freetown

Nat. - Sierra Leonean

Age - Adult/Male

Religion - Man of God

Occup. - Prisioner of Peace

Taken down on Monday the 31st August, 1998 at about 1240 hours at Cockerill Military Head Quarters Freetown.

I have been asked if I wish to say anything and cautioned that I am not obliged to say anything unless I wish to do so but what ever I say will be taken down in writing and may be given in evidence.

Sgd.:

31/8/98

I have nothing to say now

I reserve my opinion until I get a legal representative from Nigeria and a representative from the United Nation, the OAU, the Common Wealth and a representative from the Ivory Coast. This all statement made in english recorded down in english read over and admitted to be true and correct.

'Sgd.) : ?

31/8/98

Sgd.

31/8/98

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Folio 11A

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Name - Cpl. Foday Saybana Sankoh

EXH. "B"

Address - Freetown

Nat. - Sierra Leonean

Age. - Adult/Male

Religion - Man of God

Occup. - Pricioner of Peace

Taken down on Friday the 4th September, 1998 at 1040 hours at Cockeril Military Head Quarters Freetown. "I have been asked if I wish to say anything in answer to the Charges and cautioned that I am not obliged to say anything unless I wish to do so but whatever I say will be taken down in writing and may be given in evidence.

(Sgd.) : ?

Having heard the charges made against me all what I have to say is that God will have to intervene. In any problem God is the answer. This is all. Statement made in english recorded down in english read over and submitted to be true and correct.

(Sgd.) : ?	Wit	Sgd.
4/9/98	4/9/98	4/9/98

EXH " J " 6424

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REVOLUTIONARY UNITED FRONT F SIERRA LEONE(RUF/SL

06 BP 1847 ABIDJAN 06 COTE D'VOIRE

TEL/FAX (00225) 48 55 10

From : Cpl. Foday Saybana Sankoh

Leader, RUF/SL

To : His Excellency, Sani Abacha

President of the Federal Republic of Nigeria

Date: 21st January, 1997

Re: REQUESTING YOUR INTERVENTION

Your Excellency,

You may already be aware of the rapid progress we have made towards the resolution of the civil conflict in our Country Sierra Leone, I want to thank you, your Government and People for the inmeasurable Contribution you have made towards this venture.

It is however sad to note that, though we have begun the implementation of the Abidjan Peace Accord signed in November last year, the government troops continue to launch unprovoked attacks against our positions to date. Even as we were assembled in Abidjan for the signing of the accord, a massive attack was launched against our men and innocent civilians in the Pujehun District forcing them to flee into neighbouring Liberia. Since November last year, these people, numbering over three thousand have lived

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in Liberia under difficult conditions owing to the prevailing conditions there.

I made several appeals to the Liberian Authorities to effect their voluntary repatriation to their homeland in anticipation to their encampment and disarmament in accordance with the Peace Accord. But reports reaching me, speak of their being handed over to ECOMOG and are awaiting forced repatriation.

It is in this light that I am requesting your Excellency in the capacity of Chairman of ECOWAS for your timely intervention so as to avert the force repartriation of my men who have already been disarmed by the ULIMO faction of Alhaji Kromah. The I.C.R.C. however may repatriate them on their own volution to arears of their choice or to Kailahun District in Sierra Leone where they would be encamped and demobilised in keeping with the provisions of the peace accord.

As we transform our guerilla movement into a political movement, I wish to request an audience with your Excellency aimed at seeking your advice on issues pertaining to future of our country.

Wishing you a happy and prosperous 1997.

Your Sincerely

Foday S. Sankoh

CC: Liberian Council of State, Monrovia
President Ahmed Tejan Kabba, Freetown
Alhaji Kromah ; Ulimo K. Leader
Chairman Abidjan Peace Accord Amara Essy

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ANNEX " K "

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PEACE AGREEMENT

BETWEEN

THE GOVERNMENT OF THE

REPUBLIC OF SIERRA LEONE

AND

THE REVOLUTIONARY UNITED FRONT

OF SIERRA LEONE (RUF/SL)

30 November, 1996

ABIDJAN, COTE D'IVOIRE

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PEACE AGREEMENT BETWEEN THE GOVERNMENT OF SIERRA LEONE AND THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE (RUF/SL)

The Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL).

Moved by the imperative need for a just and durable peace in Sierra Leone;

Inspired by the equally imperative need for genuine national unity and reconciliation to end the fratricidal war in Sierra Leone;

Committed to promoting popular participation in governance and full respect for human rights and humanitarian laws;

Dedicated to the advancement of democratic development and to the maintenance of a socio-political order free of inequality, nepotism and corruption;

Determined to foster mutual confidence and trust;

Convinced that a sense of common purpose and patriotism is the need of the hour;

HEREBY AGREE as follows:

ARTICLE 1

The armed conflict between the Government of Sierra Leone and the RUF/SL is hereby ended with immediate effect. Accordingly, the two sides will

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ensure that a total cessation of hostilities is observed forthwith.

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ARTICLE 2

The Government and the RUF/SL undertake that no effort shall be spared to effect the scrupulous respect and implementation of the provisions contained in this Peace Agreement to ensure that the establishment and consolidation of a just peace becomes a priority in Sierra Leone.

ARTICLE 3

A national body to be known as the Commission for the Consolidation of Peace shall be established within two weeks of the signing of this Agreement. The Commission shall be a verification mechanism responsible for supervising and monitoring the implementation of and compliance with all the provisions contained in this Peace Agreement.

The Commission, in fulfilment of this task during the period of consolidating the peace, shall co-ordinate and facilitate the work of the following bodies which it will proceed to establish:

(i) Socio-Economic Forum;

(ii) Citizen's Consultative Conferences;

(iii) Multi-partisan Council;

(iv) Trust Fund for the Consolidation of Peace;

(v) Demobilization and Resettlement Committee;

(vi) National Budget and Debt Committee.

The Commission shall comprise representatives of the Government and the Revolutionary United Front of Sierra Leone, drawing on the resources of

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state and civic institutions as and when necessary.

The Commission shall have the power to recommend the preparation of enabling measures necessary for the implementation and development of the provisions contained in this Peace Agreement. It shall have the power to issue publicly its conclusions. The parties undertake to comply with the conclusions of the Commission.

The Commission shall have the power to prepare preliminary legislative drafts necessary for the implementation and development of the provisioons contained in the present Peace Agreement.

The Parties undertake to consult the Commission before taking decisions on measures relating to the present Peace Agreement.

The Commission may similarly consult the Parties at the highest level whenever it is appropriate.

The Commission shall have access to and may inspect any activity or site connected with the implementation of the present Peace Agreement. The Commission shall have full powers to organise its work in the manner in which it deems most appropriate and to appoint any group or sub-committee which it may deem useful in the discharge of its functions.

The Commission shall have its own offices, adequate communication facilities and adequate secretariat support staff.

A Trust Fund for the Consolidation of Peace shall be established to provide funding for the implementation of the present Peace Agreement.

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ARTICLE 4

Citizens' Consultative Conferences shall be organised once a year the first of which shall be organised within one hundred and twenty days of the signing of the present Peace Agreement in order to encourage people's participation and to invite recommendations for the formulation of guidelines and their implementation that will ensure truly fair and representative processes.

ARTICLE 5

The disarmament of combatants will be effected upon their entry into the designated assembly zones , and demobilization and reintegration as soon as practicable thereafter.

The upkeep and welfare of the encamped combatants shall be the primary responsibility of the Government of Sierra Leone in conjunction with the Commission for the Consolidation of Peace, assisted by the International Community.

ARTICLE 6

The Parties commit themselves to a well planned national effort on encampment, disarmament, demobilization and resettlement linked to national development objectives. To that end, a Demobilization and Resettlement Committee shall be established within a month of the signing of the present Peace Agreement.

The Committee shall coordinate the encampment, disarmament, demobilization and resettlement of RUF/SL combatants. The Committee shall work in

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coordination with all the relevant institutions and agencies.

Both Parties shall consult on the nomination of the membership of the Committee which shall not exceed seven persons.

The Committee shall be provided with adequate funding.

ARTICLE 7

The Demobilization and Resettlement Committee shall identify assembly zones and camp areas for RUF/SL combatants where they shall be registered, encamped and disarmed. The movement into the AssemblyZones shall commence within one month of the signing of this Agreement and be completed as soon as practicable but no later than three months from this date.

ARTICLE 8

The Parties shall request the international community to help supervise and monitor the encampment, disarmament, demobilization and reintegration processes. The Joint Monitoring Group shall have observers at any of these processes.

ARTICLE 9

The Commission shall, as a priority, make recommendations on the restructuring and re-orientation of the Military as well as its leadership. In this context, members of the RUF/SL who may wish to be part of the country's military can become part of the new unified armed forces within a framework to be discussed and agreed upon by the Commission.

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ARTICLE 10

The Government of Sierra Leone shall ensure the return to barracks of those units of the army not required for normal security duties and the downsizing of the Armed Forces of Sierra Leone (RSLMF), taking into account the security needs of the country.

ARTICLE 11

A Neutral Monitoring Group (NMG) from the international community shall be responsible for monitoring breaches of the ceasefire provided under this Peace Agreement.

Both Parties upon signing this Agreement shall request the international community to provide neutral monitors.

Such monitors when deployed shall be in position for an initial period of three months.

The Neutral Monitoring Group shall report any violations of the ceasefire to its headquarters which shall in turn communicate the same to the headquarters of the joint Monitoring Group comprising of representatives of the Government of Sierra Leone and the RUF based in Freetown.

ARTICLE 12

The Executive Outcomes shall be withdrawn five weeks after the deployment of the Neutral Monitoring Group (NMG) As from the date of the deployment of the Neutral Monitoring Group, the Executive Outcomes shall

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be confined to barracks under the supervision of the Joint Monitoring Group and the Neutral Monitoring Group. Government shall use all its endeavours, consistent with its treaty obligations, to repatriate other foreign troops no later than three months after the deployment of the Neutral Monitoring Group or six months after the signing of the Peace Agreement, whichever is earlier.

ARTICLE 13

The Parties agree that immediately following the signing of the present Peace Agreement, the RUF/SL shall commence to function as a political movement with the rights, privileges and duties provided by law; and that within thirty days, following that, the necessary conditions shall be created to enable the RUF/SL to register as a political movement according to law.

ARTICLE 14

To consolidate the peace and promote the cause of national reconciliation, the Government of Sierra Leone shall ensure that no official or judicial action is taken against any member of the RUF/SL in respect of anything done by them in pursuit of their objectives as members of that organization up to the time of the signing of this Agreement. In addition, legislative and other measures necessary to guarantee former RUF/SL combatants, exiles and other persons, currently outside the country for reasons related to the armed conflict shall be adopted ensuring the full exercise of their civil and political rights, with a view to their reintegration within a framework of full legality.

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ARTICLE 15

The mandate and membership of the existing National Unity and Reconciliation Commission shall be expanded in consultation with the Commission for the Consolidation of Peace to enable it to undertake a sustained and effective campaign of civic education aimed at enhancing national unity and reconciliation, taking into account the imperative need to heal the wounds of the conflict.

ARTICLE 16

The Parties agree that the standards of accountability, integrity and probity in the public services of Sierra Leone shall be raised. To that end, immediate steps shall be taken to establish the office of Ombudsman to promote the implementation of a professional code of ethics, and the integrity and patriotism of all public servants. It shall also seek to eradicate all forms of corruption.

ARTICLE 17

The Parties shall approach the international community with a view to mobilizing resources which will be used to establish a trust fund to enable the RUF/SL to transform itself into a political party.

ARTICLE 18

The Parties agree to the principle of reforming the present electoral process in Sierra Leone. There shall, in that regard, be the full participation of citizens and their organizations in formulating electoral reforms.

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The independence and integrity of the National Electoral Commission shall be guaranteed to ensure fair and acceptable electoral exercise.

In reconstituting the National Electoral Commission, the President shall consult all political parties and movements including the RUF/SL to determine the membership and terms of reference of that Commission, paying particular attention to the need for a level playing field in the nation's electoral politics.

Both the Government and the RUF/SL shall, together with other political parties, nominate men and women of professionalism, integrity and objectivity to the National Electoral Commission, not later than three months after the signing of the present Peace Agreement.

It is hereby agreed that no member of the National Electoral Commission shall be eligible for appointment to a political office by any government formed as a result of an election they were mandated to conduct.

ARTICLE 19

The Parties agree that the basic civil and political liberties which are recognised by the Sierra Leone legal system and are contained in the Declarations and Principles on Human Rights adopted by the UN and OAU, especially the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, shall be fully guaranteed and promoted within Sierra Leone society.

These include the right to life and liberty, freedom from torture; the right to a fair trial, freedom of conscience, expression and association, and the right to take part in the governance of one's country.

To forster national reconcialiation and ensure the full and unrestricted participation of the RUF/SL in the political process, the RUF/SL shall enjoy;

(i) freedom of the press and access to the media inorder that they may be heard and informed.

(ii) freedom of association, expression, assembly and the right to mobilise and demonstrate freely, and to communicate politically in order that they may organise effectively and set up appropriate infrastructure.

All political prisoners and prisoners of war, if any, shall be released.

ARTICLE 20

To monitor compliance with the basic rights guaranteed in the present Peace Agreement, as well as to promote human rights education throughout the various sectors of Sierra Leonean society, including schools, the media, the police and the military, an independent National Commission on Human Rights shall be established.

In pursuance of the above, technical and material assistance may be sough t from the UN Special Commission on Human Rights, UN Centre for Human Rights, African Commission on Human and People's Rights and other relevant international organisations.

The National Commission on Human Rights shall have the power to investigate human rights violations and to institute legal proceedings where appropriate.

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Further, a consortium of local human rights groups shall be encouraged to help monitor human rights observance.

ARTICLE 21

The Parties undertake to respect the principles and rules of international humanitatian law,

ARTICLE 22

In the pursuit of the reconstruction, rehabilitation and socio-economic development of Sierra Leone as a matter of the utmost priority, special attendion shall be given to rural and urban poor areas, war victims, disabled persons and other vulnerable groups. The Government in conjuction with the Committee for Demobilization and Resettlement shall co-operate with all political parties and movements, including the RUF/SL, to raise resources internationally for these objectives during the initial phase of the consolidation of peace

ARTICLE 23

The Government shall do all in its power to mobilize resources internally and externally to meet the needs of post-war reconstruction and socio-economic development.

ARTICLE 14

The Parties agree that the independence of the Judiciary shall be strengthened in accordance with its role of ensuring the fair and impartial

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dispensation of justice in a democratic order. The composition of the present Judicial and Legal Service Commission shall be determined so as to ensure the independence of the Judiciary from the other organs of state as well as the political parties. Its membership shall include, in addition tojudges and representatives of the legal profession and public services, representatives of other sectors of society not directly connected with the administration of justice.

ARTICLE 25

The Police Force shall be strengthened to ensure that the rule of law is upheld throughout Sierra Leone. To that end, the present Police Force shall be vetted. Furthermore, the professional training of the Police Force shall henceforth assure a new orientation, by emphasising professionalism, the importance of human dignity and democratic values and respect and protection of human rights. It shall, further, emphasise that the conduc t of members of the Police Force shall be free from all partisan considerations of politics, ideology and social position and that the Police Force shall avoid and combat corruption.

Nominations for the Police Council will come from wider sectors of society prior to their appointment so as to ensure their truly civilian and non-partisan character.

ARTICLE 26

It is recognised that there is a socio-economic dimension to the conflict which must also be addressed in order to consolidate the foundation of the peace. Accordingly, the socio-economic policy of Sierra Leone shall be guided among other things, by the following principles, taking into account available resources:

(i) Enhancement of the nation's productive capacity through meaningful grassroots participation in the reconstruction and development of the Country;

(ii) The provision of equal opportunities to all Sierra Leoneans especially those in the countryside and the urban poor, with the aim of equitable distribution of the nation's resources thereby empowering them to contribute effectively to decision-making and implementation of policies which affect their lives;

(iii) Improving the quality of life of the people through the provision of, inter alia

a. primary health care in all villages and towns;

b. affordable and quality housing, especially in the countryside and poor urban areas,

c. improved educational services to enable all children of primary and junior-secondary school age to receive free and compulsory schooling as well as provide the opportunity for the youth and all other Sierra Leoneans to receive affordable quality education;

d. clean drinking water and a sewerage system in every village and town;

e. provide job opportunities in a systematic and sustainable way for the people, especially the youth;

f. promote and sustain rural development and support agriculture in terms of technical, credit and marketing facilities;

g. provide support for production and provision of basic food and nutritional requirements of the people and food security in general;

h. protect the environment and regulate exploitation of natural resources in the interest of the people, as well as prohibit monopolies;

i. provide the required infrastructure such as roads, transport and communications, energy and rural electrification, for improved living conditions, especially of the rural people;

j. seek to obtain debt relief in order to transfer funds from debt servicing to meet the urgent requirements of rebuilding a war-torn society.

ARTICLE 27

A broad-based Socio-Economic forum, in which the RUF/SL shall participate, shall be established with a view to enriching policy formulation and execution in the socio-economic sector.

ARTICLE 28

The Gove[illegible] d'Ivoire, the United Nations, the OAU and the

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Commonwealth shall stand as moral guarantors that this Peace Agreement is implemented with integrity and in good faith by both parties.

Annex to this Agreement

A nationwide sensitization programme for the peace process shall be pursued by the Parties, using all available means of communication to impress upon their combatants and the nation at large:

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- the fact that hostilities have ended;
- the reasons for demobilization;
- the opportunities for reintegration of combatants; and
- the need for reconciliation and lasting peace.

Done in Abidjan this .....day of the month of November, 1996.

ALHAJI DR. AHMAD
TEJAN KABBAH
PRESIDENT OF THE
REPUBLIC OF
SIERRA LEONE.

CORPORAL FODAY
SAYBANA SANKOH
LEADER OF THE
REVOLUTIONARY
UNITED FRONT (RUF)

HENRI KONAN BEDIE
PRESIDENT OF THE
REPUBLIC OF COTE D'IVOIRE

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BERHANU DINKA

SPECIAL ENVOY OF THE

UNITED NATIONS SECRETARY-GENERAL

FOR SIERRA LEONE

ADUOA COLEMAN (M/S)

REPRESENTATIVE OF THE

ORGANIZATION OF AFRICAN UNITY

(OAU)

MOSES ANAFU (DR)

REPRESENTATIVE OF THE

COMMONWEALTH ORGANISATION

EXH "L" 6464

To : His Excellency President Henri Konan Bedie

Copied To: President Alhaji Tejan Kabba. The Secretary-Generals of the UN, OAU, Commonwealth and International Alert

Date: 10/5/97

Subject: Request for an Emergency Meeting of the Signatories to the Abidjan Accord

Mr. President:

Since some misguided members of the RUF/SL external delegation failed in their attempt to undermine my authority, with the exception of Cote d'Ivoire, none of the moral guarantors have contacted me. I am aware that the UN Secretary-General's Special Representative in Freetown is in daily contact with the coup plotters and also the OAU Secretary-General sent an envoy to speak with the plotters in Abidjan.

It is common knowledge now that President Kabbah corrupted some members of my external delegation to undermine my authority in violation of the Abidjan Peace Accord signed between the two of us in the name of the people of Sierra Leone. As a legitimate principal signatory to the Abidjan Peace Accord I am requesting your Excellency to convene an emergency meeting of the moral guarantors of the Abidjan Peace Accord, at the highest level, to review matters with a view to saving the Abidjan Accord from total collapse. This meeting should be followed by a meeting between President Kabba and myself to resolve all outstanding issues.

By this letter therefore I am requesting your Excellency to act in the interest of peace and stability in Sierra Leone

(Sgd): Corporal Foday Saybana Sankoh
Leader and Commander-in-Chief, RUF/SL

Criminal Form (2)
Rule 43

CR-APP 18/98

- 177 -

To: The Sierra Leone Court Of Appeal
Notice Of Application for Leave
To: Appeal against Judgement.

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In the Sierra Leone Court Of Appeal
epublic of Sierra Leone VS Corporal
Foday SaybanaSankoh R.U.F. Leader
Sierra Leone.
To: The Registrar of the court of Appeal
Thro: The Director Of Prisons
" : The Asst. D/P (W.A.&M.)
" : The OI/C F (C) Prison
" : The Prison Welfare Officer.

COURT OF APPEAL FOR SIERRA LEONE
SIGN
DATE 30/10/98

I corporal Foday Saybana Sankoh R.U.F. Leader Sierra Leone having been convicted of Treason and now being a Prisoner in the state s Prison, Pademba road Freetown do hereby give you notice that I desire to apply to the court for leave against the said judgement on the following grounds.

GROUNDS OF APPEAL

1. That I am not guilty of the offence.
2. That the Abidjan peace accord which garatees me immunity from prosecution is still in progress and is therfore illegal to charge me of offence related to the same case process.
3. That the trial judge was not fair as he failed to delve into my defence.

.....
Witness Mr. T. Bull (ASP)
Welfare Officer Prison

.....
Corporal Foday Saybana Sankoh
R.U.F. Leader, Sierra Leone
Applicant

Dated This 30th Day of October 1998.

PARTICULARS OF TRIAL AND CONVICTION

Date Sentenced:	23rd October, 1998
In what court Tried:	High Court Freetown
Sentence:	To Suffer Death

GROUNDS OF APPLICATION

1. If you desire to be present when the court considers your present application for leave to appeal: YES
2. Whether or not you are legally represented: LEGALLY REPRESENTED
3. The grounds on which you submit that the court should give you leave tobe present thereat: TO FOLLOW THE PROCEEDINGS KEENLY

FACT 24

On or about 7 July 1999, Foday Saybana Sankoh and [Ahmad] Tejan Kabbah signed a peace agreement in Lomé, Togo.

a.			This fact was judicially noticed in the *Brima* Decision, para. 61, Fact R: "On or about 7 July 1999, Foday Saybana Sankoh and Ahmed Tejan Kabbah signed a peace agreement in Lomé, Togo."
b.	Exh. 1.016	ERN 00004349-00004369	Lomé Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL), 7 July 1999, at ERN 00004349, 00004365.

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PEACE AGREEMENT BETWEEN THE GOVERNMENT OF SIERRA LEONE AND THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE

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THE GOVERNMENT OF THE REPUBLIC OF SIERRA LEONE and THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE (RUF/SL)

Having met in Lome, Togo, from the 25 May 1999, to 7 July 1999 under the auspices of the Current Chairman of ECOWAS, President Gnassingbe Eyadema;

Recalling earlier initiatives undertaken by the countries of the sub-region and the International Community, aimed at bringing about a negotiated settlement of the conflict in Sierra Leone, and culminating in the Abidjan Peace Agreement of 30 November, 1996 and the ECOWAS Peace Plan of 23 October, 1997;

Moved by the imperative need to meet the desire of the people of Sierra Leone for a definitive settlement of the fratricidal war in their country and for genuine national unity and reconciliation;

Committed to promoting full respect for human rights and humanitarian law;

Committed to promoting popular participation in the governance of the country and the advancement of democracy in a socio-political framework free of inequality, nepotism and corruption;

Concerned with the socio-economic well being of all the people of Sierra Leone;

Determined to foster mutual trust and confidence between themselves;

Determined to establish sustainable peace and security; to pledge forthwith, to settle all past, present and future differences and grievances by peaceful means; and to refrain from the threat and use of armed force to bring about any change in Sierra Leone;

Reaffirming the conviction that sovereignty belongs to the people, and that Government derives all its powers, authority and legitimacy from the people;

Recognising the imperative that the children of Sierra Leone, especially those affected by armed conflict, in view of their vulnerability, are entitled to special care and the protection of their inherent right to life, survival and development, in accordance with the provisions of the International Convention on the Rights of the Child;

Guided by the Declaration in the Final Communiqué of the Meeting in Lome of the Ministers of Foreign Affairs of ECOWAS of 25 May 1999, in which they stressed the importance of democracy as a factor of regional peace and security, and as essential to the socio-economic development of ECOWAS Member States; and in which they pledged their commitment to the consolidation of democracy and respect of human rights while reaffirming the need for all Member States to consolidate their democratic base, observe the principles of good governance and good economic management in order to ensure the emergence and development of a democratic culture which takes into account the interests of the peoples of West Africa;

Recommitting themselves to the total observance and compliance with the Cease-fire Agreement signed in Lome on 18 May 1999, and appended as Annex 1 until the signing of the present Peace Agreement;

HEREBY AGREE AS FOLLOWS:

PART ONE

CESSATION OF HOSTILITIES

ARTICLE 1

CEASE-FIRE

The armed conflict between the Government of Sierra Leone and the RUF/SL is hereby ended with immediate effect. Accordingly, the two sides shall ensure that a total and permanent cessation of hostilities is observed forthwith.

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The Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL),

- Desirous to promote the ongoing dialogue process with a view to establishing durable peace and stability in Sierra Leone; and

- Wishing to create an appropriate atmosphere conducive to the holding of peace talks in Lome, which began with the RUF internal consultations to be followed by dialogue between the Government and the RUF;

- Have jointly decided to:

1. Agree to ceasefire as from 24 May 1999, the day that President EYADEMA invited Foreign Ministers of ECOWAS to discuss problems pertaining to Sierra Leone. It was further agreed that the dialogue between the Government of Sierra Leone and RUF would commence on 25 May 1999;

2. Maintain their present and respective positions in Sierra Leone as of the 24th of May 1999; and refrain from any hostile or aggressive act which could undermine the peace process;

3. Commit to start negotiations in good faith, involving all relevant parties in the discussions, not later than May 25 in Lome;

4. Guarantee safe and unhindered access by humanitarian organizations to all people in need; establish safe corridors for the provision of food and medical supplies to ECOMOG soldiers behind RUF lines, and to RUF combatants behind ECOMOG lines;

5. Immediate release of all prisoners of war and non-combatants;

6. Request the United Nations, subject to the Security Council's authorisation, to deploy military observers as soon as possible to observe compliance by the Government forces (ECOMOG and Civil Defence Forces) and the RUF, including former AFRC forces, with this ceasefire agreement.

This agreement is without prejudice to any other agreement or additional protocols which may be discussed during the dialogue between the Government and the RUF.

Signed in Lome (Togo) 18 May 1999, in six (6) originals in English and French

For the Government of Sierra Leone

ALHADJI Dr. Ahmad Tejan KABBAH
President Of The Republic Of Sierra Leone

For the Revolutionary United Front Of Sierra Leone

Corporal Foday Saybana Sankoh, Leader of the Revolutionary United Front (RUF)

WITNESSED BY:

For the Government of Togo and Current Chairman of ECOWAS

GNASSINGBE EYADEMA
President of the Republic of Togo

For the United Nations

Francis G. Okelo
Special Representative of the Secretary General

For the Organisation of African Unity (OAU)

Adwoa COLEMAN
Representative of the Organization of African Unity

US Presidential Special Envoy for the Promotion of Democracy in Africa

Rev. Jesse JACKSON

ANNEX 2

DEFINITION OF CEASE-FIRE VIOLATIONS

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PEACE AGREEMENT BETWEEN THE GOVERNMENT OF SIERRA LEONE AND THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE

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Committed to promoting popular participation in the governance of the country and the advancement of democracy in a socio-political framework free of inequality, nepotism and corruption;

Concerned with the socio-economic well being of all the people of Sierra Leone;

Determined to foster mutual trust and confidence between themselves;

Determined to establish sustainable peace and security; to pledge forthwith, to settle all past, present and future differences and grievances by peaceful means; and to refrain from the threat and use of armed force to bring about any change in Sierra Leone;

Reaffirming the conviction that sovereignty belongs to the people, and that Government derives all its powers, authority and legitimacy from the people;

Recognising the imperative that the children of Sierra Leone, especially those affected by armed conflict, in view of their vulnerability, are entitled to special care and the protection of their inherent right to life, survival and development, in accordance with the provisions of the International Convention on the Rights of the Child;

Guided by the Declaration in the Final Communiqué of the Meeting in Lome of the Ministers of Foreign Affairs of ECOWAS of 25 May 1999, in which they stressed the importance of democracy as a factor of regional peace and security, and as essential to the socio-economic development of ECOWAS Member States; and in which they pledged their commitment to the consolidation of democracy and respect of human rights while reaffirming the need for all Member States to consolidate their democratic base, observe the principles of good governance and good economic management in order to ensure the emergence and development of a democratic culture which takes into account the interests of the peoples of West Africa;

Recommitting themselves to the total observance and compliance with the Cease-fire Agreement signed in Lome on 18 May 1999, and appended as Annex 1 until the signing of the present Peace Agreement;

HEREBY AGREE AS FOLLOWS:

PART ONE

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ARTICLE 1

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ARTICLE II

CEASE-FIRE MONITORING

1. A Cease-fire Monitoring Committee (hereinafter termed the CMC) to be chaired by the United Nations Observer Mission in Sierra Leone (hereinafter termed UNOMSIL) with representatives of the Government of Sierra Leone, RUF/SL, the Civil Defence Forces (hereinafter termed the CDF) and ECOMOG shall be established at provincial and district levels with immediate effect to monitor, verify and report all violations of the cease-fire.

2. A Joint Monitoring Commission (hereinafter termed the JMC) shall be established at the national level to be chaired by UNOMSIL with representatives of the Government of Sierra Leone, RUF/SL, CDF, and ECOMOG. The JMC shall receive, investigate and take appropriate action on reports of violations of the cease-fire from the CMC. The parties agree to the definition of cease-fire violations as contained in Annex 2 which constitutes an integral part of the present Agreement.

3. The parties shall seek the assistance of the International Community in providing funds and other logistics to enable the JMC to carry out its mandate.

PART TWO

GOVERNANCE

The Government of Sierra Leone and the RUF/SL, recognizing the right of the people of Sierra Leone to live in peace, and desirous of ading a transitional mechanism to incorporate the RUF/SL into governance within the spirit and letter of the Constitution, agree to the ollowing formulas for structuring the government for the duration of the period before the next elections, as prescribed by the Constitution, managing scarce public resources for the benefit of the development of the people of Sierra Leone and sharing the responsibility of implementing the peace. Each of these formulas (not in priority order) is contained in a separate Article of this Part of the present Agreement; and may be further detailed in protocols annexed to it.

Article III Transformation of the RUF/SL Into a Political Party

Article IV Enabling Members of the RUF/SL to Hold Public Office

Article V Enabling the RUF/SL to Join a Broad-Based Government of National Unity Through Cabinet Appointment

Article VI Commission for the Consolidation of Peace

Article VII Commission for the Management of Strategic Resources, National Reconstruction and Development

Article VIII Council of Elders and Religious Leaders.

ARTICLE III

TRANSFORMATION OF THE RUF/SL INTO A POLITICAL PARTY

1. The 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. To that end:

2. Immediately upon the signing of the present Agreement, the RUF/SL shall commence to organize itself to function as a political movement, with the rights, privileges and duties accorded to all political parties in Sierra Leone. These include the freedom to publish, unhindered access to the media, freedom of association, freedom of expression, freedom of assembly, and the right to mobilize and associate freely.

3. Within a period of thirty days, following the signing of the present Agreement, the necessary legal steps shall be taken by the Government of Sierra Leone to enable the RUF/SL to register as a political party.

4. The Parties shall approach the International Community with a view to mobilizing 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;

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(ii) Training for RUF/SL membership in party organization and functions; and

(iii) Providing any other assistance necessary for achieving the goals of this section.

ARTICLE IV

ENABLING MEMBERS OF THE RUF/SL TO HOLD PUBLIC OFFICE

1. The Government of Sierra Leone shall take the necessary steps to enable those RUF/SL members nominated by the RUF/SL to hold public office, within the time-frames agreed and contained in the present Agreement for the integration of the various bodies named herein.

2. Accordingly, necessary legal steps shall be taken by the Government of Sierra Leone, within a period of fourteen days following the signing of the present Agreement, to amend relevant laws and regulations that may constitute an impediment or bar to RUF/SL and AFRC personnel holding public office.

3. Within seven days of the removal of any such legal impediments, both parties shall meet to discuss and agree on the appointment of RUF/SL members to positions in parastatals, diplomacy and any other public sector.

ARTICLE V

ENABLING THE RUF/SL TO JOIN A BROAD-BASED GOVERNMENT OF NATIONAL UNITY THROUGH CABINET APPOINTMENTS

1. The Government of Sierra Leone shall accord every opportunity to the RUF/SL to join a broad-based government of national unity through cabinet appointments. To that end:

2. The Chairmanship of the Board of the Commission for the Management of Strategic Resources, National Reconstruction and Development (CMRRD) as provided for in Article VII of the present Agreement shall be offered to the leader of the RUF/SL, Corporal Foday Sankoh. For this purpose he shall enjoy the status of Vice President and shall therefore be answerable only to the President of Sierra Leone.

3. The Government of Sierra Leone shall give ministerial positions to the RUF/SL in a moderately expanded cabinet of 18, bearing in mind that the interests of other political parties and civil society organizations should also be taken into account, as follows:

(i) One of the senior cabinet appointments such as finance, foreign affairs and justice;

(ii) Three other cabinet positions.

4. In addition, the Government of Sierra Leone shall, in the same spirit, make available to the RUF/SL the following senior government positions: Four posts of Deputy Minister.

5. Within a period of fourteen days following the signing of the present Agreement, the necessary steps shall be taken by the Government of Sierra Leone to remove any legal impediments that may prevent RUF/SL members from holding cabinet and other positions.

ARTICLE VI

COMMISSION FOR THE CONSOLIDATION OF PEACE

1. A Commission for the Consolidation of Peace (hereinafter termed the CCP), shall be established within two weeks of the signing of the present Agreement to implement a post-conflict programme that ensures reconciliation and the welfare of al parties to the conflict, especially the victims of war. The CCP shall have the overall goal and responsibility for supervising and monitoring the implementation of and compliance with the provisions of the present Agreement relative to the promotion of national reconciliation and the consolidation of peace.

2. The CCP shall ensure that all structures for national reconciliation and the consolidation of peace already in existence and those provided for in the present Agreement are operational and given the necessary resources for realizing their respective mandates. These structures shall comprise:

(i) the Commission for the Management of Strategic Resources, National Reconstruction and Development;

(ii) the Joint Monitoring Commission;

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(iii) the Provincial and District Cease-fire Monitoring Committees;

(iv) the Committee for the Release of Prisoners of War and Non-Combatants;

(v) the Committee for Humanitarian Assistance;

(vi) the National Commission on Disarmament, Demobilization and Reintegration;

(vii) the National Commission for Resettlement, Rehabilitation and Reconstruction;

(viii) the Human Rights Commission; and

(ix) the Truth and Reconciliation Commission.

3. The CCP shall have the right to inspect any activity or site connected with the implementation of the present Agreement.

4. The CCP shall have full powers to organize its work in any manner it deems appropriate and to appoint any group or sub-committee which it deems necessary in the discharge of its functions.

5. The Commission shall be composed of the following members:

(i) Two representatives of the civil society;

(ii) One representative each named by the Government, the RUF/SL and the Parliament.

6. The CCP shall have its own offices, adequate communication facilities and secretarial support staff.

7. Recommendations for improvements or modifications shall be made to the President of sierra Leone for appropriate action. Likewise, failures of the structures to perform their assigned duties shall also be brought to the attention of the President.

8. Disputes arising out of the preceding paragraph shall be brought to the Council of Elders and Religious Leaders for resolution, as specified in Article VIII of the present Agreement.

9. Should Protocols be needed in furtherance of any provision in the present Agreement, the CCP shall have the responsibility for their preparation.

10. The mandate of the CCP shall terminate at the end of the next general elections.

ARTICLE VII

COMMISSION FOR THE MANAGEMENT OF STRATEGIC RESOURCES,

NATIONAL RECONSTRUCTION AND DEVELOPMENT

1. Given the emergency situation facing the country, 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. Accordingly, a Commission for the Management of Strategic Resources, National Re construction and Development (hereinafter termed the CMRRD) shall be established and charged with the responsibility of securing and monitoring the legitimate exploitation of Sierra Leone's gold and diamonds, and other resources that are determined to be of strategic importance for national security and welfare as well as cater for post-war rehabilitation and reconstruction, as provided for under Article XXVIII of the present Agreement.

2. The Government shall take the necessary legal action within a period not exceeding two weeks from the signing of the present Agreement to the effect that all exploitation, sale, export, or any other transaction of gold and diamonds shall be forbidden except those sanctioned by the CMRRD. All previous concessions shall be null and void.

3. The CMRRD shall authorize licensing of artisanal production of diamonds and gold, in accordance with prevailing laws and regulations. All gold and diamonds extracted or otherwise sources from any Sierra Leonean territory shall be sold to the Government.

4. The CMRRD shall ensure, through the appropriate authorities, the security of the areas covered under this Article, and shall take all necessary measures against unauthorized exploitation.

5. For the export or local resale of gold and diamonds by the Government, the CMRRD shall authorize a buying and selling agreement with one or more reputable international and specialized mineral companies. All exports of Sierra Leonean gold and diamonds shall be transacted by the Government, under these agreements.

6. The proceeds from the transactions of gold and diamonds shall be public monies which shall enter a special Treasury account to be spent exclusively on the development of the people of Sierra Leone, with appropriations for public education, public health, infrastructural development, and compensation for incapacitated war victims as well as post-war rehabilitation and reconstruction. Priority spending shall go to rural areas.

7. The Government shall, if necessary, seek the assistance and cooperation of other governments and their instruments of law enforcement to detect and facilitate the prosecution of violations of this Article.

8. The management of other natural resources shall be reviewed by the CMRRD to determine if their regulation is a matter of national security and welfare, and recommend appropriate policy to the Government.

9. The functions of the Ministry of Mines shall continued to be carried out by the current authorized ministry. However, in respect of strategic mineral resources, the CMRRD shall be an autonomous body in carrying out its duties concerning the regulation of Sierra Leone's strategic natural resources.

10. All agreements and transactions referred to in this Article shall be subject to full public disclosure and records of all correspondence, negotiations, business transactions and any other matters related to exploitation, management, local or international marketing, and any other matter shall be public documents.

. The Commission shall issue monthly reports, including the details of all the transactions related to gold and diamonds, and other licenses or concessions of natural resources, and its own administrative costs.

12. The Commission shall be governed by a Board whose Chairmanship shall be offered to the Leader of the RUF/SL, Corporal Foday Sankoh. The Board shall also comprise:

(i) Two representatives of the Government appointed by the President;

(ii) Two representatives of the political party to be formed by the RUF/SL;

(iii) Three representatives of the civil society; and

(iv) Two representatives of other political parties appointed by Parliament.

13. The Government shall take the required administrative actions to implement the commitments made in the present Agreement; and in the case of enabling legislation, it shall draft and submit to Parliament within thirty days of the signature of the present Agreement, the relevant bills for their enactment into law.

14. The Government commits itself to propose and support an amendment to the Constitution to make the exploitation of gold and diamonds the legitimate domain of the people of Sierra Leone, and to determine that the proceeds be used for the development of Sierra Leone, particularly public education, public health, infrastructure development, and compensation of incapacitated war victims as well as post-war reconstruction and development.

ARTICLE VIII

COUNCIL OF ELDERS AND RELIGIOUS LEADERS

1. The signatories agree to refer any conflicting differences of interpretation of this Article or any other Article of the present Agreement or its protocols, to a Council of Elders and Religious Leaders comprised as follows:

(i) Two members appointed by the Inter-Religious Council;

(ii) One member each appointed by the Government and the RUF/SL; and

(iii) One member appointed by ECOWAS.

2. The Council shall designate its own chairperson from among its members. All of its decision shall be taken by the concurrence of at least four members, and shall be binding and public, provided that an aggrieved party may appea l to the Supreme Court.

PART THREE

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OTHER POLITICAL ISSUES

The Part of the present Agreement Consists of the following Articles

Article IX Pardon and Amnesty

Article X Review of the Present Constitution

Article XI Elections

Article XII National Electoral Commission

ARTICLE IX

PARDON AND AMNESTY

1. In order to bring lasting peace to Sierra Leone, the Government of Sierra Leone shall take appropriate legal steps to grant Corporal Foday Sankoh absolute and free pardon.

2. After the signing of the present Agreement, the Government of Sierra Leone shall 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.

3. To consolidate the peace and promote the cause of national reconciliation, the Government of Sierra Leone shall ensure that no official or judicial action is taken against any member of the RUF/SL, ex-AFRC, ex-SLA or CDF in respect of anything done by them in pursuit of their objectives as members of those organisations, since March 1991, up to the time of the signing of the present Agreement. In addition, legislative and other measures necessary to guarantee immunity to former combatants, exiles and other persons, currently outside the country for reasons related to the armed conflict shall be adopted ensuring the full exercise of their civil and political rights, with a view to their reintegration within a framework of full legality.

ARTICLE X

REVIEW OF THE PRESENT CONSTITUTION

In order to ensure that the Constitution of Sierra Leone represents the needs and aspirations of the people of Sierra Leone and that no constitutional or any other legal provision prevents the implementation of the present Agreement, the Government of Sierra Leone shall take the necessary steps to establish a Constitutional Review Committee to review the provisions of the present Constitution, and where deemed appropriate, recommend revisions and amendments, in accordance with Part V, Section 108 of the Constitution of 1991.

ARTICLE XI

DATE OF NEXT ELECTIONS

The next national elections in Sierra Leone shall beheld in accordance with the present Constitution of Sierra Leone.

ARTICLE XII

NATIONAL ELECTORAL COMMISSION

1. A new independent National Electoral Commission (hereinafter termed the NEC) shall be set up by the Government, not later than three months after the signing of the present Agreement.

2. In setting up the new NEC the President shall consult all political parties, including the RUF/SL, to determine the membership and terms

of reference of the Commission, paying particular attention to the need for a level playing field in the nation's elections.

3. No member of the NEC shall be eligible for appointment to political office by any government formed as a result of an election he or she was mandated to conduct.

4. The NEC shall request the assistance of the International Community, including the UN, the OAU, ECOWAS and the Commonwealth of Nations, in monitoring the next presidential and parliamentary elections in Sierra Leone.

PART FOUR

POST-CONFLICT MILITARY AND SECURITY ISSUES

1. The Government of Sierra Leone and the RUF/SL, recognizing that the maintenance of peace and security is of paramount importance for the achievement of lasting peace in Sierra Leone and for the welfare of its people, have agreed to the following formulas for dealing with post-conflict military and security matters. Each of these formulas (not in priority order) is contained in separate Articles of this Part of the present Agreement and may be further detailed in protocols annexed to the Agreement.

Article XIII Transformation and New Mandate of ECOMOG

Article XIV New Mandate of UNOMSIL

Article XV Security Guarantees for Peace Monitors

Article XVI Encampment, Disarmament, Demobilization and Reintegration

Article XVII Restructuring and Training of the Sierra Leone Armed Forces

Article XVIII Withdrawal of Mercenaries

Article XIX Notification to Joint Monitoring Commission

Article Notification to Military Commands.

ARTICLE XIII

TRANSFORMATION AND NEW MANDATE OF ECOMOG

1. Immediately upon the signing of the present Agreement, the parties shall request ECOWAS to revise the mandate of ECOMOG in Sierra Leone as follows:

(i) Peacekeeping;

(ii) Security of the State of Sierra Leone;

i. Protection of UNOMSIL.
i. Protection of Disarmament, Demobilisation and Reintegration personnel.

2. The Government shall, immediately upon the signing of the present Agreement, request ECOWAS for troop contributions from at least two additional countries. The additional contingents shall be deployed not later than 30 days from the date of signature of the present Agreement. The Security Council shall be requested to provide assistance in support of ECOMOG.

3. The Parties agree to develop a timetable for the phased withdrawal of ECOMOG, including measures for securing all of the territory of Sierra Leone by the restructured armed forces. The phased withdrawal of ECOMOG will be linked to the phased creation and deployment of the restructured armed forces.

ARTICLE XIV

NEW MANDATE OF UNOMSIL

1. The UN Security Council is requested to amend the mandate of UNOMSIL to enable it to undertake the various provisions outlined in the present Agreement.

ARTICLE XV

SECURITY GUARANTEES FOR PEACE MONITORS

1. The Government of Sierra Leone and the RUF/SL agree to guarantee the safety, security and freedom of movement of UNOMSIL Military Observers throughout Sierra Leone. This guarantee shall be monitored by the Joint Monitoring Commission.

2. The freedom of movement includes complete and unhindered access for UNOMSIL Military Observers in the conduct of their duties throughout Sierra Leone. Before and during the process of Disarmament, Demobilization and Reintegration, officers and escorts to be provided by both Parties shall be required to facilitate this access.

3. Such freedom of movement and security shall also be accorded to non-military UNOMSIL personnel such as Human Rights Officers in the conduct of their duties. These personnel shall, in most cases, be accompanied by UNOMSIL Military Observers.

4. The provision of security to be extended shall include United Nations aircraft, vehicles and other property.

ARTICLE XVI

ENCAMPMENT, DISARMAMENT, DEMOBILIZATION AND REINTEGRATION

1. A neutral peace keeping force comprising UNOMSIL and ECOMOG shall disarm all combatants of the RUF/SL, CDF, SLA and paramilitary groups. The encampment, disarmament and demobilization process shall commence within six weeks of the signing of the present Agreement in line with the deployment of the neutral peace keeping force.

2. The present SLA shall be restricted to the barracks and their arms in the armoury and their ammunitions in the magazines and placed under constant surveillance by the neutral peacekeeping force during the process of disarmament and demobilization.

3. UNOMSIL shall be present in all disarmament and demobilization locations to monitor the process and provide security guarantees to all ex-combatants.

4. Upon the signing of the present Agreement, the Government of Sierra Leone shall immediately request the International Community to assist with the provision of the necessary financial and technical resources needed for the adaptation and extension of the existing Encampment, Disarmament, Demobilization and Reintegration Programme in Sierra Leone, including payment of retirement benefits and other emoluments due to former members of the SLA.

ARTICLE XVII

RESTRUCTURING AND TRAINING OF THE SIERRA LEONE ARMED FORCES

1. The restructuring, composition and training of the new Sierra Leone armed forces will be carried out by the Government with a view to creating truly national armed forces, bearing loyalty solely to the State of Sierra Leone, and able and willing to perform their constitutional role.

2. Those ex-combatants of the RUF/SL, CDF and SLA who wish to be integrated into the new restructured national armed forces may do so provided they meet established criteria.

3. Recruitment into the armed forces shall reflect the geo-political structure of Sierra Leone within the established strength.

ARTICLE XVIII

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WITHDRAWAL OF MERCENARIES

All mercenaries, in any guise, shall be withdrawn from Sierra Leone immediately upon the signing of the present Agreement. Their withdrawal shall be supervised by the Joint Monitoring Commission.

ARTICLE XIX

NOTIFICATION TO JOINT MONITORING COMMISSION

Immediately upon the establishment of the JMC provided for in Article II of the present Agreement, each party shall furnish to the JMC information regarding the strength and locations of all combatants as well as the positions and descriptions of all known unexploded bombs (UXBs), explosive ordnance devices (EODs), minefields, booby traps, wire entanglements, and all other physical or military hazards. The JMC shall seek all necessary technical assistance in mine clearance and the disposal or destruction of similar devices and weapons under the operational control of the neutral peacekeeping force. The parties shall keep the JMC updated on changes in this information so that it can notify the public as needed, to prevent injuries.

ARTICLE XX

NOTIFICATION TO MILITARY COMMANDS

Each party shall ensure that the terms of the present Agreement, and written orders requiring compliance, are immediately communicated to all of its forces.

PART FIVE

HUMANITARIAN, HUMAN RIGHTS AND SOCIO-ECONOMIC ISSUES

1. The Government of Sierra Leone and the RUF\SL recognizing the importance of upholding, promoting and protecting the human rights of every Sierra Leonean as well as the enforcement of humanitarian law, agree to the following formulas for the achievement of these laudable objectives. Each of these formulas (not in priority order) is contained in separate Articles of this Part of the present Agreement

Article XXI Release of Prisoners and Abductees

Article XXII Refugees and Displaced Persons

Article XXIII Guarantee of the Security of Displaced Persons and Refugees

Article XXIV Guarantee and Promotion of Human Rights

Article XXV Human Rights Commission

Article XXVI Human Rights Violations

Article XXVII Humanitarian Relief

Article XXVIII Post War Rehabilitation and Reconstruction

Article XXIX Special Fund for War Victims

Article XXX Child Combatants

Article XXXI Education and Health

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ARTICLE XXI

RELEASE OF PRISONERS AND ABDUCTEES

All political prisoners of war as well as all non-combatants shall be released immediately and unconditionally by both parties, in accordance with the Statement of June 2, 1999, which is contained in Annex 3 and constitutes an integral part of the present Agreement.

ARTICLE XXII

REFUGEES AND DISPLACED PERSONS

The Parties through the National Commission for Resettlement, Rehabilitation and Reconstruction agree to seek funding from and the involvement of the UN and other agencies, including friendly countries, in order to design and implement a plan for voluntary repatriation and reintegration of Sierra Leonean refugees and internally displaced persons, including non-combatants, in conformity with international conventions, norms and practices.

ARTICLE XXIII

GUARANTEE OF THE SECURITY OF DISPLACED

PERSONS AND REFUGEES

As a reaffirmation of their commitment to the observation of the conventions and principles of human rights and the status of refugees, the Parties shall take effective and appropriate measures to ensure that the right of Sierra Leoneans to asylum is fully respected and that no camps or dwellings of refugees or displaced persons are violated.

ARTICLE XXIV

GUARANTEE AND PROMOTION OF HUMAN RIGHTS

1. The basic civil and political liberties recognized by the Sierra Leone legal system and contained in the declarations and principles of Human Rights adopted by the UN and OAU, especially the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, shall be fully protected and promoted within Sierra Leonean society.

These include the right to life and liberty, freedom from torture, the right to a fair trial, freedom of conscience, expression and association, and the right to take part in the governance of one's country.

ARTICLE XXV

HUMAN RIGHTS COMMISSION

1. The Parties pledge to strengthen the existing machinery for addressing grievances of the people in respect of alleged violations of their basic human rights by the creation, as a matter of urgency and not later than 90 days after the signing of the present Agreement, of an autonomous quasi-judicial national Human Rights Commission.

2. The Parties further pledge to promote Human Rights education throughout the various sectors of Sierra Leonean society, including the schools, the media, the police, the military and the religious community.

3. In pursuance of the above, technical and material assistance may be sought from the UN High Commissioner for Human Rights, the African Commission on Human and Peoples Rights and other relevant international organisations.

4. A consortium of local human rights and civil society groups in Sierra Leone shall be encouraged to help monitor human rights

observance.

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ARTICLE XXVI

HUMAN RIGHTS VIOLATIONS

1. A Truth and Reconciliation Commission shall be established to address impunity, break the cycle of violence, provide a forum for both the victims and perpetrators of human rights violations to tell their story, get a clear picture of the past in order to facilitate genuine healing and reconciliation.

2. In the spirit of national reconciliation, the Commission shall deal with the question of human rights violations since the beginning of the Sierra Leonean conflict in 1991.

This Commission shall, among other things, recommend measures to be taken for the rehabilitation of victims of human rights violations.

3. Membership of the Commission shall be drawn from a cross-section of Sierra Leonean society with the participation and some technical support of the International Community. This Commission shall be established within 90 days after the signing of the present Agreement and shall, not later than 12 months after the commencement of its work, submit its report to the Government for immediate implementation of its recommendations.

ARTICLE XXVII

HUMANITARIAN RELIEF

1. The Parties reaffirm their commitment to their Statement on the Delivery of Humanitarian Assistance in Sierra Leone of June 3, 1999 which is contained in Annex 4 and constitutes an integral part of the present Agreement. To this end, the Government shall request appropriate international humanitarian assistance for the people of Sierra Leone who are in need all over the country.

2. The Parties agree to guarantee safe and unhindered access by all humanitarian organizations throughout the country in order to facilitate delivery of humanitarian assistance, in accordance with international conventions, principles and norms which govern humanitarian operations. In this respect, the parties agree to guarantee the security of the presence and movement of humanitarian personnel.

3. The Parties also agree to guarantee the security of all properties and goods transported, stocked or distributed by humanitarian organizations, as well as the security of their projects and beneficiaries.

4. The Government shall set up at various levels throughout the country, the appropriate and effective administrative or security bodies which will monitor and facilitate the implementation of these guarantees of safety for the personnel, goods and areas of operation of the humanitarian organizations.

ARTICLE XXVIII

POST - WAR REHABILITATION AND RECONSTRUCTION

1. The Government, through the National Commission for Resettlement, Rehabilitation and Reconstruction and with the support of the International Community, shall provide appropriate financial and technical resources for post-war rehabilitation, reconstruction and development.

2. Given that women have been particularly victimized during the war, special attention shall be accorded to their needs and potentials in formulating and implementing national rehabilitation, reconstruction and development programmes, to enable them to play a central role in the moral, social and physical reconstruction of Sierra Leone.

ARTICLE XXIX

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SPECIAL FUND FOR WAR VICTIMS

The Government, with the support of the International Community, shall design and implement a programme for the rehabilitation of war victims. For this purpose, a special fund shall be set up.

ARTICLE XXX

CHILD COMBATANTS

The Government shall accord particular attention to the issue of child soldiers. It shall, accordingly, mobilize resources, both within the country and from the International Community, and especially through the Office of the UN Special Representative for Children in Armed Conflict, UNICEF and other agencies, to address the special needs of these children in the existing disarmament, demobilization and reintegration processes.

ARTICLE XXXI

EDUCATION AND HEALTH

The Government shall provide free compulsory education for the first nine years of schooling (Basic Education) and shall endeavour to provide free schooling for a further three years. The Government shall also endeavour to provide affordable primary health care throughout the country.

PART SIX

IMPLEMENTATION OF THE AGREEMENT

ARTICLE XXXII

JOINT IMPLEMENTATION COMMITTEE

A Joint Implementation Committee consisting of members of the Commission for the Consolidation of Peace (CCP) and the Committee of Seven on Sierra Leone, as well as the Moral Guarantors, provided for in Article XXXIV of the present Agreement and other international supporters shall be established. Under the chairmanship of ECOWAS, the Joint Implementation Committee shall be responsible for reviewing and assessing the state of implementation of the Agreement, and shall meet at least once every three months. Without prejudice to the functions of the Commission for

the Consolidation of Peace as provided for in Article VI, the Joint Implementation Committee shall make recommendations deemed necessary to ensure effective implementation of the present Agreement according to the Schedule of Implementation, which appears as Annex 5.

ARTICLE XXXIII

REQUEST FOR INTERNATIONAL INVOLVEMENT

The parties request that the provisions of the present Agreement affecting the United Nations shall enter into force upon the adoption by the UN Security Council of a resolution responding affirmatively to the request made in this Agreement. Likewise, the decision-making bodies of the other international organisations concerned are requested to take similar action, where appropriate.

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PART SEVEN

MORAL GUARANTORS AND INTERNATIONAL SUPPORT

ARTICLE XXXIV

MORAL GUARANTORS

The Government of the Togolese Republic, the United Nations, the OAU, ECOWAS and the Commonwealth of Nations shall stand as Moral Guarantors that this Peace Agreement is implemented with integrity and in good faith by both parties.

ARTICLE XXXV

INTERNATIONAL SUPPORT

Both parties call on the International Community to assist them in implementing the present Agreement with integrity and good faith. The international organisations mentioned in Article XXXIV and the Governments of Benin, Burkina Faso, Côte d'Ivoire, Ghana, Guinea, iberia, Libyan Arab Jamahiriya, Mali, Nigeria, Togo, the United Kingdom and the United States of America are facilitating and supporting the conclusion of this Agreement. These States and organisations believe that this Agreement must protect the paramount interests of the people of Sierra Leone in peace and security.

PART EIGHT

FINAL PROVISIONS

ARTICLE XXXVI

REGISTRATION AND PUBLICATION

The Sierra Leone Government shall register the signed Agreement not later than 15 days from the date of the signing of this Agreement. The signed Agreement shall also be published in the Sierra Leone Gazette not later than 48 (Forty - Eight) hours after the date of registration of this Agreement. This Agreement shall be laid before the Parliament of Sierra Leone not later than 21 (Twenty-One) days after the signing of this Agreement.

ARTICLE XXXVII

ENTRY INTO FORCE

The present Agreement shall enter into force immediately upon its signing by the Parties.

Done in Lomé this seven day of the month of July 1999 in twelve (12) original texts in English and French, each text being equally authentic.

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Alhaji Ahmad Tejan Kabbah
President of the Republic of Sierra Leone

Corporal Foday Saybana Sankoh
Leader of the Revolutionary United Front of Sierra Leone

His Excellency Gnassingbe Eyadema
President of the Togolese Republic
Chairman of ECOWAS

His Excellency Blaise Compaore
President of Burkina Faso

His Excellency Dahkpanah Dr. Charles Ghankey Taylor
President of the Republic of Liberia

His Excellency Olusegun Obasanjo
President and Commander-in-Chief of the Armed Forces
of the Federal Republic of Nigeria

His Excellency Youssoufou Bamba
Secretary of State at the Foreign Mission in charge of
International Cooperation of Cote d'Ivoire

His Excellency Victor Gbeho
Minister of Foreign Affairs of the Republic of Ghana

Mr. Roger Laloupo
Representative of the ECOWAS Special Representative

Ambassador Francis G. Okelo
Executive Secretary of the United Nations Secretary General

Ms. Adwoa Coleman
Representative Organization of African Unity

Dr. Moses K.Z. Anafu
Representative of the Commonwealth of Nations

ANNEX 1

**AGREEMENT ON CEASEFIRE
IN SIERRA LEONE**

President Ahmed Tejan KABBAH and Rev. Jesse Jackson met on 18 May 1999 with Corporal Foday Saybana SANKOH, under the auspices of President Gnassingbe EYADEMA. At that meeting, the question of the peace process for Sierra Leone was discussed.

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The Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL),

- Desirous to promote the ongoing dialogue process with a view to establishing durable peace and stability in Sierra Leone; and

- Wishing to create an appropriate atmosphere conducive to the holding of peace talks in Lome, which began with the RUF internal consultations to be followed by dialogue between the Government and the RUF;

- Have jointly decided to:

1. Agree to ceasefire as from 24 May 1999, the day that President EYADEMA invited Foreign Ministers of ECOWAS to discuss problems pertaining to Sierra Leone. It was further agreed that the dialogue between the Government of Sierra Leone and RUF would commence on 25 May 1999;

2. Maintain their present and respective positions in Sierra Leone as of the 24th of May 1999; and refrain from any hostile or aggressive act which could undermine the peace process;

3. Commit to start negotiations in good faith, involving all relevant parties in the discussions, not later than May 25 in Lome;

4. Guarantee safe and unhindered access by humanitarian organizations to all people in need; establish safe corridors for the provision of food and medical supplies to ECOMOG soldiers behind RUF lines, and to RUF combatants behind ECOMOG lines;

5. Immediate release of all prisoners of war and non-combatants;

6. Request the United Nations, subject to the Security Council's authorisation, to deploy military observers as soon as possible to observe compliance by the Government forces (ECOMOG and Civil Defence Forces) and the RUF, including former AFRC forces, with this ceasefire agreement.

This agreement is without prejudice to any other agreement or additional protocols which may be discussed during the dialogue between the Government and the RUF.

Signed in Lome (Togo) 18 May 1999, in six (6) originals in English and French

For the Government of Sierra Leone

ALHADJI Dr. Ahmad Tejan KABBAH
President Of The Republic Of Sierra Leone

For the Revolutionary United Front Of Sierra Leone

Corporal Foday Saybana Sankoh, Leader of the Revolutionary United Front (RUF)

WITNESSED BY:

For the Government of Togo and Current Chairman of ECOWAS

GNASSINGBE EYADEMA
President of the Republic of Togo

For the United Nations

Francis G. Okelo
Special Representative of the Secretary General

For the Organisation of African Unity (OAU)

Adwoa COLEMAN
Representative of the Organization of African Unity

US Presidential Special Envoy for the Promotion of Democracy in Africa

Rev. Jesse JACKSON

ANNEX 2

DEFINITION OF CEASE-FIRE VIOLATIONS

1. In accordance with Article II of the present Agreement, both parties agree that the following constitute cease-fire violations and a breach of the Cease-fire Agreement:

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a. The use of weapons of any kind in any circumstance including: -

(i) Automatic and semi-automatic rifles, pistols, machine guns and any other small arms weapon systems.

(ii) Heavy machine guns and any other heavy weapon systems.

(iii) Grenades and rocket-propelled grenade weapon systems.

(iv) Artillery, rockets, mortars and any other indirect fire weapon systems.

(v) All types of mine, explosive devices and improvised booby traps.

(vi) Air Defence weapon systems of any nature.

(vii) Any other weapon not included in the above paragraphs.

b. Troop movements of any nature outside of the areas recognized as being under the control of respective fighting forces without prior notification to the Cease-fire Monitoring Committee of any movements at least 48 hours in advance.

The movement of arms and ammunition. To be considered in the context of Security Council Resolution 1171 (1998).

d. Troop movements of any nature;

d. The construction and/or the improvement of defensive works and positions within respective areas of control, but outside a geographical boundary of 500m from existing similar positions.

f. Reconnaissance of any nature outside of respective areas of control.

g. Any other offensive or aggressive action.

2. Any training or other military activities not provided for in Articles XIII to XIX of the present Agreement, constitute a cease-fire violation.

3. In the event of a hostile external force threatening the territorial integrity or sovereignty of Sierra Leone, military action may be undertaken by the Sierra Leone Government.

ANNEX 3

STATEMENT BY THE GOVERNMENT OF SIERRA LEONE AND THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE ON THE RELEASE OF PRISONERS OF WAR AND NON-COMBATANTS

The Government of Sierra Leone (GOSL) and the Revolutionary United Front (RUF/SL) have agreed to implement as soon as possible the provision of the Cease-fire Agreement which was signed on 18 May 1999 in Lome, relating to the immediate release of prisoners of war and non-combatants.

Both sides reaffirmed the importance of the implementation of this provision in the interest of the furtherance of the talks.

They therefore decided that an appropriate Committee is established to handle the release of all prisoners of war and non-combatants.

Both the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone decided that such a Committee be established by the UN and chaired by the UN Chief Military Observer in Sierra Leone and comprising representatives of the International Committee of the Red Cross (ICRC), UNICEF and other relevant UN Agencies and NGOs.

This Committee should begin its work immediately by contacting both parties to the conflict with a view to effecting the immediate release

of these prisoners of war and non-combatants.

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Lomé - 2 June 1999

ANNEX 4

STATEMENT BY THE GOVERNMENT OF SIERRA LEONE AND THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE ON THE DELIVERY OF HUMANITARIAN ASSISTANCE IN SIERRA LEONE

The parties to the conflict in Sierra Leone meeting in Lome Togo on 3rd June 1999 in the context of the Dialogue between the Government of Sierra Leone (GSL) and the Revolutionary United Front of Sierra Leone (RUF/SL):

Reaffirm their respect for international convention, principles and norms, which govern the right of people to receive humanitarian assistance and the effective delivery of such assistance.

Reiterate their commitment to the implementation of the Cease-fire Agreement signed by the two parties on 18th May 1999 in Lome.

Aware of the fact that the protracted civil strife in Sierra Leone has created a situation whereby the vast majority of Sierra Leoneans in need of humanitarian assistance cannot be reached.

Hereby agree as follows:

1. That all duly registered humanitarian agencies shall be guaranteed safe and unhindered access to all areas under the control of the respective parties in order that humanitarian assistance can be delivered safely and effectively, in accordance with international conventions, principles and norms govern humanitarian operations.

2. In this respect the two parties shall:

a. guarantee safe access and facilitate the fielding of independent assessment missions by duly registered humanitarian agencies.

b. identify, in collaboration with the UN Humanitarian Co-ordinator in Sierra Leone and UNOMSIL, mutually agreed routes (road, air and waterways) by which humanitarian goods and personnel shall be transported to the beneficiaries to provide needed assistance.

c. allow duly registered humanitarian a gencies to deliver assistance according to needs established through independent assessments.

d. guarantee the security of all properties and of and goods transported, stocked or distributed by the duly registered humanitarian agencies, as well as the security of their project areas and beneficiaries.

3. The two parties undertake to establish with immediate effect, and not later than seven days, an Implementation Committee formed by appropriately designated and mandated representatives from the Government of Sierra Leone, the Revolutionary United Front of Sierra Leone, the Civil Society, the NGO community, and the UNOMSIL; and chaired by the United Nations Humanitarian Co-ordinator, in co-ordination with the Special Representative of the Secretary General in Sierra Leone.

The Implementation Committee will be mandated to:

a. Ascertain and assess the security of proposed routes to be used by the humanitarian agencies, and disseminate information on routes to interested humanitarian agencies.

b. Receive and review complaints which may arise in the implementation of this arrangement, in order to re-establish full compliance.

4. The parties agree to set up at various levels in their areas of control, the appropriate and effective administrative and security bodies which will monitor and facilitate the effective delivery of humanitarian assistance in all approved points of delivery, and ensure the security of the personnel, goods and project areas of the humanitarian agencies as well as the safety of the beneficiaries.

Issued in Lomé
June 3 1999

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ANNEX 5

DRAFT SCHEDULE OF IMPLEMENTATION OF THE PEACE AGREEMENT

1. ACTIVITIES WITH SPECIFIC TIMING:

TIMING	ACTIVITIES	ACTION REQUIRED	FOLLOW-UP ACTION
DAY 1	Signing of the Peace Agreement		
	Amnesty Transformation and new mandate of ECOMOG	The Government to grant absolute and free pardon to the RUF leader Foday Sankoh through appropriate legal steps Request to ECOWAS by the parties for revision of the mandate of ECOMOG in Sierra Leone Request to the UN Security Council to amend the mandate of UNOMSIL to enable it to undertake the various provisions outlined in the present Agreement; Request to the international community to provide substantial financial and logistical assistance to facilitate implementation of the Peace Agreement. Request to ECOWAS by the parties for contributions of additional troops.	
	Transformation of the RUF into a political party	RUF/SL to commence to organize itself to function as a political party	
	Encampment, disarmament, demobilization and reintegration (DDR)	Request for international assistance in adapting and extending the existing DDR programme	
	Withdrawal of mercenaries	Supervision by Joint Monitoring Commission	
	Notification to Joint Monitoring Commission	Communication by the parties of positions and description of all known warlike devices/materials	
	Notification to Military Commands	Communication by the parties of written orders requiring compliance	
DAY 15	Enabling members of the RUF/SL to hold public office, and to join a broad-based Government of National Unity through Cabinet appointments	Removal by the Government of all legal impediments	
	Commission for the Consolidation of Peace (CCP)	Creation of the Commission to implement a post-conflict reconciliation and welfare programme	Mandate of the Commission to terminate at the end of next general elections Jan.-Feb. 2001
	Commission for the Management of Strategic Resources, National Reconstruction and Development (CMRRD)	Ban on all exploitation, sale, export, or any transaction of gold and diamonds except those sanctioned by the CMRDD	
DAY 22	Enabling members of the RUF/SL to hold public office	Discussion and agreement between both parties on the appointment of RUF/SL members to positions of parastatal, diplomacy and any other public sector	For a period of fourteen days
DAY 31	Transformation of the RUF into a political party Commission for the management of Strategic Resources, National Reconstruction and Development (CMRRD) Transformation, new mandate, and phased withdrawal of ECOMOG	Necessary legal steps by the Government for the registration of the RUF as a political party Preparation and submission by Government to the Parliament of relevant bills for enabling legislation commitments made under the peace agreement Deployment of troops from at least two additional countries	
DAY 60	Completion of encampment, disarmament and demobilization	Restriction of SLA soldiers to the barracks and storage of their arms and ammunition under constant surveillance by the Neutral Peace-Keeping Force during the disarmament process Monitoring of disarmament and demobilization by UNOMSIL	
DAY 90	Human Rights Commission	Creation of an autonomous quasi judicial national Human Rights Commission Request for technical and material assistance from the UN High Commissioner for Human Rights, the African	

		Commission on Human Rights and Peoples Rights and other relevant organizations Creation of a Truth and Reconciliation Commission
	Elections	Establishment of a new independent National Electoral Commission (NEC) in consultation with all political parties including the RUF/SL Request for financial and logistical support for the operations of the NEC Request for assistance from the international community in monitoring the next presidential and parliamentary elections in Sierra Leone
DAY 456	Human Rights Violations	Submission by the Truth and Reconcillation Commission of its report and recommendation to the Government for immediate implementation

II. ACTIVITIES WITHOUT SPECIFIC TIMING: (SHORT/MEDIUM/LONG TERM):

SERIAL NO.	ACTIVITIES	ACTION REQUIRED	FOLLOW-UP ACTION
1.	Ceasefire monitoring (Ceasefire Agreement signed on 18 May 1999)	Establishment of a Ceasefire Monitoring Committee at provincial and district levels Request for international assistance in providing funds and other logistics for the operations of the JMC	JMC already established and operational
2.	Review of the present Constitution	Establishment of a Constitutional Review Committee	
3.	Mediation by the Council of Elders and Religious Leaders	Appointment of members of the Council by the Interreligious Council, the Government, the RUF and ECOWAS	
4.	Timetable for the phased withdrawal of ECOMOG	Formulation of the timetable in connection with the phased creation and deployment of the restructured Armed Forces	
5.	Security guarantees for peace monitors	Communication, in writing, of security guarantees to UNMILOBs	
6.	Restructuring and training of the SLA	Creation by the Government of truly national armed forces reflecting the geo-political structure of Sierra Leone within the established	

FACT 25

The *Lomé Peace Agreement* committed the parties to promoting full respect for human rights and humanitarian law.

a.	Exh. 1.016	ERN 00004349-00004369	Lomé Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL), 7 July 1999, at ERN 00004349.

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PEACE AGREEMENT BETWEEN THE GOVERNMENT OF SIERRA LEONE AND THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE

6 of 71

00004349

THE GOVERNMENT OF THE REPUBLIC OF SIERRA LEONE and THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE (RUF/SL)

Having met in Lome, Togo, from the 25 May 1999, to 7 July 1999 under the auspices of the Current Chairman of ECOWAS, President Gnassingbe Eyadema;

Recalling earlier initiatives undertaken by the countries of the sub-region and the International Community, aimed at bringing about a negotiated settlement of the conflict in Sierra Leone, and culminating in the Abidjan Peace Agreement of 30 November, 1996 and the ECOWAS Peace Plan of 23 October, 1997;

Moved by the imperative need to meet the desire of the people of Sierra Leone for a definitive settlement of the fratricidal war in their country and for genuine national unity and reconciliation;

Committed to promoting full respect for human rights and humanitarian law;

Committed to promoting popular participation in the governance of the country and the advancement of democracy in a socio-political framework free of inequality, nepotism and corruption;

Concerned with the socio-economic well being of all the people of Sierra Leone;

Determined to foster mutual trust and confidence between themselves;

Determined to establish sustainable peace and security; to pledge forthwith, to settle all past, present and future differences and grievances by peaceful means; and to refrain from the threat and use of armed force to bring about any change in Sierra Leone;

Reaffirming the conviction that sovereignty belongs to the people, and that Government derives all its powers, authority and legitimacy from the people;

Recognising the imperative that the children of Sierra Leone, especially those affected by armed conflict, in view of their vulnerability, are entitled to special care and the protection of their inherent right to life, survival and development, in accordance with the provisions of the International Convention on the Rights of the Child;

Guided by the Declaration in the Final Communiqué of the Meeting in Lome of the Ministers of Foreign Affairs of ECOWAS of 25 May 1999, in which they stressed the importance of democracy as a factor of regional peace and security, and as essential to the socio-economic development of ECOWAS Member States; and in which they pledged their commitment to the consolidation of democracy and respect of human rights while reaffirming the need for all Member States to consolidate their democratic base, observe the principles of good governance and good economic management in order to ensure the emergence and development of a democratic culture which takes into account the interests of the peoples of West Africa;

Recommitting themselves to the total observance and compliance with the Cease-fire Agreement signed in Lome on 18 May 1999, and appended as Annex 1 until the signing of the present Peace Agreement;

HEREBY AGREE AS FOLLOWS:

PART ONE

CESSATION OF HOSTILITIES

ARTICLE 1

CEASE-FIRE

The armed conflict between the Government of Sierra Leone and the RUF/SL is hereby ended with immediate effect. Accordingly, the two sides shall ensure that a total and permanent cessation of hostilities is observed forthwith.

FACT 26

The *Lomé Peace Agreement* recognized the imperative that children of Sierra Leone were entitled to special care and the protection of their inherent right to life, survival and development.

a.	Exh. 1.016	ERN 00004349-00004369	Lomé Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL), 7 July 1999, at ERN 00004349.

PEACE AGREEMENT BETWEEN THE GOVERNMENT OF SIERRA LEONE AND THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE

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00004349

THE GOVERNMENT OF THE REPUBLIC OF SIERRA LEONE and THE REVOLUTIONARY UNITED FRONT OF SIERRA LEONE (RUF/SL)

Having met in Lome, Togo, from the 25 May 1999, to 7 July 1999 under the auspices of the Current Chairman of ECOWAS, President Gnassingbe Eyadema;

Recalling earlier initiatives undertaken by the countries of the sub-region and the International Community, aimed at bringing about a negotiated settlement of the conflict in Sierra Leone, and culminating in the Abidjan Peace Agreement of 30 November, 1996 and the ECOWAS Peace Plan of 23 October, 1997;

Moved by the imperative need to meet the desire of the people of Sierra Leone for a definitive settlement of the fratricidal war in their country and for genuine national unity and reconciliation;

Committed to promoting full respect for human rights and humanitarian law;

Committed to promoting popular participation in the governance of the country and the advancement of democracy in a socio-political framework free of inequality, nepotism and corruption;

Concerned with the socio-economic well being of all the people of Sierra Leone;

Determined to foster mutual trust and confidence between themselves;

Determined to establish sustainable peace and security; to pledge forthwith, to settle all past, present and future differences and grievances by peaceful means; and to refrain from the threat and use of armed force to bring about any change in Sierra Leone;

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Guided by the Declaration in the Final Communiqué of the Meeting in Lome of the Ministers of Foreign Affairs of ECOWAS of 25 May 1999, in which they stressed the importance of democracy as a factor of regional peace and security, and as essential to the socio-economic development of ECOWAS Member States; and in which they pledged their commitment to the consolidation of democracy and respect of human rights while reaffirming the need for all Member States to consolidate their democratic base, observe the principles of good governance and good economic management in order to ensure the emergence and development of a democratic culture which takes into account the interests of the peoples of West Africa;

Recommitting themselves to the total observance and compliance with the Cease-fire Agreement signed in Lome on 18 May 1999, and appended as Annex 1 until the signing of the present Peace Agreement;

HEREBY AGREE AS FOLLOWS:

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CESSATION OF HOSTILITIES

ARTICLE 1

CEASE-FIRE

The armed conflict between the Government of Sierra Leone and the RUF/SL is hereby ended with immediate effect. Accordingly, the two sides shall ensure that a total and permanent cessation of hostilities is observed forthwith.

FACT 27

Part Five of the *Lomé Peace Agreement* recognized the importance of upholding, promoting and protecting the human rights of every Sierra Leonean, as well as the enforcement of humanitarian law.

a.	Exh. 1.016	ERN 00004349-00004369	Lomé Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL), 7 July 1999, at Part Five, Para. 1, ERN 00004357.

WITHDRAWAL OF MERCENARIES

All mercenaries, in any guise, shall be withdrawn from Sierra Leone immediately upon the signing of the present Agreement. Their withdrawal shall be supervised by the Joint Monitoring Commission.

ARTICLE XIX

NOTIFICATION TO JOINT MONITORING COMMISSION

Immediately upon the establishment of the JMC provided for in Article II of the present Agreement, each party shall furnish to the JMC information regarding the strength and locations of all combatants as well as the positions and descriptions of all known unexploded bombs (UXBs), explosive ordnance devices (EODs), minefields, booby traps, wire entanglements, and all other physical or military hazards. The JMC shall seek all necessary technical assistance in mine clearance and the disposal or destruction of similar devices and weapons under the operational control of the neutral peacekeeping force. The parties shall keep the JMC updated on changes in this information so that it can notify the public as needed, to prevent injuries.

ARTICLE XX

NOTIFICATION TO MILITARY COMMANDS

Each party shall ensure that the terms of the present Agreement, and written orders requiring compliance, are immediately communicated to all of its forces.

PART FIVE

HUMANITARIAN, HUMAN RIGHTS AND SOCIO-ECONOMIC ISSUES

1. The Government of Sierra Leone and the RUF\SL recognizing the importance of upholding, promoting and protecting the human rights of every Sierra Leonean as well as the enforcement of humanitarian law, agree to the following formulas for the achievement of these laudable objectives. Each of these formulas (not in priority order) is contained in separate Articles of this Part of the present Agreement

Article XXI Release of Prisoners and Abductees

Article XXII Refugees and Displaced Persons

Article XXIII Guarantee of the Security of Displaced Persons and Refugees

Article XXIV Guarantee and Promotion of Human Rights

Article XXV Human Rights Commission

Article XXVI Human Rights Violations

Article XXVII Humanitarian Relief

Article XXVIII Post War Rehabilitation and Reconstruction

Article XXIX Special Fund for War Victims

Article XXX Child Combatants

Article XXXI Education and Health

FACT 28

Article XXIV of the *Lomé Peace Agreement* guaranteed the protection and promotion of human rights.

a.	Exh. 1.016	ERN 00004349-00004369	Lomé Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL), 7 July 1999, at Part Five, Art. XXIV, ERN 00004358.

6477

ARTICLE XXI

RELEASE OF PRISONERS AND ABDUCTEES

All political prisoners of war as well as all non-combatants shall be released immediately and unconditionally by both parties, in accordance with the Statement of June 2, 1999, which is contained in Annex 3 and constitutes an integral part of the present Agreement.

ARTICLE XXII

REFUGEES AND DISPLACED PERSONS

The Parties through the National Commission for Resettlement, Rehabilitation and Reconstruction agree to seek funding from and the involvement of the UN and other agencies, including friendly countries, in order to design and implement a plan for voluntary repatriation and reintegration of Sierra Leonean refugees and internally displaced persons, including non-combatants, in conformity with international conventions, norms and practices.

ARTICLE XXIII

GUARANTEE OF THE SECURITY OF DISPLACED

PERSONS AND REFUGEES

As a reaffirmation of their commitment to the observation of the conventions and principles of human rights and the status of refugees, the Parties shall take effective and appropriate measures to ensure that the right of Sierra Leoneans to asylum is fully respected and that no camps or dwellings of refugees or displaced persons are violated.

ARTICLE XXIV

GUARANTEE AND PROMOTION OF HUMAN RIGHTS

1. The basic civil and political liberties recognized by the Sierra Leone legal system and contained in the declarations and principles of Human Rights adopted by the UN and OAU, especially the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, shall be fully protected and promoted within Sierra Leonean society.

These include the right to life and liberty, freedom from torture, the right to a fair trial, freedom of conscience, expression and association, and the right to take part in the governance of one's country.

ARTICLE XXV

HUMAN RIGHTS COMMISSION

1. The Parties pledge to strengthen the existing machinery for addressing grievances of the people in respect of alleged violations of their basic human rights by the creation, as a matter of urgency and not later than 90 days after the signing of the present Agreement, of an autonomous quasi-judicial national Human Rights Commission.

2. The Parties further pledge to promote Human Rights education throughout the various sectors of Sierra Leonean society, including the schools, the media, the police, the military and the religious community.

3. In pursuance of the above, technical and material assistance may be sought from the UN High Commissioner for Human Rights, the African Commission on Human and Peoples Rights and other relevant international organisations.

4. A consortium of local human rights and civil society groups in Sierra Leone shall be encouraged to help monitor human rights

6478

FACT 29

On 10 November 2000, the Government of Sierra Leone and the RUF signed a Ceasefire Agreement in Abuja, Nigeria, to declare and observe a ceasefire and halt hostilities, effective from 10 November 2000.

a.	Exh. 1.017	ERN 00004370-00004370	Ceasefire Agreement Between the Government of Sierra Leone and the RUF, 10 November 2000. Available at http://www.sierra-leone.org/ceasefire1100.html.

00004370

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 Lome 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 Lome 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 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 Lome Peace Agreement.

Done at Abuja this 10th Day of November, 2000

6490

FACT 30

In 1975, 15 West African States signed the treaty creating an Economic Community of West African States (ECOWAS).

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), pp. 1-2, at http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf

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PROFILE:
ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS)

1. CONTACT DETAILS:

✉: Secretariat Building
60 Yakubu Gowon Crescent
Asokoro
Abuja
Nigeria

☎: (9) 314 7647

Fax: (9) 314 3005

www.ecowas.int

2. MEMBER STATES:

Benin	Guinea	Niger
Burkina Faso	Guinea-Bissau	Nigeria
Cape Verde	Liberia	Senegal
Côte d'Ivoire	Mali	Sierra Leone
The Gambia	Mauritania	Togo
Ghana		

In December 1999, Mauritania announced that it would withdraw from ECOWAS as a result of its disagreement with some of the decisions taken at the Summit.

3. HISTORY AND BACKGROUND:

The idea for a West African community goes back to President William Tubman of Liberia, who made the call in 1964. An agreement was signed between Côte d'Ivoire,

Guinea, Liberia and Sierra Leone in February 1965, but this came to nothing. In April 1972, General Gowon of Nigeria and General Eyadema of Togo re-launched the idea, drew up proposals and toured 12 countries, soliciting their plan from July to August 1973. A meeting was then called at Lomé from 10-15 December 1973, which studied a draft treaty. This was further examined at a meeting of experts and jurists in Accra in January 1974 and by a ministerial meeting in Monrovia in January 1975. Finally, 15 West African countries signed the treaty for an Economic Community of West African States (Treaty of Lagos) on 28 May 1975. The protocols launching ECOWAS were signed in Lomé, Togo on 5 November 1976.

In July 1993, a revised ECOWAS Treaty designed to accelerate economic integration and to increase political co-operation, was signed.

ECOWAS has been designated one of the five regional pillars of the African Economic Community (AEC). Together with COMESA, ECCAS, IGAD and SADC, ECOWAS signed the Protocol on Relations between the AEC and RECs in February 1998.

4. OBJECTIVES

ECOWAS aims to promote co-operation and integration in economic, social and cultural activity, ultimately leading to the establishment of an economic and monetary union through the total integration of the national economies of member states. It also aims to raise the living standards of its peoples, maintain and enhance economic stability, foster relations among member states and contribute to the progress and development of the African Continent. ECOWAS integration policies and programmes are influenced by the prevailing economic conditions in its member countries, the need to take the principal provisions of the AEC Treaty into account, and relevant developments on the international scene.

The revised treaty of 1993, which was to extend economic and political co-operation among member states, designates the achievement of a common market and a single currency as economic objectives, while in the political sphere it provides for a West African parliament, an economic and social council and an ECOWAS court of justice to replace the existing Tribunal and enforce Community decisions. The treaty also formally assigned the Community with the responsibility of preventing and settling regional conflicts.

5. STRUCTURE

The Community consists of the Authority of Heads of State and Government, the Council of Ministers, the Community Tribunal, the ECOWAS Parliament, the Executive Secretariat and six Specialised Commissions.

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5. STRUCTURE

The Community consists of the Authority of Heads of State and Government, the Council of Ministers, the Community Tribunal, the ECOWAS Parliament, the Executive Secretariat and six Specialised Commissions.

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5.1 Conference of Heads of State and Government

The Authority of Heads of State and Government of Member States is the supreme institution of the Community and is composed of Heads of State and/or Government of Member States. The Authority is responsible for the general direction and control of the Community and take all measures to ensure its progressive development and the realization of its objectives.

The Authority :

- determines the general policy and major guidelines of the Community, gives directives,
- harmonizes and co-ordinates the economic, scientific, technical, cultural and social policies of Member States;
- oversees the functioning of Community institutions and follow-up implementation of Community objectives;
- prepares and adopts its Rules of Procedure;
- appoints the Executive Secretary in accordance with the provisions of the Treaty;
- appoints on the recommendation of Council, the External Auditors;
- delegates to the Council, where necessary, the authority to take such decisions as stipulated in the Treaty;
- refers where it deems necessary any matter to the Community Court of Justice when it confirms, that a Member State or institution of the Community has failed to honour any of its obligations or an institution of the Community has acted beyond the limits of its authority or has abused the powers conferred on it by the provisions of the Treaty, by a decision of the Authority or a regulation of the Council;
- requests the Community Court of Justice as, and when necessary, to give advisory opinion on any legal questions; and
- exercises any other powers conferred on it under the Treaty.

The Authority meets at least once a year in ordinary session. An extraordinary session may be convened by the Chairman of the Authority or at the request of a Member State provided that such a request is supported by a simple majority of the Member States. The office of the Chairman is held every year by a Member State elected by the Authority.

5.2 Council of Ministers

The Council comprises the Minister in charge of ECOWAS Affairs and any other Minister of each Member State. Council is responsible for the functioning and development of the Community. To this end, unless otherwise provided in the Treaty or a Protocol, Council shall:

- make recommendations to the Authority on any action aimed at attaining the objectives of the Community;
- appoint all statutory appointees other than the Executive Secretary;
- by the powers delegated to it by the Authority, issue directives on matters concerning coordination and harmonization of economic integration policies;
- make recommendations to the Authority on the appointment of the External Auditors;
- prepare and adopt its rules of procedure;
- adopt the Staff Regulations and approve the organizational structure of the institutions of the Community;
- approve the work programmes and budgets of the Community and its institutions;
- request the Community Court of Justice, where necessary, to give advisory opinion on any legal questions;
- carry out all other functions assigned to it. under this Treaty and exercise all powers delegated to if by the Authority.

The Council meets at least twice a year in ordinary session. One of such sessions shall immediately precede the ordinary session of the Authority. An extraordinary session may be convened by the Chairman of Council or at the request of a Member State provided that such request is supported by a simple majority of the Member States. The office of Chairman of Council is held by the Minister responsible for ECOWAS Affairs of the Member State elected as Chairman of the Authority.

5.3 Tribunal

The treaty of provides for a Community Tribunal, whose composition and competence are determined by the Conference of Heads of State and Government. The Tribunal interprets the provisions of the treaty and settles disputes between member states that are referred to it.

5.4 Executive Secretariat

The Executive Secretary is elected for a four-year term, which may be renewed once only. ECOWAS is undergoing a process of reform, which has seen the post of financial controller being scrapped, while two positions of deputy executive secretaries have been created for economic co-operation and policy harmonisation respectively. The restructuring of the Executive Secretariat was approved at the summit in December 1999.

Executive Secretary: Dr Mohammed Ibn Chambas.

5.5 Mechanism for Conflict Prevention, Management and Resolution, Peace and Security

The ECOWAS Summit of December 1999 agreed on a Protocol for the Establishment of a Mechanism for Conflict Prevention, Management and Resolution, Peace and Security.

The Mechanism has a Council of Elders, as well as a Security and Mediation Council. The ten members of the latter are the Foreign Ministers of the following states:

Benin	Cote d'Ivoire
The Gambia	Ghana
Guinea	Liberia
Mali (Chair)	Nigeria
Senegal	Togo

5.6 Specialised Commissions

The following Technical Commissions are established within the Economic Community Of West African States :

* Food and Agriculture;
* Industry, Science and Technology and Energy;
* Environment and Natural Resources;
* Transport, Communications and Tourism;
* Trade, Customs, Taxation, Statistics, Money and Payments
* Political, Judicial and Legal Affairs, Regional Security and Immigration;
* Human Resources, Information, Social and Cultural Affairs; and
* Administration and Finance Commission.

The Authority may, whenever it deems appropriate, restructure the existing Commissions or establish new Commissions. Each commission shall comprise representatives of each Member State. Each Commission may, as it deems necessary, set up subsidiary commissions to assist it in carrying out its work. It shall determine the composition of any such subsidiary commission.

5.7 Community Court of Justice

In October 1999, ECOWAS decided to establish a Court of Justice following a two-day meeting of Justice Ministers in Abuja. The court will address complaints from member states and institutions of ECOWAS, as well as issues relating to defaulting nations. The court has a president, chief registrar and seven judges and is a permanent institution. Draft rules of procedure for the Court are being finalised.

5.8 ECOWAS Parliament

The ECOWAS Parliament convened in May 2002, with 115 MPs representing all the member states except Cote d'Ivoire. Togo, Liberia, Cape Verde, Guinea Conakry, Guinea Bissau, Republic of Benin, the Gambia and Sierra Leone have 5 Parliamentarians each; Burkina Faso, Mali, Niger and Senegal have 6 Parliamentarians each; Cote d'Ivoire is entitled to 7 representatives; Ghana has 8 and Nigeria has 35. Membership is constituted

from the membership of the national parliaments of each member state. Should the member lose his or her seat in the national parliament, they would lose their seats in the regional parliament. The ECOWAS Parliament is situated in Abuja, Nigeria and at present only acts in a consultative and advisory capacity. Speaker of the ECOWAS Parliament, Professor Ali Nouhoum Diallo, has expressed the intention of the Parliament to acquire legislative powers in the future, as well as to institute directly elected representatives.

6. PEACE AND SECURITY-RELATED ACTIVITIES

Because of distressing events in several of its Member States, ECOWAS soon realised that the case of economic development and progress can only be pursued in an environment of peace and stability. It found that it had to involve itself in conflicts in Member States to ensure that an environment conducive to the implementation of its economic programmes was maintained.

Meeting in Lagos on 22 April 1978, ECOWAS Member States had earlier adopted a Protocol Relating to Non-Aggression (PNA) which enjoined Member States to " ... refrain from the threat and use of force or aggression" against one another. Article 5(2) of the PNA stated that "Any dispute which cannot be settled peacefully among Member States shall be referred to a Committee of the Authority. In the event of failure of settlement by the ... Committee the dispute shall finally go to the Authority [i.e. Heads of State]."

A subsequent Protocol Relating to Mutual Assistance on Defence (PMAD) was signed in Freetown, Sierra Leone on 29 May 1981 and became effective five years later. PMAD committed the ECOWAS member states to a collective defence treaty by accepting that armed threat or aggression against one constituted a threat or aggression against the Community and resolved to give mutual aid and assistance for defence. The Protocol provides for a collective response where a member state is a victim of internal armed conflict that is engineered and supported actively from outside, and which is likely to endanger the peace and security of other member states. Both these Protocols have been subsumed as part of the new ECOWAS Mechanism.

During the 1990s ECOWAS activities have increasingly been dominated by its efforts to secure peace in Liberia, in particular through the involvement of ECOMOG (ECOWAS Cease-Fire Monitoring Group) which was dispatched to Liberia in August 1991. The ECOWAS regional mechanism for conflict resolution provides a framework for regional intervention in political crises in member states with ECOMOG as the adopted regional intervention force.

Subsequent security-related agreements include the ECOWAS Conventions on Mutual Assistance in Criminal Matters and on Extradition signed in Dakar on 29 July 1992 and in Abuja on 6 August 1994, the Declaration on the Moratorium on the Importation, Exportation and Manufacture of Light Weapons, adopted by the ECOWAS Heads of

State in Abuja on 30-31 October 1998 and the Programme for the Co-ordination of Assistance for Security and Development (PCASED), held in Bamako on 24 March 1999. Meeting in Abuja on 9 July 2001, ECOWAS heads of state and government extended the moratorium for another 3 years.

The ECOWAS Declaration of Political Principles in 1991 set out member states' commitment to uphold human rights, democracy and the rule of law. This was taken further in December 2001, with declarations on Child Rights and Human Trafficking, and most importantly, the Protocol on Democracy and Good Governance, which addresses root causes of conflict, such as corruption and instability. This is a supplementary protocol to the Protocol on the Mechanism for Conflict Prevention, Management and Resolution, Peace and Security, and deals with issues such as free, fair elections, civilian control of the military and unconstitutional changes of government.

Plans for the establishment of a regional criminal investigation and intelligence bureau were considered at meetings of the ECOWAS Police Chiefs on 23 September 2002 and the Interior Ministers on 26 September 2002 as part of efforts to combat cross-border criminal activities.

6.1 ECOMOG

ECOWAS Monitoring Group (ECOMOG) operations started in Liberia to prevent the overthrow of the unpopular government of President Samuel Doe by the National Patriotic Front of Liberia (NPFL) led by Charles Taylor. Doe called on the Community for help. His request would eventually split the Community when the Anglophone countries, led by Nigeria, decided to assist, while the Francophone countries largely opposed the military intervention.

The intervention force that landed in Liberia on 24 August 1990 consisted of troops contributed by Nigeria, Ghana, Guinea, Sierra Leone and The Gambia. Successive fighting, looting and killing was temporarily halted by a number of short-lived peace accords until the fourteenth peace accord was signed in Abuja in August 1996. ECOMOG oversaw the subsequent elections on 19 July 1997 that swept Taylor to power in a landslide victory. The Group departed in February 1998, having earned grudging respect for its role in the latter years.

The barbarity and cruelty seen in the NPFL operations in Liberia were mirrored in those of the Revolutionary United Front (RUF) under Foday Sankoh in neighbouring Sierra Leone from Liberia. RUF operations started in March 1991. In 1994 the Sierra Leonean and Nigerian governments signed a defence pact and ECOWAS soon extended the mandate of ECOMOG in Liberia to include Sierra Leone, and moved its headquarters from Monrovia to Freetown. A cease-fire between the government and the RUF eventually came into effect on 24 May 1998, followed by negotiations and a peace deal on 7 July 1999. ECOMOG would eventually reinforce its troops to almost 15 000 before the United Nations Assistance Mission in Sierra Leone (UNAMSIL), start taking over in accordance with the Lomé Accords.

ECOMOG has played a lesser role in Guinea-Bissau where President Vieira called on ECOMOG to intervene and help put down the rebellion in his country in 1998 led by the former Chief of Staff of the Armed Forces, Brigadier Ansumane Mané. The first cease-fire of 26 July 1998 would eventually lead to a peace agreement signed on 1 November in Abuja that called for a 600 man ECOMOG force to police the withdrawal of Guinean and Senegalese soldiers and elections.

The ECOWAS Foreign Ministers recommended, on 3 March 1998 in Yamoussoukro, Côte d'Ivoire, that ECOMOG formally become responsible for peacekeeping operations in West Africa and sought to provide a clearer command chain in the light of the often complex relationship between ECOMOG and ECOWAS. The Yamoussoukro decision reflected not only the reality of ECOMOG but served to recognise the dominant role of Nigeria although the decision provided for the broadening of the troop contributions and a rotating Force Commander, as opposed to predominantly Nigerian commanders. Although Nigeria has carried the lion's share of ECOMOG, with a civilian government in power since the end of May 1999, Nigerian President Obasanjo has made it clear that Nigeria could not continue to do so in future.

The ECOWAS Defence and Security Commission meeting in Abidjan from 14-18 August 2002 approved a harmonised training programme for ECOMOG stand-by units, in three training schools in the region. The three schools are: the Peacekeeping School in Zambakro, Cote d'Ivoire, the Kofi Annan International Training Centre in Accra, Ghana, and the National War College in Abuja, Nigeria. They would respectively handle tactical, operational and strategic training programmes. It would become compulsory for each member state to have standby units, to be inspected regularly by the Commission. Plans are also underway to set up two military bases for the storage of common user equipment and other items recovered from past operations. These bases would be established in one coastal country and one landlocked country in the region. Proposals for the financing of ECOMOG peacekeeping deployments include a 0.5% levy on import duties collected in the ECOWAS region.

Since September 2002, a military rebellion in Cote d'Ivoire has drawn ECOWAS into peacekeeping duties in that country. A meeting of the Mediation and Security Council of the ECOWAS Mechanism for Conflict Prevention, Management, Resolution and Security met on 26 October and agreed to the deployment of some 2,396 West African troops to monitor a ceasefire signed on 17 October. So far, Benin, Ghana, Guinea-Bissau, Mali, Niger, Ghana, Nigeria, Senegal, Togo and The Gambia have pledged troops to the force.

6.2 The ECOWAS Mechanism for Conflict Prevention, Management, Resolution and Security

In July 1991, while endorsing the ECOWAS Revised Treaty, the Authority of Heads of State and Government adopted a declaration of political principle to promote mutual collaboration in defence and security issues. A subsequent extraordinary ECOWAS summit in December 1997 in Togo established a Mechanism for Conflict Prevention,

Management, Resolution and Security. This was followed by the Yamoussoukro meeting of Ministers of Defence, Interior and Foreign Affairs during March 1998, and the ministerial and experts meeting in Banjul during July 1998. The document was finally accepted and endorsed by the ECOWAS Authority of Heads of State and Government at the Abuja summit in August 1999 and sought to institutionalise structures and processes that would ensure consultation and collective management of regional security issues. In the process the Protocol effectively replaced the ECOWAS Protocols Relating to Non-Aggression (PNA) and Mutual Assistance on Defence (PMAD).

The Heads of State and Government of Member States, 'the Authority' is the highest decision-making body of the Mechanism but, without prejudice, has delegated it powers in terms of Article 7 of the Treaty to the Mediation and Security Council – an innovative approach yet to be copied by other sub-regions. The Mediation and Security Council serves as the equivalent to the UN Security Council at sub-regional level and meets at ambassadorial, ministerial and at Head of State level. Acting on behalf of the Authority of Heads of State it takes decisions on all issues relating to peace and security of the sub-region.

(a) The Committee of Ambassadors of the nine elected Member States of the Council meet each month to review issues of peace and security.

(b) The Committee of Ministers of Foreign Affairs, Defence, Internal Affairs and Security meets at least every 3 months "... to review the general political and security situation in the sub-region."

(c) The nine-member Heads of State of the ECOWAS Mediation and Security Council meets at least twice a year and has the authority to make final decisions on the appropriate measures, policies and mandates to be taken with regard to situations under consideration with a two-thirds majority vote of the Members present.

The Council can authorise all forms of intervention, including the decision to deploy political and military missions, inform the UN and the OAU of its decisions, provide and review mandates and terms of reference, appoint force commanders, etc. The Council can therefore, amongst others appoint a Special Representative as Chief of a Mission, appoint a force commander and deploy ECOMOG. Other components of the Mechanism include the Defence and Security Commission, Executive Secretary, Council of Elders and ECOMOG.

The Executive Secretary has the power to initiate fact finding, mediation, facilitation, negotiations and reconciliation actions in the effective prevention and management of conflicts in the sub-region. The office of the Deputy Executive Secretary for Political Affairs, Defence and Security supervises the Departments of Political Affairs, Humanitarian Affairs, Defence and Security and the Observation and Monitoring Centre. The Centre is the hub of the Early Warning System that has four Observation and Monitoring Zones within the sub-region. It has recently appointed a director and a programme manager responsible for early warning analysis.

During May 2001 ECOWAS signed a headquarters agreement with Benin to establish an observation zone in Cotonou whose role would be to signal the potential of conflicts in

Benin, Nigeria and Togo. This would be the fourth zone. The others are in Banjul (Gambia), Monrovia (Liberia), Ouagadougou (Burkina Faso) and Cotonou (Benin) would be to collect data on potential disputes for transmission to the central ECOWAS observatory in Abuja. The first headquarters agreement was signed with Burkina Faso.

The Mediation and Security Council of the Mechanism was officially launched in Monrovia during May 2000. The meeting, which marked the first ordinary session of the council, followed two special sessions held in Bamako, Mali, and discussed the transfer of power of the different ECOWAS mediation committees to the Council. At the time the members of the Council comprises Benin, Côte d'Ivoire, Ghana, Gambia, Guinea, Liberia, Mali, Nigeria, Senegal, and Togo.

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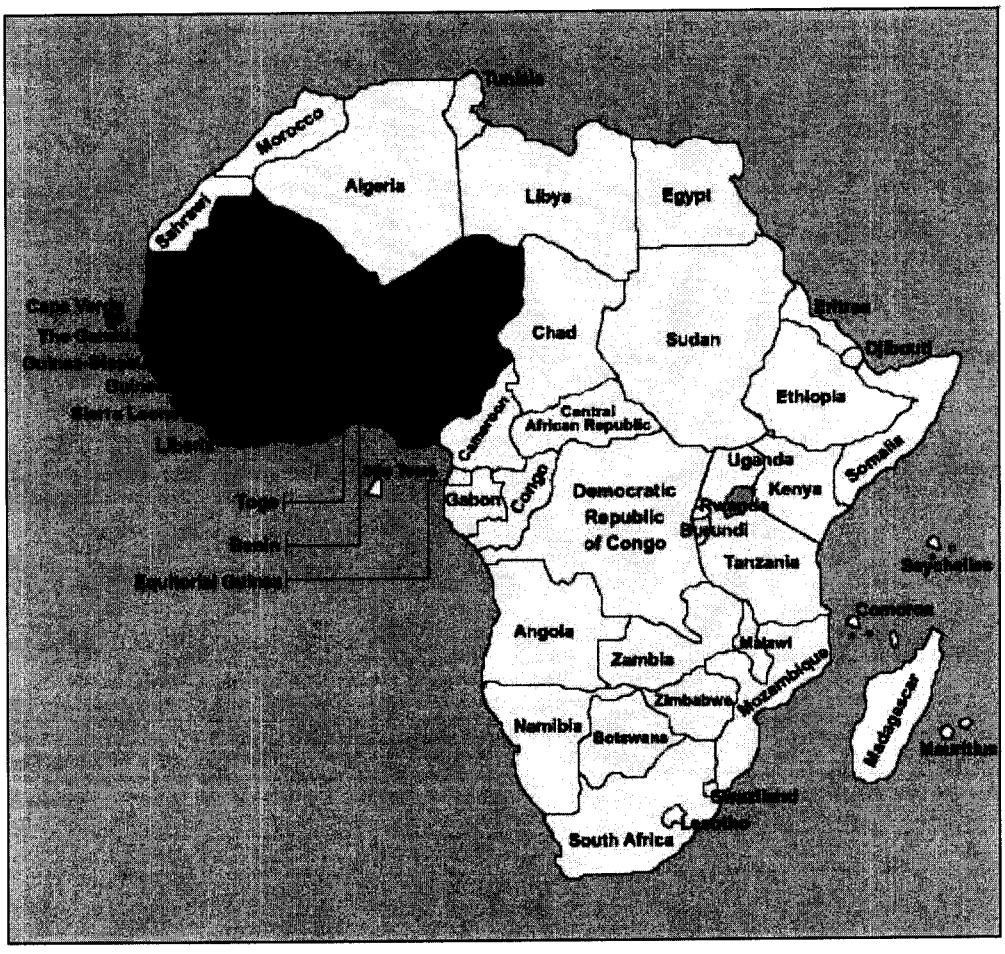
ECOWAS

Economic Community of West African States



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FACT 31

In 1981, ECOWAS member states signed a Protocol Relating to Mutual Assistance on Defence (PMAD). This Protocol became effective five years later.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), p. 6, at http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf

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6. PEACE AND SECURITY-RELATED ACTIVITIES

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Meeting in Lagos on 22 April 1978, ECOWAS Member States had earlier adopted a Protocol Relating to Non-Aggression (PNA) which enjoined Member States to " ... refrain from the threat and use of force or aggression" against one another. Article 5(2) of the PNA stated that "Any dispute which cannot be settled peacefully among Member States shall be referred to a Committee of the Authority. In the event of failure of settlement by the ... Committee the dispute shall finally go to the Authority [i.e. Heads of State]."

A subsequent Protocol Relating to Mutual Assistance on Defence (PMAD) was signed in Freetown, Sierra Leone on 29 May 1981 and became effective five years later. PMAD committed the ECOWAS member states to a collective defence treaty by accepting that armed threat or aggression against one constituted a threat or aggression against the Community and resolved to give mutual aid and assistance for defence. The Protocol provides for a collective response where a member state is a victim of internal armed conflict that is engineered and supported actively from outside, and which is likely to endanger the peace and security of other member states. Both these Protocols have been subsumed as part of the new ECOWAS Mechanism.

During the 1990s ECOWAS activities have increasingly been dominated by its efforts to secure peace in Liberia, in particular through the involvement of ECOMOG (ECOWAS Cease-Fire Monitoring Group) which was dispatched to Liberia in August 1991. The ECOWAS regional mechanism for conflict resolution provides a framework for regional intervention in political crises in member states with ECOMOG as the adopted regional intervention force.

Subsequent security-related agreements include the ECOWAS Conventions on Mutual Assistance in Criminal Matters and on Extradition signed in Dakar on 29 July 1992 and in Abuja on 6 August 1994, the Declaration on the Moratorium on the Importation, Exportation and Manufacture of Light Weapons, adopted by the ECOWAS Heads of

FACT 32

PMAD provided for a collective response where a member state is a victim of internal armed conflict that is engineered and supported actively from outside, and which is likely to endanger the peace and security of other member states.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), p.6, at http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf

from the membership of the national parliaments of each member state. Should the member lose his or her seat in the national parliament, they would lose their seats in the regional parliament. The ECOWAS Parliament is situated in Abuja, Nigeria and at present only acts in a consultative and advisory capacity. Speaker of the ECOWAS Parliament, Professor Ali Nouhoum Diallo, has expressed the intention of the Parliament to acquire legislative powers in the future, as well as to institute directly elected representatives.

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6498

FACT 33

On 10 December 1999, ECOWAS member states signed a protocol that subsumed PMAD and established the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), p. 6 at http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf

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FACT 34

In 1994 the Sierra Leonean and Nigerian governments signed a defence pact.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf, at p. 7.

State in Abuja on 30-31 October 1998 and the Programme for the Co-ordination of Assistance for Security and Development (PCASED), held in Bamako on 24 March 1999. Meeting in Abuja on 9 July 2001, ECOWAS heads of state and government extended the moratorium for another 3 years.

The ECOWAS Declaration of Political Principles in 1991 set out member states' commitment to uphold human rights, democracy and the rule of law. This was taken further in December 2001, with declarations on Child Rights and Human Trafficking, and most importantly, the Protocol on Democracy and Good Governance, which addresses root causes of conflict, such as corruption and instability. This is a supplementary protocol to the Protocol on the Mechanism for Conflict Prevention, Management and Resolution, Peace and Security, and deals with issues such as free, fair elections, civilian control of the military and unconstitutional changes of government.

Plans for the establishment of a regional criminal investigation and intelligence bureau were considered at meetings of the ECOWAS Police Chiefs on 23 September 2002 and the Interior Ministers on 26 September 2002 as part of efforts to combat cross-border criminal activities.

6.1 ECOMOG

ECOWAS Monitoring Group (ECOMOG) operations started in Liberia to prevent the overthrow of the unpopular government of President Samuel Doe by the National Patriotic Front of Liberia (NPFL) led by Charles Taylor. Doe called on the Community for help. His request would eventually split the Community when the Anglophone countries, led by Nigeria, decided to assist, while the Francophone countries largely opposed the military intervention.

The intervention force that landed in Liberia on 24 August 1990 consisted of troops contributed by Nigeria, Ghana, Guinea, Sierra Leone and The Gambia. Successive fighting, looting and killing was temporarily halted by a number of short-lived peace accords until the fourteenth peace accord was signed in Abuja in August 1996. ECOMOG oversaw the subsequent elections on 19 July 1997 that swept Taylor to power in a landslide victory. The Group departed in February 1998, having earned grudging respect for its role in the latter years.

The barbarity and cruelty seen in the NPFL operations in Liberia were mirrored in those of the Revolutionary United Front (RUF) under Foday Sankoh in neighbouring Sierra Leone from Liberia. RUF operations started in March 1991. In 1994 the Sierra Leonean and Nigerian governments signed a defence pact and ECOWAS soon extended the mandate of ECOMOG in Liberia to include Sierra Leone, and moved its headquarters from Monrovia to Freetown. A cease-fire between the government and the RUF eventually came into effect on 24 May 1998, followed by negotiations and a peace deal on 7 July 1999. ECOMOG would eventually reinforce its troops to almost 15 000 before the United Nations Assistance Mission in Sierra Leone (UNAMSIL), start taking over in accordance with the Lomé Accords.

FACT 35

After the signing of the Status of Forces Agreement (SOFA) between Sierra Leone and Nigeria on 7 March 1997, ECOWAS extended the mandate of the ECOMOG troops in Liberia to include Sierra Leone.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), at p. 7, http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf

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FACT 37

ECOMOG forces in Sierra Leone conducted armed military operations pursuant to the expanded mandate (after the signing of the SOFA in March 1997).

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), p. 7, at http://www.africa-union.org/root/AU/recs/ECOWASProfile.pdf

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FACT 38

ECOWAS issued a Final Communiqué following the ECOWAS Summit held following the 25 May 1997 coup.

a.	Exh. 1.233	n/a	See excerpts taken from the Final Communiqué at http://www.sierra-leone.org/ecowas2.html (date posted - 30 July 1997)

6587

ECOWAS Summit Final Communique (Excerpt)

24. The Authority warmly congratulated the ECOWAS Committee of Four on Sierra Leone and fully endorsed the objectives set out by the Ministers of Foreign Affairs with regards to Sierra Leone, which had also received the approval of the United Nations Security Council, namely:

i. the early reinstatement of the legitimate Government of President Tejan KABBAH
ii. the return of peace and security; and
iii. the resolution of the issues of refugees and displaced persons

25. The Authority expressed its determination to deploy all efforts towards the peaceful resolutionof the Sierra Leone crisis, and called for the cooperation and understanding of all the parties concerned. The Authority, deeply concerned about the breakdown of negotiations in Abidjan on 30th July 1997 between the Committee of Four and the illegal regime in Sierra Leone, and in view of the intransigence of the illegal regime, approved a package of sanctions and blockade as a further measure to ensure the restoration of the legitimate Government of President Tejan Kabbah. Heads of State and Government mandated ECOMOG to specifically monitor the ceasefire, enforce sanctions and embargo and secure the peace in Sierra Leone.

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FACT 39

In the Final Communiqué issued following the ECOWAS Summit held following the 25 May 1997 coup, the ECOWAS Heads of State and Government mandated ECOMOG to specifically monitor the ceasefire, enforce sanctions and embargo and secure the peace in Sierra Leone.

a.	Exh. 1.233	n/a	Final Communiqué, http://www.sierra-leone.org/ecowas2.html, at para. 25.

ECOWAS Summit Final Communique (Excerpt) 6509 394

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FACT 40

ECOWAS issued the Final Communiqué of the ECOWAS Special Meeting of Foreign Ministers, on June 26, 1997, in which the Ministers of Foreign Affairs:

(a) deplored the bloodshed and other loss of human life that resulted from the coup of May 25, 1997; and

(b) warned the unlawful regime to refrain from violence against Sierra Leonean citizens, foreigners living in Sierra Leone, and ECOMOG personnel.

a.	Exh. 1.223	n/a	Final Communiqué, http://www.sierra-leone.org/ecowas062697.html, at para. 11.

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3. An OAU delegation, headed by Secretary General Dr. Salim Ahmed Salim, also attended the Meeting.

4. His Excellency Lansana Conte, President of the Republic of Guinea, opened the Meeting.

5. The Meeting reviewed the situation in Sierra Leone following the coup of May 25, 1997.

6. The Ministers of Foreign Affairs then conducted a fruitful exchange of views on the situation in Sierra Leone and its consequences for peace and security in the subregion.

7. They examined ways and means to bring about the immediate restoration of constitutional authority in Sierra Leone.

8. The Ministers of Foreign Affairs agreed that with regard to Sierra Leone, the objectives of ECOWAS are the immediate restoration of the lawful government of President Ahmad Tejan Kabbah, the restoration of peace and security, and the settlement of problems relating to refugees and displaced persons.

9. The Ministers therefore:

i. Reaffirmed the decision adopted at Harare by the Heads of State and Government at the Thirty-third Session of the OAS Summit on the situation in Sierra Leone;

ii. Reaffirmed the support of ECOWAS for the Abidjan Peace Accord, signed on November 30, 1996;

iii. Urged that no State recognize the regime installed following the coup of May 25, 1997, and that every effort be made to restore the lawful government by a combination of three measures, i.e.: the use of dialogue; the application of sanctions, including an embargo; and the use of force.

10. In order to bolster the effectiveness of the above-mentioned measures, the Ministers of Foreign Affairs recommended prior consultation among the Member States at the highest level.

11. The Ministers of Foreign Affairs deplored the bloodshed and other loss of human life that resulted from the coup of May 25, 1997. They warned the unlawful regime to refrain from violence against Sierra Leonean citizens, foreigners living in Sierra Leone, and ECOMOG personnel.

6572 4CA

Final Communique

1. At the initiative of His Excellency Lansana Conte, President of the Republic of Guinea, and after consultations with the other Chiefs of State of the subregion, His Excellency Sani Abacha, President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria and current Chairman of ECOWAS, convened a Special Meeting of Foreign Ministers, held on Thursday, June 26, 1997, at Conakry, Republic of Guinea.

His Excellency Lansana Conte graciously hosted the Meeting.

2. The following Member States attended the Meeting:

- The Republic of Benin;
- Burkina Faso;
- The Republic of Cote d'Ivorie;
- The Republic of Gambia;
- The Republic of Guinea;
- The Republic of Ghana;
- The Republic of Guinea-Bissau;
- The Republic of Liberia;
- The Republic of Mali;
- The Republic of Niger;
- The Federal Republic of Nigeria;
- The Republic of Senegal;
- The Republic of Sierra Leone;
- The Republic of Togo.

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3. An OAU delegation, headed by Secretary General Dr. Salim Ahmed Salim, also attended the Meeting.

4. His Excellency Lansana Conte, President of the Republic of Guinea, opened the Meeting.

5. The Meeting reviewed the situation in Sierra Leone following the coup of May 25, 1997.

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65[illegible]

12. In order to ensure that the decisions and recommendations adopted at their Meeting are implemented, they established a Committee consisting of Nigeria, Guinea, Cote d'Ivoire, and Ghana, to be joined by representatives of the OAU and ECOWAS Secretariats.

13. The Meeting reported the conclusions of its proceedings to the President of the host country and assigned the Committee the task of reporting to the current Chairman of ECOWAS. The Committee was also asked to follow developments in Sierra Leone and the application of measures to ensure the aforementioned objectives. Within two weeks of today, the Committee will again brief the President of ECOWAS on the result of its efforts.

14. The Ministers of Foreign Affairs appealed to the international community to support the activities of ECOWAS in Sierra Leone.

15. The Meeting called on the international community to provide emergency aid and assistance to the Republic of Guinea and other Member States of the subregion affected by the influx of refugees.

16. The Ministers of Foreign Affairs expressed their deep appreciation to His Excellency Lansana Conte, President of the Republic of Guinea, and to the Guinean Government and people, for the hospitality they enjoyed and for the facilities made available to them.

Done at Conakry, June 26, 1997
The Ministers of Foreign Affairs

6575

FACT 41

The 26 June 1997 ECOWAS Special Meeting of Foreign Ministers was attended by representative(s) of Liberia.

a.	Exh. 1.223	n/a	Final Communiqué, http://www.sierra-leone.org/ecowas062697.html, at para. 2.

6576 41A

Final Communique

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- The Republic of Guinea;
- The Republic of Ghana;
- The Republic of Guinea-Bissau;
- The Republic of Liberia;
- The Republic of Mali;
- The Republic of Niger;
- The Federal Republic of Nigeria;
- The Republic of Senegal;
- The Republic of Sierra Leone;
- The Republic of Togo.

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FACT 42

ECOWAS issued the "Decision on Sanctions Against the Junta in Sierra Leone" at the ECOWAS Twentieth Session of the Authority of Heads of State and Government, 28-29 August 1997, on August 29, 1997, in which the Authority of Heads of State and Government decided:

(a) the embargo imposed by this decision shall not apply to arms, military equipment and military assistance meant for the exclusive use of the sub-regional forces which shall be responsible for applying the measures contained in the Final Communiqué of the meeting of ECOWAS Ministers of Foreign Affairs issued on 26 June, 1997 (Article 6).

(b) the sub-regional forces shall employ all necessary means to impose the implementation of this decision. They shall monitor closely the coastal areas, land borders and airspace of the Republic of Sierra Leone, and shall inspect, guard and seize any ship, vehicle or aircraft violating the embargo imposed by this decision (Article 7).

a.	Exh. 1.189	n/a	Decision, http://www.sierra-leone.org/ecowas082999.html.

a. prevent sale or supply by their nationals or from their territories or using their flag vessels or aircraft of petroleum or petroleum products or arms and related material of all types, including weapons and ammunition, military vehicles and equipoment, police equipment and spare parts for the afore-mentioned, whether or not originating in their territories, to any person or legal entity, for the purpose of any business carried out in or operated from the Republic of Sierra Leone, and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply;

b. prohibit any and all traffic from entering the territory or territorial waters of the Republic of Sierra Leone, carrying petroleum or petroleum products; or aarms and related material of all types, including weapons and ammunitioins, military vehicles and equipment, police equipment and spare parts for the afore-mentioned;

c. prevent from entering their respective territories, all members of the illegal regime, as well as military officers, members of their families, and other entities directly or indirectly connected with the regime and deny the use of their airspace to aircraft belonging to or carrying any member of the regime;

d. prevent any activities by their nationals or on their territories which would promote the export or transshipment of any commodities or products originating in Sierra Leone and any transactions by their nationals or flag vessels or aircraft or in their territory any commodities or other products originating in the Republic of Sierra Leone or exported therefrom.

Article 3

Member States shall freeze funds held by members of the illegal regime, military officers and civilians directly or indirectly connected with the regime as well as their families.

Article 4

Member States shall prohibit the importation of any commodities and products originating in Sierra Leone and the exportation of other goods to that country.

Article 5

Member States shall abstain from shipping and delivering humanitarian goods to the illegal regime, except with the prior approval of the Authority of Heads of State and Government of ECOWAS.

Article 6

The embargo imposed by this decision shall not apply to arms, military equipment and military assistance meant for the exclusive use of the sub-regional forces which shall be responsible for applying the measures contained in the Final Communique of the meeting of ECOWAS Ministers of Foreign Affairs issued on 26 June, 1997.

Article 7

The sub-regional forces shall employ all necessary means to impose the implementation of this decision. They shall monitor closely the coastal areas, land borders and airspace of the Republic of

Sierra Leone, and shall inspect, guard and seize any ship, vehicle or aircract violating the embargo imposed by this decision.

Article 8

In addition to the execution of the assignment in the Final Communique of 26 June, 1997, the Monitoring Committee on Sierra Leone referred to as the Committee of Four

i. shall request all Member States to communicate to it any new developments regarding measures taken to ensure effective implementation of this decision;

ii. shall analyse any information brought to its notice by Member States concerning violations of the sanctions contained in this decision and recommend appropriate measures;

iii. consider requests for permission to import into Sierra Leone, goods for humanitarian uses; and make necessary recommendations to the Authority;

iv. report to the Authority regularly, any information it may have obtained concerning aleged violations of this decision and, where possible, identify the persons or entities, including the vessels, vehicles or aircraft accused of such violations.

Article 9

All Member States shall take necessary measures to ensure full implementation of this decision.

Article 10

The Committee of Four shall solicit assistance from the United Nations Security Council to render these sanctions imposed universal and mandatory, in accordance with the United Nations Charter.

Article 11

This decision shall be published by the Executive Secretariat in the Official Journal of the Community and by each Member State in its National Gazette.

DONE AT ABUJA, THIS 29TH DAY OF AUGUST 1997

H.E. GENERAL SANI ABACHA
CHAIRMAN
FOR THE AUTHORITY

ECOMONIC COMMUNITY OF WEST AFRICAN STATES

TWENTIETH SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

ABUJA, 28-29 AUGUST 1997

DECISION ON SANCTIONS AGAINST THE JUNTA IN SIERRA LEONE

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

MINDFUL of Articles 7, 8 and 9 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority of Heads of State and Government and defining its composition and functions;

RECALLING the decision taken on the situation in Sierra Leone by the Heads of State and Government of the OAU at their thirty-third ordinary session held in Harare, Zimbabwe;

RECALLING also Statement S/PRST/1997/29 of 27 May 1997, Statement S/PRST/1997/36 of 11 July 1997 and Statement S/PRST/1997/42 of 5 August, 1997 in which the President of the United Nations Security Council described as unacceptable the overthrow of the democratically elected Government of President Ahmad Tejan Kabbah; called for the immediate and unconditional return to constitutional order in Sierra Leone and expressed the support of Council for the objectives of ECOWAS;

CONSIDERING the fact that the continued situation in Sierra Leone may raise the number of Sierra Leonean refugees in neighbouring Member States; thus threatening international peace and security in the sub-region;

BEARING IN MIND the ECOWAS objectives contained in the Final Communique of the Meeting of Ministers of Foreign Affairs held in Conakry on 26 June 1997;

DEEPLY concerned at the breakdown of negotiations between the Monitoring Committee on the situation in Sierra Leone and the representatives of the Junta in Abidjan on 29-30 July 1997;

DECIDES

Article 1

The Community and its Member States reaffirm its position to spare no effort to restore constitutional order to Sierra Leone as soon as possible.

Article 2

Member states shall place immediately a general and total embargo on all supplies of petroleum products, arms and military equipment of Sierra Leone and abstain from transacting any business with that country. To this end Member States shall:

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a. prevent sale or supply by their nationals or from their territories or using their flag vessels or aircraft of petroleum or petroleum products or arms and related material of all types, including weapons and ammunition, military vehicles and equipoment, police equipment and spare parts for the afore-mentioned, whether or not originating in their territories, to any person or legal entity, for the purpose of any business carried out in or operated from the Republic of Sierra Leone, and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply;

b. prohibit any and all traffic from entering the territory or territorial waters of the Republic of Sierra Leone, carrying petroleum or petroleum products; or aarms and related material of all types, including weapons and ammunitioins, military vehicles and equipment, police equipment and spare parts for the afore-mentioned;

c. prevent from entering their respective territories, all members of the illegal regime, as well as military officers, members of their families, and other entities directly or indirectly connected with the regime and deny the use of their airspace to aircraft belonging to or carrying any member of the regime;

d. prevent any activities by their nationals or on their territories which would promote the export or transshipment of any commodities or products originating in Sierra Leone and any transactions by their nationals or flag vessels or aircraft or in their territory any commodities or other products originating in the Republic of Sierra Leone or exported therefrom.

Article 3

Member States shall freeze funds held by members of the illegal regime, military officers and civilians directly or indirectly connected with the regime as well as their families.

Article 4

Member States shall prohibit the importation of any commodities and products originating in Sierra Leone and the exportation of other goods to that country.

Article 5

Member States shall abstain from shipping and delivering humanitarian goods to the illegal regime, except with the prior approval of the Authority of Heads of State and Government of ECOWAS.

Article 6

The embargo imposed by this decision shall not apply to arms, military equipment and military assistance meant for the exclusive use of the sub-regional forces which shall be responsible for applying the measures contained in the Final Communique of the meeting of ECOWAS Ministers of Foreign Affairs issued on 26 June, 1997.

Article 7

The sub-regional forces shall employ all necessary means to impose the implementation of this decision. They shall monitor closely the coastal areas, land borders and airspace of the Republic of

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Sierra Leone, and shall inspect, guard and seize any ship, vehicle or aircract violating the embargo imposed by this decision.

Article 8

In addition to the execution of the assignment in the Final Communique of 26 June, 1997, the Monitoring Committee on Sierra Leone referred to as the Committee of Four

i. shall request all Member States to communicate to it any new developments regarding measures taken to ensure effective implementation of this decision;

ii. shall analyse any information brought to its notice by Member States concerning violations of the sanctions contained in this decision and recommend appropriate measures;

iii. consider requests for permission to import into Sierra Leone, goods for humanitarian uses; and make necessary recommendations to the Authority;

iv. report to the Authority regularly, any information it may have obtained concerning aleged violations of this decision and, where possible, identify the persons or entities, including the vessels, vehicles or aircraft accused of such violations.

Article 9

All Member States shall take necessary measures to ensure full implementation of this decision.

Article 10

The Committee of Four shall solicit assistance from the United Nations Security Council to render these sanctions imposed universal and mandatory, in accordance with the United Nations Charter.

Article 11

This decision shall be published by the Executive Secretariat in the Official Journal of the Community and by each Member State in its National Gazette.

DONE AT ABUJA, THIS 29TH DAY OF AUGUST 1997

H.E. GENERAL SANI ABACHA
CHAIRMAN
FOR THE AUTHORITY

FACT 43

ECOWAS issued a Communiqué of the ECOWAS Seventh Meeting of Ministers of Foreign Affairs of the Committee of Five on Sierra Leone on 19 December 1997, in which the Ministers:

(a) noted that the ECOWAS Peace Plan for Sierra Leone provided for the deployment of a UN Observer Mission along with ECOMOG in Sierra Leone to implement the disarmament process,

(b) urged the United Nations Security Council to accelerate efforts towards the deployment of a United Nations Military Observer Mission in Sierra Leone,

(c) called on Member States to urgently contribute more troops to enhance ECOMOG's operational capability in Sierra Leone.

(d) were informed of the upgrading of an airstrip at Mabguraka into a full-fledged airport by the illegal regime for the illegal importation of arms and other supplies. The Ministers noted that this was in violation of the sanctions and embargo regimes, and therefore mandated ECOMOG to ensure that the airstrip is not used.

a.	Exh. 1.191	n/a	Communiqué, http://www.sierra-leone.org/ecowas121997.html, at para. 12.

strictly adhere to those sanctions. In addition, countries harbouring members of the military junta, their families and all others on the restricted list were requested to repatriate such persons to Sierra Leone.

11 The Ministers were informed of the upgrading of an airstrip at Mabguraka into a full-fledge airport by the illegal regime for the illegal importation of arms and other supplies. The Ministers noted that this was in violation of the sanctions and embargo regimes, and therefore mandated ECOMOG to ensure that the airstrip is not used.

12. The Ministers noted that the ECOWAS Peace Plan for Sierra Leone provided for the deployment of a UN Observer Mission along with ECOMOG in Sierra Leone to implement the disarmament process. In this connection, they urged the United Nations Security Council to accelerate efforts towards the deployment of a United Nations Military Observer Mission in Sierra Leone. They also called on Member States to urgently contribute more troops to enhance ECOMOG's operational capability in Sierra Leone.

13. In this regard, the Ministers expressed satisfaction at the recent deployment of a Ghanaian naval vessel for ECOMOG to enhance the implementation of the sanctions. They called on other Member States to make available similar contributions to ECOMOG.

14. The Ministers deplored the incessant and unprovoked attacks on ECOMOG peace-keepers. They reaffirmed ECOMOG's right of self defence.

15. The Ministers noted the intention of the Government of Liberia to bring to an end the mandate of ECOMOG in Liberia by 2 February, 1998, and they considered that this would have implications for the implementation of the ECOWAS Peace Plan for Sierra Leone. They therefore decided to refer this matter to the Chairman of ECOWAS.

16. The Ministers expressed their profound gratitude and appreciation to His Excellency, General Sani Abacha, Head of State and Commander-in-Chief of the Armed Forces of Nigeria, and the Government and people of the Federal Republic of Nigeria for the hospitality and excellent facilities for the success of the meeting.

DONE AT ABUJA, THIS 19TH DAY OF DECEMBER, 1997

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ECONOMIC COMMUNITY OF WEST AFRICAN STATES
SEVENTH MEETING OF MINISTERS OF FOREIGN AFFAIRS
OF THE COMMITTEE OF FIVE ON SIERRA LEONE

COMMUNIQUE

1. The ECOWAS Ministers of Foreign Affairs of the Committee of Five on Sierra Leone held their seventh meeting at the ECOWAS Secretariat Headquarters in Abuja on 19 December, 1997.

2. All the members of the Committee were present, namely:

- Republic of Cote d'Ivoire
- Republic of Ghana
- Republic of Guinea
- Republic of Liberia
- Federal Republic of Nigeria
- The ECOWAS Executive Secretary and
- The Representative of the OAU

Attending as Observers were:

- The Republic of Sierra Leone, represented by the Honourable Minister of Foreign Affairs of the Republic of Sierra Leone; and
- The UN Secretary-General's Special Envoy to Sierra Leone.

4. The meeting reviewed the situation in Sierra Leone in the light of the reports presented by the ECOMOG Force Commander, the Executive Secretary ECOWAS and the United Nations Secretary-General's Special Envoy to Sierra Leone.

5. The Ministers reaffirmed the central objective of the ECOWAS Peace Plan for Sierra Leone which is the restoration of constitutional order in that country and the re-instatement of the legitimate government of President Ahmed Tejan Kabbah.

6. In this regard, the Ministers emphasised that the ECOWAS Peace Plan for Sierra Leone adopted in Conakry on 23 October, 1997 remains the best framework for the restoration of peace and constitutional order to Sierra Leone.

7. The Ministers reaffirmed the date of 22 April 1998 for the reinstatement of President Ahmad Tejan Kabbah to office, and emphasised the need to adhere to the time table of the Peace Plan accordingly.

8. The Ministers reiterated that the Government of President Ahmad Tejan Kabbah is the sole and legitimate government of Sierra Leone.

9. The Foreign Ministers noted that there had been some violations of the ECOWAS and UN sanctions imposed on the junta in Sierra Leone. In this connection, they noted specifically the violations of the arms embargo and travel restrictions on members of the illegal regime and their families.

10. They therefore called upon all countries and in particular Member States of ECOWAS, to

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strictly adhere to those sanctions. In addition, countries harbouring members of the military junta, their families and all others on the restricted list were requested to repatriate such persons to Sierra Leone.

11 The Ministers were informed of the upgrading of an airstrip at Mabguraka into a full-fledge airport by the illegal regime for the illegal importation of arms and other supplies. The Ministers noted that this was in violation of the sanctions and embargo regimes, and therefore mandated ECOMOG to ensure that the airstrip is not used.

12. The Ministers noted that the ECOWAS Peace Plan for Sierra Leone provided for the deployment of a UN Observer Mission along with ECOMOG in Sierra Leone to implement the disarmament process. In this connection, they urged the United Nations Security Council to accelerate efforts towards the deployment of a United Nations Military Observer Mission in Sierra Leone. They also called on Member States to urgently contribute more troops to enhance ECOMOG's operational capability in Sierra Leone.

13. In this regard, the Ministers expressed satisfaction at the recent deployment of a Ghanaian naval vessel for ECOMOG to enhance the implementation of the sanctions. They called on other Member States to make available similar contributions to ECOMOG.

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15. The Ministers noted the intention of the Government of Liberia to bring to an end the mandate of ECOMOG in Liberia by 2 February, 1998, and they considered that this would have implications for the implementation of the ECOWAS Peace Plan for Sierra Leone. They therefore decided to refer this matter to the Chairman of ECOWAS.

16. The Ministers expressed their profound gratitude and appreciation to His Excellency, General Sani Abacha, Head of State and Commander-in-Chief of the Armed Forces of Nigeria, and the Government and people of the Federal Republic of Nigeria for the hospitality and excellent facilities for the success of the meeting.

DONE AT ABUJA, THIS 19TH DAY OF DECEMBER, 1997

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FACT 44

Representative(s) of the Republic of Liberia attended the 19 December 1997 ECOWAS Seventh Meeting of Ministers of Foreign Affairs of the Committee of Five on Sierra Leone.

a.	Exh. 1.191	n/a	Communiqué, http://www.sierra-leone.org/ecowas121997.html, at para. 2.

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ECONOMIC COMMUNITY OF WEST AFRICAN STATES
SEVENTH MEETING OF MINISTERS OF FOREIGN AFFAIRS
OF THE COMMITTEE OF FIVE ON SIERRA LEONE

COMMUNIQUE

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2. All the members of the Committee were present, namely:

- Republic of Cote d'Ivoire
- Republic of Ghana
- Republic of Guinea
- Republic of Liberia
- Federal Republic of Nigeria
- The ECOWAS Executive Secretary and
- The Representative of the OAU

Attending as Observers were:

- The Republic of Sierra Leone, represented by the Honourable Minister of Foreign Affairs of the Republic of Sierra Leone; and
- The UN Secretary-General's Special Envoy to Sierra Leone.

4. The meeting reviewed the situation in Sierra Leone in the light of the reports presented by the ECOMOG Force Commander, the Executive Secretary ECOWAS and the United Nations Secretary-General's Special Envoy to Sierra Leone.

5. The Ministers reaffirmed the central objective of the ECOWAS Peace Plan for Sierra Leone which is the restoration of constitutional order in that country and the re-instatement of the legitimate government of President Ahmed Tejan Kabbah.

6. In this regard, the Ministers emphasised that the ECOWAS Peace Plan for Sierra Leone adopted in Conakry on 23 October, 1997 remains the best framework for the restoration of peace and constitutional order to Sierra Leone.

7. The Ministers reaffirmed the date of 22 April 1998 for the reinstatement of President Ahmad Tejan Kabbah to office, and emphasised the need to adhere to the time table of the Peace Plan accordingly.

8. The Ministers reiterated that the Government of President Ahmad Tejan Kabbah is the sole and legitimate government of Sierra Leone.

9. The Foreign Ministers noted that there had been some violations of the ECOWAS and UN sanctions imposed on the junta in Sierra Leone. In this connection, they noted specifically the violations of the arms embargo and travel restrictions on members of the illegal regime and their families.

10. They therefore called upon all countries and in particular Member States of ECOWAS, to

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FACT 45

ECOWAS issued the Final Communiqué of the Eighth Meeting of Foreign Ministers of the ECOWAS Committee of Five on Sierra Leone, 5-6 February 1998, on 6 February 1998, in which the Ministers noted with concern the plight of refugees, their impact on neighbouring countries and the deteriorating humanitarian situation in Sierra Leone.

a.	Exh. 1.234	n/a	Final Communiqué, http://www.sierra-leone.org/ecowas020698.html, at para. 12.

therefore, called upon the Security Council to reaffirm its commitment to this date and to take appropriate steps in support of this objective.

9. The Ministers noted that the ECOMOG Force Commander, in previous discussions with some members of the international community, had presented broad requirements of ECOMOG, the fulfillment of which would enable it execute its mandate successfully in Sierra Leone. They appealed to the Secretary- General, the Security Council and the members of the international community at large, to provide urgently, the needed assistance and logistics support to ECOMOG.

10. The Ministers expressed concern that there had been flagrant violations of the sanctions imposed on the junta in Sierra Leone. They noted, specifically, the violations of the arms embargo and travel restrictions on members of the illegal regime and their families. Accordingly, they called on Member States of the United Nations to comply fully with the sanctions and embargo, as well as the travel restrictions imposed on members of the junta and those associated with them. They further appealed to the Security Council to take appropriate measures to ensure full compliance with the sanctions regime.

11. The Ministers noted the emergence of several initiatives on Sierra Leone. While welcoming the initiatives, they observed that, if not properly harmonized, the situation could be exploited by the junta to reopen negotiations on issues already agreed upon. They therefore stressed the need to harmonize these initiatives in line with the ECOWAS Peace Plan, so that all actions may be focused on the central objective, which is the restoration of President Ahmad Tejan Kabbah to office by 22 April, 1998.

12. The Ministers noted with concern the plight of refugees, their impact on neighbouring countries and the deteriorating humanitarian situation in Sierra Leone. They expressed appreciation to those countries which have rendered assistance to alleviate the impact of refugees in neighbouring countries. They called upon all Members of the United Nations to give necessary assistance to the countries in the sub-region bearing the brunt of the refugee problems. They also called upon the junta to cooperate with ECOWAS in the implementation of the ECOWAS Peace Plan, so that humanitarian corridors could be established to facilitate the delivery of relief materials to the people of Sierra Leone.

13. The Ministers welcomed the initiative to establish a Contact Group on Sierra Leone. They expressed appreciation for the agreement of the Secretary- General to co-chair, with ECOWAS, the launching of the Contact Group.

14. The Ministers expressed their appreciation for the pledges made by some countries to contribute to a Trust Fund for Sierra Leone, and called on other Member States to make contributions whenever such a Fund is established.

15. The Ministers briefed the Secretary-General and the members of the Security Council, on the efforts made by the Chairman of ECOWAS for troop-contribution by Member States of the sub-region. They noted with satisfaction, the favourable responses from Member States of ECOWAS, and called upon the Security Council and members of the international community to provide all necessary assistance to ECOWAS to allow timely delivery of the troops to ECOMOG.

16. The Ministers expressed their profound appreciation to the Secretary- General and members of the Security Council for the support the United Nations has consistently given to ECOWAS' peace efforts in the sub-region, and their readiness to take additional measures in this regard.

Done in New York, 6 February, 1998

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FINAL COMMUNIQUE EIGHTH MEETING OF FOREIGN MINISTERS OF THE ECOWAS COMMITTEE OF FIVE ON SIERRA LEONE NEW YORK, 5-6 FEBRUARY 1998

1. The Economic Community of West African States (ECOWAS) Ministerial Committee of Five on Sierra Leone held its eighth meeting in New York, on 5-6 February 1998,

2. All members of the Committee were present:

- Republic of Cote d'Ivoire
- Republic of Ghana
- Republic of Guinea
- Republic of Liberia
- Federal Republic of Nigeria
- The ECOWAS Executive Secretary, and
- The Representative of the Organization of African Unity

3. Attending as Observers were, the Republic of Sierra Leone, represented by its Minister of Foreign Affairs, and the Special Envoy of the United Nations Secretary-General to Sierra Leone.

4. The Ministers met with the Secretary-General on 5 February, 1998, and briefed him on the latest situation in Sierra Leone. They expressed appreciation for the positive steps being initiated by the Secretary-General in support of ECOWAS initiatives in Sierra Leone. They also met with the members of the Security Council under the 'Aria Formula' on 6 February 1998, on the same subject. The members of the Security Council expressed their continued support for the steps being taken by the Committee of Five and the ECOWAS sub-region on Sierra Leone. They promised their continued support for the ECOWAS peace efforts.

5. The Ministers reviewed the situation in Sierra Leone and expressed concern at the impasse which now exists in the implementation of the ECOWAS Peace Plan. They noted, in particular, the difficulty in the deployment of ECOMOG troops and the United Nations Observer Mission throughout Sierra Leone, due to the intransigence of the junta, who have resorted to reopening issues already agreed upon in the ECOWAS Peace Plan.

6. The Ministers emphasized that the ECOWAS Peace Plan remains the best framework for the resolution of the situation in Sierra Leone. They reaffirmed the three options available to ECOWAS in this regard. These options are:

i. the pursuit of dialogue;
ii. the imposition of sanctions/embargo; and
iii. the possible use of force

The Ministers noted that the junta was now in breach of the ECOWAS Peace Plan and therefore called upon them to comply strictly with its provisions.

7. The Ministers noted that ECOMOG is already effectively deployed in certain parts of

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Sierra Leone, such as Lungi and Hastings airports, Kossoh barracks and environs, as well as in the territory of Sierra Leone, near the border with Liberia. They suggested that the United Nations Observer Mission should be deployed alongside ECOMOG in the same manner, and that the deployment of the UN Mission in Freetown should be done at the same time as that of the ECOMOG forces.

8. The Ministers emphasized that 22 April 1998, remained the terminal date for the restoration of the legitimate Government of President Ahmad Tejan Kabbah. They, therefore, called upon the Security Council to reaffirm its commitment to this date and to take appropriate steps in support of this objective.

9. The Ministers noted that the ECOMOG Force Commander, in previous discussions with some members of the international community, had presented broad requirements of ECOMOG, the fulfillment of which would enable it execute its mandate successfully in Sierra Leone. They appealed to the Secretary- General, the Security Council and the members of the international community at large, to provide urgently, the needed assistance and logistics support to ECOMOG.

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12. The Ministers noted with concern the plight of refugees, their impact on neighbouring countries and the deteriorating humanitarian situation in Sierra Leone. They expressed appreciation to those countries which have rendered assistance to alleviate the impact of refugees in neighbouring countries. They called upon all Members of the United Nations to give necessary assistance to the countries in the sub-region bearing the brunt of the refugee problems. They also called upon the junta to cooperate with ECOWAS in the implementation of the ECOWAS Peace Plan, so that humanitarian corridors could be established to facilitate the delivery of relief materials to the people of Sierra Leone.

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Done in New York, 6 February, 1998

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FACT 46

Representative(s) of the Republic of Liberia attended the 5-6 February 1998 Eighth Meeting of Foreign Ministers of the ECOWAS Committee of Five on Sierra Leone.

a.	Exh. 1.234	n/a	Final Communiqué, http://www.sierra-leone.org/ecowas020698.html, at para. 2.

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- Republic of Ghana
- Republic of Guinea
- Republic of Liberia
- Federal Republic of Nigeria
- The ECOWAS Executive Secretary, and
- The Representative of the Organization of African Unity

3. Attending as Observers were, the Republic of Sierra Leone, represented by its Minister of Foreign Affairs, and the Special Envoy of the United Nations Secretary-General to Sierra Leone.

4. The Ministers met with the Secretary-General on 5 February, 1998, and briefed him on the latest situation in Sierra Leone. They expressed appreciation for the positive steps being initiated by the Secretary-General in support of ECOWAS initiatives in Sierra Leone. They also met with the members of the Security Council under the 'Aria Formula' on 6 February 1998, on the same subject. The members of the Security Council expressed their continued support for the steps being taken by the Committee of Five and the ECOWAS sub-region on Sierra Leone. They promised their continued support for the ECOWAS peace efforts.

5. The Ministers reviewed the situation in Sierra Leone and expressed concern at the impasse which now exists in the implementation of the ECOWAS Peace Plan. They noted, in particular, the difficulty in the deployment of ECOMOG troops and the United Nations Observer Mission throughout Sierra Leone, due to the intransigence of the junta, who have resorted to reopening issues already agreed upon in the ECOWAS Peace Plan.

6. The Ministers emphasized that the ECOWAS Peace Plan remains the best framework for the resolution of the situation in Sierra Leone. They reaffirmed the three options available to ECOWAS in this regard. These options are:

i. the pursuit of dialogue;
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7. The Ministers noted that ECOMOG is already effectively deployed in certain parts of Sierra Leone, such as Lungi and Hastings airports, Kossoh barracks and environs, as well as in the territory of Sierra Leone, near the border with Liberia. They suggested that the United Nations Observer Mission should be deployed alongside ECOMOG in the same manner, and that the deployment of the UN Mission in Freetown should be done at the same time as that of the ECOMOG forces.

8. The Ministers emphasized that 22 April 1998, remained the terminal date for the restoration of the legitimate Government of President Ahmad Tejan Kabbah. They,

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FACT 47

ECOWAS issued a Final Communiqué of the ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone on 28 December 1998, in which the Committee strongly condemned the atrocities, particularly the mutilation being perpetrated by the rebels against the civilian population in Sierra Leone.

a.	Exh. 1.192	n/a	Final Communiqué of ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone, 28 December 1998, http://www.sierra-leone.org/ecowas122898.html, at para. 10j.

and equipment in violation of the embargo on arms importation and now had more mobile forces on the ground. Both the Force Commander and the Sierra Leone Foreign Minister implicated Liberia in providing military support to the rebels. The Liberian Foreign Minister denied any involvement of his country in Sierra Leone and called for an international investigation.

8. The meeting was also informed that mercenaries were fighting alongside the rebels, in contravention of international law.

9. After deliberation, the Committee decided to revive its activities which had been suspended since the return to constitutional order in Sierra Leone on 10 March 1998. It was also agreed that Togo should have automatic right of membership of the Committee and preside over the Committee of Six thus created, for the duration of the country's tenure as the Chair of ECOWAS.

10. The Committee of Six on Sierra Leone:

a. appealed to the AFRC/RUF rebels to cease fighting immediately, to lay down their arms and to recognise the government of President Ahmed Tejan Kabbah as the legitimate government in Sierra Leone.
b. expressed total support for the legitimate government of Sierra Leone and for its efforts to restore peace and stability to Sierra Leone.
c. called on the UN Security Council to reaffirm support for the legitimate Government in Sierra Leone and for full compliance with its resolutions on Sierra Leone.
d. urged the international community to leave the rebels in no doubt that their activities are doomed to failure as they would never be accorded recognition as the legitimate government of Sierra Leone.
e. commended Ghana, Guinea and Nigeria for having committed troops to ECOMOG Forces in Sierra Leone.
f. launched an appeal to all ECOWAS countries which had pledged troops to honour their commitments without delay.
g. called on the UN, OAU, European Union, and the Contact Group on Sierra Leone to expedite the provision of logistic support, particularly transport and communication equipment to ECOMOG, to improve its mobility and effectiveness.
h. expressed grave concern at the aggression being perpetrated against the Republic of Sierra Leone and strongly condemned the activities of the countries which are providing support to the rebels in Sierra Leone, in violation of the decisions of the ECOWAS Authority of Heads of State and Government and the United Nations Security Council.
i. condemned the presence of mercenaries in Sierra Leone, and demanded the immediate withdrawal of all mercenaries from that country, the sub-region and the African continent.
j. strongly condemned the atrocities, particularly the mutilation being perpetrated by the rebels against the civilian population in Sierra Leone.
k. called on the Chairman of ECOWAS to embark on initiatives to develop true and genuine rapprochement between the Heads of State of Sierra Leone and Liberia in order to create mutual confidence and commitment to ensuring stability in the sub-region.
l. resolved to resume its activities and to deploy all measures necessary to re-establish dialogue, as prescribed in the Abidjan accord and the Conakry peace plan, between the government and the rebels.
m. called on the rebels to immediately cease hostilities, participate in dialogue, and take up the offer of amnesty made by the government of Sierra Leone.
n. expressed warmest congratulations and support to ECOMOG for the bravery and courage shown by the force despite the arduous conditions in which it operates.

11. The meeting called on all ECOWAS countries and the international community not to support the rebellion.

12. The meeting expressed appreciation and deep gratitude to President Henri Konan Bedie, and to the Ivoirian government and people for the warm welcome accorded to participants and for the facilities made available towords the success of their deliberations.

ECONOMIC COMMUNITY OF WEST AFRICAN STATES

Extraordinary meeting of the Committee of Five on Sierra Leone.
Abidjan, 28 December 1998

Final Communique

Ministers of Foreign Affairs of the Committee of Five on Sierra Leone met in extraordinary session on 28 December in Abidjan, Cote d'Ivoire, to review recent developments in Sierra Leone. They were joined by the Minister of State for Foreign Affairs of Togo, the current ECOWAS chair.

2. The following members of the committee attended the meeting:

- Republic of Cote d'Ivoire
- Republic of Ghana
- Republic of Guinea
- Republic of Liberia
- Federal Republic of Nigeria
- Togolese Republic
- Burkina Faso in its capacity as OAU Chairman
- The ECOWAS Executive Secretary

3. Also attending the meeting as observers were:

- Republic of Sierra Leone, represented by the Minister of Foreign Affairs
- The Representative of the United Nations Secretary-General andRepresentative of the United Nations Observers Mission in Sierra Leone (UNOMSIL)
- The Representative of the United Nations High Commissioner for refugees
- The US President's Special Envoy to Liberia
- The Representative of the Government of the United Kingdom
- ECOMOG Force Commander

4. Speeches were read at the opening session by the Minister of State for Foreign Affairs of the Republic of Cote d'Ivoire, the Minister of State for Foreign Affairs of the Togolese Republic and the ECOWAS Executive Secretary.

5. All speakers were unanimous in their commendation of the initiative taken by His Excellency, General Abdulsalami Abubakar, Head of State, Commander-in-Chief of the Armed Forces of Nigeria and His Excellency General Gnassingbe Eyadema to Togo, current chairman of the ECOWAS Authority of Heads of State and Government in convening this extraordinary session of the Committee of Five on Sierra Leone. They stressed the need to find a speedy solution to the alarming situation in Sierra Leone posed by the renewed fighting by men of the junta and the RUF. They stated that the new development should be viewed with grave concern by all ECOWAS countries and the international community, given its attendant potential for engulfing the entire sub-region in crisis and compromising the development efforts of ECOWAS Member States.

6. A message of support from the OAU Secretary-General to the Committee of Five was read. The meeting took note of the reports presented by the ECOMOG Force Commander, the Foreign Affairs Minister of Sierra Leone, the Special Representative of the United Nations Secretary-General, the representative of UNOMSIL, the representative of the Government of the United Kingdom and the Special Representative of the President of the United States.

7. These reports indicated that the rebels (AFRC/RUF) had upgraded both their troop strength

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and equipment in violation of the embargo on arms importation and now had more mobile forces on the ground. Both the Force Commander and the Sierra Leone Foreign Minister implicated Liberia in providing military support to the rebels. The Liberian Foreign Minister denied any involvement of his country in Sierra Leone and called for an international investigation.

8. The meeting was also informed that mercenaries were fighting alongside the rebels, in contravention of international law.

9. After deliberation, the Committee decided to revive its activities which had been suspended since the return to constitutional order in Sierra Leone on 10 March 1998. It was also agreed that Togo should have automatic right of membership of the Committee and preside over the Committee of Six thus created, for the duration of the country's tenure as the Chair of ECOWAS.

10. The Committee of Six on Sierra Leone:

a. appealed to the AFRC/RUF rebels to cease fighting immediately, to lay down their arms and to recognise the government of President Ahmed Tejan Kabbah as the legitimate government in Sierra Leone.
b. expressed total support for the legitimate government of Sierra Leone and for its efforts to restore peace and stability to Sierra Leone.
c. called on the UN Security Council to reaffirm support for the legitimate Government in Sierra Leone and for full compliance with its resolutions on Sierra Leone.
d. urged the international community to leave the rebels in no doubt that their activities are doomed to failure as they would never be accorded recognition as the legitimate government of Sierra Leone.
e. commended Ghana, Guinea and Nigeria for having committed troops to ECOMOG Forces in Sierra Leone.
f. launched an appeal to all ECOWAS countries which had pledged troops to honour their commitments without delay.
g. called on the UN, OAU, European Union, and the Contact Group on Sierra Leone to expedite the provision of logistic support, particularly transport and communication equipment to ECOMOG, to improve its mobility and effectiveness.
h. expressed grave concern at the aggression being perpetrated against the Republic of Sierra Leone and strongly condemned the activities of the countries which are providing support to the rebels in Sierra Leone, in violation of the decisions of the ECOWAS Authority of Heads of State and Government and the United Nations Security Council.
i. condemned the presence of mercenaries in Sierra Leone, and demanded the immediate withdrawal of all mercenaries from that country, the sub-region and the African continent.
j. strongly condemned the atrocities, particularly the mutilation being perpetrated by the rebels against the civilian population in Sierra Leone.
k. called on the Chairman of ECOWAS to embark on initiatives to develop true and genuine rapprochement between the Heads of State of Sierra Leone and Liberia in order to create mutual confidence and commitment to ensuring stability in the sub-region.
l. resolved to resume its activities and to deploy all measures necessary to re-establish dialogue, as prescribed in the Abidjan accord and the Conakry peace plan, between the government and the rebels.
m. called on the rebels to immediately cease hostilities, participate in dialogue, and take up the offer of amnesty made by the government of Sierra Leone.
n. expressed warmest congratulations and support to ECOMOG for the bravery and courage shown by the force despite the arduous conditions in which it operates.

11. The meeting called on all ECOWAS countries and the international community not to support the rebellion.

12. The meeting expressed appreciation and deep gratitude to President Henri Konan Bedie, and to the Ivoirian government and people for the warm welcome accorded to participants and for the facilities made available towords the success of their deliberations.

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DONE AT ABIDJAN THIS 28TH DAY OF DECEMBER 1998

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FACT 48

The ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone, 28 December 1998, was attended by representative(s) of the Republic of Liberia.

a.	Exh. 1.192	n/a	Final Communiqué of ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone, 28 December 1998, http://www.sierra-leone.org/ecowas122898.html, at para. 2.

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ECONOMIC COMMUNITY OF WEST AFRICAN STATES

Extraordinary meeting of the Committee of Five on Sierra Leone.
Abidjan, 28 December 1998

Final Communique

Ministers of Foreign Affairs of the Committee of Five on Sierra Leone met in extraordinary session on 28 December in Abidjan, Cote d'Ivoire, to review recent developments in Sierra Leone. They were joined by the Minister of State for Foreign Affairs of Togo, the current ECOWAS chair.

2. The following members of the committee attended the meeting:

- Republic of Cote d'Ivoire
- Republic of Ghana
- Republic of Guinea
- Republic of Liberia
- Federal Republic of Nigeria
- Togolese Republic
- Burkina Faso in its capacity as OAU Chairman
- The ECOWAS Executive Secretary

3. Also attending the meeting as observers were:

- Republic of Sierra Leone, represented by the Minister of Foreign Affairs
- The Representative of the United Nations Secretary-General andRepresentative of the United Nations Observers Mission in Sierra Leone (UNOMSIL)
- The Representative of the United Nations High Commissioner for refugees
- The US President's Special Envoy to Liberia
- The Representative of the Government of the United Kingdom
- ECOMOG Force Commander

4. Speeches were read at the opening session by the Minister of State for Foreign Affairs of the Republic of Cote d'Ivoire, the Minister of State for Foreign Affairs of the Togolese Republic and the ECOWAS Executive Secretary.

5. All speakers were unanimous in their commendation of the initiative taken by His Excellency, General Abdulsalami Abubakar, Head of State, Commander-in-Chief of the Armed Forces of Nigeria and His Excellency General Gnassingbe Eyadema to Togo, current chairman of the ECOWAS Authority of Heads of State and Government in convening this extraordinary session of the Committee of Five on Sierra Leone. They stressed the need to find a speedy solution to the alarming situation in Sierra Leone posed by the renewed fighting by men of the junta and the RUF. They stated that the new development should be viewed with grave concern by all ECOWAS countries and the international community, given its attendant potential for engulfing the entire sub-region in crisis and compromising the development efforts of ECOWAS Member States.

6. A message of support from the OAU Secretary-General to the Committee of Five was read. The meeting took note of the reports presented by the ECOMOG Force Commander, the Foreign Affairs Minister of Sierra Leone, the Special Representative of the United Nations Secretary-General, the representative of UNOMSIL, the representative of the Government of the United Kingdom and the Special Representative of the President of the United States.

7. These reports indicated that the rebels (AFRC/RUF) had upgraded both their troop strength

FACT 49

ECOMOG, acting on behalf of the deposed government of President Kabbah, ousted the AFRC/RUF Junta from power on about 14 February 1998.

a.			A similar fact was judicially noticed in the *Brima* Decision, para. 58, part of Fact P: "The Junta was forced from power by forces acting on behalf of the ousted government of President Kabbah on or about 14 February 1998. ..."
b.	Exh. 1.078	ERN 00012418-00012428	Fourth Report of the Secretary-General on the Situation in Sierra Leone, 18 March 1998 (S/1998/249) para. 6, 9, 17. (ERN 00012419, 00012421)
c.	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998, at p. 9.
d.	Exh. 1.073	ERN 00011233-00011276	Human Rights Watch, "Sowing Terror, Atrocities against civilians in Sierra Leone", Vol. 10, No. 3 (A) July 1998, at p.4 (ERN 00011237)

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5. I reaffirmed to the Committee of Five the desire of the United Nations for close cooperation between the United Nations and ECOWAS, and stated that ECOMOG needed to develop a concept of operations on the basis of which the United Nations could finalize its own deployment plan. ECOMOG should also compile a statement of its own logistical requirements in order to attract the necessary support from potential donors.

6. On the same day, responding to an attack by junta forces on their position at Lungi, ECOMOG launched a military attack on the junta, which culminated approximately one week later in the collapse of the junta and its expulsion by force from Freetown after heavy fighting. The fall of the city on 13 February, which was accompanied by widespread looting and some reprisal killings, led to the flight or capture of many soldiers and leaders of the junta. ECOWAS has assured me that the International Committee of the Red Cross (ICRC) has been allowed to visit prisoners detained by ECOMOG in Freetown. However, some of the former leaders of the Armed Forces Revolutionary Council (AFRC), including its Chairman, Johnny Paul Koroma, are believed to be still at large. Acting in concert with the local Kamajors and other traditional hunter militia (known as the Civil Defence Unit), ECOMOG has subsequently taken control of the towns of Bo, Kenema and Zimmi in the south of the country, and Lunsar, Makeni and Kabala in the north. ECOMOG has also reported the capture of Daru, which would mean that the remnants of the junta have now been dislodged from every major town except for Kailahun. Following scattered fighting in the latter part of February, the country now appears to be quiet. A number of foreign aid workers and missionaries taken hostage by armed elements in February were later released unharmed. However, press reports in mid-March indicated that Revolutionary United Front (RUF) members in Kono had murdered civilians and taken 200 hostages, reportedly including foreign nationals.

7. On 18 February, accompanied by the Executive Secretary of ECOWAS, Mr. Lansana Kouyaté, Minister Ikimi visited Sierra Leone to assess the situation on the ground. They interviewed some former junta soldiers now detained by ECOMOG and visited the State House complex and the Parliament buildings. Many of the government buildings were found to have been looted and were in poor condition, and a number of unexploded bombs were scattered about. However, the ECOWAS team, which was enthusiastically greeted by crowds, found that in many respects life had returned to normal in the capital. As noted below, my Special Envoy also visited Freetown on the same day.

8. From 25 to 27 February 1998, the Committee of Five met in the margins of the meeting of the Organization of African Unity (OAU) Council of Ministers held in Addis Ababa to review the situation in Sierra Leone. The Committee issued a communiqué, which was subsequently circulated as document S/1998/170.

9. On 4 March 1998, the members of the Committee of Five returned to New York and met again with members of the Security Council and with me. Chief Ikimi briefed me on his visit to Freetown on 18 February and his subsequent meeting with President Tejan Kabbah in Conakry. Following this meeting, it was announced that President Kabbah would return to his country on 10 March 1998.

10. ECOMOG has also prepared a detailed list of logistical requirements for its operations in Sierra Leone. During the visit to New York of the Committee of

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community could provide; and the urgent provision of humanitarian assistance. The President announced that he had created a task force to prepare the ground for the resumption of work by his Government, to assess damage to the infrastructure and to prepare for the resumption of education. President Kabbah identified the immediate priorities of his Government as the provision of humanitarian supplies and petroleum products, the reactivation of international aid programmes and the disarmament and demobilization of former combatants. Three other areas that required special attention have been identified as the training and restructuring of the police force, the creation of job opportunities for young people and the construction of low-cost housing. President Kabbah also indicated that he intended to streamline his administration and appoint technical experts to cabinet positions.

16. Following the removal by ECOMOG of the military junta from power, President Kabbah issued a statement announcing his intention to submit proposals to Parliament concerning the rebuilding of his country. The President also spoke out against the reprisal killings, which, in some cases, had accompanied the seizure of control from the junta.

17. On 10 March 1998, accompanied by General Sani Abacha, Chairman of ECOWAS and Head of State of Nigeria, as well as the Heads of State of Guinea, Mali and Niger, President Lansana Conteh, President Alpha Oumar Konare and President Ibrahim Bare Mainassara, and the Vice-President of Gambia, President Tejan Kabbah returned to Freetown to resume his office as Head of State of Sierra Leone. He was greeted by large and enthusiastic crowds. Mr. Ibrahima Fall, Assistant Secretary-General for Political Affairs, delivered on my behalf a message of congratulations to the President stating that his return represented the accomplishment of a major objective not only of the people of Sierra Leone, but also of ECOWAS, OAU, the United Nations and the entire international community. I expressed my deep regret at the violence, loss of life and property and immense suffering undergone by the people of Sierra Leone since the coup d'état and extended my condolences to the families of those who lost their lives in opposing it. Furthermore, I informed the President that the United Nations looked forward to working closely with him in helping his Government to reassert its authority and strengthen its capacity throughout the country.

18. In a statement made at the ceremony marking his return to Sierra Leone, President Kabbah declared his intention to embark on the process of national reconciliation and reconstruction of the country, to form a broad-based Government and to appoint a policy advisory committee. In his first meeting with my Special Envoy after his return, President Kabbah stressed the need for an early deployment of United Nations military personnel, the urgent provision of humanitarian assistance and the prompt establishment of the Trust Fund for Sierra Leone.

Military and security situation in Sierra Leone

19. Freetown is now fully under the control of ECOMOG and is increasingly secure. Some unexploded ordnance and landmines have been found, but these are not a threat to security. The peninsula on which the capital stands has also been secured. With the capture of almost every other major town in the country,

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Regional Peace-Keeping Efforts: ECOMOG

Created in August 1990, the Economic Community of West African States Monitoring Group (ECOMOG) was conceived as a multilateral regional peacekeeping force to intervene in Liberia's civil war. From the beginning, it was dominated by Anglophone West African States, in particular Nigeria, who contributed the majority of troops, materials and finances (**OCHA Integrated Regional Information Network for West Africa (IRIN-WA)**, 5 February 1998, 1 [Internet]). During the mission in Liberia, Gambia, Guinea, Ghana, Sierra Leone and several other African states also supplied troops, adding to a total of 15,000 soldiers at the height of the mission. In October 1990, ECOMOG succeeded in expelling the National Patriotic Front for Liberia, led by Charles Taylor, from the country. In successive years, ECOMOG gradually drove the Taylor faction out of Liberia. The force gained a bad reputation in Liberia, where they are thought to have attacked and looted humanitarian convoys (**International Crisis Group**, March 1998, 6 [Internet]). It also assisted the demobilisation process and monitored elections in Liberia in July 1997.

ECOMOG troops had used Freetown as a rear base since almost the start of the Liberian intervention. Moreover, Nigerian forces have been based in Sierra Leone as part of a bilateral defence pact (**Africa South of the Sahara**, 1998, 117). After the *coup d'état* of 25 May 1997, additional Nigerian troops, which had been serving in Liberia under ECOMOG's mandate, arrived in order to drive the RUF out of Sierra Leone. On 28 May 1997, Freetown came under naval bombardment in an attempt by the Nigerian armed forces to put down the *coup d'état* - under ECOMOG's auspices, also reinforced by troops sent from Guinea and Ghana (**Pitsch, A.**, 1997, 11 [Internet]) Although ECOMOG's involvement was supported both by the OAU and the UN from July 1997 onwards, many commentators criticised what they saw as 'a Nigerian unilateral initiative which [...]had contradicted the humanitarian nature of the force's mandate (**Africa South of the Sahara**, 1998, 117).

After a peace plan for Sierra Leone had been drawn up by the Economic Community of West African States (ECOWAS) ministers of foreign affairs in Conakry (Guinea) at the end of June 1997, ECOMOG's mandate was extended to Sierra Leone on 29/30 August 1997. The ultimate aim of the peace agreement was to remove the junta from power, be it by dialogue, sanctions or force. To this end, ECOMOG's mandate consisted of enforcing the economic sanctions imposed by ECOWAS, namely an air, land and sea blockade (**Economic Community of West African States**, 23 October 1997 [Internet]). There was, however, no specification as to the time limitation for sanctions before considering military force (**Ibid.**).

On 27 October 1997, after the peace agreement between AFRC representatives and the ECOWAS Committee was signed, ECOMOG became a regular peacekeeping force (**OCHA IRIN-WA**, 5 February 1998, 3 [Internet]).

On 5 February 1998, ECOMOG invaded Freetown unilaterally in order to overthrow the junta. During the period between the intervention and the return of president Kabbah on 10 March 1998, ECOMOG effectively acted as an interim government. The re-instatement of the Kabbah government by the ECOMOG

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I. SUMMARY

Since losing political power in February 1998, members of the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF) have been engaging in a war of terror against civilians in Sierra Leone. With no recognizable political platform, the AFRC/RUF rebel alliance is committing widespread and egregious atrocities against unarmed civilians in an attempt to regain power. As the violence in Sierra Leone continues, grave abuses continue to take place. Human Rights Watch interviewed civilian men, women, and children who had been intentionally mutilated or shot as recently as June 12, 1998 in eastern Sierra Leone.

Many thousands of Sierra Leonean civilians have been raped; deliberately mutilated, often by amputation; or killed outright in a campaign by the AFRC/RUF between February and June 1998 alone. Men, women and children, probably numbering in the thousands, have been abducted by the AFRC/RUF for use as combatants, forced laborers, or sexual slaves. Women have been actively targeted through sexual violence, including rape and sexual slavery. Children have been targets of killings and violence and are forcibly recruited as soldiers. In addition to various forms of physical abuse, innumerable Sierra Leoneans suffer from psychological trauma due to intentionally cruel methods of inflicting harm against these individuals and their communities.

These atrocities committed against civilians are the latest cycle of violence in the armed conflict that has devastated Sierra Leone for seven years. The fighting has caused the displacement of more than a million Sierra Leoneans. Most have become internally displaced, while hundreds of thousands have fled the country as refugees, predominantly to neighboring Guinea and Liberia.

The AFRC—led by a group of military officers—took power forcibly on May 25, 1997. During the nine months it was in power, the AFRC joined forces with the armed rebel group, the RUF, to form a regime characterized by serious human rights violations and a complete breakdown of the rule of law. In February 1998, a Nigerian-led peacekeeping force, the Economic Community of West African States Monitoring Group (ECOMOG), forced the AFRC/RUF out of power and reinstated former President Ahmad Tejan Kabbah, who had been elected president in March 1996 in the first multi-party elections for almost three decades in Sierra Leone. Since the reinstatement of Kabbah, the AFRC has joined forces with the RUF to wage a war against ECOMOG and the Kabbah government.

Since independence in 1961, Sierra Leone has endured a series of military regimes and rebellions in struggles over economic and political power. However, the latest round of violence is unique in the scale and grotesque nature of the attacks on civilians. Much of rural Sierra Leone is inaccessible due to the ongoing war, and information is available for the most part only through health facilities where victims seek care in Sierra Leone and through the testimonies of witnesses and survivors in neighboring Guinea and Liberia. Of the hundreds of testimonies collected by Human Rights Watch, many described situations in which the interviewee was the sole survivor among many victims. The cases reported in this document represent only a small fraction of the actual number of victims. The true number may never be known.

Human Rights Watch compiled information regarding the experiences of more than 500 survivors of atrocities committed in Sierra Leone between February and June of 1998. The vast majority of these abuses were perpetrated by members of the AFRC/RUF. Of this number, over 425 survivors of gunshot wounds, amputations and other mutilations, or rape were registered in Connaught, Magburaka, and Makeni hospitals in Sierra Leone. Approximately eighty-two survivors of the same types of abuse were identified in Guinea at Conakry, Faranah, Kissidougou, and Guéckedou hospitals during roughly the same period. In the Liberian refugee camps, Human Rights Watch interviewed victims of the conflict and former AFRC/RUF combatants living alongside one another.

Forces fighting on behalf of President Kabbah have also committed human rights abuses and violations of international humanitarian law. Civilian Defense Forces (CDFs), civilian militias who support the Kabbah

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FACT 50

The United Nations issued the Report of the Secretary-General on the Situation in Sierra Leone (S/1995/975), dated 21 November 1995, in which the Secretary-General noted:

> "Given the links between the conflicts in Liberia and Sierra Leone, certain regional and other countries have taken the decision to provide military assistance to Sierra Leone."

a.	Exh. 1.212	n/a	Report of the Secretary-General on the Situation in Sierra Leone (S/1995/975), 21 November 1995, at para. 23.

26 February 1996. The vigorous debate and the consensus that emerged indicate wide support for the democratic process.

18. As a result of these decisions, INEC is ready to begin voter registration and to finalize preparations for the elections. However, there are serious financial constraints that endanger this process: the total budgetary requirement is US$ 10,730,219, but only US$ 1,125,005 in cash and kind has so far been raised from external sources (see annex II). Unless additional financial support is made available, the electoral timetable will not be met.

19. Postponement of the elections could result in escalating violence and halt altogether the process of democratization. There are some elements within Sierra Leone that seek to derail the electoral process, as was attested by the attempted coup of 2 October 1995.

20. Various efforts have been made to raise resources. At a briefing of donor countries on the electoral and political situation in Sierra Leone on 2 November 1995, the response was very positive. I am convening a donors' conference on electoral assistance to Sierra Leone in New York on 30 November and I urge Member States to respond generously.

21. I have instructed my Special Envoy to follow closely all aspects of the democratization process. I have also instructed him to encourage the Government and leaders of the political parties to safeguard the integrity of the process, ensuring that the elections are free and fair and that their outcome is not contested.

III. SECURITY SITUATION

22. When NPRC took power, the Republic of Sierra Leone Military Forces numbered 3,000. A massive recruitment drive increased their total strength to around 14,000. After the December 1994 offensive by RUF, however, it became clear that the forces were inadequate to confront the challenges they faced. In addition, some soldiers have been implicated in illegal activities.

23. Given the links between the conflicts in Liberia and Sierra Leone, certain regional and other countries have taken the decision to provide military assistance to Sierra Leone. In addition, NPRC has been using non-Sierra Leonean advisers to improve the fighting skills of its troops, instil discipline and upgrade command and control.

24. The situation on the ground has not changed dramatically. Foreign and Sierra Leonean nationals, including seven nuns, were taken hostage in different parts of the country in early 1995 and subsequently released on 21 March 1995. In addition, RUF began moving closer to Freetown and captured several villages in Kono District, an area rich in diamonds and therefore of great economic importance.

25. Recently, morale and discipline within the Republic of Sierra Leone Military Forces appear to have improved. The diamond fields of Kono and a number of villages were retaken by Government forces in July and August 1995.

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FACT 51

In a UNICEF press release dated 19 June 1997, the Executive Director of UNICEF called on all sides in the Sierra Leone conflict to stop using children as combatants. She stated that:

(a) since the AFRC coup on May 25, witnesses had reported seeing hundreds of armed children in the streets of Freetown;

(b) many former child soldiers had demobilized beginning in 1993, but were now being recruited and rearmed again by the AFRC and their allies; and

(c) more than 60 percent of the 1,000 fighters recently screened by the DDR Unit were women and children;

a.	Exh. 1.021	ERN 00004653-00004655	"Stop Using Child Soldiers, Sierra Leone Told," UNICEF Press Release, 19 June 1997, available at http://www.unicef.org/newsline/pr22.htm.

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Newsline

Stop using child soldiers, Sierra Leone told

Thursday, 19 June 1997: As diplomatic efforts continued to seek a lasting resolution of the conflict in Sierra Leone, UNICEF Executive Director Carol Bellamy called on all sides to put an end to the use of children as combatants, and to incorporate provisions for their physical and emotional welfare in a future peace settlement.

Since May 25, when the Armed Forces Revolutionary Council (AFRC) took power in a coup, witnesses have reported seeing hundreds of armed children in the streets of the capital, Freetown. Many are former child soldiers, who had returned to their communities during a country-wide demobilization programme, which began in 1993. They have now been recruited and rearmed again by the AFRC and their allies. More than 60 per cent of the 1,000 fighters recently screened by the Disarmament, Demobilization and Resettlement Unit, set up by the ousted government, were women and children.

"Children should have no part in war,"said Ms. Bellamy. "By making them agents of civil conflict and depriving them of their childhood, the vicious cycle of violence is perpetuated."

Sierra Leone has one of the world's worst records for recruiting child soldiers. Between 1992 and 1996, in the previous period of civil unrest between the Government of Sierra Leone and the Revolutionary United Front (RUF), an estimated 4,500 children were forced to fight on

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both sides. Children were abducted and forced to commit atrocities in order to turn them into ruthless fighters. Some were ordered to torture and murder their own relatives before being taken to neighbouring villages to slaughter others.

"Child soldiers are a symptom of the wider problem, the complete neglect of a whole generation," Ms. Bellamy said. "Every single child has felt the impact of this war, whether or not he or she has been forced to carry a gun."

Since fighting began, several children have been found among the dead. Young girls have been raped and sexually abused during the attacks. Many children have been stranded without parents or relatives. A Save the Children (UK) survey of 1,400 people, who crossed from the Kailahun district into Liberia following the coup, registered 42 unaccompanied children. They will join the 8,000 children who are still separated from their families as a result of previous civil unrest.

Children will also be hardest hit by the gradual collapse of basic services. Food distribution has been disrupted, and the price of staple foods in many areas of the country has doubled. Immunization campaigns have been halted, leaving children susceptible to epidemics of measles, typhoid and whooping cough. Health workers have also expressed fear of an imminent cholera epidemic. Schools are closed and most teachers have fled the country.

The disruption in basic services is likely to push Sierra Leone back once again into a desperate situation, reversing significant advances that had been made during the brief period of peace.

"The right of every child to basic education, health care and other services must be part of a lasting peace settlement," Ms. Bellamy said.

She called for the immediate demobilization of all child soldiers. The proposals outlined in the 1996 Report on the Impact of Armed Conflict on Children by Graça Machel, should be urgently implemented, said Bellamy, including the

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adoption of the Optional Protocol to the Convention on the Rights of the Child, which would raise the minimum age of recruitment and participation in armed forces from 15 to 18 years.

Please email media@unicef.org with comments or requests for more information, quoting CF/DOC/PR/1997/22.

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FACT 52

The United Nations issued Security Council Resolution 1132 (S/RES/1132/1997) dated 8 October 1997, in which the Security Council:

(a) expressed its grave concern at the continued violence and loss of life in Sierra Leone following the military coup of 25 May 1997, and the deteriorating humanitarian conditions in the country;

(b) reiterated its call upon the Junta to end all acts of violence; and

(c) decided that all States shall prevent the sale or supply to Sierra Leone of [...] arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territory.

a.	Exh. 1.015	ERN 00004333-00004336	UN Security Council Resolution 1132, S/RES/1132 (1997), at p. 2 (00004334).

Gravely concerned at the continued violence and loss of life in Sierra Leone following the military coup of 25 May 1997, the deteriorating humanitarian conditions in that country, and the consequences for neighbouring countries,

Determining that the situation in Sierra Leone constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. Demands that the military junta take immediate steps to relinquish power in Sierra Leone and make way for the restoration of the democratically-elected Government and a return to constitutional order;

2. Reiterates its call upon the junta to end all acts of violence and to cease all interference with the delivery of humanitarian assistance to the people of Sierra Leone;

3. Expresses its strong support for the efforts of the ECOWAS Committee to resolve the crisis in Sierra Leone and encourages it to continue to work for the peaceful restoration of the constitutional order, including through the resumption of negotiations;

4. Encourages the Secretary-General, through his Special Envoy, in cooperation with the ECOWAS Committee, to assist the search for a peaceful resolution of the crisis and, to that end, to work for a resumption of discussions with all parties to the crisis;

5. Decides that all States shall prevent the entry into or transit through their territories of members of the military junta and adult members of their families, as designated in accordance with paragraph 10 (f) below, provided that the entry into or transit through a particular State of any such person may be authorized by the Committee established by paragraph 10 below for verified humanitarian purposes or purposes consistent with paragraph 1 above, and provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

6. Decides that all States shall prevent the sale or supply to Sierra Leone, by their nationals or from their territories, or using their flag vessels or aircraft, of petroleum and petroleum products and arms and related matériel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territory;

7. Decides that the Committee established by paragraph 10 below may authorize, on a case-by-case basis under a no-objection procedure:

(a) applications by the democratically-elected Government of Sierra Leone for the importation into Sierra Leone of petroleum or petroleum products; and

(b) applications by any other government or by United Nations Agencies for the importation of petroleum or petroleum products into Sierra Leone

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FACT 53

The United Nations issued the Fourth Report of the Secretary-General on the Situation in Sierra Leone (S/1998/249), dated 18 March 1998, reporting on the implementation of Security Council Resolution 1132 and the humanitarian situation in Sierra Leone, and noted or reported that:

(a) in response to an attack by junta forces on their position at Lungi, ECOMOG launched a military attack on the junta in Freetown, which culminated approximately one week later in the collapse of the junta and its expulsion by force from Freetown after heavy fighting. The fall of the city on 13 February (1998) was accompanied by widespread looting and some reprisal killings as the RUF and other armed elements retreated (paragraphs 6 and 20);

(b) many children suffered exposure to acts of violence by being sent into battle as combatants (paragraph 28); and

(c) the combination of fighting and looting led to extensive damage to housing and infrastructure in the provincial towns (paragraph 28).

a.	Exh. 1.078	ERN 00012418-00012428	Fourth Report of the Secretary-General on the Situation in Sierra Leone, S/1998/249, 18 March 1998.

5. I reaffirmed to the Committee of Five the desire of the United Nations for close cooperation between the United Nations and ECOWAS, and stated that ECOMOG needed to develop a concept of operations on the basis of which the United Nations could finalize its own deployment plan. ECOMOG should also compile a statement of its own logistical requirements in order to attract the necessary support from potential donors.

6. On the same day, responding to an attack by junta forces on their position at Lungi, ECOMOG launched a military attack on the junta, which culminated approximately one week later in the collapse of the junta and its expulsion by force from Freetown after heavy fighting. The fall of the city on 13 February, which was accompanied by widespread looting and some reprisal killings, led to the flight or capture of many soldiers and leaders of the junta. ECOWAS has assured me that the International Committee of the Red Cross (ICRC) has been allowed to visit prisoners detained by ECOMOG in Freetown. However, some of the former leaders of the Armed Forces Revolutionary Council (AFRC), including its Chairman, Johnny Paul Koroma, are believed to be still at large. Acting in concert with the local Kamajors and other traditional hunter militia (known as the Civil Defence Unit), ECOMOG has subsequently taken control of the towns of Bo, Kenema and Zimmi in the south of the country, and Lunsar, Makeni and Kabala in the north. ECOMOG has also reported the capture of Daru, which would mean that the remnants of the junta have now been dislodged from every major town except for Kailahun. Following scattered fighting in the latter part of February, the country now appears to be quiet. A number of foreign aid workers and missionaries taken hostage by armed elements in February were later released unharmed. However, press reports in mid-March indicated that Revolutionary United Front (RUF) members in Kono had murdered civilians and taken 200 hostages, reportedly including foreign nationals.

7. On 18 February, accompanied by the Executive Secretary of ECOWAS, Mr. Lansana Kouyaté, Minister Ikimi visited Sierra Leone to assess the situation on the ground. They interviewed some former junta soldiers now detained by ECOMOG and visited the State House complex and the Parliament buildings. Many of the government buildings were found to have been looted and were in poor condition, and a number of unexploded bombs were scattered about. However, the ECOWAS team, which was enthusiastically greeted by crowds, found that in many respects life had returned to normal in the capital. As noted below, my Special Envoy also visited Freetown on the same day.

8. From 25 to 27 February 1998, the Committee of Five met in the margins of the meeting of the Organization of African Unity (OAU) Council of Ministers held in Addis Ababa to review the situation in Sierra Leone. The Committee issued a communiqué, which was subsequently circulated as document S/1998/170.

9. On 4 March 1998, the members of the Committee of Five returned to New York and met again with members of the Security Council and with me. Chief Ikimi briefed me on his visit to Freetown on 18 February and his subsequent meeting with President Tejan Kabbah in Conakry. Following this meeting, it was announced that President Kabbah would return to his country on 10 March 1998.

10. ECOMOG has also prepared a detailed list of logistical requirements for its operations in Sierra Leone. During the visit to New York of the Committee of

and through its deployment further into the countryside in the north, south and east, ECOMOG has established itself successfully across most of the country.

20. Nevertheless, the fact that many of the senior junta leaders, including the former Chairman of the AFRC, Johnny Paul Koroma, have not thus far been apprehended, as well as the continuing violence inflicted on civilians during their retreat from ECOMOG forces by RUF and other armed elements, indicate that the security situation in Sierra Leone is still a source of concern. Though ECOMOG has begun to collect weapons in Freetown, a major disarmament, demobilization and reintegration exercise will be needed to ensure security.

21. ECOMOG has also developed a concept of operations for its deployment throughout Sierra Leone that sets out the preliminary planning for the disarmament and demobilization of Sierra Leonean combatants. In summary, the tasks ECOMOG has set for itself include:

(a) Deployment throughout Sierra Leone;

(b) Manning of selected entry points by land, sea or air in order to ensure that no arms, ammunition or war matériel are brought into the country;

(c) Disarmament of ex-combatants at designated sites;

(d) Establishment of road blocks to check the movement of arms and ammunition and to assist in extending protection to refugees and internally displaced persons;

(e) Conducting patrols to create an atmosphere conducive to freedom of movement and the restoration of established authority;

(f) Providing security for key individuals, United Nations personnel, including military personnel, and non-governmental organizations.

22. The plan calls for the deployment of 15,000 troops in four sectors: western, northern, southern and eastern. The western sector, comprising Freetown and the airports of Lungi and Hastings, is further subdivided, and would support the deployment of seven battalions, an air force detachment and an artillery brigade. This appears to be an ample level of force for the protection of the capital and its airport.

23. In the northern sector, ECOMOG would deploy a brigade headquartered at Makeni, with battalions located at Port Loko, Magburaka and Kabala. In the south, ECOMOG will locate its brigade headquarters at Bo and deploy battalions at Moyamba, Pujehun and Kenema. Naval assets would also be required. The eastern sector is described as strategic in view of its mineral resources, the presence of heavy RUF and Kamajor concentration, and the border with Liberia. ECOMOG therefore considers that operations in the east could prove difficult and risky and demand a robust approach, alertness and deployment in strength. Battalions would be located at Yengema, Zimmi and Kailahun.

24. ECOMOG would also establish a disarmament committee which would be charged, inter alia, with selecting disarmament sites; setting standards and guidelines

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FACT 54

In the Sierra Leone Humanitarian Situation Report: 16-30 April 1998, the United Nations Humanitarian Coordinator (UNHC) for Sierra Leone reported or noted that:

(a) some RUF moved from Kono district towards the Northeast and perpetrated several attacks near the towns of Kamakwie, Batkanu and Makeni. Looting and amputations were widespread (para. 1);

(b) ECOMOG spokesmen alleged that RUF fighters were being trained at a camp in Lofa County in Northern Liberia, but the Liberian government rejected the allegations (para. 2);

(c) ECOMOG Force Commander in Sierra Leone, Col. Khobe, stated in a radio interview that there was evidence that former NPFL and ULIMO-K fighters were crossing from Liberia into Sierra Leone to assist the activities of the RUF (para. 2); and

(d) reports of mutilation were widespread, and 101 amputees from Kono district had been admitted to Connaught Hospital in Freetown since 14 April 1998 (para. 6).

a.	Exh. 1.157	n/a	Sierra Leone Humanitarian Situation Report: 16-30 April 1998, United Nations Humanitarian Coordinator (UNHC). Available at http://iys.cidi.org/humanitarian/hsr/98a/0026.html.

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Sierra Leone - UNHC: 16-30.Apr.98

---------- Forwarded message ----------
Date: Wed, 6 May 1998 15:24:22 +0200
From:Hazan.Gahigi@DHA.UNICC.ORG
To: OCHA.Standard.List.Africa@DHA.UNICC.ORG, ComEmerg..-.Main@DHA.UNICC.ORG,
ComEmerg..5f.-.Sierra.Leone@DHA.UNICC.ORG
Subject: Sierra Leone Humanitarian Situation Report 16-30 April'98

SIERRA LEONE HUMANITARIAN SITUATION REPORT
Period covered: 16-30 April 1998

This report has been prepared by the office of the United Nations Humanitarian Coordinator for Sierra Leone in Conakry, Guinea

SECURITY
1. ECOMOG has continued to prosecute the war against junta and RUF forces in Kono and Kailahun districts with mixed results. Although ECOMOG forces are now in control of the towns of Daru, Pendembu and Koindu, junta forces still occupy large areas in the four chiefdoms in the Eastern part of Kailahun district. Casualties on both sides have been heavy. Some RUF have moved from Kono district towards the North-East and have perpetrated several attacks near the towns of Kamakwie, Batkanu and Makeni. Looting and amputations are widespread.

2. ECOMOG spokesmen have alleged that RUF fighters are being trained at a camp in Lofa county in Northern Liberia. The Liberian Government has rejected these allegations. ECOMOG Force Commander in Sierra Leone, Col. Khobe, also stated in a radio interview that there was evidence that former NPFL and ULIMO-K fighters were crossing from Liberia into Sierra Leone to assist the activities of the RUF.

POLITICAL DEVELOPMENTS
3. President Kabbah has announced that Col. Khobe, ECOMOG's Force Commander in Sierra Leone, will act as his chief security adviser. Col. Khobe will be responsible for Sierra Leone's national security system and for creating a professional army. He will report directly to the President who is Commander-in-Chief of the armed forces. All the nominations for cabinet posts have been approved by Parliament and sworn into office.

4. The Attorney-General and Minister of Justice have requested the Managing Directors of four banks to freeze 93 accounts operated by deportees and businessmen who owe the State income tax and other sources of revenue. This request is intended to curb business malpactices.

HUMANITARIAN DEVELOPMENTS
5. The intensification of the fighting between ECOMOG and junta / RUF forces in the East of Sierra Leone is creating a severe humanitarian situation. The most recent reports indicate a new influx of 54,000 Sierra Leoneans into Vahun, Liberia and 90,000 into Guinea since the start of the recent ECOMOG offensive against the AFRC/RUF in Kono and Kailahun districts. Many of the Sierra Leonean refugees are reportedly suffering from a combination of malaria, respiratory disease, diarrhoea and malnutrition. UNHCR is organising transport for the refugees from Vahun, which is only 8 miles from the Sierra Leone border, to Kolahun, thus enabling the refugees to benefit from increased access to relief services and improved security. Preparations are already underway for the arrival of

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the refugees in Kolahun: MSF is providing water and sanitation facilities and feeding centres and Merlin will continue to support the hospital.

6. Some of the civilian population in Kono and Kailahun districts have sought refuge within Sierra Leone. An influx of 14,000 has been reported in Masingbi (between Kono and Makeni) and Merlin and Christian Extension Services have reported a massive increase in war-wounded admittances at the health clinics which they support in Kenema and Koinadugu districts. Reports of mutilations are widespread. For example, 101 amputees from Kono district have been admitted to the MSF supported Connaught hospital in Freetown since 14 April 1998.

The response to the humanitarian needs of those still in Kono district has been limited as the only agency operational in this area, World Vision, has evacuated its staff for security reasons. However, every effort is being made to provide for the needs of those who have managed to escape from the most severely affected areas in the East.

DEMOBILISATION

In the Government of Sierra Leone's strategy paper for the disarmament, demobilisation and reintegration of ex-combatants the current strength of armed groups is estimated to be, Army: 10,000, Civil Defence Forces: 55,000, RUF: 7,000 giving a total of 72,000 of whom 3,000 are believed to be child soldiers. The report states that ECOMOG currently has 6,909 surrendered/captured soldiers under its control, 3,459 of whom are being held at the Benguema Training Centre in Freetown Plans are underway to contract NGOs to prepare and manage demobilisation centres in four locations for the army and the RUF. Demobilisation of the Civil Defence Force is envisaged to take place at the chiefdowm level. Although UNDP and the British Government have provided a total of USD 1.6 million for the preparatory work, there remains a large resource gap as the GoSL estimates that a total of USD 14.2 million is required to implement the demobilisation programme.

FOOD AID

Targeted feeding programmes continue. Food supplied by WFP has been distributed to 58,000 beneficiaries during the month of April, 48,000 of whom have been registered on the vulnerable group feeding programme. ICRC in collaboration with the Sierra Leone Red Cross has reported distributing 483 MTs of food commodities to 36,877 beneficiaries in Freetown during the first three months of 1998. UN-HACU will initiate and maintain a database recording all food utilisation information by chiefdom, feeding programme and supply agency when rural distribution returns from all the food supply agencies are received.

There is concern over the maintenance of the food pipeline into Sierra Leone. At present the NGO food pipeline will be exhausted in June or July with no prospect of resupply until September. WFP is not in a position to lend food to NGOs for the Sierra Leone programme as surplus stocks in Guinea have been earmarked to assist the feeding of the new influx of Sierra Leonean refugees from Kono and Kailahun districts into Gueckedou in Eastern Guinea. The food supply agencies have communicated their concerns over this issue to USAID, Washington in the hope that this potential break in the pipeline will be filled.

Some commercially-hired trucking companies have refused to transport relief food into rural areas of Sierra Leone as trucks have been commandeered by ECOMOG for military purposes. This is a source of concern as ECOMOG's lack of logistical capacity is directly affecting food agencies' ability to carry out their humanitarian mandates. On 24 April food supply agencies and

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the military adviser from the Office of the Special Envoy of the Secretary-General met the ECOMOG Force Commander in Sierra Leone, Col. Khobe, to discuss these issues. The ECOMOG Force Commander prescribed certain guidelines with a view to eliminating the current problem. These guidelines will be discussed with other Committee on Food Aid members to determine whether they are appropriate for the conduct of humanitarian operations.

HEALTH

UNICEF, in collaboration with the Ministry of Health launched a mass immunisation campaign for mothers, women of child-bearing age and children under the age of five in the Western areas on 23 April. The campaign is expected to be completed in three weeks.

During the first three months of 1998 a total of 78,000 people were seen for consultations at ICRC supported clinics and 2,300 children were immunised according to the WHO Extended Programme of Immunisation standards.

An ACF nutritional survey conducted in Freetown for children under the age of five revealed a Global Acute Malnutrition rate (Z score) of 9,1 percent, which represents a slight deterioration from the rate of 8,7 percent recorded at the previous nutritional survey conducted in December 1997. However, the malnutrition rate does not breach the 10 percent threshold at which an emergency intervention is required. ACF is currently running a wet feeding programme in Freetown for 13,000 children under the age of five and 10,000 mothers / adult carers in the six most vulnerable areas of Freetown. The programme will last for two months.

CHILD PROTECTION

UNICEF / Ministry of Social Welfare have completed an assessment of residential institutions for children following ECOMOG's intervention. The report reveals that there were 1,614 institutionalised children in Sierra Leone at the time of ECOMOG's intervention on 6 February, 60 of these children disappeared after the intervention although 138 new children were institutionalised. During the period of the intervention two children were killed, seven enlisted into the fighting forces, seven abducted and 21 girls raped.

The Ministry of Social Welfare, UNICEF, KDDO and the CDF War Council have agreed on a plan to demobilise approximately 600 child kamajors in Kenema district. Registration is underway and it is expected that only a small number of accompanied children will need interim care as the majority will go directly to their families. All child protection agencies in the region are making provisions for the reception of the children and for their involvement in community agricultural activities after demobilisation.

NON-FOOD ITEMS

At the inaugural non-food committee meeting in Freetown, jointly chaired by NCRRR and UN-HACU, it was decided that three working groups focusing on roads and bridges, shelter and non-food items would be responsible for producing Terms of Reference of their respective activities which would be submitted to the Consultative Forum for scrutiny. It was hoped that additional Food for Work opportunities for reconstruction and rehabilitation cold be identified through this new committee.

LIBERIAN REFUGEES

As at 24 April Concern Worldwide, UNHCR's implementing partner in Sierra Leone had registered 3,500 Liberian refugees in Freetown, 1,044 of whom were located in Waterloo camp. To date only 444 have opted for voluntary

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repatriation to Liberia. Outside Freetown Concern Worldwide has registered 2,041 refugees in Kenema and 3,830 in Bo.

This report is available on the internet through RELIEFWEB:
http://www.reliefweb.int

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Court Management Section – Court Records

Errata to Document Certificate

This certificate elicits the error in the following document in the Court Records

Case Name: The Prosecutor –V-Charles Ghankay Taylor
Case Number: SCSL-2003-01-PT
Document Index Number: 236
Document Date: 14 May 2007
Filing Date: 14 May 2007
Number of Pages: Page Numbers: 5598-7727
Document Type: - **Prosecution's Motion for Judicial Notice**

☐ Affidavit

☐ Indictment

☐ Correspondence

☐ Order

☒ **Motion**

Note that in this Document Number SCSL-03-01-PT-236; after page 6565 the next 100 pages (6466-6565) will be referred to as ***Bis***, thereafter, from page 6566 pagination goes on as normal.

Name of Officer:
Advera Nsiima K.

Signed Nsiima.

FACT 55

The United Nations issued the Fifth Report of the Secretary-General on the Situation in Sierra Leone (S/1998/486), dated 9 June 1998, and noted or reported that:

(a) there were reports that many of the fighters supporting the former junta in the east were Liberian nationals. The Monitoring Group of ECOWAS believed it had identified some dead combatants as Liberians after clashes with junta elements, and had reportedly captured more than 100 Liberian fighters in the vicinity of Kailahun and in Kono district (para. 29, ERN 00004206);

(b) Liberia was represented by Vice President Enoch Dogolea at the 4 June 1998 summit meeting of the three Mano River Union countries, where Presidents Conteh and Kabbah discussed mutual cooperation in the subregion and relations between Liberia and Sierra Leone (para. 12, ERN 00004203);

(c) the government of Sierra Leone was restored on 10 March 1998 (para. 3, ERN 00004201);

(d) following the expulsion of the junta from Freetown, armed former junta elements attacked the local civilian population, killing, raping and mutilating hundreds (para. 15, ERN 00004203);

(e) as they retreated toward the eastern part of the country, former junta elements inflicted extensive damage and engaged in indiscriminate looting and property destruction (para. 27, ERN 00004205);

(f) armed, uniformed groups consistently reported to be members of rebel forces have systematically mutilated or severed the limbs of non-combatants around Koidu and Kabala and as far west as Masiaka. Between 6 April to 21 May 1998, 225 people were admitted to Connaught Hospital in Freetown with war wounds; all but one were reported to be civilians. Of these, a quarter were amputees, and half were victims of deep lacerations. In the same period, there were some 500 admissions of war-wounded persons to other hospitals in Sierra Leone (para. 35, ERN 00004207);

(g) the youngest amputee admitted to the hospital was a six-year-old girl, one of whose arms was completely severed (para. 36, ERN 00004207);

(h) others reported babies had been taken from their mothers' arms and burned alive, and there were numerous reports of rape, including the multiple rape of a 12-year-old girl. A 60-year-old woman had lacerations from a failed attempt to behead her (para. 36, ERN 00004207); and

(i) the Special Envoy's office continued to receive information about human rights abuses perpetrated by forces loyal to the junta in the period before the restoration of the Government, including extrajudicial killings, rape, arbitrary detention, torture of children (especially of child-combatants), forced labour, and the looting and destruction of residential and commercial premises and property (para. 37, ERN 00004207).

a.	Exh. 1.007	ERN 00004201-00004217	Fifth Report of the Secretary-General on the Situation in Sierra Leone, S/1998/486, 9 June 1998.

00004201

UNITED
NATIONS

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Security Council

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GENERAL

S/1998/486
9 June 1998

ORIGINAL: ENGLISH

FIFTH REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN SIERRA LEONE

I. INTRODUCTION

1. By paragraph 5 of its resolution 1162 (1998) of 17 April 1998, the Security Council authorized the deployment, with immediate effect, of up to 10 United Nations military liaison and security advisory personnel in accordance with paragraph 44 of my report of 18 March 1998 (S/1998/249) to Sierra Leone for a period of up to 90 days, to work under the authority of my Special Envoy, to coordinate closely with the Government of Sierra Leone and with ECOMOG, the Monitoring Group of the Economic Community of West African States (ECOWAS), to report on the military situation in the country, to ascertain the state of and to assist in the finalization of planning by the Government of Sierra Leone and ECOMOG for future tasks, such as the identification of the former combatant elements to be disarmed and the design of a disarmament plan, as well as to perform other related security tasks as identified in other paragraphs of my above-mentioned report.

2. By paragraph 10 of that resolution, the Council requested me to report periodically, including on the activities of those military liaison and security advisory personnel and on the work of the office of my Special Envoy in Sierra Leone, within the reporting time-frame set out in paragraph 16 of resolution 1132 (1998) of 8 October 1997. The present report is submitted in accordance with that time-frame, by which the Security Council requested the submission of a report every 60 days.

II. DEVELOPMENTS SINCE MY LAST REPORT

Action taken by the Government of Sierra Leone

3. Following its restoration on 10 March 1998, the Government of Sierra Leone has acted to consolidate its authority throughout the country as far as possible. On 16 March, President Kabbah, acting with the support of Parliament, proclaimed a state of emergency empowering him to take measures to ensure security and stability. These measures included the right to detain suspects and restrict their movements, the imposition of a curfew and the right to

10. On 22 May 1998, President Kabbah, in a comprehensive policy statement delivered at the State opening of the second session of Parliament, outlined major national policies his Government intends to pursue. These include: establishing guidelines for development activities, a framework for the creation of a new army and the restructuring and retraining of the police force; improving relations with neighbouring countries; reviving the national economy; strengthening key sectors of activity; and promoting civic education to sensitize Sierra Leoneans to the true meaning of peace and democracy. The President has also called for national reconciliation.

11. From 30 to 31 May 1998, the Minister of Internal Affairs, Mr. Charles Margai, and the Deputy Defence Minister, Chief Hinga Norman, visited Makeni and Kenema and called on all remnants of the Armed Forces Revolutionary Council/Revolutionary United Front (AFRC/RUF) forces to surrender within two weeks, promising them that they would be protected and treated fairly in accordance with the law.

12. On 4 June 1998, at a summit meeting of the leaders of the three Mano River Union countries, President Conteh and President Kabbah of Sierra Leone met at Conakry to discuss mutual cooperation in the subregion and relations between Liberia and Sierra Leone. Liberia was represented by the Vice-President, Mr. Enoch Dogolea.

Action taken by the Monitoring Group of the Economic Community of West African States

13. Following the expulsion of the illegal military junta from the capital, Freetown, in mid-February and the restoration of the democratically elected Government of President Ahmad Tejan Kabbah in the capital, ECOMOG moved swiftly to secure the area around Freetown, as well as the northern and southern provinces of the country, especially the towns of Makeni, Kambia and Kabala in the north and Bo and Kenema in the south. ECOMOG forces also advanced eastwards towards the Kono and Kailahun districts, where the forces of the former junta were concentrated.

14. Though ECOMOG has continued to make progress, it is severely overextended and its advance has been beset by logistical constraints, as well as by fierce resistance from elements of the AFRC and the RUF, the partners in the former junta. In mid-May, however, ECOMOG seized Koindu and Buedu on the eastern border of Sierra Leone with Guinea.

15. As ECOMOG troops approached, armed former junta elements attacked the local civilian population, killing, raping and mutilating hundreds of them, causing tens of thousands of Sierra Leoneans to flee into Liberia and Guinea in the last few weeks and tens of thousands more to flee into the interior of Sierra Leone. Hundreds of patients have been admitted to hospitals suffering from amputation of limbs and ears and severe lacerations. Humanitarian organizations fear that the actual number of victims may be much larger (see sect. III below).

16. ECOMOG is being supported by units of the Sierra Leonean Civil Defence Force (CDF), which is composed of irregular community-based fighters who fought the junta before the restoration of the legitimate Government. The Civil

President Kabbah, Ministers and Parliamentarians, as well as with the Force Commander of ECOMOG, the National Coordinator of CDF and representatives of United Nations agencies and non-governmental organizations. He visited Daru, Segbwema and Kenema, accompanied by the Minister for Social Welfare, Gender and Children's Affairs, Mrs. Shirley Gbujama, my Special Envoy, the United Nations Resident Coordinator and the representative of UNICEF.

23. In discussions with the Government, ECOMOG and CDF, important commitments were made to my Special Representative in relation to the rights, protection and welfare of children. It was agreed that a joint task force for the demobilization of child combatants, comprising the Government, ECOMOG, CDF, the United Nations and international humanitarian agencies, would be constituted. The Government agreed not to recruit children under 18 years of age into a new national army. The Civil Defence Force committed to stop recruiting and initiating children under 18 and to begin the process of demobilization of child combatants within their ranks. Along with ECOMOG, CDF also undertook that children captured in or fleeing from areas held by junta elements would receive special protection. President Kabbah directed that a coordination group consisting of relevant Ministries, United Nations agencies and non-governmental organizations, be established to coordinate an effective national response to the needs of children affected by armed conflict. Following their discussion with Mr. Otunnu, an all-party group of Parliamentarians constituted a caucus to serve as parliamentary advocates for the rights, protection and welfare of children affected by armed conflict in Sierra Leone.

24. At the conclusion of his visit, Mr. Otunnu proposed that the international community make Sierra Leone one of the pilot projects for a more concerted and effective response in the context of post-conflict peace-building.

Military and security situation in Sierra Leone

25. The security situation in Freetown continues to be favourable, with a strong but discreet ECOMOG presence and widespread deployment of the Sierra Leonean police. Schools, banks and markets are functioning normally, some international air links to the airport at Lungi have been restored and food and fuel products are widely available. Nevertheless, ECOMOG has continued to recover weapons in house-to-house searches conducted on the basis of information received about the presence in Freetown of former junta members and common criminals.

26. Despite ECOMOG's initial success in driving the elements of the junta rebels back towards the east of the country, several groups of rebels appear to have broken out of the Kailahun district and have moved northwards and westwards in an apparent attempt to re-establish some of their former bush camps in the north. They have been attacking towns and villages, terrorizing local communities and extorting food from them. The situation in the north is now considered unsatisfactory and food convoys have to be guarded by armed escort.

27. Moreover, in the course of their retreat towards the eastern part of the country, former junta elements inflicted extensive damage and engaged in indiscriminate looting and property destruction. In particular, hospitals in most communities lack beds, drugs and equipment.

28. The United States has contributed $3.9 million to ECOMOG over a four-month period through the logistics services company Pacific Architects and Engineers, which provided services to ECOMOG in Liberia. Some vehicles have already been made available. It is anticipated that this assistance will result in further gains by ECOMOG against the former junta forces. However, this contribution is not expected to assist in the deployment of additional ECOMOG forces, for which further contributions, whether bilaterally or through the Trust Fund to support peacekeeping and related activities in Sierra Leone, will be needed.

29. There are reports that many of the fighters supporting the former junta in the east are in fact Liberian nationals. The Monitoring Group of the Economic Community of West African States believes it has identified some of the dead combatants as Liberians after clashes with junta elements and has reportedly captured more than 100 Liberian fighters in the vicinity of Kailahun and in Kono district.

30. On 5 May 1998, President Taylor wrote to me deprecating the "disturbing allegation" that the Government of Liberia was involved in the conflict in Sierra Leone and stressing his commitment to the maintenance of peace in the region. President Taylor informed me that he had proposed to the Chairman of ECOWAS that ECOMOG "cordon off" the border between the two countries, and said he would welcome the concurrence of the United Nations with his suggestion that United Nations monitors be deployed in the border area.

31. On 7 May 1998, the Liberian Government issued a policy statement reaffirming that it would not permit its territory to be used to destabilize any neighbouring country and stating that President Taylor had approved the deployment of an ECOMOG observer unit at the border between Liberia and Sierra Leone in Lofa County, Liberia.

32. The Government of Sierra Leone has welcomed the issuance of the policy statement and has disclosed that a Liberian delegation visiting Freetown to attend the funeral of the late spouse of the President, Mrs. Patricia Kabbah, had met with President Kabbah and discussed the improvement of relations between the two countries.

33. In some parts of the country, misconduct by some members of CDF, arising from their indiscipline and lack of training, has given rise to complaints from civilians.

III. HUMAN RIGHTS

34. Since early May 1998, a human rights adviser has been attached to the office of my Special Envoy. His main tasks have included the observation of the treason trials and, in close consultation with the Special Envoy and the United Nations High Commissioner for Human Rights, examining modalities to increase the capacity of the office to monitor the human rights situation in Sierra Leone and to assist the Government in meeting its international human rights obligations in a sustainable manner. In carrying out its human rights functions, the office will work closely with all relevant elements of civil society, including national and international non-governmental organizations. Both the

Attorney-General and the Chief Justice of Sierra Leone have offered their full cooperation to my Special Envoy and his staff in the exercise of his human rights functions.

35. The main focus of human rights concerns since my last report has been the attacks on civilians by armed, uniformed groups, which are consistently reported to be members of the rebel forces. They have systematically mutilated or severed the limbs of non-combatants around the towns of Koidu and Kabala, in a zone that stretches as far west as Masiaka, south of Port Loko. The scale of the attacks can be estimated from the accounts of victims who have been admitted to hospital. For instance, in the period from 6 April to 21 May 1998, 225 people were admitted to Connaught Hospital in Freetown with war wounds. All but one were reported to be civilians. Of these, a quarter were amputees and half were victims of deep lacerations. The patients report that for every one person who reached the hospital, some five other victims of attacks are either dead or missing. In the same period, there have been some 500 admissions of war-wounded persons to other hospitals in Sierra Leone.

36. Of those victims who have received treatment, most are male, ranging in age from 8 to 60 years. The youngest amputee admitted to hospital is, however, a six-year-old girl, one of whose arms was completely severed. Victims also report that babies have been taken from their mothers' arms and burned alive. There are numerous reports of rape, including one of the multiple rape of a 12-year-old girl. Doctors at one hospital state that lacerations inflicted on one 60-year-old woman are the result of a failed attempt to behead her.

37. The office of my Special Envoy continues to receive information about human rights abuses perpetrated by forces loyal to the junta in the period before the restoration of the Government. From all parts of the country there are reports of extrajudicial killings, rape, arbitrary detention, including for purposes of sexual abuse, torture of children (especially of child-combatants), forced labour and the looting and destruction of residential and commercial premises and property. It will remain important to document these actions with a view to tackling issues of impunity and as an element in the process of promoting reconciliation and healing of society.

38. Information has also been received regarding widespread acts of extrajudicial revenge killings perpetrated against alleged junta collaborators following the restoration of the Government. In just one town, Kenema, there are reports of some 50 revenge killings. Some of those killed were children, with at least one case occurring in Freetown. There are reportedly still many people in hiding for fear of being subjected to revenge attacks. Reportedly some 100 of those hiding in the Freetown area are children. The Government has given assurances that revenge attacks will be investigated and prosecuted.

39. Reports indicate that elements of the Kamajors are responsible for violation of the human rights and rights under humanitarian law of both combatants and non-combatants. This militia force continues to include large numbers of male children. Concerns have been expressed to the Government on these matters and it has indicated that it is taking action to correct the situation (see paras. 22-24 above).

FACT 56

The United Nations issued Security Council Resolution 1181 (S/RES/1181/1998), dated 13 July 1998, in which the Security Council, concerning Sierra Leone:

(a) expressed grave concern at the loss of life and immense suffering undergone by the people of Sierra Leone, including refugees and displaced persons, as a result of the continuing rebel attacks, and in particular, at the plight of children affected by the conflict (Introduction);

(b) condemned the violence that remnants of the ousted junta and members of the RUF were perpetrating against the civilian population of Sierra Leone (para. 1),

(c) demanded that they lay down their arms immediately and that all factions respect human rights and abide by applicable rules of international humanitarian law (paras. 1 and 12);

(d) expressed serious concern at the reports of cross-border arms flows and support to the rebels in Sierra Leone (para. 13); and

(e) reaffirmed the obligation of all States to strictly comply with the terms of the embargo on the sale or supply of arms and related materiel to Sierra Leone imposed by resolution 1171 (1998) of 5 June 1998 (para. 13).

a.	Exh. 1.014	ERN 00004329-00004332	U.N. Security Council Resolution 1181 (1998), 13 July 1998, S/RES/1181 (1998), http://daccessdds.un.org/doc/UNDOC/GEN/N98/203/28/PDF/N9820328.pdf?OpenElement

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Security Council

Distr.
GENERAL

S/RES/1181 (1998)
13 July 1998

RESOLUTION 1181 (1998)

Adopted by the Security Council at its 3902nd meeting, on 13 July 1998

The Security Council,

Recalling its previous relevant resolutions and the statements of its President,

Welcoming the continued efforts of the Government of Sierra Leone to restore peaceful and secure conditions in the country, to re-establish effective administration and the democratic process and to embark on the task of national reconciliation, reconstruction and rehabilitation,

Recognizing the important contribution of the Economic Community of West African States (ECOWAS) in support of these objectives,

Having considered the report of the Secretary-General of 9 June 1998 (S/1998/486 and Add.1),

Noting the objectives set by ECOWAS for its Military Observer Group (ECOMOG) as described in paragraph 17 of the report of Secretary-General,

Gravely concerned at the loss of life and immense suffering undergone by the people of Sierra Leone, including refugees and displaced persons, as a result of the continuing rebel attacks, and in particular at the plight of children affected by the conflict,

1. Condemns the continued resistance of remnants of the ousted junta and members of the Revolutionary United Front (RUF) to the authority of the legitimate government and the violence they are perpetrating against the civilian population of Sierra Leone, and demands that they lay down their arms immediately;

2. Emphasizes the need to promote national reconciliation in Sierra Leone, encourages all parties in the country to work together towards this objective, and welcomes the assistance of the Secretary-General and his Special Envoy in that regard;

Secretary-General in paragraphs 74 and 75 of his report, shall perform, inter alia, the following tasks:

(a) To advise, in coordination with other international efforts, the Government of Sierra Leone and local police officials on police practice, training, re-equipment and recruitment, in particular on the need to respect internationally accepted standards of policing in democratic societies, to advise on the planning of the reform and restructuring of the Sierra Leone police force, and to monitor progress in that regard;

(b) To report on violations of international humanitarian law and human rights in Sierra Leone, and, in consultation with the relevant United Nations agencies, to assist the Government of Sierra Leone in its efforts to address the country's human rights needs;

9. Welcomes the commitment of ECOMOG to ensure the security of United Nations personnel, and in this regard welcomes also the intention of the Secretary-General to establish security arrangements for United Nations personnel with the Chairman of ECOWAS and to conclude a status of mission agreement with Government of Sierra Leone;

10. Decides that the elements of UNOMSIL referred to in paragraph 6 above shall be deployed when the Secretary-General informs the Council that security arrangements and the status of mission agreement have been concluded, and further decides to keep the deployment of UNOMSIL under review in the light of the prevailing security conditions;

11. Stresses the need for full cooperation and close coordination between UNOMSIL and ECOMOG in their respective operational activities;

12. Demands that all factions and forces in Sierra Leone strictly respect the status of UNOMSIL personnel, as well as organizations and agencies delivering humanitarian assistance throughout Sierra Leone, and that they respect human rights and abide by applicable rules of international humanitarian law;

13. Expresses its serious concern at the reports of cross-border arms flows and support to the rebels in Sierra Leone, welcomes the intention of the Secretary-General, as indicated in his report, to pursue with all parties concerned steps to eliminate these activities, and in that regard reaffirms the obligation of all States to comply strictly with the terms of the embargo on the sale or supply of arms and related matériel to Sierra Leone imposed by resolution 1171 (1998) of 5 June 1998, and to bring all instances of violations of the arms embargo before the Committee established by resolution 1132 (1997) of 8 October 1997;

14. Welcomes the efforts of the Government of Sierra Leone to coordinate an effective national response to the needs of children affected by armed conflict, and the recommendation of the Special Representative of the Secretary-General for Children in Armed Conflict that Sierra Leone be made one of the pilot projects for a more concerted and effective response to the needs of children in the context of post-conflict peace-building;

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Security Council

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S/RES/1181 (1998)
13 July 1998

RESOLUTION 1181 (1998)

Adopted by the Security Council at its 3902nd meeting,
on 13 July 1998

The Security Council,

Recalling its previous relevant resolutions and the statements of its President,

Welcoming the continued efforts of the Government of Sierra Leone to restore peaceful and secure conditions in the country, to re-establish effective administration and the democratic process and to embark on the task of national reconciliation, reconstruction and rehabilitation,

Recognizing the important contribution of the Economic Community of West African States (ECOWAS) in support of these objectives,

Having considered the report of the Secretary-General of 9 June 1998 (S/1998/486 and Add.1),

Noting the objectives set by ECOWAS for its Military Observer Group (ECOMOG) as described in paragraph 17 of the report of Secretary-General,

Gravely concerned at the loss of life and immense suffering undergone by the people of Sierra Leone, including refugees and displaced persons, as a result of the continuing rebel attacks, and in particular at the plight of children affected by the conflict,

1. Condemns the continued resistance of remnants of the ousted junta and members of the Revolutionary United Front (RUF) to the authority of the legitimate government and the violence they are perpetrating against the civilian population of Sierra Leone, and demands that they lay down their arms immediately;

2. Emphasizes the need to promote national reconciliation in Sierra Leone, encourages all parties in the country to work together towards this objective, and welcomes the assistance of the Secretary-General and his Special Envoy in that regard;

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3. Welcomes the proposal in the report of the Secretary-General of 9 June 1998 on the establishment of the United Nations Observer Mission in Sierra Leone (UNOMSIL);

4. Notes that the Government of Sierra Leone has adopted a disarmament, demobilization and reintegration plan agreed with the International Bank for Reconstruction and Development, the United Nations Development Programme and other donors;

5. Commends the positive role of ECOWAS and ECOMOG in their efforts to restore peace, security and stability throughout the country at the request of the Government of Sierra Leone, and notes the role of ECOMOG in assisting the implementation of the disarmament, demobilization and reintegration plan adopted by the Government of Sierra Leone, including the provision of security and responsibility for arms collection and destruction;

6. Decides to establish UNOMSIL for an initial period of six months until 13 January 1999, and further decides that it shall include up to 70 military observers as well as a small medical unit, with the necessary equipment and civilian support staff, with the following mandate:

(a) To monitor the military and security situation in the country as a whole, as security conditions permit, and to provide the Special Representative of the Secretary-General with regular information thereon in particular with a view to determining when conditions are sufficiently secure to allow subsequent deployments of military observers beyond the first phase described in paragraph 7 below;

(b) To monitor the disarmament and demobilization of former combatants concentrated in secure areas of the country, including monitoring of the role of ECOMOG in the provision of security and in the collection and destruction of arms in those secure areas;

(c) To assist in monitoring respect for international humanitarian law, including at disarmament and demobilization sites, where security conditions permit;

(d) To monitor the voluntary disarmament and demobilization of members of the Civil Defence Forces (CDF), as security conditions permit;

7. Decides further that the elements of UNOMSIL referred to in paragraph 6 above shall be deployed as outlined in the Secretary-General's report, with approximately 40 military observers deployed in the first phase to ECOMOG-secured areas, and that subsequent deployments shall take place as soon as security conditions permit, and subject to progress on the implementation of the disarmament, demobilization and reintegration plan and the availability of the necessary equipment and resources;

8. Decides further that UNOMSIL shall be led by the Special Envoy of the Secretary-General, who will be designated Special Representative for Sierra Leone, that UNOMSIL shall subsume the office of the Special Envoy and its civilian staff, and that the augmented civilian staff, as recommended by the

Secretary-General in paragraphs 74 and 75 of his report, shall perform, inter alia, the following tasks:

(a) To advise, in coordination with other international efforts, the Government of Sierra Leone and local police officials on police practice, training, re-equipment and recruitment, in particular on the need to respect internationally accepted standards of policing in democratic societies, to advise on the planning of the reform and restructuring of the Sierra Leone police force, and to monitor progress in that regard;

(b) To report on violations of international humanitarian law and human rights in Sierra Leone, and, in consultation with the relevant United Nations agencies, to assist the Government of Sierra Leone in its efforts to address the country's human rights needs;

9. Welcomes the commitment of ECOMOG to ensure the security of United Nations personnel, and in this regard welcomes also the intention of the Secretary-General to establish security arrangements for United Nations personnel with the Chairman of ECOWAS and to conclude a status of mission agreement with Government of Sierra Leone;

10. Decides that the elements of UNOMSIL referred to in paragraph 6 above shall be deployed when the Secretary-General informs the Council that security arrangements and the status of mission agreement have been concluded, and further decides to keep the deployment of UNOMSIL under review in the light of the prevailing security conditions;

11. Stresses the need for full cooperation and close coordination between UNOMSIL and ECOMOG in their respective operational activities;

12. Demands that all factions and forces in Sierra Leone strictly respect the status of UNOMSIL personnel, as well as organizations and agencies delivering humanitarian assistance throughout Sierra Leone, and that they respect human rights and abide by applicable rules of international humanitarian law;

13. Expresses its serious concern at the reports of cross-border arms flows and support to the rebels in Sierra Leone, welcomes the intention of the Secretary-General, as indicated in his report, to pursue with all parties concerned steps to eliminate these activities, and in that regard reaffirms the obligation of all States to comply strictly with the terms of the embargo on the sale or supply of arms and related matériel to Sierra Leone imposed by resolution 1171 (1998) of 5 June 1998, and to bring all instances of violations of the arms embargo before the Committee established by resolution 1132 (1997) of 8 October 1997;

14. Welcomes the efforts of the Government of Sierra Leone to coordinate an effective national response to the needs of children affected by armed conflict, and the recommendation of the Special Representative of the Secretary-General for Children in Armed Conflict that Sierra Leone be made one of the pilot projects for a more concerted and effective response to the needs of children in the context of post-conflict peace-building;

15. Further welcomes the decision of the Secretary-General to convene a high-level conference to mobilize assistance for peacekeeping activities, emergency and humanitarian needs and reconstruction and rehabilitation in Sierra Leone;

16. Reiterates its urgent appeal to States to make contributions to the Trust Fund which has been established to support peacekeeping and related activities in Sierra Leone, to provide technical and logistical support to assist ECOMOG to carry out its peacekeeping role, and to help facilitate other ECOWAS member States to provide additional troops to strengthen the deployment of ECOMOG in Sierra Leone;

17. Urges all States and international organizations to provide urgent humanitarian assistance to Sierra Leone, in response to the consolidated inter-agency appeal launched on 24 June 1998;

18. Encourages all States and international organizations to assist and participate in the longer term tasks of reconstruction and economic and social recovery and development in Sierra Leone;

19. Requests the Secretary-General to submit an initial report to the Council within 30 days of the adoption of this resolution and every 60 days thereafter on the deployment of UNOMSIL and on the progress of UNOMSIL in carrying out its mandate, and also to inform the Council on plans for the later phases of the deployment of UNOMSIL when security conditions permit these to be implemented;

20. Decides to remain seized of the matter.

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FACT 57

In the Second Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, dated 16 October 1998, the Secretary-General:

(a) reported that during the month of September, UNOMSIL received an escalating number of reports of mutilations, amputations, summary executions, abductions and house burnings. A 6 September attack on the village of Kamalu resulted in 40deaths, including children. Photographic evidence suggested that a number of the dead had first been subjected to forms of extreme torture and sexual abuse; others appeared to have been burned alive. It was reported that at least 50 people were abducted (para. 21, ERN 00012375);

(b) stated that in interviews with former captives of the rebels and escapees from areas under rebel control, they reported abuses that included multiple rapes of women, summary executions and slave labour (para. 22, ERN 00012376);

(c) expressed deep concern about developments in the situation between Sierra Leone and Liberia and urged both governments to exercise maximum restraint, pursue dialogue and implement the confidence building measures agreed in July 1998 (para. 61, ERN 00012383);

(d) proposed that, should both countries agree, the deployment of ECOMOG forces at the border, subsequently accompanied by UNOMSIL military observers, could help stabilize the situation and restore mutual confidence (para. 61, ERN 00012383); and

(e) strongly condemned the summary executions, torture, mutilation, rapes, looting and other acts of barbarism carried out by former junta elements and called on them to lay down their arms and surrender. He expressed particular outrage at "the senseless acts of terror perpetrated against children, such as the amputation of limbs of boys and girls as young as six years of age, and [I] support the efforts to bring to justice the authors of these especially abhorrent crimes." (para. 54, ERN 00012383).

a.	Exh. 1.077	ERN 00012371-00012385	Second Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, 16 October 1998, S/1998/960.

the Civil Defence Forces were expected to be demobilized during the first phase, there is no indication to date that any CDF units have started the process, although in some areas registration exercises have been initiated.

18. As I mentioned in my last report, there is still concern about the hostile attitude of the general public towards former RSLMF personnel, which could potentially derail the reintegration process. Given the continued volatility of the overall security situation, it is important to ensure that former soldiers are not cast out of society because they may, as a group, turn into a destabilizing factor in the long run. A sensitization campaign under the auspices of the Ministry of Information, Communications, Tourism and Culture is now under way to increase public acceptance of ex-combatants. Successful reintegration will also depend on the benefits extended to those communities to which ex-combatants return in order to avoid the perception of a preferential treatment for the former soldiers.

19. A major challenge also remains concerning the start of the pre-discharge orientation programme which is to follow the screening and registration process. An initial programme of pre-discharge activities will be established at Lungi by the Executive Secretariat of the National Committee on Disarmament, Demobilization and Reintegration. These will include workshops for community sensitization, attitudinal education for ex-combatants, and general information on reinsertion and reintegration.

20. Regarding the future of the disarmament, demobilization and reintegration process, the Executive Secretariat of the National Committee has already indicated its intention to open a disarmament and demobilization centre in the interior in preparation for the next phase of the programme. A team composed of National Committee staff, UNOMSIL and the United Nations Children's Fund (UNICEF), in collaboration with ECOMOG, is currently undertaking reconnaissance visits to identify suitable sites for the exercise.

V. HUMAN RIGHTS

Human rights abuses

21. Since my last report there has been a resurgence of human rights abuses committed by the rebel forces. During the month of September, UNOMSIL received an escalating number of reports of mutilations, amputations, summary executions, abductions and house burnings. For instance, in just a single week, 20 villages were attacked and destroyed in four small chiefdoms in the north-west of the country. The attacks were preceded by the destruction of the principal local population centre, Kamalu, on 6 September. Forty people, including children, died in that attack. Photographic evidence suggests that a number of the dead had first been subjected to forms of extreme torture and sexual abuse; others appear to have been burned alive. It is reported that no less than 50 people were abducted. The rising incidence of mutilations and amputations is also illustrated by the admission to hospital of 14 amputees following just one attack on Kokuna on 27 September. From a number of locations UNOMSIL has received reliable reports of other forms of atrocities, including the detention

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of elderly or incapacitated men in huts which were then set on fire and the carving of slogans, such as "AFRC", into the flesh of victims.

22. It remains difficult to estimate the exact number of rebel attacks and the casualties inflicted, not least because of the inaccessibility of many of the targeted locations and the high number of victims who never reach medical assistance. There is also very little reliable information regarding the plight of the captives of the rebels and of villagers living in areas under their control. However, interviews with former captives and escapees from those regions report such abuses as multiple rape of women, summary executions and slave labour. In the coming months, the four members of the UNOMSIL human rights unit, in cooperation with the military observers deployed in the provinces, will try in a systematic manner to compile and assess information regarding the human rights situation within the areas under rebel control.

23. There is also continued concern about the ongoing armed deployment of under-age boys and, in some locations, their continued initiation into the Civil Defence Forces. The renewed attention drawn to these matters by the Executive Director of UNICEF, Ms. Carol Bellamy, during a visit to Sierra Leone on 1 and 2 October, has greatly assisted efforts to end the recruitment and deployment of child soldiers by CDF units.

24. The discipline of many CDF units has improved significantly. Nevertheless, there are reports of interference by some CDF elements with the delivery of humanitarian supplies and acts of harassment against the civilian population. Reports of the prevalence of child prostitution in some heavily militarized areas of the countryside have, moreover, been substantiated. Together with UNICEF, the UNOMSIL human rights unit is seeking to assist the Government and ECOMOG in addressing this problem. Some reports have also suggested that certain ECOMOG personnel do not consistently ensure full respect for provisions of international humanitarian law, such as those regarding the protection of non-combatants in combat situations and the proper treatment of combatants during surrender or capture. UNOMSIL is encouraging the ECOMOG leadership to raise awareness among all troops to ensure full respect for all relevant aspects of international humanitarian law. The mission's human rights unit stands ready to assist ECOMOG with technical advice if needed.

Treason trials

25. The State is currently prosecuting, for treason and related charges, some 40 people in two civilian trials. A court martial was concluded on 12 October, and further trials are scheduled to commence in the coming weeks. A separate civilian trial of RUF leader Foday Sankoh commenced on 24 September 1998. Given the highly-charged atmosphere surrounding the trial, the Attorney-General has requested the assistance of the UNOMSIL human rights adviser on several occasions to ensure that Corporal Sankoh's rights are respected. However, the Government's failure so far to persuade a Sierra Leonean lawyer to represent Corporal Sankoh is a cause for concern. All the accused face the possible imposition of the death penalty. Already, 16 civilians and 34 of the defendants in the court martial have been sentenced to death. Under Sierra Leonean law, only the civilians have the right to appeal their sentences to the Sierra Leone Court of Appeal and, ultimately, to the Supreme Court. If the sentences are

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equipment and logistical support for the screening and registration exercise, and by continuing to provide food and emergency medical assistance to the ex-combatants as well as water to the larger community at Lungi.

59. The Government of Sierra Leone has made commendable efforts to ensure that the procedural aspects of the civilian group trials are in conformity with international human rights standards. However, I must express my concern that those sentenced to death in the recently concluded court martial have no right of legal appeal under Sierra Leonean law. Accordingly, in the light of the human rights issues which arise, I urge the Government, at a minimum, to consider a stay of execution of sentences pending review of the proceedings before relevant international monitoring bodies. I also encourage the Government to continue to take all reasonable steps to ensure that persons facing serious criminal charges are legally represented.

60. I should like to express my appreciation for the generous manner in which the International Bar Association has provided expert trial observers who have worked closely with UNOMSIL. I also encourage the international community to support human rights training programmes, to be carried out in close consultation with the Office of the United Nations High Commissioner for Human Rights, for the benefit of those involved in law enforcement, as well as members of the legal profession and the judiciary.

61. The latest developments in the situation between Sierra Leone and Liberia are a cause for deep concern. I urge the Governments of Sierra Leone and Liberia to continue to exercise maximum restraint, pursue dialogue and implement the confidence-building measures aimed at improving relations between the two countries which they agreed upon in July 1998. In doing so, the two Governments would continue to show their commitment to subregional peace and security and their adherence to the Non-aggression Pact and Good Neighbourliness Treaty contained in the Mano River Union Declaration of 1973. In this context, should both parties agree, the deployment of ECOMOG troops at the border, subsequently accompanied by United Nations military observers, could help to stabilize the situation and restore mutual confidence.

62. Finally, I wish to thank all Member States which have contributed military observers for deployment with UNOMSIL for the speed with which the officers were dispatched. I hope that, under the right conditions and the necessary improvements in security, the second phase of deployment can be implemented with equal success.

63. Pursuant to resolution 1181 (1998), I will continue to keep the situation in Sierra Leone under close review and report to the Council on developments on the ground as well as the continued work of UNOMSIL. In particular, I will examine with great care any realistic proposal to end the armed conflict with minimal further loss of life to combatants and to innocent civilians, and to promote lasting peace and national reconciliation in Sierra Leone.

64. I would like to express my appreciation to my Special Representative, Mr. Francis G. Okelo, to the Chief Military Observer, Brigadier Subhash C. Joshi, and to the military and civilian personnel of UNOMSIL for their work in accordance with the mandate provided by the Security Council.

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now proceed to seek donor funding for the reform and restructuring of the Sierra Leonean police force, while continuing to work closely with the Government in carrying out the three-year strategic plan referred to in paragraph 33 above.

X. OBSERVATIONS AND CONCLUSIONS

54. The continuing conflict in Sierra Leone imposes immense suffering on the people of that country. I strongly condemn the summary executions, torture, mutilations, rapes, looting and other acts of barbarism carried out by former junta elements and call on them to lay down their arms and surrender. I am particularly outraged by the senseless acts of terror perpetrated against children, such as the amputation of limbs of boys and girls as young as six years of age, and support the efforts to bring to justice the authors of these especially abhorrent crimes.

55. The human rights abuses committed by the rebels also give rise to the humanitarian emergency in Sierra Leone, as they continue to cause the widespread dislocation of local populations. Though United Nations humanitarian personnel and non-governmental organizations have done much to aid the victims of attacks and displacement, more needs to be done as a matter of urgency, especially in regard to the provision of medical and surgical capacity, specific services for amputees and psychosocial treatment for the trauma suffered by the victims and their families. To this end, I reiterate my call to donors to contribute to the Inter-Agency Consolidated Appeal for Humanitarian Assistance to Sierra Leone in order to meet the basic needs of the people.

56. The continuing commitment of ECOMOG has been essential in assisting the Government of Sierra Leone to restore peace and security throughout the country, and the efforts being made to deploy additional troops from ECOWAS countries are welcome. In view of the importance of the present offensive into the east and the wresting of the initiative from the rebels, I appeal to the members of the Security Council and the international community to extend all possible technical and logistical support to achieving the successful conclusion of the conflict in Sierra Leone.

57. At the same time, I am encouraged by the focus of the Government on strengthening democratic control over the reconstituted armed forces. Equally commendable is the thoroughness applied to the restructuring of the police force and its reform in line with the standards of democratic societies. In this context, I should like to express my appreciation to the Governments of Germany and the United Kingdom for the support they have lent to the Government's efforts.

58. The long-term stability of the country will also depend vitally on the successful implementation of the disarmament, demobilization and reintegration programme adopted by the Government. I therefore reiterate the plea I made on 30 July at the Special Conference on Sierra Leone for the donor community to lend every possible assistance to the Government in carrying out its plan. I look forward to working closely with donors to ensure that the commitments made in this and other respects at the Special Conference will be honoured. I wish to commend the United Kingdom for the important role it has played by providing

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16 October 1998

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SECOND PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN SIERRA LEONE

I. INTRODUCTION

1. By paragraph 19 of its resolution 1181 (1998) of 13 July 1998, the Security Council requested me to submit an initial report within 30 days of the adoption of the resolution and every 60 days thereafter on the deployment of the United Nations Observer Mission in Sierra Leone (UNOMSIL) and its progress in carrying out its mandate, and also to inform the Council on plans for the later phases of the deployment of UNOMSIL when security conditions permit these to be implemented. The present report is submitted pursuant to that request and describes developments since my first progress report on UNOMSIL (S/1998/750), of 12 August 1998.

II. POLITICAL DEVELOPMENTS

2. The Government and Parliament of Sierra Leone have continued to take steps to extend their authority and to reform and strengthen national institutions, with a view to increasing efficiency and eliminating corruption and duplication, as well as enhancing security and stability.

3. On 2 September 1998, President Ahmad Tejan Kabbah outlined plans for the creation of a new national security system, based on the reconstitution of national armed forces, the reform of the police force and the integration of the Civil Defence Forces (CDF). Under this policy, the new armed forces would comprise a total of 5,000 troops under effective civilian management and constitutional control.

4. Another prominent issue is the handling of the trial of the leader of the Revolutionary United Front (RUF), Corporal Foday Sankoh. After Corporal Sankoh had been brought back from Nigeria and placed in Government custody, RUF announced on 17 August 1998 a terror campaign against civilians, CDF and the Economic Community of West African States Monitoring Group (ECOMOG) if the Government failed to release Corporal Sankoh within seven days, suggesting that peace negotiations could resume only thereafter. However, the Government has made it clear that Corporal Sankoh will stand trial and that there will be no resumption of negotiations or peace talks in view of the failure of RUF and the

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junta in the past to comply with the provisions of the Abidjan and Conakry peace agreements.

5. Vice-President Albert Joe Demby and the Deputy Minister for Defence and CDF Coordinator, Chief Hinga Norman, have temporarily relocated their offices to Kenema in the eastern province in order to organize and direct the large-scale mobilization of the Civil Defence Forces for the operations aimed at clearing the remaining rebel-controlled areas. The Vice-President has reaffirmed the Government's determination to pursue the military option against the elements of the former junta. His statement has been reinforced by a call from Chief Norman to all CDF members to report for combat duty.

Relations between Sierra Leone and Liberia

6. In my report of 12 August, I mentioned the improvements that had occurred in the relations between Sierra Leone and Liberia. Since then, relations between the two countries, after a period of improvement following the meeting of President Kabbah and President Taylor in Abuja in July, have recently experienced complications arising in part from the continuing armed conflict in the east of Sierra Leone.

7. On 13 October 1998, President Kabbah informed me of alleged preparations by Liberia for the dispatch of fighters for an incursion into Sierra Leone. The allegations were vigorously denied by President Taylor. United Nations military observers also detected no evidence of an armed incursion from Liberia. On 16 October the two Presidents were reported to have spoken by telephone, and to have described the matter as "a misunderstanding that has been clarified". The two leaders were reported to have agreed to be in regular telephone contact in order to work towards strengthening relations. I welcome this constructive approach.

Follow-up to the Special Conference on Sierra Leone

8. Following the Special Conference on Sierra Leone held at United Nations Headquarters on 30 July 1998, the Government of Sierra Leone has established a 10-member working group charged with following up on the commitments and pledges made at the Special Conference. The Working Group met for the first time on 28 August 1998 and discussed possible steps for approaching donor countries and funding agencies that had agreed to support the reconstruction of Sierra Leone. As called for by the Special Conference, the Government of the United Kingdom of Great Britain and Northern Ireland has taken the initiative of convening an international contact group on Sierra Leone in London early in November. The Working Group will meet again beforehand, probably in late October, to assess the progress made.

III. MILITARY AND SECURITY SITUATION

Rebel activities

9. Since my last report, the security situation in Sierra Leone has experienced considerable fluctuations. A relatively quiet phase in July was

followed by some volatility in late August and September, marked by a considerable increase in rebel attacks. These were accompanied by a resurgence of atrocities of the nature and scale last observed during the period from April to June, including the complete destruction of villages, and the torture, mutilation and execution of large numbers of civilians. These disturbing developments are reflected in more detail below.

10. The rebel build-up has been most significant in the north and brought the area of rebel activity closer to the centre of the country. Activity around the Koinadugu area has also intensified, as well as around Kambia and Kabala. The current concentration of rebels in the north-west indicates that they may be preparing for a major strike against Makeni or Port Loko. Such operations would sever ECOMOG's main supply route between Guinea, Freetown and Makeni and provide the rebels with a foothold close to the capital city. On 8 October, the rebels attacked Mange, between Port Loko and Kambia on the road between Lungi and the Guinean border, but were driven off. The situation in Freetown itself has remained safe and stable, and the whole of the southern province has remained free of rebel activity.

Civil Defence Forces/ECOMOG offensive into Kailahun district

11. On 1 October 1998 the Civil Defence Forces, with strong ECOMOG support, launched an offensive to capture one of the rebels' main strongholds in Kailahun district and thus disrupt their operations elsewhere in the country. The effects of the offensive are starting to be reflected in a reduction of the intensity of rebel activities in the north. Reports of the dispersal of the rebel stronghold at Koinadugu have also been received. Continued logistics support to ECOMOG is needed from the international community in order to ensure the effectiveness of those operations.

12. Several countries in the region have already pledged to contribute some of the additional 6,000 ECOMOG troops required to assist ECOMOG troops already in the country, whose number has been estimated at 10,000 to 12,000. The Governments of Côte d'Ivoire, the Gambia, Guinea, Mali and the Niger have indicated their readiness to provide contingents, stating that they could be deployed if the international community is prepared to bear the costs of transporting them to Sierra Leone. My Special Representative, Mr. Francis G. Okelo, has initiated discussions on this matter, and the Chief Military Observer of UNOMSIL has been meeting with contingent commanders from the countries involved concerning their deployment and related expenses for in-country maintenance and other needs.

Deployment of the Mission

13. At the end of August 1998, UNOMSIL completed the first phase of the deployment of its military component, consisting of 40 military observers, the Chief Military Observer and a medical team of 15 personnel. In addition to mission headquarters in Freetown, UNOMSIL has deployed military observers to five team sites, namely, the three provincial capitals Bo, Kenema and Makeni, the main demobilization site at Lungi, and Hastings airport (see map). The observers have been well received by the communities and have established good relations with the local authorities as well as with ECOMOG and CDF personnel.

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Though there have been occasional restrictions on their movement for security reasons, the observers have not so far experienced any disruption in their operations or threats to their personal safety.

14. Over and above their tasks of closely monitoring developments in the military situation, the military observers play an important role in the monitoring of international humanitarian law and promote humanitarian assistance through the investigation of incidents. They also provide security advice to humanitarian personnel and liaise between them and ECOMOG, CDF and the local authorities. They have been frequently called upon to intervene with ECOMOG and CDF on behalf of other United Nations agencies and non-governmental organizations.

15. Pursuant to paragraph 9 of resolution 1181 (1998), I wrote on 3 August 1998 to General Abdulsalámi A. Abubakar, Head of State of Nigeria, to propose that, in conformity with the disarmament and demobilization programme adopted by the Government of Sierra Leone, ECOMOG forces assume responsibility for the security of United Nations personnel in Sierra Leone. On 28 September 1998 General Abubakar replied, stating that ECOWAS was perfectly amenable to the proposals set out in my letter, which therefore constituted the terms of an agreement between our two organizations. General Abubakar confirmed in his letter that the ECOMOG mandate in Sierra Leone included the protection of all United Nations personnel and all staff of humanitarian and aid agencies.

IV. DISARMAMENT, DEMOBILIZATION AND REINTEGRATION

16. As described in my report of 12 August, the disarmament, demobilization and reintegration programme targets an estimated total of 33,000 ex-combatants, most of whom are members of the Civil Defence Forces, and is scheduled to be completed in three phases by June 2001. The first phase covers the demobilization of former Republic of Sierra Leone Military Forces (RSLMF) and RUF personnel who were captured and disarmed by ECOMOG and later encamped at Lungi. Their screening and registration commenced on 2 September. UNOMSIL deployed additional military observers to the Lungi team site to assist in several aspects of the registration, including the initial assessment of the candidates. While these activities go beyond the monitoring role of UNOMSIL, the additional effort was required to ascertain the identity and eligibility of the ex-combatants since UNOMSIL was not present during the initial disarmament by ECOMOG. The exercise was completed on 25 September with a total of 2,145 persons screened and registered. The full demobilization of those ex-combatants is scheduled to be completed in December 1998.

17. While the registration and screening process was implemented fairly smoothly, the pace of the programme lags behind the original goals since it is now being implemented against the background of a continued war effort. Since most of the ex-RSLMF soldiers, amounting to four battalions, who had been encamped at Lungi have been reinducted by ECOMOG, the number of individuals to be demobilized during the first phase of the programme has been considerably reduced. It is expected, however, that these soldiers, who are currently fighting alongside ECOMOG, will eventually undergo the disarmament, demobilization and reintegration process. In addition, though 5,000 members of

the Civil Defence Forces were expected to be demobilized during the first phase, there is no indication to date that any CDF units have started the process, although in some areas registration exercises have been initiated.

18. As I mentioned in my last report, there is still concern about the hostile attitude of the general public towards former RSLMF personnel, which could potentially derail the reintegration process. Given the continued volatility of the overall security situation, it is important to ensure that former soldiers are not cast out of society because they may, as a group, turn into a destabilizing factor in the long run. A sensitization campaign under the auspices of the Ministry of Information, Communications, Tourism and Culture is now under way to increase public acceptance of ex-combatants. Successful reintegration will also depend on the benefits extended to those communities to which ex-combatants return in order to avoid the perception of a preferential treatment for the former soldiers.

19. A major challenge also remains concerning the start of the pre-discharge orientation programme which is to follow the screening and registration process. An initial programme of pre-discharge activities will be established at Lungi by the Executive Secretariat of the National Committee on Disarmament, Demobilization and Reintegration. These will include workshops for community sensitization, attitudinal education for ex-combatants, and general information on reinsertion and reintegration.

20. Regarding the future of the disarmament, demobilization and reintegration process, the Executive Secretariat of the National Committee has already indicated its intention to open a disarmament and demobilization centre in the interior in preparation for the next phase of the programme. A team composed of National Committee staff, UNOMSIL and the United Nations Children's Fund (UNICEF), in collaboration with ECOMOG, is currently undertaking reconnaissance visits to identify suitable sites for the exercise.

V. HUMAN RIGHTS

Human rights abuses

21. Since my last report there has been a resurgence of human rights abuses committed by the rebel forces. During the month of September, UNOMSIL received an escalating number of reports of mutilations, amputations, summary executions, abductions and house burnings. For instance, in just a single week, 20 villages were attacked and destroyed in four small chiefdoms in the north-west of the country. The attacks were preceded by the destruction of the principal local population centre, Kamalu, on 6 September. Forty people, including children, died in that attack. Photographic evidence suggests that a number of the dead had first been subjected to forms of extreme torture and sexual abuse; others appear to have been burned alive. It is reported that no less than 50 people were abducted. The rising incidence of mutilations and amputations is also illustrated by the admission to hospital of 14 amputees following just one attack on Kokuna on 27 September. From a number of locations UNOMSIL has received reliable reports of other forms of atrocities, including the detention

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of elderly or incapacitated men in huts which were then set on fire and the carving of slogans, such as 'AFRC', into the flesh of victims.

22. It remains difficult to estimate the exact number of rebel attacks and the casualties inflicted, not least because of the inaccessibility of many of the targeted locations and the high number of victims who never reach medical assistance. There is also very little reliable information regarding the plight of the captives of the rebels and of villagers living in areas under their control. However, interviews with former captives and escapees from those regions report such abuses as multiple rape of women, summary executions and slave labour. In the coming months, the four members of the UNOMSIL human rights unit, in cooperation with the military observers deployed in the provinces, will try in a systematic manner to compile and assess information regarding the human rights situation within the areas under rebel control.

23. There is also continued concern about the ongoing armed deployment of under-age boys and, in some locations, their continued initiation into the Civil Defence Forces. The renewed attention drawn to these matters by the Executive Director of UNICEF, Ms. Carol Bellamy, during a visit to Sierra Leone on 1 and 2 October, has greatly assisted efforts to end the recruitment and deployment of child soldiers by CDF units.

24. The discipline of many CDF units has improved significantly. Nevertheless, there are reports of interference by some CDF elements with the delivery of humanitarian supplies and acts of harassment against the civilian population. Reports of the prevalence of child prostitution in some heavily militarized areas of the countryside have, moreover, been substantiated. Together with UNICEF, the UNOMSIL human rights unit is seeking to assist the Government and ECOMOG in addressing this problem. Some reports have also suggested that certain ECOMOG personnel do not consistently ensure full respect for provisions of international humanitarian law, such as those regarding the protection of non-combatants in combat situations and the proper treatment of combatants during surrender or capture. UNOMSIL is encouraging the ECOMOG leadership to raise awareness among all troops to ensure full respect for all relevant aspects of international humanitarian law. The mission's human rights unit stands ready to assist ECOMOG with technical advice if needed.

Treason trials

25. The State is currently prosecuting, for treason and related charges, some 40 people in two civilian trials. A court martial was concluded on 12 October, and further trials are scheduled to commence in the coming weeks. A separate civilian trial of RUF leader Foday Sankoh commenced on 24 September 1998. Given the highly-charged atmosphere surrounding the trial, the Attorney-General has requested the assistance of the UNOMSIL human rights adviser on several occasions to ensure that Corporal Sankoh's rights are respected. However, the Government's failure so far to persuade a Sierra Leonean lawyer to represent Corporal Sankoh is a cause for concern. All the accused face the possible imposition of the death penalty. Already, 16 civilians and 34 of the defendants in the court martial have been sentenced to death. Under Sierra Leonean law, only the civilians have the right to appeal their sentences to the Sierra Leone Court of Appeal and, ultimately, to the Supreme Court. If the sentences are

upheld throughout the appeals process, there is still the possibility of a pardon should the Head of State decide to exercise the prerogative of mercy under national law. A further avenue of consideration of the sentences is available by virtue of Sierra Leone's ratification of the First Optional Protocol to the International Covenant on Civil and Political Rights, whereby individuals may petition the United Nations Human Rights Committee.

26. So far, UNOMSIL and observers from the International Bar Association have found that the civilian group trials are being conducted in a manner which appears to comply with international procedural standards. It is also apparent that the Government is largely committed to conducting transparent and fair trials. It remains a matter of concern that those tried by court martial are deprived of their right to judicial review of the judgements and sentences. UNOMSIL is also concerned as to whether the manner in which a number of defendants were repatriated to Sierra Leone from neighbouring countries was in accordance with applicable international standards. The concerns of UNOMSIL continue to be conveyed to the Government in a timely and forthright manner. On 15 October 1998 the United Nations High Commissioner for Human Rights wrote to President Kabbah, asking him to intervene in the process to show mercy.

Training initiatives

27. The UNOMSIL human rights unit also plays an important role in improving coordination and exchange among the different public and private institutions involved in human rights work in Sierra Leone. Moreover, special attention is given to the provision of technical assistance to help the Government meet its reporting obligations under the international human rights treaties, commencing with those arising under the Convention on the Rights of the Child. UNOMSIL also seeks to facilitate national efforts to re-establish a functioning judicial system in provincial areas.

28. In line with the institution-building aspects of the UNOMSIL human rights mandate, the Mission has started several training initiatives in close collaboration with the Government and with national and international human rights non-governmental organizations and the National Commission for Democracy and Human Rights. In September, UNOMSIL has successfully undertaken the training of the National Commission's human rights monitoring committees, and it has facilitated the first inter-non-governmental organization human rights training workshop. The Mission's human rights unit is also facilitating preparations for a major human rights monitoring and training programme to be implemented in November and provides a human rights module as part of the ongoing programme of retraining the police force.

29. These activities aim to strengthen local capacity to monitor, report on and promote human rights in the country, by both Government representatives and members of civil society. It is particularly important that training initiatives should be continued and consolidated.

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VI. CIVILIAN POLICE

30. In accordance with resolution 1181 (1998), UNOMSIL has to date deployed a total of three civilian police advisers, and two additional officers are under recruitment. In carrying out their mandate, the civilian police advisers work closely with the UNOMSIL human rights unit and the Commonwealth Police Development Task Force for Sierra Leone, which is advising and assisting the Government in police training.

31. In order to assess the current situation, the UNOMSIL advisers have undertaken visits to different police regional headquarters, divisional headquarters, departments, courts, police stations and posts, assisted in determining work methods, logistical and training needs, and identified a number of problem areas. In addition, they met with President Kabbah, the Chief Justice, various Members of Parliament, ambassadors, the commanders of ECOMOG and the Civil Defence Forces and various non-governmental organizations to discuss their activities in assisting the Sierra Leone police force. UNOMSIL has distributed to all concerned a report containing preliminary findings and recommendations.

32. The reform of the police force in Sierra Leone poses great challenges. As a result of the wanton destruction caused by the rebel war, many police stations in the country have been severely damaged or destroyed, and equipment vandalized. Parts of the country are without police presence, since many officers were killed or abandoned their posts during and after the conflict. Moreover, little or no training has been available for years, which has affected not only the skill level and capacity for policing but also the quality of leadership and strategic planning. Notwithstanding the rapid expansion of the force over the last few years, the police suffer from inadequate logistical support, lack of equipment, unattractive salaries and poor conditions of service. No vehicles or other means of transport are available to ensure the effective mobilization of officers to prevent and investigate crimes. This situation is exacerbated by the breakdown of the general law enforcement system. Outside Freetown, the courts are hardly operational except for the magistrates courts in Bo, Kenema and Makeni, and detention facilities are in poor condition.

33. The Government has outlined the principles and priorities which will guide the reform process, including specific steps based on the recommendations made by the UNOMSIL civilian police advisers and the Commonwealth Task Force. Moreover, a police mission statement has been announced, emphasizing the need to balance respect for human rights with law enforcement and to take account of local concerns through community consultation by the police force. Implementation of the reform process began in August, and a three-year draft plan, for the period 1999-2001, is currently under discussion. Strong emphasis is being placed on the development of police training initiatives, some of which are already being implemented.

34. While the progress made to date is impressive, resource constraints present serious obstacles to the effective and fast implementation of the reform. The Governments of Germany and the United Kingdom have already provided funds and equipment in support of these efforts, but further donor assistance will be required.

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VII. HUMANITARIAN SITUATION

Humanitarian crisis

35. A humanitarian crisis of serious proportions is developing in isolated areas of Sierra Leone, particularly the north-east. Since the incursion of former junta elements into Kabala at the end of July 1998, humanitarian agencies have been unable to assess needs there because of unpredictable security. The countryside between Kabala and Koidu, up to the border with Guinea, is also out of reach owing to insecurity and inadequate roads and airstrips. Similar conditions apply, inter alia, to the area east of Kambia in the north-west and in the Kailahun district.

36. Continuing insecurity has resulted in increased displacement of populations. During the reporting period, some 14,000 Sierra Leoneans were displaced from south Kenema district into Kenema Town. At the same time, the number of needy beneficiaries in Masingbi has swollen from 16,000 to more than 35,000. The United Nations Humanitarian Coordination Unit/Office for the Coordination of Humanitarian Affairs estimates that up to 250,000 persons have been displaced in the fighting that followed the ECOMOG intervention in February 1998, an increase of about 70,000 persons since my last report. It is feared that a considerable number of internally displaced persons remain unrecorded.

37. The number of Sierra Leonean refugees in Guinea is now 357,000, of which an estimated 217,700 have arrived since February 1998. Most of these fled to the Guéckédou area, but some 7,700 have recently arrived in Forécariah following a rebel attack on 28 September at Kukuna near the border with Guinea. There are also 90,000 Sierra Leonean refugees in Liberia, including 40,000 new arrivals. Another 10,000 Sierra Leoneans have taken refuge in other countries in the region, mainly in Côte d'Ivoire, the Gambia and Senegal, for a total of 457,000 Sierra Leonean refugees in the subregion. So as to determine more accurately the number of refugees in Liberia, the Office of the United Nations High Commissioner for Refugees (UNHCR) will carry out a registration exercise in November 1998.

38. In response to the newly emerging internally displaced person situation in both the eastern and northern parts of the country, UNICEF, in collaboration with non-governmental organizations, is providing high-energy biscuits to counter malnutrition and providing support to malnourished children referred to therapeutic feeding centres and supplementary feeding programmes.

Activities of United Nations organizations and non-governmental organizations

39. The World Food Programme (WFP) continues to provide humanitarian food assistance to vulnerable groups, farmers and institutions in accessible areas of the country. During August and September, WFP distributed over 4,641 tons of assorted food commodities, of which over 76 per cent benefited community farmers in their efforts to grow more food and become self-sufficient. Over 22 per cent of the quantity distributed during the reporting period went to support vulnerable groups escaping from the war as well as therapeutic and supplementary feeding programmes. WFP targeted an estimated 62,000 vulnerable persons, over

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70,000 farmers, 12,600 nutritionally vulnerable persons and 6,823 refugees in food-for-work and training programmes in August and September 1998.

40. However, food assistance has encountered some constraints in supplies because of unacceptably high levels of losses from recent shipments, practically all in the port area. A meeting with the port authorities and security officers has led to proposals for improvements, and the situation is being monitored closely.

41. The intervention of the World Health Organization (WHO) proved crucial in the confirmation of vibrio cholera 0.1 as the causative agent responsible for the unusual increase in incidences of acute watery diarrhoea syndrome, which has caused a number of deaths. A total of 1,170 cases and 55 deaths were recorded from 19 July to 20 September 1998. The epidemic now appears to be on the decline, with the support of UNICEF and WHO, which have provided medical supplies to combat the outbreak. UNICEF is also coordinating cholera prevention through regular chlorination of wells and protection of water sources.

42. The maternal mortality rate is at a world record high of 1,800 per 100,000 live births and remains a primary concern. UNICEF is targeting 1.5 million children and women by revitalizing more peripheral health units to respond to the increasing demand for services.

43. Following an appeal by the Government of Sierra Leone for UNHCR to assist in the repatriation of refugees from neighbouring countries, a UNHCR delegation visited Sierra Leone from 25 to 27 September. As a result, UNHCR is in the process of opening a new office in Kenema. Additional offices will be reopened in Bo, Segbwema and Zimmi once security permits. Moreover, UNHCR has started to facilitate the return of Sierra Leonean refugees. So far, a total of 11,000 refugees have been repatriated to Freetown where, at the request of the Government, priority has been given to the return of skilled professionals, civil servants and students, who could contribute to the ongoing reconstruction efforts. Finally, it should be noted that in August 10,000 refugees returned spontaneously from Liberia to Zimmi and Kenema and, in late September, according to reports yet to be confirmed, some 20,000 refugees returned from Liberia to Zimmi.

44. The World Health Organization commissioned a consultant in August to assess the magnitude of the problem of increased numbers of victims of amputation and has proposed rehabilitative measures to the Government.

45. To help better plan for relief and longer-term development intervention, the United Nations Population Fund (UNFPA) has begun discussions with the objective of helping the Government to undertake a national demographic and health survey.

VIII. SOCIO-ECONOMIC ASPECTS

46. While a humanitarian emergency still prevails in the north and east of Sierra Leone, the southern and western parts have experienced a certain amount of stability and security. However, they must cope with the continuing influx

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of displaced populations and the challenges of reconstruction after the trauma and devastation brought on by the junta. The United Nations development system, under the leadership of the United Nations Development Programme (UNDP), is therefore supporting peace-building efforts within the context of preventive development.

47. To this end, UNDP funds three large-scale programmes, including a programme for support to resettlement, reconstruction and rehabilitation through a preventive development approach. This $4 million programme links emergency humanitarian assistance with the resumption of productive activities for longer-term development. Beneficiaries of the programme include internally displaced persons, returnee refugees, ex-combatants and host communities. UNDP is also funding a $2.5 million programme aimed at raising public awareness of issues of national reconciliation and peaceful coexistence.

IX. FURTHER ACTION TO BE TAKEN BY THE UNITED NATIONS

48. In my fifth report on the situation in Sierra Leone, of 9 June 1998 (S/1998/486, para. 69), I stated that additional deployments of United Nations military observers beyond the first phase would depend on the security situation within the country and the progress made by the Government in carrying out its disarmament and demobilization plan.

49. The security situation in Sierra Leone has not improved significantly since my last report and, in some parts of the country, may have deteriorated. In the last two months the northern province has seen a resurgence of rebel activity, including atrocities, with no sign of weakening in rebel resolve, numbers or organization.

50. Largely for this reason, the progress made by the Government in carrying out its disarmament, demobilization and reintegration programme has been less than was hoped for. The intensification of fighting caused by the launching of the CDF/ECOMOG offensive and the consequent large-scale mobilization of both CDF and re-inducted RSLMF personnel do not at present provide the best conditions for the rapid progress of disarmament and demobilization.

51. On the other hand, should the CDF/ECOMOG offensive lead to large-scale surrenders among the former junta elements and their participation in the disarmament and demobilization programme, it may be necessary to deploy United Nations observers very rapidly.

52. I am therefore keeping the situation under careful review, and intend to deploy additional observers only after taking full account of the security situation. I am, however, prepared to deploy observers rapidly if the situation so permits.

53. Against the background of the continuing military conflict and its effects on security, the need for the Government to improve the functioning of the Sierra Leonean police force has become all the more acute. In view of the success already achieved in implementing its current mandate, I recommend that my Special Representative, assisted by the Mission's civilian police component,

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now proceed to seek donor funding for the reform and restructuring of the Sierra Leonean police force, while continuing to work closely with the Government in carrying out the three-year strategic plan referred to in paragraph 33 above.

X. OBSERVATIONS AND CONCLUSIONS

54. The continuing conflict in Sierra Leone imposes immense suffering on the people of that country. I strongly condemn the summary executions, torture, mutilations, rapes, looting and other acts of barbarism carried out by former junta elements and call on them to lay down their arms and surrender. I am particularly outraged by the senseless acts of terror perpetrated against children, such as the amputation of limbs of boys and girls as young as six years of age, and support the efforts to bring to justice the authors of these especially abhorrent crimes.

55. The human rights abuses committed by the rebels also give rise to the humanitarian emergency in Sierra Leone, as they continue to cause the widespread dislocation of local populations. Though United Nations humanitarian personnel and non-governmental organizations have done much to aid the victims of attacks and displacement, more needs to be done as a matter of urgency, especially in regard to the provision of medical and surgical capacity, specific services for amputees and psychosocial treatment for the trauma suffered by the victims and their families. To this end, I reiterate my call to donors to contribute to the Inter-Agency Consolidated Appeal for Humanitarian Assistance to Sierra Leone in order to meet the basic needs of the people.

56. The continuing commitment of ECOMOG has been essential in assisting the Government of Sierra Leone to restore peace and security throughout the country, and the efforts being made to deploy additional troops from ECOWAS countries are welcome. In view of the importance of the present offensive into the east and the wresting of the initiative from the rebels, I appeal to the members of the Security Council and the international community to extend all possible technical and logistical support to achieving the successful conclusion of the conflict in Sierra Leone.

57. At the same time, I am encouraged by the focus of the Government on strengthening democratic control over the reconstituted armed forces. Equally commendable is the thoroughness applied to the restructuring of the police force and its reform in line with the standards of democratic societies. In this context, I should like to express my appreciation to the Governments of Germany and the United Kingdom for the support they have lent to the Government's efforts.

58. The long-term stability of the country will also depend vitally on the successful implementation of the disarmament, demobilization and reintegration programme adopted by the Government. I therefore reiterate the plea I made on 30 July at the Special Conference on Sierra Leone for the donor community to lend every possible assistance to the Government in carrying out its plan. I look forward to working closely with donors to ensure that the commitments made in this and other respects at the Special Conference will be honoured. I wish to commend the United Kingdom for the important role it has played by providing

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equipment and logistical support for the screening and registration exercise, and by continuing to provide food and emergency medical assistance to the ex-combatants as well as water to the larger community at Lungi.

59. The Government of Sierra Leone has made commendable efforts to ensure that the procedural aspects of the civilian group trials are in conformity with international human rights standards. However, I must express my concern that those sentenced to death in the recently concluded court martial have no right of legal appeal under Sierra Leonean law. Accordingly, in the light of the human rights issues which arise, I urge the Government, at a minimum, to consider a stay of execution of sentences pending review of the proceedings before relevant international monitoring bodies. I also encourage the Government to continue to take all reasonable steps to ensure that persons facing serious criminal charges are legally represented.

60. I should like to express my appreciation for the generous manner in which the International Bar Association has provided expert trial observers who have worked closely with UNOMSIL. I also encourage the international community to support human rights training programmes, to be carried out in close consultation with the Office of the United Nations High Commissioner for Human Rights, for the benefit of those involved in law enforcement, as well as members of the legal profession and the judiciary.

61. The latest developments in the situation between Sierra Leone and Liberia are a cause for deep concern. I urge the Governments of Sierra Leone and Liberia to continue to exercise maximum restraint, pursue dialogue and implement the confidence-building measures aimed at improving relations between the two countries which they agreed upon in July 1998. In doing so, the two Governments would continue to show their commitment to subregional peace and security and their adherence to the Non-aggression Pact and Good Neighbourliness Treaty contained in the Mano River Union Declaration of 1973. In this context, should both parties agree, the deployment of ECOMOG troops at the border, subsequently accompanied by United Nations military observers, could help to stabilize the situation and restore mutual confidence.

62. Finally, I wish to thank all Member States which have contributed military observers for deployment with UNOMSIL for the speed with which the officers were dispatched. I hope that, under the right conditions and the necessary improvements in security, the second phase of deployment can be implemented with equal success.

63. Pursuant to resolution 1181 (1998), I will continue to keep the situation in Sierra Leone under close review and report to the Council on developments on the ground as well as the continued work of UNOMSIL. In particular, I will examine with great care any realistic proposal to end the armed conflict with minimal further loss of life to combatants and to innocent civilians, and to promote lasting peace and national reconciliation in Sierra Leone.

64. I would like to express my appreciation to my Special Representative, Mr. Francis G. Okelo, to the Chief Military Observer, Brigadier Subhash C. Joshi, and to the military and civilian personnel of UNOMSIL for their work in accordance with the mandate provided by the Security Council.

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Annex

United Nations Observer Mission in Sierra Leone: contributions as at 1 September 1998

	Military observers	Others[a]	Total
China	3		3
Egypt	2		2
India	6	15	21
Kenya	4		4
Kyrgyzstan	1		1
New Zealand	2		2
Pakistan	5		5
Russian Federation	7		7
United Kingdom of Great Britain and Northern Ireland	7		7
Zambia	4		4
Total	41[b]	15	56

[a] Medical team.

[b] Including Chief Military Observer.

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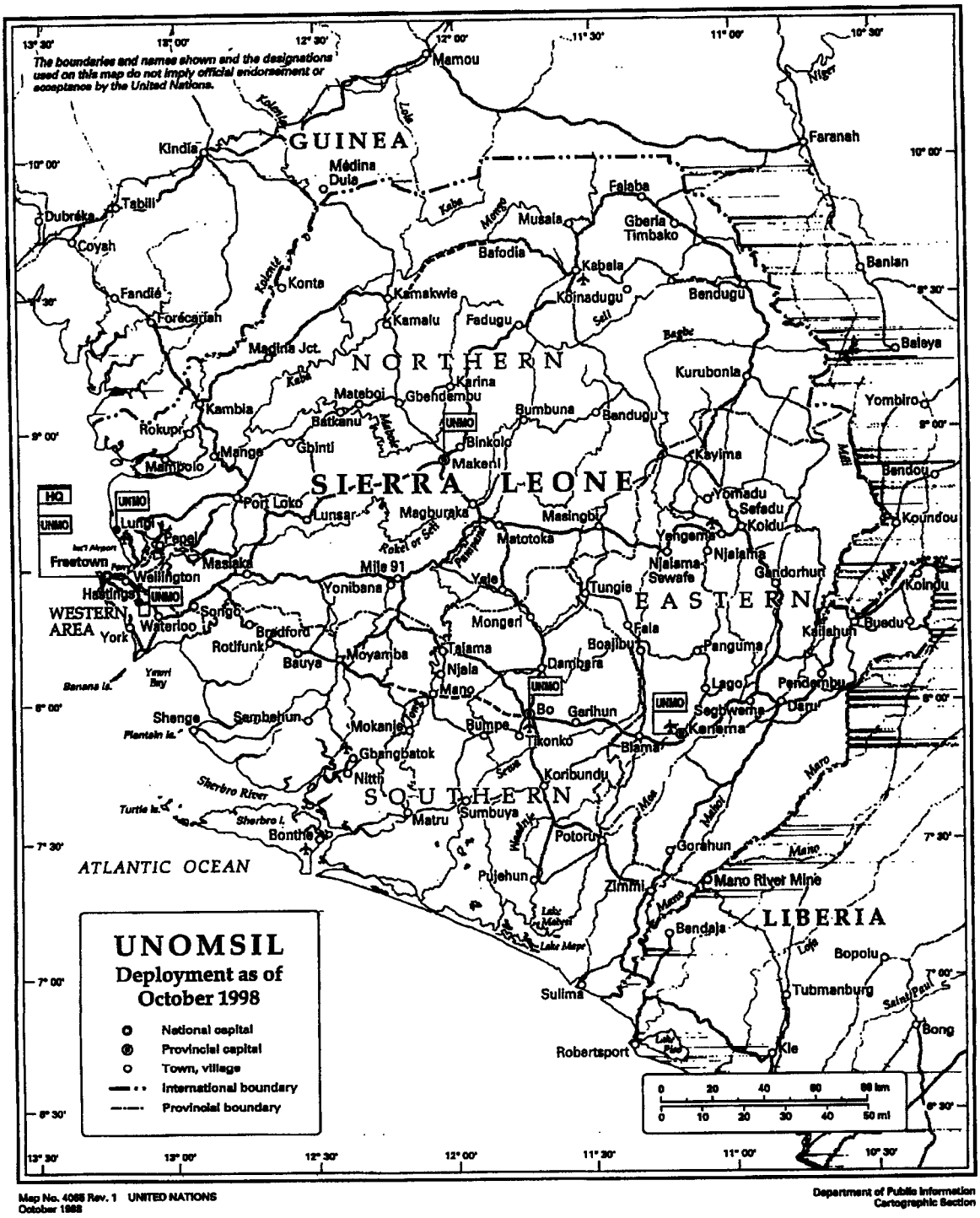

Map No. 4066 Rev. 1 UNITED NATIONS
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Department of Public Information
Cartographic Section

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FACT 58

The United Nations High Commissioner for Refugees (UNHCR) Centre for Documentation and Research issued a Background Paper on Refugee and Asylum Seekers from Sierra Leone in November 1998 in which the Office of the UNHCR:

(a) noted the close association between Sierra Leonean and Liberian rebels, tracing it back to military training in Libya in the 1980s (p. 6);

(b) estimated that the RUF had only about 100 members in the beginning but expanded to several thousands during the movement (p. 13); and

(c) stated that the majority of human rights abuses were reported to have been committed by RUF/AFRC forces and included: deliberate extrajudicial killings of civilians, torture, mutilation, rape, beatings, arbitrary arrest and detention and ill-treatment of human right activists, students and journalists, campaigns of fear/terror, looting, abductions, house burnings, forced labour, and sexual slavery (p. 20).

a.	Exh. 1.151	n/a	UNHCR CDR Background Paper on Refugees and Asylum Seekers from Sierra Leone, November 1998, http://www.unhcr.org/publ/RSDCOI/3ae6a6418.html

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The conflict in Sierra Leone began in March 1991 when armed combatants crossed the border from Liberia into the South-Eastern part of the country, attacking and subsequently occupying the border town of Bomary in Kailahun District (**Muana, P.**, 1997, 77).

The attack has been variously attributed to a "spill over" of the Liberian civil war (**Carver, R.**, 1997, 1) organised by Charles Taylor, at that time a faction leader in Liberia, after the Sierra Leone regime joined the ECOMOG forces which tried to bring to an end the fighting in Liberia (**Freetown, J.**, 1996, 7). Other sources indicate that the rebels were members of the Sierra Leonean Revolutionary United Front (RUF) movement (**Abraham, A.**, 1997, 101). Most observers, however, suggest a combination of the two. In this view, a number of Sierra Leonean opposition groups had existed for a long period in neighbouring countries even before December 1989, when the Liberian civil war began, ostensibly united and armed by Charles Taylor (**Alao, A.**, 1998, 2; **Regional Surveys of the World 1998**, 1997, 907). The closeness and association between the Sierra Leonean and Liberian rebels has been traced back, by observes, to the joint military training they received in Benghazi, Libya in the 1980s. (**Richards, P.**, 1996, 2). Among them was the RUF leader Foday Sankoh, a former corporal in the national army of Sierra Leone who was jailed for seven years for plotting to overthrow the regime in 1971. (**Ibid.**). The attack caught the national army, the Republic of Sierra Leone Military Force (RSLMF) unprepared: it was ill-equipped, badly trained and highly politicised (**Freetown, J.**, 1996, 7).

In retaliation, the government of Monoh increased the number of soldiers enrolled in the armed forces sharply. The armed forces rose from 3,000 to 14,000 men in the first two years of the conflict and expenditures of the conflict accounted for 75% of state spending (**Reno, W.**, 1997, 19). A few months after the first attack, the RUF controlled one fifth of the country in the South-East region. In a counter offensive, the army (RSLMF) joined its forces with ULIMO (the United Liberian Movement for Democracy), an armed faction fighting against Charles Taylor's faction, the National Patriotic Front of Liberia (NPLF) and active in the border region between Liberia and Sierra Leone (**Richards, P.**, 1996, 5ff). Nigeria and Guinea also contributed with military support (**Regional Surveys of the World 1998**, 1997, 907). This collaboration eventually placed the RUF in an inferior position. The next major advance by the RUF was in the autumn of 1992, when they launched attacks on economic targets in the diamond-rich Kono district (**Africa Confidential**, 27 April 1998 [internet]).

In Freetown, the APC-led government had been overthrown by a group of junior officers in April 1992, the army was re-equipped and the subsequent fighting caused major losses among RUF combatants (**Ibid.**). In turn, the RUF changed its tactics. With the objective of avoiding established settlements which could easier be identified, several bush camps were built where young conscripts received military and ideological training. When the armed forces managed to recapture some of the locations in the diamondrich area of Pendemby, Kailahun and Koidu in late 1993, a new party in the war entered the scene : local civil defence forces, also known as *Kamajors* which had clashes with the army (**Richards, P.**, 1996, 13ff).

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(**Ibid.**, 13 October 1998 [Internet]).

On the whole, it is believed that on a short-term basis, the country's economy will be revived by the renewed flow of foreign aid. Long-term development, however, will depend on stability in the country, which has not as yet been achieved (**EIU Country Report**, 2nd quarter 1998, 23). Also, a transparent taxation system has to be set up, and mining policies and quotas have to be enforced (**Ibid.**)

1.5 Profiles of Contending Armed Groups

The Republic of Sierra Leone Military Force (RSLMF)

The national armed forces of Sierra Leone have played a decisive role in the political life of the country. This can be observed in the number of military *coups d'etat* in Sierra Leone where the army has acted independently or as an instrument for political factions. Fourteen *coups d'état*, either foiled or successful, have taken place since independence in 1961 (**Regional Surveys of the World 1998**, 1997, 903ff). The armed forces are integrated in the patron-client relations which have been the backbone in the functioning of the political system (**Richards, P.,** 1996, xviii, 23). The patrons have extended favours to essential parts of the army and in return, they could count on their loyalty even after temporary set-backs (**Ibid.**). The number of *coups d'etat* since independence taught politicians the crucial role of the military: it became imperative to have the army on one's side, leading to selective recruitment and promotion based on the government's political and ethnic affiliations (**Alao, A.**, 1998, 2).

The number of the armed forces increased significantly from 3,000 to 14,000 men during the first two years of the civil conflict from 1991 to 1993 (**Reno, W.**, 1997, 19).

According to a speech given by President Kabbah, a challenge for the new government is the reconstruction of the national army (**Presidential Address**, 22/5/98 [internet]). One factor is the question of loyalty since an important number of the army officers were associated with the AFRC military junta. The Civil Defence Force, known as the *Kamajors*, supportive to the government, will be integrated in the national army, but have not been organised around an effective command structure and are ostensibly ill-disciplined (**UN Security Council**, S/1998/486, 9 June 1998, 3 [Internet]); **EIU Country Profile 1998-99**, 1998, 42).

The Revolutionary United Front (RUF)

In the beginning, RUF only had about 100 members but during the years of fighting, the movement expanded to several thousands (**Richards, P.**, 1996, xix, 5). At the beginning of 1997, the number of RUF forces was estimated to be 5,000 armed combatants and 5,000 non-armed combatants (**Security Council**, S/1997/80, 26 January 1997). Its inner core consists of a 21 member war council (**Richards, P.**, 1996, xix, 5). The RUF conscripted young people who did not have much of a choice whether or not they wanted to join. They were terrorised in the beginning but later treated generously and were given into the secrets of the movement. This initiation process is by some sources seen as similar to a centurie's old initiation whereby young people are separated from their families and adult

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Although Sierra Leone is party to a number of international treaties concerning the protection of human rights, 'there is strong evidence of the systematic and widespread perpetration of multiple forms of human rights abuse against the civilian population, including rape' (**UN Security Council**, 9 June 1998, 7 [Internet]). According to the U. S. Department of State Report on Human Rights Practices for 1997, government forces committed human rights abuses even before the RUF/AFRC *coup d'état*, for example lengthy delays in trials, prolonged pretrial detention, violations of due process and harassment of the press. Discrimination against ethnic minorities and violence against children and women, including female genital mutilation and rape, continued to be widespread in 1997 (**United States Department of State Country Report for 1997**, 2 [Internet]).

The majority of human rights abuses, however, are reported to have been committed by RUF/AFRC forces both in government and in the rebel war (**Amnesty International**, Annual Report 1997, 8 [Internet]). During their period in power, RUF and AFRC human rights violations included deliberate extrajuidical killings of civilians, torture, mutilation, rape, beatings, arbitrary arrest and detention and ill-treatment of human right activists, students and journalists (**US DOS Country Report for 1997**, 2 [Internet], Amnesty International 1997, p.10ff. [Internet]). Since RUF/AFRC forces were overthrown by ECOMOG forces in February 1998, they 'have been engaging in a war of terror against civilians in Sierra Leone' in which thousands of civilians are believed to have died (**Human Rights Watch**, July 1998, 4). The most widely reported human rights violations are: extrajuidicial executions, mutilation, rape, arbitrary arrest and detention, abduction, house burnings, looting and forced labour, including sexual slavery (**Amnesty International**, Annual Report 1998, 5 [Internet]; **UN Security Council**, S/1998/750, 12 August 1998, p.4[Internet]; UN Security Council, S/1998/1960, 16 October 1998, 7 [Internet], Human Rights Watch, July 1998, 4)

Kamajors are said to be responsible for 'violation of the human rights and rights under humanitarian law of both combatants and non-combatants (**UN Security Council**, S/1998/486, 9 June 1998, 7 [Internet]), in particular with regard to the *Kamajors'* recruitment of child soldiers (HRW 1998, 25). Extrajuidicial executions and torture of civilians by kamajor forces have also been reported (**Amnesty International**, Annual Report 1998, 4 [Internet]; **Human Rights Watch**, July 1998, 23f.). According to Human Rights Watch, *Kamajors* repeatedly executed AFRC/ RUF forces by beheading or burning them alive (**Human Rights Watch**, July 1998, 24; **Amnesty International**, Annual Report 1998, 4 [Internet]), and allegedly there have also been cases in which *Kamajors*, after having killed AFRC/RUF soldiers, consumed their vital organs (**Human Rights Watch**, July 1998, 24).

About 450,000 Sierra Leonean refugees are currently in exile of which 155,000 fled after the renewed fighting in February 1998. The majority of the refugees are in Guinea (350,000) and the remainder in Liberia (90,000) and other West African countries (10,000) (**UNHCR Country Updates - Liberia & Sierra Leone**, 22/04/98 [internet]; Situation Reports from UNHCR/Freetown). The number of internally displaced people was in 1995 estimated to one million (**Norwegian Refugee Council**, IDP - A Global

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In the Third Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, dated 16 December 1998, the Secretary-General reported or noted that:

(a) on 12 November 1998, at the invitation of President Lansana Conte of Guinea, President Ahmad Tejan Kabbah of Sierra Leone and President Charles Taylor of Liberia participated in an extraordinary summit meeting of the Mano River Union in Conakry (para. 12, ERN 00012355);

(b) in a communiqué issued after the meeting, the three Heads of State pledged to ensure the strict observance of the 1986 Non-Aggression and Security Cooperation Agreement between Liberia, Sierra Leone and Guinea that had been signed and ratified by the three member States. The three Heads of State agreed to work collectively to restore peace in Sierra Leone and maintain stability in the subregion (para. 13, ERN 00012355);

(c) UNOMSIL information indicated there appeared to be six rebel battalion-type formations comprising approximately 300 fighters each—two based in the north were reportedly primarily AFRC, the other four were deployed around Kailahun and were believed to be RUF with some AFRC elements (para. 18, ERN 00012356);

(d) in the north and northwest, rebel attacks against civilians persisted and had recently intensified. In the first few days of December 1998, a large rebel force moving southwards and westwards launched coordinated and well-planned attacks on several locations near the road from Freetown to the Guinean border, including Mange, Lunsar and Masiaka, inflicting heavy casualties on civilians and property damage (para. 19, ERN 00012356);

(e) repeated rebel attempts to gain control of the diamond-rich Koidu area had been unsuccessful, but the situation remained unpredictable and the area was still in danger from rebel attacks (para. 21, ERN 00012357);

(f) a group of 33 child ex-combatants, mainly from the RUF, were registered at Lakka near Freetown on 21 November 1998, and a group of 94 children, mainly from the RUF, were registered at Bo on 3 December (para. 32, ERN 00012359);

(g) widespread rebel attacks on civilian populations continued, including amputation of limbs, mutilation, actual or attempted decapitation, rape, burning alive of men, women and children, destruction of homes, abduction and looting (para. 36, ERN 00012360). At the end of October, five farmers were burned alive by rebels in a house ten miles from Alikalia. In early

November, thee town of Bafodia was destroyed. At the end of November, 50 youths were abducted from Yifin in a rebel attack (para. 36, ERN 00012360); and

(h) during November 1998, there was an escalating rate of reports of actual and attempted decapitation. Rebel elements indicated the attacks were motivated by a desire for revenge against the sentencing to death of Foday Sankoh (para. 37, ERN 00012360).

a.	Exh. 1.076	ERN 00012353-00012370	Third Progress Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, 16 December 1998, S/1998/1176.

of Sierra Leone by Mr. James Jonah, the Minister of Finance, Development and Economic Planning, the ECOWAS Executive Secretary, Mr. Lansana Kouyate, and my Special Representative for Sierra Leone, Mr. Francis G. Okelo. The meeting expressed strong support for the dual-track approach (military and diplomatic) agreed upon at the ECOWAS summit on 31 October, by which efforts to strengthen ECOMOG would be accompanied by the opening of dialogue to achieve lasting peace and national reconciliation.

10. The meeting agreed on a series of next steps to be taken by the Government of Sierra Leone, ECOWAS and ECOMOG and the international community. In particular, the Government would pursue the above-mentioned dual track approach for restoring peace and stability in Sierra Leone. Troop contributors would continue their efforts to augment ECOMOG, with the aim of completing the additional deployments by the end of 1998. For its part, the international community would press on with financing and other support to help ECOMOG remain in Sierra Leone and expand its operations, including through contributions to the Trust Fund to Support United Nations Peacekeeping-related Efforts in Sierra Leone, as well as bilateral contributions.

11. It has provisionally been decided that the next meeting of the International Contact Group will be held in New York in January 1999. In Sierra Leone, a Government working group chaired by the Minister of Finance is continuing to follow up on the commitments and pledges made by donors. The membership of the working group also includes UNOMSIL and donor representatives.

Relations between Sierra Leone and its neighbours

12. On 12 November 1998, at the invitation of President Lansana Conte of Guinea, President Ahmad Tejan Kabbah of Sierra Leone and President Charles Taylor of Liberia participated in an extraordinary summit meeting of the Mano River Union in Conakry. The summit was also attended by the Reverend Jesse Jackson, the Presidential Special Envoy for the Promotion of Democracy and Human Rights in Africa, as well as my Special Representative for Sierra Leone and my Representative for Liberia, Mr. Felix Downes-Thomas.

13. In a communiqué issued after the meeting, the three Heads of State announced their decision to rejuvenate the Mano River Union. They further pledged to ensure the strict observance of the 1986 Non-Aggression and Security Cooperation Agreement between Liberia, Sierra Leone and Guinea that had been signed and ratified by the three member States. The three Heads of State agreed to work collectively to restore peace in Sierra Leone and maintain stability in the subregion.

14. After the summit, in a meeting with President Kabbah in Freetown, Reverend Jackson stressed the advantage of negotiations over confrontation and called for a negotiated settlement to the conflict in Sierra Leone. A Liberian delegation, led by the Minister of National Security, concluded a two-day visit to Sierra Leone on 9 December. The Liberian Government subsequently announced that President Kabbah had agreed with President Taylor's request for cooperation on joint border patrols.

Activities of the Mission relating to the security situation

15. While reaffirming its commitment to end the ongoing rebel war as soon as possible, the Government has expressed its readiness to address any grievances the rebels might have on condition that they first stop fighting, lay down their arms and surrender to ECOMOG or UNOMSIL. There has also been discussion in Government circles of a possible offer to provide safe passage to five persons identified as leaders of the two factions comprising the rebel forces - Johnny Paul Koroma and S. A. J. Musa of the AFRC and Sam Bockarie, Dennis Mingo and Eldred Collins of the RUF - to leave the country for a non-neighbouring country of their choice.

16. In this context, UNOMSIL has cooperated closely with the Government and with ECOMOG in following up indications that S. A. J. Musa, along with several of his supporters, might be prepared to surrender to UNOMSIL. Despite suspicions that this reported offer might be a feint, UNOMSIL has made provisional preparations to accept the surrender of individuals or groups of rebels if this can be arranged under proper security conditions. UNOMSIL has also been in contact with S. A. J. Musa to try to secure the release of a Catholic priest, Father Mario Guerra, who was kidnapped near Makeni on 17 November 1998 by elements of the AFRC.

17. Since the establishment of UNOMSIL, my Special Representative has consulted the resident agencies, funds and programmes on a regular basis and has instituted weekly United Nations coordination meetings to address issues covered under the respective mandates of the organizations. Moreover, a joint security committee meets weekly to share and assess information about the situation on the ground. UNOMSIL has also actively pursued close contact with representatives of civil society, including good working relations with local non-governmental organizations and participation in civic events, such as symposia and workshops.

III. MILITARY AND SECURITY SITUATION

Rebel activities

18. On the basis of the information received by UNOMSIL on the strength, organization and activities of the rebels, there appear to be six rebel battalion-type formations comprising approximately 300 fighters each. Two of these are primarily AFRC and are based in the north. The other four, believed to be RUF with some AFRC elements, are deployed around Kailahun. It is believed that the AFRC units receive supplies of arms and ammunition from the Kailahun district.

19. In the north of the country, and especially in the north-west, rebel attacks against civilians have persisted and have recently intensified. In the first few days of December 1998, a large rebel force moving southwards and westwards launched coordinated and well-planned attacks on several locations near the road from Freetown to the Guinean border, including Mange, Lunsar and Masiaka, inflicting heavy casualties on civilians and property damage and causing thousands to flee and take refuge in the capital and surrounding

districts. This rebel force is believed to be under the command of S. A. J. Musa.

20. There is much speculation concerning the motive behind these attacks, which have taken place at a time when Musa has publicly offered to surrender to UNOMSIL. These atrocities are taking place against the background of a rift which appears to have arisen between the AFRC remnants in the north and the RUF in the east. ECOMOG and the Civil Defence Forces (CDF) have done much to disrupt the supply of arms and ammunition from Kailahun to the rebels in the north.

21. In the north-east, the rebel capacity to concentrate and coordinate their forces appears to have eroded since the time of their attack on Kabala in July. The rebel concentration in Koinadugu area was broken up by combined efforts of reconstituted battalions of former soldiers of the Republic of Sierra Leone Military Forces (RSLMF) and ECOMOG, thus reducing the threat to Makeni and to the Koidu-Lunsar road. Repeated rebel attempts to gain control of the diamond-rich Koidu area have been unsuccessful. However, the situation remains unpredictable and the area is still in danger from rebel attacks.

22. In the south-east, rebel attacks during October and November 1998 seemed designed to surround and cut off Kenema both from Freetown and from the Liberian border by controlling the road that links Daru with Joru and Zimmi. UNOMSIL, in close collaboration with ECOMOG and CDF units based at Kenema, is standing by in case the rebels' failure to achieve their objective should lead some of them to open talks with the Government.

23. The south and south-west of the country, including Freetown, have remained calm, though tension in the capital rose during December following a rebel attack on the road linking Masiaka and Rogberi.

Civil Defence Forces/ECOMOG/RSLMF

24. In the north, ECOMOG has shown increased willingness to engage the rebels in the bush, while the CDF, which essentially originated in southern Sierra Leone, has begun to operate in the north. These developments, as well as the reinduction of former RSLMF soldiers into combat alongside ECOMOG, appear to have taken a toll on rebel strength in the north-east. As noted above, an important objective of the pro-Government forces has been to disrupt ammunition supply lines between the main rebel stronghold in the Kailahun district and rebel units in the north of the country. In the south-east, the CDF, with ECOMOG support, has now established fairly effective control of the area south of Kenema after stemming the rebel offensive along the Daru-Joru-Zimmi road.

25. The CDF in both the north and the east has, however, been hampered by serious shortages of ammunition, communications, food, transportation and medicines. In addition to logistical shortages, there have been occasional lapses in coordination between ECOMOG and the CDF. Air strikes launched by ECOMOG to disperse rebel preparations for an attack on Joru on 15 November reportedly caused casualties among a CDF concentration nearby, underlining the need for improved coordination between the two forces.

IV. DISARMAMENT, DEMOBILIZATION AND REINTEGRATION

31. The first phase of the Government's programme for the disarmament, demobilization and reintegration of former combatants, as described in my last report, was to cover the demobilization of former RSLMF and RUF personnel who were captured and disarmed by ECOMOG and later encamped at Lungi. The total number of ex-combatants so far registered at Lungi is 2,973. Pre-discharge orientation activities have been held since October, but the actual reintegration process, including such programmes as vocational training, will commence as and when the funding contributed for these purposes has been made available.

32. Following the registration of 52 children at Makeni, another group of 33 child ex-combatants, mainly from the RUF, were registered at Lakka near Freetown on 21 November 1998. A further group of 94 children, mainly from the RUF, were registered at Bo on 3 December. There are also some 70 RUF and CDF child ex-combatants to be registered at Port Loko as soon as the security situation improves. Once the registration is completed, social services will take over the reintegration of the children into society. The United Nations Children's Fund (UNICEF) is closely involved with this exercise to ensure the proper treatment of the children during demobilization and reintegration.

33. Following commitments made to my Special Representative for Children and Armed Conflict, Mr. Olara Otunnu, during his visit to Sierra Leone in May 1998, the Executive Committee of the National Committee on Disarmament, Demobilization and Reintegration has agreed to ensure that the CDF do not initiate persons under the age of 18 and that they cooperate with the registration of children already within their ranks. They also agreed to request that ECOMOG release children in detention to UNICEF, UNOMSIL or the Ministry of Social Welfare.

34. A national sensitization programme on this subject has also been under way since early October with full radio and television coverage and a nationwide arts competition on the theme "Join Hands for Peace". The Lungi ex-combatants have embarked on community welfare work in the area, which has been well received by the local community. This, together with the programme of pre-discharge orientation, has gone a long way towards facilitating the acceptance of the ex-combatants in the Lungi area.

35. The National Committee, chaired by President Kabbah, is continuing its activities and its secretariat is functioning well. The Committee has now also identified two additional disarmament, demobilization and reintegration sites at Magburaka and Gerihun and preparations for their opening are under way. However, the pace of the programme continues to lag behind the original goals since the intensity of the war effort has not yet subsided. A further 830 ex-RSLMF soldiers are being prepared for re-induction into combat as a fifth battalion fighting alongside ECOMOG. As with the other four battalions re-inducted from among the ex-RSLMF personnel at Lungi, it is understood that most of these soldiers will undergo the disarmament, demobilization and reintegration process once the war has been concluded. There has been no progress in the demobilization of CDF fighters in safe areas. Apart from the registration of CDF personnel in a few localities, there are no indications yet

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that the CDF are ready to begin the disarmament, demobilization and reintegration process, since they are still fighting.

V. HUMAN RIGHTS

Conflict-related human rights abuses and violations

36. Widespread rebel attacks on civilian populations have characterized the period since my last report. Attacks and forms of abuse of civilians exhibited a characteristic modus operandi: amputation of limbs, mutilation, actual or attempted decapitation, rape, burning alive of men, women and children, destruction of homes, abduction and looting. In one typical incident, at the end of October, five farmers were burned alive by rebels in a house some ten miles from the town of Alikalia, in the north-east. In early November, the entire northern township of Bafodia was destroyed. At the end of November, the northern town of Yifin was again devastated in a rebel attack, during which up to 50 youths were abducted.

37. During September and October 1998, the incidence of hospital admissions for amputations and mutilations reached levels similar to those during May and June, with 71 admissions in just two hospitals in the west of the country and an unverifiable number in other regions. It is likely that the hospital admission figures are much lower than the actual levels of civilian fatality and injury. During November, although the overall number of atrocities reportedly fell, there was an escalating rate of reports of actual and attempted decapitation. Particularly since late October, rebel elements have indicated that attacks were motivated by a desire for revenge against the sentencing to death of Corporal Foday Sankoh.

38. Since my last report, there have been further complaints regarding the behaviour of certain CDF contingents. One incident, investigated and confirmed by UNOMSIL, involved the killing by the CDF of four captured alleged rebels at Romeni, near Port Loko. UNOMSIL has indicated to the Government of Sierra Leone its willingness to assist in the training of key CDF personnel regarding provisions of human rights and humanitarian law applicable to their activities. There have also been reports of inappropriate behaviour by certain elements of ECOMOG, including unlawful detention. My Special Representative has taken this matter up with the Force Commander of the Monitoring Group.

39. Since my last report, there have been frequent reports of children being sent into combat environments, notwithstanding indications of some ECOMOG commanders refusing to allow under-age CDF combatants to serve under them. However, on 25 November, the Government reiterated its commitment to non-recruitment and demobilization of combatants aged under 18.

Treason trials

40. In the absence of an appeals process under court martial proceedings, most of the 34 military personnel sentenced to death in the first court martial sought recourse through petitioning the United Nations Human Rights Committee pursuant to the provisions of the Optional Protocol to the International

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THIRD PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN SIERRA LEONE

I. INTRODUCTION

1. By paragraph 19 of resolution 1181 (1998) of 13 July 1998, the Security Council requested me to submit an initial report within 30 days of the adoption of the resolution and every 60 days thereafter on the deployment of the United Nations Observer Mission in Sierra Leone (UNOMSIL) and its progress in carrying out its mandate, and also to inform the Council on plans for the later phases of the deployment of UNOMSIL when security conditions permit these to be implemented. The present report is submitted pursuant to that request and describes developments since my second progress report on UNOMSIL (S/1998/960) of 16 October 1998. The present report is also submitted pursuant to paragraph 8 of resolution 1171 (1998) of 5 June 1998.

II. POLITICAL DEVELOPMENTS

2. Since my second progress report, the Government of Sierra Leone has continued its efforts to consolidate its position, to restore the stability of the country and to improve relations with its neighbours. The Government has launched initiatives to strengthen the civil service and to fight corruption. Sierra Leone is also increasingly active in the regional and international arena.

3. On 30 October 1998, the Government launched a nationwide consultative exercise, organized with the support of the United Nations Development Programme (UNDP), aimed at enhancing the capacity of Government ministries, other national institutions and civil society to take charge of the development process. The consultations exercise is expected to conclude on 14 December with the adoption of a national consensus on major policy issues, including national reconciliation.

4. The Government has also pursued legal proceedings against both military and civilian supporters of the illegal coup of May 1997 by the Armed Forces Revolutionary Council (AFRC). On 19 October 1998, after a court martial had sentenced 34 officers found guilty of treason to death, 24 of them were executed by firing squad. The executions took place despite appeals from the United

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Nations High Commissioner for Human Rights and others, including myself, for a stay of execution and the grant of the right of appeal. On 23 October 1998, a jury at the High Court in Freetown found Corporal Foday Sankoh, the leader of the Revolutionary United Front (RUF), guilty of treason and related offences and sentenced him to death by hanging. Corporal Sankoh, who had not been legally represented during his trial, has now selected legal advisers to undertake his appeal following efforts by the Government, with UNOMSIL assistance, to secure legal representation for him.

5. At their summit meeting in Abuja on 30 and 31 October 1998, the Heads of State and Government of the Economic Community of West African States (ECOWAS) agreed to combine the strengthening of its Monitoring Group (ECOMOG) with efforts at dialogue to achieve lasting peace and national reconciliation in Sierra Leone. The Heads of State and Government also expressed gratitude to Ghana, Guinea and Nigeria for contributing troops to ECOMOG in Sierra Leone, encouraged Benin, Côte d'Ivoire, the Gambia, Mali and Niger to deploy the troops they had promised to contribute as soon as possible and appealed to the international community to provide the necessary logistical support. The arrival of these additional troops is still being awaited.

6. On 7 December 1998, the Chairman of the Security Council Sanctions Committee and Permanent Representative of Sweden, Ambassador Hans Dahlgren, arrived in Freetown for a four-day assessment mission. Ambassador Dahlgren met with President Kabbah; the ECOMOG Force Commander, Major-General Timothy Shelpidi; the ECOMOG Task Force Commander, Brigadier-General Abu Ahmadu and others from the United Nations and the international community. During his visit to the front-line areas, the local authorities conveyed to Ambassador Dahlgren their requests for United Nations assistance in controlling the border with Liberia through the establishment of a buffer zone, the deployment of United Nations military observers and assistance to ECOMOG in patrolling the frontier. Ambassador Dahlgren also visited Monrovia.

7. Following his visit to the Gambia on 9 December, President Kabbah reportedly accepted an offer from the President of the Gambia to mediate a peace agreement with the rebels.

Follow-up to the Special Conference on Sierra Leone

8. As called for by the Special Conference on Sierra Leone held at United Nations Headquarters on 30 July 1998, the Government of the United Kingdom of Great Britain and Northern Ireland convened a meeting of the International Contact Group of donors to Sierra Leone in London on 5 November. The objectives of the meeting were to build up international support for Sierra Leone's efforts to restore peace, democracy and human rights; to encourage further assistance to ECOMOG and contributions to the United Nations Trust Fund for Sierra Leone; to try to match specific ECOMOG requirements to donor offers; and to encourage the Government of Sierra Leone to develop political dialogue and national reconciliation beyond the programme for the disarmament, demobilization and reintegration of former combatants and to encourage participation in it.

9. The London meeting, which was opened by Mr. Tony Lloyd, Minister of State for Foreign and Commonwealth Affairs, was attended on behalf of the Government

of Sierra Leone by Mr. James Jonah, the Minister of Finance, Development and Economic Planning, the ECOWAS Executive Secretary, Mr. Lansana Kouyate, and my Special Representative for Sierra Leone, Mr. Francis G. Okelo. The meeting expressed strong support for the dual-track approach (military and diplomatic) agreed upon at the ECOWAS summit on 31 October, by which efforts to strengthen ECOMOG would be accompanied by the opening of dialogue to achieve lasting peace and national reconciliation.

10. The meeting agreed on a series of next steps to be taken by the Government of Sierra Leone, ECOWAS and ECOMOG and the international community. In particular, the Government would pursue the above-mentioned dual track approach for restoring peace and stability in Sierra Leone. Troop contributors would continue their efforts to augment ECOMOG, with the aim of completing the additional deployments by the end of 1998. For its part, the international community would press on with financing and other support to help ECOMOG remain in Sierra Leone and expand its operations, including through contributions to the Trust Fund to Support United Nations Peacekeeping-related Efforts in Sierra Leone, as well as bilateral contributions.

11. It has provisionally been decided that the next meeting of the International Contact Group will be held in New York in January 1999. In Sierra Leone, a Government working group chaired by the Minister of Finance is continuing to follow up on the commitments and pledges made by donors. The membership of the working group also includes UNOMSIL and donor representatives.

Relations between Sierra Leone and its neighbours

12. On 12 November 1998, at the invitation of President Lansana Conte of Guinea, President Ahmad Tejan Kabbah of Sierra Leone and President Charles Taylor of Liberia participated in an extraordinary summit meeting of the Mano River Union in Conakry. The summit was also attended by the Reverend Jesse Jackson, the Presidential Special Envoy for the Promotion of Democracy and Human Rights in Africa, as well as my Special Representative for Sierra Leone and my Representative for Liberia, Mr. Felix Downes-Thomas.

13. In a communiqué issued after the meeting, the three Heads of State announced their decision to rejuvenate the Mano River Union. They further pledged to ensure the strict observance of the 1986 Non-Aggression and Security Cooperation Agreement between Liberia, Sierra Leone and Guinea that had been signed and ratified by the three member States. The three Heads of State agreed to work collectively to restore peace in Sierra Leone and maintain stability in the subregion.

14. After the summit, in a meeting with President Kabbah in Freetown, Reverend Jackson stressed the advantage of negotiations over confrontation and called for a negotiated settlement to the conflict in Sierra Leone. A Liberian delegation, led by the Minister of National Security, concluded a two-day visit to Sierra Leone on 9 December. The Liberian Government subsequently announced that President Kabbah had agreed with President Taylor's request for cooperation on joint border patrols.

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Activities of the Mission relating to the security situation

15. While reaffirming its commitment to end the ongoing rebel war as soon as possible, the Government has expressed its readiness to address any grievances the rebels might have on condition that they first stop fighting, lay down their arms and surrender to ECOMOG or UNOMSIL. There has also been discussion in Government circles of a possible offer to provide safe passage to five persons identified as leaders of the two factions comprising the rebel forces - Johnny Paul Koroma and S. A. J. Musa of the AFRC and Sam Bockarie, Dennis Mingo and Eldred Collins of the RUF - to leave the country for a non-neighbouring country of their choice.

16. In this context, UNOMSIL has cooperated closely with the Government and with ECOMOG in following up indications that S. A. J. Musa, along with several of his supporters, might be prepared to surrender to UNOMSIL. Despite suspicions that this reported offer might be a feint, UNOMSIL has made provisional preparations to accept the surrender of individuals or groups of rebels if this can be arranged under proper security conditions. UNOMSIL has also been in contact with S. A. J. Musa to try to secure the release of a Catholic priest, Father Mario Guerra, who was kidnapped near Makeni on 17 November 1998 by elements of the AFRC.

17. Since the establishment of UNOMSIL, my Special Representative has consulted the resident agencies, funds and programmes on a regular basis and has instituted weekly United Nations coordination meetings to address issues covered under the respective mandates of the organizations. Moreover, a joint security committee meets weekly to share and assess information about the situation on the ground. UNOMSIL has also actively pursued close contact with representatives of civil society, including good working relations with local non-governmental organizations and participation in civic events, such as symposia and workshops.

III. MILITARY AND SECURITY SITUATION

Rebel activities

18. On the basis of the information received by UNOMSIL on the strength, organization and activities of the rebels, there appear to be six rebel battalion-type formations comprising approximately 300 fighters each. Two of these are primarily AFRC and are based in the north. The other four, believed to be RUF with some AFRC elements, are deployed around Kailahun. It is believed that the AFRC units receive supplies of arms and ammunition from the Kailahun district.

19. In the north of the country, and especially in the north-west, rebel attacks against civilians have persisted and have recently intensified. In the first few days of December 1998, a large rebel force moving southwards and westwards launched coordinated and well-planned attacks on several locations near the road from Freetown to the Guinean border, including Mange, Lunsar and Masiaka, inflicting heavy casualties on civilians and property damage and causing thousands to flee and take refuge in the capital and surrounding

districts. This rebel force is believed to be under the command of S. A. J. Musa.

20. There is much speculation concerning the motive behind these attacks, which have taken place at a time when Musa has publicly offered to surrender to UNOMSIL. These atrocities are taking place against the background of a rift which appears to have arisen between the AFRC remnants in the north and the RUF in the east. ECOMOG and the Civil Defence Forces (CDF) have done much to disrupt the supply of arms and ammunition from Kailahun to the rebels in the north.

21. In the north-east, the rebel capacity to concentrate and coordinate their forces appears to have eroded since the time of their attack on Kabala in July. The rebel concentration in Koinadugu area was broken up by combined efforts of reconstituted battalions of former soldiers of the Republic of Sierra Leone Military Forces (RSLMF) and ECOMOG, thus reducing the threat to Makeni and to the Koidu-Lunsar road. Repeated rebel attempts to gain control of the diamond-rich Koidu area have been unsuccessful. However, the situation remains unpredictable and the area is still in danger from rebel attacks.

22. In the south-east, rebel attacks during October and November 1998 seemed designed to surround and cut off Kenema both from Freetown and from the Liberian border by controlling the road that links Daru with Joru and Zimmi. UNOMSIL, in close collaboration with ECOMOG and CDF units based at Kenema, is standing by in case the rebels' failure to achieve their objective should lead some of them to open talks with the Government.

23. The south and south-west of the country, including Freetown, have remained calm, though tension in the capital rose during December following a rebel attack on the road linking Masiaka and Rogberi.

Civil Defence Forces/ECOMOG/RSLMF

24. In the north, ECOMOG has shown increased willingness to engage the rebels in the bush, while the CDF, which essentially originated in southern Sierra Leone, has begun to operate in the north. These developments, as well as the reinduction of former RSLMF soldiers into combat alongside ECOMOG, appear to have taken a toll on rebel strength in the north-east. As noted above, an important objective of the pro-Government forces has been to disrupt ammunition supply lines between the main rebel stronghold in the Kailahun district and rebel units in the north of the country. In the south-east, the CDF, with ECOMOG support, has now established fairly effective control of the area south of Kenema after stemming the rebel offensive along the Daru-Joru-Zimmi road.

25. The CDF in both the north and the east has, however, been hampered by serious shortages of ammunition, communications, food, transportation and medicines. In addition to logistical shortages, there have been occasional lapses in coordination between ECOMOG and the CDF. Air strikes launched by ECOMOG to disperse rebel preparations for an attack on Joru on 15 November reportedly caused casualties among a CDF concentration nearby, underlining the need for improved coordination between the two forces.

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26. Despite efforts to organize and fund the deployment of reinforcements, ECOMOG also remains overstretched in terms of manpower and requires urgent logistical support. Nevertheless, there are indications that ECOMOG has been concentrating its resources to support operations into Kailahun district, apparently in preparation for more intensive activity now that the rainy season has ended. The Government continues to be fully committed to concluding the war as soon as possible.

Deployment of the Mission

27. Since my second progress report, UNOMSIL's military deployment has remained unchanged, with 40 observers, in addition to the Chief Military Observer, General Subhash C. Joshi (India), and the medical team of 15 personnel (see annex). The observers based at Lungi, Hastings, Makeni, Bo and Kenema have continued to maintain close liaison with local government authorities, ECOMOG and the CDF, to gather information through contacts and regular patrols, and to keep my Special Representative fully informed of developments. The UNOMSIL observers also give advice on humanitarian law in the field, provide security advice to other United Nations agencies, non-governmental organizations and other humanitarian agencies and assist them in their liaison with ECOMOG and the CDF as necessary.

28. In view of S. A. J. Musa's reported offer to surrender and the prospect of ECOMOG's increased activity in the east, UNOMSIL, notwithstanding the continued volatility of the situation in the north, has prepared contingency plans to deploy teams in Kabala, Kambia, Koidu and Kailahun in order to be able to respond rapidly to any willingness on the part of the rebels to surrender. The presence of UNOMSIL observers in these tense areas, to encourage and facilitate humanitarian activities and to monitor the human rights situation, would also be important. Thus, additional observers may have to be deployed expeditiously when conditions permit, within the limits authorized by the Security Council in resolution 1181 (1998).

29. In addition to making regular visits to the military observers' team sites, some members of the medical team, over and above their normal duties, have also undertaken honorary teaching assignments in the local medical college and have offered advice to local hospitals and clinics, especially those treating amputees. These contacts and services are clearly appreciated by the general public.

Creation of a new Sierra Leonean army

30. The Government of Sierra Leone is continuing to develop its plans to rebuild the armed forces under civilian management and the overall democratic control of the Government. Since October 1998, two visits to Sierra Leone have been undertaken by a British joint security sector mission to assess the Government's plans for the creation and training of new armed forces and to produce an assessment of the prospects for assistance from the United Kingdom. The Government has also requested UNOMSIL's assistance in this process, while the Chief of Defence Staff, Brigadier-General Maxwell Khobe, is currently engaged in a sensitization tour of the country to prepare for new recruitment.

IV. DISARMAMENT, DEMOBILIZATION AND REINTEGRATION

31. The first phase of the Government's programme for the disarmament, demobilization and reintegration of former combatants, as described in my last report, was to cover the demobilization of former RSLMF and RUF personnel who were captured and disarmed by ECOMOG and later encamped at Lungi. The total number of ex-combatants so far registered at Lungi is 2,973. Pre-discharge orientation activities have been held since October, but the actual reintegration process, including such programmes as vocational training, will commence as and when the funding contributed for these purposes has been made available.

32. Following the registration of 52 children at Makeni, another group of 33 child ex-combatants, mainly from the RUF, were registered at Lakka near Freetown on 21 November 1998. A further group of 94 children, mainly from the RUF, were registered at Bo on 3 December. There are also some 70 RUF and CDF child ex-combatants to be registered at Port Loko as soon as the security situation improves. Once the registration is completed, social services will take over the reintegration of the children into society. The United Nations Children's Fund (UNICEF) is closely involved with this exercise to ensure the proper treatment of the children during demobilization and reintegration.

33. Following commitments made to my Special Representative for Children and Armed Conflict, Mr. Olara Otunnu, during his visit to Sierra Leone in May 1998, the Executive Committee of the National Committee on Disarmament, Demobilization and Reintegration has agreed to ensure that the CDF do not initiate persons under the age of 18 and that they cooperate with the registration of children already within their ranks. They also agreed to request that ECOMOG release children in detention to UNICEF, UNOMSIL or the Ministry of Social Welfare.

34. A national sensitization programme on this subject has also been under way since early October with full radio and television coverage and a nationwide arts competition on the theme "Join Hands for Peace". The Lungi ex-combatants have embarked on community welfare work in the area, which has been well received by the local community. This, together with the programme of pre-discharge orientation, has gone a long way towards facilitating the acceptance of the ex-combatants in the Lungi area.

35. The National Committee, chaired by President Kabbah, is continuing its activities and its secretariat is functioning well. The Committee has now also identified two additional disarmament, demobilization and reintegration sites at Magburaka and Gerihun and preparations for their opening are under way. However, the pace of the programme continues to lag behind the original goals since the intensity of the war effort has not yet subsided. A further 830 ex-RSLMF soldiers are being prepared for re-induction into combat as a fifth battalion fighting alongside ECOMOG. As with the other four battalions re-inducted from among the ex-RSLMF personnel at Lungi, it is understood that most of these soldiers will undergo the disarmament, demobilization and reintegration process once the war has been concluded. There has been no progress in the demobilization of CDF fighters in safe areas. Apart from the registration of CDF personnel in a few localities, there are no indications yet

that the CDF are ready to begin the disarmament, demobilization and reintegration process, since they are still fighting.

V. HUMAN RIGHTS

Conflict-related human rights abuses and violations

36. Widespread rebel attacks on civilian populations have characterized the period since my last report. Attacks and forms of abuse of civilians exhibited a characteristic modus operandi: amputation of limbs, mutilation, actual or attempted decapitation, rape, burning alive of men, women and children, destruction of homes, abduction and looting. In one typical incident, at the end of October, five farmers were burned alive by rebels in a house some ten miles from the town of Alikalia, in the north-east. In early November, the entire northern township of Bafodia was destroyed. At the end of November, the northern town of Yifin was again devastated in a rebel attack, during which up to 50 youths were abducted.

37. During September and October 1998, the incidence of hospital admissions for amputations and mutilations reached levels similar to those during May and June, with 71 admissions in just two hospitals in the west of the country and an unverifiable number in other regions. It is likely that the hospital admission figures are much lower than the actual levels of civilian fatality and injury. During November, although the overall number of atrocities reportedly fell, there was an escalating rate of reports of actual and attempted decapitation. Particularly since late October, rebel elements have indicated that attacks were motivated by a desire for revenge against the sentencing to death of Corporal Foday Sankoh.

38. Since my last report, there have been further complaints regarding the behaviour of certain CDF contingents. One incident, investigated and confirmed by UNOMSIL, involved the killing by the CDF of four captured alleged rebels at Romeni, near Port Loko. UNOMSIL has indicated to the Government of Sierra Leone its willingness to assist in the training of key CDF personnel regarding provisions of human rights and humanitarian law applicable to their activities. There have also been reports of inappropriate behaviour by certain elements of ECOMOG, including unlawful detention. My Special Representative has taken this matter up with the Force Commander of the Monitoring Group.

39. Since my last report, there have been frequent reports of children being sent into combat environments, notwithstanding indications of some ECOMOG commanders refusing to allow under-age CDF combatants to serve under them. However, on 25 November, the Government reiterated its commitment to non-recruitment and demobilization of combatants aged under 18.

Treason trials

40. In the absence of an appeals process under court martial proceedings, most of the 34 military personnel sentenced to death in the first court martial sought recourse through petitioning the United Nations Human Rights Committee pursuant to the provisions of the Optional Protocol to the International

Covenant on Civil and Political Rights. Despite the Committee's formal request for a stay of execution pending its consideration of the petitions, 24 officers were executed by firing squad on 19 October 1998. On 4 November, the Human Rights Committee adopted a strongly worded decision and requested the submission of a report by Sierra Leone pursuant to the provisions of article 40 of the International Covenant. At the request of the Committee, I brought its decision to the attention of President Kabbah in a letter to him dated 16 November 1998. In the same letter, I appealed to President Kabbah to give every consideration, once the appeals process had been exhausted, to extending mercy to those who had been condemned to death.

41. Two separate group treason trials ended, on 21 October and 5 November 1998, respectively, with the sentencing to death of a further 26 civilians, with right of appeal. Among those given prison sentences was a former Head of State of Sierra Leone, Joseph Momoh. All of those convicted have appealed their sentences.

Technical cooperation

42. UNOMSIL continues, within the limits of its resources, to advise and assist the Government and civil society in matters relating to the protection of human rights and fundamental freedoms. This includes advising the Government on how to meet its reporting obligations under the Convention on the Rights of the Child, as well as under the International Covenant on Civil and Political Rights. For instance, UNOMSIL has facilitated the donation to the Government of law books for use by the legal profession and has hosted a seminar on judicial reporting for the Sierra Leone media. The human rights component has also provided other forms of advice to the United Nations community in Sierra Leone.

43. Human rights technical assistance and training support continues to be extended to the National Commission for Democracy and Human Rights, the Sierra Leone police force and civil society, including the community of non-governmental organizations, as well as UNOMSIL military observers. During November 1998, UNOMSIL facilitated the most ambitious human rights monitoring and reporting skills training programme ever implemented in Sierra Leone, with 70 participants from all parts of the country. The trainees will now replicate the training nationwide. Other training activities since my last report include facilitation of the project of human rights training for religious leaders, primarily implemented by the World Conference for Religion and Peace and partially funded by the Office of the United Nations High Commissioner for Human Rights.

44. In order to offer a broad range of human rights related services, UNOMSIL has sought funding under the 1999 consolidated humanitarian appeal for Sierra Leone for four human rights projects: to enhance monitoring capacity regarding rebel activities, to provide enhanced human rights training for the police and for the humanitarian community and to further strengthen the capacity of civil society to monitor human rights. Other project proposals, in course of completion in close consultation with the Government and other stakeholders, address the human rights training and resources needs of the judiciary, legal profession and prison personnel.

45. On 24 November 1998, the Government of Sierra Leone reaffirmed its regulations on the manner in which the media may report on conflict-related issues. The regulations are based on the provisions of the state of emergency instituted in March 1998, elements of which may not be in compliance with applicable provisions of international human rights law. On 9 December, the Government arrested three journalists on charges related to these regulations. UNOMSIL is monitoring the situation.

VI. CIVILIAN POLICE

46. UNOMSIL has now deployed its full complement of five civilian police advisers and they are working closely with advisers deployed by the Commonwealth and with the Government of Sierra Leone and the police force in the reform and restructuring process.

47. Policing suffered a major setback during and immediately after the junta period. Many police officers had collaborated with the junta and others were killed or forced to flee, leaving much of the country without a police service. Following the reinstatement of the Government, the poor relationship between the police and public obliged the Government to undertake a comprehensive restructuring of the police force. Although policing activities have now returned to normal, many police stations are still not functional and will have to be rebuilt. Policing has not been reintroduced in certain areas of the country owing to rebel activity and/or the shortage of funds to reconstruct buildings. The CDF has established its own police force in some of the areas under its control, which operates independently of the Sierra Leonean police force.

48. The reintroduction of policing throughout the country also requires the retraining of police officers, a process hampered by a shortage of funds. The provision of minimal financial assistance would allow the introduction of limited training programmes. Towards this end, UNOMSIL civilian police have assisted in the development of a decentralized training programme, the production of training manuals and the conduct of refresher training.

49. After the introduction of the Government Policy Statement, the Police Mission Statement and the Strategic Development Plan (1998-2001), the civilian police advisers, in collaboration with the Commonwealth, have held detailed discussions with the Sierra Leonean police force on the restructuring process, the importance of respect for human rights, the role of the police in a democratic society and the disciplinary code of conduct. After consultations with all concerned, and with the financial support of the Department for International Development of the United Kingdom, pilot projects have been introduced in certain police areas to improve communications and equipment and to introduce effective and efficient policing based on local needs and community involvement.

50. As part of the effort to improve the effectiveness of the Sierra Leonean police force, restructuring has begun in the departments of human resources management, personnel development, financial and logistical accountability, operations and crime management, with the aim of streamlining and restructuring

the departments and ensuring that police officers are carefully selected, properly trained, directed by highly motivated officers and financially and logistically supported so as to be able to render acceptable service.

VII. HUMANITARIAN SITUATION

51. Since my second progress report, humanitarian agencies have managed to maintain the delivery of relief assistance to populations fleeing insecurity in the north and east of the country. Most of the displaced are concentrated in a string of settlements between Makeni and Koidu in the centre of the country, in Kenema in the east and in Freetown. Fighting in the east has limited access to populations around Kenema, while hostilities in the north-west near the end of the reporting period have curtailed access there, as well as road access to Makeni. Growing insecurity along the arterial road network bodes ill for continued access and the delivery of assistance..

52. Displacement of civilian populations continued during the period under review. By mid-November, the United Nations Humanitarian Assistance Coordination Unit estimated that 308,695 persons had been displaced since February 1998, an increase of 58,000 internally displaced persons since my last report. The hostilities, which have continued since mid-November, have driven approximately 6,000 additional persons from their homes. As fighting continues into the dry season, the optimum period for military operations, the humanitarian community is concerned that access will continue to be constrained while displacement increases.

53. In an effort to further ensure the impartiality of relief operations and advocate for access, the Sierra Leonean humanitarian community came together at a workshop held from 19 to 23 November that resulted in a revised code of conduct for humanitarian agencies. The UNOMSIL human rights component also participated in the elaboration of the revised code, which is designed to reinforce a self-regulatory and coordinated approach for the delivery of humanitarian assistance and to ensure that the parties to the conflict recognize and observe the impartiality and inviolability of humanitarian principles.

54. Despite the prevailing hostile environment and logistical constraints, the humanitarian community has been able to avert potential humanitarian disasters through the provision of a wide range of relief programmes to the most affected war victims in Masingbi, Kambia, Kenema and Freetown.

55. A good harvest is expected in most secure areas as a result of the distribution of agricultural support packages to vulnerable farmers. Discussions are taking place in all agencies with respect to their 1999 food aid programmes, which are expected to equal the 1998 levels.

56. The delay in the issuance of transport clearances to food aid agencies by ECOMOG continues to constrain the movement of humanitarian food aid to vulnerable groups. There has also been an increase in harassment, abuse and intimidation of aid workers at some security checkpoints. Instances of ECOMOG personnel commandeering aid vehicles, including a World Food Programme (WFP) truck at Masingbi, have been raised with ECOMOG by UNOMSIL. Interventions

relating to a similar situation at the port in Freetown have led to significant improvements. Ms. Catherine Bertini, the Executive Director of WFP, will visit Sierra Leone from 10 to 12 December 1998 to assess food security issues in the country and the requirements for WFP assistance.

57. UNICEF undertook mass immunization campaigns in Freetown, Bo, Kenema, Makeni, Kambia, Port Loko and Kabala, covering an estimated 1.1 million people, about 25 per cent of Sierra Leone's population. UNICEF and the United Nations Population Fund (UNFPA) are supporting the Ministry of Health and Sanitation in trying to reduce the maternal mortality rate, which currently averages 1,800 per 100,000 live births. A UNFPA consultant is in the country to examine various aspects of UNFPA's planned activities and issues of coordination between the relevant United Nations agencies and the Ministry of Health.

58. A World Health Organization (WHO) consultant has been working with the Ministry of Health to address future outbreaks of cholera. WHO has also provided drugs and supplies intended to further strengthen the Ministry's preparedness to cope with public health challenges. As a result, the cholera outbreak referred to in paragraph 41 of my last report is now under control. No deaths have been recorded since mid-October.

59. On 14 November 1998, President Kabbah launched activities for the forthcoming National Immunization Days, which will target polio. WHO and UNICEF, along with other agencies, are providing financial and technical support to the polio eradication drive. The first round of immunizations will take place on 19 December and the second round on 2 February. WHO has also taken steps to deal with outbreaks of meningitis.

60. The Office of the United Nations High Commissioner for Refugees (UNHCR) has continued to facilitate the repatriation of students and professional civil servants to Sierra Leone. During October and November, UNHCR repatriated about 1,660 Sierra Leoneans from Guinea. In close consultation with the Government and others, UNHCR is continuing to develop a reintegration strategy for returnees and internally displaced persons.

61. United Nations agencies, in consultation with the Government, national and international non-governmental organizations and donors, have completed the 1999 consolidated inter-agency appeal for Sierra Leone in the amount of $28 million. The 29 projects in the appeal range from immediate life-saving needs to longer-term projects aimed at creating a favourable environment for the promotion of peace and sustainable socio-economic development. The appeal was released in Geneva on 3 December by the Office for the Coordination of Humanitarian Affairs and will be launched on 17 December 1998.

VIII. ECONOMIC AND SOCIAL ASPECTS

62. On 23 November 1998, the European Union signed an agreement with the Government of Sierra Leone to provide 111.5 million European currency units ($124.88 million) to help rebuild its economy. The funds, to be disbursed over five years, are to support rehabilitation of infrastructure, the development of social and public sectors and good governance. The aid will include eight

million European currency units ($8.92 million) in risk capital, provided by the European Investment Bank, for projects in power supply, mining and private sector investment.

63. On 27 November, the Government presented the budget and statement of policies for the financial year 1999 to Parliament. The budget, which is being debated by Parliament, focuses on continuing the process of rehabilitating basic infrastructure and rebuilding dislocated institutions, as well as pursuing stabilization and economic reform policies.

64. The Executive Board of the International Monetary Fund has approved the Government's request for assistance under the post-conflict emergency assistance policy for Sierra Leone in the amount of approximately $15 million.

65. According to Government data, there are encouraging signs of a steady recovery in economic output. This is reflected in the 0.7 per cent growth rate in the gross domestic product in real terms, compared to negative 22 per cent for the same period last year. Increased activity in the manufacturing, services and construction sectors reflect the return of consumer and investor confidence. On the other hand, output in mining and agriculture continues to be depressed owing to persistent insecurity, especially in the east and north.

66. The generally weak economy has contributed to the continued pressure on the exchange rate. Gross external reserves have dwindled to 1.8 months of imports in 1998 compared to 5.7 months in the corresponding period for 1997. Consequently, the exchange rate, which had strengthened from 2,340 leones to the dollar in January 1998 to about 1,630 in March, depreciated to 1,850 leones in January 1998 to about 1,630 in March, depreciated to 1,850 leones in November. It is anticipated that increased donor support, particularly balance-of-payments assistance from the international financial institutions, the European Union and the Department for International Development of the United Kingdom, will reduce the pressure on the exchange rate. The Government's economic management policies have helped contain inflation and restore confidence in the private sector, bringing about the present decline in the inflation rate to 12.5 per cent as at December 1998.

IX. FINANCIAL ASPECTS

67. The General Assembly, by its resolution 53/29 of 20 November 1998, appropriated an amount of $22 million gross for the establishment and operation of the Observer Mission for the period of 13 July 1998 to 30 June 1999. This amount includes $9.1 million gross for the period from 14 January to 30 June 1999, equivalent to some $1.6 million gross per month, subject to the decision of the Security Council to extend the mandate of the Observer Mission beyond 13 January 1999.

68. Should the Council decide to extend the mandate of the Observer Mission as recommended in paragraph 76 below, it is anticipated that the estimated additional requirements of some $0.6 million gross arising during the 1998-1999 financial period in connection with the modest expansion of civilian staff of UNOMSIL recommended in paragraphs 78 and 79 below, would be met from resources already provided by the General Assembly.

69. As at 30 November 1998, the total outstanding assessed contributions for all peacekeeping operations amounted to $1,642.2 million.

70. Pursuant to the Council's Presidential statement of 26 February 1998 (S/PRST/1998/5), on 26 March 1998 I established the Trust Fund to Support United Nations Peacekeeping-related Efforts in Sierra Leone. As at 11 December 1998, voluntary contributions to the Trust Fund totalled $1.79 million from the Governments of the United Kingdom of Great Britain and Northern Ireland ($0.83 million) and Japan ($0.96 million). In addition, the government of the Kingdom of the Netherlands has pledged to the Fund an amount of $1 million.

X. OBSERVATIONS AND RECOMMENDATIONS

71. Despite the progress made by the Government in consolidating its authority, I am disturbed at the continuing attacks inflicted by the rebels on civilians in the north and the atrocities and abductions that accompany such attacks. I condemn these serious violations and abuses of human rights and international humanitarian law and call again on the RUF and the AFRC to desist from attacks against their unarmed compatriots and to lay down their arms and surrender.

72. The elaboration of a dual-track approach to the resolution of the conflict following the ECOWAS summit of 31 October 1998 and the London meeting of the International Contact Group of 5 November is a welcome development, and UNOMSIL will work with the Government to pursue this approach. ECOMOG, the CDF and the re-inducted Republic of Sierra Leone Military Forces personnel have done much to defend the Government and people of Sierra Leone against rebel attacks and should continue to do so. At the same time, I call on the Government to explore ways to encourage the rebels to lay down their arms and surrender in order to avoid more bloodshed.

73. Clear evidence has emerged during the national consultative process described in paragraph 4 above to demonstrate that the people of Sierra Leone are willing to reconcile themselves with the rebels, on condition that they accept the authority of the Government, lay down their arms and surrender. UNOMSIL will continue to offer its services to the Government in facilitating such surrenders, provided this can be done under acceptable security conditions. UNOMSIL is also prepared to work with the Government concerning assurances that those who surrender will be humanely treated, in accordance with internationally accepted standards, and that any rebels who face criminal prosecution for their acts receive a fair trial.

74. I am particularly encouraged by the outcome of the extraordinary summit meeting of the Mano River Union on 12 November 1998, at which President Kabbah, President Taylor and President Conte agreed to continue to strengthen the Union and improve their mutual relations. The importance of this subregional approach to the strengthening of stability and security in all three countries cannot be overemphasized. I look forward to further steps by all three Governments to prevent the use of their territory by armed groups who would seek to undermine stability and would use their territory for the illegal transit of weapons and ammunition, especially where this is in violation of United Nations resolutions. I am prepared to assist, through my Special Representative in Sierra Leone and

my Representative in Liberia, in developing and implementing a viable strategy for a subregional approach.

75. The onset of the dry season in Sierra Leone has opened the way for more effective action by ECOMOG, the CDF and the re-inducted personnel of the RSLMF. In order to maintain the pressure they have exerted to split the rebel forces, the military forces assisting the Government need to continue to receive adequate logistical support. In this context, I would like to express my appreciation to those Governments that have already made contributions to the Trust Fund to Support United Nations Peacekeeping-related Efforts in Sierra Leone and to encourage others to make similar contributions or to consider providing the necessary assistance bilaterally to ECOMOG or to individual ECOWAS countries.

76. UNOMSIL has proved its value to the Government and people of Sierra Leone as they pursue their recovery from the illegal seizure of power by the military junta, in May 1997, and all its nefarious consequences. In particular, the deployment in the countryside of United Nations military observers has demonstrated to the Government and people of Sierra Leone the commitment of the broader international community to the restoration of order and peace in the country under the legitimate Government. UNOMSIL has also provided crucial support for humanitarian operations in the countryside. I therefore recommend to the Security Council that the mandate of the United Nations Observer Mission in Sierra Leone be extended for a further period of six months, until 13 July 1999.

77. The uncertain security situation in parts of the country and the delays to which the government's disarmament, demobilization and reintegration programme have consequently been subjected make it premature at this stage to proceed with further deployments of United Nations military observers, as authorized by resolution 1181 (1998). However, in view of the prospect that rebel fighters might begin surrendering as a result of the military operations directed against them in the east and the north, and the Government's willingness to accept their surrender under the conditions outlined above, UNOMSIL will continue to stand ready to deploy the additional observers rapidly as and when they may be required. I will keep the Security Council fully apprised of any developments in this regard and of any action I decide to take in response.

78. However, in order to address the growing demands on the ground and to be able to assist the Government and people of Sierra Leone in their efforts to normalize the situation, I am planning a modest expansion of the civilian staff of UNOMSIL. In particular, the enormity of the human rights abuses the rebels have perpetrated on the people of Sierra Leone and the large scope of human rights tasks to be performed have underlined the need for a strong human rights component. The deployment of five additional human rights officers in the provinces, in addition to the five now operating in the country, would do much to assist the Government to maintain and improve its commitment to the protection of human rights and fundamental freedoms in Sierra Leone. I also urge Member States to consider contributing bilaterally to UNOMSIL's human rights activities in Sierra Leone.

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79. UNOMSIL could also help the government develop more fully a dialogue with the rebels in keeping with the dual-track approach. To this end, I intend to deploy three additional public information officers to develop radio programmes and other information activities aimed at reaching out to rebels in the countryside to persuade them to surrender and generally to pursue the goal of national reconciliation. The additional public information staff could also help to explain the role of UNOMSIL and the international community. At the same time, the addition of another political officer in the Office of my Special Representative would assist him to coordinate these activities.

80. The restoration of stability in Sierra Leone will be a long and arduous process and will continue to require military support as well as various other forms of assistance. In particular, the Government needs assistance in its efforts to establish a new professional armed force under civilian control, as well as an effective and well-motivated police force. The commitment of all Sierra Leoneans to achieving peace through dialogue and national reconciliation will also be essential. The United Nations, through UNOMSIL, is ready to play its part in that process.

81. In conclusion, I wish to express my appreciation to my Special Representative, Mr. Francis G. Okelo, the Chief Military Observer, Brigadier-General Subhash C. Joshi, and all the military and civilian personnel of UNOMSIL. My thanks also go to the Government of Sierra Leone and to ECOMOG, as well as to Sierra Leonean civil society, for their continuing cooperation with the United Nations.

Annex

United Nations Observer Mission in Sierra Leone: contributions as at 10 December 1998

	Military observers	Others[a]	Total
China	3		3
Egypt	2		2
India	6	15	21
Kenya	4		4
Kyrgyzstan	1		1
New Zealand	2		2
Pakistan	5		5
Russian Federation	7		7
United Kingdom of Great Britain and Northern Ireland	7		7
Zambia	4		4
Total	41[b]	15	56

[a] Medical team.

[b] Including Chief Military Observer.

6529

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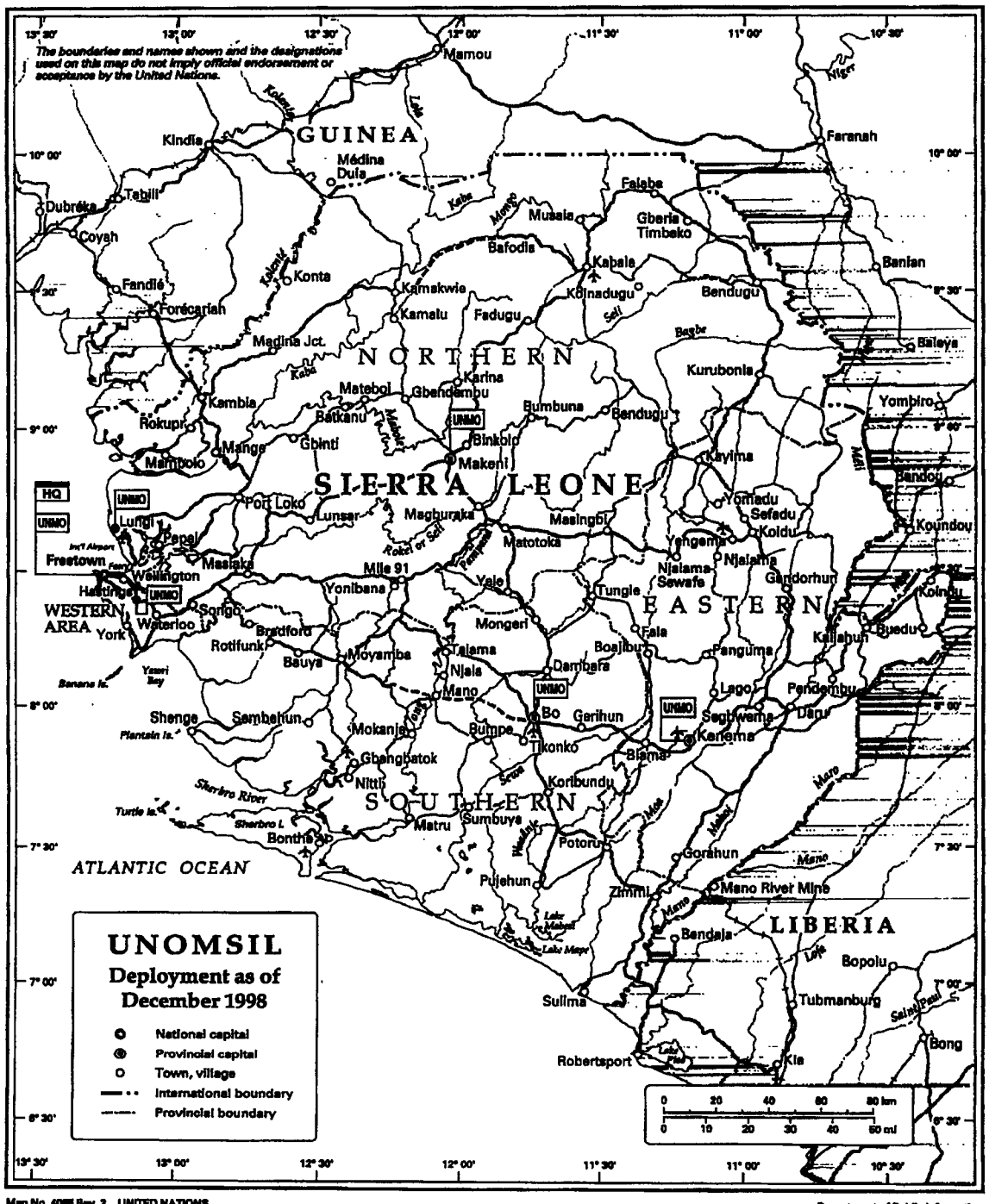

Map No. 4088 Rev. 2 UNITED NATIONS
December 1998

Department of Public Information
Cartographic Section

6529

FACT 60

The United Nations High Commissioner for Refugees (UNHCR) reported on 05 January 1999 that:

(a) 210,000 people fled Sierra Leone to Guinea in 1998, hundreds arriving mutilated by the rebel forces; and

(b) there were a total of 350,000 Sierra Leone refugees in Guinea and another 90,000 in Liberia.

a.	Exh. 1.185	n/a	UNHCR Briefing Notes: Situation in Sierra Leone, United Nations High Commissioner for Refugees (UNHCR), 05 January 1999. Available at www.reliefweb.int.

Source: United Nations High Commissioner for Refugees
(UNHCR)
Date: 05 Jan 1999

UNHCR Briefing Notes: Situation in Sierra Leone

UNHCR is extremely concerned about the upsurge in fighting in Sierra Leone which has caused new displacement within the country, raising the spectre of another refugee exodus from Sierra Leone.
The number of displaced persons inside the country is roughly estimated at 350,000 people. Many are located in the area of Kenema (western part of the country) and the capital Freetown is overpopulated.

Over the past few days, over one hundred refugees have fled into neighbouring Guinea but we received reports of 5,800 more people being displaced in the border area of Kambia and possibly intending to cross into Guinea if fighting between rebels and the West African Peacekeeping Force (ECOMOG) continues. UNHCR has made preparations to receive new arrivals on the Guinean side of the border.

Some 210,000 people fled Sierra Leone to Guinea last year alone. Hundreds arrived mutilated by the rebel forces which systematically terrorised the rural population. There are a total of 350,000 Sierra Leone refugees in Guinea and another 90,000 in Liberia.

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6531

FACT 61

The UNCHR Branch Office, Conakry, issued the Report on Atrocities Committed Against the Sierra Leone Population on 28 January 1999, which reported or noted that:

(a) since the ECOMOG forces regained control of Freetown, mid-February 1998 reports came in about serious atrocities being committed by retreating junta forces against the local population;

(b) the scale and nature of the crimes perpetrated served two purposes: intimidation and humiliation; and

(c) perpetrators of the crimes did not discriminate with regard to age, sex, ethnic origin or other criteria in the choice of their victims.

a.	Exh. 1.020	ERN 00004549-00004652A	Report on Atrocities Committed Against the Sierra Leone Population, UNHCR Branch Office Conakry, 28 January 1999 (Rev.2), at Introduction (ERN 00004550).

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C.W.

Introduction

Ever since the ECOMOG forces regained control of Sierra Leon's capital Freetown, mid February 1998 reports have come in about serious atrocities being committed by retreating junta forces against the local population. It soon became clear that the scale and nature of the crimes perpetrated served only two purposes: intimidation and humiliation.

It has emerged that perpetrators of these crimes do not discriminate with regard to age, sex, ethnic origin or other criteria in the choice of their victims. In blind rage, they hack off peoples ears, hands and other parts of the body and then send them off with a message to ECOMOG, the President of Sierra Leone or other persons. If they do not die en route, the victims end up in Freetown and Makeni hospital or in a refugee camp in Guinea.

All victims of violence and armed conflict carry with them the indelible memory of their ordeal. What distinguishes the victims of the atrocities committed by the Sierra Leone junta forces from other victims is that they remain, in addition to being mentally affected, physically handicapped for the rest of their lives .

Unable to carry on with their work and dependent on an already burdened nation, the victims of this cruel behaviour demand from the international community that justice be served and that perpetrators of these terrible crimes be apprehended, tried and convicted.

UNHCR by virtue of its mandate and its *accord de siege* with the Government of Guinea has access to all newly arriving asylum seekers on Guinea territory. Information obtained from them may assist in determining their status but also serve as important country of origin information. If, as in the case of the maimed victims, UNHCR staff come across evidence of serious crimes committed against humanity, the public may be notified through the P.I section, and policy makers are advised by means of various speeches made by Senior Executives. It is within the discretionary powers of the High Commissioner to assist the prosecutor of a competent court or tribunal with the evidence assembled. This information sharing may be especially appropriate as victims and witnesses may vanish over time. With these points in mind, the Senior Protection Officer at B.O. Conakry has initiated the preparation of this report. It contains interview reports based on standard questionnaires prepared by field and protection staff as well as medical certificates and digital pictures of registered victims of maiming that have arrived in Guinea since the retreat of junta forces to the diamond rich district of Kono located in Eastern Sierra Leone. In order to protect the confidentiality of the interviewed victims and witnesses, all names have been deleted whilst certain ~~the~~ digital pictures have been adjusted so as to avoid recognition. The original reports that includes names and signatures remains on confidential file with the protection unit of UNHCR.

♂ ♀
stated reason
names officers
languages spoken
state of rebels (high)
command structure
tribe

August 1998

Assane Samb

Representative

UNHCR B.O. Conakry, Guinea

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UNHCR-PT

UNHCR BRANCH OFFICE CONAKRY

REPORT ON ATTROCITIES COMMITTED AGAINST THE SIERRA LEONE POPULATION

28 JANUARY 1999 (Rev.2)

NUREG-1

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C.W.

Introduction

Ever since the ECOMOG forces regained control of Sierra Leon's capital Freetown, mid February 1998 reports have come in about serious atrocities being committed by retreating junta forces against the local population. It soon became clear that the scale and nature of the crimes perpetrated served only two purposes: intimidation and humiliation.

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♂ ♀
stated reason
names officers
languages spoken
state of rebels (high)
command structure
tribe

August 1998

Assane Samb

Representative

UNHCR B.O. Conakry, Guinea

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00004551

CASE # 01

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1.	**Name:**	******
2.	**Nationality:**	Sierra Leone
3.	**Sex:**	Male
4.	**Date of Birth:**	15/9/74
5.	**Place of Origin:**	Kenema
6.	**Occupation:**	miner
7.	**Date/Place of Attack:**	end February at Kobola
8.	**Date of Arrival:**	end February 1998
9.	**Route Followed:**	Kenema - Makeni - Kobola (near Kabala) - Foroconia - Conakry
10.	**Accompanied by:**	Wife, two children
11.	**Physical Condition:**	Missing both hands, one ear
12.	**Date and Place of Interview:**	27/5/98 at Conakry
13.	**Interviewing Officer:**	Gregory Mose, Associate Protection Officer

Narrative:

Mr. ****** and his family fled Kenema at the end of February to escape fighting in that area in hope of reaching Guinea. They reached Makeni, but while on the road between Makeni and Kabala they were intercepted by a group of rebels and taken to their base at Kobola. He was accused of having tried to lead ECOMOG to the rebel base. His mother and wife were killed, but his second wife and two children remained with him.

He describes the camp as quite large and estimates having seen around 350 rebels, six cars/trucks (at least one marked UN) and eight motorcycles. The military commander was named Brigadier ******, who reportedly led a rebel attack on the hydroelectric plant at Bumbuna. Other men of authority were Major ******, who reportedly served as Under-secretary of State for ****** under the AFRC, Lieutenant Colonel ******, and one ****** whom Mr. ****** describes as the head of the national lottery. Mr. ****** reports having seen around 85 prisoners.

All prisoners were kept tied up in one area. As Mr. ****** describes it, Lieutenant Colonel ****** gave orders to Major ****** to select six prisoners to be brought out and released. Lieutenant Colonel ****** told the prisoners that he had received orders from "Superman" to release some prisoners. Each of the six prisoners remained bound and had a letter tied around his neck and was led away.

Mr. ****** was taken in the next group of prisoners to be released on orders of "Superman." They too were bound and letters were tied around their necks, and then taken to a point near the Sierra Leone Guinea border not far from an ECOMOG base. When the rebel detachment there read the notes, they proceeded amputate them and then gave them new notes addressed to the government of Sierra Leone. Mr. ******'s note said that the rebels were coming to Freetown and that they would fight to the last man.

He saw two other people mutilated: the first lost a foot, a hand and an ear, while the other lost both ears and hands. He then crossed the border to Foroconia and from there travelled to Conakry.

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr ..... AGUIRAU .....
Certifie avoir examine le(a) patient(e)..... .....
Age de..XX.....ans. Ce jour du.....20.....Mai.....1998.

Etat General:.....Satisfaisant.....
Constantes Hemodynamiques:.....
Le patient presente des lesions mutilantes de type:.....traumatique.....
.....
Siege:.....Deux.....mains.....et.....une.....oreille.....droite.....
Stade de cicatrisation:.....cicatrisation.....complete.....
Etat de la lesion:.....les.....lesions.....ont.....complètement.....guéries.....
Date probable du traumatisme:.....3.....mois.....

Conclusion / Remarques.....le.....patient.....est.....inapte/.....
.....travailler.....ne.....peut.....subsister.....ses.....besoins.....élémentaires

Fait pour le HCR a .....Conakry.....Le .....16/Juin/.....1998

Signature:

Dr AGUIRAU

6839

00004554

UNHCR's Protection Unit in Conakry Guinea

CASE # 02

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name	******
2. Nationality:	Sierra Leone, Temne tribe
3. Sex:	Female
4. Date of Birth:	26/10/70
5. Place of origin:	Motema, Nemekoro chiefdom, Kono District
6. Occupation:	Nurse (speciality: Pregnancy and children)
7. Date of arrival:	around 26/4/98
8. Date/Place of Attack:	19/3/98 near Bakedou
9. Route followed:	Motema town, Peyma village, Bakedou, Foroconia, Kobikoro, Gueckedou From 21.02 till 26.04 they lived in the bush.
10. Accompanied by:	Her husband ******, her son XXX (7), and daughter YYY (5).
11. Physical Condition:	multiple bruises and cuts from beating
12. Date and Place of Interview:	26/5/98 and 3/6/98 at Gueckedou
13. Interviewing Officers:	Amadou Kemenani, Protection Officer Anne Paludan, Field Officer

Narrative:

Mrs. ****** and her husband, a trader, lived in Freetown with two of their children. Since 1992, two daughters have stayed in Makeni (Bombali District) with her elder sister, Mrs. ******, because it was safer there. They are ****** (13) and ****** (11). On 25 May, 1997, following attacks on the city, they left Freetown and arrived in Motema town in June. Here they stayed till the first attack in Kono on February 21, 1998. The Junta soldiers had had an argument with one of the townspeople about money which the soldiers refused to pay back. The soldiers threatened them that if they did not leave the town would be destroyed. She had seen one of the soldiers who issued the threats before but does not know his name.

The whole household of 16 people left before the town was attacked - herself, her husband and their two youngest children and their extended family. She brought a little medicine, 200.000 leones and some clothing. They hid in the bush before and after they had been attacked.

On March 19, Mrs. ****** and her family were captured by a group of at least 10 Junta soldiers in the bush near Bakedou. They were held from about 11:00 a.m. till about 3:00 p.m.. Mrs ****** did not know any of the men or hear their names. She remembers that some wore military combat uniforms, others wore civilian clothing, and they carried guns, bayonets, cutlasses, knives, bows and arrows. They spoke Krio, Mende and Temne. They were commanded by a tall man around 50 years old with greying hair. There were some captured civilians with them, seven old and young women, 10 men, and more than 15 children. The soldiers gathered their prisoners in an open area. In front of all of them

they ordered some of the women and children, "Come and lie down and we will sex you." Mrs. ****** witnessed the sexual assault of three women, mothers of 27-30 years, and many children, both boys and girls. In one case she saw the rebels kill a woman after they had raped her. In total Mrs ****** witnessed the killing of seven people. Later she saw six dead bodies.

The soldiers forced her to strip naked, took all her belongings and her clothes, tied her hands behind her back and ordered her to lie down on the ground, threatening to kill her. They then started cutting her neck with a knife. A young boy (she believes less than 15 years old) stabbed her arm with a sharp arrow, another young boy beat her in the back with the barrel of a gun, and a third stabbed her left leg and foot with a bayonet. This went on until one of the soldiers (whose face she did not see) asked the others to leave her and not kill her. She lost a lot of blood and was losing conscience.

During the attack on Mrs. ****** her son and daughter lay on the ground together with her. The soldiers had also ordered them to lie down, but their hands were not tied. XXX received a deep cut in the head with a cutlass, YYY had a cut on her right hand with a cutlass. Both of them remember seeing three people being killed.

From 11:00 a.m. to 3:00 p.m. Mrs. ****** lay on the ground. She did not see or sense what happened after she was attacked as she was unconscious most of the time. When the soldiers had left, her son XXX touched her arm and untied her, and she woke up. Around her she saw many dead bodies and all the damage that had been done. Her husband was missing.

It was then getting late in the afternoon. Some women who had been hiding in the bush came back, washed the survivors, and gave them some clothes. They gave her and Mohamed some cloth to bandage their wounds. The survivors then started walking. After 4 days on the road some villagers they met told her that her husband had been carried away by the soldiers/rebels and had been killed with a cutlass at a place called Babwa. She herself did not go there and did not see her husband's body.

She and seven other survivors stayed in the bush till about 26 April. There were two women and two men, three boys and one girl. They lived on bananas, cassava, and potatoes. They built shelters of palm branches. The men were responsible for collecting food and a woman prepared it. They drank bad water which gave them diarrhoea. They were always moving from place to place, listening for gunshots and for the rebels. Mrs. Bangura recounts that she was unable to sleep due to the pain of her injuries. When they arrived in Foroconia she and her children were at once washed and treated by doctors and given medicine. An ambulance was called, and they arrived in Gueckedou Hospital on May 1st, 1998, after 4 days in Foroconia.

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr .....Bikar Bah.....
Certifie avoir examine le(a) patient(e).....
Age de.....28.....ans. Ce jour du.....1er Mai.....1998.

Etat General:.....bon.....
Constantes Hemodynamiques:.....CTE (négative) Hb 11,85%
Le patient presente des lesions mutilantes de type:.....plaie septique
.....cutanée craniénne.....
Siege:.....cephalique.....
Stade de cicatrisation:.....plaie en voie de cicatrisation
Etat de la lesion:.....Evolution favorable.....
Date probable du traumatisme:.....deuxième quinzaine d'Avril

Conclusion / Remarques.....cette malade a été suivi avec des pansements quotidiens en petite chirurgie jusqu'à la cicatrisation en deuxième intention
Fait pour le HCR a .....Gaekedou.....Le .....20.....6.....1998

Signature:

CASE # 03

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. **Name**	******
2. **Nationality:**	Sierra Leone, Temne tribe
3. **Sex:**	Male
4. **Date of Birth:**	26/7/91
5. **Place of origin:**	Motema, Nemekoro chiefdom, Kono District
6. **Date and Place of Attack**	19/3/98 near Bakedou
7. **Date of arrival:**	around 26/4/98
8. **Occupation:**	Student
9. **Route followed:**	Motema town, Peyma village, Bakedou, Foroconia, Kobikoro, Gueckedou From 21.02 till 26.04 they lived in the bush.
10. **Accompanied by:**	His father, his mother , and sister.
11. **Physical Condition:**	cut on head with machete
12. **Date and Place of Interview:**	26/5/98 and 3/6/98 at Gueckedou
13. **Interviewing Officers:**	Amadou Kemenani, Protection Officer and Anne Paludan, Field Officer

Narrative:

See interview CASE 02

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr [illegible]
Certifie avoir examine le(a) patient(e).
Age de [illegible] ans. Ce jour du [illegible] 1998.

Etat General: [illegible]
Constantes Hemodynamiques: [illegible]
Le patient presente des lesions mutilantes de type: plaie septique du cuir chevelu
Siege: cephalique
Stade de cicatrisation: [illegible] cicatrisation en 2e intention
Etat de la lesion: Bonne evolution de la lesion
Date probable du traumatisme: [illegible] quinzaine du Mois d'Avril

Conclusion / Remarques: cet [illegible] a suivi des pansements reguliers en petite chirurgie jusqu'à cicatrisation complete de sa lesion

Fait pour le HCR a [illegible] Le [illegible] 6 1998

Signature: [illegible]

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00004560

UNHCR's Protection Unit B O Conakry, Guinea



CASE # 04

SIERRA LEONE VICTIMS OF VIOLENCE – SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone, Mandingo tribe
3. Sex:	Male
4. Date of Birth:	1970
5. Place of Origin:	Ngandahun, Kono District, Eastern Province
6. Occupation:	Farmer
7. Date/Place of Attack :	20/2/98 at NganJahun
8. Date of Arrival:	20/2/98
9. Route Followed:	Ngandahun - Koundu - Fangamadou -Gueckedou
10. Accompanied by:	two unknown persons
11. Physical Condition:	blinded with caustic liquid, beaten
12. Date and Place of Interview:	5/6/98 at Gueckedou Hospital
13. Interviewing Officer:	Charlotte Rostorf Ridung, Field Officer

Narrative:

On his way back to Ngandahun from a visit in Chukpandala, Mr. ****** met a group of armed men in a forest about three miles from Ngandahun on 20 February, 1998. He was accompanied by two men unknown to him. One escaped, when he saw the rebels. The other was captured together with Mr. ******. The rebels asked them for their ethnic origin. Mr. ****** told the rebels that he is Kissi though he considers himself to be Madingo. The other person said that he was Foulah.

Eight rebels captured him and the other person. They spoke Krio and wore civilian clothing. Mr. ****** said that they must be from "Corporal Fodey Sankoh's faction" becuase, he explained, rebels from this faction always appear in groups of eight, twelve, eighteen or twenty-four persons. He did not know the names of his assailants. Several of the rebels attacked Mr. ****** while the others formed a circle around the other man.

The rebels severely beat Mr. ****** with the butt of a rifle, kicked him and slapped him. He fell to the ground and tried to pretend to be unconscious. A boy around the age of 13 who was with the rebels came forward and poured a liquid into Mr. ******'s eyes. Mr. ****** said that his eyes started burning severely. The rebels let him go and took the other man away.

Mr. ****** does not know exactly why he was attacked. He believes that the rebels thought that he was trying to escape. He explained that the rebels have a saying: if you are running away, it is because you are supporting President Kabbah.

Mr. ****** headed straight for the border when the rebels left him. After a couple of hours, the pain in his eyes grew worse. He reached Famgamadou the same day. He stayed in the camp for two days and then continued to Gueckedou. He can sense light but is otherwise blind.

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CERTIFICAT MEDICAL DE CONSTATATION

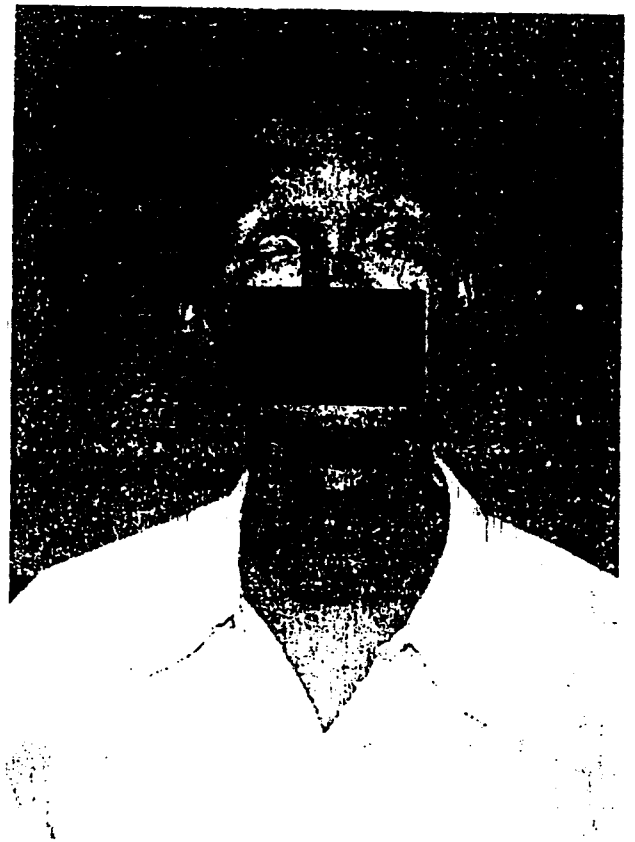
Je soussigne Dr .....Bouar Bah.....
Certifie avoir examine le(a) patient(e).....
Age de..28.....ans. Ce jour du...3 - 2 -.....1998.

Etat General:.....pas altéré.....
Constantes Hemodynamiques:.....Cr (-) taux Hb 12 g/%
Le patient presente des lesions mutilantes de type:.....
.....symblie palpebrale (paupières adherent
Siege:.....à la cornée.....
Stade de cicatrisation:..... - - indéterminée.....
Etat de la lesion:.....Paupières adherent a la cornée.....
Date probable du traumatisme:.....premiere semaine du mois de Février

Conclusion / Remarques..Après tentative de décoler la paupière à la cornée en vain vous decidons de le referer sur l'hopital Ignace Deen
Fait pour le HCR a .....Conckedou.....Le ..20 - 6.....1998

Signature:

00004563



UNHCR's Protection Unit, B.O. Conakry, Guinea

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CASE # 05

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone
3. Sex:	Female
4. Date of Birth:	Approximately 1975
5. Place of Origin:	Gbenekoro, Koinadugu District, Northern Province
6. Occupation:	Farmer
7. Date/Place of Attack :	Approximately one month and five days ago at Gbenekoro.
8. Date of Arrival:	9 June, 1998
9. Route Followed:	Faramah - Gbenekoro - Serekolia - Karifaia – Walia - Songoya - Faranah
10. Accompanied by:	Mother, brother, her three children and husband
11. Physical Condition:	Three fingers on her right hand severed, the fourth cut at the joint (one digit), left hand little finger cut in half, machete wounds between left hand and wrist deep cut on calf of left leg.
12. Date and Place of Interview:	16 June 1998 at Faranah Hospital
13. Interviewing Officer:	Charlotte Rostorf Ridung, Field Officer

Narrative:

Ms. ****** was living with her husband and children in Faramah in Sierra Leone. Her mother was living in Serekolia. The mother came to Faramah to get her daughter and family, so that they could escape the rebels together and thus proceed to Guinea. The family left Faramah to go to Serekolia.

In Gbenekoro, they encountered the rebels coming from Semesedu. Ms. ******, her mother and children dropped their belongings and escaped into the bush. The rebels pursued them into the bush. The mother was captured before Ms. ******. Ms. ****** fell down in the bush, while she was trying to run away. She was carrying her youngest child on her back. As she was about to get back on her feet, the child fell down and the rebels captured her.

Ms. ****** did not know her assailants. She said that some of them wore uniforms, while others wore civilian clothes. There were about a hundred of them. They spoke Temne, Kuranko and Krio. She does not know why she was attacked. The rebel, who mutilated her, had wounds on both cheeks, covered by band-aid. They were probably traditional marks.

The rebels ordered her to show them the place of the Tamaboro (fighting on the side of the NPRC). She replied that she did not know where the Tamaboro were. The rebels wanted to know the way to Serekolia and she showed them. They said to her that even if she showed them the way to Serekolia, they would have to do something to her.

One rebel mutilated her right hand, while another rebel mutilated her left hand. A third rebel cut the calf of her left leg.

Ms. ****** witnessed the attack of her mother as it was the same group of rebels that mutilated ther mother, Ms. ******..Her lips were cut, the right hand cut at the wrist and the left foot severed. She later died at the hospital [see medical documentation attached].

According to Ms. ******, the rebels took out a large knife to kill her child, C, but eventually no physical harm was done to the children. The children witnessed the attacks on their mother and grandmother.

After the attack, the rebels burned their belongings and food. Subsequently, the rebels left for Serekolia. They seemed to believe that the mother of Ms. ****** had died.

The husband, Mr. ******, eventually came to help them. He had fallen behind, because he was carrying a heavy load of goods. Mr. ****** went to get his wife's uncle, and these two men carried Ms. ******, her mother, and her three children back to their family. Someone went to get medicine from ECOMO, as ECOMOG was too far away for them to be carried there. The husband decided to go to Songoya to get people to help carry his family. Five persons from Songoya helped carry the wounded in hammocks to Songoya. From Songoya they were carried by vehicle to Faranah.

6557

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr Ousmane Camara
Certifie avoir examine le(a) patient(e)
Age de 27 ans. Ce jour du 12 juin 1998.

Etat General: un peu satisfaisant - anémie clinique sev
Constantes Hemodynamiques: ailleurs (nouvellement accou
Le patient presente des lesions mutilantes de type:
Amputation
Siege: main droite
Stade de cicatrisation: plaie infectée
Etat de la lesion: nécrose ??
Date probable du traumatisme:

Conclusion / Remarques.

Fait pour le HCR à Faranah Le 19 juin 1998

HOPITAL REGIONAL DE ... RGMS
CONSULTATION CHIRURGIE

Signature:

Dr Ousmane Camara

00004567 6552

UNHCR's Protection Unit, B.O. Conakry, Guinea

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr Ousmane Camara
Certifie avoir examine le(a) patient(e)....
Age de 60 ans. Ce jour du 12/ juin 1998

Etat General: mauvais Pâleur conjonctivale fièvre
Constantes Hemodynamiques: T° 39°C. TA S/E. π = 90P. FR = 20P/K,
Le patient presente des lesions mutilantes de type: Amputation

Siege: 1/3 Tibia et Péroné, 1/3 moyen des 2 avant bras
Stade de cicatrisation: Plaies très infectées.
Etat de la lesion: Nécrose, fissulaire
Date probable du traumatisme: ??

Conclusion / Remarques: très mauvais état général doit être prise en charge dans une grande formati

Fait pour le HCR à Faranah Le 16/ juin 1998

HOPITAL REGIONAL RGMS CONSULTATION CHIRURGIE

Signature:

Ousmane Camara

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REPUBLIQUE DE GUINEE

MINISTERE DE LA SANTE

C.H.U. DONKA

SERVICE DE Traumato

DECLARATION DE DECES

Le Directeur du C.H.U. de Donka déclare à Mr l'officier de l'Etat civil, que le(a) nommé(e).. .....agé(e) de 59 ans

Fils(le) de.....et de.....

Né(e) à HCR Préf/Commune de.....

Domicilié(e) à.....Préf/Commune de.....

Profession.....Entré(e) au dit hôpital le.....199.

y est décédé(e) le 4/8/ 1998 à.....heures.....

par suite Plaie T. infectée poignet droit, F.G. avec ecdème du cercle G. (Amputation Traumatique de la jambe G.

Conakry, le 4/8 199.

P/Le Directeur P.O.

Le Secrétariat de Direction C.H.U. de Donka

Cueckedou pour info

6555

00004570

CASE # 06

SIERRA LEONE VICTIMS OF VIOLENCE – SUMMARY REPORT

1. Name :	******
2. Nationality :	Sierra Leone
3. Sex:	Male
4. Date of Birth :	24/10/68
5. Place of origin:	Bujehin District
6. Occupation:	mechanic
7. Date/Place of Attack :	20/3/98 at Waimayma Town
8. Date of arrival :	30/3/98
9. Route followed :	Kono-Waimayma town - Keikadou - Manjama - Fangamadou-Guinea
10. Accompanied by :	alone
11. Physical Condition :	left hand severed mid-forearm
12. Date and Place of Interview:	2/3/98 at Gueckedou Hospital
13. Interviewing Officer :	Angela Li Rosi, Field Officer Katharina Samara-Wickrama, Field Officer

Narrative :

In March 1997, Mr ****** left his home in Bujehin District to go to work in Kono as a mechanic. On the night of 21 February 1998, Kono was attacked by rebels. That night he walked to Waimayma Town. While in Waimayma Town, the villagers heard that the rebels had attacked a nearby neighbouring village of Jagbwema. Fearing an attack on Waimayma Town he fled with other villagers to the bush.

On 20 March 1998, Mr ****** and 22 others who had fled from Waimayma Town were in the forest processing palm oil . They noticed that a group of 17 armed men had quietly surrounded them. Of the 17 men, five were dressed in military uniform, three were civilians who had been captured as porters and nine were rebels dressed in civilian attire.

Mr ****** recognised clearly, and is able to identify, two of the men in military uniform as: (1) XXX, of average height, slim build and fair complexion, and (2) YYY, known as " Lieutenant Blood" of the "People's Army." Lieutenant Blood appeared to be in command of the group. Mr ****** recognised both men from Koidu where the two were known as members of the junta during the military regime.

The soldiers asked the group to hand over their property. They then noticed a bicycle inner tyre and asked Mr. ****** for the bicycle. He replied that he did not know where the bicycle was. The soldiers then asked him where other people could be found. Mr ****** responded that he was not from the area and therefore did not know. The soldiers appeared to be upset that he did not know where the bicycle was, and then accused Mr. ****** of being a Kamajor.

The soldiers then separated out a young pregnant women, Ms ****** and two elderly men, Mr ****** and Mr ******. These three were killed with a machete. Mr ****** believes that they were killed because they were unable to act as porters for the soldiers. Mr ****** offered to carry the soldiers luggage believing that the soldiers might spare his life and he may have a chance to escape at a later time. The soldiers refused his offer.

Lieutenant Blood then ordered two soldiers to take Mr ****** to a tree stump some distance away but still within view. The two soldiers led him roughly away. Mr ****** though that the soldiers intended to kill him. During this time, the victim noted that approximately 10 of the soldiers spoke Mende, including the two soldiers leading him to the tree. Mr ****** was the only Mende in the group being ambushed. He pleaded with the two soldiers in Mende, hoping that as they were of the same tribe the soldiers might be sympathetic. His pleas were to no avail.

One of the soldiers then told Mr ****** to place his hand on the block. Mr ****** is right handed and therefore chose to place his left hand on the block. The soldiers took one swing at the victim's forearm. Mr ****** caught the soldiers arm with his free right hand as the blow fell. The soldier then warned Mr ****** that if he did this again, he would be "cut in two." Fearing that he would be so severely injured that he would be unable to walk, Mr ****** submitted to the second attempt to severe his hand. The soldier struck three times on the victim's forearm with a machete. His limb was cut almost right through but the hand remained attached by ligaments and skin. The soldiers then told him to go to the Kamajors and tell them that the soldiers are coming to attack them.

19 abducted

The group of soldiers took the remaining 19 people with them, including three small children of approximately five years old, two young women and 14 young men between the ages of 17 and 27 years old.

Mr ****** walked directly towards Keikadou. About one and a half miles from the site of the attack Mr ****** started to feel the pain of his injured arm. He continued walking but was forced to stop shortly after. He stopped and slept before continuing his journey.

About one mile from Keikadou, he was unable to continue and lay down. Shortly thereafter, he saw two farmers who ran away when he called out. He was then cautiously approached by another two people. He called out to them and asked them to call the Kamajors to come and collect him. Approximately two hours later some Kamajors arrived. Mr ****** was unconscious for some of this time. The Kamajors made a ladder with which to carry him and transported Mr ****** to Keikadou.

Mr ****** stayed in the home of the paramount chief of Keikadou from 20 March 1998 to 28 March 1998. Most of the villagers had already fled, fearing an attack by the rebels. Only the Kamajors and a few others remained in the village.

During this time, Mr ****** washed his wound every day. However, the arm was severely infected and swollen. In order to minimise the infection, Mr ****** asked

the village dispenser to complete the amputation by severing the remaining skin and ligaments.

On 29 March 1998, two junta soldiers came to Keikadou, let off warning shots into the air and fled. The Kamajors pursued the rebels into the forest but did not find them. After the warning shots were fired, all remaining civilians, including Mr ******, fled into the bush towards Guinea. Mr ****** followed a small group of people of whom one was a Sierra Leonean policeman. After about half a mile, the Policeman asked Mr ****** to return to the village as he was too difficult to carry. He begged the group not to leave him but they moved on. He managed to return to the village where he spent that night. Fearing another attack, the Kamajors warned him to leave. The next morning he took the main road to Guinea. During the journey he saw approximately 10 bodies along the road. He passed through the village of Manjama where he also saw many dead bodies.

He arrived in Guinea on 30 March 1998. Mr ****** survived 10 days after the attack without any medical treatment. On arriving in Guinea, Mr ****** was taken by a UNHCR staff member to hospital where his wound was cleaned and dressed and he was given a tetanus vaccination. He was then transported to Gueckedou with other injured refugees. He was the only one in the group who had sustained a deliberate amputation.

6558

00004573

CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr [illegible]
Certifie avoir examine le(a) patient(e)..
Age de 29 ans. Ce jour du 31 - 3 - 1998.

Etat General: Satisfaisant
Constantes Hemodynamiques: Hg = 10 g OT (-)
Le patient presente des lesions mutilantes de type: plaie septique par la machette
Siége: bras Gauche
Stade de cicatrisation: cicatrisation en 2e intention
Etat de la lesion: lesion en voie de Guérison
Date probable du traumatisme: Les fin février

Conclusion / Remarques: le malade a été hospitalisé 23 jours durant pour aboutir à un résultat acceptable

Fait pour le HCR a Cocodrilo Le 1 - 8 - 1998

Signature:

6559

00004574

UNHCR's Protection Unit B O Conakry Guinea

CASE # 07

SIERRA LEONE VICTIMS OF VIOLENCE – SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone, Kono tribe
3. Sex:	Male
4. Date of Birth:	3/4/47
5. Place of Origin:	Saiama, Kono District
6. Occupation:	Gardener
7. Date/Place of Attack :	7/4/98 at Saiama
8. Date of Arrival:	2/5/98
9. Route followed:	Saiama - Koundu - Kolobengu - Gueckedou
10. Accompanied by:	alone
11. Physical Condition :	one finger severed, three cut. both hands mutilated
12. Date and Place of Interview:	26/5/98 at Gueckedou Hospital
13. Interviewing Officer:	Charlotte Rostorf Ridung, Field Officer

Narrative:

Around noon of 7 April, 1998 Mr. ****** was captured along with six other men and three women by a Junta/RUF commander named Lieutenant Chairman ******. The reason for the abduction, he explained, was that Mr. ****** had not yet left Saiama and was therefore accused of being a thief. He gives no reason for the abduction of the others. The Junta soldiers informed him that as long as he lived in Sierra Leone, he would have to support Fodey Sankoh, leader of the RUF. The soldiers advised him that people from Kono should stop joining the Kamajors, traditional hunters opposing the Junta forces.

He was questioned about the whereabouts of his older brother, ******, the paramount chief of Saiama. His brother had left for Guinea about three weeks before for medical reasons. Mr. ****** recounts that his captors, Military Police XXX, Sergeant YYY and Corporal ZZZ, all from Sefadu and all known to him, then forced him to lay his left hand down on a piece of wood. Military Police XXX then struck Mr. ******'s hand with a machete: the little finger of his left hand was almost entirely severed , and three other fingers on the same hand were cut at the joints. but not severed. He believes that this was done on purpose. The hand is not mobile.The right hand was also mutilated. but no fingers were cut off.

4 dead

According to Mr. ******, all of the other prisoners were shot by Sergeant YYY. The soldiers composed a letter to the Guinean troops that Mr. ****** was told to handover to any Guinean soldier he was to meet on his way. They gave him the letter and told him to run, after which he made his way to the Guinean border and on to Gueckedou.

6361

00004576

CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr ..Raymond Fuga Kondano.....
Certifie avoir examine le(a) patient(e).....
Age de...41.ans. Ans. Ce jour du.....1998.

Etat General:.....Très altéré par des plaies infectées.....
Constantes Hemodynamiques:.....T.A.=.....T.=.....
Le patient presente des lesions mutilantes de type:...Section complete du petit doigt de la main gauche. Section incomplete des autres doigts
Siege:.....les deux mains.....
Stade de cicatrisation:.....Stade de cicatrisation.....
Etat de la lesion:...Section du petit doigt de la main gauche. Section incomplete des autres doigts
Date probable du traumatisme:...Environ deux semaines.....

Conclusion / Remarques...Malade traité durant un long moment. Amélioré et prise en charge favorable.....

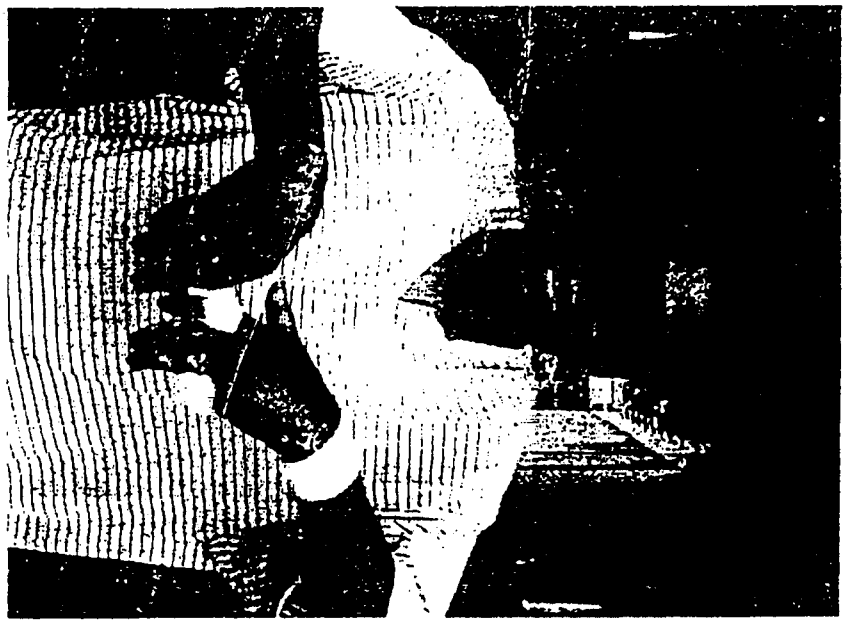
Fait pour le HCR a .....Le 1998

Signature:

LE DIRECTEUR

6562

00004577



UNHCR's Protection Unit, B.O. Conakry, Guinea

6563

00004578

CASE # 08

SIERRA LEONE VICTIMS OF VIOLENCE – SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leonean
3. Sex:	Male
4. Date of Birth:	3/2/73
5. Place of Origin:	Koidu Town, Kono District
6. Occupation:	Trader
7. Date/Place Of Attack :	uncertain, some time in April at Kurubora
8. Date of Arrival:	approximately 30/4/98
9. Route Followed:	Koidu - Sedou - Yormandu - Wordou - Kurubora - Namessedou – Faranah
10. Accompanied by:	various refugees from Koidu Town
11. Physical Condition:	beaten, burned, and dragged on the ground
12. Date and Place of Interview:	2/6/98 at Faranah Hospital
13. Interviewing Officer:	Charlotte Rostorf Ridung, Field Officer

Narrative:

Mr. ****** lived with his family in Koidu Town. He explained that there was a group of Kamajors based in Koidu Town. One day - he did not know the exact date, but he believes it was approximately the beginning of April - Junta soldiers came to Koidu Town. There was an exchange of gun fire between the Kamajors and the Junta forces. He was at the market when the shooting began so he was unable to return to his house.

He fled together with a group of people from Koidu Town, passing through several deserted villages before reaching Kurubora. There they encountered a group of Junta soldiers who arrested five people, including Mr. ******. They also had two women with them whom they took away to an unknown destination. He did not learn any names, but notes that the soldiers spoke Krio, and that some were in uniform while others were dressed in civilian clothing. They did not say why they had captured him, but Mr. ****** notes that anyone who supports the ECOMOG intervention or President Kabbah is at risk.

Mr. ****** was held captive for two days, during which time they took all his belongings and mistreated him in a number of ways: he was beaten repeatdly, burned with cigarettes, and dragged along the ground. His captors kept him tied up the whole time, and threatened to kill him. He witnessed three of his fellow prisoners dragged behind a car until they died.

The men fled when they heard gun fire, thinking that ECOMOG troops were approaching. ECOMOG soldiers did arrive later and untied Mr. ****** and accompanied him to the Guinean border. There, he was handed over to the Guinean army, who took him to Faranah.

6564

00004579

CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr Ousmane Camara

Certifie avoir examine le(s) patient(s)

Age de 17 ans. Ce jour du 12 avril 1998

Etat General: Satisfaisant

Constantes Hemodynamiques: TA = 9/6, Ti = 90, T° 38°C, FR = 21

Le patient presente des lesions mutilantes de type: Plaies septiques

Siege: Plis des coudes, membres < et > Dedèmes m<

Stade de cicatrisation: nouvelles plaies

Etat de la lesion: Suppuratif ???

Date probable du traumatisme:

Conclusion / Remarques: Lésions neurologiques importantes

Fait pour le HCR à Faranah Le 02/juin 1998

Signature:

Dr Ousmane Camara

6565

00004580

CASE # 09

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1.	**Name:**	******
2.	**Nationality:**	Guinean
3.	**Sex:**	Male
4.	**Date of Birth:**	1957
5.	**Place of Origin:**	Pita, Guinea
6.	**Occupation:**	diamond miner
7.	**Date/Place of Attack:**	21/5/98 at Tumbodu
8.	**Date of Arrival:**	May 1998
9.	**Route Followed:**	Peyima - Tumbodu - Sefadou - Kora Koima - Conakry
10.	**Accompanied by:**	one brother
11.	**Physical Condition:**	severed one hand and one ear
12.	**Date and Place of Interview:**	27/5/98 at Conakry
13.	**Interviewing Officer:**	Gregory Mose, Associate Protection Officer

Narrative:

8 capt.
1 amp.

Mr. ****** worked as a diamond miner in the town of Peyima (Kono District). On the night of 21 April a group of rebels attacked the village and captured 12 people (11 men and one boy of approximately eight years). Four of these were then released, but the other eight were taken on foot to a nearby village called Tumbodu. Mr. ****** relates that there were other groups of rebels among those who attacked Peyima who took other groups of prisoners in different directions. When asked why he in particular was captured, he suggested that it was because he is Guinean and Guinean soldiers play a prominent role in ECOMOG.

According to his description, there was not much of a camp at Tumbodu. He describes one hut and a large mango tree under which most of the rebels were sitting, but no infrastructure such as radios or vehicles. The commander of the unit if around 20 to 30 men was referred to as Staff Sergeant XXXX. They arrived at Tumbodu at around 10:00 a.m. and were tied up. They were fed, and at 3:00 p.m. Mr. ****** was untied and told that he was to be killed. He was taken to a spot not far away, but upon arrival Staff Sergeant XXXX told him that he had changed his mind, but that he would nonetheless leave a mark on him as a warning to others. They put his arm up against a block of wood and cut it off with a machete, and then cut off his ear. He was then released and walked until he reached an ECOMOG unit at Kora Koima, where he was treated and subsequently sent to Connaught Hospital in Freetown. Once he had reasonably recovered, he made his way to Conakry to join his brother.

6566

00004581

CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr [illegible]
Certifie avoir examine le(a) patient(e).....
Age de [illegible] ans. Ce jour du [illegible] mai 1998.

Etat General: [illegible]
Constantes Hemodynamiques:.....
Le patient présente des lesions mutilantes de type: traumatique
.....
Siege: la main droite et l'oreille gauche
Stade de cicatrisation: [illegible] l'apparence commence à se former
Etat de la lesion: les lesions sont propres tendant vers la cicatrisation
Date probable du traumatisme: 1 mois

Conclusion / Remarques: le patient est à moitié inapte, cependant il peut se servir de l'autre main

Fait pour le HCR a [illegible] Le 16 juin 1998

Signature:

[illegible]

6567

00004582

UNHCR's Protection Unit B.O. Conakry,Guine.



CASE # 10

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1.	**Name:**	****** ******
2.	**Nationality:**	Sierra Leone, Kono tribe
3.	**Sex:**	Male
4.	**Date of Birth:**	55 years
5.	**Place of Origin:**	Kombayende, Kono
6.	**Occupation:**	farmer and tailor
7.	**Date of Attack:**	mid April near Kombayende
8.	**Date of Arrival:**	24/4/98
9.	**Route Followed:**	Kombayende - Yambalor, Nyandawalor, Kwakor, Yeema, Torwa, to the crossing point at Gbordou, then to Tumandou and Gueckedou. It took two days from the border to reach Gueckedou
10.	**Accompanied by:**	Left alone, but found daughter in Guinea
11.	**Physical Condition:**	Arm cut at wrist but not severed
12.	**Date and Place of Interview:**	26/5/98 at Gueckedou
13.	**Interviewing Officer:**	Anne Paludan, Field Officer

Narrative:

Mr. ****** fled Kombayende during an attack by Junta soldiers which left most of the village burned. About one mile away from the village he was captured on his way to Bawoy along with one other person, a police officer named ******. His assailants included six men armed with knives and guns and were accompanied by two women and three children who had been captured, according to Mr. ******, to cook for the men. His captors proceeded to search him and take his money. They took his money and then forced him to hold his hand up against a tree and struck his arm three times at the wrist with a machete. The arm was injured but not completely severed. He reports that he was then told that they cut him because he was Kono, and Konos had supported President Kabbah. Finally, they told him "Go and tell the president to treat your hand."

Mr. ****** does not know what happened to the police officer with whom he was captured. He is also unable to identify any of the assailants by name, although he notes that they identified themselves as rebels.

After the attack he bound up his arm in his shirt and began to walk toward the Guinean border. He travelled for two days through the bush until finally reaching the border and settling in Tumandou, where he found his daughter.

6569

00004584

CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr Raymond Faya Kondano
Certifie avoir examine le(a) patient(e) Sabr Mani
Age de 55 ans. Ce jour du ..... 1998.

Etat General: Mauvais
Constantes Hemodynamiques: IA = 09/07 π = 96
Le patient presente ces lesions mutilantes de type: Section incomplete par manchette du poignet gauche
Siege: face dorsale du poignet gauche
Stade de cicatrisation: Mauvaise cicatrisation malgré les soins
Etat de la lesion: Section de la peau des ligaments et de la capsule articulaire
Date probable du traumatisme: .....

Conclusion / Remarques: Malade non gueri, le membre est encore dans un mauvais etat

Fait pour le HCR a Gueckedou Le 23-05 1998

Signature:

LE DIRECTEUR

00004585 6570



6571

00004586

CASE # 11

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone, Kono tribe
3. Sex:	Male
4. Date of Birth:	30/6/50
5. Place of Origin:	Lei Chiefdom, Kono
6. Occupation:	agriculture
7. Date/Place of Attack:	25/4/98 at Fanemah
8. Date of Arrival:	28/4/98
9. Route Followed:	Fanemah - Backondo - Foroconia - Kobikoro - Gueckedou
10. Accompanied by:	wife and 6 children
11. Physical Condition:	broken arm, 3 severed fingers at first digit
12. Date and Place of Interview:	5/6/98 at Gueckedou Hospital
13. Interviewing Officer:	Gregory Mose, Associate Protection Officer

Narrative:

Mr. ****** was captured by Junta forces on 25 April near Fanemah village, Sandoh Chiefdom. That morning he had left the village with seven other people to go in search of food and was ambushed by a group of 15 soldiers. Ten of the soldiers had rifles, and the rest were armed with machetes. They were dressed mostly in civilian clothes, although the leader of the group (referred to as "Commando") was in military uniform. He also notes that they wore red cloth strips or bandannas tied around their heads. They already had around 15 captives with them, and took them along with their new prisoners to a farm nearby in search of food.

5 x 22 abducted

"Commando" then selected three of the prisoners, seemingly at random, and ordered that they be killed. The were held down on the ground and their throats cut with a machete. Commando then told Mr. ****** that he would be killed that afternoon at 5:00. The soldiers spent the afternoon eating, drinking, and dancing.

Toward 5:00 Commando indicated that it was time to kill Mr. ******. He was led over to a large stone. Commando then placed the barrel of his AK47 on Mr. ******'s shoulder and fired three times, presumably to frighten him. He was then ordered to take off his clothes and lie down on the stone. Commando pointed his rifle at him but did not fire. Instead he started beating him with the butt of his rifle, finally breaking his left arm. Meanwhile another soldier struck his right hand with a machete, severing the tips of three fingers. Their victim then lost consciousness and they left with the other captives. He spent three days in the bush, but finally arrived at Backondo and then Foroconia, where he received basic medical treatment before continuing on to Gueckedou.

00004587

CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr [illegible]
Certifie avoir examine le(a) patient(e) [illegible]
Age de 17 ans Ce jour du 23 - 11 - 1998

Etat General: [illegible]
Constantes Hemodynamiques [illegible]
Le patient presente des lesions mutilantes de type [illegible]
Siege: [illegible]
Stade de cicatrisation: [illegible]
Etat de la lesion: [illegible]
Date probable du traumatisme: [illegible]
Conclusion / Remarques: [illegible]

Fait pour le HCR a [illegible] Le 23 - 12 - 1998

Signature:

6573

00004588

CASE # 12

QUESTIONNAIRE FOR VICTIMS OF VIOLENCE

1. Name:	******
2. Nationality:	Sierra Leone, Kono tribe
3. Sex:	Male
4. Date of Birth:	30 years old
5. Place of Origin:	Gbendema, Kono District
6. Occupation:	farmer
7. Date/Place of Attack:	early May at Gbenderna
8. Date of Arrival:	early May
9. Route Followed:	Gbendema - Fangamandou - Gueckedou
10. Accompanied by:	7 brothers and uncles
11. Physical Condition:	gun barrel placed in mouth and fire, bullet passed through left lower cheek
12. Date and Place of Interview:	5/6/98 at Gueckedou Hospital
13. Interviewing Officer:	Gregory Mose, Associate Protection Officer

Narrative:

Mr. ****** was in his village when eight rebels entered the village of Gbendema on foot bearing guns and machetes. Four of them were dressed in military uniforms, while the others were in civilian clothing. They said that they were looking for food and began taking food and money from the villagers.

He fled the village with four other villagers and headed toward the Guinean border at Fangamandou. On the way, they ran into a group of 10 junta soldiers in uniform, who appeared to be from various ethnic groups. He did not know any of them and heard no names mentioned. The other villagers managed to flee but Mr. ****** was captured and shot in the arm. He begged the soldiers not to kill him, but one of them insisted that he be killed. A second soldier responded by putting the barrel of his rifle into the victim's mouth and pulling the trigger. Mr. ****** fell to the ground and the soldiers left him. He proceeded to walk to Fangamandou, where he was treated and sent on to Gueckedou.

00004589

UNHCR's Protection Unit, B.O. Conakry, Guinea

6575

00004590

CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr Bokar Bah
Certifie avoir examine le(a) patient(e)
Age de 35 ans. Ce jour du 27 11 1998.

Etat General: passable
Constantes Hemodynamiques: Hb 9 90% Selle (Ascaris Cr (-)
Le patient presente des lesions mutilantes de type: plaie septique du menton par traumatisme p à projectile
Siege: menton
Stade de cicatrisation: cicatrisation en cours 3e intention
Etat de la lesion: lesion en voie de cicatrisation
Date probable du traumatisme: debut Avril

Conclusion / Remarques: ce malade venu de Fangamadou est reçu dans des conditions septiques cependant la cicatrisation sera complete avec sequelles.
Fait pour le HCR a Guéckédou Le 17 7 1998

Signature:



UNHCR's Protection Unit, B.O. Conakry, Guinea

00004597

CASE # 13

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone, Kissi tribe
3. Sex:	Male
4. Date of birth:	60 years
5. Place of origin:	Kissidou, Kono District
6. Occupation:	Farmer
7. Date/Place of Attack:	1/5/98 at Sogbolo
8. Date of arrival:	2/5/98
9. Route followed:	Kissidou, Sogbolo, Kondobengou
10. Accompanied by:	alone
11. Physical Condition:	four fingers of left hand severed
12. Date and Place of Interview:	26/5/98 at Gueckedou Hospital
13. Interviewing Officer:	Anne Paludan, Field Officer

Narrative:

Mr. ****** had fled his village of Kissidou around the around the end of April following an attack by Junta forces. He began walking toward Sogbolo, about a four hour walk from Kissidou. Mr. ****** recounts that he was attacked near Sogbolo around noon on a Friday (judging from his arrival date of 2 May, this was most likely 1 May). He was walking on the road when he met some people sitting on the road. He reports seeing nine rebels and a number of other people who were apparently captives, as they were tied. He describes his attackers simply as "the rebels employed by Johnny Paul Koroma."

After the rebels had captured him they cut four fingers of his left hand at the first joint, leaving the thumb intact. Then they asked him to go. He was losing a lot of blood, which was soaking his shirt and trousers. They did not say or do anything else to him, so Mr. ****** does not know why he was attacked.

After his fingers had been cut he walked towards the border, about one mile away. On the other side of the border he was met by people who helped him tie his hand and gave him injections. Accompanied by an army officer by the name of Mr. ****** he then went to Bandadou, Yormadou, Bassadou, and from there by ambulance to Gueckedou Hospital where he arrived Saturday, the day after he was attacked.

00004593

6578

CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr [illegible]
Certifie avoir examine le(a) patient(e).
Age de 60 ans. Ce jour du [illegible] 1998.

Etat General: alter
Constantes Hemodynamiques: TA = 10/06 π = 80/mn
Le patient presente des lesions mutilantes de type: section complete des 1ères phalanges des 4 doigts de la main gauche (pouce inde
Siege: Main gauche sur 4 doigts
Stade de cicatrisation: Stade de Kratinisation
Etat de la lesion:
Date probable du traumatisme: environ 10 jours

Conclusion / Remarques: Malade amputé par manchette sur les 4 doigts de la main gauche en voie de guérison

Fait pour le HCR a Gueckedon Le 23/05 1998

Signature:

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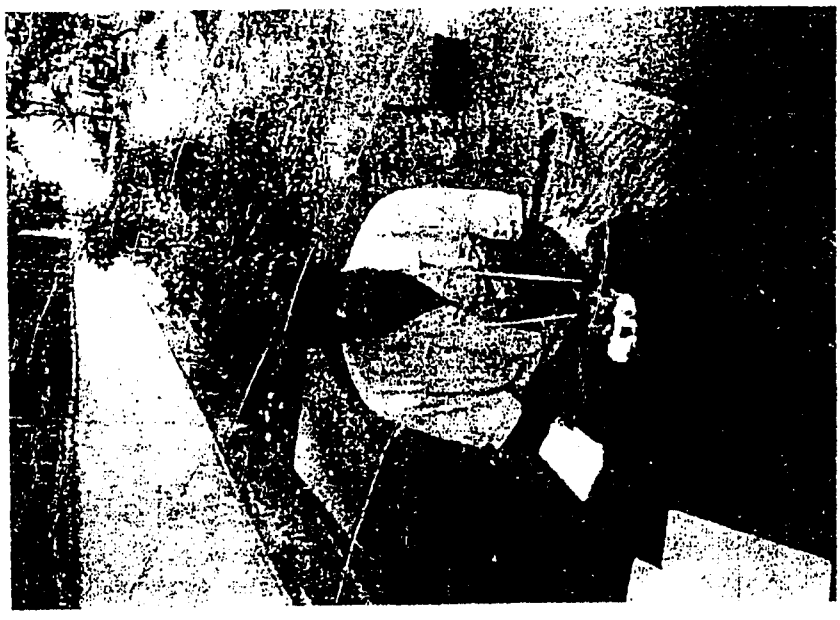
UNHCR's Protection Unit B.O. Conakry, Guin



CASE # 14

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone, Kuranko tribe
3. Sex:	Male
4. Date of birth:	57 years
5. Place of origin:	Dollah village, Koinadugu District,
6. Occupation:	Farmer
7. Date/Place of Attack:	3/5/98 at Dollah
8. Date of arrival:	Monday, maybe 15/5/98
9. Route followed:	Gberefeh, Serekolia, Walia, Songoya, Faranah
10. Accompanied by:	His own and his brother's family (27 people)
11. Physical Condition:	multiple cuts with machete
12. Date and Place of Interview:	2/6/98 at Faranah Hospital
13. Interviewing Officer:	Anne Paludan, Field Officer

Narrative:

Mr. ****** was at home on 3 May when around midnight three men - two armed with machetes and one with a gun - entered his house. The man with the gun tried to knock down Mr. ******, beating him on the spine. The others then began to cut Mr. ****** with machetes, striking him repeatedly on the thigh, the back and the arm. They struck 10 times, but they drew blood only three times. Three people in the house were beaten and cut by the intruders. Out of the 10 people living in the house, seven ran away while the three wounded remained in the house.

The assailants proceeded to capture 15 people, locked them into a house and set fire to the house as well as other houses in town. Mr. ****** escaped with the other captives. Five people in the village were killed, among them the town chief, recognisable from the drum in front of his house used by chiefs to collect the villagers. Mr. ****** estimates that there were around 150 rebels, and he heard them speaking Krio and some Liberian English.

Mr. ****** and many other villagers ran along the road into the bush. They scattered, but they could still hear each other. He was alone in his hideout. He suffered from his festering wounds, and he was hungry with nothing to eat but wild fruits and water from a stream.

After three days he came back to his village, but found it deserted and burned. A group of people passing by brought a message from him to his brother in Serekolia that he was seriously wounded. The brother sent six men from Serekolia to bring him there in a hammock. He stayed five days in Serekolia, then walked five days to Guinea with his own and his brother's family, 27 in all.

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr Ousmane Camara
Certifie avoir examine le(a) patient(e)
Age de 57 ans. Ce jour du 1er / 06 1998.

Etat General: bon
Constantes Hemodynamiques: non relevées à l'arrivée
Le patient presente des lesions mutilantes de type:
Plaie traumatique
Siege: articulation coxo-femorale Gauche.
Stade de cicatrisation: en voie de cicatrisation
Etat de la lesion: Pas de necrose
Date probable du traumatisme: 22/ mai 98

Conclusion / Remarques

Fait pour le HCR à Faranah Le 02/06 1998

HOPITAL REGIONAL DE FARANAH
CONSULTATION CHIRURGIE

Signature:

Dr Ousmane Camara

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CASE # 15

SIERRA LEONE VICTIMS OF VIOLENCE – SUMMARY REPORT

1. Name:	******
2. Natonality:	Sierra Leone
3. Sex:	Female
4. Date of Birth:	10/6/80
5. Place of Origin:	Seria
6. Occupation:	Trader
7. Date/Place of Attack:	22/5/98 at Serekolia
8. Date of Arrival:	26/5/98
9. Route Followed:	Seria - Semsadou - Benikoro - Serekolia - Kalifaya - Walia - Songoya - Faranah
10. Accompanied by:	Various
11. Physical Condition:	beaten, left hand severed
12. Date and Place of Interview:	2/6/98 at Faranah Hospital
13. Interviewing Officer:	Charlotte Rostorf Ridung, Field Officer

Narrative:

Ms. ****** left Seria 15 February, 1998, because she was pregnant and her husband had told her to go and live with her mother in Semsadou. In Semsadou, she received news that the rebels were approaching. One day - the date is unclear to her - in the middle of the night, someone came to Semsadou to inform the people that the rebels were approaching the village. Together with her mother and grandmother, the town chief and other villagers she went to live in the bush for more than one month. In the bush, someone informed the group that the rebels had gone to Kabbala. The rebels had originally come, they said, from Kono District.

The group then returned to Semsadou. After one week, they heard that the rebels had attacked Bafulabeh (3 miles away) and killed nine people there. Ms. ****** left Semsadou to go to Telekolo. She was accompanied by her mother. All the men stayed in Telekolo, while the women, including Ms. ******, and the children went into hiding in the bush. The women and children returned to Telekolo the next day and saw that the rebels had not come yet.

Most of the people that had come along with Ms. ****** then returned to Semsadou. Her mother had work to do in the bush and Ms. ****** spent five days there with her mother, after which they moved on to Gbenikoro. There, they heard that the rebels had arrived in Maya and people from Maya started arriving in Gbenikoro together with their belongings. Ms. ****** delivered twins in Gbenikoro. Both children died, because they were premature. Her mother advised her to leave the village and said that she would join her later.

She went to Serekolia, and her mother joined her on the way. Ms. ****** spent 21 - 22 days in Serekolia until a group of rebels arrived on 22 May. Her mother had returned to

Gbenikoro before the rebels came in order to get food, and according to one of the villagers, she had been captured by the rebels in the bush. She collected her belongings and went to another house in town together with a group of people.

The village was being attacked from more than one side, and eventually the rebels took control of the part of town where she was staying. The group left the house and went to another house. People came running towards them, trying to escape. Ms. ****** started running and the rebels were shooting in the air. She was caputured while trying to flee, forced to carry some heavy loads, and then handed over to a second group of rebels.

The men who now held her threatened to either kill her, gouge out her eyes or sever her hands. One rebel suggested to make her the "wife" of one of them. Some proposed to kill her, because they did not want to have anything to do with her. Others objected to killing. Instead, they suggested severing her hand. She and the rebels then left Serekolia in the direction of Gbenikoro. Outside of Serekolia, the rebels captured three more civilians, one of whom was CASE 22, whom she knew. The rebels cut off his hand in front of her. Ms. ****** was then ordered to take her clothes off. She refused, but the rebels stripped her naked themselves. She was forced to place her left hand on the road. The rebels did not succeed in severing her hand with one blow, so they struck again, severing the hand completely. She was also beaten, but when asked if she was sexually abused in any way, she answered no. She was ordered to run and did so.

Ms. ****** does not know the names of her assailants. The leader of the rebels that captured her was referred to as "Mosquito," but she does not know his real name. She had heard of him before and notes that he and his troops are reputed among the villagers as being very cruel. When asked why she thought that she had been attacked, the only response she could give was that she had voted for President Kabbah. After she had run for a couple of kilometres, she saw [her friend] behind her. One of his hands was severed and the other broken. They reached Serekolia together. There, they saw another group of rebels, and they were separated.

Ms. ****** stayed in the bush for four days alone. She was looking for the road to Mongo, where ECOMOG was based. She met a group of people whom she knew and asked them to direct her to the road to Guinea. The group had seen her uncle cross into Guinea so they gave her something to drink and showed her the way. She was very weak and walked alone. Her mother had heard what had happened to her and had started looking for her. They finally met on the road, and her mother carried her on her back to Faranah.

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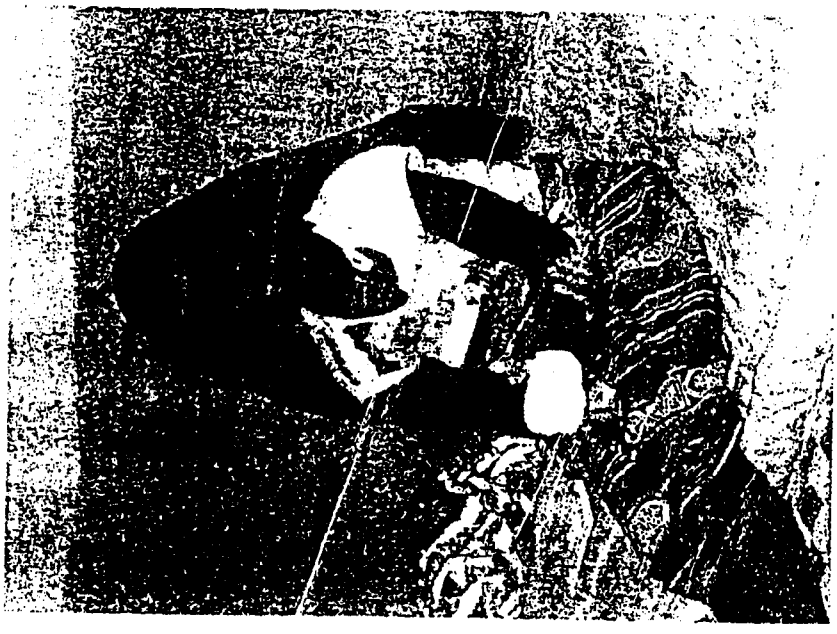

UNHCR's Protection Unit, B.O. Conakry, Guinea

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr Ousmane Camara
Certifie avoir examine le(a) patient(e)
Age de 19 ans. Ce jour du 28/mai 1998.

Etat General satisfaisant
Constantes Hemodynamiques: TA : 16/6, 11.55 P/m ; T° = 37°5 FR - 20/mn
Le patient presente des lesions mutilantes de type: amputation
Siege: 1/3 inferieur avant-bras Gauche
Stade de cicatrisation: Plaie nouvelle
Etat de la lesion: Pas de nécrose des tissus
Date probable du traumatisme: 22/mai 98

Conclusion / Remarques Femme allaitante (enfant décédé très fatigué nécessite une bonne surveillance

Fait pour le HCR a Faranah Le 02/juin 1998

HOPITAL REGIONAL DE FARANAH × RGMS × CONSULTATION CHIRURGIE

Signature:

Ousmane Camara

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✓ CASE # 16

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone, Temne tribe
3. Sex:	Female
4. Date of Birth:	40 years old
5. Place of Origin:	Magburaka (lived in Koidu Town)
6. Occupation:	sells fish
7. Date/Place of Attack:	early May at Tumbodu
8. Date of Arrival:	13/5/98
9. Route Followed:	Koidu - Tumbodu - Foroconia
10. Accompanied by:	Nephew, his wife and two children (2 children missing in Kono)
11. Physical Condition:	right arm severed between wrist and elbow
12. Date and Place of Interview:	3/6/98 at Faranah Hospital
13. Interviewing Officer:	Gregory Mose, Associate Protection Officer

Narrative:

50 dead !

Ms. ****** was at home when Koidu was attacked by Junta forces. She heard shooting and estimates that she saw around 50 people shot. She describes the attackers as not being in uniform and notes that they arrived in cars and on motorcycles. As the rebels entered the village, she fled as did many others. She headed north but was captured by a group of around 60 rebels and taken to Tumbodu. She notes that the rebels were of various ethnic groups but that she heard only two names: "******" and "******."

3, dead
1 arm

Ms. ****** captors explained to her that they were killing civilians because the civilians supported the Kabbah government and not the rebels, and said that they would kill anyone they found in the bush. They killed three men in front of her, and then told her to lie down. She resisted, so they cut her on the neck with a machete and forced her to lie down. They took her right hand and lay it across a stone and proceeded to amputate her right arm between the wrist and elbow with a machete. They told her to go explain to Tejan Kabbah what had happened and then left her where she lay.

She wrapped her wound in cloth and at one point put salt on it to slow the bleeding. Before leaving she dug a hole to bury her severed arm, and then began walking. She walked for 10 days before finally crossing the border and reaching Foroconia. Along the way she met a group of traditional hunters of the Koranko tribe who had captured five rebels, whom they tied up and led off into the bush. Once in Foroconia she received preliminary treatment and was then evacuated to Faranah hospital.

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr ...[illegible]... Camara
Certifie avoir examine le(a) patient(e)
Age de...40.....ans. Ce jour du...13/mai.....1998.

Etat General:.....Satisfaisant
Constantes Hemodynamiques: non notées à l'arrivée
Le patient presente des lesions mutilantes de type:
amputation
Siege:.....1/3 < avant bras droit
Stade de cicatrisation:.....Plaie nouvelle
Etat de la lesion:.....absence de nécrose
Date probable du traumatisme: 22/mai 98

Conclusion / Remarques.....

Fait pour le HCR à ...Faranah... Le ...02/06.....1998

HOPITAL REGIONAL X RGMS X
CONSULTATION CHIRURGIE

Signature:

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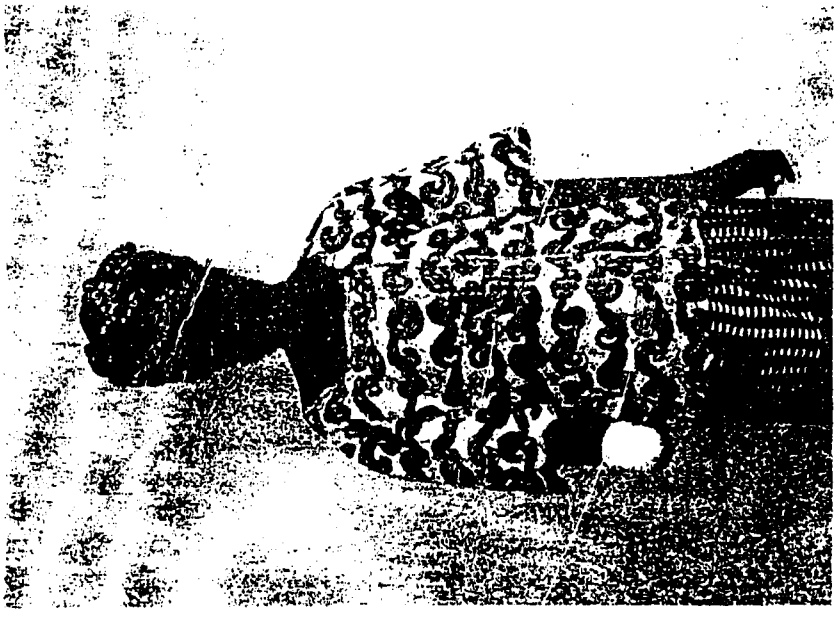
UNHCR's Protection Unit, B.O. Conakry, Guinea



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CASE # 17

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality	Sierra Leone, Kuranko tribe
3. Sex	Male
4. Date of birth:	35 years
5. Place of origin	Serekolia village, Koinadugu District
6. Occupation:	Tailor
7. Date/Place of Attack:	22/5/98 at Serekolia
8. Date of arrival:	25/5/98
9. Route followed:	Serekolia, Karifaria, 25-30 km to Songoya
10. Accompanied by:	Wife, ******, and 7 children from 16 to 2 years
11. Physical Condition:	left hand severed at wrist, right hand cut but not severed
12. Date and Place of Interview:	27/5/98 at Faranah Hospital
13. Interviewing Officer:	Anne Paludan, UNHCR Field Officer

Narrative:

On the afternoon of 22 May, Mr. ****** and his friend [Case # 22] were returning from Gbenekoro to Serekolia when they encountered a group of armed men who captured them. He believes there were about 20 men, but they accompanied by five women and two children whom Mr. ****** believes they had abducted on their way to Gbenekoro. He describes the men as wearing arms, such as knives, guns, AK47 rifles, and some single barrel hunting rifles. They were dressed in civilian clothing. Mr. ****** had not seen any of the men before, and he did not hear their names. They did not call each other by names, but whistled and made signs to each other. However, he did hear them call their commander "Mosquito". The commander was of middle height and skinny, had clean teeth and a shaved head. He was young, about 30 years old and spoke Krio. He spoke in a low voice so others could not hear. He was wearing a long khaki coat which ended below the knees, under it he wore ordinary clothes and khaki coloured sports shoes

Mr. ****** was tied with his right hand to the left arm of a young boy who was with the rebels. The boy was from a different village, and Mr. ****** does not know his name. They were then taken back to Serekolia village. The inhabitants of the village had left, so the men set fire to the village and returned towards Gbenekoro.

Where the path to Gbenekoro splits off from the main Serekolia - Sinnikoro road the group halted, and the male and female prisoners were separated. The leader identified as "Mosquito" ordered his men to cut off Mr. ******'s arm. Three men participated, one pointing a gun, the others cutting. They placed his left hand across a branch and struck it four times with a machete, leaving the arm loosely attacked by skin. His right hand was cut one time with a machete but he drew it away before they could strike again. His friend [Case # 22] also had his left hand severed. Mr. ****** lost consciousness for some time, but after he regained consciousness the two victims were given a note and told

to take it to ECOMOG. The assailants then whipped them and chased them away. One young boy remained with the rebels.

Mr. ****** and [Case # 22] put as much distance between themselves and their assailants as possible, but they were bleeding heavily and had nothing with which to bandage their wounds. That night Mr. ****** cut the remaining skin which still attached his severed hand to his arm as he could not hold it while running. They headed for Serekolia where the two men separated, and Mr. ****** went to the farm where his wife and children were in hiding.

The following day, Saturday, at about 1:00 p.m., the whole family walked to Guinea. Mr. ******'s wife was frightened and unable to take care of his wounds. When they reached the border they were advised by other refugees to go on to Faranah. He was handed over to a soldier who took him by car to Faranah Hospital.

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr [illegible]
Certifie avoir examiné le(la) patient(e) [illegible]
Age de 35 ans [illegible] jour ou [illegible] 1998

Etat General: satisfaisant
Constantes Hemodynamiques: [illegible] FR=20mr/mn
Le patient presente des lesions cutanées de type: Amputation [illegible] traumatique
Siege: 1/3 [illegible] bras gauche 1/3 [illegible] bras dr
Stade de cicatrisation: [illegible] fraiches
Etat de la lesion: [illegible] Necrose
Date probable du traumatisme: [illegible] mai 1998

Conclusion / Remarques: [illegible]

Fait pour le HCR à Faranah Le 27 mai 1998

Signature:

CONSULTATION CHIRURGIE

[illegible] Dusmane Camara

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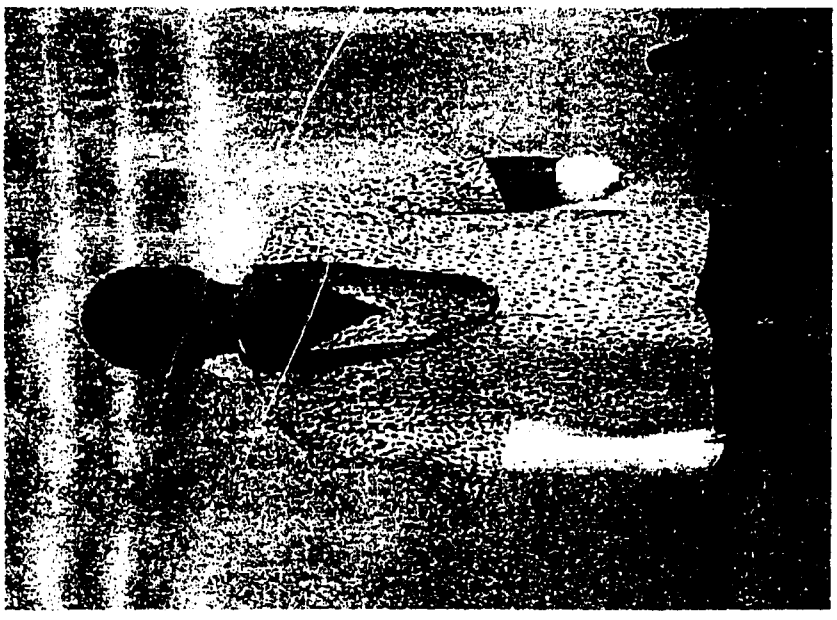

UNHCR's Protection Unit, B.O. Conakry, Guinea

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CASE # 18

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone, Kuranko tribe.
3. Sex:	Male
4. Date of birth:	40 years
5. Place of origin:	Serekolia, Koinadugu District
6. Occupation:	Farmer
7. Date/Place of Attack:	22/5/98 near Serekolia
8. Date of arrival:	25/5/98
9. Route followed:	Serekolia, Karifaria, Songoya
10. Accompanied by:	Wife and 4 children.
11. Physical Condition:	both hands severed at wrists
12. Date and Place of Interview:	27/5/98 at Faranah
13. Interviewing Officer:	Anne Paludan, Field Officer

Narrative:

On Friday 22 May Mr. ****** had gone to Gbenekoro, a neighbouring village, to collect food for his family who were in Serekolia. When he had collected the food and was on his way back he encountered a large group of armed men. He did not hear any names of the rebels and did not see who commanded the group. There were many of them, of all ages, and they spoke Krio. They carried long knives, machetes, and single barrel rifles. Some wore ordinary clothes, some military uniforms. He also notes that some members of the group were children of 13 to 15 years.

The rebels seized him, lay him on the ground, and one put a gun in his mouth. He struggled with them for about 10 minutes while they held his hands and kicked him. Then four of them put his hands on a branch and cut his hands with a machete, two blows to the right hand, two to the left hand, then they whipped him and asked him to go. He asked them to kill him, but they refused, saying they wanted to punish him, not to kill him. He lay there for some time, then ran back to Serekolia. The town was burning, so he made his way to the farm where his family was in hiding. His belongings were left where he had been attacked.

His family helped him out of his bloody clothing, and he lay down until early morning on Saturday before starting to walk toward Guinea. They travelled for two days. A friend they met on the road tried to attend to the wounds, otherwise they were not treated until he reached Faranah.

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr Ousmane Camara

Certifie avoir examine le(a) patient(e)

Age de 40 ans Ce jour du 25 mai 1998

Etat General Satisfaisant

Constantes Hemodynamiques TA 11/6 π 50 P/mn T° 37°C FR 22/mn

Le patient presente des lesions mutilantes de type Amputation

Siege 1/3 Superieur des os des 2 avant-bras

Stade de cicatrisation Mme fraiche

Etat de la lesion absence de Nécrose

Date probable du traumatisme Vendredi 22 mai 1998

Conclusion / Remarques Pronostic bon

Il a besoin d'une prothèse

Fait pour le HCR à Faranah Le 27 mai 1998

Signature

CONSULTATIF CHIRURGIE

Dr Ousmane Camara

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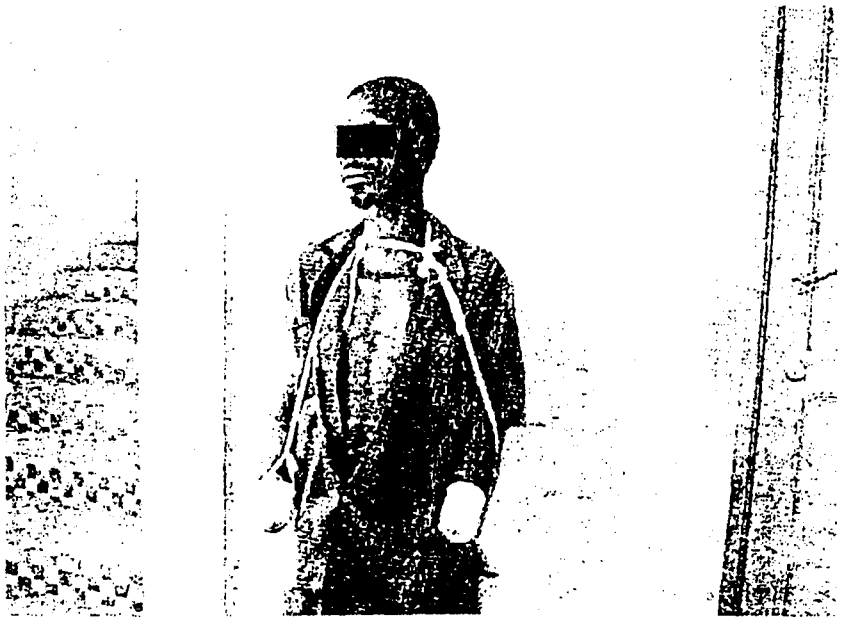
UNHCR's Protection Unit, B.O. Conakry, Guinea



CASE # 19

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone, Kuranko tribe
3. Sex:	Male
4. Date of birth:	40 years
5. Place of origin:	Sinnikoro, Koinadugu District
6. Occupation:	Farmer
7. Date/Place of Attack:	22/5/98 near Serekolia
8. Date of arrival:	26/5/98
9. Route followed:	Sinnikoro, Tumania, Kanbia, Hermakono
10. Accompanied by:	Mother, brother, wife, 2 children (2 & 6 years)
11. Physical Condition:	both hands severed mid-forearm
12. Date and Place of Interview:	27/5/98 at Faranah Hospital
13. Interviewing Officer:	Anne Paludan, Field Officer

Narrative:

On Friday 22 May Mr. ****** was walking from his farm to the village of Sinnikoro (near Serekolia) when he was ordered to stop by five men who approached him from behind. Fearing they were rebels, he began to run, but was stopped by another group of 10 men who appeared on the path in front of him. Mr. ****** did not hear any of his assailants' names. He noticed they were wearing guns, machetes, long knives, and axes. Some were in military uniforms while others wore civilian clothing. Several were naked to the waist and had tied bandannas around their heads.

Mr. ******'s assailants held him at gunpoint, and forced him to lay his arms along a tree branch. They struck both arms with a machete, severing each in one blow midway between the wrist and elbow. Mr. ****** asked them to kill him, saying that he could no longer work and support his family and that he would rather die. His attackers refused, instructing him instead to go to ECOMOG and tell them that "We are here." They also wrote a letter to ECOMOG and put it in the pocket of his trousers; Mr. ****** does not know the contents of the letter as it was lost on the way to Guinea. They also explained that they had severed his hands because they supported Foday Sankoh and not Tejan Kabbah. Mr. ****** then lost consciousness.

He awoke around 5:00 p.m. to find his assailants had left. He attempted to drag himself along on his stomach but eventually gave up and tried to sleep. The following morning his family came to look for him and found him on the path around 8:00 a.m. They took him first to the village of Tumania, and then to Kanbia and on to Heremakono just across the Guinean border. They had been unable to treat his injuries, but had removed his blood-soaked clothing and managed to carry him in a hammock. At Heremakono Mr. ****** received first aid and was then taken to Faranah for more thorough medical care.

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigné Dr [illegible]
Certifie avoir examiné le(s) patient(s)
Age de 35 ans [illegible] 1998

Etat General : [illegible]
Constantes Hemodynamiques : [illegible]
Le patient presente des lesions traumatiques de type : [illegible]
Siege : [illegible]
Stade de cicatrisation : [illegible]
Etat de la lesion : [illegible]
Date probable du traumatisme : [illegible]

Conclusion / Remarques : [illegible]

Fait pour le HCR à [illegible] Le [illegible] 1998

Signature :

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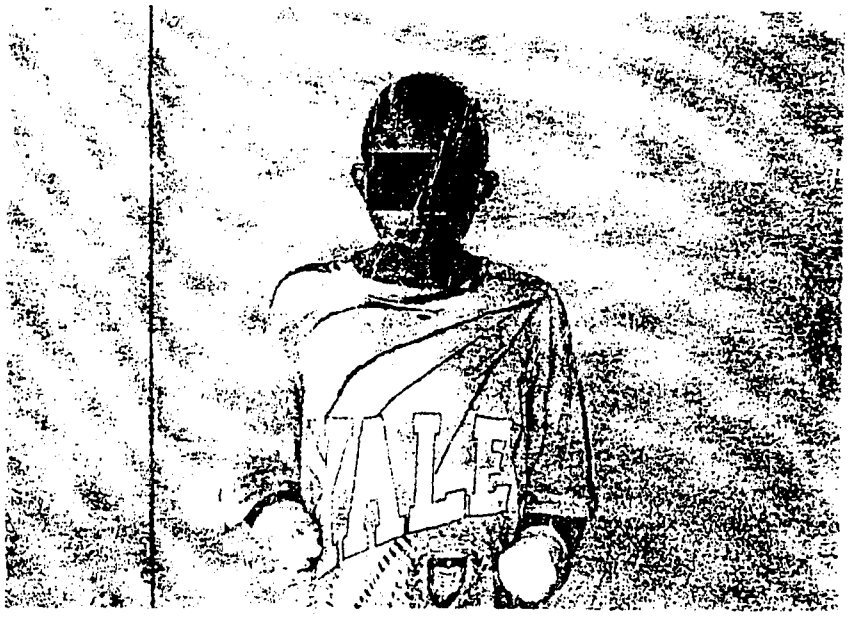

UNHCR's Protection Unit, B.O. Conakry, Guinea

CASE # 20

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone, Kuranko tribe
3. Sex:	Male
4. Place of Birth:	36 years old
5. Place of Origin:	Serekolia
6. Occupation:	farmer and small trade
7. Date/Place of Attack:	22 May at Serekolia
8. Date of Arrival:	end May (departed Serekolia 22 May)
9. Route Followed:	taken to Mongo then to Faranah by ECOMOG
10. Accompanied by:	one brother
11. Physical Condition:	multiple cuts with machete
12. Date and Place of Interview:	3/6/98 at Faranah Hospital
13. Interviewing Officer:	Anne Paludan, Field Officer Gregory Mose, Associate Protection Officer

Narrative:

Mr. ****** and his family fled when Serekolia was attacked on 22 May. He was carrying food with his son, ******, and therefore fell behind the rest of his family. They were ambushed by rebels who ordered them to stop, whereupon they both fled and were separated. Mr. ****** was captured but does not know the fate of his son.

After being tied around the waist he was led back to Serekolia and taken onto the veranda of a house. He mentions that he saw that [CASE 22] and [CASE 15] were also captured, but he was soon separated from them. His attackers asked him for money and took 300.000 leones from him. They then demanded that he lay his hands down on a bench. He then begged them not to cut his hands off, saying that he would rather be killed than mutilated. They insisted, so at last he put his hands on the bench. One of his assailants raised his machete to strike, but as he swung it, Mr. ****** pulled away his hands at the last minute so the blade did not strike him. A second soldier approached him from behind and struck him on the back and head repeatedly with the butt of his rifle. His back was also cut with a machete.

The rebels then left the house and set fire to it. Mr. ****** then crawled out of the house and with difficulty left the town. He was eventually found by ECOMOG and taken to Mongo and then to Faranah.

He notes that while he did not learn the names of any of his attackers, there were four of them who took an active role in beating him, and all wore red bandannas tied around their heads. He also notes that the man who held the machete and was to cut his hands was wearing an army uniform while the others were not. He describes them as wearing a mix of clothing; for example, one wore military fatigue pants but a civilian shirt.

00004616

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr Ousmane Camara
Certifie avoir examine le(a) patient(e)...
Age de 36 ans. Ce jour du 1er juin 1998.

Etat General: satisfaisant
Constantes Hemodynamiques: TA-10/7 II-90 T° 37°8C FR-20
Le patient presente des lesions mutilantes de type:
Plaies traumatiques - Pneumonie
Siege: tête, dos, épaule, jambes, doigts
Stade de cicatrisation: cicatrisation en cours après
Etat de la lesion: la suture faite par l'ECOMAG
Date probable du traumatisme: 22 mai 1998

Conclusion / Remarques: La Guérison rapide sera obtenue sur place avec des pansements réguliers

Fait pour le HCR à Faranah Le 02 juin 1998

Signature:

HOPITAL REGIONAL RGMS CONSULTATION CHIRURGIE

Ousmane Camara

00004617 6692



UNHCR's Protection Unit, B.O. Conakry, Guinea

00004618 6603

CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr Ousmane Camara
Certifie avoir examine le(a) patient(e)
Age de 60 ans. Ce jour du 27/05 1998.

Etat General: mauvais
Constantes Hemodynamiques: TA 10/6 n=90, T° 38°5, FR=20/mn
Le patient presente des lesions mutilantes de type: Plaie profonde et lesion osseuse
Siege: Face laterale et anterieure Menton
Stade de cicatrisation: nouvelle plaie
Etat de la lesion: suppuree
Date probable du traumatisme: 22/05/98

Conclusion / Remarques: Plaie traumatique importante necessitant une bonne surveillance chirurgicale

Fait pour le HCR à Faranah Le 02/juin 1998

Signature:

HOPITAL RGMS CONSULTATION CHIRURGIE

Ousmane Camara

00004619 6604

CASE # 21

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone, Kuranko tribe
3. Sex:	Female
4. Date of birth:	75 years
5. Place of origin:	Gbenekoro, Koinadugu District
6. Occupation:	Subsistence farming
7. Date/Place of Attack:	Serekolia, 22 May
8. Date of arrival:	27 May, 1998
9. Route followed:	Gbenekoro, Serekolia, Walia, Songoya, Faranah
10. Accompanied by:	her nephew
11. Physical Condition:	throat cut
12. Date and Place of Interview:	2/6/98 at Faranah Hospital
13. Interviewing Officer:	Anne Paludan, Field Officer

Narrative:

On Friday 22 May Mrs. ****** was on her way to the village of Serekolia from her farm near Gbenekoro. She had heard that there were Junta soldiers in the area and had therefore been hiding at her farm. She had seen rebel soldiers once before and they had forced the villagers to feed them and had threatened them not to leave the village, but she considered it safer to stay at her farm than in the village.

On the road between Serekolia and Gbenekoro she found herself surrounded by a group of around 10 armed men of various ages carrying knives, guns, axes, and machetes. She notes that there were no women or children among them. They seized her, stepped on her back to pin her to the ground and cut her throat and the back of her neck with a machete. They also cut her right forearm. Her assailants did not speak to her and she does not know why she was attacked. She lay unconscious for some time, then woke up, bleeding heavily, and started to walk towards Serekolia.

On the road she was met by her nephew who helped her to reach Serekolia. On the road she saw several dead bodies, among them the bloated body of her brother's son. He had been stabbed in the head and had a machete pushed through him.

She cleaned her wounds as best she could and tied a cloth around them to keep the flies away. Accompanied by her nephew she walked to the border along with a large group of people fleeing from Serekolia. Two other wounded women were in the group, one of which was a young woman with a hand cut off. Once in Songoya her nephew immediately found them transport to Faranah.

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UNHCR's Protection Unit, B.O. Conakry, Guinea

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CASE # 22

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone
3. Sex:	Male
4. Date of Birth:	12/9/61
5. Place of Origin:	Serekolia
6. Occupation:	Farmer
7. Date/Place of Attack:	22/5/98 at Serekolia
8. Date of Arrival:	23/5/98
9. Route Followed:	Serekolia - Kerifaya - Walia - Dusubalia - Kangomalia - Songoya - Faranah
10. Accompanied by:	Brother-in-law (before capture) and friend [Case #17] (together when captured)
11. Physical Condition:	left hand severed, right hand and ears mutilated (deceased 30/5/98 of tetanus resulting from injuries)
12. Date and Place of Interview:	27/5/98 at Faranah Hospital
13. Interviewing Officer:	Charlotte Rostorf Ridung, Field Officer

Narrative:

Mr. ****** returned to Serekolia on Friday 22 May, 1998 to collect rice. He had escorted his mother and one of his wives to Walia, where he had asked them to wait for him. His other wife was staying in Seramaya, in Guinea.

In Serikolia, Mr. ****** received news that the rebels were only four villages away from Serekolia. After he had received the message, he and his friend, Case # 17, went to the rice field to work. While working in the field, two men passed by. Mr. ****** asked the men for information on the rebels, but they replied that they had no news of them.

According to Mr. ******, the rebels came out of the bush about 40 minutes later and captured Mr. ****** and Case # 17. He estimated that there were about a hundred rebels, composed of both Mende, Temne and Liberians and that they were in military uniforms.

The soldiers tied a rope around his waist and tied his arms behind him. They asked him to lead them to Serekolia. He agreed, was untied and accompanied them to Serekolia. Near the village, they tied him to a tree branch and left him alone for two hours while they attacked Serekolia.

When the rebels returned, they asked him to join them. He says that he accepted, because he feared that they would kill him if he refused. Finally, the rebels said that he could not join them, because they did not trust him.

They continued on for about two miles and then divided into four groups - at this point Mr. ****** and Case # 17 were separated. They cut the throats of four people known to Mr. ******, including Case # 21. They then started to argue over whether or not to kill him. One rebel referred to by his associates at "the killer" - his real name is unknown to Mr. ****** - objected to the fact that some of the others wished to kill Mr. ******. "The killer" said that they should not kill young people.

Subsequently, the rebels cut off his left hand with a machete. His right hand was struck twice with a machete and cut to the bone, but not severed. His ears were also mutilated, but were not cut off. His assailants threatened to kill him if he cried. He does not know why he was attacked or who actually performed the acts except that it was not "the killer."

After the attack, the assailants wrote two letters, one for ECOMOG and one for any doctor Mr. ****** might meet as he fled. They placed the two letters in his pocket and told him to go to Serekolia. When he reached the village he found it abandoned and still smoking. He passed the night in a hut in the bush, bleeding heavily. The next day, he left for Songoya and eventually reached Faranah where he was reunited with his two wives and two of his three children. His third child is staying in Songoya with his grandmother. The doctors at Faranah hispital administered an injection for tetanus, but it was given too late, and Mr. ****** died on 30 May.

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/-/OPITAL REGIONAL DE FARANAH

N°: 31 /H.R.F./98

REPUBLIQUE DE GUINEE

Travail - Justice- Solidari

-=- (ERTIFICAT DE DECES -=-

Nous soussigné Dr. ABDOULAYE BAH Directeur de l'hôpital Régional de Faranah, certifions que: Mr ...

PROFESSION: Cultivateur Décédé le: 20/05/98

Diagnostic d'admission = Amputation traumatique des membres supérieurs.

Cause de décès = Tétanos.

En foi de quoi, nous lui délivrons ce présent certificat pour servir et valoir ce que de droit./.

FARANAH, LE 03 Juin 199

Le médecin traitant

LE DIRECTEUR DE L'HOPITAL

HOPITAL REGIONAL DE FARANAH CONSULTATION CHIRURGIE

HOPITAL LE DIRECTEUR FARANAH

Dr. ABDOULAYE BAH

CASE # 23

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	*****
2. Nationality:	Sierra Leone, Kuranko tribe
3. Sex:	Female
4. Date of Birth:	28 years old
5. Place of Origin:	Gbenekoro, Koinadugu District
6. Occupation:	trader
7. Date/Place of Attack:	22/5/98 near Gbenekoro
8. Date of Arrival:	end May 1998
9. Route Followed:	Serekolia - Karfaya - Oualia - Damania - Songoya
10. Accompanied by:	Husband
11. Physical Condition:	both forearms severely cut with machete, one arm broken
12. Date and Place of Interview:	14/7/98 at Donka Hospital, Conakry
13. Interviewing Officer:	Gregory Mose, Associate Protection Officer

Narrative:

On Friday 22 May a group of about 40 armed men entered the village of Gbenekoro. Most were wearing civilian clothing and were armed with machetes and knives, but 10 of the men were in military uniforms and carrying rifles. Ms. ***** noticed that some had their hair in dreadlocks, some wore leaves around their heads as a form of traditional medicine, and still others had painted their faces black. When the men entered the village, there was screaming the villagers scattered into the bush. Ms. ***** fled into the bush toward the village of Mongobendu because she had heard that there were ECOMOG troops there.

She hid in the bush for several days, eating bush yams and other food she could gather. She had joined up with some others who had fled nearby villages such as Serekolia, and it was while they were walking along a path looking for food that they ran across what she believes to have been the same group of rebels who had attacked Gbenekoro. They were surrounded and were unable to escape. The men killed two of the group immediately with knives and machetes, and then told the rest of the group to lie down along the path. They proceeded to strike both arms of CASE 24 with a machete, deeply cutting but not severing the arms. Next they cut off one hand of another woman, and then attacked Ms. *****. They struck both arms mid-forearm in the same manner as they had done to CASE 24, deeply cutting both and breaking one bone. After the attack, the assailants told the group that they would have to separate or they would be killed. A number of the victims asked their assailants to kill them rather than leave them disabled, but they refused. They told their victims to tell President Kabbah that people were dying because he was holding on to power, and that the rebels will kill everyone in Sierra Leone unless he leaves office.

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr ...S.K. DIAKITE.....
Certifie avoir examine le(a) patient(e).....
Age de...30.....ans. Ce jour du...21 JUILLET 1998.

Etat General:.....Conservé.....
Constantes Hemodynamiques:.....Bonnes.....
Le patient présente des lesions mutilantes de type:...Fracture Ouverte, infectée IIe degré des 2 avant bras Sur Amenorrhée de 8 Semaines
Siege:...Les deux avant bras à leur 1/3 inferieur.....
Stade de cicatrisation:..Cicatrisation en cours à droite et cicatrisée à gauche
Etat de la lesion:....lésions non consolidée.....
Date probable du traumatisme:.....Le 21/05/98.....

Conclusion / Remarques..Patiente reçue dans un etat d'infection osseuse. Le traitement doit être poursuivi.....

Fait pour le HCR à ..Conakry.....Le 21 JUILLET....1998

Signature:

Dr. S.K. DIAKITE
Chirurgien
Orthopedie Traumatologie

CASE # 24

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	*****
2. Nationality:	Sierra Leone, Kuranko tribe
3. Sex:	Female
4. Date of Birth:	34 years old
5. Place of Origin:	Mondgobendu, Koinadugu District
6. Occupation:	Farmer
7. Date/Place of Attack:	22/5/98 near Mongobendu
8. Date of Arrival:	end May 1998
9. Route Followed:	Mongbendu, Kandia, Gbangofeh, Songoya
10. Accompanied by:	Husband, son and grandson
11. Physical Condition:	both forearms severely cut with machete, one bone broken
12. Date and Place of Interview:	11/7/98 at Donka Hospital, Conakry
13. Interviewing Officer:	Gregory Mose, Associate Protection Officer

Narrative:

Because there were few supplies in the village of Mongobendu, Ms. ***** and other villagers would periodically go into the bush to search for food. On the morning of 24/4/98 she was walking along a bush path with a group of 10 villagers, CASE 26, Kumba Sesay, CASE 18, CASE 15 , and CASE 22. While searching for food they were accosted by 24 armed men who emerged onto the path on either side of them. Ten of the men were in full military uniform and carried military rifles, while the others wore civilian dress and were armed with knives and machetes. Those in civilian dress also wore red bandannas around their heads - Ms. ***** is illiterate, but she noticed writing on the bandannas and her attackers indicated that the words "Bad Blood" were written there. The assailants spoke Krio to their captives but spoke a variety of languages amongst themselves, including English with what Ms. ***** identifies as a Liberian accent. She also noticed the smell of marijuana and what appeared to have been joints strewn along the path.

The man who appeared to be the leader of the group wore traditional African clothing known as a "ranko," which consists of a coarse cloth sleeveless shirt and pants. She described him as tall and thin, around 20 years old, having a fair complexion, a long face with a goatee, and a pointed nose. She also noticed among the group three young men whom she knew from her village: XXX (age 18), YYY (age 13 or 14), and ZZZ (age 9). The older two of the three boys carried machetes, but the youngest was unarmed. Their participation in the attack was limited to holding people, and Ms. ***** believes that they had been forcibly recruited.

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr S.K. DIAKITE
Certifie avoir examine le(a) patient(e).....
Age de 33 ans. Ce jour du 24 juillet 1998.

Etat General: Conservé
Constantes Hemodynamiques: Bonnes
La patient presente des lesions mutilantes de type: fracture Ouverte infecté de l'avant bras droit, IIIe degré et de l'avant bras gauche IIe degre avec Lesion musculaire.
Siege: les deux avant bras à leur 1/3 inferieur
Stade de cicatrisation: en voie de cicatrisation
Etat de la lesion: lésions non consolidés
Date probable du traumatisme: le 21/05/98

Conclusion / Remarques: Patiente reçue dans un etat d'infection ...Osseuse... le traitement doit être poursuivi

Fait pour le HCR à Conakry Le 24 juillet 1998

Signature:

Dr. S.K. DIAKITE
Chirurgie
Orthopedie Traumatologie

CASE # 25

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	*******
2. Nationality:	Sierra Leone, Mandingo tribe
3. Sex:	Male
4. Date of birth:	1962
5. Place of origin:	Jujuma, Kailahun District
6. Occupation:	mechanic
7. Date/Place of Attack:	Jujuma, around December 1998 7
8. Date of arrival:	February/March 1998
9. Route followed:	Jujuma - Sefadu - Guinea
10. Accompanied by:	alone
11. Physical Condition:	arms tied for extended period, one finger severed, hands deliberately placed in fire causing severe burns
12. Date and Place of Interview:	17/6/98 at Conakry
13. Interviewing Officer:	Gregory Mose, Associate Protection Officer

Narrative:

At some time probably in December 1997 (he is unsure of the exact date) Mr. ***** was going to work on the family farm with his father, his father's two wives, three sisters, and approximately 15 workers. On the path they ran across a group of over 30 men in civilian clothing carrying military rifles. Mr. ***** and his family were held at gunpoint, and their assailants demanded his father to give them his money. His father complied, but was then bound and mutilated in front of the others: his beard was set on fire, his eyes were gouged out, one foot was severed, and finally he was killed by a blow to the back of the neck with a machete. A total of five people participated in this attack, and they gave no reason for killing Mr. *****'s father.

Mr. *****'s mother attempted to escape, but she was shot while running. The assailants, whom Mr. ***** identifies as RUF rebels, proceeded to shoot the second wife as well as two of his three sisters. The third sister was abducted. Meanwhile, Mr. ***** and two other men were tied up, whereas the other workers agreed to join the rebels and were led away. Mr. ***** and his fellow prisoners were guarded by five rebels, and remained at the same spot for three days.

By the third day his hands had begun to swell. His assailants placed hot coals in a bowl and then forcibly placed his bound hands into the bowl, severely burning him. They then severed one of his fingers and performed the same operation on the other two prisoners. They offered no explanation for this, but afterwards they untied the prisoners and left them in the bush. The three separated and Mr. ***** found his way to Sefadou, where he stayed for around three months. Sefadou was then attacked by junta forces, however, so he fled along with others from the town and came to Guinea.

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UNHCR's Protection Unit, B.O. Conakry, Guinea

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr ..... S.K. DIAKITE .....
Certifie avoir examine le(a) patient(e) ....
Age de ... 30 ..... ans. Ce jour du ... 21 juillet ... 1998.

Etat General: ..... Conservé .....
Constantes Hemodynamiques: ..... Bonnes .....
Le patient presente des lesions mutilantes de type: ... Fracture Ouverte infectée de l'avant bras gauche à son 1/3 inferieur
Siege: ..... 1/3 inferieur de l'avant bras gauche .....
Stade de cicatrisation: ..... cicatrisation en cours .....
Etat de la lesion: ..... lésion non consolidée .....
Date probable du traumatisme: ..... le 1er juillet 1998 .....

Conclusion / Remarques: ... Patient reçu dans un etat d'infection ... Ostéite ... le traitement doit être poursuivi ....

Fait pour le HCR à .... Conakry ..... Le 21 juillet 1998

Signature:

Dr. S.K. DIAKITE
Chirurgie
Orthopedie Traumatologie

CASE # 27

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	*****
2. Nationality:	Sierra Leone, Kuranko tribe
3. Sex:	Male
4. Date of Birth:	63 years old
5. Place of Origin:	***** village, Nyeya Chiefdom, Koinadugu District
6. Occupation:	Section Chief
7. Date/Place of Attack:	30/4/98 at Yarawadugu
8. Date of Arrival:	3/5/98
9. Route Followed:	***** - Manso - Bendu - Faranfeh - Foroconia
10. Accompanied by:	Around 50 people, section elders and family
11. Physical Condition:	four fingers severed from right hand
12. Date and Place of Interview:	9/5/98 at Foroconia
13. Interviewing Officer:	Anne Paludan, Field Officer

Narrative:

On Wednesday, April 29, Mr. ***** as Chief received a message from the people of the neighboring village of Bendu that the rebels were eating there and were heading towards his village. Mr. ***** sent a man to verify that the rebels were coming, and sent women and children into the bush while he and 80 men stayed in the village, among them Kono men who had come to help. They shared 17 single barrel rifles but had few cartridges.

On arrival in the village the rebels opened fire. The villagers were overrun, and three were killed. Mr. ***** then ordered everyone to escape. He himself hid alone on top of a large rock at a distance from which he could watch what took place in the village. At 6:45 pm the rebels, armed with AK-47 rifles, entered the evacuated village. There were many of them, and they were accompanied by captives carrying goods for them. They spoke Krio, and wore a mixture of military and civilian clothing with either boots or old sports shoes. The commander wore military fatigues. Mr. ***** notes that those he saw from close up had red eyes, possibly from drugs. He saw them burn all the houses in the village except the mosque. He does not know why they spared the mosque.

The next morning at daybreak he went back to the ruins of the village but found nobody there. He then left, following the trail of the men who had attacked the village, and found two of his villagers dead on the path. They had been shot, and the rebels had taken their rifles. As he walked around the area to find more victims, believing that the rebels were in the neighboring town, he was ambushed at Konkonia (Kissi Chiefdom) by eight armed men. He was captured and two of the men took him to the group's commander in Konkonia while the other six left. Mr. ***** knew the two men who took him: XXX

WE ARE ASKING THE PEOPLE OF S/LEONE TO TELL US WHERE WE SHOULD GO. IF WE ARE NOW READY TO FIGHT MORE THAN BEFORE AND ONCE MORE IF OUR LEADER IS NOT RELEASE WE WILL DESTROY THE S/LEONE.

WE DON'T WANT SLPP. THEY ARE CORRUPTING S/LEONE AND THIS TIME WE WILL HAVE NO MACY FOR ANY SLPP SUPPORTERS

NO SANKOH?

NO CIVILIAN NO BETTER S/LEONE.

WE TH. Y. ALL.

she was told that if she did not put her foot down, she would be killed. She heard voices in the distance, but assumes that those people heard her scream and ran away when they realized that the rebels were there.

She placed her left foot on the piece of wood. The youngest rebel severed two toes of her left foot. He handed her the two toes and told her to give them to President Kabbah and explain to him that this is what the rebels can do to his people.

The rebels took all her belongings and abandoned her. The foot was bleeding heavily, so Ms. ****** did not leave until the following morning. She was crying. A group of people hiding in a farm hut close by heard her. One of them came to help her. He washed her foot and provided her with first-aid. He put salt on the foot to stop the bleeding. His wife called her younger brothers and they carried Ms. ****** in a hammock to Gbankadon. She was taken care of by a group of hunters in this village. Ms. ****** was unable to walk and thus stayed there for one month. When she had recovered, she was able to walk to Forokonia. From Forokonia, she was carried by taxi to Faranah.

CASE # 29

SIERRA LEONE VICTIMS OF VIOLENCE -SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leonean, Kuranko tribe
3. Sex:	Male
4. Date of Birth:	1928
5. Place of Origin:	Seria, Koinadugu District, Northern Province
6. Occupation:	Farmer
7. Date/ Place of Attack:	beginning of April on the way to Siranikoro
8. Date of Arrival :	4 June 1998
9. Route Followed:	Siranikoro - Mongobendu - Songoya - Faranah
10. Accompanied by:	Son ******, and brother-in-law ******.
11. Physical Condition :	Right hand severed between wrist and elbow. Head injured by the back of a gun, causing an open wound that is now healing
12. Date and Place of Interview :	10/6/98 at Faranah Hospital
13. Interviewing Officer :	Charlotte Rostorf Ridung, Field Officer

Narrative:

Mr. ****** was living in Seria where the rebels were present. They were looting property, but otherwise not doing any harm to the civilian population. An ECOMOG detachment was based at Mongobendu, six miles away.

ECOMOG sent a message to Seria that people not supporting the rebels should leave town. If not, they would risk being killed. ECOMOG wished to warn the local population. Mr. ****** was afraid of an attack against the rebels by ECOMOG. Most people from Seria left town.

In April 1998 while on his way to Siranikoro, Mr ****** was attacked by the rebels. They were hiding on both sides of the road by a stream called Forngbo.

He was accompanied by his five year old son, and a man unknown to him. His son and the other man managed to escape the rebels as the two of them were walking behind Mr. ******.

About fifteen rebels attacked him. They were all unknown to him. It was a mixture of Sierra Leoneans and Liberians. They spoke Krio and Liberian languages. He did not know which fation they belonged to. Some of them wore uniforms, some wore civilian clothes. He cannot explain why the rebels attacked him.

The rebels tied him up with his elbows at the back. They hit him with the butt of a gun, thus causing an open wound on his head. Afterwards, they leaned him against a big tree and severed his right hand with a cutlass. He has asked them not to cut his right hand as he used this hand for work. They replied that he was lucky, pointing at a dead man lying on the

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr Ouamara Camara

Certifie avoir examine le(a) patient(e)

Age de 60 ans. Ce jour du 6/6/ 1998.

Etat General: Satisfaisant

Constantes Hemodynamiques: TA: 10/7. F: 80. T°: 36°5c. FR: 19/mn.

Le patient presente des lesions mutilantes de type: Amputation traumatique

Siege: 1/3 inferieur Avant bras droit

Stade de cicatrisation: infection

Etat de la lesion: Pas de necrose

Date probable du traumatisme: 22/5/98

Conclusion / Remarques:

Fait pour le HCR à Faranah Le 13 Juin 1998

CONSULTATION CHIRURGIE

Signature:

CASE # 30

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone, Madingo tribe
3. Sex:	Female
4. Date of Birth:	1968
5. Place of Origin:	Gberiah Fatombo, Koinadugu District,NorthernProvince
6. Occupation:	Farmer
7. Date/Place of Attack :	Gberiah Fatombo on a Friday at the end of March, 1998
8. Date of Arrival:	10/6/98 at Faranah Hospital
9. Route Followed:	Gberiah Fatombo - Hermankono - Faranah
10. Accompanied By:	Husband and daughter
11. Physical Condition:	Calf of left foot cut with cutlass. Leg later amputated in hospital just below the knee
12. Date and Place of Interview :	16/6/98 at Faranah Hospital
13. Interviewing Officer :	Charlotte Rostorf Ridung, Field Officer

Narrative:

Ms. ****** and her daughter were working on their peanut farm in Gberiah Fatombo, when the rebels attacked them. Her husband was working on another farm. While working, four rebels approached Ms. ******. She did not know any of her assailants and did not hear any names. Two of the rebels were dressed in black uniforms and the other two in civilian clothes. They spoke Krio. Ms. ****** does not know why she was attacked by the rebels.

One of the rebels grabbed her from behind and in a commanding voice told her to sit down on the ground. One of the rebels wanted to have sexual relations with Ms. ******, but she and her daughter started crying and Ms. ****** pleaded the rebels to leave her alone. She asked them to not abuse her and told them that she had just given birth to a child. The rebels asked her where the baby was, and she replied that she had left the baby at the house. Her daughter managed to run away and the rebels did not pursue her.

The rebels abstained from abusing her sexually. Instead, they said to her that they were not going to let her go. They decided to cut her leg as a punishment for not offering sexual favours. One rebel bent down over her and cut the calf of her left leg twice. Ms. ****** believes that it was the intention of the rebels to sever her foot completely. The rebels hit her on the spinal cord and on the back, but as she was crying loudly, they eventually let he go. Subsequently, the rebels left.

When the rebels had left, Ms. ****** tried to return home, which was about two miles from the field. On the way home, Ms. ****** fell down into a hole. In the evening, people coming back from their farms found her and they went to get her husband in Gberiah Fatombo. Ms. ****** was carried in a hammock from Gberiah Fatombo to Hermankono and from there by vehicle to Faranah.

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UNHCR's Protection Unit, B.O. Conakry, Guinea

ordered to place her right hand on a piece of wood, and her right hand was severed with a cutlass. The rebels also severed the hand of the mother.

The rebels announced that ECOMOG was approaching Boique and thus took off, leaving everyone in the village. Some of the persons that had been maimed fled into the bush, including Ms. ******.. She and her mother were found by the Kamajors in the bush and carried to Koidu town. ECOMOG soldiers carried them from Koidu to Freetown by car. In Freetown, her and her mother were hospitalized. The mother died in the hospital.

CASE # 32

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. Name:	******
2. Nationality:	Sierra Leone, Kono tribe
3. Sex:	Male
4. Date of Birth:	15 years
5. Place of Origin:	Yenggema town, Kono Distr., Eastern Province
6. Occupation:	Student, class 2
7. Date/Place of Attack:	A Sunday, around 11.03.1992, Yenggema town
8. Date of Arrival:	11.04.1998 at Kobikoro
9. Route Followed:	Yenggema, Kafaidu, Suma, Koifuneh, Bangokando
10. Accompanied By:	Mother, father, 2 brothers, 2 sisters
11. Physical Condition:	All left hand fingers severed
12. Date and Place of Interview:	26/7/98 at Nyaedou Refugee Camp.
13. Interviewing Officer:	A. Paludan and C. R. Ridung, Field Officers

Narrative:

****** was at his house when the rebels attacked him. He heard gunshots and wanted to run, but instead he was caught by one rebel who took him three other rebels. They were dressed in combat clothing, carried arms and spoke Krio.

The rebels said that they were looking for Sierra Leonean soldiers. They mutilated him by severing all five fingers of his left hand so " that they (the soldiers) may get the message". His left hand was placed on a large stick and the fingers were cut and thrown to the ground. He witnessed other people being beaten and killed by the rebels at the time of the attack.

After he was mutilated, the rebels ordered him to sit down while they were destroying and burning down houses. After a while they seemed to have forgotten about him and he managed to escape into the bush. His hand was bleeding.

The same day he met his family of seven in the bush. The family proceeded directly to Kafaidu, because they were scared of staying in the area. Between Kafaidu and Suma, in a village called Koako, a doctor called ****** treated his hand. The doctor placed medicine on his hand and bandaged it. After he had received treatment, the family continued their journey to Guinea.

CASE # 33

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1.	**Name:**	*****
2.	**Nationality:**	Sierra Leone
3.	**Sex:**	Male
4.	**Date of Birth:**	15/2/72
5.	**Place of Origin:**	Kabala,, SLE
6.	**Occupation:**	Driver
7.	**Date of Arrival:**	2/5/98
8.	**Date/Place of Attack:**	January 1996 at Jaime Suafe
9.	**Route Followed:**	Koidu - Yomandou - Massadou - Soumoundou - Faranah - CKY (11/5)
10.	**Accompanied by:**	Wife
11.	**Physical Condition:**	Right arm severed several inches below shoulder
12.	**Date and Place of Interview:**	Conakry, 26/5/98
13.	**Interviewing Officer:**	Gregory Mose, Associate Protection Officer

Narrative:

Mr. ***** had his arm severed by RUF forces around January 1996 during the run up to presidential elections in Sierra Leone. He had been involved in election campaigning on behalf of Ahmed Tejan Kabbah in the village of Jaima Suafe (Kono District) when a group of RUF rebels entered the town and captured him and 15 other people with pro-democracy sympathies. He explains that all 16 people were tied up and the rebels proceeded to amputate arms one by one.

Mr. ***** was the third victim. He recounts being forced to lie down on the ground and to spread his arms wide. His attackers then made several preliminary cuts on his upper arm to determine where best to strike in order to break through the bone. This being done, they cut off his arm with two blows of the cutlass. They then tied a note around his neck which expressed RUF's resistance to elections and set him free. It was the villagers of Jaima Suafe who took him to the hospital at Koidu for treatment. He does not know the fate of the other prisoners but assumes that they too had limbs severed.

Mr. ***** claims that the person responsible is an RUF commander nicknamed "Superman." According to Mr. *****, Superman is the third ranking officer in the RUF after Foday Sankoh and the military commander known as "Mosquito." He is reported to lead a squad of around 20 rebels in a red Toyota Hilox four wheel drive vehicle, and Mr. ***** reports that he "specializes" in amputating enemies of the RUF.

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr .....
Certifie avoir examine le(a) patient(e)....
Age de.....ans. Ce jour du.....1998.

Etat General:.....
Constantes Hemodynamiques:.....
Le patient presente des lesions mutilantes de type:.....
.....
Siege:.....
Stade de cicatrisation:.....
Etat de la lesion:.....
Date probable du traumatisme:.....

Conclusion / Remarques.....
.....

Fait pour le HCR a .....Le 1998

Signature:

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CASE # 34

SIERRA LEONE VICTIMS OF VIOLENCE- SUMMARY REPORT

1. NAME:	******
2. NATIONALITY:	Sierra leone
3. SEX:	Male
4. DATE OF BIRTH:	1958 (40 years)
5. PLACE OF ORIGIN:	Sansangey (?), close to the border
6. OCCUPATION:	Farmer
7. DATE/PLACE OF ATTACK:	Kulumbaya, 14.11.1998
8. DATE OF ARRIVAL:	First time: mid-August, 1998
9. ROUTE FOLLOWED:	crossing at Toumandou
10. ACCOMPANIED BY:	18 Family members, including wife and 1 child
11. PHYSICAL CONDITION:	Right hand cut, left hand severed
12. DATE AND PLACE OF INTERVIEW:	17/11/98 at Gueckedou Hospital
13. INTERVIEWING OFFICER:	Ann Paludan, Protection Officer, Gueckedou

12. NARRATIVE:

On Friday, November 13th, Mr. ****** and a group of about 20 refugees crossed the border and went in search for food near their old homes in SLE. When they had found the food and were heading back they were met by a group of 18 rebels at Kulumbaya. He knew they were rebels because they carried bows and arrows knives, and guns. They were dressed as "charlatans" ("Kori-players") or hunters, wearing a mixture of clothes They spoke Susu, Kpala and Temne, so being Kissi he himself did not understand their language, neither did he hear their names.

The refugees were taken to a house which was locked for the night and guarded by rebels. Saturday they were taken out, three people were selected to go with the rebels, the others were asked who would climb palm trees for the rebels, and 4 people presented themselves. Then the rebels asked them to select one person among them to be killed. This they refused. Then the rebels mutilated them and let them go, asking them in parting to tell their Guinean chief (the President of Guinea) that "the rebels are here. It is not over yet, much more is coming." Some of his fellows died there, he does not know how many. He himself found his way to the village of Birimba somehow or other; from there some people helped him back to Toumandou. Sunday he was treated at the poste de sante. Monday he was taken to Gueckedou Hospital.

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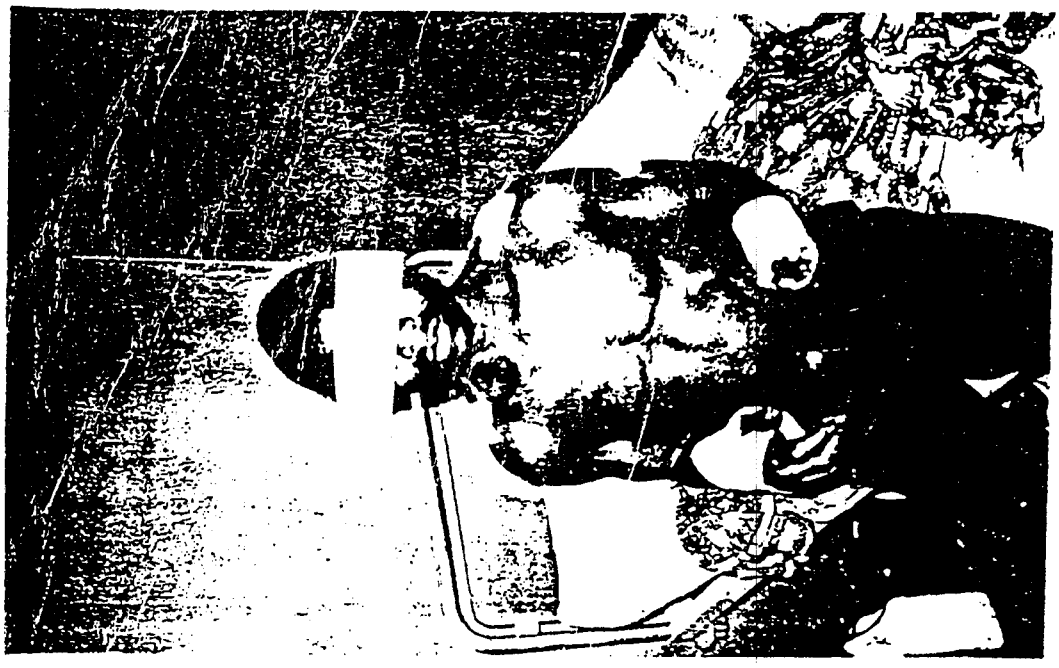

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CERTIFICAT MEDICAL DE CONSTATATION

Je soussigne Dr Raymond Faya Kondano

Certifie avoir examine le(a) patient(e)

Age de 58 ans. Ce jour du 16 11 1998.

Etat General: Mauvais - pâleur des muqueuses, asthénie physique

Constantes Hemodynamiques: TA = 10/06 Pouls = 100/mn

Le patient presente des lesions mutilantes de type: Plaies par manchette du des avants bras, des mains, des flancs sans atteinte musculo-os

Siege: cou - avants bras, mains (doigts) flanc droit

Stade de cicatrisation:

Etat de la lesion: Etat de surinfection avec sécrétions fétides

Date probable du traumatisme: 13 11 98

Conclusion / Remarques Plaies par manchettes multiples, sans lési musculo-osseuses, surinfectées, Pansement, traitement mo cameuteux. => Bonne évolution

Fait pour le HCR a Guéckedou Le 23/11 1998

Signature:

Dr R. Faya

CASE # 3

SIERRA LEONE VICTIMS OF VIOLENCE - SUMMARY REPORT

1. NAME:	******
2. NATIONALITY:	Sierra Leone
3. SEX:	Male
4. DATE OF BIRTH:	27 years
5. PLACE OF ORIGIN:	Kondou Benge, near the border
6. OCCUPATION:	Businessman
7. DATE/PLACE OF ATTACK:	Kulmaya (?) about 3 miles from the border, 14.11.1998
8. DATE OF ARRIVAL:	April 27, 1998
9. ROUTE FOLLOWED:	Crossing the river
10. ACCOMPANIED BY:	Wife and child and mother in law
11. PHYSICAL CONDITION:	Two hands amputated, beaten
12. DATE AND PLACE OF INTERVIEW:	17/11/98 at Gueckedou Hospital
13. INTERVIEWING OFFICER:	Ann Paludan, Protection Officer, Gueckedou

NARRATIVE:

On Thursday, November 12th Mr. ****** crossed the river and went into Sierra leone together with about 1 other refugees and spent the night there. On Friday, 13.12.1998 they collected food and started going back, bu the loads were heavy so they rested at Kulmaya for 20-30 minutes. Without warning they were attacked b about 25 rebels. Six of the refugees escaped, nine were caught. He was the only Temne, the others were Kiss They were tied and spent the night in a house.

The next day they were taken outside and three of them were selected to carry loads, after which the rebe asked them what tribe they were, and hearing he was Temne they said, This is the kind of people we wan referring to the reputation Temnes have of being "full of tricks". Mr. ****** recognized one of them by sigh not by name, as having been friendly to him when they both were in Port Loko before the war. Now he begge him to show grace but to no avail. He was beaten all over his body and his two hands were amputated. H head spinning from blood loss and having to rest every 5 minutes he reached Kawia (?) on Monday 16.11.1998, and was brought to Toumandou.

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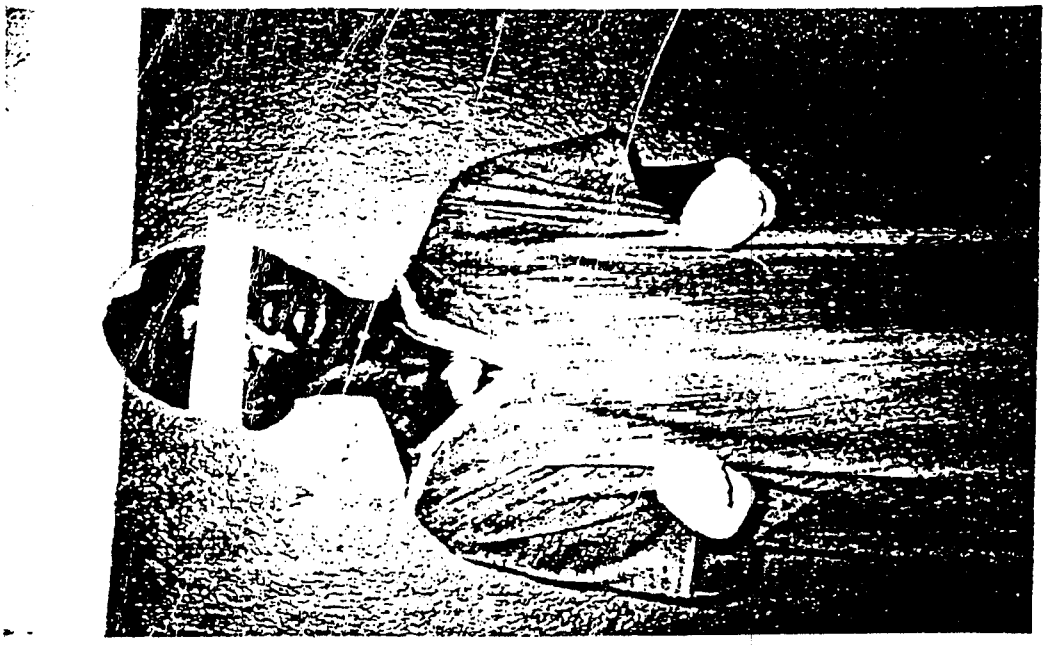
UNHCR's Protection Unit B.O.T.



****** was tied, beaten and burnt on his back and shoulders with the blade of a cutlass they had put in the fire, and was still told that he would be the first to be executed because he had lied to them. In the end he was not killed, but both his hands were severed in front of the others. He was forbidden to cry in order not to draw the Guinean soldiers' attention to what was happening. He held his breath and lay as if he were dead. He stayed there after everybody had left, Saturday, Sunday and most of Monday.

His fellows thought he was dead and reported this to his family when they came home. His family were afraid but would not let his body rot in the field so they crossed over, carried him back and arrived with him just as the ambulance was waiting to take the other mutilees to Gueckedou.

OTHER RELEVANT INFORMATION:
Mr. ****** just married Ms ****** (22). His father, Mr. ******, lives in Toumandou but is ill and must go to Yende for treatment. He has a sister in Toumanda who will be coming to Gueckedou, and another sister is in Abidjan. The family has no autocollant.

This interview was conducted one day after the IC's infected arm had been amputated at the shoulder, and he was in great pain both from the wound and from the burns on his back.

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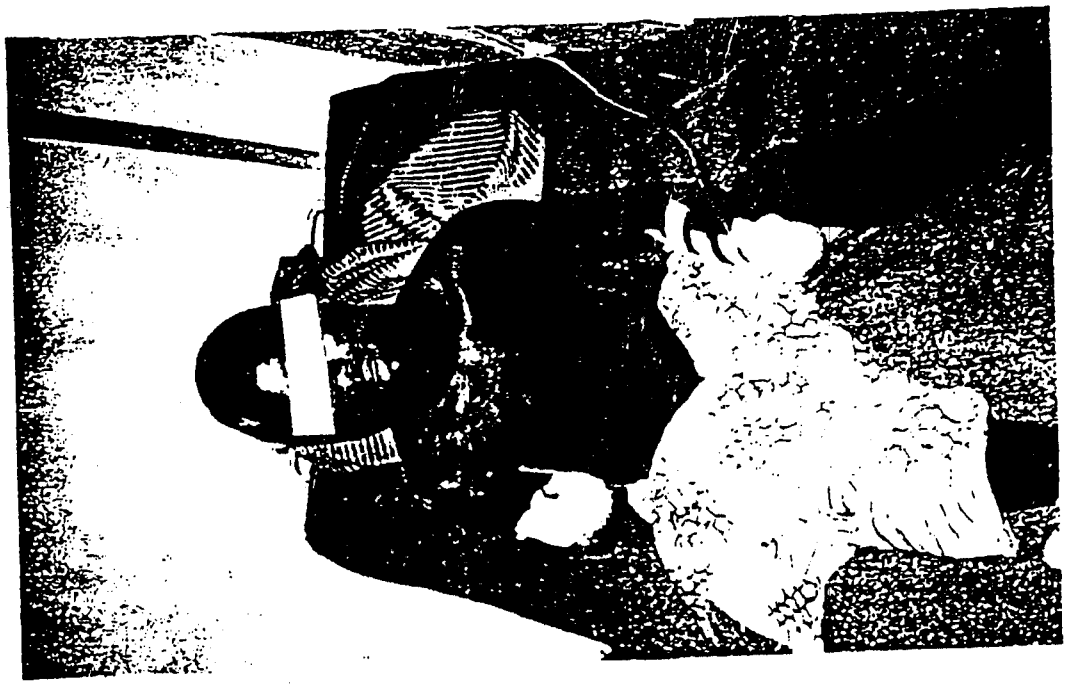

CASE # 38

SIERRA LEONE VICTIMS OF VIOLENCE – SUMMARY REPORT

1. NAME:	******
2. NATIONALITY:	Sierra Leone
3. SEX:	Male
4. DATE OF BIRTH:	August 1986
5. PLACE OF ORIGIN:	Kono
6. OCCUPATION:	Student
7. DATE/PLACE OF ATTACK:	12/98, Bunbuna
8. DATE OF ARRIVAL:	11 January 1999
9. ROUTE FOLLOWED:	Bunbuna, Bikkola, Mahassa, Kamakwei, Kobaferry, Kindia and Conakry
10. ACCOMPANIED BY:	Abu Turay, Friend
11. PHYSICAL CONDITION:	Entire left leg amputated
12. DATE AND PLACE OF INTERVIEW:	21/01/99, UNHCR Medical Centre
13. INTERVIEWING OFFICER:	Senai Terrefe, Associate Protection Officer, Conakry

NARRATIVE:

****** is an unaccompanied minor who was forced to flee his home village near Massabendu in Sierra Leone. In the aftermath of the first rebel attack, he found himself separated from his mother and sister and was forced to flee to Bunbuna. Upon arrival, ****** and a group of other villagers were assaulted by 20 rebels dressed in civilian and military clothing armed with AK 47 rifles who conducted indiscriminate maiming. The victims were put flat on the floor and asked what type of amputation they prefered; notably they were asked to choose between short and long sleeve implying that they would be amputated on their knees or ankles.

****** was amputated of one leg up to the knee. He also witnessed approximately 15 other civilians who were inflicted similar wounds. The rebels then took him and the other victims who were tied up and were thrown on the way side of a main road. ****** was then recognized by an acquaintance of his home village, Mr. ****** who rescued him and helped him to flee.

During the flight, his wound began to deteriorate and to smell. He received his first treatment at Kamakwei where he and his caretaker spent 22 days. They arrived in Kindia, Guinea, on the 28.12.98. On the 11.01.99, they arrived in Conakry and were brought to the health center by UNHCR and GTZ staff from the Sierra Leone embassy.

To date, ****** has not received any prothesis for his amputation and suffers chronic pains due to the use of inadequate crutches. It is also important to note that due to his young age he was able to recall the exact chronology of events that led him to flee. Hi is also not receiving the adequate psychological counseling that such a traumatizing experience requires. The separation from his guardians and siblings adds to his sense of deep loss and grief in Guinea.

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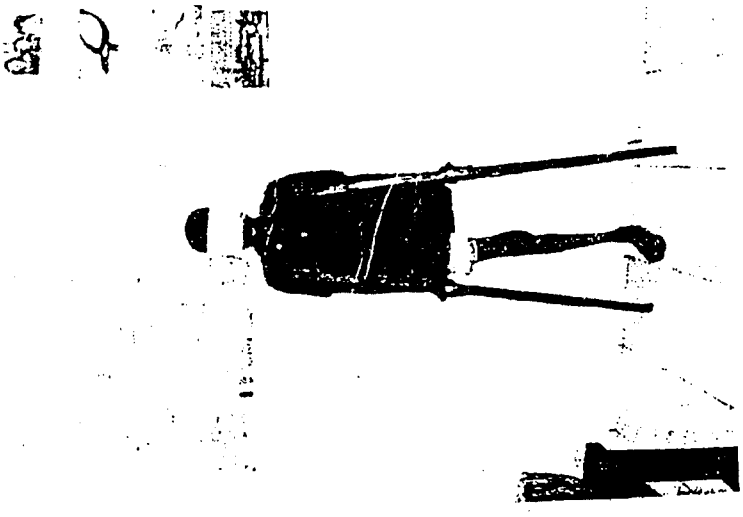

The rebels spoke Kono, Mende, Kissi, Krio, Temne, Limba, and all other Sierra Leone languages. They wo: civilian clothes, and carried guns, cutlasses and knives. He heard very little of what they said, for he kept as away from the juntas as possible. The hostages were always guarried.

Mr. ******'s Wife Mrs. ****** age 24, and children ****** 1, ****** 4, and ****** 6 have been staying with his brother Mr. ******. While Mr. ******* is at the hospital the older brother Mr. ****** looks after family.

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UNHCR's Protection Unit HQ Complex [illegible]

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FACT 62

The United Nations issued Findings and Recommendations of the UNOMSIL Human Rights Assessment Mission to Freetown, dated 25 January and 1 - 4 February 1999 which:

(a) attributed most civilian casualties and the related humanitarian emergency in Freetown to rebel forces (p. 3, ERN 00015216)

(b) concluded that the actual number of civilian casualties would never be known (p. 3, ERN 00015216)

(c) concluded that rebels used civilians as human shields (p. 4, ERN 00015217)

(d) described arbitrary killings of men, women and children by rebel fighters, including two instances where a 10- and an 8-year old boy did the killing. Witness reports stated that frequently, the perpetrators of the killings were under the influence of cocaine and other drugs, including alcohol, and occasionally the killings occurred in the context of games (p. 4, ERN 00015217)

(e) reported people being locked in their homes or disabled by gunshot in their homes, then burned to death, including elderly people and infants. Also reported others being shot while attempting to escape from burning buildings (p. 4, ERN 00015217)

(f) stated that by 10 January, rebels were targeting men, women and children civilians for amputations and mutilations (p. 5, ERN 00015218)

(g) described rebel forces targeting many individuals and categories of persons for execution, such as police officers, prison officials, journalists, a senior member of the human rights monitoring committee of the NCDHR, hospital patients, and people at a Kissy Mosque (pp. 4-5, ERN 00015217-218)

(h) stated that rapes of females, including children, appeared to have been a standard practice of the rebel combatants. Group rapes, including in public places, occurred in Kroo Town Road and Kissy. Girls were physically examined to verify their status as virgins, then sexually abused (p. 6, ERN 00015219)

(i) reported that a significant number of the rebel combatants were children, that rebel child combatants were frequently under the influence of drugs, and their commanders encouraged this practice (pp. 6-7, ERN 00015218-219)

(j) reported that rebels abducted a large but unverifiable number of people, including staff of UN agencies and NGOs, students, and children. Indicated that young boy abductees tended to be used as porters or were selected for training as fighters. Older men were retained solely for porterage. Women and girls were retained to cook and for sexual purposes (p. 7, ERN 00015219) and

(k) stated that rebel forces were responsible for the deliberate and widespread destruction of civilian property and public utilities, especially when residents refused to hand over sufficient cash or goods to looting rebels or because the occupants failed to obey instructions to come out on the streets, serve as "human shields" or hand over girls for sexual purposes. Noted that an ascertainable degree of the damage to the property stock was inflicted by ECOMOG, including as a result of aerial bombardment (Fisher Street, Nicol Street, Coker Lane, Bombay Street, Wilberforce Street, Clay Factory Displaced Persons Centre, and at the Basharia Mosque in Susan's Bay) (p. 8, ERN 00015220)

a.	Exh. 1.082	ERN 00015214-00015226	UNOMSIL Human Rights Assessment Mission to Freetown, 25 January and 1-4 February 1999, Findings and Recommendations

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FINDINGS

I. REBEL RESPONSIBILITY FOR THE CONFLICT AND THE HUMANITARIAN EMERGENCY

Ultimate responsibility for the fighting, most civilian casualties and the related humanitarian emergency in Freetown rests with the rebel forces. It was the rebel forces who undertook the assault on the city and who persisted in resisting ECOMOG, thereby extending the period of fighting and destruction within an area densely populated with civilians.

The actual number of civilian casualties will never be known. One mortuary worker in Freetown stated on 25 January that over 2,000 bodies of men, women and children had already been disposed of. Observers are also of the view that a large number of bodies remain in ruined or burned buildings in the centre and east of the city. Many others have been hastily buried on waste ground or in residential compounds. Multiple reports have also been received of bodies floating in the sea and its inlets within the city, as well as on the beaches. The mission observed some body parts remaining on beaches and other locations. Most estimates put the total casualty figure conservatively at between 3 and 5,000, including up to 1,000 rebel fighters and an unknown number of ECOMOG and CDF combatants.

It is difficult to assess the extent of damage done to civilian properties. In the city centre up to 20% of the property stock may be seriously damaged. In the east the figure rises to up to 90% at locations such as Calaba Town. (See further below)

The rebel campaign, including its terrorisation elements, caused the displacement of at least 150,000 people into the city, before, during and since the battle for Freetown. The displacement has been responsible for an exacerbation of the humanitarian emergency (see the Humanitarian Plan of Action for Sierra Leone, February 1999) and the exposure of still greater numbers of civilians to conflict-related risk.

It should also be observed that abusive behaviour of rebel forces (see below) as well as the ongoing threat which they pose to Freetown form part of the background to the current perpetration by ECOMOG and CDF forces of unacceptable acts (see below)

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II. KILLING OF CIVILIANS BY REBEL FORCES

Rebel forces advancing into the and through the city on 6 and 7 January frequently forced civilians into the streets for use as human shields. People who refused to comply were either killed or had their proprieties destroyed. Many reports have also been received of the killing of persons who refused to obey instructions to dance and make music on the streets. A number of interviewees describe the execution of the entire populations of residential compounds for such misdemeanours. There are reports of compounds housing up to 50 people being targeted in this manner. Similar reports indicate that then and later people were executed because of their efforts to deter looting and to protect family members from assault or rape (see below). Persons caught attempting to escape from rebel custody were frequently killed. One witness saw six children killed at Wellington in mid-January in one such incident.

Much of the killing also seems to have been entirely arbitrary. Witnesses report such killings of men, women and children by rebel fighters, including an instance in which the perpetrator is stated to have been about ten years old, and another implicating and eight year old boy. It is frequently stated that perpetrators of such acts were under the influence of cocaine and other drugs, including alcohol. Killing occasionally occurred in the context of games in which people were lined up and the executioners teasingly chose who to kill and who to spare. In one such incident at Fourah Bay Road, around 21 January, three children were executed and their three sisters had limbs amputated or mutilated (see below). One man has described how he was ordered to choose between the execution of his entire family and the surrender of his daughter to a rebel fighter.

Some of those who were burned to death in their homes had been locked in or first been disabled by gunshot. A number of elderly people and infants also died in this manner. Others died while attempting to jump from burning buildings or after being shot while attempting to escape. One five-year-old girl survived being thrown into a fire at Blackhall Road on 28 January. A six-year-old girl was executed, together with her mother, on 23 January, at Wellington.

Rebel forces targeted many individuals and categories of person for execution. It is reported that over 200 police officers were killed, either at home or at their barracks in such locations as CID headquarters, Kingtom and Kissy. The means of execution included knives, machete and gunshot. One incident, on January 6, at the city-centre Cotton Tree, involved the killing by stabbing of eleven policemen. A number of prison officials appear to have been killed during and after the assault on Pademba Road Prison on 6 January.

An escapee from Pademba Road is reported to have allegedly led an attack on the Solicitor General, who was killed and decapitated. Two senior Government officials, the Resident Minister for the North and an Advisor to the President, were captured and killed. At least two journalists were sought out and killed

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(while other journalists, including foreign nationals, though not specifically targeted, were killed, injured or abducted).

A senior member of the human rights monitoring committees of the National Commission for Democracy and Human Rights (NCDHR) was killed together with her husband. They had been apprehended after a servant of theirs was tortured into revealing their whereabouts. Prior to her killing, the female victim, a diabetic, was denied access to her insulin medication. Commissioners of the NCDHR and leaders of Human Rights NGOs report that they successfully evaded attempts by rebels to locate and most-likely kill them. A group of senior human rights NGO officers subsequently escaped execution when a shell blast frightened away their would be killers. Executed senior officers of the Council of Churches and the NCRRR may have been targeted on the basis of their positions. A senior judge was shot but survived. Nigerian nationals also appear to have been targeted. One witness, on 8 January, observed two Nigerian traders whose throats were cut apparently on the basis of their nationality.

It is reported, but unconfirmed, that rebels in search of a medical doctor who is a well-known advocate of democracy, having failed to locate her at the small hospital which she runs in the east of the city, killed most of the patients and nurses. Also, reports that the patients of the psychiatric hospital at Kissy have been killed and that up to 200 hundred people were executed at a Kissy Mosque remain unverified at this time.

III. REBEL PERPETRATION OF MUTILATIONS AND AMPUTATIONS

In the first days of the fighting there were very few reports of amputations or mutilations. Some incidents did occur of amputation of limbs and degradation of the bodies of ECOMOG soldiers, such as at Ferry Junction, sometime between 6 and 8 January. By 10 January, civilians were being targeted. Exact figures for the rate of amputations and mutilations are unavailable. However, by 25 January, medical sources were indicating that many hundreds of such cases had been admitted for treatment. By that date, some 70 had been treated at just one medical facility, Connaught Hospital. Doctors emphasise that many victims either fail to seek medical attention or die following the attacks.

Amputation / mutilation victims include men, women and children. One of the youngest recorded victims is a six-year-old girl whose left arm was severed by an axe at Ashobi Corner, Blackhall Road, on 21 January. Most amputations are of one or both arms. Some victims have also lost a leg. One nine-year-old boy had his right leg amputated and was shot in the other leg in an incident at Circular Road on 14 January. Mutilations are commonly of the arms and often appear to be failed attempts at amputation of the hands. Some victims have lost fingers - one 9-year-old girl had four fingers severed by machete blows in an incident at Personage Street on 15 January.

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The mission witnessed a woman being admitted to Connaught Hospital, on 3 February, who reported that she had been injured in an otherwise unreported mutilation variant - the pouring over her body of boiling water.

IV. REBEL PERPETRATION OF RAPE AND SEXUAL ABUSE

Rape of females, including children, appears to have been a standard practice of the rebel combatants. Many people report that they witnessed acts of violent group rape, including in public places, including Kroo Town Road and Kissy. Persistent reports have been received from victims and witnesses indicating that young women and girls were rounded up in neighbourhoods of the city and obliged to report nightly to be sexually abused by rebel fighters.

The mission interviewed some of the victims of one well-documented incident of repeated rape which occurred in the Cline Town area, commencing on 8 January. The local rebel commander ordered that all virgin girls report for a physical examination. A female companion of the commander then checked the girls in order to verify their status as virgins. Those who passed the test, mostly aged between 12 and 15, were ordered to report each night for sexual abuse by the commander and his men. Some of the girls were subsequently abducted and taken away by the retreating rebels. A high incidence of rape of children is also reported from the Clay Factory Displaced Persons Centre from 15 to 25 January. Other reports have been received from the Pademba Road area, the city centre and Kingtom. One policeman in Kingtom reportedly saw his three daughters raped before they were abducted.

Former abductees of the rebels indicate that women captives were raped as a matter of course. One witness reported that female captives were told to submit or be killed. He saw three girls raped in these circumstances on 8 January. Many women and girls admitted to hospital with war-related injuries also report that they were raped.

A reliable report has been received that one pregnant woman lost her child after being raped and was paid "compensation money" by the perpetrator. Another informant reported the death of another pregnant women after she had been raped.

V. REBEL DEPLOYMENT OF CHILD SOLDIERS

A number of witnesses and victims report that a significant number of the rebel combatants were children. One military official puts the figure at some 10% of the rebel force. A patient at one hospital reports that his gunshot wound was inflicted by a boy aged no more than 8 years old. Another witness states that he saw a boy of about 11 years in command of a small group of fighters active in the city centre on 7 January. There are widespread reports that the rebels used

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children as snipers - one child fighter in ECOMOG custody confirmed that he had been a sniper.

A number of those reportedly summarily killed by ECOMOG for alleged rebel activities were children. An informant, described by UN officials as "reliable", states that an 8-year-old boy was executed by ECOMOG having been found with a pistol. A 14 year old boy was reportedly executed on 16 January, at Customs Post, Susan's Bay, and a 16 year old boy on 18 January, at Port Loko Wharf. (See below).

While most of the child combatants are assumed to be members of the RUF, former captives of the rebels state that a significant number of children of former SLA soldiers were active.

Many informants, including former abductees of the rebels, report that rebel child combatants were frequently under the influence of drugs and that their commanders encouraged this practice. A number of reports have been received of a high usage of cocaine, self-administered in open wounds on the arm which were then covered with adhesive tape.

VI. PERPETRATION OF ABDUCTION BY REBEL FORCES

The rebels abducted a large but unverifiable number of people. These include staff of UN agencies and NGOs, students, and people from all social backgrounds. One indication of the scale of the abductions is that childcare agencies had, by February 4, received 1192 reports of children who had gone missing since January 6. 300 of these had been physically taken from their parents by rebels. Anther indication is the report of a reliable informant who escaped from the rebels that some 500 people were held together with him in just one camp in the hills to the east of Freetown. He states that 75% of the captives were women aged from 12 to 20. The youngest abductee reported to the mission is a 9-year-old girl, taken from the Clay Factory Displaced Persons Centre on 23 January. A number of abductees either escaped or were released. A number of them have provided to the mission comprehensive information on their captivity.

Escapees report that young boy abductees tended to be used as porters or were selected for training as fighters. Older men were retained solely for porterage. Women and girls were retained to cook and for sexual purposes. One former abductee displayed to the mission the "brand" which rebels had applied to his arm with burning plastic.

A small number of prominent Sierra Leone personalities and foreigners were abducted and kept under close guard. The Sierra Leoneans included the Roman Catholic Archbishop of Freetown. Former President Momoh was also detained by the rebels following his removal from Pademba Road Prison. Foreign

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UNOMSIL

HUMAN RIGHTS ASSESSEMENT MISSION TO FREETOWN

25 JANUARY AND 1 TO 4 FEBRUARY 1999

FINDINGS AND RECOMMENDATIONS

INTRODUCTION

Pursuant to the provisions of Security Council resolutions 1181 (1998) of 13 July 1998 and 1220 (1999) of 12 January, 1999, the Human Rights Section of UNOMSIL was instructed by the Special Representative of the Secretary-General to conduct an investigation mission in Freetown (hereinafter, "the mission"). The mission occurred on 25 January and from 1 to 4 February. The mission sought to assess the nature and extent of violations and/or abuses of international human rights law and international humanitarian law perpetrated in the period since the rebel offensive on the city on 6 January 1999.

The mission was tasked with an assessment of the actions of all relevant actors in the light of applicable law. For purposes of this report applicable law is considered to include, inter-alia, the Geneva Conventions, including Common Article 3, customary and other non-conventional international human rights law, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women (all these instruments have been ratified by Sierra Leone).

Practices detailed in the report are referred to on the basis that they indicate violations, on the one hand, or abuse (i.e. actions which do not technically constitute violations), on the other, of international standards. Almost all such practices impugn or are inconsistent with multiple conventional and non-conventional standards. Accordingly, the report does not itemise the applicable legal provisions.

The report does not name victims, witnesses or alleged perpetrators. Some names or pseudonyms are on file with UNOMSIL. UNOMSIL is also in possession of or has access to documentary and photographic evidence of abusive activities.

MISSION ACTIVITIES

I. ADVANCE ACTIVITIES

Prior to the conducting of the mission, and during the period intervening between the two visits to Freetown, UNOMSIL interviewed some 35 persons, including religious and civil society leaders, who had left Freetown since January 6. These included former captives of the rebels, as well as witnesses to abusive activities of various armed forces. UNOMSIL also, to the extent possible, maintained contact with persons remaining in Freetown. Information was also provided on a regular basis by persons returning from brief visits to the city - including UNOMSIL personnel, UN agency staff and representatives of the NGO community.

II. FREETOWN PROGRAMME

The mission travelled throughout the city, visiting locations from Laka, in the Southwest, to Calaba Town in the East. Sites of incidents were visited and an overview of property damage was undertaken. Members of the mission also witnessed the perpetration of grave violations of human rights, including the right to life (see below).

Meetings were held with some 100 persons, including victims and witnesses of abusive behaviour, Government and ECOMOG officials, civil society and religious leaders, representatives of the human rights and humanitarian NGO communities, national staff of UNOMSIL and UN agencies, journalists and medical personnel. Information and views were also provided by CDF and Civil Defence Unit (CDU) personnel, medical patients, police officers and business people. The local print and broadcast media was surveyed on a daily basis.

The mission benefited from information and support provided by UNOMSIL military personnel and a UN Security Assessment Team, which were also present in Freetown during the mission dates.

III. FOLLOW UP ACTIVITIES

Following its return to Guinea, the team continued to interview persons arriving in Conakry from Freetown. Findings based on these interviews are taken account of in this report.

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FINDINGS

I. REBEL RESPONSIBILITY FOR THE CONFLICT AND THE HUMANITARIAN EMERGENCY

Ultimate responsibility for the fighting, most civilian casualties and the related humanitarian emergency in Freetown rests with the rebel forces. It was the rebel forces who undertook the assault on the city and who persisted in resisting ECOMOG, thereby extending the period of fighting and destruction within an area densely populated with civilians.

The actual number of civilian casualties will never be known. One mortuary worker in Freetown stated on 25 January that over 2,000 bodies of men, women and children had already been disposed of. Observers are also of the view that a large number of bodies remain in ruined or burned buildings in the centre and east of the city. Many others have been hastily buried on waste ground or in residential compounds. Multiple reports have also been received of bodies floating in the sea and its inlets within the city, as well as on the beaches. The mission observed some body parts remaining on beaches and other locations. Most estimates put the total casualty figure conservatively at between 3 and 5,000, including up to 1,000 rebel fighters and an unknown number of ECOMOG and CDF combatants.

It is difficult to assess the extent of damage done to civilian properties. In the city centre up to 20% of the property stock may be seriously damaged. In the east the figure rises to up to 90% at locations such as Calaba Town. (See further below)

The rebel campaign, including its terrorisation elements, caused the displacement of at least 150,000 people into the city, before, during and since the battle for Freetown. The displacement has been responsible for an exacerbation of the humanitarian emergency (see the Humanitarian Plan of Action for Sierra Leone, February 1999) and the exposure of still greater numbers of civilians to conflict-related risk.

It should also be observed that abusive behaviour of rebel forces (see below) as well as the ongoing threat which they pose to Freetown form part of the background to the current perpetration by ECOMOG and CDF forces of unacceptable acts (see below)

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II. KILLING OF CIVILIANS BY REBEL FORCES

Rebel forces advancing into the and through the city on 6 and 7 January frequently forced civilians into the streets for use as human shields. People who refused to comply were either killed or had their proprieties destroyed. Many reports have also been received of the killing of persons who refused to obey instructions to dance and make music on the streets. A number of interviewees describe the execution of the entire populations of residential compounds for such misdemeanours. There are reports of compounds housing up to 50 people being targeted in this manner. Similar reports indicate that then and later people were executed because of their efforts to deter looting and to protect family members from assault or rape (see below). Persons caught attempting to escape from rebel custody were frequently killed. One witness saw six children killed at Wellington in mid-January in one such incident.

Much of the killing also seems to have been entirely arbitrary. Witnesses report such killings of men, women and children by rebel fighters, including an instance in which the perpetrator is stated to have been about ten years old, and another implicating and eight year old boy. It is frequently stated that perpetrators of such acts were under the influence of cocaine and other drugs, including alcohol. Killing occasionally occurred in the context of games in which people were lined up and the executioners teasingly chose who to kill and who to spare. In one such incident at Fourah Bay Road, around 21 January, three children were executed and their three sisters had limbs amputated or mutilated (see below). One man has described how he was ordered to choose between the execution of his entire family and the surrender of his daughter to a rebel fighter.

Some of those who were burned to death in their homes had been locked in or first been disabled by gunshot. A number of elderly people and infants also died in this manner. Others died while attempting to jump from burning buildings or after being shot while attempting to escape. One five-year-old girl survived being thrown into a fire at Blackhall Road on 28 January. A six-year-old girl was executed, together with her mother, on 23 January, at Wellington.

Rebel forces targeted many individuals and categories of person for execution. It is reported that over 200 police officers were killed, either at home or at their barracks in such locations as CID headquarters, Kingtom and Kissy. The means of execution included knives, machete and gunshot. One incident, on January 6, at the city-centre Cotton Tree, involved the killing by stabbing of eleven policemen. A number of prison officials appear to have been killed during and after the assault on Pademba Road Prison on 6 January.

An escapee from Pademba Road is reported to have allegedly led an attack on the Solicitor General, who was killed and decapitated. Two senior Government officials, the Resident Minister for the North and an Advisor to the President, were captured and killed. At least two journalists were sought out and killed

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(while other journalists, including foreign nationals, though not specifically targeted, were killed, injured or abducted).

A senior member of the human rights monitoring committees of the National Commission for Democracy and Human Rights (NCDHR) was killed together with her husband. They had been apprehended after a servant of theirs was tortured into revealing their whereabouts. Prior to her killing, the female victim, a diabetic, was denied access to her insulin medication. Commissioners of the NCDHR and leaders of Human Rights NGOs report that they successfully evaded attempts by rebels to locate and most-likely kill them. A group of senior human rights NGO officers subsequently escaped execution when a shell blast frightened away their would be killers. Executed senior officers of the Council of Churches and the NCRRR may have been targeted on the basis of their positions. A senior judge was shot but survived. Nigerian nationals also appear to have been targeted. One witness, on 8 January, observed two Nigerian traders whose throats were cut apparently on the basis of their nationality.

It is reported, but unconfirmed, that rebels in search of a medical doctor who is a well-known advocate of democracy, having failed to locate her at the small hospital which she runs in the east of the city, killed most of the patients and nurses. Also, reports that the patients of the psychiatric hospital at Kissy have been killed and that up to 200 hundred people were executed at a Kissy Mosque remain unverified at this time.

III. REBEL PERPETRATION OF MUTILATIONS AND AMPUTATIONS

In the first days of the fighting there were very few reports of amputations or mutilations. Some incidents did occur of amputation of limbs and degradation of the bodies of ECOMOG soldiers, such as at Ferry Junction, sometime between 6 and 8 January. By 10 January, civilians were being targeted. Exact figures for the rate of amputations and mutilations are unavailable. However, by 25 January, medical sources were indicating that many hundreds of such cases had been admitted for treatment. By that date, some 70 had been treated at just one medical facility, Connaught Hospital. Doctors emphasise that many victims either fail to seek medical attention or die following the attacks.

Amputation / mutilation victims include men, women and children. One of the youngest recorded victims is a six-year-old girl whose left arm was severed by an axe at Ashobi Corner, Blackhall Road, on 21 January. Most amputations are of one or both arms. Some victims have also lost a leg. One nine-year-old boy had his right leg amputated and was shot in the other leg in an incident at Circular Road on 14 January. Mutilations are commonly of the arms and often appear to be failed attempts at amputation of the hands. Some victims have lost fingers - one 9-year-old girl had four fingers severed by machete blows in an incident at Personage Street on 15 January.

The mission witnessed a woman being admitted to Connaught Hospital, on 3 February, who reported that she had been injured in an otherwise unreported mutilation variant - the pouring over her body of boiling water.

IV. REBEL PERPETRATION OF RAPE AND SEXUAL ABUSE

Rape of females, including children, appears to have been a standard practice of the rebel combatants. Many people report that they witnessed acts of violent group rape, including in public places, including Kroo Town Road and Kissy. Persistent reports have been received from victims and witnesses indicating that young women and girls were rounded up in neighbourhoods of the city and obliged to report nightly to be sexually abused by rebel fighters.

The mission interviewed some of the victims of one well-documented incident of repeated rape which occurred in the Cline Town area, commencing on 8 January. The local rebel commander ordered that all virgin girls report for a physical examination. A female companion of the commander then checked the girls in order to verify their status as virgins. Those who passed the test, mostly aged between 12 and 15, were ordered to report each night for sexual abuse by the commander and his men. Some of the girls were subsequently abducted and taken away by the retreating rebels. A high incidence of rape of children is also reported from the Clay Factory Displaced Persons Centre from 15 to 25 January. Other reports have been received from the Pademba Road area, the city centre and Kingtom. One policeman in Kingtom reportedly saw his three daughters raped before they were abducted.

Former abductees of the rebels indicate that women captives were raped as a matter of course. One witness reported that female captives were told to submit or be killed. He saw three girls raped in these circumstances on 8 January. Many women and girls admitted to hospital with war-related injuries also report that they were raped.

A reliable report has been received that one pregnant woman lost her child after being raped and was paid "compensation money" by the perpetrator. Another informant reported the death of another pregnant women after she had been raped.

V. REBEL DEPLOYMENT OF CHILD SOLDIERS

A number of witnesses and victims report that a significant number of the rebel combatants were children. One military official puts the figure at some 10% of the rebel force. A patient at one hospital reports that his gunshot wound was inflicted by a boy aged no more than 8 years old. Another witness states that he saw a boy of about 11 years in command of a small group of fighters active in the city centre on 7 January. There are widespread reports that the rebels used

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children as snipers - one child fighter in ECOMOG custody confirmed that he had been a sniper.

A number of those reportedly summarily killed by ECOMOG for alleged rebel activities were children. An informant, described by UN officials as "reliable", states that an 8-year-old boy was executed by ECOMOG having been found with a pistol. A 14 year old boy was reportedly executed on 16 January, at Customs Post, Susan's Bay, and a 16 year old boy on 18 January, at Port Loko Wharf. (See below).

While most of the child combatants are assumed to be members of the RUF, former captives of the rebels state that a significant number of children of former SLA soldiers were active.

Many informants, including former abductees of the rebels, report that rebel child combatants were frequently under the influence of drugs and that their commanders encouraged this practice. A number of reports have been received of a high usage of cocaine, self-administered in open wounds on the arm which were then covered with adhesive tape.

VI. PERPETRATION OF ABDUCTION BY REBEL FORCES

The rebels abducted a large but unverifiable number of people. These include staff of UN agencies and NGOs, students, and people from all social backgrounds. One indication of the scale of the abductions is that childcare agencies had, by February 4, received 1192 reports of children who had gone missing since January 6. 300 of these had been physically taken from their parents by rebels. Anther indication is the report of a reliable informant who escaped from the rebels that some 500 people were held together with him in just one camp in the hills to the east of Freetown. He states that 75% of the captives were women aged from 12 to 20. The youngest abductee reported to the mission is a 9-year-old girl, taken from the Clay Factory Displaced Persons Centre on 23 January. A number of abductees either escaped or were released. A number of them have provided to the mission comprehensive information on their captivity.

Escapees report that young boy abductees tended to be used as porters or were selected for training as fighters. Older men were retained solely for porterage. Women and girls were retained to cook and for sexual purposes. One former abductee displayed to the mission the "brand" which rebels had applied to his arm with burning plastic.

A small number of prominent Sierra Leone personalities and foreigners were abducted and kept under close guard. The Sierra Leoneans included the Roman Catholic Archbishop of Freetown. Former President Momoh was also detained by the rebels following his removal from Pademba Road Prison. Foreign

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detainees, at one time or another, included 13 Indian workers, 6 Indian and one Kenyan Roman Catholic Sisters, five Italian and one Spanish Roman Catholic priests (including Fr. Mario Guerra who had been abducted during 1998), one Spanish and one French journalist. At least eight of the abductees were killed and two others seriously injured. At least two others of the abductees were subjected to ill treatment. Most of the remainder, including the Archbishop, have either escaped or been released. It is reported that forces unknown may have killed former President Momoh. The situation of another prominent Sierra Leonean abductee is unknown.

VII. DESTRUCTION OF CIVILIAN AND UTILITY PROPERTIES AND LOOTING

Rebel forces are responsible for the deliberate widespread destruction of civilian property and public utilities. Rates of destruction of the property stock have been noted above as some 20% in the city centre and rising to some 90% in the most easterly of hinterland population centres. In the city centre, however, some streets, such as Pademba Road, near the prison, Canton Street, parts of Kissy Road and West Street have been comprehensively destroyed. Destruction extends to the simple dwellings of indigent people, as well as churches, mosques, schools, orphanages, medical facilities, community centres, police stations, the City Hall, Pademba Road Prison, New England Prison, SLBS and other non-military service facilities.

Many of the destruction sites appear to have been arbitrarily chosen. Others were reportedly picked out because of the refusal of the residents to hand over sufficient cash or goods to looting rebels or because the occupants failed to obey instructions to come out on the streets, serve as "human shields" or hand over girls for sexual purposes.

Some other homes, businesses and public utilities appear to have been targeted because of their function or the public profile of the occupants. These include public utility buildings and the residences and offices of human rights activists, lawyers, journalists and Government officials. The UNOMSIL headquarters was largely destroyed by fire, including the offices and library of its Human Rights Section, and severe fire damage was done to UN House and other UN facilities. A number of diplomatic facilities were attacked, including the Nigerian High Commission, which was entirely destroyed.

It is reported that a large but unverifiable number of people were killed in the process of destruction of buildings (see above).

An unascertainable degree of the damage to the property stock was inflicted by ECOMOG, including as a result of aerial bombardment. It is reported, for instance, that aerial attacks inflicted damage in Fisher Street, Nicol Street, Coker Lane, Bombay Street, Wilberforce Street, Clay Factory Displaced Persons Centre and at the Basharia Mosque in Susan's Bay.

In the first days of the rebel offensive witnesses report that some rebel commanders executed fighters who engaged in looting. However, during that period and subsequently, rebel forces did engage in widespread theft of money and looting of residences and business properties. Witnesses report that rebels came to steal or loot from residential compounds in wave after wave over a period of days. An unverifiable number of people were killed due to their failure to satisfy the looters. There are also widespread reports of people being abducted to transport looted property to rebel camps.

The looting and destruction of commercial properties and food stores has exacerbated the humanitarian situation in Freetown and renders more problematic the restoration of the essential commercial infrastructure.

VIII. ACTIVITIES OF ECOMOG

(a) Summary Executions

Since the first days of the combat in Freetown there have been reports that ECOMOG was summarily executing detainees who were allegedly either rebels or rebel sympathisers. One if the earliest reliable reports was provided by a senior official of an international organisation who witnessed an execution on 14 January. From then persistent reports were received of executions at such locations as Aberdeen Bridge, Kingtom, Brookfields, Siaka Stephens Street, Ferry Junction, Connaught Hospital, Kissy Road, Susan's Bay, the National Stadium and Lumley. Witnesses of the highest probity state that they were present at executions. One such observer noted that at the three executions he had seen on 24 January, at Ferry Junction and Connaught Hospital, the victims were given a cursory interrogation and immediately shot. It is reported that a large number of executions have been perpetrated at Aberdeen Bridge. Witnesses report the killing or disposal of up to 40 bodies at that location. It is stated that the victims at Aberdeen Bridge are the overflow population of a police holding facility at Aberdeen village. The Mission observed extensive blood stains at Aberdeen Bridge on 25 January. Another reliable witness observed the bodies of seven execution victims at Kingtom on 3 February. Ten people were reportedly executed at the National Stadium on 30/31 January.

Reference has been made above to the alleged execution of an eight-year old boy caught in possession of a pistol. Humanitarian agencies report that a 14-year-old boy was executed at the Customs Post, Susan' s Bay, on 16 January. On 23 January, at the same location, ECOMOG is reported to have executed a 17-year-old girl.

The mission directly witnessed an execution at Connaught Hospital on 3 February. The following day a senior officer of an international NGO witnessed another execution at exactly the same site. In both cases the perpetrators were

in ECOMOG uniform and onlookers stated their view that the victims were rebel collaborators.

Witnesses make clear that, in all cases, the interrogation process was entirely inadequate and that there was no real effort to establish the guilt or innocence of executions victims. In one well-documented incident, on 10 January, three teenage boys were executed on Kissy Road after locals told ECOMOG that the boys were strangers to the area. The boys, all residents of Fisher Street, were returning from having buried their friend who had been killed earlier in the day.

It is reported that ECOMOG regained control of Connaught Hospital on 12 January. Well-considered witnesses allege that ECOMOG summarily executed some 20 patients who were pointed out to them to be rebels. The exact circumstances of the battle for control of the hospital and the behaviour of entering troops requires further investigation.

(b) Methods of warfare

ECOMOG jets have been employed in the conflict within the city. Certain civilian targets are listed above. Certain of the incidents have been partially documented by humanitarian workers. The bombing of a crowd of people on Wilberforce Street on 7 January resulted in the deaths of at least 20 civilians. ECOMOG described the incident as, "regrettable". The youngest reported victim of the bombing, on 14 January, of the Basharia Mosque was a ten-year-old girl. The youngest recorded victim of the 7 January bombing at Wilberforce Street, was an 8 year old girl.

On 3 February, Brigadier-General Khobe, Chief of the Sierra Leone Defence Staff, said that from now on ECOMOG would shoot at "human shields" and that, "if they try it again, we'll kill everything from the opposite direction".

(c) Other matters

ECOMOG has detained and physically mistreated national staff of a number of humanitarian NGOs and the ICRC, on the reportedly baseless grounds that they were rebel collaborators. Some are now released and the whereabouts of others are unverifiable at this time. UNOMSIL is in possession of detailed testimonies.

The mission has observed numerous incidents of ill treatment of persons detained at joint ECOMOG / CDF checkpoints. Among the forms of punishment observed are whipping, beating, varying types of public humiliation, and being bound extremely tightly.

In a welcome development, on 2 February, ECOMOG released to the care of humanitarian agencies some seven former rebel child combatants.

IX. ACTIVITIES OF CIVIL DEFENCE FORCES

Civil Defence Forces also bear responsibility for summary executions. On 3 February senior UN staff observed and photographed a newly severed human head displayed on a stick at a CDF checkpoint at Brookfields. A highly reliable witness observed the execution of a man at a checkpoint in Kingtom on 16 January. He reported that the CDF perpetrator was very excited and made no effort to interrogate the victim. Witnesses have reported a number of other such incidents to the mission. See above regarding activities at checkpoints. It is reliably reported that members of the Liberian community resident in Freetown and elsewhere, particularly those enjoying refugee status, have suffered discriminatory treatment and harassment by elements of CDF, CDU and ECOMOG.

X. USE OF THE MEDIA BY THE GOVERNMENT

The mission received repeated complaints that the Government, especially Minister Spencer, used the radio media to instil a false sense of security in residents of areas which had not yet been cleared of rebel activity. A number of informants state that relatives, friends and neighbours were killed by rebels, at locations such as Kissy, when they left their homes having heard the broadcast assurances that the areas were again under Government control.

XI. STATUS OF THE HUMAN RIGHTS COMMUNITY

This report has detailed the manner in which rebel forces targeted the lives and property of the leadership of the National Commission for Democracy and Human Rights, the human rights NGO community and civil society leaders. The destruction of the UNOMSIL human rights offices and library has also been described.

UNOMSIL facilitated the evacuation of a number of human rights activists on 27 December and was planning to extend the facility further at the time of the rebel offensive of 6 January.

Notwithstanding the difficult operational environment, the human rights community is currently active in Freetown. There is ongoing but limited monitoring of the human rights situation and chronicling of the period of rebel occupation. It is noteworthy that the human rights community is employing monitoring methodologies imparted in the various training programmes which were largely facilitated by UNOMSIL during 1998. The human rights community

is also volunteering to assist in humanitarian activities, such as registration of displaced persons and distribution of food.

UNOMSIL continues to support and provide technical assistance to the activities of the human rights community. There is also an active Sierra Leone human rights community temporarily in Conakry, Guinea. Conakry-based activities are focussed within the Human Rights Committee of the Humanitarian community and they benefit from support and assistance of UNOMSIL. The work of the Committee is described elsewhere.

RECOMMENDATIONS

It is recommended:

1. That UNOMSIL continue to closely monitor and report on the human rights situation in Freetown, including by continuation of the process of chronicling the events of the period of the rebel incursion. A comprehensive evaluation of the period will ultimately contribute to the process of peace building and effective reconciliation.

2. That UNOMSIL monitoring activities should continue to be conducted in accordance with the collaborative methods which have been developed during 1998. These methods can be rendered more effective by UNOMSIL support for the various data-gathering and analysis proposals being developed by the Human Rights community active in and concerning Sierra Leone.

3. That support and assistance continue to be provided by UNOMSIL to the National Commission for Democracy and Human Rights, the human rights NGO community and all other elements of the human rights community both in Sierra Leone and temporarily located in Conakry. Support can be evidenced by frequent visits to Freetown and active participation in the activities of the Conakry-based Human Rights Committee.

4. That consideration be given to the timely deployment to Sierra Leone of a human rights /criminal investigation team to identify and secure evidence of violations and abuses of human rights and international humanitarian law with a view to eventual prosecution of perpetrators. Consideration should be given to the team having a rolling mandate to undertake investigations of incidents perpetrated across the country.

5. That UNOMSIL advise that any future peace settlement should not purport to confer unconditional or blanket immunity from prosecution for the perpetrators of any grave violations of human rights or international humanitarian law. In this regard consideration should be given to establishment of an appropriately modelled truth commission process in Sierra Leone.

6. That UNOMSIL continue to urge the Government of Sierra Leone and ECOMOG to ensure their forces operate in conformity with the letter and spirit of international human rights and humanitarian law by, inter-alia, an immediate cessation of summary executions; and that UNOMSIL call on the authorities to detain and prosecute the alleged perpetrators of such acts.

7. That UNOMSIL urge the international community to provide financial or other assistance to the Government of Sierra Leone to facilitate the detention and care for prisoners in conformity with security requirements a nd international standards for treatment of prisoners.

FACT 63

In the Fifth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, dated 4 March 1999, the Secretary-General reported or noted that:

(a) rebel fighters belonging to the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF) attacked Freetown on 6 January 1999 (para. 2, ERN 00004266);

(b) many civilians were severely mutilated by the rebels and the rebels burnt down large numbers of public buildings and homes (para. 2, ERN 00004266);

(c) rebel forces reportedly rely on some foreign mercenaries, including Europeans and Liberians, and are reported to be receiving weapons from outside the country (para. 4, ERN 00004267);

(d) UNOMSIL human rights officers who visited Freetown in late January and early February to conduct an assessment of the situation there found that the ultimate responsibility for the fighting, for most of the civilian casualties, and for the related humanitarian emergency in Freetown rested with the rebel forces (paras. 20-21, ERN 00004270);

(e) estimates put the total casualties between 3,000 and 5,000, including rebel fighters and ECOMOG and CDF combatants. Two thousand of those casualties were feared to be civilian inhabitants of Freetown (para. 21, ERN 00004270);

(f) many civilians were killed while being used by the rebels as human shields in combat or because they reportedly refused to come into the streets to demonstrate in favour of the rebels. Many were killed while trying to protect family members from death or rape, or while trying to protect their property from looting and destruction (para. 21, ERN 00004270-00004271);

(g) much of the killing seemed to be arbitrary and to have been carried out by child fighters or rebel fighters under the influence of drugs or alcohol (para. 22, ERN 00004271);

(h) some of the murders were targeted, including, reportedly, the murder of 200 police personnel (para. 22, ERN 00004271);

(i) hundreds of civilians were treated for the amputation of limbs or other forms of mutilation. Victims included men, women and children, some as young as six years old. The mutilations were usually inflicted with machetes or axes (para. 23, ERN 00004271);

(j) there were reports of widespread rape and other forms of sexual abuse by rebel elements in Freetown and Makeni. Eyewitnesses in Freetown reported violent group rapes of young women and girls rounded up by the rebels (para. 24, ERN 00004271);

(k) a significant number of rebel combatants were children. Reports were received of death and injuries being inflicted by boys as young as eight to 11 years old (para. 25, ERN 00004271);

(l) the rebels abducted a large number of people in Freetown and other places they attacked. Boys were selected for training as fighters or used as porters. Women and girls were taken for sexual purposes or to cook food (para. 26, ERN 00004271);

(m) rebel forces were also responsible for the deliberate widespread destruction of civilian property and public utilities in Freetown and other locations, such as Makeni and Kambia. In the centre of Freetown, about 20 percent of the housing stock was destroyed, with as much as 90 percent destroyed in the eastern outskirts of the city (para. 27, ERN 00004271-00004272).

a.	Exh. 1.008	ERN 00004266-00004279	Fifth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1999/237), 4 March 1999.

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FIFTH REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN SIERRA LEONE

I. INTRODUCTION

1. On the basis of my reports dated 16 December 1998 (S/1998/1176) and 7 January 1999 (S/1999/20), the Security Council, on 12 January 1999, adopted resolution 1220 (1999). By paragraph 3 of that resolution, the Security Council requested me to keep the Council closely informed on the situation in Sierra Leone and to submit a further report, by 5 March 1999, with recommendations on the future deployment of the United Nations Observer Mission in Sierra Leone (UNOMSIL) and the implementation of its mandate. The present report is submitted in accordance with that request.

II. MILITARY AND SECURITY DEVELOPMENTS

Rebel attack on Freetown and its aftermath

2. As described in my report of 7 January 1999 (see S/1999/20, para. 10), rebel fighters belonging to the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF) attacked Freetown on 6 January 1999. The rebels attacked the city from the east and penetrated as far as the centre, which they held for four days before being forced to withdraw by a counterattack. The fighting resulted in the deaths of between 3,000 and 5,000 persons, including rebel fighters, soldiers of the Economic Community of West African States Monitoring Group (ECOMOG), members of the Civil Defence Force (CDF) militia who were defending the capital and large numbers of civilian inhabitants. Many civilians were severely mutilated by the rebels. Up to 150,000 people were displaced in and around Freetown, and the rebels burnt down large numbers of public buildings and homes. A fuller description of the atrocities is contained in section IV below.

3. After fierce fighting, ECOMOG forces located in the western part of Freetown, reinforced from the main ECOMOG base at Lungi, managed to expel the rebels and regain control of the city. However, several thousand rebels are thought to remain in the Peninsula Mountains surrounding Freetown, despite ECOMOG and CDF efforts to dislodge them. It is also believed that unknown numbers of rebels might have infiltrated the city and remain there ready to

launch further attacks. Consequently, the security situation in Freetown, despite recent improvements, should still be considered volatile. On 24 February, ECOMOG succeeded in expelling the rebels from Waterloo, although they remain in a position to cut the main road from Freetown to Bo and Kenema.

4. The rebels are now thought to control much of the north of the country, though ECOMOG has, with varying success, contested rebel control around Lunsar, Port Loko and Kambia, and retains possession of Kabala and Bumbuna. In the south, ECOMOG has repulsed several rebel attacks on Kenema. Around Bo, the second largest city in Sierra Leone, the situation remains calm but tense. Rebel forces reportedly rely on some foreign mercenaries, including Europeans and Liberians, and are reported to be receiving weapons from outside the country.

5. During the crisis, which began in mid-December, ECOMOG received several thousand reinforcements from Nigeria, Ghana, Guinea and Mali. However, some doubt has been cast over the longer-term future of ECOMOG in Sierra Leone in the light of statements made by candidates in the Nigerian elections. The contribution of Nigeria to ECOMOG has been so central that ECOMOG's military viability could be threatened if that contribution were reduced. Though efforts to create a Sierra Leonean army deserve further support, the army is unlikely to be able to bear the burden alone, at least for the foreseeable future.

6. UNOMSIL evacuated all its international personnel, many of its vehicles and much of its equipment immediately prior to the 6 January attack, as did other United Nations agencies, Governments and many non-governmental organizations (NGOs) represented in Sierra Leone. The relocation was followed by a substantial reduction in the number of staff, in particular military and civilian police. The remaining staff will stay in Conakry until the security situation is considered acceptable. My Special Representative, Francis G. Okelo, and members of his civilian and military staff, including the Chief Military Observer, Brigadier-General Subhash Joshi (India), have paid brief visits to Freetown to study the situation first-hand and to maintain contacts with the Government of Sierra Leone and with ECOMOG, as well as with civil society. On 3 March, following improvements in the security situation, it was decided to permit the return of a limited number of United Nations personnel as soon as possible. The security situation will continue to be kept under close review.

Disarmament and demobilization

7. Following the rebel offensive in December and January, ex-soldiers in the disarmament and demobilization camp at Lungi were relocated by the Government in Freetown. The majority of them appear to have either joined the rebels or disappeared, while some lost their lives during the rebel attack on Freetown. On 4 February 1999, the National Committee on Disarmament, Demobilization and Reintegration held an emergency meeting to examine the situation regarding ex-combatants. During the meeting, the Vice-President stated that there was no change in the Government's policy on disarmament, demobilization and reintegration. As of February 1999, approximately 1,000 of the 3,000 ex-combatants originally at the Lungi Demobilization Centre had reported to ECOMOG and now are temporarily located within Freetown. At the meeting it was

in Abidjan on 21 February to ascertain the RUF commitment to the dialogue and the peace process and to discuss how best to expedite the internal RUF consultations pursuant to President Kabbah's offer of a dialogue. These discussions also dealt with a number of issues, including the venue, format and duration of the internal RUF consultations; a ceasefire; respect for human rights; and the provision of humanitarian assistance. The outcome of these preliminary discussions is now being reviewed by the Government of Sierra Leone and other members of ECOWAS. Should agreement be reached on a venue for talks outside Sierra Leone, it would be necessary to temporarily lift the ban on the travel of RUF leaders imposed by Security Council resolution 1132 (1997) of 8 October 1997.

Relations between Sierra Leone and Liberia

18. In response to repeated allegations that the Government of Liberia was supporting the Sierra Leonean rebels (see S/1999/20, paras. 14 and 15), the Liberian Government issued a statement, circulated as document S/1999/193, on the conflict in Sierra Leone. In the statement, the Government reaffirmed its recognition of the Government of President Ahmad Tejan Kabbah as the legitimate Government of Sierra Leone, and stated further that it had not and would not support, nor be a party to, any attempt to destabilize the Republic of Sierra Leone or any other country.

19. The Government of Liberia also announced in its statement that it had launched an effort to repatriate and offer amnesty to Liberians fighting in Sierra Leone and, as a matter of urgency, requested the United Nations to assist the Governments of Sierra Leone and Liberia in identifying, documenting and processing Liberians fighting in Sierra Leone for an organized repatriation. The Government of Liberia also renewed its request to the Security Council to approve the deployment of United Nations monitors along with ECOMOG forces at the Liberia/Sierra Leone border in the light of repeated allegations of illegal shipments of arms to the rebels.

IV. HUMAN RIGHTS

20. In late January and early February, UNOMSIL human rights officers visited Freetown to conduct an assessment of the situation there. The assessment team travelled extensively within the city and interviewed numerous people, including victims of mutilations and other human rights violations. Members of the team witnessed violations during their visit. UNOMSIL human rights officers have also continued to monitor the situation in the rest of the country and have undertaken a range of technical assistance activities.

21. The team found that the ultimate responsibility for the fighting, for most of the civilian casualties and for the related humanitarian emergency in Freetown rested with the rebel forces. Though it was impossible to state with precision the actual number of civilian casualties, most estimates put the total casualty figure at between 3,000 and 5,000, including rebel fighters and ECOMOG and CDF combatants. It is feared that at least 2,000 of those casualties were civilian inhabitants of Freetown. Many civilians were killed while being used by the rebels as human shields in combat, or because they reportedly refused to

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come out into the streets to demonstrate in favour of the rebels. Many were killed while trying to protect family members from death or rape, or while trying to protect their property from looting and destruction.

22. Much of the killing seems to have been arbitrary and to have been carried out by child fighters or rebel fighters under the influence of drugs or alcohol. However, there is also evidence that some of the murders were targeted, including, reportedly, the murder of 200 police personnel. The Solicitor General was killed during the fighting, as were the Resident Minister for the North, an adviser to President Kabbah and at least two journalists. Other victims who appear to have been deliberately targeted include senior officials of the Sierra Leonean National Commission for Democracy and Human Rights, the Council of Churches and the National Commission for Rehabilitation, Reconstruction and Reintegration, as well as Nigerian nationals.

23. According to medical sources interviewed by the human rights assessment team, many hundreds of civilians were treated for the amputation of limbs or other forms of mutilation, including some 70 at Connaught Hospital alone. It is feared that hundreds of other victims of mutilation did not survive to seek treatment. Victims of amputation and mutilation included men, women and children, some as young as six years old. The mutilations were usually inflicted with machetes or axes. During February, there was a sharp drop in reported incidents of mutilation by rebel elements in areas where they are located.

24. There have been reports of widespread rape and other forms of sexual abuse by rebel elements in Freetown and Makeni. In Freetown, eyewitnesses reported incidents of violent group rape of young women and girls rounded up by the rebels for that heinous purpose. Many rape victims were reported to have been subsequently abducted, mutilated or killed.

25. A significant number of the rebel combatants were children. Reports were received of death and injuries being inflicted by boys as young as eight to 11 years old.

26. The rebels abducted a large but unverifiable number of people in Freetown and other places they attacked. By mid-February, child care agencies reported that some 2,000 children had gone missing in Freetown alone since 6 January. Agency staff said they had witnessed the abduction by rebels of some 300 of these children. Escapees reported that abducted boys were selected for training as fighters, or used as porters. Women and girls were taken for sexual purposes or to cook food. A small number of prominent Sierra Leonean personalities and foreigners were also abducted, including the Roman Catholic Archbishop of Freetown. Foreign abductees included several Indian workers, Roman Catholic nuns of Indian and Kenyan nationality and one Spanish and one French journalist. Though some managed to escape, at least eight abductees were killed and two seriously injured. Rebels continue to hold Roman Catholic Mission personnel abducted at Makeni and Kambia.

27. Rebel forces were also responsible for the deliberate widespread destruction of civilian property and public utilities in Freetown and other locations, such as Makeni and Kambia. In the centre of Freetown, about

20 per cent of the housing stock was destroyed, with as much as 90 per cent destroyed in the eastern outskirts of the city. Some public facilities appear to have been deliberately demolished, including police stations, the Pademba Road prison, the Nigerian High Commission and UNOMSIL headquarters. The residences of human rights activists, lawyers, journalists and Government officials were also targeted, as well as churches, mosques and hospitals.

28. Eyewitnesses interviewed by the assessment team also reported summary executions of alleged rebels or rebel sympathizers by ECOMOG soldiers. Persistent reports were received of executions in various parts of Freetown, sometimes carried out after a cursory interrogation. One alleged victim of summary execution was an eight-year-old boy caught in possession of a pistol. Members of the assessment team witnessed an execution at Connaught Hospital on 3 February by men in ECOMOG uniforms. Members of CDF are also accused of mistreating civilians during the crisis in Freetown. ECOMOG jets attacking Freetown during the fighting are also reported to have caused civilian casualties. ECOMOG soldiers also detained and physically mistreated national staff members of a number of humanitarian NGOs and the International Committee of the Red Cross, apparently accusing them, without evidence, of being rebel collaborators. ECOMOG High Command has subsequently indicated to my Special Representative their intention to investigate these allegations and to take corrective action as necessary.

29. UNOMSIL continues to provide technical assistance to the National Commission for Democracy and Human Rights and the National Forum for Human Rights to assist them in carrying out their human rights monitoring, reporting and advocacy activities within Sierra Leone. It also works closely with the humanitarian community to ensure that they integrate issues of human rights into their current activities.

30. Facilitated by UNOMSIL, a Human Rights Committee for Sierra Leone has been temporarily established in Conakry, comprising the Sierra Leonean National Commission for Democracy and Human Rights, the National Forum for Human Rights, United Nations agencies, humanitarian organizations and UNOMSIL. The Committee is facilitating the active participation of the human rights community in the process of peace-building in Sierra Leone. In the coming weeks, if possible, significant activities of the Committee will be re-located to Freetown.

V. HUMANITARIAN SITUATION

31. Since my previous report, the humanitarian situation in Sierra Leone has drastically deteriorated, following the latest round of fighting, which culminated in the rebel attack on Freetown on 6 January 1999. The number of refugees in neighbouring countries has increased to an estimated 450,000, with an estimated 700,000 internally displaced persons. With ECOMOG expanding its hold on the capital, the number of known vulnerable displaced persons in Freetown is now estimated at 200,000, out of which some 60,000 have sought refuge in the national stadium. Many more are living in abandoned churches and schools.

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II. KILLING OF CIVILIANS BY REBEL FORCES

Rebel forces advancing into the and through the city on 6 and 7 January frequently forced civilians into the streets for use as human shields. People who refused to comply were either killed or had their proprieties destroyed. Many reports have also been received of the killing of persons who refused to obey instructions to dance and make music on the streets. A number of interviewees describe the execution of the entire populations of residential compounds for such misdemeanours. There are reports of compounds housing up to 50 people being targeted in this manner. Similar reports indicate that then and later people were executed because of their efforts to deter looting and to protect family members from assault or rape (see below). Persons caught attempting to escape from rebel custody were frequently killed. One witness saw six children killed at Wellington in mid-January in one such incident.

Much of the killing also seems to have been entirely arbitrary. Witnesses report such killings of men, women and children by rebel fighters, including an instance in which the perpetrator is stated to have been about ten years old, and another implicating and eight year old boy. It is frequently stated that perpetrators of such acts were under the influence of cocaine and other drugs, including alcohol. Killing occasionally occurred in the context of games in which people were lined up and the executioners teasingly chose who to kill and who to spare. In one such incident at Fourah Bay Road, around 21 January, three children were executed and their three sisters had limbs amputated or mutilated (see below). One man has described how he was ordered to choose between the execution of his entire family and the surrender of his daughter to a rebel fighter.

Some of those who were burned to death in their homes had been locked in or first been disabled by gunshot. A number of elderly people and infants also died in this manner. Others died while attempting to jump from burning buildings or after being shot while attempting to escape. One five-year-old girl survived being thrown into a fire at Blackhall Road on 28 January. A six-year-old girl was executed, together with her mother, on 23 January, at Wellington.

Rebel forces targeted many individuals and categories of person for execution. It is reported that over 200 police officers were killed, either at home or at their barracks in such locations as CID headquarters, Kingtom and Kissy. The means of execution included knives, machete and gunshot. One incident, on January 6, at the city-centre Cotton Tree, involved the killing by stabbing of eleven policemen. A number of prison officials appear to have been killed during and after the assault on Pademba Road Prison on 6 January.

An escapee from Pademba Road is reported to have allegedly led an attack on the Solicitor General, who was killed and decapitated. Two senior Government officials, the Resident Minister for the North and an Advisor to the President, were captured and killed. At least two journalists were sought out and killed

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(while other journalists, including foreign nationals, though not specifically targeted, were killed, injured or abducted).

A senior member of the human rights monitoring committees of the National Commission for Democracy and Human Rights (NCDHR) was killed together with her husband. They had been apprehended after a servant of theirs was tortured into revealing their whereabouts. Prior to her killing, the female victim, a diabetic, was denied access to her insulin medication. Commissioners of the NCDHR and leaders of Human Rights NGOs report that they successfully evaded attempts by rebels to locate and most-likely kill them. A group of senior human rights NGO officers subsequently escaped execution when a shell blast frightened away their would be killers. Executed senior officers of the Council of Churches and the NCRRR may have been targeted on the basis of their positions. A senior judge was shot but survived. Nigerian nationals also appear to have been targeted. One witness, on 8 January, observed two Nigerian traders whose throats were cut apparently on the basis of their nationality.

It is reported, but unconfirmed, that rebels in search of a medical doctor who is a well-known advocate of democracy, having failed to locate her at the small hospital which she runs in the east of the city, killed most of the patients and nurses. Also, reports that the patients of the psychiatric hospital at Kissy have been killed and that up to 200 hundred people were executed at a Kissy Mosque remain unverified at this time.

III. REBEL PERPETRATION OF MUTILATIONS AND AMPUTATIONS

In the first days of the fighting there were very few reports of amputations or mutilations. Some incidents did occur of amputation of limbs and degradation of the bodies of ECOMOG soldiers, such as at Ferry Junction, sometime between 6 and 8 January. By 10 January, civilians were being targeted. Exact figures for the rate of amputations and mutilations are unavailable. However, by 25 January, medical sources were indicating that many hundreds of such cases had been admitted for treatment. By that date, some 70 had been treated at just one medical facility, Connaught Hospital. Doctors emphasise that many victims either fail to seek medical attention or die following the attacks.

Amputation / mutilation victims include men, women and children. One of the youngest recorded victims is a six-year-old girl whose left arm was severed by an axe at Ashobi Corner, Blackhall Road, on 21 January. Most amputations are of one or both arms. Some victims have also lost a leg. One nine-year-old boy had his right leg amputated and was shot in the other leg in an incident at Circular Road on 14 January. Mutilations are commonly of the arms and often appear to be failed attempts at amputation of the hands. Some victims have lost fingers - one 9-year-old girl had four fingers severed by machete blows in an incident at Personage Street on 15 January.

The mission witnessed a woman being admitted to Connaught Hospital, on 3 February, who reported that she had been injured in an otherwise unreported mutilation variant - the pouring over her body of boiling water.

IV. REBEL PERPETRATION OF RAPE AND SEXUAL ABUSE

Rape of females, including children, appears to have been a standard practice of the rebel combatants. Many people report that they witnessed acts of violent group rape, including in public places, including Kroo Town Road and Kissy. Persistent reports have been received from victims and witnesses indicating that young women and girls were rounded up in neighbourhoods of the city and obliged to report nightly to be sexually abused by rebel fighters.

The mission interviewed some of the victims of one well-documented incident of repeated rape which occurred in the Cline Town area, commencing on 8 January. The local rebel commander ordered that all virgin girls report for a physical examination. A female companion of the commander then checked the girls in order to verify their status as virgins. Those who passed the test, mostly aged between 12 and 15, were ordered to report each night for sexual abuse by the commander and his men. Some of the girls were subsequently abducted and taken away by the retreating rebels. A high incidence of rape of children is also reported from the Clay Factory Displaced Persons Centre from 15 to 25 January. Other reports have been received from the Pademba Road area, the city centre and Kingtom. One policeman in Kingtom reportedly saw his three daughters raped before they were abducted.

Former abductees of the rebels indicate that women captives were raped as a matter of course. One witness reported that female captives were told to submit or be killed. He saw three girls raped in these circumstances on 8 January. Many women and girls admitted to hospital with war-related injuries also report that they were raped.

A reliable report has been received that one pregnant woman lost her child after being raped and was paid "compensation money" by the perpetrator. Another informant reported the death of another pregnant women after she had been raped.

V. REBEL DEPLOYMENT OF CHILD SOLDIERS

A number of witnesses and victims report that a significant number of the rebel combatants were children. One military official puts the figure at some 10% of the rebel force. A patient at one hospital reports that his gunshot wound was inflicted by a boy aged no more than 8 years old. Another witness states that he saw a boy of about 11 years in command of a small group of fighters active in the city centre on 7 January. There are widespread reports that the rebels used

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children as snipers - one child fighter in ECOMOG custody confirmed that he had been a sniper.

A number of those reportedly summarily killed by ECOMOG for alleged rebel activities were children. An informant, described by UN officials as "reliable", states that an 8-year-old boy was executed by ECOMOG having been found with a pistol. A 14 year old boy was reportedly executed on 16 January, at Customs Post, Susan's Bay, and a 16 year old boy on 18 January, at Port Loko Wharf. (See below).

While most of the child combatants are assumed to be members of the RUF, former captives of the rebels state that a significant number of children of former SLA soldiers were active.

Many informants, including former abductees of the rebels, report that rebel child combatants were frequently under the influence of drugs and that their commanders encouraged this practice. A number of reports have been received of a high usage of cocaine, self-administered in open wounds on the arm which were then covered with adhesive tape.

VI. PERPETRATION OF ABDUCTION BY REBEL FORCES

The rebels abducted a large but unverifiable number of people. These include staff of UN agencies and NGOs, students, and people from all social backgrounds. One indication of the scale of the abductions is that childcare agencies had, by February 4, received 1192 reports of children who had gone missing since January 6. 300 of these had been physically taken from their parents by rebels. Anther indication is the report of a reliable informant who escaped from the rebels that some 500 people were held together with him in just one camp in the hills to the east of Freetown. He states that 75% of the captives were women aged from 12 to 20. The youngest abductee reported to the mission is a 9-year-old girl, taken from the Clay Factory Displaced Persons Centre on 23 January. A number of abductees either escaped or were released. A number of them have provided to the mission comprehensive information on their captivity.

Escapees report that young boy abductees tended to be used as porters or were selected for training as fighters. Older men were retained solely for porterage. Women and girls were retained to cook and for sexual purposes. One former abductee displayed to the mission the "brand" which rebels had applied to his arm with burning plastic.

A small number of prominent Sierra Leone personalities and foreigners were abducted and kept under close guard. The Sierra Leoneans included the Roman Catholic Archbishop of Freetown. Former President Momoh was also detained by the rebels following his removal from Pademba Road Prison. Foreign

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detainees, at one time or another, included 13 Indian workers, 6 Indian and one Kenyan Roman Catholic Sisters, five Italian and one Spanish Roman Catholic priests (including Fr. Mario Guerra who had been abducted during 1998), one Spanish and one French journalist. At least eight of the abductees were killed and two others seriously injured. At least two others of the abductees were subjected to ill treatment. Most of the remainder, including the Archbishop, have either escaped or been released. It is reported that forces unknown may have killed former President Momoh. The situation of another prominent Sierra Leonean abductee is unknown.

VII. DESTRUCTION OF CIVILIAN AND UTILITY PROPERTIES AND LOOTING

Rebel forces are responsible for the deliberate widespread destruction of civilian property and public utilities. Rates of destruction of the property stock have been noted above as some 20% in the city centre and rising to some 90% in the most easterly of hinterland population centres. In the city centre, however, some streets, such as Pademba Road, near the prison, Canton Street, parts of Kissy Road and West Street have been comprehensively destroyed. Destruction extends to the simple dwellings of indigent people, as well as churches, mosques, schools, orphanages, medical facilities, community centres, police stations, the City Hall, Pademba Road Prison, New England Prison, SLBS and other non-military service facilities.

Many of the destruction sites appear to have been arbitrarily chosen. Others were reportedly picked out because of the refusal of the residents to hand over sufficient cash or goods to looting rebels or because the occupants failed to obey instructions to come out on the streets, serve as "human shields" or hand over girls for sexual purposes.

Some other homes, businesses and public utilities appear to have been targeted because of their function or the public profile of the occupants. These include public utility buildings and the residences and offices of human rights activists, lawyers, journalists and Government officials. The UNOMSIL headquarters was largely destroyed by fire, including the offices and library of its Human Rights Section, and severe fire damage was done to UN House and other UN facilities. A number of diplomatic facilities were attacked, including the Nigerian High Commission, which was entirely destroyed.

It is reported that a large but unverifiable number of people were killed in the process of destruction of buildings (see above).

An unascertainable degree of the damage to the property stock was inflicted by ECOMOG, including as a result of aerial bombardment. It is reported, for instance, that aerial attacks inflicted damage in Fisher Street, Nicol Street, Coker Lane, Bombay Street, Wilberforce Street, Clay Factory Displaced Persons Centre and at the Basharia Mosque in Susan's Bay.

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In the first days of the rebel offensive witnesses report that some rebel commanders executed fighters who engaged in looting. However, during that period and subsequently, rebel forces did engage in widespread theft of money and looting of residences and business properties. Witnesses report that rebels came to steal or loot from residential compounds in wave after wave over a period of days. An unverifiable number of people were killed due to their failure to satisfy the looters. There are also widespread reports of people being abducted to transport looted property to rebel camps.

The looting and destruction of commercial properties and food stores has exacerbated the humanitarian situation in Freetown and renders more problematic the restoration of the essential commercial infrastructure.

VIII. ACTIVITIES OF ECOMOG

(a) Summary Executions

Since the first days of the combat in Freetown there have been reports that ECOMOG was summarily executing detainees who were allegedly either rebels or rebel sympathisers. One if the earliest reliable reports was provided by a senior official of an international organisation who witnessed an execution on 14 January. From then persistent reports were received of executions at such locations as Aberdeen Bridge, Kingtom, Brookfields, Siaka Stephens Street, Ferry Junction, Connaught Hospital, Kissy Road, Susan's Bay, the National Stadium and Lumley. Witnesses of the highest probity state that they were present at executions. One such observer noted that at the three executions he had seen on 24 January, at Ferry Junction and Connaught Hospital, the victims were given a cursory interrogation and immediately shot. It is reported that a large number of executions have been perpetrated at Aberdeen Bridge. Witnesses report the killing or disposal of up to 40 bodies at that location. It is stated that the victims at Aberdeen Bridge are the overflow population of a police holding facility at Aberdeen village. The Mission observed extensive blood stains at Aberdeen Bridge on 25 January. Another reliable witness observed the bodies of seven execution victims at Kingtom on 3 February. Ten people were reportedly executed at the National Stadium on 30/31 January.

Reference has been made above to the alleged execution of an eight-year old boy caught in possession of a pistol. Humanitarian agencies report that a 14-year-old boy was executed at the Customs Post, Susan' s Bay, on 16 January. On 23 January, at the same location, ECOMOG is reported to have executed a 17-year-old girl.

The mission directly witnessed an execution at Connaught Hospital on 3 February. The following day a senior officer of an international NGO witnessed another execution at exactly the same site. In both cases the perpetrators were

in ECOMOG uniform and onlookers stated their view that the victims were rebel collaborators.

Witnesses make clear that, in all cases, the interrogation process was entirely inadequate and that there was no real effort to establish the guilt or innocence of executions victims. In one well-documented incident, on 10 January, three teenage boys were executed on Kissy Road after locals told ECOMOG that the boys were strangers to the area. The boys, all residents of Fisher Street, were returning from having buried their friend who had been killed earlier in the day.

It is reported that ECOMOG regained control of Connaught Hospital on 12 January. Well-considered witnesses allege that ECOMOG summarily executed some 20 patients who were pointed out to them to be rebels. The exact circumstances of the battle for control of the hospital and the behaviour of entering troops requires further investigation.

(b) Methods of warfare

ECOMOG jets have been employed in the conflict within the city. Certain civilian targets are listed above. Certain of the incidents have been partially documented by humanitarian workers. The bombing of a crowd of people on Wilberforce Street on 7 January resulted in the deaths of at least 20 civilians. ECOMOG described the incident as, "regrettable". The youngest reported victim of the bombing, on 14 January, of the Basharia Mosque was a ten-year-old girl. The youngest recorded victim of the 7 January bombing at Wilberforce Street, was an 8 year old girl.

On 3 February, Brigadier-General Khobe, Chief of the Sierra Leone Defence Staff, said that from now on ECOMOG would shoot at "human shields" and that, "if they try it again, we'll kill everything from the opposite direction".

(c) Other matters

ECOMOG has detained and physically mistreated national staff of a number of humanitarian NGOs and the ICRC, on the reportedly baseless grounds that they were rebel collaborators. Some are now released and the whereabouts of others are unverifiable at this time. UNOMSIL is in possession of detailed testimonies.

The mission has observed numerous incidents of ill treatment of persons detained at joint ECOMOG / CDF checkpoints. Among the forms of punishment observed are whipping, beating, varying types of public humiliation, and being bound extremely tightly.

In a welcome development, on 2 February, ECOMOG released to the care of humanitarian agencies some seven former rebel child combatants.

IX. ACTIVITIES OF CIVIL DEFENCE FORCES

Civil Defence Forces also bear responsibility for summary executions. On 3 February senior UN staff observed and photographed a newly severed human head displayed on a stick at a CDF checkpoint at Brookfields. A highly reliable witness observed the execution of a man at a checkpoint in Kingtom on 16 January. He reported that the CDF perpetrator was very excited and made no effort to interrogate the victim. Witnesses have reported a number of other such incidents to the mission. See above regarding activities at checkpoints. It is reliably reported that members of the Liberian community resident in Freetown and elsewhere, particularly those enjoying refugee status, have suffered discriminatory treatment and harassment by elements of CDF, CDU and ECOMOG.

X. USE OF THE MEDIA BY THE GOVERNMENT

The mission received repeated complaints that the Government, especially Minister Spencer, used the radio media to instil a false sense of security in residents of areas which had not yet been cleared of rebel activity. A number of informants state that relatives, friends and neighbours were killed by rebels, at locations such as Kissy, when they left their homes having heard the broadcast assurances that the areas were again under Government control.

XI. STATUS OF THE HUMAN RIGHTS COMMUNITY

This report has detailed the manner in which rebel forces targeted the lives and property of the leadership of the National Commission for Democracy and Human Rights, the human rights NGO community and civil society leaders. The destruction of the UNOMSIL human rights offices and library has also been described.

UNOMSIL facilitated the evacuation of a number of human rights activists on 27 December and was planning to extend the facility further at the time of the rebel offensive of 6 January.

Notwithstanding the difficult operational environment, the human rights community is currently active in Freetown. There is ongoing but limited monitoring of the human rights situation and chronicling of the period of rebel occupation. It is noteworthy that the human rights community is employing monitoring methodologies imparted in the various training programmes which were largely facilitated by UNOMSIL during 1998. The human rights community

is also volunteering to assist in humanitarian activities, such as registration of displaced persons and distribution of food.

UNOMSIL continues to support and provide technical assistance to the activities of the human rights community. There is also an active Sierra Leone human rights community temporarily in Conakry, Guinea. Conakry-based activities are focussed within the Human Rights Committee of the Humanitarian community and they benefit from support and assistance of UNOMSIL. The work of the Committee is described elsewhere.

RECOMMENDATIONS

It is recommended:

1. That UNOMSIL continue to closely monitor and report on the human rights situation in Freetown, including by continuation of the process of chronicling the events of the period of the rebel incursion. A comprehensive evaluation of the period will ultimately contribute to the process of peace building and effective reconciliation.

2. That UNOMSIL monitoring activities should continue to be conducted in accordance with the collaborative methods which have been developed during 1998. These methods can be rendered more effective by UNOMSIL support for the various data-gathering and analysis proposals being developed by the Human Rights community active in and concerning Sierra Leone.

3. That support and assistance continue to be provided by UNOMSIL to the National Commission for Democracy and Human Rights, the human rights NGO community and all other elements of the human rights community both in Sierra Leone and temporarily located in Conakry. Support can be evidenced by frequent visits to Freetown and active participation in the activities of the Conakry-based Human Rights Committee.

4. That consideration be given to the timely deployment to Sierra Leone of a human rights /criminal investigation team to identify and secure evidence of violations and abuses of human rights and international humanitarian law with a view to eventual prosecution of perpetrators. Consideration should be given to the team having a rolling mandate to undertake investigations of incidents perpetrated across the country.

5. That UNOMSIL advise that any future peace settlement should not purport to confer unconditional or blanket immunity from prosecution for the perpetrators of any grave violations of human rights or international humanitarian law. In this regard consideration should be given to establishment of an appropriately modelled truth commission process in Sierra Leone.

6. That UNOMSIL continue to urge the Government of Sierra Leone and ECOMOG to ensure their forces operate in conformity with the letter and spirit of international human rights and humanitarian law by, inter-alia, an immediate cessation of summary executions; and that UNOMSIL call on the authorities to detain and prosecute the alleged perpetrators of such acts.

7. That UNOMSIL urge the international community to provide financial or other assistance to the Government of Sierra Leone to facilitate the detention and care for prisoners in conformity with security requirements a nd international standards for treatment of prisoners.

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In the Fifth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, dated 4 March 1999, the Secretary-General reported or noted that:

(a) rebel fighters belonging to the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF) attacked Freetown on 6 January 1999 (para. 2, ERN 00004266);

(b) many civilians were severely mutilated by the rebels and the rebels burnt down large numbers of public buildings and homes (para. 2, ERN 00004266);

(c) rebel forces reportedly rely on some foreign mercenaries, including Europeans and Liberians, and are reported to be receiving weapons from outside the country (para. 4, ERN 00004267);

(d) UNOMSIL human rights officers who visited Freetown in late January and early February to conduct an assessment of the situation there found that the ultimate responsibility for the fighting, for most of the civilian casualties, and for the related humanitarian emergency in Freetown rested with the rebel forces (paras. 20-21, ERN 00004270);

(e) estimates put the total casualties between 3,000 and 5,000, including rebel fighters and ECOMOG and CDF combatants. Two thousand of those casualties were feared to be civilian inhabitants of Freetown (para. 21, ERN 00004270);

(f) many civilians were killed while being used by the rebels as human shields in combat or because they reportedly refused to come into the streets to demonstrate in favour of the rebels. Many were killed while trying to protect family members from death or rape, or while trying to protect their property from looting and destruction (para. 21, ERN 00004270-00004271);

(g) much of the killing seemed to be arbitrary and to have been carried out by child fighters or rebel fighters under the influence of drugs or alcohol (para. 22, ERN 00004271);

(h) some of the murders were targeted, including, reportedly, the murder of 200 police personnel (para. 22, ERN 00004271);

(i) hundreds of civilians were treated for the amputation of limbs or other forms of mutilation. Victims included men, women and children, some as young as six years old. The mutilations were usually inflicted with machetes or axes (para. 23, ERN 00004271);

(j) there were reports of widespread rape and other forms of sexual abuse by rebel elements in Freetown and Makeni. Eyewitnesses in Freetown reported violent group rapes of young women and girls rounded up by the rebels (para. 24, ERN 00004271);

(k) a significant number of rebel combatants were children. Reports were received of death and injuries being inflicted by boys as young as eight to 11 years old (para. 25, ERN 00004271);

(l) the rebels abducted a large number of people in Freetown and other places they attacked. Boys were selected for training as fighters or used as porters. Women and girls were taken for sexual purposes or to cook food (para. 26, ERN 00004271);

(m) rebel forces were also responsible for the deliberate widespread destruction of civilian property and public utilities in Freetown and other locations, such as Makeni and Kambia. In the centre of Freetown, about 20 percent of the housing stock was destroyed, with as much as 90 percent destroyed in the eastern outskirts of the city (para. 27, ERN 00004271-00004272).

a.	Exh. 1.008	ERN 00004266-00004279	Fifth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1999/237), 4 March 1999.

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FIFTH REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN SIERRA LEONE

I. INTRODUCTION

1. On the basis of my reports dated 16 December 1998 (S/1998/1176) and 7 January 1999 (S/1999/20), the Security Council, on 12 January 1999, adopted resolution 1220 (1999). By paragraph 3 of that resolution, the Security Council requested me to keep the Council closely informed on the situation in Sierra Leone and to submit a further report, by 5 March 1999, with recommendations on the future deployment of the United Nations Observer Mission in Sierra Leone (UNOMSIL) and the implementation of its mandate. The present report is submitted in accordance with that request.

II. MILITARY AND SECURITY DEVELOPMENTS

Rebel attack on Freetown and its aftermath

2. As described in my report of 7 January 1999 (see S/1999/20, para. 10), rebel fighters belonging to the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF) attacked Freetown on 6 January 1999. The rebels attacked the city from the east and penetrated as far as the centre, which they held for four days before being forced to withdraw by a counterattack. The fighting resulted in the deaths of between 3,000 and 5,000 persons, including rebel fighters, soldiers of the Economic Community of West African States Monitoring Group (ECOMOG), members of the Civil Defence Force (CDF) militia who were defending the capital and large numbers of civilian inhabitants. Many civilians were severely mutilated by the rebels. Up to 150,000 people were displaced in and around Freetown, and the rebels burnt down large numbers of public buildings and homes. A fuller description of the atrocities is contained in section IV below.

3. After fierce fighting, ECOMOG forces located in the western part of Freetown, reinforced from the main ECOMOG base at Lungi, managed to expel the rebels and regain control of the city. However, several thousand rebels are thought to remain in the Peninsula Mountains surrounding Freetown, despite ECOMOG and CDF efforts to dislodge them. It is also believed that unknown numbers of rebels might have infiltrated the city and remain there ready to

launch further attacks. Consequently, the security situation in Freetown, despite recent improvements, should still be considered volatile. On 24 February, ECOMOG succeeded in expelling the rebels from Waterloo, although they remain in a position to cut the main road from Freetown to Bo and Kenema.

4. The rebels are now thought to control much of the north of the country, though ECOMOG has, with varying success, contested rebel control around Lunsar, Port Loko and Kambia, and retains possession of Kabala and Bumbuna. In the south, ECOMOG has repulsed several rebel attacks on Kenema. Around Bo, the second largest city in Sierra Leone, the situation remains calm but tense. Rebel forces reportedly rely on some foreign mercenaries, including Europeans and Liberians, and are reported to be receiving weapons from outside the country.

5. During the crisis, which began in mid-December, ECOMOG received several thousand reinforcements from Nigeria, Ghana, Guinea and Mali. However, some doubt has been cast over the longer-term future of ECOMOG in Sierra Leone in the light of statements made by candidates in the Nigerian elections. The contribution of Nigeria to ECOMOG has been so central that ECOMOG's military viability could be threatened if that contribution were reduced. Though efforts to create a Sierra Leonean army deserve further support, the army is unlikely to be able to bear the burden alone, at least for the foreseeable future.

6. UNOMSIL evacuated all its international personnel, many of its vehicles and much of its equipment immediately prior to the 6 January attack, as did other United Nations agencies, Governments and many non-governmental organizations (NGOs) represented in Sierra Leone. The relocation was followed by a substantial reduction in the number of staff, in particular military and civilian police. The remaining staff will stay in Conakry until the security situation is considered acceptable. My Special Representative, Francis G. Okelo, and members of his civilian and military staff, including the Chief Military Observer, Brigadier-General Subhash Joshi (India), have paid brief visits to Freetown to study the situation first-hand and to maintain contacts with the Government of Sierra Leone and with ECOMOG, as well as with civil society. On 3 March, following improvements in the security situation, it was decided to permit the return of a limited number of United Nations personnel as soon as possible. The security situation will continue to be kept under close review.

Disarmament and demobilization

7. Following the rebel offensive in December and January, ex-soldiers in the disarmament and demobilization camp at Lungi were relocated by the Government in Freetown. The majority of them appear to have either joined the rebels or disappeared, while some lost their lives during the rebel attack on Freetown. On 4 February 1999, the National Committee on Disarmament, Demobilization and Reintegration held an emergency meeting to examine the situation regarding ex-combatants. During the meeting, the Vice-President stated that there was no change in the Government's policy on disarmament, demobilization and reintegration. As of February 1999, approximately 1,000 of the 3,000 ex-combatants originally at the Lungi Demobilization Centre had reported to ECOMOG and now are temporarily located within Freetown. At the meeting it was

in Abidjan on 21 February to ascertain the RUF commitment to the dialogue and the peace process and to discuss how best to expedite the internal RUF consultations pursuant to President Kabbah's offer of a dialogue. These discussions also dealt with a number of issues, including the venue, format and duration of the internal RUF consultations; a ceasefire; respect for human rights; and the provision of humanitarian assistance. The outcome of these preliminary discussions is now being reviewed by the Government of Sierra Leone and other members of ECOWAS. Should agreement be reached on a venue for talks outside Sierra Leone, it would be necessary to temporarily lift the ban on the travel of RUF leaders imposed by Security Council resolution 1132 (1997) of 8 October 1997.

Relations between Sierra Leone and Liberia

18. In response to repeated allegations that the Government of Liberia was supporting the Sierra Leonean rebels (see S/1999/20, paras. 14 and 15), the Liberian Government issued a statement, circulated as document S/1999/193, on the conflict in Sierra Leone. In the statement, the Government reaffirmed its recognition of the Government of President Ahmad Tejan Kabbah as the legitimate Government of Sierra Leone, and stated further that it had not and would not support, nor be a party to, any attempt to destabilize the Republic of Sierra Leone or any other country.

19. The Government of Liberia also announced in its statement that it had launched an effort to repatriate and offer amnesty to Liberians fighting in Sierra Leone and, as a matter of urgency, requested the United Nations to assist the Governments of Sierra Leone and Liberia in identifying, documenting and processing Liberians fighting in Sierra Leone for an organized repatriation. The Government of Liberia also renewed its request to the Security Council to approve the deployment of United Nations monitors along with ECOMOG forces at the Liberia/Sierra Leone border in the light of repeated allegations of illegal shipments of arms to the rebels.

IV. HUMAN RIGHTS

20. In late January and early February, UNOMSIL human rights officers visited Freetown to conduct an assessment of the situation there. The assessment team travelled extensively within the city and interviewed numerous people, including victims of mutilations and other human rights violations. Members of the team witnessed violations during their visit. UNOMSIL human rights officers have also continued to monitor the situation in the rest of the country and have undertaken a range of technical assistance activities.

21. The team found that the ultimate responsibility for the fighting, for most of the civilian casualties and for the related humanitarian emergency in Freetown rested with the rebel forces. Though it was impossible to state with precision the actual number of civilian casualties, most estimates put the total casualty figure at between 3,000 and 5,000, including rebel fighters and ECOMOG and CDF combatants. It is feared that at least 2,000 of those casualties were civilian inhabitants of Freetown. Many civilians were killed while being used by the rebels as human shields in combat, or because they reportedly refused to

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come out into the streets to demonstrate in favour of the rebels. Many were killed while trying to protect family members from death or rape, or while trying to protect their property from looting and destruction.

22. Much of the killing seems to have been arbitrary and to have been carried out by child fighters or rebel fighters under the influence of drugs or alcohol. However, there is also evidence that some of the murders were targeted, including, reportedly, the murder of 200 police personnel. The Solicitor General was killed during the fighting, as were the Resident Minister for the North, an adviser to President Kabbah and at least two journalists. Other victims who appear to have been deliberately targeted include senior officials of the Sierra Leonean National Commission for Democracy and Human Rights, the Council of Churches and the National Commission for Rehabilitation, Reconstruction and Reintegration, as well as Nigerian nationals.

23. According to medical sources interviewed by the human rights assessment team, many hundreds of civilians were treated for the amputation of limbs or other forms of mutilation, including some 70 at Connaught Hospital alone. It is feared that hundreds of other victims of mutilation did not survive to seek treatment. Victims of amputation and mutilation included men, women and children, some as young as six years old. The mutilations were usually inflicted with machetes or axes. During February, there was a sharp drop in reported incidents of mutilation by rebel elements in areas where they are located.

24. There have been reports of widespread rape and other forms of sexual abuse by rebel elements in Freetown and Makeni. In Freetown, eyewitnesses reported incidents of violent group rape of young women and girls rounded up by the rebels for that heinous purpose. Many rape victims were reported to have been subsequently abducted, mutilated or killed.

25. A significant number of the rebel combatants were children. Reports were received of death and injuries being inflicted by boys as young as eight to 11 years old.

26. The rebels abducted a large but unverifiable number of people in Freetown and other places they attacked. By mid-February, child care agencies reported that some 2,000 children had gone missing in Freetown alone since 6 January. Agency staff said they had witnessed the abduction by rebels of some 300 of these children. Escapees reported that abducted boys were selected for training as fighters, or used as porters. Women and girls were taken for sexual purposes or to cook food. A small number of prominent Sierra Leonean personalities and foreigners were also abducted, including the Roman Catholic Archbishop of Freetown. Foreign abductees included several Indian workers, Roman Catholic nuns of Indian and Kenyan nationality and one Spanish and one French journalist. Though some managed to escape, at least eight abductees were killed and two seriously injured. Rebels continue to hold Roman Catholic Mission personnel abducted at Makeni and Kambia.

27. Rebel forces were also responsible for the deliberate widespread destruction of civilian property and public utilities in Freetown and other locations, such as Makeni and Kambia. In the centre of Freetown, about

20 per cent of the housing stock was destroyed, with as much as 90 per cent destroyed in the eastern outskirts of the city. Some public facilities appear to have been deliberately demolished, including police stations, the Pademba Road prison, the Nigerian High Commission and UNOMSIL headquarters. The residences of human rights activists, lawyers, journalists and Government officials were also targeted, as well as churches, mosques and hospitals.

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30. Facilitated by UNOMSIL, a Human Rights Committee for Sierra Leone has been temporarily established in Conakry, comprising the Sierra Leonean National Commission for Democracy and Human Rights, the National Forum for Human Rights, United Nations agencies, humanitarian organizations and UNOMSIL. The Committee is facilitating the active participation of the human rights community in the process of peace-building in Sierra Leone. In the coming weeks, if possible, significant activities of the Committee will be re-located to Freetown.

V. HUMANITARIAN SITUATION

31. Since my previous report, the humanitarian situation in Sierra Leone has drastically deteriorated, following the latest round of fighting, which culminated in the rebel attack on Freetown on 6 January 1999. The number of refugees in neighbouring countries has increased to an estimated 450,000, with an estimated 700,000 internally displaced persons. With ECOMOG expanding its hold on the capital, the number of known vulnerable displaced persons in Freetown is now estimated at 200,000, out of which some 60,000 have sought refuge in the national stadium. Many more are living in abandoned churches and schools.

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decided that these ex-combatants should be accommodated and cared for separately. It welcomed the offer by the Department for International Development of the Government of the United Kingdom of Great Britain and Northern Ireland to provide food and medical treatment for ex-combatants in the disarmament, demobilization and reintegration programme and to assist in measures to improve the camp security. The Department for International Development has also been providing food, at Lungi Garrison, for 600 dependants of ex-combatants in the programme. The meeting also agreed that ex-combatants would be relocated to Lungi following an overall improvement in the security situation.

8. It may be noted that the two remaining UNOMSIL medical doctors have provided medical assistance to some of the ex-soldiers in the disarmament, demobilization and reintegration programme. This humanitarian gesture has been appreciated by the Government, ECOMOG, ex-soldiers in the programme and the public.

Civilian police

9. As described in my earlier reports, prior to the rebel attack on Freetown, UNOMSIL civilian police had undertaken a wide range of activities to promote the reconstitution of the police force in Sierra Leone. During the rebel attack on Freetown, more than 200 policemen and members of their families were killed, and police equipment and infrastructure were destroyed, including the Criminal Investigation Department headquarters and all its files, records and documentation. The Pademba Road prison was also broken into and all of the prisoners escaped, a situation which poses a serious security threat. This has significantly impaired the Government's efforts to maintain law and order in the city. As a result, the Government's plans to reorganize the police force will require substantial external assistance.

III. POLITICAL DEVELOPMENTS

Activities of the Government of Sierra Leone

10. The Government of Sierra Leone has continued to refine its policy with regard to negotiations with the rebels, and to take initiatives accordingly. On 7 January 1999, President Ahmad Tejan Kabbah met with Corporal Foday Sankoh, the leader of RUF, in an effort to arrange a ceasefire. On 16 January, the President issued a statement reiterating his readiness to pursue political dialogue and repeating his offer of amnesty to the rebels.

11. On 7 February 1999, President Ahmad Tejan Kabbah delivered a radio broadcast in which he again indicated his readiness to engage in a dialogue with the rebel leaders, and to allow Foday Sankoh to meet other RUF leaders, provided that RUF accepted the legitimacy of the Government. The President stated that the Abidjan Peace Agreement of November 1996 (S/1996/1034) could be used as a frame of reference for such a dialogue.

12. On 21 February, President Kabbah addressed the people of Sierra Leone in a nationwide radio broadcast in which he called on the Security Council,

especially its permanent members, to exert pressure on those States and individuals who continue to supply the weapons and logistics which are being used to kill Sierra Leoneans. President Kabbah stated that it was no longer enough for the Council to condemn the activities of the rebels, but to consider the possibility of taking further action, not excluding the threat of force, against the rebels in order to give effect to the Council's previous demands that the rebels cease all violence and seek genuine dialogue for the restoration of lasting peace and stability in Sierra Leone. President Kabbah also reasserted his Government's determination to defend the territory of Sierra Leone. President Kabbah's address has been circulated as a document of the Security Council (S/1999/186).

13. On 25 February, the Minister of Information, Communications, Tourism and Culture reaffirmed the Government's commitment to dialogue with the rebels, stressing the crucial importance of seeking the views and suggestions of the civil society and expressing the Government's readiness to review the Abidjan Peace Agreement in the light of the prevailing situation.

14. On 28 February, President Kabbah again addressed the nation in a radio broadcast in which he agreed that Foday Sankoh and RUF members could hold their internal consultations in Lomé or Bamako. He stressed that, following these consultations, the RUF leader should be returned to Freetown to resume his appeal against his conviction for treason and related offences (see S/1998/1176, para. 4). The President also called for the immediate release of all civilians being held in detention by the rebels, including children and women whom they had abducted during the recent attack on Freetown.

Activities of the United Nations

15. In the aftermath of the rebel attack, my Special Representative, in close consultation with the Governments of Sierra Leone and of a number of countries of the Economic Community of West African States (ECOWAS), initiated or participated in a series of diplomatic efforts aimed at strengthening ECOMOG while opening up dialogue with the rebels. Following the initial involvement of the Government of Togo, the current Chairman of ECOWAS, and the Government of Côte d'Ivoire, my Special Representative visited Abuja, Lomé and Accra towards the end of January in order to help coordinate the ECOWAS response to the crisis.

16. These diplomatic activities culminated in the meeting, in Conakry, on 29 January, of the Heads of State of the three troop-contributing countries of ECOMOG: Ghana, Guinea and Nigeria. At that meeting, President Rawlings, President Conte and President Abubakar agreed on the need to convene an ECOWAS summit meeting on Sierra Leone, to be followed by a visit by representatives of the ECOWAS Committee of Six on Sierra Leone to New York to brief the Security Council. The Committee of Six on Sierra Leone comprises those three countries, as well as Togo, Côte d'Ivoire and Liberia. The three Heads of State also instructed their Ministers for Foreign Affairs to develop a strategy for pursuing the dual-track approach outlined in paragraph 15 above.

17. Following a visit to Freetown, from 13 to 16 February, for consultations with the Government, my Special Representative met with representatives of RUF

in Abidjan on 21 February to ascertain the RUF commitment to the dialogue and the peace process and to discuss how best to expedite the internal RUF consultations pursuant to President Kabbah's offer of a dialogue. These discussions also dealt with a number of issues, including the venue, format and duration of the internal RUF consultations; a ceasefire; respect for human rights; and the provision of humanitarian assistance. The outcome of these preliminary discussions is now being reviewed by the Government of Sierra Leone and other members of ECOWAS. Should agreement be reached on a venue for talks outside Sierra Leone, it would be necessary to temporarily lift the ban on the travel of RUF leaders imposed by Security Council resolution 1132 (1997) of 8 October 1997.

Relations between Sierra Leone and Liberia

18. In response to repeated allegations that the Government of Liberia was supporting the Sierra Leonean rebels (see S/1999/20, paras. 14 and 15), the Liberian Government issued a statement, circulated as document S/1999/193, on the conflict in Sierra Leone. In the statement, the Government reaffirmed its recognition of the Government of President Ahmad Tejan Kabbah as the legitimate Government of Sierra Leone, and stated further that it had not and would not support, nor be a party to, any attempt to destabilize the Republic of Sierra Leone or any other country.

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27. Rebel forces were also responsible for the deliberate widespread destruction of civilian property and public utilities in Freetown and other locations, such as Makeni and Kambia. In the centre of Freetown, about

20 per cent of the housing stock was destroyed, with as much as 90 per cent destroyed in the eastern outskirts of the city. Some public facilities appear to have been deliberately demolished, including police stations, the Pademba Road prison, the Nigerian High Commission and UNOMSIL headquarters. The residences of human rights activists, lawyers, journalists and Government officials were also targeted, as well as churches, mosques and hospitals.

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30. Facilitated by UNOMSIL, a Human Rights Committee for Sierra Leone has been temporarily established in Conakry, comprising the Sierra Leonean National Commission for Democracy and Human Rights, the National Forum for Human Rights, United Nations agencies, humanitarian organizations and UNOMSIL. The Committee is facilitating the active participation of the human rights community in the process of peace-building in Sierra Leone. In the coming weeks, if possible, significant activities of the Committee will be re-located to Freetown.

V. HUMANITARIAN SITUATION

31. Since my previous report, the humanitarian situation in Sierra Leone has drastically deteriorated, following the latest round of fighting, which culminated in the rebel attack on Freetown on 6 January 1999. The number of refugees in neighbouring countries has increased to an estimated 450,000, with an estimated 700,000 internally displaced persons. With ECOMOG expanding its hold on the capital, the number of known vulnerable displaced persons in Freetown is now estimated at 200,000, out of which some 60,000 have sought refuge in the national stadium. Many more are living in abandoned churches and schools.

32. Following a recent eight-day tour of the region that included Côte d'Ivoire, Sierra Leone, Guinea and Liberia, the United Nations High Commissioner for Refugees, Sadako Ogata, has called for more support for repatriation programmes in the region. She also discussed plans with Guinean authorities to move 50,000 Sierra Leonean refugees away from the Guinean border to prevent the camps from becoming rear bases for the rebels. The European Union and the United States of America have promised 4 million dollars to aid this operation. The estimated number of Sierra Leonean refugees in Guinea today stands at 350,000.

33. UNOMSIL has facilitated the delivery of humanitarian aid by making its helicopter and fixed-wing aircraft available, to the extent possible, to United Nations agencies and international NGOs.

34. Outside Freetown, OXFAM has identified 30,000 displaced persons living in the Lungi peninsula. Further up country, approximately 50,000 internally displaced persons, who were reported to have fled Kenema during heavy fighting between the rebel forces and ECOMOG in early February 1999, appear to be returning to the area. While there are no reliable reports from further inland because of the insecure situation, thousands more are believed to have fled into the bush.

35. The suffering of vulnerable civilian populations is exacerbated by increasing levels of malnutrition, especially among children under five years of age. Preliminary surveys show that in some areas, as many as 25 per cent of the children are suffering from acute malnutrition. Furthermore, appalling sanitation conditions are rampant and health care is inadequate. Diarrhoeal diseases are on the rise in almost all the accessible areas. In addition, the disruption of routine vaccination activities has increased the risk of epidemics. The town of Kailahun is believed to be the origin of the more than 400 measles cases now being identified among displaced persons in Kenema. While a vaccination campaign has begun in Kenema, with 10,000 doses of antigen provided by UNICEF, many children are out of reach of the humanitarian community. Meanwhile, doctors and nurses at Connaught Hospital and elsewhere are struggling to treat about 500 victims of amputation and mutilation requiring extreme surgery. Lastly, approximately 1,750 children have been reported missing by their families. Very few have been reunited, while many are believed to be trapped in inaccessible areas.

36. The humanitarian community's ability to provide relief to these populations continues to be impaired by the ongoing hostilities and resultant insecurity. Following the widespread looting and destruction of humanitarian offices, warehouses, vehicles and relief supplies, humanitarian activities remain drastically reduced. Approximately two thirds of the country, roughly all of the territory north of Port Loko, Bo and Kenema, remains inaccessible by road. This has confined humanitarian interventions to the peninsula and the southern and western provinces, leaving thousands of Sierra Leoneans without basic assistance. The provision of humanitarian assistance to the needy is today being carried out, at great cost, by air. Meanwhile, the World Food Programme (WFP) has warned that if the roads to Freetown are not opened soon, allowing the free flow of commercial imports and food from upcountry, food shortages in the city could become more acute within one to three weeks.

37. Despite these constraints, the international humanitarian community has continued operations in accessible areas, particularly in the south where programmes continue in Bo, Kenema, Pujehun and Moyamba. From Conakry, international humanitarian staff continue to make day trips into the capital while national staff maintain a permanent presence in the city, where they work in collaboration with their governmental humanitarian counterparts. The humanitarian community's capacity to carry relief supplies and personnel to accessible areas of the country has been improved by the leasing of a helicopter for that purpose by the European Community Humanitarian Office and the United States Office of Foreign Disaster Assistance (ECHO/OFDA).

38. In order to streamline operations, a 60-day humanitarian plan of action is being finalized by the international humanitarian community in consultation with the Government. The plan is based on five basic operational requirements. These include: full access by all humanitarian organizations to communications equipment; cooperation between the Government and humanitarian agencies; unhindered access for humanitarian assistance; effective coordination with military and security forces; and the establishment of a forward logistics base at Lungi Airport. Because the plan uses existing assets, considerable progress has already been achieved. Approximately 140,000 metric tons of food has been distributed to vulnerable groups in Freetown with an additional 100,000 reaching accessible upcountry populations. A total of 21 clinics and four hospitals in Freetown are fully operational with support from United Nations agencies and partners, and more than 1,300 rolls of plastic sheeting and 40,000 blankets are now available in Freetown for distribution.

39. The humanitarian community is committed to continuing its work of providing assistance in spite of insecurity and the difficult working environment. Relief workers and the civilian population need your support in continuously calling on all parties to the conflict to re-commit themselves to respecting international humanitarian law by: recognizing the neutrality and impartiality of all humanitarian organizations; fully guaranteeing the absolute safety and security of humanitarian personnel, including relief items and equipment; and calling upon the Government of Sierra Leone to confirm its willingness to permit the unimpeded flow of humanitarian assistance to all parts of the country.

VI. FINANCIAL ASPECTS

40. The General Assembly, by its resolution 53/29 of 20 November 1998, appropriated an amount of $22 million for the establishment and operation of the Observer Mission for the period ending 30 June 1999. The resources provided by the Assembly covered the Observer Mission's start-up costs as well as its maintenance at the full strength authorized by Security Council resolution 1181 (1998) of 13 July 1998.

41. Therefore, should the Council decide to extend the mandate of UNOMSIL, as recommended in paragraph 51 below, the cost of maintaining the Observer Mission during the extension period will be well within the resources already provided by the General Assembly.

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42. As at 15 February 1999, unpaid assessed contributions to the UNOMSIL special account amounted to $12.5 million. As at the same date, the total outstanding assessed contributions for all peacekeeping operations amounted to $1,666.6 million.

43. With regard to the Trust Fund to Support United Nations Peacekeeping-related Efforts in Sierra Leone, contributions received as at 28 February 1999 amounted to some $2.1 million, with authorized expenditure amounting to some $0.1 million.

VII. OBSERVATIONS AND RECOMMENDATIONS

44. Sierra Leone continues to face an extremely complex and difficult situation fraught with serious risks. Though ECOMOG has succeeded in driving the rebels from Freetown and restoring order in its immediate vicinity, the capital is still threatened by rebel forces in the peninsula.

45. I unreservedly strongly condemn the merciless murders, inhuman mutilations and other appalling human rights violations perpetrated by the rebels on the innocent civilian inhabitants of Freetown, and the widespread property damage they have inflicted. In the light of some allegations that members of pro-Government forces may also have been guilty of violations, I hope that the Government will fulfil its assurances that such allegations will be investigated and welcome its assurances that these forces will adhere to international human rights standards in the future.

46. Concern over violations of human rights and the prevention of further violations stand at the heart of the Sierra Leonean conflict. For that reason, and in view of the scale and enormity of the violations inflicted recently in Freetown, I intend to deploy an additional human rights officer to UNOMSIL. This will enable the human rights component to expand its reporting and deepen its coverage of human rights abuses in Sierra Leone, as well as to maintain its technical cooperation activities with Sierra Leonean human rights organizations.

47. ECOMOG is to be congratulated on its success in repelling the rebels from Freetown and restoring a measure of order to the city. I also commend the Government of Mali for providing additional troops to ECOMOG and donor Governments, in particular the Netherlands, Canada, the United Kingdom and the United States of America, for the logistical support they have provided and continue to provide to ECOMOG.

48. In the meantime, I would urge the international community to continue to support ECOMOG logistically and to consider the provision of prompt bilateral assistance to the Government of Sierra Leone in the creation of a new Sierra Leonean army to defend the country. The Governments of Nigeria and the United Kingdom have taken the first steps in this regard.

49. The possible partial withdrawal of Nigerian forces from ECOMOG following the elections in that country and the consequent effects on ECOMOG's military effectiveness in Sierra Leone could require a major reappraisal of the situation. In particular, the dual track approach pursued so far, which

combines support for ECOMOG military action to maintain law and order with a willingness to negotiate with the rebels, may need to be reviewed. The Security Council may wish to consider the implications of this important new potential development.

50. I intend to pursue further with President Taylor some of the suggestions contained in the statement of the Government of Liberia (S/1999/193). Since practical obstacles to the proposal to deploy United Nations monitors at the border between Sierra Leone and Liberia remain, as deployment of the ECOMOG forces required to protect them is unlikely, the steps taken by the Government to encourage the repatriation, disarmament and demobilization of Liberian fighters in Sierra Leone are welcome.

51. President Kabbah's decision to allow the leader of RUF, Corporal Foday Sankoh, to meet with rebel leaders in order to develop a coherent set of political demands, which would form the basis of subsequent negotiations with the Government, is a bold and valuable initiative. The United Nations will continue to facilitate the conduct of talks through the provision of its good offices as required.

52. The preliminary meeting my Special Representative held with representatives of RUF in Abidjan on 21 February may have helped lay the groundwork for further negotiations, which might be based on the Abidjan Peace Agreement signed in November 1996 by the Government and RUF. In order to proceed, RUF must recognize the legitimacy of the Government, agree to a ceasefire, renounce violence, especially attacks on civilians, and permit humanitarian access to the areas they control under conditions of adequate security.

53. As I indicated in my report of 7 January (S/1999/20, para. 37), UNOMSIL has been substantially scaled back since its relocation to Conakry and now comprises only a small core of essential civilian and military personnel under the leadership of my Special Representative (see annex). The recent decision of the Government to allow Foday Sankoh to meet with the RUF leaders in Lomé or Bamako opens prospects for the start of a dialogue which should be encouraged. Should negotiations between the Government and the rebels take a favourable turn, UNOMSIL should remain in a position where it is capable of rendering further assistance to the peace process. I therefore recommend the extension of UNOMSIL's mandate for a further period of three months, until 13 June 1999. Its mandate will continue to be to provide information to me, and through me to the Security Council, about the situation in Sierra Leone in its political, military, security, human rights and humanitarian aspects; to continue to liaise closely with the Government of Sierra Leone and with ECOWAS and ECOMOG; to explore, in close consultation with the Government, ways of pursuing dialogue with the rebels aimed at a peaceful settlement of the conflict; to advise me on further actions the United Nations could take in the event of developments in and around Sierra Leone; and to stand ready to take quick action, on the basis of such expansion as the Security Council may authorize, to assist the implementation of any peace agreement.

54. In view of the improvement in the security situation in and around Freetown achieved during the past few days, it is my intention to re-establish UNOMSIL in Freetown as soon as possible. At least initially, the re-establishment will

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take place on a small scale and with strict attention to the security situation. I therefore intend to increase the current number of military observers from 8 to 14, and to redeploy the necessary staff to support the relocation to Freetown. In the meantime, the United Nations Development Programme and other United Nations programmes and agencies have also been authorized to re-establish a limited presence in Freetown.

55. I take this opportunity to express my appreciation to my Special Representative, Francis G. Okelo, and his staff. My thanks also go to the Chief Military Observer, Brigadier-General Subhash C. Joshi and the military observers of UNOMSIL, including those who have been repatriated following the relocation to Conakry. The valuable contribution made by the five civilian police advisers, who have now been repatriated, also deserves recognition.

Annex

United Nations Observer Mission in Sierra Leone: contributions as at 1 March 1999

	Military observers	Others[a]	Total
China	–		–
Egypt	–		–
India	2	2	4
Kenya	1		1
Kyrgyzstan	1		1
New Zealand	–		–
Pakistan	1		1
Russian Federation	1		1
United Kingdom of Great Britain and Northern Ireland	1		1
Zambia	–		–
TOTAL	7[b]	2	9

[a] Medical team.

[b] Including the Chief Military Observer.

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Map No. 3802 Rev. 2 UNITED NATIONS
January 1997

Department of Public Information
Cartographic Section

FACT 64

The United Nations issued Security Council Resolution 1231 (S/RES/1231/1999) dated 11 March 1999 in which the Security Council:

(a) condemned the atrocities perpetrated by rebels on the civilian population of Sierra Leone, including in particular those committed against women and children (para. 3);

(b) deplored all violations of human rights and international humanitarian law which had occurred in Sierra Leone during the recent escalation of violence, including the recruitment of children as soldiers (para. 3);

(c) expressed grave concern at continued reports that support was being afforded to the rebels in Sierra Leone, including through the supply of arms and mercenaries, in particular from the territory of Liberia (para. 5);

a.	Exh. 1.213	n/a	U.N. Security Council Resolution 1231 (S/RES/1231/1999), 11 March 1998, http://daccessdds.un.org/doc/UNDOC/GEN/N99/067/30/PDF/N9906730.pdf?OpenElement

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UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/RES/1231 (1999)
11 March 1998

RESOLUTION 1231 (1999)

Adopted by the Security Council at its 3986th meeting,
on 11 March 1999

The Security Council,

Recalling its resolutions 1181 (1998) of 13 July 1998 and 1220 (1999) of 12 January 1999 and the statement of its President of 7 January 1999 (S/1999/PRST/1),

Expressing its continued concern over the fragile situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Having considered the fifth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (UNOMSIL) of 4 March 1999 (S/1999/237) and noting the recommendations contained therein,

1. Decides to extend the mandate of UNOMSIL until 13 June 1999;

2. Welcomes the intention of the Secretary-General to re-establish UNOMSIL in Freetown as soon as possible, and to that end to increase the current number of military observers and human rights personnel as referred to in paragraphs 46 and 54 of his report, and to re-deploy the necessary staff to support the relocation to Freetown, subject to strict attention to the security situation there;

3. Condemns the atrocities perpetrated by the rebels on the civilian population of Sierra Leone, including in particular those committed against women and children, deplores all violations of human rights and international humanitarian law which have occurred in Sierra Leone during the recent escalation of violence as referred to in paragraphs 21 to 28 of the report of the Secretary-General, including the recruitment of children as soldiers, and urges the appropriate authorities to investigate all allegations of such violations with a view to bringing the perpetrators to justice;

4. Calls upon all parties to the conflict in Sierra Leone fully to respect human rights and international humanitarian law and the neutrality and impartiality of humanitarian workers, and to ensure full and unhindered access for humanitarian assistance to affected populations;

5. Expresses its grave concern at continued reports that support is being afforded to the rebels in Sierra Leone, including through the supply of arms and mercenaries, in particular from the territory of Liberia;

6. Acknowledges the letter of the President of Liberia to the Secretary-General of 23 February 1999 (S/1999/213) and the statement by the Government of Liberia of 19 February 1999 (S/1999/193) on the action it is taking to curtail the involvement of Liberian nationals in the fighting in Sierra Leone, including measures to encourage the return of Liberian fighters and directives to the Liberian national security agencies to ensure that no cross-border movement of arms takes place and that there be no transshipment of arms and ammunition through Liberian territory, and requests the Secretary-General to continue to consider, in coordination with the countries of the Mano River Union and other member States of the Economic Community of West African States (ECOWAS), the practicability and effectiveness of the deployment of United Nations monitors along with forces of the Military Observer Group of ECOWAS (ECOMOG) at the Liberia/Sierra Leone border;

7. Reaffirms the obligation of all States to comply strictly with the provisions of the embargo on the sale or supply of arms and related matériel imposed by its resolution 1171 (1998) of 5 June 1998;

8. Expresses its intention to keep the issue of external support to the rebels in Sierra Leone under close review, and to consider further steps to address this in the light of developments on the ground;

9. Expresses its support for all efforts, in particular by ECOWAS States, aimed at peacefully resolving the conflict and restoring lasting peace and stability to Sierra Leone, encourages the Secretary-General, through his Special Representative for Sierra Leone, to facilitate dialogue to these ends, welcomes the statement of the President of Sierra Leone of 7 February 1999 (S/1999/138, annex) expressing his Government's readiness to continue their efforts for dialogue with the rebels, and calls upon all parties involved, especially the rebels, to participate seriously in these efforts;

10. Commends the efforts of ECOMOG towards the restoration of peace, security and stability in Sierra Leone, and calls upon all Member States to provide ECOMOG with financial and logistical support and to consider the provision of prompt bilateral assistance to the Government of Sierra Leone in the creation of a new Sierra Leonean army to defend the country;

11. Requests the Secretary-General to keep the Council closely informed on the situation in Sierra Leone and in this regard to submit an additional report to the Council with recommendations on the future deployment of UNOMSIL and the implementation of its mandate by 5 June 1999;

12. Decides to remain actively seized of the matter.

FACT 65

The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) issued the Sierra Leone Humanitarian Situation Report 1-17 May 1999 in which the OCHA reported or noted that:

(a) recent fighting between Songo, Masiaka and Port Loko had caused extensive damage to property, with over 90% of the buildings in Masiaka damaged or destroyed (pp. 2-3, ERN 00004104-00004105);

(b) trenches had been dug in the road in several locations by captives of the RUF to impede the ECOMOG advance (p. 3, ERN 00004105);

(c) recent missions had established a pattern of human rights abuses followed fighting, especially between Songo, Masiaka and Port Loko. Documented cases indicated a similar pattern of killings where people were gathered into one village from surrounding areas and then a number of them were killed, tortured, or abused (pp. 3-4, ERN 00004105-00004106);

(d) killings in Madigba and Mangarma and abductions from Masiaka occurred (p. 4, ERN 00004106);

(e) inter-agency rapid assessment missions carried out in Songo, Mile 36, Mile 38, Masiaka and surrounding villages found that civilians were either forced to support the rebel forces or to live in bush camps (p. 4, ERN 00004106); and

(f) as of mid May, UNICEF had registered a total of 3,384 children missing since January in the Freetown area (p. 11, ERN 00004113).

a.	Exh. 1.002 and 1.181	ERN 00004103-00004115	Sierra Leone Humanitarian Situation Report 1-17 May 1999, UN Office for the Coordination of Humanitarian Affairs (OCHA), available at www.reliefweb.int.

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Recognising the serious humanitarian situation in the country, compounded by difficulties in accessing populations in need, the UN has provided a helicopter to the Government to support its humanitarian operations. The helicopter, which is financed by the Trust Fund for Sierra Leone, comes with operational and maintenance support, including two pilots and two engineers.

The UN Special Representative of the Secretary General (SRSG) addressed the National Consultative Forum constituted by Government Line Ministries, UN humanitarian agencies and NGOs on the political process and its impact on the humanitarian situation. Noting that humanitarian crises arise when political needs are not adequately addressed, the Ambassador told the forum at its regular coordination meeting on 10 May that the UN's main concern was to ensure that the dialogue process was given a fair chance to succeed. He said he had recommended military restraint to all parties for the duration of the talks so as to allow free movement of civilians and access for humanitarian intervention. He also highlighted the role that the UN has played in mobilising resources for the current emergency.

The Challenge of Lome

While a cross-section of Sierra Leoneans and sympathizers continue to hunger for a peaceful resolution to the conflict, no group is more anxious for a successful outcome of Lome than the direct victims of this brutal conflict. They are the internally displaced who must face the current rainy season with little or no roofs over their heads; the refugees across the Guinean border whose individual and collective security continue to be threatened by the spill-over effects of the conflict; the farmers and bread winners humiliated by the fact that they can no longer provide for their dependants; and the children who have maimed and been maimed and whose education has been consistently interrupted for almost a decade. As leaders of the parties to the conflict meet in Lome, their sincerity will be tested on their ability to hear the silent voices of these victims. There will be no greater failure than an outcome that does not provide a stable environment within which the devastated and incapacitated Sierra Leoneans could begin to heal and to mend their broken limbs and fences.

2. Security

The last two weeks have seen a changing security situation in the country. While ECOMOG and CDF forces have made some advances from the Western Area, new RUF force movements have caused concern in the last week. The onset of the next round of Lomé talks may have a considerable impact on security.

Freetown, The Western Area and The Northern Province

ECOMOG and CDF forces continued their push to open the main road from Freetown to Guinea. By the 5th of May, it was possible for humanitarian staff to travel to Masiaka and Rogberi junction. ECOMOG also stated at the time that it was possible to continue to Port Loko, and then to Kambia. A UN Security mission successfully traveled to Rogberi junction on Friday 7th May.

The recent fighting between Songo, Masiaka and Port Loko caused extensive damage

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to property and reprisal attacks against the local population. Masiaka, the key town which controls Sierra Leone's main highways, had over 90% of its buildings damaged or destroyed. Additionally, trenches had been dug in the road in several locations by captives of the RUF to impede the ECOMOG advance. These have since been temporarily repaired by ECOMOG / CDF. The strategic Magbile bridge, which allows onward travel to Rogberi junction, was taken intact. In addition to property damage, the retreating rebel forces have been accused by civilians of committing numerous human rights abuses (see Human Rights section, below). New arrivals of war-wounded continue to be registered at the time of writing, which indicates that insecurity is still considerable between Songo and Mile 38.

The Malian ECOMOG contingent at Port Loko was attacked by the RUF on Friday 7th May. Seven soldiers were killed and eleven injured. Three vehicles were also destroyed. A second RUF attack on Port Loko was broken up by ECOMOG forces, supported by the helicopter gunship. The Malian troops have since withdrawn from Port Loko to Lungi, and have been replaced by Nigerian and Guinean troops. Other RUF attacks were reported in five villages south of Port Loko.

RUF forces attacked the area around Songo (45 km from Freetown) on Thursday 13th May. ECOMOG resisted the attack at Songo Junction, where an ECOMOG battalion headquarters is located. ECOMOG claimed to have inflicted up to thirty casualties on the attackers before they withdrew. A similar attack took place at Mile 38 on Friday 14th May.

The attacks near Port Loko and Songo provoked a security build-up in both Freetown and Lungi, following speculation that both these areas were under threat. Large numbers of CDF were moved to Lungi from Freetown, while patrols were stepped up in Freetown itself. In the Northern Province, the only other remaining government strongholds are Bumbuna, Kabala and Masingbi.

The Eastern Province

RUF forces in the Eastern Province have been pressuring ECOMOG forces in the area. A large build up around Segbwema has been reported, with two main groups on either side of the Segbwema - Bo road. It is not clear what the objectives of these groups are.

The Southern Province

Attempts to open road access to Bo continue. The main Freetown-Bo highway is still considered to be insecure between Masiaka and Mile 91. The alternative Songo-Moyamba-Bo route is still not open to regular traffic, although occasional commercial shipments have successfully used the route. Government states that it is giving the opening of the roads its highest priority.

3. HUMAN RIGHTS

Recent missions have established a pattern of human rights abuses following recent fighting, especially between Songo, Masiaka and Port Loko. It has not been possible to assess the actual number of deaths, as the dead were buried swiftly. However,

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documented cases of killings in the last three weeks indicate a similar pattern, where people are gathered into one village from surrounding areas, and then a number of them are killed, tortured or abused. Women and children appear to be more vulnerable to these abuses, as they are less able to escape. Twelve people were reported killed in Madigba in the second week of May, including eight children. Another thirteen women and children were reported killed in the village of Mangarma, near Port Loko. Residents in areas around Masiaka claimed that scores of people had been abducted from Masiaka alone. At least equal numbers are missing, either presumed dead, abducted or still living in bush camps. Finally, the period between 26 April and 16 May saw 42 new war-related cases arrive at Connaught Hospital in Freetown, of whom 8 were amputees. Additionally, in three documented cases, children were found with severe axe wounds to the head.

The first substantive meeting of the ECOMOG Civil Military Relations Committee took place at the ECOMOG Headquarters on 11 May. The Committee was set up last month by the ECOMOG Force Commander, Major-General Felix Mujakperuo to investigate allegations of human rights abuses by ECOMOG personnel. At the meeting, members decided to extend their scope to cover violations by other pro-government armed groups such as the Civil Defence Forces and the Sierra Leone Army. The Committee also resolved to hold workshops and seminars to sensitize members of the public about their rights and explain procedures for filing complaints if aggrieved by the security forces. This latest initiative will play a significant role in restoring the public's confidence in the security forces. The UNOMSIL Human Rights Unit has chosen observer status in the committee in order to maintain independence and impartiality with regard to local judicial processes and procedures.

4. HUMANITARIAN HIGHLIGHTS

Emerging Humanitarian Concerns

Masiaka and surroundings

As ECOMOG continued its military advance beyond Waterloo town, inter-agency rapid assessment missions have been carried out in Songo, Mile 36, Mile 38, Masiaka and surrounding villages. Initial reports indicate that the occupation of the RUF caused considerable suffering amongst the civilian population, who were either forced to support the rebel forces, or to live in bush camps. Those currently in the main villages appear to have nutritional and medical problems which must be assessed in greater detail when security permits. At the time of visiting, Masiaka town was still empty. Concentrations of displaced were seen at Mile 36 and Mile 38, closer to ECOMOG positions. ECOMOG and villagers estimated that another 5,000 to 10,000 people were still subsisting in the bush. Recent insecurity continues to prevent large scale humanitarian work. In particular, humanitarian agencies fear that emergency resources may draw further attack.

Tasso Island

Humanitarian needs have developed on Tasso Island in the Western Area. The Epidemic Rapid Intervention Team made up of MOHS and WHO undertook an assessment mission this month to investigate reports of diarrhoea, dysentery and cholera on the Island. According to their report, the outbreaks were caused by a lack of good water supply, poor environmental sanitation and over-crowding by IDPs. The

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WFP completed verification of IDPs at the Waterloo camp last week and will distribute two-week food rations to 8,953 beneficiaries on 18 May.

Agriculture:

The Agricultural Technical Committee chaired by the Ministry of Agriculture, Forestry and Environment has been holding a series of meetings to discuss the 1999 cropping season within the context of continuing insecurity and accessibility constraints. As part of an effort to better coordinate activities in the sector, and to identify existing gaps, input distribution forms are being sent to operational agencies to update the Agriculture Database currently maintained by UN-HACU.

AFRICARE is continuing to support agricultural activities in Kenema District. It recently extended programmes to the lower Dama chiefdom where programmes were suspended in December 1998 due to the deterioration of security. Food production and seed distribution activities have also been extended to Blama where beneficiaries are receiving cassava cuttings, seed rice, groundnuts and vegetables. For this planting season, AFRICARE is targeting a total of 7,000 farming families in Bo, Pujehun and Kenema.

Also in the southern province, CRS is implementing an agricultural recovery project with a caseload of about 5,000 farming families in four chiefdoms. Distribution of upland seed rice and tools to approximately 2,000 farmers started in early May, while groundnut seeds and cassava cuttings will be distributed to households and community groups as soon as possible.

WVI has completed registration of 2,000 farming families in Sorogbema and Makpele chiefdoms in Pujehun district for distribution of seeds and tools. They have also planned the provision of inputs for roots and tuber production for 736 acres in Mattru Jong, 98 acres in Torma Bum and 220 acres in Kenema.

CAD will be commencing its initial distributions in Loko Massama in the next two weeks, security allowing.

Child Protection

As of mid May, UNICEF registered a total of 3,384 children missing since January 1999 in the Freetown area. Some 517 of those documented had been found and reunified with their families, leaving another 2,767 still missing. Social workers continue to visit the families of all registered missing children. In the last two weeks, the team identified 149 children who had returned to their homes. ADRA reported that it has had to intensify its family tracing and reunification programme in collaboration with UNICEF and other agencies in order to adequately respond to the escalation of rebel atrocities on children.

Over 500 cases of gross child rights violations have now been registered. Support to these children is provided through a consortium of organizations under the Child Protection Network. The CCSL Secretariat, which is supported by UNICEF, is in the process on finalising its quarterly report on child rights violations.

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Source: UN Office for the Coordination of Humanitarian Affairs
Date: 17 May 1999

Sierra Leone Humanitarian Situation Report 1 - 17 May 1999

1. POLITICAL DEVELOPMENTS

The period under review saw continuing debate on the political future of Sierra Leone, as the RUF delegation in Lome ended in-house consultations and preparations began for direct talks with the Government. Foday Sankoh's latest announcement that the RUF would be ready to begin dialogue with the Government without pre-conditions was viewed as a welcome initiative. Peace negotiations are expected to begin before the end of the month, preceded by the ministerial and head of state meetings on the 24th and 25th of May, under the auspices of "Committee of Seven". The Committee of Seven will specifically consider the positions of both parties and make recommendations for a framework for the talks.1

The Cease-fire Debate

Calls for a cease-fire to support the peace process have been made amongst continuing doubts about the actions of both parties to the conflict. RUF forces continue to be accused of severe human rights abuses, while the Government and ECOMOG have been criticized by the RUF for continuing their offensive. However, Sierra Leone civil society organizations and newspapers have questioned the wisdom of a cease-fire agreement at a time when the rebels control large sections of the country including resource-rich areas. The Government, on its part, said it would only consider a cease-fire agreement with the RUF if and when the UN would deploy up to 1,000 military observers to monitor the process, a commitment the UN Security Council said it would not be prepared to make as a pre-condition to a cease-fire agreement.

UN Security Council urges parties to talk

In a Presidential Statement on Sierra Leone released on 8 May, the UN Security Council reiterated the importance of an overall political settlement and national reconciliation as the only means to achieve a peaceful resolution to the conflict in Sierra Leone. In this context, it welcomed the recent holding of internal talks by the rebel delegation in Lome, and urged the GoSL and rebel representatives to start direct talks without further delay and without preconditions. It called upon the rebels to cease atrocities committed against civilians immediately, and for both sides to refrain from any hostile or aggressive act or troop movement which could undermine the peace process. The Council also called on the rebel leadership to release all hostages and abductees without delay, and for both parties to commit to a cessation of hostilities for the duration of the Lome talks.

UN increases support for humanitarian interventions

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Recognising the serious humanitarian situation in the country, compounded by difficulties in accessing populations in need, the UN has provided a helicopter to the Government to support its humanitarian operations. The helicopter, which is financed by the Trust Fund for Sierra Leone, comes with operational and maintenance support, including two pilots and two engineers.

The UN Special Representative of the Secretary General (SRSG) addressed the National Consultative Forum constituted by Government Line Ministries, UN humanitarian agencies and NGOs on the political process and its impact on the humanitarian situation. Noting that humanitarian crises arise when political needs are not adequately addressed, the Ambassador told the forum at its regular coordination meeting on 10 May that the UN's main concern was to ensure that the dialogue process was given a fair chance to succeed. He said he had recommended military restraint to all parties for the duration of the talks so as to allow free movement of civilians and access for humanitarian intervention. He also highlighted the role that the UN has played in mobilising resources for the current emergency.

The Challenge of Lome

While a cross-section of Sierra Leoneans and sympathizers continue to hunger for a peaceful resolution to the conflict, no group is more anxious for a successful outcome of Lome than the direct victims of this brutal conflict. They are the internally displaced who must face the current rainy season with little or no roofs over their heads; the refugees across the Guinean border whose individual and collective security continue to be threatened by the spill-over effects of the conflict; the farmers and bread winners humiliated by the fact that they can no longer provide for their dependants; and the children who have maimed and been maimed and whose education has been consistently interrupted for almost a decade. As leaders of the parties to the conflict meet in Lome, their sincerity will be tested on their ability to hear the silent voices of these victims. There will be no greater failure than an outcome that does not provide a stable environment within which the devastated and incapacitated Sierra Leoneans could begin to heal and to mend their broken limbs and fences.

2. Security

The last two weeks have seen a changing security situation in the country. While ECOMOG and CDF forces have made some advances from the Western Area, new RUF force movements have caused concern in the last week. The onset of the next round of Lomé talks may have a considerable impact on security.

Freetown, The Western Area and The Northern Province

ECOMOG and CDF forces continued their push to open the main road from Freetown to Guinea. By the 5th of May, it was possible for humanitarian staff to travel to Masiaka and Rogberi junction. ECOMOG also stated at the time that it was possible to continue to Port Loko, and then to Kambia. A UN Security mission successfully traveled to Rogberi junction on Friday 7th May.

The recent fighting between Songo, Masiaka and Port Loko caused extensive damage

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to property and reprisal attacks against the local population. Masiaka, the key town which controls Sierra Leone's main highways, had over 90% of its buildings damaged or destroyed. Additionally, trenches had been dug in the road in several locations by captives of the RUF to impede the ECOMOG advance. These have since been temporarily repaired by ECOMOG / CDF. The strategic Magbile bridge, which allows onward travel to Rogberi junction, was taken intact. In addition to property damage, the retreating rebel forces have been accused by civilians of committing numerous human rights abuses (see Human Rights section, below). New arrivals of war-wounded continue to be registered at the time of writing, which indicates that insecurity is still considerable between Songo and Mile 38.

The Malian ECOMOG contingent at Port Loko was attacked by the RUF on Friday 7th May. Seven soldiers were killed and eleven injured. Three vehicles were also destroyed. A second RUF attack on Port Loko was broken up by ECOMOG forces, supported by the helicopter gunship. The Malian troops have since withdrawn from Port Loko to Lungi, and have been replaced by Nigerian and Guinean troops. Other RUF attacks were reported in five villages south of Port Loko.

RUF forces attacked the area around Songo (45 km from Freetown) on Thursday 13th May. ECOMOG resisted the attack at Songo Junction, where an ECOMOG battalion headquarters is located. ECOMOG claimed to have inflicted up to thirty casualties on the attackers before they withdrew. A similar attack took place at Mile 38 on Friday 14th May.

The attacks near Port Loko and Songo provoked a security build-up in both Freetown and Lungi, following speculation that both these areas were under threat. Large numbers of CDF were moved to Lungi from Freetown, while patrols were stepped up in Freetown itself. In the Northern Province, the only other remaining government strongholds are Bumbuna, Kabala and Masingbi.

The Eastern Province

RUF forces in the Eastern Province have been pressuring ECOMOG forces in the area. A large build up around Segbwema has been reported, with two main groups on either side of the Segbwema - Bo road. It is not clear what the objectives of these groups are.

The Southern Province

Attempts to open road access to Bo continue. The main Freetown-Bo highway is still considered to be insecure between Masiaka and Mile 91. The alternative Songo-Moyamba-Bo route is still not open to regular traffic, although occasional commercial shipments have successfully used the route. Government states that it is giving the opening of the roads its highest priority.

3. HUMAN RIGHTS

Recent missions have established a pattern of human rights abuses following recent fighting, especially between Songo, Masiaka and Port Loko. It has not been possible to assess the actual number of deaths, as the dead were buried swiftly. However,

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documented cases of killings in the last three weeks indicate a similar pattern, where people are gathered into one village from surrounding areas, and then a number of them are killed, tortured or abused. Women and children appear to be more vulnerable to these abuses, as they are less able to escape. Twelve people were reported killed in Madigba in the second week of May, including eight children. Another thirteen women and children were reported killed in the village of Mangarma, near Port Loko. Residents in areas around Masiaka claimed that scores of people had been abducted from Masiaka alone. At least equal numbers are missing, either presumed dead, abducted or still living in bush camps. Finally, the period between 26 April and 16 May saw 42 new war-related cases arrive at Connaught Hospital in Freetown, of whom 8 were amputees. Additionally, in three documented cases, children were found with severe axe wounds to the head.

The first substantive meeting of the ECOMOG Civil Military Relations Committee took place at the ECOMOG Headquarters on 11 May. The Committee was set up last month by the ECOMOG Force Commander, Major-General Felix Mujakperuo to investigate allegations of human rights abuses by ECOMOG personnel. At the meeting, members decided to extend their scope to cover violations by other pro-government armed groups such as the Civil Defence Forces and the Sierra Leone Army. The Committee also resolved to hold workshops and seminars to sensitize members of the public about their rights and explain procedures for filing complaints if aggrieved by the security forces. This latest initiative will play a significant role in restoring the public's confidence in the security forces. The UNOMSIL Human Rights Unit has chosen observer status in the committee in order to maintain independence and impartiality with regard to local judicial processes and procedures.

4. HUMANITARIAN HIGHLIGHTS

Emerging Humanitarian Concerns

Masiaka and surroundings

As ECOMOG continued its military advance beyond Waterloo town, inter-agency rapid assessment missions have been carried out in Songo, Mile 36, Mile 38, Masiaka and surrounding villages. Initial reports indicate that the occupation of the RUF caused considerable suffering amongst the civilian population, who were either forced to support the rebel forces, or to live in bush camps. Those currently in the main villages appear to have nutritional and medical problems which must be assessed in greater detail when security permits. At the time of visiting, Masiaka town was still empty. Concentrations of displaced were seen at Mile 36 and Mile 38, closer to ECOMOG positions. ECOMOG and villagers estimated that another 5,000 to 10,000 people were still subsisting in the bush. Recent insecurity continues to prevent large scale humanitarian work. In particular, humanitarian agencies fear that emergency resources may draw further attack.

Tasso Island

Humanitarian needs have developed on Tasso Island in the Western Area. The Epidemic Rapid Intervention Team made up of MOHS and WHO undertook an assessment mission this month to investigate reports of diarrhoea, dysentery and cholera on the Island. According to their report, the outbreaks were caused by a lack of good water supply, poor environmental sanitation and over-crowding by IDPs. The

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problem was further compounded by the lack of drugs in the area. About 5,000 displaced people are said to have joined the host population of 2,500 on this small Island. Deaths resulting from diarrhoea and dysentery amounted to 23 by end of April, a case fatality rate of 6.6 per cent. During the mission, the team treated 1,104 patients at the Community Health Post. Emergency response by health agencies and the MOHS will include: immediate support to the local community health services; health education campaign on cholera prevention and control; and a rapid nutritional assessment of the vulnerable IDPs. International Medical Corps (IMC) has agreed to lead emergency activities in the area, with support from UNICEF and other agencies. OXFAM and ACF have been requested to assist with WATSAN activities. The existing eight wells in the area are adequate to serve the entire population of 7,500 but will need rehabilitation.

Refugees in Guinea/Gbalamuya/Kambia/Pamelap

UN-HACU in Forecariah reports that the animosity against Sierra Leone refugees in Guinea after the rebel attack on Mola was gradually dying down. The UNHCR and local authorities appear to be effectively managing the situation through sensitization programmes for host and refugee populations. Security at the camp has also been reinforced. The Mola incident triggered some population movements from other camps, particularly Faramoia, some 30 km from Mola. Vehicular traffic from Forecariah to Pamelap increased in the last week as some of the refugees headed back to Sierra Leone via Dakhagbe border. Most of the refugees are believed to be moving in the direction of the Pamelap border area, while others are aiming to reach Lungi and Freetown. IDPs who sought refuge in villages close to the border following the attack on Kambia in February have also been reported to be moving further inland, away from the major routes. An increasing number of IDPs appear to be returning to settlements along Gbalamuya-Kambia route. Aid workers reported food scarcity and signs of moderate malnutrition among some of the displaced, especially children and the elderly. Security in the area of Kambia continues to be uncertain, as access to the area is restricted.

Makeni

Interviews with refugees indicated that a food crisis may be developing in Makeni. Signs of malnutrition among civilian populations in the area were also reported. Rebels continue to maintain their hold on the town and surrounding villages. Although reports of atrocities against civilians are rare, widespread abductions and training of captives are said to be common practice. The area remains out of the reach of humanitarian agencies.

Non-food Items

Rains and Roofs

Agencies have two objectives as the rains approach. The first is to provide assistance for reconstruction and rehabilitation of damaged or destroyed houses in areas that have recently become accessible and relatively safe for resettlement. The second is to provide temporary shelter for the displaced whose areas of origin remain unsafe. While priority is given to emergency shelter needs, the government and agencies continue to explore the options for resettlement where possible. According to the Ministry of Housing, up to 5,000 houses were destroyed in the Greater Freetown area.

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Agencies have divided affected areas into zones to ensure adequate coverage. During the first week of May, CRS began distribution of food-for-work rations, bush sticks, nails and zinc sheets to assist 401 resettling households in Calaba Town. To date, CRS has distributed approximately 30 MTs of Title II food, 9,000 packets of nails and 800 bundles of zinc in the area. This initiative is the first of a series of emergency housing reconstruction activities aimed at rehabilitating the devastated eastern part of the peninsula, parts of which had up to 75 % of their structures burned down. CRS also plans to re-roof 110 low-cost housing units destroyed during the rebel incursion into Freetown in January. Construction contractors have been identified and work is expected to start during this month.

On 8 May, World Vision International (WVI) commenced distribution of building materials to families rebuilding 350 houses in eastern Freetown. As at 9 May, 112 family heads had received corrugated iron sheets, roofing, nails and bush sticks.

CARE is also providing construction materials to the war affected people in eastern Freetown.

Concern Worldwide (CW) has accelerated its work as the rains approach. At the time of writing, they reported completion of construction work at some of the IDP sites: Parade Grounds (160 rooms/10 kitchens/one Palava Hut); Mandella Playing Fields (72 rooms/5 kitchens/one Palava Hut); Approved School (40 rooms/20 kitchens); and Murray Town (32 rooms/10 kitchens). Construction work is ongoing at the Approved School and Murray Town locations where additional booths have been planned.

The specifications of all emergency temporary shelters are as per Ministry of Housing regulations. Bushsticks are used for skeletal structures. CW's plastic sheeting is used for partitions and walls while USAID contribution is used for roofing. With an estimated eight persons per room, Concern Worldwide reported temporary shelter provision to 4,928 persons by the time of this review.

The shelter situation at the Waterloo camp is also being addressed by CW. The camp, which is managed by the Adventist Development and Relief Agency (ADRA), formerly accommodated about 14,000 displaced people including 1,500 Liberian refugees and 984 amputees and caretakers. The populations vacated the camp during the December attack. Since ECOMOG secured the area, new influxes from the nearby towns of Newton, Songo, Masiaka and Port Loko, have joined those who returned to the camp. After an assessment of the camp on 7 May, CW reported that 371 of the 1,568 original booths had been damaged and more than 1,000 were without appropriate roofing. They have begun rehabilitation of the booths with CARE providing the plastic sheeting. With the construction of an additional 400 booths, up to 15,000 people can be accommodated at the camp.

With relative security around Waterloo, ADRA reports that it has fully resumed normal relief operations in the camp, including general camp management, running the camp clinic, organizing feeding programmes for malnourished children, and distribution of VGF rations provided by WFP. They will also assist CW in the rehabilitation and construction of shelters at the camp. A WFP-led exercise has registered and verified close to 9,000 displaced residents at the camp. Resettlement and relocation of the caseload at the Post Office Community Centre and surrounding villages will begin after a registration and verification exercise which is being

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coordinated by CRS, WFP and the Evangelical Fellowship of Sierra Leone (EFSL).

Concerned that the number of IDPs in the Greater Freetown area currently exceed shelters available, the NCRRR has appealed to agencies with the capacities and resources to step in and assist ongoing efforts. Two new sites have been identified in Calaba Town. CRS and EFSL have indicated their interest in providing assistance for the new sites. Cause Canada has resources for camp construction in Bo, Freetown and possibly Kenema.

Non-food items continue to be distributed at the various IDP sites. CARE has 5,000 sets of items available after a recent distribution at the camps. The Christian Children's Fund which operates in central Freetown has also provided non-food items including mats, clothing, blankets and toiletries to some 10,000 beneficiaries at various displaced centres, hospitals and clinics.

Health Interventions

Bonthe District

An inter-agency assessment mission to Bonthe on 8 May determined that the hospital and clinics were in reasonable condition and that the EPI support given to health staff there had paid off. The mission, which included UNICEF, HACU and WVI, said the hospital was poorly equipped. UNICEF provided two hospital kits, and will provide further equipment and logistical support for the District Medical Officer and his team. They will also assist in revitalizing two additional PHUs on the Island. The Ministry of Health and Sanitation (MOHS) will provide a generator for the cold chain and seek to address the acute staffing problem there. There are only two to three nurses on the Island.

On 7 May, WVI sent a consignment of medical supplies to support its health programmes in Bonthe District. WVI is expanding its health programme to Imperi and Jong chiefdoms in the second phase of the project which began this month. Two PHUs will be supported in Imperi, and three MCH posts in Jong, Kpandakemo and Nogoba Bullom chiefdoms. Measles immunization campaigns are ongoing in the various chiefdoms, in addition to basic health activities in the six clinics already supported.

According to UNICEF, two significant events in the health sector during this period included the first EPI coordination meeting this year. The meeting, which had a strong NGO and Government representation, identified key issues requiring urgent intervention, including the issue of fees being charged for immunization despite a health policy that all EPI services should be free of charge, and the issue of safety of injections. On the first issue, agencies agreed to speak to staff and to support social mobilization and sensitization programmes which would inform communities of their right to free immunization services. With regard to the second issue, the meeting agreed that the current policy of using sterilizable equipment was unsatisfactory as sterilization was time-consuming and difficult under present circumstances. It was decided that single-use injection materials should be introduced for the next six months. UNICEF is making efforts to bring the required materials into the country and has requested other partners with the resources in-country to assist.

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On 15 May, MSF-B and MOHS undertook a re-supply mission to Kabala by helicopter. The team carried one-month drugs and medical supplies for the hospital and four health centres. One medical doctor and a dispenser have now taken up residence in the town to begin health operations. MSF-B said it would continue regular helicopter visits to the area. The next mission will carry vaccines in preparation for an immunization campaign against the measles outbreak there.

MSF-F reported a significant increase in the number of war-wounded arriving at Connaught hospital in the last two weeks (see security section). This is largely due to recent rebel activities between Songo and Masiaka, although some victims have arrived from Port Loko. A total of 88 new surgeries were performed in the last two weeks. MSF-F acknowledged ECOMOG's efforts in bringing some of the victims to the hospital in time to save their lives. Handicap International reported that it had provided 150 pairs of crutches and 47 wheel chairs to war-wounded patients in its care. With the assistance of Concern Worldwide, it plans to set up a rehabilitation unit at the Murray Town camp for patients who will be given prosthesis.

In Kenema District, MERLIN continues to support the District Health Team and 10 PHU's. An additional PHU at Giema is also being supported. Assistance to two more PHU's at Hangha and Largo is being offered on a mobile basis following recent insecurity in the area. MERLIN is also operating three emergency clinics for IDPs located at Baama/Konta, the Lebanese School in Kenema and those at the St. Joseph's school in Blama. The measles isolation unit in Blama has now been closed as there are no more cases reported. Support for the paediatric ward at the Kenema hospital is ongoing.

Contrary to recent reports of a drug shortage in Bo, MERLIN confirmed that medical supplies in Bo were sufficient to meet current needs. The next round of supplies will be sent at the end of this month. The Sierra Leone Red Cross Society (SLRCS) is re-activating clinics in Bo and Kenema and also plans to airlift drugs to both locations.

CRS supports three mobile medical teams in the accessible parts of the southern province who operate outreach clinics in three rural chiefdoms not covered by the national health system. During the period under review, these teams were able to access and treat 800 patients. More than 1,500 people in the area also benefited from health education programmes.

Nutrition:

ACF continues nutritional programmes in operational areas. At the time of reporting, a total of 130 severely malnourished children were being treated at the Therapeutic Feeding Centre (TFC) in eastern Freetown. This represents an increase of 18 cases in the last two weeks. On 3 and 4 May, ACF conducted nutritional screening in Waterloo. Of the 376 children screened, 80 were found to be moderately malnourished while another 16 severely malnourished were admitted at the TFC. Nutritional screening is being planned for Newton and Songo areas where populations are starting to return. Screening programmes will also be undertaken for the Masiaka area as soon as the security situation improves. Dry ration distribution continues at four centres in Freetown for some 1,451 beneficiaries. ACF plans to set up a dry ration centre in Waterloo town within the next few weeks. An assessment of Barma/Konta (Kenema District) found 15 severely malnourished children who were

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transferred to Bo. Finally, data on new surveys in Bo and Yele will be made available in the next sitrep.

In Kenema District, MERLIN is providing therapeutic feeding at three sites, including Kenema hospital, Nongowa clinic and in Blama. By mid May, there were a total of 330 patients in all the centres. Supplementary feeding programmes are run from Kenema and Blama for over 2,000 beneficiaries.

Water and Sanitation

Watsan activities are ongoing in different IDP camps in Freetown and in Waterloo. At the Waterloo camp, ACF provided a 45-cubic meter water tank which will be connected to the dam. It also repaired seven pumps and constructed emergency latrines.

OXFAM continues to appeal for space for the construction of latrines at the Approved School camp which currently lacks toilet facilities. The Deputy Commission of NCRRR, Mr. Kanja Sesay, will address the issue with the relevant ministry.

The water problem at Parade Grounds camp is being addressed by the Water and Sanitation Division (WSD) in collaboration with OXFAM. UNICEF is also willing to assist if necessary.

The Christian Children's Fund (CCF) has donated garbage clearing and sanitary tools to the health and sanitation committee at the National Stadium.

Agencies involved in WATSAN activities are currently preparing their work plans for better coordination of WATSAN interventions at this critical period of the cholera season. The plans will be reviewed on a quarterly basis to highlight progress and constraints.

The water treatment plant and the two main pumps in Bo have not been functioning. There is also a need for fuel to restore water supply. MSF-B has offered to contribute Le5 million towards the repair of the pumps. The Government is also undertaking some measures to solve the problem. NGOs have been requested to assist with the cost of fuel which is estimated at Le 8 million. The European Union is willing to provide some funds through NGOs. ACF, MSF-B, OXFAM and WSD are meeting to work out the modalities for appropriate WATSAN intervention in the town. Also, CARE has commenced well construction in the area.

In Pujehun district, CRS is in the process of supporting six rural communities to construct or rehabilitate 10 wells and 20 latrines and to train and equip community maintenance teams.

WVI continues to provide Watsan assistance in Bonthe district through the cleaning of wells and installation of pumps and pulleys. As at end of April, 22 wells had been rehabilitated in the chiefdoms of Yawbeko, Kpandakemo and Jong. They plan to rehabilitate a total of 65 wells in the District.

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Food Aid

Food aid intervention in areas outside Freetown have continued to be constrained by the closure of the Freetown-Bo highway and harassment of aid workers at various checkpoints. Recognising the consequences of these problems on vulnerable populations who are now facing a food crisis in Bo and Kenema, food aid agencies intensified efforts to seek a speedy solution to the problem. On 13 May, the interim UN Humanitarian Coordinator Mr Kingsley Amaning led an inter-agency team to a meeting with the Minister of Presidential Affairs, Mr. Momodou Koroma and the Secretary to the President, Dr. James Allie, who chairs the Government humanitarian taskforce. Mr. Amaning said the team was seeking the Government's assistance in finding a common solution to a shared problem: that of facilitating the delivery of emergency and commercial food to the Southern Province in particular. WFP Representative Patrick Buckley explained the food situation in the country, noting that over 100,000 MTs of food were imported to the country during 1998. Thus far in 1999, well under half of the normal requirement had been delivered. He advised the Government to seek alternative ways of meeting this year's shortfall, and said WFP would be willing to support initiatives aimed at increasing bilateral donations. He also told the officials that both relief and commercial trucks were being asked to pay unnecessary levies at checkpoints. The Government acknowledged that some problems had been reported to them, and stated it was willing to take necessary steps to address this situation. A number of follow up meetings have taken place to clarify clearance procedures, and further develop security procedures.

As the primary route between Freetown, Bo and Kenema continues to be unavailable for movement of relief goods, food aid agencies continue to pursue the possibility of using secondary options, particularly the Freetown-Nitti route. As part of its effort to address the problem, WFP has chartered a vessel for Food aid agencies to move substantial quantities of food required to address the needs of populations in Bo and Kenema for a one-month period. The boat is expected to begin operations before the end of the month. The Sierra Leone Roads Association (SLRA) has been provided with the necessary materials for the repair of the road between Nitti and Bo. Meanwhile, agencies will continue to prioritize vulnerable groups in Bo and Kenema with the remaining food stocks in Bo. WFP, WVI and CARE currently have sufficient quantities for Therapeutic and Supplementary Feeding Centres and for institutional feeding programmes.

With regard to the recent ECOMOG requirement for all food consignments to be de-stuffed and searched at the Freetown Port, WFP has written a letter to the appropriate authorities requesting that containers are searched only at the warehouse to avoid unnecessary delays, losses and extra labour costs.

On 4 May, WVI led an overnight verification at the Approved School camp. A total of 10,981 people were registered but due to security problems, an additional 4,000 people were not registered. The CFA has formally requested the NCRRR to guarantee security arrangements for such an exercise that takes place during curfew hours.

On 12 and 13 May, WVI carried out vulnerable group feeding to 3,196 IDPs at the Bailor Barrie camp in Kissy. The food was provided by USAID.

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WFP completed verification of IDPs at the Waterloo camp last week and will distribute two-week food rations to 8,953 beneficiaries on 18 May.

Agriculture:

The Agricultural Technical Committee chaired by the Ministry of Agriculture, Forestry and Environment has been holding a series of meetings to discuss the 1999 cropping season within the context of continuing insecurity and accessibility constraints. As part of an effort to better coordinate activities in the sector, and to identify existing gaps, input distribution forms are being sent to operational agencies to update the Agriculture Database currently maintained by UN-HACU.

AFRICARE is continuing to support agricultural activities in Kenema District. It recently extended programmes to the lower Dama chiefdom where programmes were suspended in December 1998 due to the deterioration of security. Food production and seed distribution activities have also been extended to Blama where beneficiaries are receiving cassava cuttings, seed rice, groundnuts and vegetables. For this planting season, AFRICARE is targeting a total of 7,000 farming families in Bo, Pujehun and Kenema.

Also in the southern province, CRS is implementing an agricultural recovery project with a caseload of about 5,000 farming families in four chiefdoms. Distribution of upland seed rice and tools to approximately 2,000 farmers started in early May, while groundnut seeds and cassava cuttings will be distributed to households and community groups as soon as possible.

WVI has completed registration of 2,000 farming families in Sorogbema and Makpele chiefdoms in Pujehun district for distribution of seeds and tools. They have also planned the provision of inputs for roots and tuber production for 736 acres in Mattru Jong, 98 acres in Torma Bum and 220 acres in Kenema.

CAD will be commencing its initial distributions in Loko Massama in the next two weeks, security allowing.

Child Protection

As of mid May, UNICEF registered a total of 3,384 children missing since January 1999 in the Freetown area. Some 517 of those documented had been found and reunified with their families, leaving another 2,767 still missing. Social workers continue to visit the families of all registered missing children. In the last two weeks, the team identified 149 children who had returned to their homes. ADRA reported that it has had to intensify its family tracing and reunification programme in collaboration with UNICEF and other agencies in order to adequately respond to the escalation of rebel atrocities on children.

Over 500 cases of gross child rights violations have now been registered. Support to these children is provided through a consortium of organizations under the Child Protection Network. The CCSL Secretariat, which is supported by UNICEF, is in the process on finalising its quarterly report on child rights violations.

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A number of agencies and the Ministry of Social Welfare attended a meeting in Liberia on the issue of separated Sierra Leonean children in refugee camps. The aim was to examine cross border tracing and reunification between Guinea, Liberian and Sierra Leone. The meeting proposed that a centralised database be created for the three countries to facilitate family tracing.

UNICEF recently signed an agreement with the Irish NGO GOAL, to provide services to street children in Freetown. GOAL is working in collaboration with the City Council. A proposal to carry out a situation analysis of street children in Freetown and Bo is currently being finalised.

The International Rescue Committee's (IRC) Child Protection Division is beginning programmes aimed at meeting the psychosocial needs of children and youth in IDP centres. Recognising that children and youth have a complex set of needs in addition to those of basic survival, the programmes attempt to address needs through a comprehensive approach, including education, recreation and healing programmes. Support for temporary formal and non-formal education in IDP centres, within the existing child protection framework will meet immediate needs while facilitating continued education once children are resettled in their communities. Recreation activities, coordinated by IDPs themselves, provide a basis for healthy development. Healing progammes, as an extended service, will address the needs of those who have difficulties coping with their experiences.

At the beginning of the month, CRS began supporting 25 non-formal education centers for over 3,000 at-risk youth in Freetown. These centers, which cater to displaced, orphaned, street and other disadvantaged children were forced to close following the rebel incursion into Freetown in January. CRS will support the centers with food aid, reconstruction material and education/recreational items.

Refugees

Verification of Liberian refugees in Freetown, Bo and Kenema continued throughout the period being reviewed. UNCHR reported that it was still in the process of determining the number of refugees willing to be repatriated. By end of this period, it had verified a total of 3,790 in Freetown and Waterloo. Only 15 per cent of this number have indicated their interest to be repatriated.

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Comments

FACT 66

The United Nations Department of Public Information (DPI) issued a press release on 15 June 1998, reporting that:

(a) the United Nations Under-Secretary-General for Humanitarian Affairs had been on a three-day mission to Sierra Leone;

(b) the Under-Secretary-General told reporters in Geneva after the mission that the brutal treatment of civilians by rebels in Sierra Leone was unlike anything he had seen in 29 years of humanitarian work;

(c) the Under-Secretary-General described a pattern of amputations, lacerations, and maiming of civilians, including children. "Hands are cut off and ears and noses are amputated," he said.

a.	Exh. 1.187	n/a	"Top United Nations humanitarian official describes brutal treatment of civilians by rebels in Sierra Leone," United Nations Department of Public Information (DPI), 15 June 1998. Available at www.reliefweb.int.

Source: United Nations Department of Public Information (DPI)
Date: 15 Jun 1998

Top United Nations humanitarian official describes brutal treatment of civilians by rebels in Sierra Leone

The United Nations Under-Secretary-General for Humanitarian Affairs, Sergio Vieira de Mello, said on Monday the brutal treatment of civilians by rebels in Sierra Leone was unlike anything he had seen in 29 years of humanitarian work.
Speaking to reporters in Geneva after a three-day mission to Sierra Leone, Mr. Vieira de Mello described a pattern of amputations, lacerations, and maiming of civilians, including children. "Hands are cut off and ears and noses are amputated," he said. "There are no words to condemn this sort of practice and bestiality."

Mr. Vieiro De Mello said there were half a million refugees in neighbouring Guinea, mainly because rebels still controlled some parts of Sierra Leone. The number of internally displaced persons was increasing and the food situation was very serious and likely to get worse. Areas previously held by the rebels were totally devastated and the country's infrastructure needed rebuilding. "Investment in development and rehabilitation cannot wait for total peace. We cannot just give humanitarian aid now," he said.

The legitimate Government of Sierra Leone has been back in office in the capital, Freetown, since March and has re-established control over a large part of the country.

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FACT 67

The United Nations issued the Sixth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1999/645), dated 4 June 1999, in which the Secretary-General reported or noted:

(a) there had been continued allegations of arms shipments to rebels in Sierra Leone either through or from Liberia (para. 13). Reiterated the call to all States to comply strictly with the embargo on the sale or supply of arms and related materiel to non-governmental forces in Sierra Leone (para. 69);

(b) that President Taylor stated in an address to delegates at the Mano River Parliamentary Union on 27 May 1999 that he would do his utmost to ensure peace and security in Guinea and Sierra Leone, since peace in Liberia could be assured only if its neighbours were also at peace (para. 17);

(c) that RUF/AFRC undertook raids on undefended villages, committing atrocities at a scale not seen since their retreat from Freetown in January (para. 20);

(d) that the reporting period had been marked by a resurgence of rebel atrocities against civilians, most of them reported from the provincial towns of Masiaka and Port Loko, including a significant number of summary executions, mutilations, limb amputations, abductions and sexual abuse, and large-scale destruction of property (para. 28);

(e) other human rights abuses allegedly committed by rebels against civilians: physical and psychological torture and harassment; killings or mutilations in Masiaka; summary executions in Port Loko on 7 May; the display of decapitated bodies and severed heads of civilians on the roadside in the Masiaka area by retreating RUF/AFRC; the murder of several infants in Masumana village; limb amputations in Mangarma village; abductions by RUF/AFRC retreating forces using abductees as porters, potential recruits or sex slaves (paras. 29-32). The RUF was presented with the findings of the mission and pledged to set up an internal investigation to probe the allegations (para. 33);

(f) the internal RUF talks leading up to Lomé negotiations resulted in a position paper of RUF/AFRC views and demands, which called, *inter alia*, for blanket amnesty for all personnel of RUF and AFRC, which had organized the coup d'etat in Sierra Leone in May 1997 (para. 7);

(g) that UNICEF had registered a total of 3,384 children who had been missing since January 1999 from the Freetown area, and reported that abductions of large numbers of children persisted (para. 46); and

(h) the attribution of some human rights violations to CDF and ECOMOG soldiers in the wake of the rebel incursion into Freetown (paras. 34-36).

a.	Exh. 1.075	ERN 00012322-00012338	Sixth Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone, 4 June 1999 (S/1999/645) http://daccessdds.un.org/doc/UNDOC/GEN/N99/165/96/IMG/N9916596.pdf?OpenElement

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Relations between Sierra Leone and Liberia

13. There have been continued allegations of arms shipments reaching the rebels in Sierra Leone either through or from Liberia. On 8 April, the ECOMOG Force Commander, Major-General Felix Mujakperuo, announced that ECOMOG had confirmed the involvement of the Governments of Liberia and Burkina Faso in the shipment and delivery of arms to the rebels on 14 and 15 March. The details of this incident and another alleged incident on 20 April were brought to the attention of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone. The Government of Liberia has denied the allegations.

14. Given the persistent tension between Sierra Leone and Liberia resulting from allegations of arms supplies to the rebels, the Security Council requested me, in resolution 1231 (1999), to consider, in coordination with the countries of the Mano River Union and other States members of ECOWAS, the practicality and effectiveness of the deployment of United Nations monitors, along with ECOMOG forces, at the Sierra Leone/Liberia border. Such a presence could improve the security climate and build confidence between the two countries. Accordingly, I wrote to both the Chairman and the Executive Secretary of ECOWAS on 12 April,

seeking their views on the possible deployment of ECOMOG troops and the subsequent deployment of United Nations personnel along the border.

15. In his reply, dated 26 April 1999, the Executive Secretary, Lansana Kouyaté, stated that the Chiefs of Staff of the countries contributing troops to ECOMOG in Sierra Leone, who had discussed my letter at their meeting at Abuja, welcomed the proposal in principle. However, citing the difficult terrain along the border and the consequent need for adequate equipment, Mr. Kouyaté proposed that the United Nations should assist in providing the necessary logistical equipment, including helicopters, communications and ground transportation. He requested the United Nations to dispatch a technical team to discuss with ECOMOG the modalities and requirements of deployment. On 7 May, the Under-Secretary-General for Peacekeeping Operations, Bernard Miyet, invited ECOWAS to indicate how many ECOMOG troops would be required, and the time needed for their deployment, and requested a detailed statement of ECOMOG's logistical requirements. This information can be provided to the Security Council as soon as it is received.

16. There have also been positive developments in the relations between Sierra Leone and Liberia. For example, there is increased contact among civic groups in both countries as demonstrated by the visits to Liberia of the Inter-Religious Council of Sierra Leone and the National Union of Sierra Leone Students. Moreover, a delegation of the Liberian Senate met with President Kabbah in Freetown in early April to offer the support of the Government and people of Liberia for the resolution of the armed conflict in Sierra Leone. The delegation proposed that the three parliaments of the countries of the Mano River Union should work together, under the coordination of Mali, to help to end the conflict.

17. On 27 May, the first annual conference of the Mano River Parliamentary Union opened in Monrovia. Although no Sierra Leonean representative attended the conference, President Taylor stated in his address to the delegates of Liberia, Guinea and Mali that he would do his utmost to ensure peace and security in Guinea and Sierra Leone, since peace in Liberia could be assured only if its neighbours were also at peace.

III. MILITARY AND SECURITY SITUATION

18. The military and security situation in Sierra Leone has remained fluid and complex. Following his assumption of the command of ECOMOG in late March, the new Force Commander, Major-General Felix Mujakperuo, launched an offensive to provide a larger security cordon around Lungi and Freetown. As a result, ECOMOG succeeded in opening the roads connecting Freetown with Lungi, Port Loko and Kambia in the western and north-western parts of the country. Moreover, the clearance of a subsidiary road from Freetown to Bo via Moyamba opened up a land route for supplies to Bo and Kenema. ECOMOG also retains its positions at Kabala and Bumbuna. Since my previous report, ECOMOG's military capabilities have been further strengthened with a substantial increase in communications facilities and air assets.

19. However, RUF/AFRC continue to dominate many areas of Sierra Leone, particularly in the Northern and Eastern Provinces. They also have considerable freedom of movement in parts of the Western Area and the Southern Province, where they retain the capability to interdict ECOMOG lines of communication and carry out raids. The Kono diamond mining area is also still under RUF/AFRC control. Two attacks on Kenema have recently been repulsed, although a large rebel group has advanced to around 15 miles north of the town. Continued reports of arms supply reaching RUF/AFRC indicate that their fighting capacity remains strong. In addition, they have significantly strengthened their anti-aircraft capabilities, an achievement attributed to the use of foreign expertise. The existence of pockets of forces behind the other party's lines, especially around the north-south Bo-Kabala axis, is expected to complicate the monitoring of the ceasefire.

20. Both before and after 24 May, when the ceasefire took effect, rebel activity in the north-west increased considerably, amid mutual accusations by the parties of violations. A rebel group, largely composed of troops of the former Republic of Sierra Leone Military Forces (RSLMF), has been detected in the area north of Occra Hills/south of Port Loko, and there is a large build-up of RUF/AFRC in the area north of Lunsar and Port Loko. This build-up poses a threat to Port Loko/Rogberi and possibly to Lungi, which ECOMOG has warned it will forcibly resist. Prior to the ceasefire, RUF/AFRC attacked some ECOMOG positions in the area of Port Loko, including Port Loko itself, and in the Occra Hills where both sides have suffered casualties. RUF/AFRC also undertook raids on undefended villages, committing atrocities at a scale not seen since their retreat from Freetown in January (see sect. V below). Freetown remains subject to a curfew, albeit at reduced hours, and ECOMOG continues to operate checkpoints to curb rebel infiltration.

Creation of a new Sierra Leone armed forces

21. As detailed in my second progress report on UNOMSIL of 16 October 1998 (S/1998/960), the Government's efforts to improve security involve the creation of a new armed forces of 5,000 troops, the restructuring of the Civil Defence Forces (CDF) and the reform of the Sierra Leone Police Force.

22. On 10 May, the first 562 troops completed three months of elementary training and, at the initiative of the Government of Nigeria, elementary cadet training has been provided for 81 future officers at the Nigerian Defence Academy. The efforts to create a new Sierra Leone army have received significant support from the Government of the United Kingdom, which is providing both training assistance and equipment.

Reconstitution of the Sierra Leone Police Force

23. Another aspect of these efforts concerns the rebuilding of the Sierra Leone Police Force, which suffered severely during the rebel invasion of Freetown, with some 200 officers being killed and many police stations destroyed. With donor assistance, the Government has made considerable progress in reconstituting a functioning police presence in the capital, but reversing the extent of the damage and the collapse of the police structure in most parts of the country will require substantial external assistance.

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24. As noted in my earlier reports, the support provided by the Commonwealth Police Development Task Force and the UNOMSIL civilian police advisers had contributed significantly to the Sierra Leone Police Force reform efforts. In April 1999, two Commonwealth police advisers visited Sierra Leone with a view to the eventual resumption of their activities. I will present to the Security Council at an appropriate time in the near future my plans for a resumption of activity in Sierra Leone by United Nations civilian police advisers to render tangible assistance in cooperation with bilateral donors.

IV. DISARMAMENT AND DEMOBILIZATION

25. Since my report of 4 March 1999 (S/1999/237), the disarmament, demobilization and reintegration programme has been at a near standstill. A joint World Bank/British Department for International Development team found in March that some of the original programme assumptions and guiding principles were no longer applicable and that the programme would have to be re-adjusted to reflect the changed political environment and security situation. Based on their recommendations, the pilot phase of the programme, which was designed to accommodate existing ex-combatants as well as those who might surrender before the signing of a new peace agreement, has since resumed. However, any subsequent large-scale disarmament, demobilization and reintegration activity will require the implementation of a peace agreement and the stabilization of the security situation. This matter is still under consideration by the National Committee on Disarmament, Demobilization and Reintegration.

26. The approximately 1,300 ex-combatants, who had been originally part of the disarmament, demobilization and reintegration process at Lungi, continue to be housed under appalling conditions in Freetown. Despite a decision on 12 April by the National Committee on Disarmament, Demobilization and Reintegration to move them to Lungi, ECOMOG opposes their relocation because of continued insecurity in the area. As a result, plans are under way to improve their current living conditions. This matter is also under consideration by the National Committee.

27. Meanwhile, under the framework of its child protection network, UNICEF, in cooperation with ECOMOG and UNOMSIL, has been providing services to children released by RUF/AFRC as part of the overall peace negotiations. Child welfare agencies have also begun developing strategies and policies for child soldiers within the overall framework of the disarmament, demobilization and reintegration programme, while the United Nations Development Programme (UNDP) is reviewing its involvement in the reintegration phase of disarmament, demobilization and reintegration. Other specialized agencies of the United Nations system and humanitarian organizations have started conceptualizing and examining possible links to humanitarian assistance and rehabilitation programmes.

V. HUMAN RIGHTS

28. The reporting period has been marked by a resurgence of rebel atrocities against civilians, most of them reported from the provincial towns of Masiaka

and Port Loko. Based on eyewitness accounts, the human rights abuses by RUF/AFRC have included significant numbers of summary executions, mutilations, limb amputations, abductions and sexual abuse, as well as the large-scale destruction of property. Civilians in the affected areas are also suffering significant humanitarian deprivation.

29. Although there was a drop in the number of reported cases of gross human rights violations during March, escapees from rebel-held territories continued to provide disturbing accounts of abusive rebel behaviour against civilians, including physical and psychological torture and harassment. In Makeni and Koinadugu, escapees reported that RUF/AFRC had imposed punitive food taxes, restricted the movement of civilians and operated a harsh justice system. A UNOMSIL investigation team that visited Masiaka after the town's recapture by ECOMOG/CDF received testimonies of ill-treatment of civilians, some of whom were killed or mutilated after being accused of sympathizing with pro-government forces. Moreover, a large number of boys and male adolescents in the area had the letters "RUF" engraved across their chests with razor blades.

30. During a rebel attack on Port Loko on 7 May, over 20 civilians are believed to have been summarily executed by a group of RUF/AFRC at nearby Mangarma village. Survivors also reported summary executions in other areas around Port Loko, which were attributed in at least two villages to a well-orchestrated rebel strategy carried out at the orders of rebel commanders. In the Masiaka area, the UNOMSIL team observed a number of bodies and received credible reports that eight decapitated bodies and severed heads of civilians had been displayed on the roadside by retreating RUF/AFRC. In one incident in Masumana village between Masiaka and Mile 38, eye witnesses described the murder of several infants by RUF/AFRC.

31. RUF/AFRC forces have also continued their practice of limb amputations, and at least a dozen victims have suffered this form of torture over the past month alone. In Mangarma village, RUF/AFRC reportedly amputated the arms of two of their civilian captives and then instructed them to walk to Port Loko town to alert the Malian contingent of ECOMOG of the RUF/AFRC impending attack. One victim, a male teacher, was hospitalized in Freetown after RUF/AFRC cut off both his arms, as well as his ears and lips.

32. A large number of civilians are believed to have been abducted by RUF/AFRC over the past three months. The abductions have reportedly followed a consistent pattern where RUF/AFRC retreating from a town or village have forced men, women and children to go with them to serve as porters, potential recruits or sex slaves. Most of these abductees are still being held by RUF/AFRC. In Matteh village near Masiaka, the section chief estimated the number of abductees in the area to be in the thousands. Most of the people interviewed in the Port Loko and Masiaka areas said they had lost close family members through abduction. One man told UNOMSIL that 15 members of his immediate family had been abducted by RUF/AFRC.

33. My Special Representative in Sierra Leone has already expressed to RUF/AFRC the deep concerns of the United Nations over the reported abuses of human rights and violations of international humanitarian law. Following the fact-finding visit by UNOMSIL human rights officers to Masiaka, the Special Representative

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shared the findings of the mission with Corporal Foday Sankoh, and presented the RUF delegates with an aide-mémoire on human rights issues. RUF has since pledged to set up an internal investigation to probe these allegations and has requested support from the international community.

34. After concerns had been raised by my Special Representative and others regarding human rights violations attributed to ECOMOG and CDF soldiers in the wake of the rebel incursion into Freetown in January (see S/1997/237), the ECOMOG High Command has taken concrete positive steps to address this issue. In April, the ECOMOG Force Commander initiated the formation of a Civil/Military Relations Committee which will, inter alia, investigate allegations of human rights violations against individual members of ECOMOG and CDF and recommend appropriate action to the higher authorities. Membership in the Committee includes representatives of the National Commission for Democracy and Human Rights, the Bar Association, the police, the media, civil society and the Government, with UNOMSIL participating in an observer capacity.

35. In spite of the goodwill exhibited by the ECOMOG High Command, there have been a few reports of ill-treatment of the civilian population by ECOMOG, CDF and Civil Defence Units (CDU). It is also reported that detainees from rebel-controlled areas face a high risk of intimidation and even execution as alleged rebel collaborators. For instance, information has been received of the execution of up to 30 escapees by CDF forces (Kapras) at Kagbantama, near the town of Gbinti in the Northern Province. In a separate report, a woman from Moyamba District in the south-west provided detailed information on an alleged attack on the town of Bradford by CDF forces (Kamajors) in which at least six civilians are believed to have lost their lives. In April, a reliable informant reported the severe beating and detention for two days of a man and a woman in central Freetown.

36. Various sources, including United Nations agencies, report that there is continued widespread recruitment of children by CDF in the Southern and Eastern Provinces, especially at Bo and Kenema. Agencies also report that a number of children who had been demobilized from CDF are known to have been subsequently re-recruited. This is an issue of great concern, especially considering the promise made last year by the Government of Sierra Leone to my Special Representative on Children and Armed Conflict to demobilize and discontinue the practice of recruiting children under 18 years of age into the armed forces of Sierra Leone. My Special Representative in Freetown continues to monitor the situation closely and raises the relevant issues with the Government. Government officials in the Southern Province have reportedly acted to halt underage recruitment by CDF elements.

37. On 27 April, President Kabbah announced the establishment under statute of a new Human Rights Commission for Sierra Leone, replacing the human rights role of the National Commission for Democracy and Human Rights. The body will have some form of adjudicatory authority and considerable implementation powers. UNOMSIL has informed the Government of its support for this initiative and has promised to provide, in collaboration with the Office of the United Nations High Commissioner for Human Rights, the necessary technical assistance.

42. Given these difficulties, urgent measures are now being taken in cooperation with the Government to explore other ways of transporting food aid. At present, food agencies have leased a ship to transfer food to Nitti port, where it can then be driven by road to Bo. If successful, this route will allow for the supply of food to war-affected people. The World Food Programme has also requested to send food along the Freetown-Bo highway, which was recently re-opened by commercial transporters, but had not received clearance from the Government at the time of the present report. In the meantime, the remaining limited amount of food in these areas has been prioritized for therapeutic and supplementary feeding centres as well as camps for internally displaced persons.

43. Meanwhile, in government-controlled areas, including Freetown and parts of the southern and eastern areas, the humanitarian community has mobilized to provide some form of support to about 370,000 individuals. At present, more than 120,000 registered internally displaced persons living in camps are receiving a comprehensive package of assistance, including food, shelter and health services. However, with more than 80 per cent of the buildings destroyed in some parts of Freetown, many thousands more are squatting in other areas or staying with relatives. A war-ravaged economy, characterized by low incomes and high costs for food and other basic items, has compounded their suffering.

44. To address chronic food insecurity, emergency seeds and tools have been distributed to farmers who lost their property to armed groups in Port Loko, Kenema and Bo districts as well as the Western Area. The United Nations continues to support the Government in its efforts to buy imported rice and to access food on a bilateral basis from donor Governments.

45. Basic support for clinics and hospitals has continued to come from UNICEF, the World Health Organization (WHO) and the medical non-governmental organizations. Some 25 health centres and eight mobile clinics are now functioning in Freetown, with 25 operating in southern Bo, Pujehun and Bonthe districts. Large-scale expanded programme of immunization campaigns have successfully headed off a measles epidemic around Freetown, Kenema and Bonthe, with more than 65,000 children vaccinated in those areas.

46. As of mid-May, UNICEF had registered a total of 3,384 children who had been missing since January 1999 from the Freetown area. More than 500 of these have been traced and reunified with their families. However, abductions of large numbers of children persist. The Child Protection Network continues to trace such incidents and to provide programmes to help unaccompanied children, demobilized child soldiers and other children with special needs.

47. Finally, water trucking, well chlorination and waste management activities in most camps for internally displaced persons have reduced the level of waterborne diseases such as cholera and diarrhoea. Plastic sheeting, nails, wood and kitchen sets have been provided to some urban households and to displaced persons in camps in the west, east and south. The needs in this area, however are considerable and require continued intervention as well as resources.

48. While the humanitarian situation remains dire, the recent ceasefire and initiation of dialogue between the parties to the conflict has been welcomed by

65. In this context, I also wish to commend the initiative of the ECOMOG Force Commander, Major-General Felix Mujakperuo, in establishing a Civil-Military Relations Committee to investigate allegations of human rights violations by pro-Government forces. These investigations are being undertaken with the full participation of representatives of all sectors of Sierra Leonean society, with the United Nations in an international observer role.

66. In line with the dual-track approach, ECOMOG deserves praise for its continued efforts in support of the Government and people of Sierra Leone, as do the Governments of Nigeria, Guinea, Ghana and Mali for their steadfast commitment towards restoring security and stability in Sierra Leone, with the assistance of donor countries, including Canada, the Netherlands, the United Kingdom and the United States. I call upon the international community to continue supporting ECOMOG logistically and also to assist the process of the rebuilding of the Sierra Leone armed forces.

67. There is also an urgent need to resume the process of disarmament, demobilization and reintegration of the current ex-combatants and to prepare the groundwork for an expansion of such activities as part of a peace agreement. I hope that the Government of Sierra Leone will continue to provide the necessary impetus to the national disarmament, demobilization and reintegration programme and ensure its viability as an incentive for all rebel fighters willing to lay down their arms at this critical juncture in the peace process. It is also important for the Government to work closely with donors on the development of a revised disarmament, demobilization and reintegration plan, with a well-defined operational plan and clear funding arrangements, to be put into effect in the context of a peace agreement.

68. There is an urgent need to consider how RUF/AFRC might be transformed into a legitimate political party in parallel with the process of reintegrating former combatants into society. I would also call for an end to all recruitment of children as soldiers, and would hope that any eventual peace agreement would embody commitments on the part of all parties to demobilize their child participants immediately. Disarmament, demobilization and reintegration programmes should consider giving priority to children under 18.

69. The persistent reports of arms supplies reaching the rebel forces are disturbing. Any support for RUF/AFRC by outside parties serves to perpetuate the conflict in Sierra Leone, whether it be motivated by economic interests or other strategic aims. I reiterate my call to all States to comply strictly with the embargo on the sale or supply of arms and related matériel to non-governmental forces in Sierra Leone imposed by the Security Council in its resolution 1171 (1998).

70. The dire humanitarian situation underscores the need to establish mechanisms to ensure unhindered humanitarian access to all parts of the country and to promote effective coordination and cooperation between humanitarian agencies, the Government and RUF. There is a critical need to facilitate the delivery of humanitarian aid to people in need, which requires the protection of and respect for humanitarian relief workers, goods and properties. Negotiation for humanitarian access should be guided by the code of conduct for humanitarian agencies operating in Sierra Leone. While recognizing the considerable

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SIXTH REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN SIERRA LEONE

I. INTRODUCTION

1. By paragraph 11 of resolution 1231 (1999) of 11 March 1999, the Security Council requested me to keep the Council closely informed on the situation in Sierra Leone and in this regard to submit a report, by 5 June 1999, with recommendations on the future deployment of the United Nations Observer Mission in Sierra Leone (UNOMSIL) and the implementation of its mandate. The present report is submitted in accordance with that request.

II. POLITICAL DEVELOPMENTS

Dialogue process

2. Since my report of 4 March 1999 (S/1999/237), the peace process in Sierra Leone has made significant progress, culminating in the signing of a ceasefire agreement on 18 May 1999 (see S/1999/585, annex) and the start of dialogue between the Government of Sierra Leone and the Revolutionary United Front (RUF) at Lomé on 25 May.

3. The signing of the ceasefire agreement and the inception of talks with RUF to a large extent reflect the outcome of a number of important initiatives undertaken by the Government of Sierra Leone. In early to mid-March, President Ahmad Tejan Kabbah visited several key countries in the subregion, including Côte d'Ivoire, Ghana, Nigeria and Togo, to discuss the situation in Sierra Leone and possible ways forward with the support of the Economic Community of West African States (ECOWAS) and its Monitoring Group (ECOMOG). In a radio address to the nation on 14 March, President Kabbah expressed his appreciation for the assistance provided by those countries and reaffirmed his commitment to the dual-track approach, which involves strengthening ECOMOG while being prepared to talk to RUF and the Armed Forces Revolutionary Council (AFRC).

4. The Government's initiatives were accompanied by considerable diplomatic activity in the subregion on the part of a number of Governments and organizations in the subregion and elsewhere, including the current Chairman of ECOWAS, President Gnassingbe Eyadema of Togo; the ECOMOG troop-contributing

countries, namely Nigeria, Guinea, Ghana and Mali; the Governments of the United Kingdom of Great Britain and Northern Ireland and the United States of America and the United States Presidential Special Envoy for the Promotion of Democracy in Africa, the Rev. Jesse Jackson; and my Special Representative for Sierra Leone, Francis G. Okelo.

5. The opening of talks between the Government and RUF at Lomé on 25 May followed internal consultations there between the RUF leader, Corporal Foday Sankoh, and a delegation of 14 RUF representatives from within Sierra Leone. At the Government's request, UNOMSIL transported Corporal Sankoh from Freetown to Lomé on 18 April. Subsequently, UNOMSIL also transported the 14 other RUF representatives from other parts of Sierra Leone to Lomé via Monrovia with the cooperation and support of the Government of Liberia and the assistance of the United Nations Peace-building Support Office in Liberia. UNOMSIL has also provided some logistical support for the Government of Togo, which is hosting the talks, through the use of the Trust Fund to Support United Nations Peacekeeping-related Activities in Sierra Leone.

6. Although Corporal Sankoh was still pursuing his appeal against his conviction and sentence to death for treason, the Government granted him judicial leave to pursue the dialogue process. On 29 May, the Government and the RUF delegation reached an understanding on the status of Corporal Sankoh. The Government undertook to take the appropriate legal steps to grant him an absolute and free pardon, and Corporal Sankoh said that his delegation would proceed with the dialogue.

7. The internal RUF talks lasted from 26 April to 10 May and resulted in a position paper reflecting the RUF/AFRC views and demands. The position paper calls, inter alia, for a blanket amnesty for all personnel of RUF and AFRC, which had organized the coup d'état in Sierra Leone in May 1997; and the establishment of a four-year transitional Government. The main functions of the transitional Government would include the drafting of a new constitution; the reform of the national security forces and civil service; the encampment, disarmament, demobilization and reintegration of all combatants; and the establishment of a national electoral commission. RUF expressed readiness to convert itself into a political party.

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Relations between Sierra Leone and Liberia

13. There have been continued allegations of arms shipments reaching the rebels in Sierra Leone either through or from Liberia. On 8 April, the ECOMOG Force Commander, Major-General Felix Mujakperuo, announced that ECOMOG had confirmed the involvement of the Governments of Liberia and Burkina Faso in the shipment and delivery of arms to the rebels on 14 and 15 March. The details of this incident and another alleged incident on 20 April were brought to the attention of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone. The Government of Liberia has denied the allegations.

14. Given the persistent tension between Sierra Leone and Liberia resulting from allegations of arms supplies to the rebels, the Security Council requested me, in resolution 1231 (1999), to consider, in coordination with the countries of the Mano River Union and other States members of ECOWAS, the practicality and effectiveness of the deployment of United Nations monitors, along with ECOMOG forces, at the Sierra Leone/Liberia border. Such a presence could improve the security climate and build confidence between the two countries. Accordingly, I wrote to both the Chairman and the Executive Secretary of ECOWAS on 12 April,

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seeking their views on the possible deployment of ECOMOG troops and the subsequent deployment of United Nations personnel along the border.

15. In his reply, dated 26 April 1999, the Executive Secretary, Lansana Kouyaté, stated that the Chiefs of Staff of the countries contributing troops to ECOMOG in Sierra Leone, who had discussed my letter at their meeting at Abuja, welcomed the proposal in principle. However, citing the difficult terrain along the border and the consequent need for adequate equipment, Mr. Kouyaté proposed that the United Nations should assist in providing the necessary logistical equipment, including helicopters, communications and ground transportation. He requested the United Nations to dispatch a technical team to discuss with ECOMOG the modalities and requirements of deployment. On 7 May, the Under-Secretary-General for Peacekeeping Operations, Bernard Miyet, invited ECOWAS to indicate how many ECOMOG troops would be required, and the time needed for their deployment, and requested a detailed statement of ECOMOG's logistical requirements. This information can be provided to the Security Council as soon as it is received.

16. There have also been positive developments in the relations between Sierra Leone and Liberia. For example, there is increased contact among civic groups in both countries as demonstrated by the visits to Liberia of the Inter-Religious Council of Sierra Leone and the National Union of Sierra Leone Students. Moreover, a delegation of the Liberian Senate met with President Kabbah in Freetown in early April to offer the support of the Government and people of Liberia for the resolution of the armed conflict in Sierra Leone. The delegation proposed that the three parliaments of the countries of the Mano River Union should work together, under the coordination of Mali, to help to end the conflict.

17. On 27 May, the first annual conference of the Mano River Parliamentary Union opened in Monrovia. Although no Sierra Leonean representative attended the conference, President Taylor stated in his address to the delegates of Liberia, Guinea and Mali that he would do his utmost to ensure peace and security in Guinea and Sierra Leone, since peace in Liberia could be assured only if its neighbours were also at peace.

III. MILITARY AND SECURITY SITUATION

18. The military and security situation in Sierra Leone has remained fluid and complex. Following his assumption of the command of ECOMOG in late March, the new Force Commander, Major-General Felix Mujakperuo, launched an offensive to provide a larger security cordon around Lungi and Freetown. As a result, ECOMOG succeeded in opening the roads connecting Freetown with Lungi, Port Loko and Kambia in the western and north-western parts of the country. Moreover, the clearance of a subsidiary road from Freetown to Bo via Moyamba opened up a land route for supplies to Bo and Kenema. ECOMOG also retains its positions at Kabala and Bumbuna. Since my previous report, ECOMOG's military capabilities have been further strengthened with a substantial increase in communications facilities and air assets.

19. However, RUF/AFRC continue to dominate many areas of Sierra Leone, particularly in the Northern and Eastern Provinces. They also have considerable freedom of movement in parts of the Western Area and the Southern Province, where they retain the capability to interdict ECOMOG lines of communication and carry out raids. The Kono diamond mining area is also still under RUF/AFRC control. Two attacks on Kenema have recently been repulsed, although a large rebel group has advanced to around 15 miles north of the town. Continued reports of arms supply reaching RUF/AFRC indicate that their fighting capacity remains strong. In addition, they have significantly strengthened their anti-aircraft capabilities, an achievement attributed to the use of foreign expertise. The existence of pockets of forces behind the other party's lines, especially around the north-south Bo-Kabala axis, is expected to complicate the monitoring of the ceasefire.

20. Both before and after 24 May, when the ceasefire took effect, rebel activity in the north-west increased considerably, amid mutual accusations by the parties of violations. A rebel group, largely composed of troops of the former Republic of Sierra Leone Military Forces (RSLMF), has been detected in the area north of Occra Hills/south of Port Loko, and there is a large build-up of RUF/AFRC in the area north of Lunsar and Port Loko. This build-up poses a threat to Port Loko/Rogberi and possibly to Lungi, which ECOMOG has warned it will forcibly resist. Prior to the ceasefire, RUF/AFRC attacked some ECOMOG positions in the area of Port Loko, including Port Loko itself, and in the Occra Hills where both sides have suffered casualties. RUF/AFRC also undertook raids on undefended villages, committing atrocities at a scale not seen since their retreat from Freetown in January (see sect. V below). Freetown remains subject to a curfew, albeit at reduced hours, and ECOMOG continues to operate checkpoints to curb rebel infiltration.

Creation of a new Sierra Leone armed forces

21. As detailed in my second progress report on UNOMSIL of 16 October 1998 (S/1998/960), the Government's efforts to improve security involve the creation of a new armed forces of 5,000 troops, the restructuring of the Civil Defence Forces (CDF) and the reform of the Sierra Leone Police Force.

22. On 10 May, the first 562 troops completed three months of elementary training and, at the initiative of the Government of Nigeria, elementary cadet training has been provided for 81 future officers at the Nigerian Defence Academy. The efforts to create a new Sierra Leone army have received significant support from the Government of the United Kingdom, which is providing both training assistance and equipment.

Reconstitution of the Sierra Leone Police Force

23. Another aspect of these efforts concerns the rebuilding of the Sierra Leone Police Force, which suffered severely during the rebel invasion of Freetown, with some 200 officers being killed and many police stations destroyed. With donor assistance, the Government has made considerable progress in reconstituting a functioning police presence in the capital, but reversing the extent of the damage and the collapse of the police structure in most parts of the country will require substantial external assistance.

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24. As noted in my earlier reports, the support provided by the Commonwealth Police Development Task Force and the UNOMSIL civilian police advisers had contributed significantly to the Sierra Leone Police Force reform efforts. In April 1999, two Commonwealth police advisers visited Sierra Leone with a view to the eventual resumption of their activities. I will present to the Security Council at an appropriate time in the near future my plans for a resumption of activity in Sierra Leone by United Nations civilian police advisers to render tangible assistance in cooperation with bilateral donors.

IV. DISARMAMENT AND DEMOBILIZATION

25. Since my report of 4 March 1999 (S/1999/237), the disarmament, demobilization and reintegration programme has been at a near standstill. A joint World Bank/British Department for International Development team found in March that some of the original programme assumptions and guiding principles were no longer applicable and that the programme would have to be re-adjusted to reflect the changed political environment and security situation. Based on their recommendations, the pilot phase of the programme, which was designed to accommodate existing ex-combatants as well as those who might surrender before the signing of a new peace agreement, has since resumed. However, any subsequent large-scale disarmament, demobilization and reintegration activity will require the implementation of a peace agreement and the stabilization of the security situation. This matter is still under consideration by the National Committee on Disarmament, Demobilization and Reintegration.

26. The approximately 1,300 ex-combatants, who had been originally part of the disarmament, demobilization and reintegration process at Lungi, continue to be housed under appalling conditions in Freetown. Despite a decision on 12 April by the National Committee on Disarmament, Demobilization and Reintegration to move them to Lungi, ECOMOG opposes their relocation because of continued insecurity in the area. As a result, plans are under way to improve their current living conditions. This matter is also under consideration by the National Committee.

27. Meanwhile, under the framework of its child protection network, UNICEF, in cooperation with ECOMOG and UNOMSIL, has been providing services to children released by RUF/AFRC as part of the overall peace negotiations. Child welfare agencies have also begun developing strategies and policies for child soldiers within the overall framework of the disarmament, demobilization and reintegration programme, while the United Nations Development Programme (UNDP) is reviewing its involvement in the reintegration phase of disarmament, demobilization and reintegration. Other specialized agencies of the United Nations system and humanitarian organizations have started conceptualizing and examining possible links to humanitarian assistance and rehabilitation programmes.

V. HUMAN RIGHTS

28. The reporting period has been marked by a resurgence of rebel atrocities against civilians, most of them reported from the provincial towns of Masiaka

and Port Loko. Based on eyewitness accounts, the human rights abuses by RUF/AFRC have included significant numbers of summary executions, mutilations, limb amputations, abductions and sexual abuse, as well as the large-scale destruction of property. Civilians in the affected areas are also suffering significant humanitarian deprivation.

29. Although there was a drop in the number of reported cases of gross human rights violations during March, escapees from rebel-held territories continued to provide disturbing accounts of abusive rebel behaviour against civilians, including physical and psychological torture and harassment. In Makeni and Koinadugu, escapees reported that RUF/AFRC had imposed punitive food taxes, restricted the movement of civilians and operated a harsh justice system. A UNOMSIL investigation team that visited Masiaka after the town's recapture by ECOMOG/CDF received testimonies of ill-treatment of civilians, some of whom were killed or mutilated after being accused of sympathizing with pro-government forces. Moreover, a large number of boys and male adolescents in the area had the letters "RUF" engraved across their chests with razor blades.

30. During a rebel attack on Port Loko on 7 May, over 20 civilians are believed to have been summarily executed by a group of RUF/AFRC at nearby Mangarma village. Survivors also reported summary executions in other areas around Port Loko, which were attributed in at least two villages to a well-orchestrated rebel strategy carried out at the orders of rebel commanders. In the Masiaka area, the UNOMSIL team observed a number of bodies and received credible reports that eight decapitated bodies and severed heads of civilians had been displayed on the roadside by retreating RUF/AFRC. In one incident in Masumana village between Masiaka and Mile 38, eye witnesses described the murder of several infants by RUF/AFRC.

31. RUF/AFRC forces have also continued their practice of limb amputations, and at least a dozen victims have suffered this form of torture over the past month alone. In Mangarma village, RUF/AFRC reportedly amputated the arms of two of their civilian captives and then instructed them to walk to Port Loko town to alert the Malian contingent of ECOMOG of the RUF/AFRC impending attack. One victim, a male teacher, was hospitalized in Freetown after RUF/AFRC cut off both his arms, as well as his ears and lips.

32. A large number of civilians are believed to have been abducted by RUF/AFRC over the past three months. The abductions have reportedly followed a consistent pattern where RUF/AFRC retreating from a town or village have forced men, women and children to go with them to serve as porters, potential recruits or sex slaves. Most of these abductees are still being held by RUF/AFRC. In Matteh village near Masiaka, the section chief estimated the number of abductees in the area to be in the thousands. Most of the people interviewed in the Port Loko and Masiaka areas said they had lost close family members through abduction. One man told UNOMSIL that 15 members of his immediate family had been abducted by RUF/AFRC.

33. My Special Representative in Sierra Leone has already expressed to RUF/AFRC the deep concerns of the United Nations over the reported abuses of human rights and violations of international humanitarian law. Following the fact-finding visit by UNOMSIL human rights officers to Masiaka, the Special Representative

shared the findings of the mission with Corporal Foday Sankoh, and presented the RUF delegates with an aide-mémoire on human rights issues. RUF has since pledged to set up an internal investigation to probe these allegations and has requested support from the international community.

34. After concerns had been raised by my Special Representative and others regarding human rights violations attributed to ECOMOG and CDF soldiers in the wake of the rebel incursion into Freetown in January (see S/1997/237), the ECOMOG High Command has taken concrete positive steps to address this issue. In April, the ECOMOG Force Commander initiated the formation of a Civil/Military Relations Committee which will, inter alia, investigate allegations of human rights violations against individual members of ECOMOG and CDF and recommend appropriate action to the higher authorities. Membership in the Committee includes representatives of the National Commission for Democracy and Human Rights, the Bar Association, the police, the media, civil society and the Government, with UNOMSIL participating in an observer capacity.

35. In spite of the goodwill exhibited by the ECOMOG High Command, there have been a few reports of ill-treatment of the civilian population by ECOMOG, CDF and Civil Defence Units (CDU). It is also reported that detainees from rebel-controlled areas face a high risk of intimidation and even execution as alleged rebel collaborators. For instance, information has been received of the execution of up to 30 escapees by CDF forces (Kapras) at Kagbantama, near the town of Gbinti in the Northern Province. In a separate report, a woman from Moyamba District in the south-west provided detailed information on an alleged attack on the town of Bradford by CDF forces (Kamajors) in which at least six civilians are believed to have lost their lives. In April, a reliable informant reported the severe beating and detention for two days of a man and a woman in central Freetown.

36. Various sources, including United Nations agencies, report that there is continued widespread recruitment of children by CDF in the Southern and Eastern Provinces, especially at Bo and Kenema. Agencies also report that a number of children who had been demobilized from CDF are known to have been subsequently re-recruited. This is an issue of great concern, especially considering the promise made last year by the Government of Sierra Leone to my Special Representative on Children and Armed Conflict to demobilize and discontinue the practice of recruiting children under 18 years of age into the armed forces of Sierra Leone. My Special Representative in Freetown continues to monitor the situation closely and raises the relevant issues with the Government. Government officials in the Southern Province have reportedly acted to halt underage recruitment by CDF elements.

37. On 27 April, President Kabbah announced the establishment under statute of a new Human Rights Commission for Sierra Leone, replacing the human rights role of the National Commission for Democracy and Human Rights. The body will have some form of adjudicatory authority and considerable implementation powers. UNOMSIL has informed the Government of its support for this initiative and has promised to provide, in collaboration with the Office of the United Nations High Commissioner for Human Rights, the necessary technical assistance.

38. In the context of its technical cooperation activities, UNOMSIL also continues to provide full secretariat support to the Sierra Leone Human Rights Committee, comprising the National Commission for Democracy and Human Rights, national non-governmental organizations and United Nations agencies. Membership also includes the Inter-Religious Council of Sierra Leone and Human Rights Watch. The Committee remains a valuable forum for the exchange of information and for strategy development. In this context, UNOMSIL is assisting the non-governmental organization community to develop positions on the role to be played and issues of human rights within the peace process. Renewed efforts are being made to identify funding whereby the Committee can develop its own institutional identity.

39. The United Nations High Commissioner for Human Rights, Mary Robinson, has accepted the invitation of the Government of Sierra Leone to visit the country towards the end of June, accompanied by a panel of prominent human rights personalities. The purpose of the visit will be to support the peace process, to encourage future programmes for the promotion and protection of human rights in the country, and to draw attention to the plight of children, women and civilians bearing the brunt of the excesses in Sierra Leone. With the coordination of UNOMSIL, which is hosting the visit, a range of civil society actors in Sierra Leone are already exploring ways to maximize the impact of the visit of Mrs. Robinson with regard to both the short- and long-term human rights needs of the country.

VI. HUMANITARIAN SITUATION

40. Since my previous report, an already desperate humanitarian situation has worsened. Rebel gains have increased the number of needy people while at the same time limiting aid workers' access to affected areas. At present, nearly half, or 2.6 million, of the Sierra Leonean population in the Northern and Eastern Provinces is effectively out of the reach of humanitarian agencies. Another 480,000 have become refugees. While the number of internally displaced persons in accessible areas remains relatively constant, at about 370,000, there are many more civilians countrywide who have been directly affected by the war in and around their own homes and villages. Many of these have been forced to live under rebel control and denied their right to sufficient food, shelter and health care. In addition, it is estimated that well over one million civilians countrywide still require some form of humanitarian assistance.

41. Even in government-controlled areas, despite some successes, obtaining access to civilians remains a challenge. For instance, it has been possible to access areas such as Pujehun, Bonthe and Bo districts in the Southern Province as well as parts of Kenema district in the Eastern Province. Additionally, owing to recent ECOMOG advances, agencies have assessed needs in a few towns in the north, such as Yele, by road from Bo. However, it remains impossible to move humanitarian goods to the east and south by road owing to RUF blockades of key junctions on the Freetown-Bo highway. While some aid can reach the provincial capitals of Bo and Kenema by air, the inability to transport food by road has led to a depletion of stocks in these areas. Additionally, the security situation in the immediate environs of Kenema remains unclear, and has prevented humanitarian intervention in many chiefdoms.

42. Given these difficulties, urgent measures are now being taken in cooperation with the Government to explore other ways of transporting food aid. At present, food agencies have leased a ship to transfer food to Nitti port, where it can then be driven by road to Bo. If successful, this route will allow for the supply of food to war-affected people. The World Food Programme has also requested to send food along the Freetown-Bo highway, which was recently re-opened by commercial transporters, but had not received clearance from the Government at the time of the present report. In the meantime, the remaining limited amount of food in these areas has been prioritized for therapeutic and supplementary feeding centres as well as camps for internally displaced persons.

43. Meanwhile, in government-controlled areas, including Freetown and parts of the southern and eastern areas, the humanitarian community has mobilized to provide some form of support to about 370,000 individuals. At present, more than 120,000 registered internally displaced persons living in camps are receiving a comprehensive package of assistance, including food, shelter and health services. However, with more than 80 per cent of the buildings destroyed in some parts of Freetown, many thousands more are squatting in other areas or staying with relatives. A war-ravaged economy, characterized by low incomes and high costs for food and other basic items, has compounded their suffering.

44. To address chronic food insecurity, emergency seeds and tools have been distributed to farmers who lost their property to armed groups in Port Loko, Kenema and Bo districts as well as the Western Area. The United Nations continues to support the Government in its efforts to buy imported rice and to access food on a bilateral basis from donor Governments.

45. Basic support for clinics and hospitals has continued to come from UNICEF, the World Health Organization (WHO) and the medical non-governmental organizations. Some 25 health centres and eight mobile clinics are now functioning in Freetown, with 25 operating in southern Bo, Pujehun and Bonthe districts. Large-scale expanded programme of immunization campaigns have successfully headed off a measles epidemic around Freetown, Kenema and Bonthe, with more than 65,000 children vaccinated in those areas.

46. As of mid-May, UNICEF had registered a total of 3,384 children who had been missing since January 1999 from the Freetown area. More than 500 of these have been traced and reunified with their families. However, abductions of large numbers of children persist. The Child Protection Network continues to trace such incidents and to provide programmes to help unaccompanied children, demobilized child soldiers and other children with special needs.

47. Finally, water trucking, well chlorination and waste management activities in most camps for internally displaced persons have reduced the level of waterborne diseases such as cholera and diarrhoea. Plastic sheeting, nails, wood and kitchen sets have been provided to some urban households and to displaced persons in camps in the west, east and south. The needs in this area, however are considerable and require continued intervention as well as resources.

48. While the humanitarian situation remains dire, the recent ceasefire and initiation of dialogue between the parties to the conflict has been welcomed by

the humanitarian community as the best possible means for resolution of the long-standing crisis. The provision in the recent ceasefire agreement for safe and unhindered access for humanitarian organizations to all people in need is a significant step towards ensuring the countrywide delivery of assistance. However, turning the combatants' humanitarian commitment into a reality requires careful planning, good faith and confidence-building. As noted earlier in the present report, my Special Representative has provided the parties to the conflict with a proposal on humanitarian access, detailing, inter alia, the obligations of the parties under international humanitarian law to provide the enabling environment for humanitarian intervention. This proposal, prepared by the United Nations country team under the guidance of the United Nations Humanitarian Coordinator, is seen as a first step towards building with the parties to the conflict a dialogue on access. In order to further the humanitarian imperative and to ensure the smooth delivery of life-saving humanitarian assistance, it is necessary that:

(a) The issue of humanitarian access must be on an equal footing with, and not contingent upon, the military and political elements of the peace process. Moreover, as the combatants' observance of the right of civilians in need to humanitarian assistance is based upon international law, the concept is non-negotiable and can only be discussed in terms of mechanisms for access;

(b) Given the fragile state of the peace process and the steadily degrading humanitarian situation, it is imperative that the humanitarian community has immediate and independent access to the parties to the conflict, in order to establish working modalities for accessing all Sierra Leoneans in need.

VII. FUTURE ROLE OF THE UNITED NATIONS OBSERVER MISSION IN SIERRA LEONE

49. UNOMSIL currently consists of 24 military observers, including two medical personnel, as well as 29 international and 24 national staff members. This includes 10 military observers recently deployed to assist in the expanded tasks of the Mission. The planned deployment of a further 16 observers during the month of June, together with the necessary support personnel, vehicles, communications and other essential equipment, will restore the mission's military capacity to the level it had attained last December. The security situation permitting, I would then proceed to deploy additional observers up to the limit of 70, with an additional 15 medical personnel, as authorized by the Security Council in its resolution 1181 (1998) of 13 July 1998. In view of the security considerations, the need to improve medical and casualty evacuation capacity and the enhanced monitoring and observation role being played by UNOMSIL, an additional helicopter will be required.

50. UNOMSIL's intensive preparations for the intra-RUF and RUF-Government talks have required my Special Representative and his immediate staff to travel to Monrovia and Lomé, in addition to consulting closely with the Government in Freetown. In view of the likelihood that the peace talks and related activity will require a high level of United Nations involvement, I intend to increase the civilian staff in the office of my Special Representative by two political

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officers. The human rights section also needs to be restored to its previous staffing level of five persons in view of the significant human rights monitoring and technical cooperation requirements in Sierra Leone. In this connection, there is a need for forensic experts, and I would ask donors to consider making available their services.

51. UNOMSIL's military component, thus restored to its former strength, will continue to monitor the ceasefire within the limits of its resources. It will also continue to establish, maintain and improve contacts with local RUF commanders with a view to establishing joint military commissions. The functions of these commissions will include identifying and locating forces on the ground; obtaining written assurances from rebel commanders of their commitment to the ceasefire and guarantees of security for United Nations personnel; and generally to build confidence, facilitate contacts and resolve disputes. Provision would also be made for deploying teams of five or six members to Lungi, Hastings, Port Loko and Bo, depending on the security situation. Observers outside Freetown would be co-deployed with ECOMOG to ensure their security.

52. I have given much thought to activities that might be carried out by an expanded UNOMSIL presence in the event of a peace agreement. To that end, I dispatched a military assessment and planning team to Sierra Leone at the end of May to develop a revised concept of operations for a possible enlargement of the Mission.

53. My detailed recommendations to the Council on the size, mandate and configuration of an eventual expanded UNOMSIL will depend on the provisions of any peace agreement that the Government and RUF may sign in Lomé, and on the considerations on the ground, notably security.

54. One important consideration in redefining UNOMSIL's tasks would be the future strength, activities and state of deployment of ECOMOG. While these are not yet known, I would anticipate that ECOMOG would remain in Sierra Leone as a stabilizing influence, with a well-defined mandate that would include ensuring the security of vital areas of the country.

55. At this point, however, I envisage the need for UNOMSIL itself to be prepared to ensure the security of United Nations personnel if it is to deploy effectively to assist in the implementation of an eventual peace agreement. To this end, bearing in mind the likely security situation and the confused and unpredictable nature of the conflict, there might well prove to be a need for the deployment of a sizeable number of infantry and additional observers, along with the necessary equipment and military logistical support. Subject to Council authorization, these troops would be deployed in phases to accomplish a range of possible tasks.

56. These can be more precisely defined only in the light of an eventual peace agreement, but are likely to include the following:

(a) Monitoring and supervising the ceasefire;

(b) Supervising, monitoring and assisting in the encampment, disarmament and demobilization of former combatants;

(c) Providing security to United Nations personnel, including military observers;

(d) Providing assistance to humanitarian efforts;

(e) Providing planning and logistical support for an eventual election.

57. I will revert to the Council with detailed proposals for a revised mandate and concept of operations for its consideration as soon as a peace agreement has been signed. However, in addition to the military requirements outlined above, I would also envisage a significant expansion of the civilian personnel, including those engaged in political, human rights and logistical support functions. Moreover, any enhanced role that UNOMSIL might play, whatever the final shape of the peace agreement, will benefit greatly from the acquisition of a nationwide broadcasting capacity. Experience has shown the clear advantages to a United Nations peacekeeping mission of access to its own radio facility. I would therefore appeal to donors to consider making such equipment available, and would envisage a modest increase in UNOMSIL's public information staff accordingly.

VIII. FINANCIAL ASPECTS

58. As indicated in my previous report (S/1999/237), the General Assembly, by its resolution 53/29 of 20 November 1998, appropriated an amount of $22 million for the establishment and operation of UNOMSIL for the period ending 30 June 1999. With regard to the subsequent 12-month period beginning on 1 July 1999, my budget submitted to the Assembly in February 1999 (A/53/454/Add.1) amounts to $16.4 million and provides for the maintenance of the Mission at the strength authorized by the Security Council in its resolution 1181 (1998). I intend to seek authorization from the Advisory Committee on Administrative and Budgetary Questions to use the budgeted resources once the Council takes action on my recommendation contained in paragraph 71 below as to the extension of the Observer Mission's mandate.

59. Therefore, should the Council decide to extend the mandate of UNOMSIL, the cost of restoring the Mission's military capacity to the level it had attained in December 1998 as well as its subsequent maintenance at the restored strength will be within the resources already provided by the General Assembly and my budgetary projections for the 1999/2000 financial period.

60. With regard to the estimated costs associated with the expansion of UNOMSIL, I shall submit my proposals to the General Assembly at a later date, when my detailed proposals for a revised mandate and concept of operations of the Mission will have been finalized and submitted to the Security Council for its consideration.

61. As at 31 May 1999, unpaid assessed contributions to the UNOMSIL special account amounted to $4.7 million. The total outstanding assessed contributions

for all peacekeeping operations at that date amounted to $1.6 billion. Contributions to the Trust Fund to Support United Nations Peacekeeping-related Efforts amounted to $2.8 million, with expenditures authorized in the amount of $1.1 million.

IX. OBSERVATIONS AND RECOMMENDATIONS

62. Despite the continued unpredictability of the conflict situation in Sierra Leone, I am encouraged by the significant progress that has been made in the pursuit of dialogue between the Government of Sierra Leone and RUF. This is the first time in three years that a political settlement might be within reach to break the cycle of violence that has held the country in its grip since 1991. I welcome the Government's readiness to open talks with RUF, and call upon the latter to seize this opportunity to demonstrate its willingness to show flexibility in the interest of peace in Sierra Leone. In particular, as I stated publicly at the time, I welcome the signing on 18 May of the ceasefire agreement, which has helped to create an atmosphere conducive to the success of the peace talks. I reiterate my call to RUF/AFRC, CDF, the Government and ECOMOG to adhere strictly to its terms. I wish to express my appreciation to all the Governments concerned, in particular the Government of Togo and President Gnassingbe Eyadema, the current Chairman of ECOWAS, for hosting the talks, as well as the national and international organizations which have facilitated the dialogue process.

63. Nevertheless, the killings, mutilations and other human rights abuses perpetrated by rebel forces against the civilian population in Sierra Leone as well as the widespread destruction of property wreaked on a country which already ranks among the poorest in the world are deeply deplorable. Any armed opposition that expects to gain legitimacy and recognition in the eyes of the world must be prepared to renounce and atone for inflicting such suffering on non-combatants. I call upon the RUF leadership to prove its sincere commitment to peace and ensure the compliance of all its fighters with international human rights standards and humanitarian law, including the release of all abductees. In this context, I note the announcement made by the RUF leadership of its intention to investigate abuses committed by its troops and to invite international observers to take part in this process, and call upon them to demonstrate without delay their will and capacity to do so.

64. Concern about the extent of human rights violations in Sierra Leone has received increasing international attention. I welcome the intention of the United Nations High Commissioner for Human Rights, Mary Robinson, to visit Sierra Leone in late June to examine the situation on the ground and to obtain tangible commitments regarding the prevention of abuses and accountability of perpetrators. I am also gratified by the proposal by President Kabbah to establish a national Human Rights Commission in Sierra Leone as well as the creation of a truth and reconciliation mechanism as part of a peace agreement. These are important steps in acknowledging the pain of the victims and restoring national dignity and faith as part of efforts to achieve lasting peace, and these measures should receive all possible support from the donor community.

65. In this context, I also wish to commend the initiative of the ECOMOG Force Commander, Major-General Felix Mujakperuo, in establishing a Civil-Military Relations Committee to investigate allegations of human rights violations by pro-Government forces. These investigations are being undertaken with the full participation of representatives of all sectors of Sierra Leonean society, with the United Nations in an international observer role.

66. In line with the dual-track approach, ECOMOG deserves praise for its continued efforts in support of the Government and people of Sierra Leone, as do the Governments of Nigeria, Guinea, Ghana and Mali for their steadfast commitment towards restoring security and stability in Sierra Leone, with the assistance of donor countries, including Canada, the Netherlands, the United Kingdom and the United States. I call upon the international community to continue supporting ECOMOG logistically and also to assist the process of the rebuilding of the Sierra Leone armed forces.

67. There is also an urgent need to resume the process of disarmament, demobilization and reintegration of the current ex-combatants and to prepare the groundwork for an expansion of such activities as part of a peace agreement. I hope that the Government of Sierra Leone will continue to provide the necessary impetus to the national disarmament, demobilization and reintegration programme and ensure its viability as an incentive for all rebel fighters willing to lay down their arms at this critical juncture in the peace process. It is also important for the Government to work closely with donors on the development of a revised disarmament, demobilization and reintegration plan, with a well-defined operational plan and clear funding arrangements, to be put into effect in the context of a peace agreement.

68. There is an urgent need to consider how RUF/AFRC might be transformed into a legitimate political party in parallel with the process of reintegrating former combatants into society. I would also call for an end to all recruitment of children as soldiers, and would hope that any eventual peace agreement would embody commitments on the part of all parties to demobilize their child participants immediately. Disarmament, demobilization and reintegration programmes should consider giving priority to children under 18.

69. The persistent reports of arms supplies reaching the rebel forces are disturbing. Any support for RUF/AFRC by outside parties serves to perpetuate the conflict in Sierra Leone, whether it be motivated by economic interests or other strategic aims. I reiterate my call to all States to comply strictly with the embargo on the sale or supply of arms and related matériel to non-governmental forces in Sierra Leone imposed by the Security Council in its resolution 1171 (1998).

70. The dire humanitarian situation underscores the need to establish mechanisms to ensure unhindered humanitarian access to all parts of the country and to promote effective coordination and cooperation between humanitarian agencies, the Government and RUF. There is a critical need to facilitate the delivery of humanitarian aid to people in need, which requires the protection of and respect for humanitarian relief workers, goods and properties. Negotiation for humanitarian access should be guided by the code of conduct for humanitarian agencies operating in Sierra Leone. While recognizing the considerable

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constraints of the present situation and from lessons learned negotiating humanitarian access in the Sierra Leone context, the humanitarian community is encouraged by the present political climate, and calls upon the international community for its continued support for humanitarian action. Specifically, the international community is urged to continue its support for dialogue with the aim of achieving unhindered humanitarian access to all areas of the country and, once granted, for their continued support of humanitarian assistance.

71. The recent political developments, including the signing of a ceasefire agreement and the start of the dialogue, have significant implications for the work of UNOMSIL. It is critical that the Mission, under the leadership of my Special Representative, should remain in a position to render effective assistance to the peace process in Sierra Leone. I therefore recommend the extension of UNOMSIL's mandate for a further period of six months, until 13 December 1999, along the lines described above. However, I would hope well within that time period to be in a position to revert to the Council with recommendations for an expanded mandate in implementation of a peace agreement.

72. I take this opportunity to express appreciation to my Special Representative, Francis G. Okelo, the Chief Military Observer, Brigadier General Subhash C. Joshi, and the staff and military observers of UNOMSIL for their tireless efforts and dedication to advance the peace process in Sierra Leone.

Annex

United Nations Observer Mission in Sierra Léone: contributions as at 8 June 1999

	Military observers	Others[a]	Total
China	2		2
Egypt	2		2
India	2	2	4
Kenya	2		2
Kyrgyzstan	1		1
New Zealand	2		2
Pakistan	2		2
Russian Federation	3		3
United Kingdom of Great Britain and Northern Ireland	4		4
Zambia	2		2
Total	22[b]	2	24

[a] Medical team.

[b] Including the Chief Military Observer.

FACT 68

The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) issued the Sierra Leone Humanitarian Situation Report, 18 May - 11 June 1999, in which the OCHA reported or noted that:

(a) in the week following the 24th May ceasefire, the village of Masima (near Mange) was attacked by rebel forces, and the entire village of Makama (north of Bumbuna) was allegedly massacred by rebel forces (p. 2, ERN 00004117);

(b) UNICEF and its partners had provided counseling and other services to girls who were sexually abused during the January invasion of Freetown. As of this reporting period, 125 sexually abused girls had received medical attention and about 80 had received counseling services (p. 12, ERN 00004127); and

(c) the UN Field Security Officer, HACU and WFP undertook a security/humanitarian assessment of Songo and found 67 houses totally burnt, while others were damaged (p. 16, ERN 00004131).

a.	Exh. 1.003	ERN 00004116-00004138	Sierra Leone Humanitarian Situation Report, 18 May – 11 June 1999, UN Office for the Coordination of Humanitarian Affairs (OCHA), available at www.reliefweb.int.

Security issues also seem to be creating difficulty, with the RUF insisting that ECOMOG be withdrawn immediately, and the Government maintaining that it should stay to ensure peace and continue to protect life and property. So far, the government has said it is prepared to accept a gradual withdrawal of ECOMOG as long as an internal security force is in place. It is therefore likely that ECOMOG's mandate and composition will be transformed in the near future. The maintenance of peace and security in Sierra Leone during the next two years leading to the elections would have to be taken up by a restructured and reconstituted Sierra Leone force. A reformed ECOMOG could play a vital role in this process during the first few months.

While Diplomats facilitating the talks and other observers express optimism that a peace agreement will be adopted in Lomé, it is unclear at this stage if all conditions for a lasting peace are currently in place. Much will depend on the sincerity of the players and how the concerns of both parties are addressed.

Meanwhile, in a Resolution adopted on 11 June 1999, the UN Security Council decided to extend the mandate of UNOMSIL until 13 December 1999. The Council stressed that "overall political settlement and national reconciliation are essential to achieving a peaceful resolution of the conflict in Sierra Leone." In his sixth report to the Council dated 4 June 1999, the Secretary-General, Mr. Kofi Annan said "the recent political developments, including the signing of a ceasefire agreement and the start of the dialogue, have significant implications for the work of UNOMSIL." Welcoming progress made at the peace talks, Mr. Annan recalled that it was the first time in three years "that a political settlement might be within reach to break the cycle of violence that has held the country in its grip since 1991." The Secretary General further stressed the need to establish mechanisms to ensure "unhindered humanitarian access to all parts of the country" as well as the need to promote effective coordination and cooperation between humanitarian agencies, the government and the RUF. He urged the international community to "continue its support for dialogue with the aim of achieving unhindered access, and once granted, for their continued support of humanitarian assistance.

2. SECURITY

The security situation in the country has substantially improved since the beginning of the ceasefire on the 24th May. At the same time, the UN has lowered the security rating of the country from Phase 4 to Phase 3. This means that a larger number of international staff can be present within the country, and while caution is still necessary, a wider range of activities can be carried out. The curfew in Freetown has been lifted by one hour to 19:00 hours. All parties to the conflict have broadly been observing the terms of the ceasefire, although there have been occasional incidents across the country. These include the following:

- In the week following the ceasefire, the villages of Masima (near Mange) was attacked by rebel forces. Also, Makama (North of Bumbuna) was attacked with the alleged massacre of the whole village by rebel forces;

In order to facilitate better coordination of programmes for street children, the Street Children Committee has identified focal agencies to work in selected communities. The Irish NGO GOAL, which is now operating a mobile clinic for the street children is visiting focal agencies in Freetown. Referrals are made to COOPI. Efforts are also being made to identify close relatives of street children who could positively influence them.

UNICEF and its partners have continued to provide counseling and other services to girls who were sexually abused during the January invasion of Freetown. As of this review period, 125 sexually abused girls had received medical attention and about 80 had received counseling services. A total of 80 girls have now registered with the Child Protection Network. Follow-up visits were undertaken for about 30 of the girls.

As of end of May, UNICEF reported a cumulative total of 3,738 registered missing children since January 1999. Some 661 had been found and reunified with their families, bringing down the number of those still missing to 3,077. Social workers continue to visit families of missing children registered with UNICEF in order to identify those who have returned home on their own.

Refugees

During the reporting period, UNHCR continued with the registration of Liberian refugees. So far, some 1,100 in Bo and Freetown have indicated their willingness to go home by October 1999.

On Sunday 20 June 1999, UNHCR will celebrate Africa Refugee Day, which coincides with the 30th anniversary of the signing of the OAU refugee convention. It will be commemorated with TV and radio programmes. The celebrations will include sporting activities between refugee and IDP teams.

4. HUMAN RIGHTS

The UN High Commissioner for Human Rights, Ms Mary Robinson is due in Sierra Leone on 24 and 25 June. Human Rights activists in the country intend to use her visit to focus attention on a range of concrete initiatives to promote respect for human rights. Mr. Keith Masire, former President of Botswana, Ambassador Morjane of Tunisia, Ambassador von Heidestam of Sweden and Ms. Gay McDourgall, Executive Director of the International Human Rights Law Group, will accompany the High Commissioner. UNOMSIL, in collaboration with UNICEF, is assisting the Government to ensure that its Report to the Committee on the Rights of the Child will be completed in time for presentation to the High Commissioner during her visit. The Human Rights Watch also plans the release of its comprehensive report on the human rights situation in Sierra to coincide with the High Commissioner's visit. A Human Rights Manifesto comprising a range of commitments by the GOSL, civil society and other relevant actors for the practical promotion of human rights in Sierra Leone is to be adopted during the visit of the High Commissioner.

non-food items. CW is responsible for shelter repair/construction and UNHCR through its implementing partner, takes care of the Liberian refugees at the camp. The camp clinic is equipped with a surgical theater, a small ward for inpatients, delivery room, laboratory and treatment rooms. Maternal child health is a priority and health education is part of the daily routine. More than 200 patients are seen each day, about double the number seen prior to the December 1998 attack. ADRA is conducting wet feeding for some 200 children mostly from the Masiaka area. ACF plans to start a dry ration distribution programme for the camp population and residents of surrounding villages.

CW is making efforts to provide adequate shelter for the camp dwellers. They have repaired 500 of the 898 damaged booths currently inhabited by the displaced. ADRA plans construction of an additional 350 sheds for possible new arrivals. WFP, ADRA and NCRRR are finalizing plans to relocate IDPs at the community centre either to their villages or to a more permanent site. The provision of resettlement packages for IDPs who come from Koya area is being considered while reassessing the situation of IDPs who cannot return to their places of origin at this time. Overall, the emergency situation in Waterloo highlighted in SITREP 1-17 is now under control.

SONGO (estimated town population - 2,000)

On 25 May the UN Field Security Officer, HACU and WFP undertook a second security/humanitarian assessment of Songo, to follow up on the condition of the returnees there following the evacuation of the town in January. The team found there were up to 2,000 people in Songo town and surrounding villages. Sixty-seven houses were reported as totally burnt and others damaged. The food situation was found to be manageable although precarious. Limited agricultural activity was evident. Swamps are available for future planting of rice, however the looting of the town was comprehensive, and there are few tools available. Supply of clean water was insufficient, as some of the wells were unprotected. Other sealed wells had their pump mechanism destroyed, and require refurbishment. The only other source of water is from a borehole which can be pumped for a short period each day. No health facilities were available in the town at the time of the mission. The community health centre, which includes staff quarters and a six-room treatment block, was in good physical condition; however, all furniture and supplies were looted. No educational activities were activities were going on as all the teachers had relocated to Freetown.

The team recommended the immediate distribution of seeds and tools to deal with the area's food security problems, with the package containing a good proportion of vegetable seeds, due to the town's proximity to the markets in Freetown. Food-for-agriculture will ensure seeds are protected and that food is available until the harvest begins. A mobile clinic should go to Songo to assess and respond to the immediate needs in the town. WATSAN assessment is needed to determine which water facilities can be repaired. There are also some basic shelter needs to be addressed although the assessment team was unable to establish the level of support needed.

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Source: UN Office for the Coordination of Humanitarian Affairs (OCHA)
Date: 11 Jun 1999

Sierra Leone Humanitarian Situation Report, 18 May - 11 Jun 1999

Summary

The humanitarian situation in Sierra Leone has deteriorated with the advent of the rainy season. The increasing numbers of displaced people far exceed the current capacity of the Government and aid agencies to meet priority needs. Furthermore, the constraints on the movement of relief items such as food to the interior have been gradually lifted, but not without a corresponding delay in emergency support for needy beneficiaries. Most of the north is yet to be accessed for humanitarian operations. The signing of the ceasefire by the GOSL and the RUF on 18 May did not immediately translate into free and unhindered access to these areas. It however provided an opportunity for agencies to visit some areas occupied by RUF. The apparent success of these missions, during which RUF soldiers were encountered without incident, indicates a level of commitment to peace.

While progress on political and military issues has not been as rapid as envisaged at the peace talks in Lomé, humanitarian priorities were among the first set of issues the parties reached agreement on. These have been taken as a clear mandate for humanitarian assistance across the entire country independent of a final peace settlement.

1. POLITICAL DEVELOPMENTS

Since signing a ceasefire agreement on 18 May, the Government of Sierra Leone and the RUF have been working on a comprehensive Peace Plan. Agreement has already been reached and statements made on such issues as the release of Prisoners of War and detainees, humanitarian access, and human rights. Both parties have publicly stated their commitment to the peace talks and their willingness to continue the talks until a solution is found. However, they recognize that obstacles remain, and that some form of compromise will be necessary.

The main issue of contention has been alternately referred to as 'Power Sharing' or 'Transitional Government'; that is, incorporation of the RUF in the existing government. President Kabbah refers to it as "Government of inclusion." This parlance and the method of implementing it, as he described it to the government, Parliament and civil society in recent statements, may be acceptable to certain groups of Sierra Leoneans, and support for this approach appears to be growing. However, public statements from, amongst others, the press, CDF and SLPP youth groups have indicated that the Government faces a formidable challenge in gaining widespread agreement to power-sharing outside the constitutional framework and without at least concrete security guarantees and an international presence. On the other hand, the RUF is being requested by facilitators to moderate their initial demands for representation.

Security issues also seem to be creating difficulty, with the RUF insisting that ECOMOG be withdrawn immediately, and the Government maintaining that it should stay to ensure peace and continue to protect life and property. So far, the government has said it is prepared to accept a gradual withdrawal of ECOMOG as long as an internal security force is in place. It is therefore likely that ECOMOG's mandate and composition will be transformed in the near future. The maintenance of peace and security in Sierra Leone during the next two years leading to the elections would have to be taken up by a restructured and reconstituted Sierra Leone force. A reformed ECOMOG could play a vital role in this process during the first few months.

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- In the week following the ceasefire, the villages of Masima (near Mange) was attacked by rebel forces. Also, Makama (North of Bumbuna) was attacked with the alleged massacre of the whole village by rebel forces;

- A vehicle was attacked near Kabala on the 3rd June. Four people were reported killed, three injured and one abducted;
- An ECOMOG Alphajet carried out a bombing mission on Segbwema around the 4th of June;
- New RUF checkpoints have been identified at Laia, near the Okra Hills. Additionally, there is a checkpoint around the Bamoi area.

Despite these registered ceasefire violations, the pattern of occupation across the country has remained broadly the same. Kambia town appears to be still occupied by the RUF, but Port Loko continues to be controlled by ECOMOG. Up-country areas in the North and East have not seen any major changes in control. UNOMSIL has been mounting frequent patrols in the Okra Hills area, and has reached as far as Rokupr. They were not able to enter Kambia. Both UNOMSIL and humanitarian staff have come into contact with rebel armed groups since the ceasefire without any serious problems. However, rebel forces warn that they are short of food, and have requested rice and other commodities.

Commercial and relief goods have been moving freely to Bo and Kenema over the last two weeks. This has mostly been on the Freetown-Bo highway, as the road has been opened between Masiaka and Mile 91.

The Guinean Defense Minister and Forecariah Administrator claimed that a new threat against Southern Guinea had been identified as coming from the 'Sierra Leone People's Army'. AFP reported that Guinean defense forces had attacked a rebel base at Madina Junction, who claimed that they had killed 100 fighters. This followed attacks reported in Guinea at Tassin, Malifou, Tana, Kollahire and Moola, where civilians were killed, and leaflets left explaining that more attacks were forthcoming.

Following the agreement in Lomé on the release of prisoners, at least two incidents have been reported. Villagers in the vicinity of Mabura (near Masiaka) told an assessment mission that over 100 people had been released in their vicinity last week. All of these people were said to have returned to their homes around Lunsar. Over the weekend, rebel forces said they planned to release over 200 people, but in the end only released 12 children. These were taken to Waterloo and given to the care of the Child Protection Network and their families.

The encamped soldiers at Mammy Yoko will shortly be demobilised and released. A package will be provided to them under the terms of the DDR programme.

Finally, a number of robberies at NGO houses and offices over the last two weeks have caused concern. Steps have been taken to address this issue, with increased security at agency compounds, and wider security patrols.

3. HUMANITARIAN HIGHLIGHTS

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Peace Talks in Lomé address the Humanitarian Imperative - Interim UN Humanitarian Coordinator, Kingsley Amaning writes from Lomé:

What I consider to be the most important development on the humanitarian front was the signing of the RUF and the GOSL of the Joint Statement on the emergency delivery of humanitarian assistance to Sierra Leoneans. Notwithstanding the limited progress being made in the political committee, the Lomé dialogue has so far proved to be a success, however limited. It has clearly served as a forum for the exchange of ideas from all sides of the political divide on how to bring back peace and stability to Sierra Leone. It has probably more importantly initiated confidence building and the identification of purposeful and constructive moves towards peace. Most importantly, the dialogue has occasioned the signing by the two parties of a ceasefire and the issue of joint statements on the release of prisoners of war and non-combatants as well as the opening up of all areas for humanitarian access and assistance.

Obviously, it is still debatable if the progress achieved so far in the essentially non-political sections of the Draft Agreement will lead to the signing of a comprehensive agreement as early as foreseen. Most representatives of the humanitarian community hope that humanitarian operations may soon commence more effectively and extensively, provided the ceasefire continues to hold and both sides work to consolidate it by the release of prisoners of war and non-combatants, as well as by the effective opening up of the areas of control for safe access of humanitarian personnel and goods. Mr. Amaning remains in Lomé pursuing the dialogue on humanitarian issues with the parties.

From New York, the UN Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, Sergio Vieira de Mello commended both parties for the agreement on humanitarian issues. "It is hoped that this agreement will enable us to have access to those in desperate need of assistance and ensure the safety of aid workers and the security of humanitarian relief goods, Vieira de Mello said in a June statement released in New York. He urged the government of Sierra Leone and the RUF to make every effort in ensuring its immediate and effective implementation. For update on IDPs and accessibility trends see Annex 3 and 4.

Specific Agreements on Humanitarian Issues:

- Ceasefire agreement specifically allows for humanitarian access across the whole country. Article 4: "Guarantee safe and unhindered access by humanitarian organisations to all people in need";
- A Joint Statement guaranteeing safe and unhindered access to all areas under the control of the respective parties in order that humanitarian assistance can be delivered safely and effectively in accordance with international conventions, principles and norms which govern humanitarian operations. The Statement calls for the establishment of an Implementation Committee (IC) constituted by representatives of the GOSL, the RUF, civil society, the NGO community and UNOMSIL and chaired by the UN Humanitarian Coordinator in coordination with the Special Representative of the UN Secretary General. The IC is mandated

to: ascertain and assess the security of proposed routes to be used by the humanitarian agencies; disseminate information on routes to interested humanitarian agencies; receive and review complaints which may arise in the implementation of this arrangement in order to re-establish full compliance;
- A Joint Statement agreeing to the immediate release of Prisoners of War and non-combatants.

Response from the Sierra Leone Humanitarian Community

- The Humanitarian Community has welcomed the parties' joint statement on access. After a series of discussions, they produced a consensus response in which they urge the parties to appoint the members of the Implementation Committee (IC) without delay, and propose to begin the needs assessments in presently inaccessible areas. For the weeks starting 21 and 28 June, they request that the IC facilitate inter-agency assessment missions to: Makeni in Bombali District by helicopter and road; Kambia District by helicopter or road; Segbwema and Daru by road and helicopter; Kabala by road; and Magburaka, Masingbi and Kono by road. For each of these missions, agencies maintain that the safety and security of humanitarian personnel and beneficiaries must be guaranteed and request that the IC provide names of the field commanders to serve as contacts for mission organizers;
- More than 3,000 children have been reported missing in the Freetown area alone since January 1999. Most of them are believed to have been abducted. The joint statement on the release of Prisoners of War and non-combatants which includes children under 18 years of age means that aid agencies will finally be able to secure their release and provide required relief assistance, support their reintegration, as well as offer trauma counseling services where necessary. An Implementation Committee meeting in Freetown has developed a Plan of Action in response to the agreement (see Human Rights section).

SECTORAL SUMMARIES

FOOD AID

Until the end of May, the UN and NGOs were running very low on food outside Freetown, and urgently needed to move substantial quantities of relief goods up-country. A steady rise in malnutrition amongst children in Kenema has been reported, a direct result of the very poor food security in the area. The recent opening of the Freetown-Bo highway and the granting of security clearance to WFP by security authorities have now provided an opportunity to transport relief items to the interior.

WFP distributed 329 mts of food for various programmes countrywide for the month of May 1999, serving a total caseload of 44,000 people. The fluid security situation and the large number of IDPs in the country meant that safety net/Vulnerable Group Feeding

(VGF) accounted for the great majority of WFP food use in May, followed by therapeutic and supplementary feeding programmes. In Freetown, WFP, through its implementing partners fed 15,306 IDPs (5,663 IDPs at the National Stadium, through CCSL; 767 at Parade Ground Camp, through CORD-SL; 417 at Mandella Camp, through ARD; and 8,455 at Waterloo Displaced Camp, through ADRA). Re-verification of previous IDP figures and caseloads preceded all distributions, with the result in many cases of reducing instances of multiple registration by IDPs. Assessment of schools in the peninsular area, for school feeding, has been carried out jointly with Government counterparts. A total of 12 primary schools with an enrollment of 2,562 pupils were served in the first week of June, with over 15 mt.

WFP activities in Bo have continued to focus on moving needed relief food to the south and east; meeting emergency needs of IDPs in camps, and rehabilitating the Nitti-Bo road in order to facilitate food aid deliveries to the south and east. In Bo town, 10,323 IDPs newly arrived or living in Bo camps were served with VGF rations. WFP also provided cereals and pulses to 2,992 community workers along the Bo - Nitti road, as part of an inter-agency effort to rehabilitate key sections of the road and provide workers with food-for-work. WFP material inputs to SLRA for the road and bridge rehabilitation work have been substantial; the result of the work (on the shorter of two Nitti-Bo routes) will be to reduce the distance food-aid trucks currently have to travel to reach Bo by 35 km.

With the depletion of food aid stocks in Kenema, food aid agencies have focused their activities in Kenema and Blama since mid-May on preparation for a comprehensive re-verification exercise of all IDPs in camps and schools in Kenema and Blama, to take place early in June. This exercise, coordinated within the Regional Technical Committee on Food Aid and with NCRRR, will involve more than 100 agency staff and temporarily contracted verifiers. The actual food level needed per month for displaced populations in Bo, Blama and Kenema is 1,300 mts. CARE was able to send 12 trucks of food items to Bo by road through the Freetown/Masiaka/Moyamba route. Food aid agencies believe they now have sufficient stocks for a one-month distribution (see Logistics section below). Distribution to IDPs is expected to take place this month, as soon as verification is completed and sufficient food stocks are in place.

Using food stocks from Bo, WFP continued to support priority programmes in Kenema and Blama, including MERLIN's therapeutic and supplementary feeding programmes, and in-patient feeding at the Kenema Government Hospital. On 25 May, CRS distributed two-week emergency food rations to 9,450 IDPs in the Gorama Mende and Wandoh chiefdoms. WVI on its part, distributed rations to some 2,097 IDPs in Barri and 1,433 in Kpejeh chiefdoms on 23 and 24 May. They also distributed 178.636 mts of food aid to 13, 234 people at the Wellington camp. CARE is continuing to meet the food-aid needs of the IDPs at Yele. Distribution to the current caseload of 14,372 was completed on 26 May. (for details on monthly food distributions by food aid agencies see Annex 2 - Monthly food distribution table).

Logistics

On 5 June 1999, WFP received road clearance for the movement of humanitarian relief supplies from Freetown to Bo. Several road convoys, totaling 1,000 mt and involving WFP and UNICEF, are being organized. While planning for road movement up-country was underway, on 27 May, WFP received clearance to move food and non-food items from Freetown to Bo, via the Nitti port. In a combined operation involving all food aid agencies, the MV Bulk Challenge was hired by WFP to transport the commodities from Freetown to Nitti, with trucks completing the journey to Bo. The first of two planned voyages of the Bulk Challenge began on 3 June 1999, with 802.445 mt of cargo. The vessel arrived in Nitti on 5 June 1999, and the truck transport operation to Bo began on 6 June. To facilitate road movement from Nitti to Bo, WFP supported an SLRA project to maintain the road link to Nitti, and to repair two bridges along the route at Serabu and Walihun.

As of 4 June 1999, the WFP managed helicopter has carried over 2,400 passengers and 148.409 mt of cargo for United Nations agencies and international NGOs. The helicopter will suspend operations for maintenance during the period 11-16 June 1999 inclusive.

Health

Malaria continues to account for high morbidity and mortality in IDP camps in Freetown. In May, UNICEF organized a two-day training workshop in Freetown for doctors, nurses and community health officers on proper case management of the disease. They called for the standardization of treatment and diagnosis so as to curb deaths especially among under –five children.

UNICEF, WHO, Rotary International and the Ministry of Health and Sanitation (MOHS) organized a two-day workshop on 27 and 28 May to review and operationalise the project plans of action and the resumption of National Immunization Day (NID) activities for the eradication of polio. According to the Director General of Medical Services, Dr. Sheku Kamara, the December 1998 NID achieved 78 per cent coverage in accessible areas and 45 per cent national coverage.

UNICEF continues to support health NGOs and the MOHS in addressing the health emergency in various IDP camps and hospitals in the Western area and other accessible parts of the northern, eastern and southern regions. On 21 May, the Health Committee, including UNICEF, NGOs and MOHS airlifted drugs to Bo, Kenema, Bonthe and Kabala. The consignment will serve over 50 PHUs in the four districts for a period of three months. Plans are underway to provide drugs to other areas in need.

Children's Aid Direct (CAD) has continued to provide support to four health clinics in Loko Masama chiefdom, Port Loko District. They have extended services to a fifth clinic with drugs and equipment provided by UNICEF. A training workshop on emergency health and nutrition was conducted in Lungi for 24 MOHS staff from all 12 clinics in Port Loko District which are currently supported by CAD and UNICEF.

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MSF-B, which is visiting Kabala on a regular basis, reports that the clinic is now functional and receives on average, about 150 patients per day. UNICEF provided two motorbikes to assist the Health staff and enable them undertake missions to Musaia village where an outbreak of measles was reported. MSF-B is considering cross-border operations from Guinea into areas of Koinadugu District not presently accessible from Kabala.

In the south, CRS supports three mobile medical teams, which conduct outreach clinics in three rural chiefdoms not covered by the national health system since the beginning of the war. In April, these teams were able to access and treat over 3,400 patients. In addition, about 2,000 persons, including at-risk youth, have benefited from health education talks.

The International Medical Corps, which has undertaken a number of assessment missions to Tasso Island, sent the first consignment of drugs to the Island during the period being reviewed. Bonthe Island which was assessed a month ago (see SITREP 1 - 17 May 1999) received two motorbikes, medical supplies and equipment.

Nutrition

Preliminary results of a recent nutritional survey carried out by MERLIN in Kenema IDP camps indicate very high malnutrition rates of 18.5 per cent global and 5.5 per cent severe malnutrition. The response to basic food security questions are yet to be analysed but there were reports of people going without food and of most families who could only afford one meal a day. MERLIN recommends urgent food distribution to the area as soon as possible. About 124 severely malnourished cases continue to benefit from MERLIN's therapeutic feeding programmes. An additional 1,500 moderate cases participate in the supplementary feeding programme. The latter are provided wet feeding five days a week. As the numbers rise, the capacity on the ground will have to be increased. MERLIN plans to recruit more staff and to establish a new supplementary feeding centre to manage 500 children per site, five days a week. MERLIN also carried out a nutrition survey in Blama (see Annex 1 - Humanitarian Profiles (Blama)).

ACF reported preliminary results of its May nutritional survey in Bo. At 7.1 per cent moderate malnutrition and 0.7 per cent severe malnutrition the situation is said to be under control. These results are said to be better than one year ago despite the current food shortage in the area. In May 1998, moderate malnutrition was put at 11 per cent and severe malnutrition was recorded at 1.4 per cent. The final report of the survey will be available after further technical analysis. Meanwhile, there has been an increase in the number of children being treated at the Therapeutic Feeding Centres in Bo due to expanded screening to Yele and Konta. In May, about 50 severely malnourished children were transferred to Bo from Yele. Screening exercises are continuing in Gorama Mende chiefdom. A three-day screening in Konta, Kenema district, which has about 8,000 IDPs mostly from Kono and Masingbi, identified 15 severely malnourished children who were immediately transferred to the TFC in Bo. CRS has distributed general food rations to the population there.

In the Western area, ACF is conducting nutritional screening in selected
Out of 177 under-fives screened at the Approved School camp, 19.2 and 4.25 per cent were moderately and severely malnourished respectively. The TFC in Congo town is currently serving 130 severely malnourished children. Feeding programmes are continuing at the dry ration centres in Wellington, Kissy, Calaba town and George Brooke, serving a population of about 1,500 children.

Results of the May 1999 screening in Waterloo Township show 25.5 per cent moderate and 6.1 severe malnutrition among 165 children screened. At the Waterloo camp, 18 per cent moderate and 2.8 per cent severe malnutrition were found among 211 children screened. ADRA presently runs a wet feeding programme in the school. To address the problem, ACF will establish a dry ration centre in Waterloo this June. ACF also plans to assess the nutritional situation of Port Loko residents. This will be carried out jointly with Christian Aid Direct. There are plans to relocate IDPs in Boajibu (about 4 miles from Masingbi), to facilitate screening exercises for the population there, and establish a dry ration centre if necessary.

Water and Sanitation

During May, the MOHS and UNICEF completed a two-week training exercise on cholera preparedness. About 500 blue flag volunteers drawn from IDP camps in Freetown were targeted. Of these, 200 were given refresher training and equipped with cholera treatment facilities. About 500 cholera treatment points have been identified and equipped in Freetown. UNICEF also concluded an agreement with Yankee Construction and Engineering Services for the construction of 15 large diameter wells in the Animated Development Committee of the depressed eastern area of Freetown. The wells will serve at least 50,000 persons.

By this reporting period, ACF completed two of the five boreholes planned for the Grafton displaced camp. The boreholes, which are equipped with hand pumps, became operational on 10 June. Work is ongoing on the gravity network, which combined with all the boreholes will serve up to 10,000 people. By end of the week, the water supply system will ready to meet the needs of up to 1000 IDPs who will be relocated to the site from various schools and from the national stadium. With the completion of 140 sheds by GOAL, the camp can accommodate 3,000 displaced people.

In addition to conducting health education programmes in provisional displaced camps, ACF continues to supply water regularly to the Trade center and Mandella camps. They have completed construction of latrines at Trade centre and Mandella and Murray Town camps. Work is in progress at the Bailor Bairre camp for the second phase of latrine construction.

Pujehun district has been one of the areas most affected by the destructive eight-year civil war. Since 1991, almost all chiefdoms in this district have suffered extensive damage to its water and sanitation systems. CRS is in the process of supporting communities in three rural chiefdoms to construct wells and latrines. Where possible, this work will be

linked to primary schools where the local community-teacher associations take responsibility for supporting and maintaining the systems. WVI has built and cleaned 40 wells on Bonthe mainland. Thirty of the wells have been installed with pumps. They have also trained well chlorinators and pump attendants. Construction of emergency wells is ongoing in the different chiefdoms.

Shelter/Non-Food Item

Concern Worldwide (CW) reported that about 10 roofs were badly damaged at Parade Grounds, Mandella and Approved School camps following high winds and rain. The damaged shelters have since been repaired and all the roofs and walls at each site have been reinforced with extra support bracing. In light of this damage to the roofs, CW, in consultation with the Ministry of Housing, redesigned the original structure to avoid further damage. At the Waterloo camp, a total of 500 of the 898 damaged booths were also repaired by CW during this review period. Some 320 booths have now been completed at Approved School, half of which have been allocated to IDPs. The rest of the booths are unofficially occupied. A health clinic for the camp is under construction. At the Murray Town Amputee camp, CW completed 36 additional booths and commenced construction of a rehabilitation clinic.

CRS, CARE and CARITAS continue to make progress on emergency housing reconstruction activities in Calaba Town. By 1 June, CRS had distributed food-for-work rations, bush sticks, nails, and zinc sheets to over 98% of the 461 registered house owners who are actively rebuilding their burned houses. A recent survey indicates that 50% of these reconstructed houses have been partially reoccupied. By mid-June, CRS projects that up to 4,436 displaced persons, including 1,084 tenants, will have resettled in Calaba Town as a result of the emergency housing reconstruction project. This figure would represent 21% of the estimated initial number of 21,425 IDPs from Calaba Town. The Organization has signed contracts with three local construction firms to reconstruct the burned roofs of 110 Low-cost housing rental units in Kissy. The first dozen units have already been re-roofed. It is expected that all of these 2- and 3-bedroom units will be habitable by the end of July, thus allowing the displaced families to gain protection from the heavy rains. The German bilateral organization GTZ will complement the efforts of CRS and CARE in providing community infrastructure in the Kissy and Wellington area.

With regard to supply of non-food items, ICRC and SLRC distributed various items to the Waterloo camp residents in the last week. The NGO OREINT, will provide items for the Trade Centre camp. MSF-B, which has accepted responsibility to distribute the OCHA Pisa Warehouse shelter/NFI contribution, will begin moving plastic sheets to Kenema this week. Cause Canada plans to start shelter construction in Kenema in the next two weeks. They also have some containers of NFI arriving in the country soon.

Agriculture

Over the past month, CRS has been meeting with the Ministry of Agriculture, Forestry and Environment (MAFE) officials to discuss the increased rates of deforestation and the

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Government's plans to identify and address this problem. From June through August, CRS will support a peninsula reforestation project, which aims to mobilize 150 youth from existing youth groups. Upon receiving initial, first-hand sensitization on the adverse affects of deforestation and training on nursery maintenance, the youth will be tasked with producing 100,000 tree seedlings. CRS will focus on growing and planting several types of acacia trees which have proven to adapt and grow quickly in the various environments of the Freetown peninsula. By mid-August, it is expected that the seedlings will be ready for transplanting onto the denuded peninsula hills. CRS will pay the youth Le 100 (about $0.05) for each viable seedling, thus providing the incentive to the groups to maintain the nurseries properly. CRS is also supporting CARITAS/Makeni to implement agriculture recovery activities in the Loko Masama chiefdom in Port Loko district. CARITAS agricultural extension agents are in the process of registering and sensitizing 2,000 farming families for swamp rice, cassava, and sweet potato cultivation.

Also in Port Loko District, CAD distributed seeds and tools to 3,000 vulnerable farm households in Loko Masama chiefdom. The package consisted of rice, groundnuts, hoes and cutlass. Local blacksmiths manufactured 1,500 of the tool sets, increasing the benefits to the local economy by providing employment and income. CARITAS/Makeni conducted an assessment of the parts of Maforki chiefdom that are currently accessible. Over the next two weeks, CARITAS, in partnership with CAD will conduct an initial distribution of seeds and tools to 500 vulnerable farm households in Maforki chiefdom. Further distributions by CAD and CARITAS will take place if the security situation remains stable.

In the south, a CRS agriculture recovery project is designed to give resettling farming families a boost to re-cultivate their fields and rehabilitate their livelihoods. In four southern chiefdoms in Bo and Pujehun districts, CRS will support a caseload of 5,000 families, focusing on communities, which are hosting significant numbers of displaced families from Kenema district. Tools for upland rice farmers have already been distributed, and tool distribution for swamp rice farmers is in progress. Already, 2,500 farmers have received enough seeds and cuttings to plant one acre of rice and three acres of cassava each. Over 800 bushels (20 MT) of groundnut seeds and cassava sticks are also being distributed to community groups for planting over the next month in an effort to develop community-based organizations.

Child Protection

UNICEF is collaborating with various child welfare organizations to undertake a series of activities in commemoration of the Day of the African Child (June 16). The overall theme for this year's activities in Sierra Leone is: "For Our Sake, Choose Peace." Programmes, ranging from radio/TV discussions on the welfare of the child to a fund-raising walk organized by the National Commission for Children, will run throughout the week. On June 16, UNICEF will distribute Vitamin A for children between the ages of six months and six years.

In order to facilitate better coordination of programmes for street children, the Street Children Committee has identified focal agencies to work in selected communities. The Irish NGO GOAL, which is now operating a mobile clinic for the street children is visiting focal agencies in Freetown. Referrals are made to COOPI. Efforts are also being made to identify close relatives of street children who could positively influence them.

UNICEF and its partners have continued to provide counseling and other services to girls who were sexually abused during the January invasion of Freetown. As of this review period, 125 sexually abused girls had received medical attention and about 80 had received counseling services. A total of 80 girls have now registered with the Child Protection Network. Follow-up visits were undertaken for about 30 of the girls.

As of end of May, UNICEF reported a cumulative total of 3,738 registered missing children since January 1999. Some 661 had been found and reunified with their families, bringing down the number of those still missing to 3,077. Social workers continue to visit families of missing children registered with UNICEF in order to identify those who have returned home on their own.

Refugees

During the reporting period, UNHCR continued with the registration of Liberian refugees. So far, some 1,100 in Bo and Freetown have indicated their willingness to go home by October 1999.

On Sunday 20 June 1999, UNHCR will celebrate Africa Refugee Day, which coincides with the 30th anniversary of the signing of the OAU refugee convention. It will be commemorated with TV and radio programmes. The celebrations will include sporting activities between refugee and IDP teams.

4. HUMAN RIGHTS

The UN High Commissioner for Human Rights, Ms Mary Robinson is due in Sierra Leone on 24 and 25 June. Human Rights activists in the country intend to use her visit to focus attention on a range of concrete initiatives to promote respect for human rights. Mr. Keith Masire, former President of Botswana, Ambassador Morjane of Tunisia, Ambassador von Heidestam of Sweden and Ms. Gay McDourgall, Executive Director of the International Human Rights Law Group, will accompany the High Commissioner. UNOMSIL, in collaboration with UNICEF, is assisting the Government to ensure that its Report to the Committee on the Rights of the Child will be completed in time for presentation to the High Commissioner during her visit. The Human Rights Watch also plans the release of its comprehensive report on the human rights situation in Sierra to coincide with the High Commissioner's visit. A Human Rights Manifesto comprising a range of commitments by the GOSL, civil society and other relevant actors for the practical promotion of human rights in Sierra Leone is to be adopted during the visit of the High Commissioner.

UNOMSIL is actively promoting the mainstreaming of issues of human rights at the peace talks. It has provided draft text to the negotiators, much of which has been adopted by the drafting committees. It also offers technical advice and background data to assist the negotiators deal with issues of human rights. The UNOMSIL programme to promote attention to human rights is also directed through ongoing support to he civil society human rights organizations and religious groups which are represented at the peace talks.

At the current stage of the negotiations in Lomé, UNOMSIL is encouraged by the inclusion in the draft text of extensive commitments for promotion and protection of human rights. For instance, draft article XVI as finalized within the sectoral drafting committee reads: "The parties pledge to strengthen existing machinery for addressing grievances of the people in respect of alleged violations of their basic human rights by the creation , as a matter of urgency and not later than 90 days after the signing of this agreement of an autonomous quasi-judicial national human rights commission." The agreement also contains pledges to promote Human Rights education, monitoring and observance. The draft text further makes provision for the establishment of a Truth and Reconciliation Commission.

UNOMSIL has played a key role in brokering agreements of the parties regarding the release of all detainees and provision of countrywide access for humanitarian purposes. Committees have been established under its chairmanship to implement these agreements. The Committee for Release of Detainees began its activities in Freetown last week. A working group, including ICRC, UNICEF, OCHA, UNOMSIL and NGOs representing the humanitarian sectors has prepared a plan of action for consideration by the parties. Operational principles include the ensuring of full respect for the right to freedom from arbitrary detention. The plan provides for the voluntary release and provision of support to all detainees (whether or not deemed to be combatants) and vulnerable categories such as victims of sexual abuse. If approved by the parties the plan will be operationalised with a view to immediate start-up of activities.

Annex 1: HUMANITARIAN PROFILES

Northern Region

MASIAKA-ROGBERI (estimated population in the area - 10,000)

A joint assessment mission consisting of representatives of the UN-HACU, CARE, NCRRR, Sierra Leone Red Cross, UN Field Security Officer, CAD and UNOMSIL, undertook a one-day rapid assessment mission to the area between Masiaka Town and Rogberi Junction on 9 June. The area in question has been the focus of intermittent fighting over the last five months, resulting in a devastating loss of property, loss of life and the abuse of human rights for the civilian population that has remained in the area. Two assessment missions were carried at the beginning of May, both of which established that the needs of civilians there were considerable. but had reservations about the safety of moving relief assets to the area. (see SITREP, 1-17 May 1999). A third visit

some weeks later by WFP and HACU established that civilians had moved away from the Mile 38 area, but reports indicated that large numbers continued to live beyond Masiaka.

The ceasefire has led to a respite for some of the civilians who were previously in considerable danger of looting and human rights abuses, although some villages continue to face harassment and looting by RUF fighters. (see security section). The civilian population in approximately 22 villages to the west of the road has been displaced from the villages that the rebels are holding, and is currently living in the villages on the main road. Those to the east of the road have largely remained in, or returned to their villages. The estimated total civilian population between Masiaka and Rogberi in villages on or close to the road is approximately 10,000. This is based on the approximate numbers of people in the villages assessed and an estimate of the total number of villages along the road.

Current food sources for the civilian population are clearly limited. Most of the population are surviving mainly on cassava and mangoes. Limited commercial activities were taking place with Waterloo and Freetown. The villagers had very limited seed stocks. The majority of last years' seeds had been scattered, burnt or looted by the rebels. As a consequence, farmers have only planted small amounts during the current planting season. In Mabura village, only 200 bushels of rice had been planted and in Magbele village there were only 5 bushels of rice in a nursery. Small amounts of maize, okra and cassava had also been planted around the villages. The close proximity of the rebels has limited the amount of land available for planting. However, land has been prepared and is available for planting if access to seeds can be provided. Farmers stated that if seeds were available they would plant cassava, okra, cucumber and IVS rice. Farm tools were also in short supply. With the traditional hungry season just beginning, unless farmers in the village are able to plant at least some crops in what remains of the planting season, the food security situation is likely to deteriorate further.

There is currently no access to health care in any of the villages and the population is relying on traditional medicines and small amounts of basic medicines such aspirin. The children seen by the assessment team did not show signs of severe malnutrition although there were some signs of moderate malnutrition. However, further assessment is needed in this area to determine the actual condition. The health clinic at Magbele village is still standing and two staff members remain in the area. It is currently occupied by approximately 30 people and no drugs or equipment were in place. The water and sanitation situation was poor with only one well working in one of the three villages visited and few working latrines. Nearby streams in the swamps were the main water source in Masumaila and Mabura and the Rokel River in Magbele. The current over-crowding with more than 50 people living in each house exacerbates the poor sanitation facilities. Poor water and sanitation facilities and over-crowding caused by the large displaced population means that diarrhoea and dysentery are major health problems and there is a clear risk of a cholera outbreak. The overcrowding situation is worsened by the fact that majority of the houses are in a poor state of repair with structural problems and leaking roofs. In each of the villages some houses were burnt and household items such as kitchen utensils were looted.

The team recommend urgent humanitarian assistance for the civilian population to meet basic needs. Although the immediate situation does not appear to have reached crisis level there is a potential for the humanitarian situation to deteriorate rapidly, especially with the onset of the hungry season and the lack of farming activities. The assessment team felt that the current ceasefire provided a window of opportunity in which it is possible to attempt to provide limited amounts of humanitarian assistance.

YELE (current IDP caseload - 14,500)

IDPs are now returning to Yele as the security situation improves. Complete lack of seed rice stock for returning farmers as the planting season approaches is a major concern. Some 27 schools, 11 clinics and 179 private houses were burnt down in the chiefdom. The Yele market was burnt down. Food is in short supply in the area. In May, CARE food rations to an unverified 15,801 IDPs and local host populations. Residents rely on a nearby river for water supply as the water treatment plant was destroyed since 1994. CARE supplied some plastic sheets; however, agencies are yet to agree on camping mechanisms. There are plans to supply 62 bales of blankets to IDPs. In addition, CARE provided agricultural tools and seeds for 600 family heads as well as food-for-agriculture for the next four months. WATSAN materials and basic drugs are in short supply in the town. ACF plans to conduct a WATSAN survey to identify real needs. Meanwhile, the British Medical Research Centre has intensified its operations in the area and has provided essential drugs. On the whole, HACU regional Coordinator reports that the problems are being sufficiently managed.

Western Area

WATERLOO (current IDP (old camp) - 8,455/makeshift camp - 9,600)

Formerly hosting 12,000 IDPs, the Waterloo displaced camp was vacated during the rebel attack in December 1998 and was without management from 22 December to April 1999. IDPs from the old caseload and new arrivals began returning to the camp in the last two months. At the time of reporting, 8,455 people had been registered and verified. However, over 14,000 people benefited from a recent general distribution of non-food items from ICRC and SLRC. ICRC returned to the country on 18 May and has resumed activities upon return, focusing on relief, medical and dissemination/information assistance. Relief assistance includes NFI distribution programme for IDPs in camps covering up to 7000 family heads. ICRC will also resume work at Netlands hospital and at the Lakka rehabilitation centre as well as four clinics in town. The Organization has visited Kenema and distributed some drugs and surgical equipment to the Kenema General hospital.

The NGO, ADRA has overall responsibility for the management of the camp. Other agencies supporting its efforts are UNICEF, ACF, MSF, ICRC, Concern Worldwide, WFP and UNHCR. UNICEF has provided basic medicines for the clinic and chlorinated water supply units. ACF has been responsible for constructing latrines while MSF-F has helped with non-food items for amputees. ICRC has also assisted with medicines and

non-food items. CW is responsible for shelter repair/construction and UNHCR through its implementing partner, takes care of the Liberian refugees at the camp. The camp clinic is equipped with a surgical theater, a small ward for inpatients, delivery room, laboratory and treatment rooms. Maternal child health is a priority and health education is part of the daily routine. More than 200 patients are seen each day, about double the number seen prior to the December 1998 attack. ADRA is conducting wet feeding for some 200 children mostly from the Masiaka area. ACF plans to start a dry ration distribution programme for the camp population and residents of surrounding villages.

CW is making efforts to provide adequate shelter for the camp dwellers. They have repaired 500 of the 898 damaged booths currently inhabited by the displaced. ADRA plans construction of an additional 350 sheds for possible new arrivals. WFP, ADRA and NCRRR are finalizing plans to relocate IDPs at the community centre either to their villages or to a more permanent site. The provision of resettlement packages for IDPs who come from Koya area is being considered while reassessing the situation of IDPs who cannot return to their places of origin at this time. Overall, the emergency situation in Waterloo highlighted in SITREP 1-17 is now under control.

SONGO (estimated town population - 2,000)

On 25 May the UN Field Security Officer, HACU and WFP undertook a second security/humanitarian assessment of Songo, to follow up on the condition of the returnees there following the evacuation of the town in January. The team found there were up to 2,000 people in Songo town and surrounding villages. Sixty-seven houses were reported as totally burnt and others damaged. The food situation was found to be manageable although precarious. Limited agricultural activity was evident. Swamps are available for future planting of rice, however the looting of the town was comprehensive, and there are few tools available. Supply of clean water was insufficient, as some of the wells were unprotected. Other sealed wells had their pump mechanism destroyed, and require refurbishment. The only other source of water is from a borehole which can be pumped for a short period each day. No health facilities were available in the town at the time of the mission. The community health centre, which includes staff quarters and a six-room treatment block, was in good physical condition; however, all furniture and supplies were looted. No educational activities were activities were going on as all the teachers had relocated to Freetown.

The team recommended the immediate distribution of seeds and tools to deal with the area's food security problems, with the package containing a good proportion of vegetable seeds, due to the town's proximity to the markets in Freetown. Food-for-agriculture will ensure seeds are protected and that food is available until the harvest begins. A mobile clinic should go to Songo to assess and respond to the immediate needs in the town. WATSAN assessment is needed to determine which water facilities can be repaired. There are also some basic shelter needs to be addressed although the assessment team was unable to establish the level of support needed.

The team deemed the security situation in the area suitable for operations but advised caution. At present, the area is well guarded by ECOMOG. A rapid allocation of resources to the area is likely to prevent long term food insecurity and health problems.

Eastern Region

Agencies working in the country's interior have expressed concern about the conditions of IDPs in Kenema, Blama and Daru. The rest of the region has remained inaccessible for humanitarian action. Throughout the first half of the year, Kenema district suffered frequent periods of intense insecurity and at no time was the district fully accessible. The latest round of insecurity at end of December and beginning of 1999 saw large numbers of people displaced into Kenema Township. Following the February attack on the township, many of these people further relocated to Blama, creating a serious emergency. A recent nutrition report by the NGO MERLIN indicates that a fragile food security situation operates. A measles outbreak that hit the region between March and April 1999 further deepened the crisis. MERLIN, assisted by other agencies, responded to the emergency by strengthening health services, establishing a supplementary and therapeutic feeding centre in Blama, measles campaign and measles isolation units. The Ministry of Health is providing health services throughout the district whenever resources and access are available. Much disruption to the expanded programme of immunization has occurred due to insecurities and consequently the levels of immunization are thought to be low. Furthermore, distributions of vulnerable group feeding to the populations in Kenema and Blama has been delayed for more than six weeks due to the prevailing security situation.

BLAMA (current IDP caseload - 14,256)

Situated in the chiefdom of small Bo in Kenema district, Blama lies on the Bo road 12 km from Kenema. The population consists predominantly of IDPs. Although most of the people are said to have returned to Kenema, there remains an estimated 14,000 displaced in Blama and surrounding villages. According to a May Report by MERLIN, road transport was not available from Blama to Freetown. Movement of supplies was limited and only a few traders were bringing goods into Kenema district via boat and on foot. Due to shortage of staple foods, residents are forced to depend on wild vegetables, roots and palm kernel from the nearby plantation.

A two-stage cluster nutritional survey carried out by MERLIN in Blama Township in April indicated a prevalence of global acute malnutrition at 8 per cent. Severe acute malnutrition was put at 1.4 per cent, much lower than anticipated. However, high mortality rates over the last two months present a cause for concern but are partly attributed to the measles epidemic, insecurity and the mass population movement. According to MERLIN, mortality between 7 February and 26 April was high at a crude mortality rate of 2.5/10,000/day and an under-five mortality rate of 5.3/10,000/day. The leading causes of death in under-fives are fever, diarrhea and measles. Based on accepted benchmarks, these rates are classified as a serious emergency. Eight out of the fifteen clinics supported by UNICEF in Kenema have now started nutrition screening.

WFP has delivered food to Blama twice since the attack on Kenema, resulting in a mass population movement to the township. The first distribution occurred between 20 February and 10 March. A second distribution was given between 1 to 6 April. Due to inadequate food supplies in Kenema only two-week rations of cereal and vegetable oil were distributed to the caseload of 14,256. With regards to shelter, as of the reporting period, 426 skeletal booths had been constructed at the Blama camp for 5,112 IDPs. The population currently resides at the Catholic mission. CRS - Bo is providing food-for-work for shelter construction at the Blama, Lebanese and Nyandeyama sites. A total of 900 IDPs who constitute the labour force were served with 855 mt. of food. CARE on its part, has provided 34 rolls of plastic sheeting while AFRICARE assisted with wheelbarrows, shovels, pick axes and rakes. Schools for IDPs are in session at the Blama camp for 1,890 pupils with 37 teachers.

A fragile food security situation operates in the area. Although malnutrition rates are low, without immediate resumption of general food distribution to the displaced population, the situation would quickly deteriorate, MERLIN cautioned. They recommend an urgent provision of agricultural inputs, maintenance of emergency feeding programmes and strengthening of the nutritional surveillance systems. The TFC established in April provides high-energy milk and porridge on a 24-hour care basis. Medical care is provided to all feeding centre beneficiaries. All patients receive immunization and Vitamin A. At present, MERLIN has four outreach workers in Blama. Some of the severely malnourished cases are referred to the ACF's TFC in Bo.

KENEMA (Current IDP caseload: Kenema township - 37,813). This figure does not include some 40,000 displaced who are integrated within the host population.

Although the largest IDP centre up country, Kenema has the least humanitarian capacity. AFRICARE currently manages all official camps but has limited capacity. Recent reports from the area indicate considerably needs of IDPs in the camps.

According to MERLIN, one of the few agencies operational in the area, household food insecurity constitutes a serious problem. Six per cent of households are living off the bush, and 20 per cent depend on relief food. In view of the fact that no general food distribution has been possible in Blama and Kenema since April, more people have been admitted to the TFC in the past weeks, stretching the current capacity of MERLIN. Rice is still being sold at Le500 per cup. Renewed food distribution in the area, which is expected in the immediate future, should contribute significantly in alleviating the suffering of the displaced.

The problems of shelter and non-food items have persisted. Local authorities recently allocated a piece of land to the shelter committee at Nyandeyama where clearing and laying-out has been completed. Land clearing for more booths is presently ongoing. At the Lebanese camp, 567 booths were erected for a total of about 6,804 IDPs. Work at both camps is proceeding with speed.

Educational activities have not been fully restored in the township as school structures are still shared with IDPs. The Lebanese camp school has 1,520 pupils and 29 teachers. Schools will be closing down on the 18th of June 1999 for a period of ten days. There continues to be an urgent need for non-food items, particularly clothing. Lactating mothers and most under-five children in the camps sleep on bare cemented floors. Ante-natal and post-natal mothers amongst the IDPs are constantly asking for maternity kits. MSF-B expects to distribute some items to the IDPs in the coming weeks (see shelter/NFI section).

Most of the agencies in the region with agricultural capacity provided rice seedlings during the last planting season but the loan recovery exercise has not yielded appreciable quantities. None of the agencies was able to collect up to 10 per cent of the seedlings they invested. The farmers argue that the rebel attacks during the harvest season disrupted seed recovery. The IDPs within the Kenema Township have not been supplied with food for two consecutive feeding periods. However, WFP secured food from CARE, Bo to service some of its ongoing feeding programmes (see food aid section). With the present low rate of seed rice loan recovery coupled with insecurity especially in the farming areas, the region is bound to face greater food insecurity next year if sufficient seeds are not urgently provided to the farmers.

DARU (estimated town population - 30,000)

An isolated town in the eastern district of Kailahun, Daru has remained inaccessible by road for more than a year when rebels occupied surrounding villages. The town, which is under ECOMOG control, has been under rebel attack on a number of occasions. The population is a mix of inhabitants from Daru and surrounding villages. An inter-agency mission which went there by helicopter in May, reported a gradual return to the town from surrounding bushes. Most of the new arrivals were camping on the outskirts of town. The town appears mostly populated by IDPs, although most of these have been in town since December 1998. An estimated 30,000 people are said to be living in Daru. The ICRC clinic is closed but in good condition, although there were no medical staff present during the mission. ECOMOG runs the military hospital at the army barracks, but lacks drugs which it shares with civilians. Half of the children screened in one location showed clinical signs of malnutrition, some were post measles cases. Small scale farming on the outskirts of town was evident. IDPs are living in abandoned houses, schools, and areas close to the ECOMOG clinic. No particular displacement was noted at the time of the mission from Segbwema.

Food security as in most areas is precarious. There was no vehicular traffic between Kenema and Daru, however, light food items are brought regularly from Kenema along a footpath route. Traders go on foot to Kenema (a three-day walk one way) to bring items to Daru for sale. Local food production is limited; residents reported that they could not move more than a quarter mile outside of the town in any direction to farm or look for food, due to rebel presence. They also noted that they had been unable to engage in subsistence agriculture for more than one year. Cassava is cultivated in small plots in town, and bush yams and potatoes are also relied upon as staple foods. No rice or bulgur

was available in the town market. Market prices for available commodities were considerable. Several wells were functioning in the town. ICRC's stores and workshop were looted but several well moulds remain in the compound. According to ECOMOG and inhabitants, the water situation was sufficient. Some ICRC WATSAN workers were present in the town. No schools were open. HACU is liaising with relevant sectors for follow-up activities.

Southern Region

BO (current IDP caseload - 16,000)

IDPs registered in Bo are spread between Tikonko road, Lebanese and Splendid camps. Splendid camp, with about 5,000 IDPs is the largest of the three camps which are all managed by the Council of Churches of Sierra Leone (CCSL). Food distribution to encamped IDPs was not interrupted as in the cases of Kenema and Blama. On the whole, the shelter situation is sufficiently addressed. CARE and CCSL have sufficient plastic sheets which made booths construction at the various campsites possible. At the reporting time, 901 of the 1065 booths allocated at Splendid camp had been completed; 86 of the 111 at Lebanese and all 24 at Tikonko road camp were completed. All of the booths constructed have plastic sheets provided by CCSL.

Urgent WATSAN needs persist at the Splendid and Lebanese camps. Despite the existing 60 latrines rehabilitated by MSF-B in March, the increase in the population has warranted the provision of additional latrines. MSF-B, ACF, OXFAM and CARE are addressing the problem. UNICEF is assisting with the provision of chlorine. A committee has been established to prepare a plan of action for cholera preparedness. Already activities ranging from chlorination of all traditional wells in the township to inspection and monitoring of toilets and food sold in the open have been undertaken.

MSF-B continues to provide health services to the various IDP camps. Severe cases are referred to the Bo government hospital. IDPs from the Tikonko road camp who were previously not allowed to receive free treatment from the Bo government hospital have now been approved for free care on a regular basis. Furthermore, MSF-B's mobile clinic is providing emergency health services.

Annex 2: Monthly food distribution table

Area of distribution	Food Pipeline Agency	Month	Caseload	COMMODITY (Mt)						TOTAL
				Cereal	Veg.Oil	CSB	Pulses	Peas	Sugar	
Bo	WFP	January	8,703	49	5	2	8		2	66
Bo	CRS	January	1,252	6.7	1	0.7	2			10
Freetown	WFP	January	16,977	83	7	28	18		-	136
Kenema	WFP	January	44,973	193	20	78	20		3	314
Kenema	CRS	January	5,604	42.9	14.4	10.0	6.5			74
January Total			78,509	374	46	119	53	0	5	598
Bo	WFP	February	12,488	92	9	6	15		123	245
Bo	CARE	February	2,304	12.8	0	-	0			13
Bo	CRS	February	1,453	3.45	0.3	0.82	0.8			5
Bo	WVSL	February	5,298	5.3	0.7		1.6			8
Freetown	WFP	February	218,668	956.99	75	90.575	295		1417.3	2835
Freetown	CARE	February	18,650	134	12	-	76			222
Freetown	CRS	February	5,629	128	9.0		57.0			194
Kenema	WFP	February	36,388	310.5	26	2.55	117		455.98	912
Kenema	CRS	February	4,672	19.6	2.4	0.6	4.3			27
February Total			304,550	1663	134	101	567	0	1996	4461
Bo	WFP	March	15,797	96	8.6215	18	2.125		0.55	125
Bo	CRS	March	11,749	50.0	5.5	5.6	8.5			70
Bo	WVSL	March	80,366	80.4	10.1	0.0	24.1			115
Freetown	WVSL	March	13,344	28.6	2.4	1.5	11.8			44
Freetown	WFP	March	29,234	204	21.9	103	9.0		0	338
Freetown	CRS	March	6,146	51.3	4.18	0.43	20.56			76
Kenema	WFP	March	40,440	197	19.37	18	73.85		0	308
Kenema	CRS	March	1,406	8.2	1.1	0.2	1.7			11
March Total			198,482	715	73	147	152	0	0.6	1087
Bo	WFP	April	13,025	76	7	47	1		0.2	132
Bo	CRS	April	12,268	48.65	5.64		8.8			63
Bo	WVSL	April	3529	31.77	2.65	0	13.24			48
Freetown	WVSL	April	9799	58.44	5.16	0	26.85			90
Freetown	WFP	April	18,172	156	16	60	1		0	234
Freetown	CARE	April	8,725	82	0	69	35			186
Freetown	CRS	April	23,340	180	18	3	69			270
Kenema	WFP	April	58,764	298	31	15	52		0	396
Kenema	CRS	April	-	0.0	0.0	0.0	0.0	0	0.0	0
April Total			147,622	932	86	195	206	0	0.2	1419
Bo	WFP	May	13,726	40	4	5	7		13	69
Bo	WVSL	May	3,530	31.77	2.648		13.237			48
Bo	CARE	May	14,372	93.2	8.64	0	0	46.6		148
Freetown	WFP	May	27,139	157	20	86	9		272	544
Freetown	CRS	May	1,812	26.25	3.02		8.1			37
Freetown	WVSL	May	3,196	28.76	2.4	10.35				42
Freetown	CARE	May	8,726	88.2	7.39	0	0	33.4		129
Bo	CRS	May*								0
Kenema	CRS	May*								-
May Total			72,501	466	48	102	37	80	285	1,018
Grand Total			801,664	4,149	387	664	1,016	80	2,286	8,583

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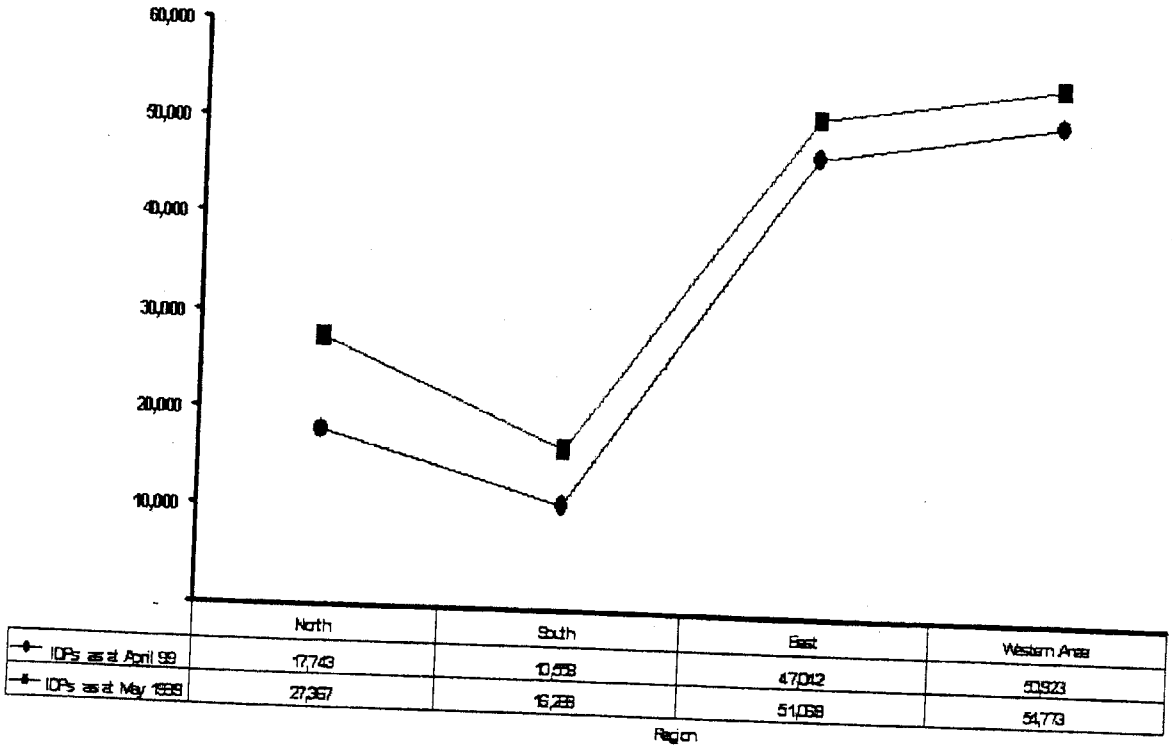
Annex 3: IDPs Update

Region	Total IDPs Accessed as at April 99	Total IDPs Accessed as at May - June 1999	Relief Programme	Health /Nutrition Programme	WATSAN Program	Shelter/ Non Food Provision	Input to Farmers
North Total	*17,743*	*27,367*					
Bombali	Unknown	Unknown					
Koinadugu	Unknown	Unknown		MSF-B, MOHS			
Kambia	**12,000	**12,000	WFP	CARITAS - MAKENI			
Tonkolili	5743 (Yele Town)	10,367 (Yele Town)	CARE	MRC			
Port Loko	Unknown	5,000 (Tasso Island)	WFP	MOHS, UNICEF,KAP ANAMU, CAD, CARITAS, IMC	OXFAM		ADRA, APEGS, ARD, CAD, CRS, ORIENT, CARITAS
South Total	*10,558*	*16,268*					
Bo	10,558	16,268	WVI, WFP	ACF, MOHS, MSF-B, UNICEF, MRC	UNICEF, OXFAM	CRS	ACF, ACORRD, AFRICARE, CCSL, CRS, ADDO, MAFE, WVI
Bonthe	NA	NA	WVI	MOHS, WVI, SLRCS			APEGS, CARE, MAFE, WVI
Pujehun	NA	NA	WVI	MOHS, MSF-B, ACF, AFRICARE	ACF, Bo-Pujehun, CRS, OXFAM		ACF, AFRICARE, CRS, ICRC, SLRCS, MAFE, PUDDRA, WVI
Moyamba	Unknown	Unknown	CARE	MOHS, UNICEF, SLRCS	CARE	CRS, CARE	ACORRD, APEGS, CARE, FHADA, MAFE
East Total	*47,042*	*51,069*					
Kenema & Blama	47,042	51,069	CRS, WFP	MERLIN, MOHS, ACF, SLRCS, KDDO, AFRICARE, UNICEF,	UNICEF, OXFAM	CRS, CARE	AFRICARE, APEGS, CORD-SL, CRS, KDDO, ICRC, SLRCS
Kailahun Kono	Unknown Unknown	Unknown Unknown					
West Area & Freetown Total	*50,923*	*54,773	WFP, CARE, WVI, CRS, CCSL, CORD-	MOHS, ADRA,UNICEF, MERLIN, SLRCS, CCSL, MSF-B, MSF-F,	UNICEF, ACF, ADRA	C. W-WIDE	APEGS, J. H. Min., NAFSL, SIGA
Freetown	*31,811	*35,341					
Waterloo	19,112	18,055					
Kaya	Unknown	1,377					
Total	126,266	149,477					

NOTE: *Numbers represent war-affected populations residing at IDP camp sites approved by the Government. It is believed that at least another 100,000 war-affected people are residing with families and friends in Freetown and surrounding towns and village

Annex 4: Trend of Accessible IDPs in Sierra Leone



The above figure shows an increase in the number of registered IDPs in the months of May as compared April 1999. This could be attributed to the increased accessibility in the country as a result of the current cease fire.

FACT 69

The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) issued the Sierra Leone Humanitarian Situation Report: 17 Jul - 10 Aug 1999, in which the OCHA reported or noted that:

(a) elements of the RUF/AFRC were foraging for food and carrying out raids on villages, committing consistent abuses of human rights in these raids, many of which were in the Port Loko District (p. 4, ERN 00004142);

(b) looting of relief assets and beatings of humanitarian agency staff in up-country areas (p. 4, ERN 00004142); and

(c) UNICEF registration of nearly 4,000 children reported missing by parents in the Western Area after the RUF invaded Freetown in January 1999. By end of July, 865 had been traced and reunified while 3,120 still remained missing. Child protection agencies emphasized the problem was much larger, these numbers only reflected Freetown abductions and it was safe to assume that large abductions also occurred in the provinces (pp. 10-11, ERN 00004148-00004149).

a.	Exh. 1.004	ERN 00004139-00004164	Sierra Leone Humanitarian Situation Report: 17 July -10 August 1999, at ERN 00004142 and 0004148-4149, available at www.reliefweb.int.

AFRC. The situation was resolved on 10 August after five days of negotiations involving the GOSL, RUF/AFRC, UNOMSIL, and hostage experts from the UK. The team, which was led by UNOMSIL, had gone to Okra Hills on 4 August to receive some 200 civilian abductees held at Magbeni village when the rebels took them hostage.

The last group of hostages was released on 10 August along with 200 civilians. The rebels admitted that their action was in violation of the Ceasefire Agreement, but said they did so to secure the release of their leader, Johnny Paul Koroma, who they believed had been held prisoner by the RUF for the past seven months. Both the RUF and Johnny Paul Koroma himself denied the allegation. The rebels also said they had seized the hostages because they felt left out of the peace process and their food and medical needs were not being met. Four of the field commanders were assisted to travel to Monrovia to discuss their grievances with J.P. Koroma.

Monitoring the Ceasefire Agreement

With the exception of the hostage incident at Okra Hills, UN Military Observers have reported that the Ceasefire continues to be respected by the parties, who have refrained from engaging in direct conflict with each other. The observers have however reported many incidents involving elements of the RUF/AFRC who are foraging for food and in the process carrying out raids into villages. Consistent abuses of human rights are reported in these raids, many of which are currently taking place in Port Loko district. Also reported and confirmed by UNOMSIL observers are movements of RUF/AFRC personnel into the Western Area without their arms, posing a major concern for Freetown residents.

Of equal concern to humanitarian agencies has been a number of serious incidents in up-country areas. Incidents in Rokupr, Makeni and Okra Hills have resulted in threats against the lives of staff, the beating of national staff, the theft of personal items, and the looting of relief assets. This contrasts sharply with RUF-controlled areas in the East where visits have been incident-free. There have also been persisting reports of harassment by CDF forces in the southern and eastern provinces. Drivers plying the Freetown-Bo/Kenema highways are reportedly molested and harassed on the 76 checkpoints along the highway. According to some accounts, truck drivers and other transport owners are forced to spend two days to cover 150 miles to Bo. The combined effect of these incidents has interfered with the planned expansion of humanitarian programmes throughout the country. NGO and UN Humanitarian Agencies continue to work on a daily basis with all parties concerned in an attempt to find solutions and ensure a secure working environment.

Fighting in Liberia raises concerns in Sierra Leone

As the last group of hostages was being released on 10 August, Liberian rebels invaded Lofa County, taking hostage six international aid workers. According to reports, the rebels, who are fighting against President Charles Taylor, captured and occupied the town of Kolahun and surrounding villages, about 250 km northwest of Monrovia. The six

5. Trade Centre	Kissy	EFSL	1,365	-	-	-	MSF/H (Mobile)	Pipe Borne	3 VIP ToiletsMalaria ARI
6. Bailoh Barrie	Bai Bureh Road	SLRCS	1,350	305	209	350	SLRCS	Water Bouzer	6 Pit LatrinesMalaria Diarrhea
7. Approved School	Wellington	IIRO	10,089	1,716	404	2,220	Concern World Wide	Protected Well & Pipe Borne	25 VIP LatrinesMalaria Diarrhea Chicken Pox
8. Grafton	Grafton	GOAL	1,453	535	-	-	MSF/F	Pipe Borne	VIP (8) ToiletsMalaria ARI
9. Murray Town	Aberdeen Road	MSF/F	946 people 264 Amputees	146	-	-	MSF/F	Pipe Borne	VIP ToiletsMalaria Diarrhea ARI
10. National Stadium	Brookfields	CCSL	5,000	1,850	-	-	MSF/F	Pipe Borne	VIP ToiletsMalaria Diarrhea ARI

Child Protection

RUF/AFRC release child abductees

At least 100 children were among 200 people freed by AFRC rebels on 10 August. The abductees were released along with the last batch of hostages taken by the rebels on 4 August. Initial screening of the teenage girls revealed that eight of them were pregnant, while six others were nursing mothers. One girl had a five-day old baby. According to UNICEF, the children, who were mostly in tattered clothes appeared weak and haggard. The latest release brings to just over 250 the total number of abducted children officially released by the RUF/AFRC rebels since the signing of the Peace Agreement. The first set of 187 abductees was released on 16 July 1999 out of which 121 were children under 18 years of age. Ten of them were pregnant and breast-feeding girls between 14 and 18 years of age. Another group of 36 was handed over to UNICEF by ECOMOG on 6 August. By the time of writing, UNICEF and child protection partners had reunified about 75 per cent of the children with their families. Those remaining in interim care mostly come from the provinces and will be reunified as soon as access to their locations permit tracing activities.

Meeting future challenges

The Government has called for the immediate and unconditional release of the many children and other civilians still being held in captivity, in accordance with commitments under the Lome Peace Agreement. UNICEF registered nearly 4,000 children as missing by parents in the Western Area after the RUF rebels invaded Freetown in January. By end of July, 865 had been traced and reunified while 3,120 still remain missing. Child

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protection agencies emphasize that the scale of this tragedy is much larger than that indicated by the above figures, which only reflect the greater Freetown area. It is safe to assume that large abductions also occurred in the provinces.

To support activities for child soldiers and released abductees, UNICEF has signed new project agreements with COOPI, IRC, and KDDO for support in psychosocial, family tracing, integration and foster care for UACs and child soldiers in the Western Area and southern and eastern provinces. The UN Foundation, USAID, Japan, SWEDEN, Australia, New Zealand, and the German Committee for UNICEF are funding the programme.

Meanwhile, agencies have prepositioned supplies in the Western Area, Bo and Kenema in preparation for UACs and released children needing interim care. In Kenema, the Child Protection Committee identified two buildings at the RTI camp to house an estimated 2,000 children, including children associated with the fighting forces and the unaccompanied children. WVI is considering funding an emergency preparedness proposal to train social workers in their areas of operation.

Raising Awareness on Sexual Abuse

The Committee on Sexual Abuse continues to expand activities. A proposal has been finalized for community sensitization for sexually abused victims. The objectives are to raise the awareness among victims about the availability of medical and counseling services and to encourage them to take advantage of these services. Communities will also be sensitized to cultivate a positive attitude towards victims. Journalists, religious, community leaders and school counselors/PTAs will be targeted. The NGO, Marie Stopes and MSF-H are also assisting with programmes for sexually abused children.

Caring for Street Children

The NGO GOAL in collaboration with UNICEF is providing community-based assistance to street children in the Western Area, including health care/nutrition, shelter, psychosocial care, non-formal education, and reunification activities. There are currently 135 children on the programme. GOAL plans to assess the situation of Street/Separated children in other parts of Sierra Leone with a view to establishing programmes in these areas.

Food Aid

Recent assessments of newly accessed areas indicate persisting food insecurity. Although more food is now available in the market with the opening of the main highways from Freetown to the provinces, most families are still dependent on cassava. When available, the price of rice is high and much beyond the purchasing power of the civilian population. In most places, income- generating activities are yet to be revitalized. ACF predicts that people will likely face increased hardship when the cassava harvest runs out in September, as very few families took the risk of cultivating rice fields. With the lack of

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Sierra Leone Humanitarian Situation Report: 17 Jul - 10 Aug 1999

1. Summary

This reporting period was dominated by gradual progress towards the implementation of the peace process and the expansion of humanitarian aid, followed by a number of worrying security incidents. The taking of hostages in Okra Hills, combined with other security incidents in RUF/AFRC held areas have temporarily but severely limited the scope of possible operations in areas which appear to be rapidly deteriorating. The hostage incident occurred even as aid agencies were on the verge of bringing relief to tens of thousands of civilians whose humanitarian conditions, assessed for the first time in months, had been classified as desperate. In particular, the nutrition situation in most up-country areas is deeply disturbing, and requires urgent action to avoid serious short and long-term damage to civilian livelihoods.

On the political front, some progress has been made towards the implementation of the Peace Accord. Humanitarian agencies believe that two priorities warrant the most attention: the immediate and effective commencement of the DDR programme, and support to the RUF/AFRC leadership to sensitize armed groups in all their areas of control, on the various provisions in the Peace Accord.

2. Political Developments

Parties make gradual progress on the Implementation of the Peace Accord

According to UN SRSG Ambassador Francis Okelo, the international community has generally welcomed the Peace Agreement with the exception of some reservations on the human rights aspect, in particular, the granting of blanket amnesty to members of the RUF/AFRC and other armed groups. Since the signing of the Agreement, both the Government and the RUF have taken significant steps to fulfil some of their obligations on schedule, although some specific deadlines have not been met.

GOSL

On the government side, Parliament unanimously ratified the Peace Agreement on 15 July and subsequently adopted legislation necessary for the implementation of the Agreement. This has paved the way for the transformation of the RUF/SL into a political party and for its senior members to hold public office. Furthermore, the GOSL has initiated the establishment of the Commission for the Strategic Management of Resources, National Reconstruction and Development (CMRRD) which is to be chaired by Cpl. Foday Sankoh. The Government also released military and political prisoners in line with the pardon and amnesty clause under Article IX of the agreement (84 were released in July).

In order to maintain the momentum in the peace process among members of the public, the GOSL is making efforts to coordinate various initiatives for a nation-wide

sensitization campaign on the Peace Accord. In this context, the Ministry of Information has developed a project proposal aimed at the dissemination of the Agreement at all levels of society.

The GOSL in collaboration with other partners has completed the first phase of the DDR programme with the discharge of 1,408 ex-SLA soldiers. The Lungi DDR centre has been reopened and is now receiving ex-soldiers who surrendered in advance of the start of DDR. Consultations are underway to define the relationship between ECOMOG and UNOMSIL with regard to the implementation of the DDR programme. The new ECOMOG Force Commander, Major General Gabriel Kpamber has on a number of occasions registered ECOMOG's preparedness to demonstrate its sincerity and commitment to the successful implementation of the Peace Agreement especially as it relates to its role in DDR. UNOMSIL Military Observers continue to maintain close relations with the rebel commanders on the ground, to explain the provisions for DDR in the Peace Agreement.

RUF/SL

An advance team of RUF/AFRC has been based in Freetown since the beginning of August. They participated in the first meeting of the Joint Implementation Committee (JIC) held in Freetown on 7 August. The meeting, which was attended by representatives of the GOSL, Ghana, Guinea, Nigeria, Liberia, Libya, Togo, RUF/SL, USA, ECOWAS, OAU, the Commonwealth of Nations and the UN, reviewed and assessed the status of the implementation of the Peace Agreement. During the meeting, RUF representatives submitted nominations for the Cabinet and the various commissions and committees established under the Agreement, paving the way for the formation of the integrated government and the establishment of the various commissions and committees. Meanwhile, RUF leader Cpl. Foday Sankoh is yet to arrive to take up office in Freetown. The RUF members in Freetown are consulting with the GOSL and other concerned parties to finalize arrangements for his arrival.

Regarding commitments to guarantee unhindered humanitarian access, RUF/SL commanders have welcomed various humanitarian missions in some of their areas of control, and have shown willingness to cooperate with agencies in providing adequate security for the start of relief operations. However, the present arrangements are ad-hoc, as a global access mechanism, including all parties is yet to be established. The RUF has also released some prisoners of war and abductees, although large numbers reportedly remain captives at their various locations.

Resource Mobilization

UN calls for increased commitments

With the mounting political and humanitarian challenges in Sierra Leone, the UN has intensified efforts to advocate for greater international assistance to support the country's peace process, as well as an improved security environment for emergency interventions.

In a recent Statement, the UN Secretary-General expressed his concern about the poor response of the international community to the humanitarian needs of victims of war and natural disasters in many parts of Africa. The Statement listed Sierra Leone as one of the countries whose serious humanitarian needs cannot be met due to inadequate resources. In this context, the Security Council in its Resolution 874 on Sierra Leone urged donors to respond to the needs of UN agencies as presented in the revised consolidated interagency appeal for 1999. The 1999 Appeal requested $28 million for humanitarian programmes in Sierra Leone, but by mid year, only 27 per cent had been received. (for Mid-term Review of SL 1999 Appeal, refer to www.reliefweb.int).

Specifically, the Security Council Resolution stresses the need for the international community and the GOSL to design and implement programmes to address the special needs of war victims, in particular those who have suffered maiming and mutilation. The Council further called upon all parties "to ensure the safe and unhindered access of humanitarian assistance to those in need in Sierra Leone, to guarantee the safety and security of humanitarian personnel and to strictly respect the relevant provisions of international humanitarian law." Members also authorized the provisional expansion of UNOMSIL to 210 Military Observers. They called on the RUF and all other armed groups to begin immediately disbanding and surrendering their arms in accordance with the provisions of the Peace Agreement. In this context, the Council urged all states and international organizations to provide resources to help ensure the successful conduct of the DDR programme. Welcoming the adoption of the Human Rights Manifesto by the parties concerned, members stressed the need for international assistance to address the human rights issues in the country as a step towards accountability. The Council also supported the decision of the SG that the UN develops a Strategic Framework approach for Sierra Leone in consultation with national and international partners.

The SL International Contact Group pledges further support for peace process:

To further support the efforts of the parties in consolidating peace, the International Contact Group met in London on 28 July to see how the members could best address the resource requirements of the country. The meeting focused on DDR as a priority and members committed to providing adequate resources to effect the programme, in addition to some $19.1 million already pledged by the British government and the World Bank. According to official sources, about $40 million will be required to meet the needs of an estimated 40,000 combatants.

3. Security Update

Hostage incident resolved

Following the successful initiation of contacts with rebel commanders in their areas of control, and the commencement of work by NGOs and the UN, a number of security incidents forced a re-evaluation of the situation. The most significant security development during this review period was the abduction of 42 persons, including UN and ECOMOG personnel, Sierra Leone aid workers and journalists by ex-soldiers of the

AFRC. The situation was resolved on 10 August after five days of negotiations involving the GOSL, RUF/AFRC, UNOMSIL, and hostage experts from the UK. The team, which was led by UNOMSIL, had gone to Okra Hills on 4 August to receive some 200 civilian abductees held at Magbeni village when the rebels took them hostage.

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Of equal concern to humanitarian agencies has been a number of serious incidents in up-country areas. Incidents in Rokupr, Makeni and Okra Hills have resulted in threats against the lives of staff, the beating of national staff, the theft of personal items, and the looting of relief assets. This contrasts sharply with RUF-controlled areas in the East where visits have been incident-free. There have also been persisting reports of harassment by CDF forces in the southern and eastern provinces. Drivers plying the Freetown-Bo/Kenema highways are reportedly molested and harassed on the 76 checkpoints along the highway. According to some accounts, truck drivers and other transport owners are forced to spend two days to cover 150 miles to Bo. The combined effect of these incidents has interfered with the planned expansion of humanitarian programmes throughout the country. NGO and UN Humanitarian Agencies continue to work on a daily basis with all parties concerned in an attempt to find solutions and ensure a secure working environment.

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European aid workers from MERLIN, MSF and IRC were later released unharmed, although substantial relief assets have been reported as looted in Lofa County. On the same day of the attack, RUF commander Sam Bockarie accused Guinean troops of attacking RUF positions in Kailahun District near the Guinean border. In a BBC interview, he threatened a resumption of hostilities if the attacks did not cease. The GOSL said it had carried out investigations but was unable to confirm the allegation, maintaining that neither its forces nor the Guinean government had any knowledge of the incident. News reports have since linked the alleged attack to the ongoing fighting in Lofa County.

The unfolding crisis in Liberia is being closely watched here in Sierra Leone. Although public opinion is divided on the issue, majority of the people perceive the eruption of fighting in that country as bearing ominous concerns for the Sierra Leone peace endeavours.

4. Human Rights

Noting that the Peace Accord does not provide for a specific body exclusively tasked with supervision of implementation of the human rights provisions, members of the Human Rights Committee decided to establish a tracking mechanism aimed at systematically monitoring implementation of the human rights provisions. This is to allow a clear assessment of the status of each of the key commitments and inform the parties concerned to take corrective measures where appropriate. Focal points have been selected to cover the different issues.

As part of its technical cooperation with the GOSL, the UN High Commissioner for Human Rights sent three consultants in July and August to assist with the creation of the National Human Rights Commission and the Truth and Reconciliation Commission.

5. Humanitarian Highlights

Status of implementation of agreement on unhindered humanitarian access (Article XXVII)

Following agreements to guarantee unhindered humanitarian access to all parts of Sierra Leone, the humanitarian community, in the last weeks of July, held a number of consultations with the RUF/AFRC High Command to finalize arrangements for assessing the situation of nearly half of the country under RUF/AFRC control. Despite initial delays, assessment missions commenced in the third week of July with the northern town of Makeni and the eastern town of Kailahun. Since then, more locations have been assessed and relief activities are slowly being expanded in newly accessed areas. However, large areas of the country have still not been assessed. Agencies are concerned that despite the Joint Statement on humanitarian access, access continues to be granted on an ad-hoc basis and the present arrangement does not as yet reflect a joint responsibility by both parties. The Implementation Committee established in Lome for this purpose is yet to convene.

Given the security problems described in section 3, further expansion of humanitarian work awaits the provision of a secure working environment. To establish mutually agreed structures for access throughout the country, the UN Humanitarian Coordinator met with the leaders of the RUF and with concerned officials of the GOSL to discuss the modalities for holding the first meeting of the Implementation Committee this month.

Among areas recently assessed by inter-agency humanitarian missions are towns and villages in the northern districts of Kambia, Tonkolili, Port Loko and Koinadugu, and the eastern district of Kailahun. In all the areas, agencies describe the humanitarian situation as grave. In particular, malnutrition rates of children and nursing mothers in the most affected locations have reached the highest levels ever recorded in the country since the start of the conflict. Small-scale relief activities have been established in each of these areas addressing the most urgent needs of health, nutrition and food assistance. Table I below represents the current status of accessibility due to security conditions. It does not however imply that full-scale operations are being undertaken in all accessible areas as factors other than security also affect the degree of intervention in each location such as lack of capacity (resources and manpower), and impassable road conditions. Tables II and III reflect current and pending operational areas of agencies.

Table I

DISTRICT	Accessibility	Controlled by
Bo	Full	GOSL
Bombali	Partial	RUF/AFRC
Bonthe	Full	GOSL
Kambia	None	RUF/AFRC
Kailahun	Partial	RUF/AFRC
Kenema	Partial	GOSL/RUF/AFRC
Koinadugu	Partial (Kabala)	GOSL
Kono	None	RUF/AFRC
Moyamba	Full	GOSL
Port Loko	Partial	GOSL/RUF/AFRC
Pujehun	Full	GOSL
Tonkolili	Partial	RUF/AFRC
Western Area	Full	GOSL

6. Sectoral Interventions

Health and Nutrition

Ongoing support for health programmes

UNICEF, WHO and UNFPA have continued to support health partners in all operational areas, including technical support to the MOHS and supply of drugs and medical equipment to support health programmes and facilities. On 21 July, Health agencies supported EPI surveillance workshops in Bo and Kenema in preparation for the NID programmes, which will be held on 9 October, 6 November and 11 December 1999. UNICEF and WHO are assisting with logistics, training, as well as provision of cold chain equipment. Emergency health activities continue unhindered in main hospitals and IDP camps in accessible districts. MSF-B's emergency support to the Brookfield hospital in Freetown ended in July since the organization is not mandated to support private hospitals. (See Table IV for status of health intervention in IDP camps in the Western Area).

Combating measles outbreaks

Health agencies have intensified efforts to forestall measles outbreaks in various regions. Vaccination campaigns are ongoing at various locations including newly accessed areas in the east. During this review period, MSF-B with support from UNICEF organized a vaccination exercise in Daru and surroundings where measles outbreaks were recently confirmed. In Moyamba district, MRC is undertaking measles surveillance in Kamajei, Korri and Kowa chiefdoms. Meanwhile, MSF-B reported a measles outbreak in Jong chiefdom. Agencies in the area launched an intensive vaccination campaign with 94 per cent coverage of the target population. The patients are receiving treatment at various clinics in the area. During this month, AFRICARE, which began outreach medical services along the Wanjei river for the benefit of the Mano Sakrim and Kwame Bai Krim chiefdoms in the Pujehun and Bonthe districts also transferred some measles cases from there to the TFC in Bo.

Preventing cholera outbreaks

As the cholera season peaks in the next weeks, the MOHS, UNICEF and health NGOs have intensified efforts to prevent any outbreak of the disease in the country. The GOSL has allocated Le 10 million (US$ 5,500) to the cholera preparedness programme. In the provinces, agencies have maintained cholera prevention campaigns including chlorination of some 4,167 wells and water sources in Bo, Bonthe, Port Loko and Kambia districts. The intervention is backed by health education programmes. Meanwhile, in the Western Area, the cholera task force reported a 50 per cent reduction in the incidence of bloody diarrhoea. According to their report, the numbers went down from 240 within the first half of June to 112 during the same period in July. The Task Force confirms that adequate supplies of cholera treatment drugs have been prepositioned in the country to strengthen medical response for any outbreak.

Addressing needs in newly accessed areas

With the gradual improvement of the security situation, a number of agencies have been able to respond to the desperate humanitarian conditions reported in Yele, Tonkolili district. (See SITREP 11 June to 18 May). To address the health needs of some 15,000

IDPs, MRC established a temporary clinic, which is being operated at a cost recovery basis, with about 800 patients seen each day. ACF on its part has conducted comprehensive nutritional surveys confirming earlier reports of serious malnutrition problems in the area. They have subsequently taken appropriate action to respond to the identified needs. Severely malnourished cases have been transferred to their TFC in Bo, while a supplementary feeding centre established during this review period, is catering for those classified as moderately malnourished, (about 200 by mid August). It is expected that this facility might be extended to Konta where the medical situation is also said to be deplorable. The current efforts in Yele are being complemented by CARE, which is providing regular food rations to the IDPs there.

In Port Loko district, agencies are expanding health, nutrition and food security activities. UNICEF is refurbishing the cold room in the district and will provide a generator to support routine EPI activities. At the same time, the Emergency Health Task Force is planning to expand primary health care activities throughout the district. Children's Aid Direct (CAD) is supporting five health clinics in Loko Masama chiefdom, in collaboration with the MOHS and UNICEF. A dry ration programme for malnourished children is being carried out at the clinics with a caseload of 480 children registered by end of July.

With the resumption of health activities at the Kabala Government Hospital in Koinadugu district, UNICEF and MSF-B continue to provide drugs and medical supplies. Minor surgeries are now being performed at the hospital. The first attempt at the beginning of the month to access the town by road proved unsuccessful due to lack of security guarantees along the Makeni-Kabala route and general bad road conditions. At present, re-supplies for the health activities there are only possible by air.

In Makeni, MSF-H began rehabilitating the Out Patient Department of the Government hospital on 4 August. An MOHS doctor is now working at the hospital with support from MSF-H, which provided a two-week supply of drugs. However, re-supply has not been possible due to uncertain security conditions in the area.

In Kambia district, MSF-H is supporting six clinics. Though their field workers have not been able to gain access to Kambia town since rebel attacks began in February 1999, they have relocated to a village five km north of Kambia town, where they are providing limited health services to IDPs fleeing hostilities in the area. Supplies have so far been provided by boat from neighbouring Guinea. MSF-H plans to train health staff in the area, in anticipation for possible expansion of programmes should security conditions improve.

According to a recent report by the International Medical Corps (IMC), mortality rate on Tasso Island due to diarrhoea has dropped from 6.1 per cent in April 1999 to 0 per cent by end of July. To address the nutritional problem on the Island, IMC established a supplementary feeding centre to serve moderate cases, while the severely malnourished are taken to the ACF TFC in Freetown. IMC is maintaining bi-weekly monitoring visits to the Island.

Nutrition

As access to greater parts of the country reveals deteriorating nutritional conditions in many areas, relevant agencies are combining efforts to improve nutrition and household food security information systems. At a workshop organized by UNICEF on 12 August, participating agencies agreed on data collection tools for the Nutrition and Household Food Security Information System (NHFSIS). UNICEF will begin training enumerators in September. The System will be piloted in eight chiefdoms in Pujehun and Bo districts. UNICEF has contracted two staff members to assist with the programme.

As a result of increased and more effective screening exercises, ACF has reported a significant rise in the number of malnourished cases in its operational areas. In Freetown alone, 200 new cases have been registered. Most of these are referred by other NGOs. The organization has appealed for tents to help accommodate the patients. The TFC in Bo now caters for 320 cases, a 30 per cent increase in just one month. Supplementary feeding centres are being established in the newly accessed areas.

MERLIN also reports the continuing deterioration of nutritional status of displaced in the eastern region. In Kenema, 440 cases are presently registered at the TFC, while some 170 cases are admitted at the TFC in Blama. As a measure to address the needs, MERLIN has expanded its therapeutic and supplementary feeding programmes by constructing three large structures that will accommodate 750 additional children.

INFORMATION ON HEALTH STATUS IN IDP CAMPS, WESTERN AREA

Table IV

Name of Displaced Camp	Area/ Location	Managing Agency /NGO	Camp Popn.	Age	WICBA	Health Implementing Agency	Water Source	No & Toilet Type	Priority
				<5yrs	<1yr				
1. Mandella Displaced Camp	Ross Road	ARD	412	72	25	114	MSF/H (Mobile)	Pipe Borne	9 Pit LatrinesMalaria ARI
2. Waterloo	Newsite	ADRA	30,000	8,000	12,000	10,000	ADRA	Pipe Borne	22 Pit LatrinesMalaria ARI Diarrhea
3. Parade Grounds	Circular Road	CORD. SL	767	162	31	170	MERLIN Through Macauley Street Satellite Clinic	Water Bouzer	12 Pit LatrinesMalaria ARI
4. National Workshop	Cline Town	CARE	10,000	3,000	1,200	4,500	MSF/H	Water Bouzer	36 Pit LatrinesMalaria ARI

5. Trade Centre	Kissy	EFSL	1,365	-	-	-	MSF/H (Mobile)	Pipe Borne	3 VIP ToiletsMalaria ARI
6. Bailoh Barrie	Bai Bureh Road	SLRCS	1,350	305	209	350	SLRCS	Water Bouzer	6 Pit LatrinesMalaria Diarrhea
7. Approved School	Wellington	IIRO	10,089	1,716	404	2,220	Concern World Wide	Protected Well & Pipe Borne	25 VIP LatrinesMalaria Diarrhea Chicken Pox
8. Grafton	Grafton	GOAL	1,453	535	-	-	MSF/F	Pipe Borne	VIP (8) ToiletsMalaria ARI
9. Murray Town	Aberdeen Road	MSF/F	946 people 264 Amputees	146	-	-	MSF/F	Pipe Borne	VIP ToiletsMalaria Diarrhea ARI
10. National Stadium	Brookfields	CCSL	5,000	1,850	-	-	MSF/F	Pipe Borne	VIP ToiletsMalaria Diarrhea ARI

Child Protection

RUF/AFRC release child abductees

At least 100 children were among 200 people freed by AFRC rebels on 10 August. The abductees were released along with the last batch of hostages taken by the rebels on 4 August. Initial screening of the teenage girls revealed that eight of them were pregnant, while six others were nursing mothers. One girl had a five-day old baby. According to UNICEF, the children, who were mostly in tattered clothes appeared weak and haggard. The latest release brings to just over 250 the total number of abducted children officially released by the RUF/AFRC rebels since the signing of the Peace Agreement. The first set of 187 abductees was released on 16 July 1999 out of which 121 were children under 18 years of age. Ten of them were pregnant and breast-feeding girls between 14 and 18 years of age. Another group of 36 was handed over to UNICEF by ECOMOG on 6 August. By the time of writing, UNICEF and child protection partners had reunified about 75 per cent of the children with their families. Those remaining in interim care mostly come from the provinces and will be reunified as soon as access to their locations permit tracing activities.

Meeting future challenges

The Government has called for the immediate and unconditional release of the many children and other civilians still being held in captivity, in accordance with commitments under the Lome Peace Agreement. UNICEF registered nearly 4,000 children as missing by parents in the Western Area after the RUF rebels invaded Freetown in January. By end of July, 865 had been traced and reunified while 3,120 still remain missing. Child

protection agencies emphasize that the scale of this tragedy is much larger than that indicated by the above figures, which only reflect the greater Freetown area. It is safe to assume that large abductions also occurred in the provinces.

To support activities for child soldiers and released abductees, UNICEF has signed new project agreements with COOPI, IRC, and KDDO for support in psychosocial, family tracing, integration and foster care for UACs and child soldiers in the Western Area and southern and eastern provinces. The UN Foundation, USAID, Japan, SWEDEN, Australia, New Zealand, and the German Committee for UNICEF are funding the programme.

Meanwhile, agencies have prepositioned supplies in the Western Area, Bo and Kenema in preparation for UACs and released children needing interim care. In Kenema, the Child Protection Committee identified two buildings at the RTI camp to house an estimated 2,000 children, including children associated with the fighting forces and the unaccompanied children. WVI is considering funding an emergency preparedness proposal to train social workers in their areas of operation.

Raising Awareness on Sexual Abuse

The Committee on Sexual Abuse continues to expand activities. A proposal has been finalized for community sensitization for sexually abused victims. The objectives are to raise the awareness among victims about the availability of medical and counseling services and to encourage them to take advantage of these services. Communities will also be sensitized to cultivate a positive attitude towards victims. Journalists, religious, community leaders and school counselors/PTAs will be targeted. The NGO, Marie Stopes and MSF-H are also assisting with programmes for sexually abused children.

Caring for Street Children

The NGO GOAL in collaboration with UNICEF is providing community-based assistance to street children in the Western Area, including health care/nutrition, shelter, psychosocial care, non-formal education, and reunification activities. There are currently 135 children on the programme. GOAL plans to assess the situation of Street/Separated children in other parts of Sierra Leone with a view to establishing programmes in these areas.

Food Aid

Recent assessments of newly accessed areas indicate persisting food insecurity. Although more food is now available in the market with the opening of the main highways from Freetown to the provinces, most families are still dependent on cassava. When available, the price of rice is high and much beyond the purchasing power of the civilian population. In most places, income- generating activities are yet to be revitalized. ACF predicts that people will likely face increased hardship when the cassava harvest runs out in September, as very few families took the risk of cultivating rice fields. With the lack of

medical care, poor drinking water and the prevailing hungry season, the plight of these villagers can be considered grave. Food security agencies have recommended targeted food distributions in these areas, especially for the villages on the Masiaka-Makeni, and Songo-Masiaka highways.

In response to the situation, the National Technical Committee on Food Aid has proposed an expanded vulnerable group feeding (VGF) distribution in affected areas, to increase the availability of food in the towns, while adhering to the principle of targeted programmes. The expanded VGF will target all U5 children, pregnant and lactating women, and elderly and visibly disabled persons. Planned distributions in the Songo-Masiaka-Rogberi/ Lunsar-Makeni areas have however been delayed due to security incidents (see section 3).

A particular concern for food aid agencies has been the danger of distributing food to civilians in the absence of a disarmament, demobilization and reintegration programme. As agencies cannot directly assist armed groups, they have prevailed on other organizations to promptly address the issue as agencies plan to resume full-scale relief operations in affected locations. In this regard, a number of religious groups under the auspices of the Inter-Religious Council of Sierra Leone (IRCSL) have started providing some food to the combatants in their locations. Agencies will plan distributions to civilians in close coordination with distributions to combatants. WFP has already registered over 4,000 civilians in 28 villages in the Masiaka area but will delay distributions to coincide with the exercise in Lunsar and Makeni in order to avoid population movements towards Masiaka.

Meanwhile, agencies completed distributions to beneficiaries in accessible areas for the month of July. CRS and WFP served a verified caseload of about 40,000 beneficiaries in Kenema and Gofor, as well as Kandu Leppiama, Simbaru and Boajibu chiefdoms where nearly 13,000 beneficiaries were reached. The IDPs at the Blama site also received food rations, bringing the total number of beneficiaries served in the area to nearly 55,000. WFP also provided monthly rations to some 20,418 vulnerable groups in Bo and 47,290 in Freetown.

In Port Loko town and surrounding villages, WFP, in cooperation with ACF, CAD, CARITAS, and WVI provided monthly rations to nearly 8,000 vulnerable groups. According to the agencies, the security situation during the exercise was relatively calm as ECOMOG provided maximum cooperation in maintaining order at all the distribution sites. A group of persons supervised by CAD continued to monitor the use of the distributed food.

Agriculture

According to a recent report by FAO, Sierra Leone is among sixteen African countries facing "exceptional food emergencies." It is believed that the implementation of the peace agreement will significantly improve the situation. FAO is currently operating a fishery project to support displaced artisanal fishermen, fish processors and other groups

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involved in related fishing activities. The project provides fishermen with outboard engines, canoes, fishing gears and ice-making machines. Another project is being undertaken in Lungi, providing emergency agricultural inputs such as seeds, tools, building materials and fertilizers to rural women's groups to improve household food security and income-generating agricultural activities. The organization also plans to undertake a project targeting 8,000 destitute farm families with agricultural inputs. The project, which has a total budget of $371,000, is expected to begin shortly.

ACTIONAID has entered an agreement with UNICEF to implement a household food security project that will enable 7,500 resettling households in the Western Area to access food throughout the year by promoting simple methods of household food requirement, home gardens and micro-credit schemes.

Concern Worldwide (CW) visited the northern town of Matatoka on 30 July where they met with their crop monitors and contact farmers. They plan to resume support to the agriculture sector. However, they do not believe it feasible to transport rice for agricultural purposes at this time, given the security situation and the absence of food in the town. Instead, they plan to distribute cassava, potato vines and vegetable seeds this month. Groundnut will be distributed in September.

Water and Sanitation

Activities in this sector continued in accessible areas. ACF and CCSL have worked out a solution to the deteriorating WATSAN situation at the National Stadium camp. CCSL has supplied hygiene kits to the IDPs in the camp and the bush around the latrines has been cleared by the IDPs. ACF has also resolved the water problem at the new Grafton site, enabling the relocation of up to 1000 IDPs to the camp. CARE plans to begin project activities in Port Loko by this month.

Agencies have continued to meet WATSAN needs at the various IDP camps and in Bo town and surroundings. CARE has now cast 25 latrine slabs and placed them over the trenches of five seater latrines in the Lebanese camp. They are also involved in health education geared towards sensitizing camp inmates on how to prevent maggot infestation in the camp. OXFAM has completed the construction of wells at the cholera camp. They intend to design a rain water catchment to provide additional water in case of a cholera outbreak. The Sierra Leone Red Cross Society has chlorinated 20 traditional wells at the Bo number two section in Bo town. On its part, ACF is committed to providing latrines for 5,000 IDPs at the Keindeyella camp in Bo, after completion of booth construction. The Organization is also undertaking some WATSAN activities in Yele.

UNICEF has provided materials for construction of wells and latrines in schools and health centres for Bo and Kenema and for protection of wells, installation of hand-pumps on 21 wells and rehabilitation of some latrines in Bonthe district. In IDP camps in Freetown, they are trucking water on a daily basis to assist the displaced. At the same time, UNICEF is providing WATSAN materials to partners like ACF and OXFAM for

the construction of washrooms and latrines in IDP camps. They also donated five motor bikes to assist the Water and Sanitation Division.

In the Moyamba area, CARE has completed the construction of three new wells and rehabilitated twelve wells. They continue to identify village communities for new well construction. Twenty such communities have been identified and selected in two chiefdoms.

WVI rehabilitated and installed 41 hand pumps in nine chiefdoms on Bonthe mainland. Some 105-pump attendants and 178 chlorinators have been trained there. Assessment shows that Bum and Kwame Bai Krim chiefdoms have no protected wells. WVI plans to provide them with two protected wells. They have also planned to provide demonstration latrines at six clinics. On the whole, WVI has nearly completed 63 wells in Bonthe district. Four new wells are being earmarked for Bom and Kwame Bai Krim chiefdoms respectively.

Shelter/Non-Food Assistance

After a series of negotiations with local authorities and NCRRR, agencies have finally secured land to construct an additional IDP camp in Bo. The location is Keindeyella village in the Tikonko chiefdom. Up to 300 booths can be constructed at the site. Agencies began clearing the land on 16 July and construction work has already started. ACF has indicated its interest to construct latrines, while OXFAM will rehabilitate wells and MSF-B will provide medical care. Other agencies have been requested to provide support after the construction of booths. Meanwhile, 24 booths have been completed and allocated at the Tikonko IDP camp. Some 1108 are under construction at the Splendid site.

At the Blama camp in Kenema district, some 500 of the 1200 booths planned for construction have been completed and occupied, while the Lebanese camp now has over 700 booths occupied. A total of 150 structures have been put up at the Nyandeyama camp. Non-food assistance is being provided by a number of agencies, including ICRC, which donated 165 rolls of plastic sheets to cover the rest of the booths at the Lebanese camp. NCRRR provided 50 mattresses and 40 bed-sheets for MERLIN's TFCs, and CARE distributed 3,000 blankets to 3,753 beneficiaries at the Blama camp. MSF-B also distributed non-food items to a total caseload of 10,537 at the camp.

In the Western Area, temporary shelter assistance continues at the officially recognised camps. At the new Grafton camp, GOAL has completed the construction of shelters to facilitate relocation of IDPs currently occupying unauthorized campsites. About 1,000 IDPs have already been relocated to the site, which has the capacity to accommodate 3,000 people. The Irish government has provided some funds for GOAL to cover the construction of shelters for additional 7,000 persons. This will come under phase two of the ongoing activity. The organization is presently waiting for plastic sheeting to be transported from Europe.

Education

UNICEF has completed and handed over eight temporary school buildings for displaced children in the Western Area to the Ministry of Youth, Education and Sports (MYES). The schools are expected to accommodate 4,800 children in two shifts. A consignment of teaching and learning materials and 3,200 copies of textbooks in the four core subjects – English, Mathematics, Science and Social Studies were also supplied to the schools. The textbooks will be used to establish a book bank in each school.

The MYES has established Regional Education Coordination Committees in the Eastern and southern provinces with technical inputs from UNICEF. These committees are charged with the task of developing and coordinating a plan to address the education needs of IDPs now emerging from rebel-controlled territories. The Committee will facilitate a quick assessment to determine the number of children of school-going age and identify existing facilities and basic requirements for effective resumption of school activities. UNICEF has also provided recreation and sports kits to serve some 130 schools in the southern province.

Despite these interventions, emergency education needs remain seriously under-funded. Requests for funding from agencies like UNICEF are often unmet. Education is a human right and it is vital that basic education support is provided to children during long emergencies like the one Sierra Leone.

Refugees

UNHCR meets on voluntary repatriation

UNHCR representatives from four countries met in Abidjan on 6 and 7 August 1999 to consolidate a plan for the voluntary repatriation of Sierra Leonean refugees in neighbouring countries. The meeting was held to ensure that adequate preparations are in place to address possible mass returns to Sierra Leone occasioned by the signing of the Peace Agreement. Although conditions have not yet been met for an organized repatriation in safety and dignity, the meeting identified a number of activities which could be carried out in the interim pending tangible progress in the peace process, as some spontaneous returns may occur. Among others, the activities include dissemination and sensitization of refugee communities on the Peace Agreement, facilitated repatriation to Freetown and Bo 30 days following the return of Cpl. Foday Sankoh to Freetown and the formation of a government of national unity. Should DDR be well advanced by February 2000, UNHCR would officially launch an organised voluntary repatriation, expected to last two years. In this context, the Organization plans to initiate the signing of tripartite agreements with relevant countries to assist mass voluntary repatriation. Furthermore, it intends to strengthen its presence in Sierra Leone, including the opening of new offices in major returnee areas.

For planning purposes, UNHCR estimates that half of the 500,000 refugees in neighbouring countries may return spontaneously. Some 30 per cent would be returned

under a facilitated scheme which does not involve logistics, while the remaining 20 per cent would benefit from an organized repatriation exercise, including transportation.

*For summaries of recent humanitarian missions see attached document on Humanitarian Profiles

HUMANITARIAN PROFILES

1. Makeni Highlights

Background
The once thriving commercial centre was conspicuously deserted when an interagency assessment team arrived there on 22 July for the first time in seven months. Most shops seen were barred shut and only minimal street trading was evident. There were however no obvious signs of widespread destruction although significant looting had occurred.

The inter-agency mission including UN and NGOs secured a number of agreements from the People's Army (former AFRC) which committed to providing the enabling environment for the delivery of humanitarian assistance and to respect the staff and properties of the humanitarian community in all territories under their control. To this end, the Army agreed to return all assets and properties of the humanitarian community to the respective owners immediately in order to facilitate their work. They also agreed to allow the participation of national staff members of international agencies in their areas provided their names and positions are forwarded to them prior to the visits. On substantive programming activities, the People's Army accepted the concept of facilitating the National Immunization Day in their areas. As part of a security measure to ensure global access mechanisms, UNHACU, on behalf of the Humanitarian Coordinator, maintains daily contacts with the RUF base in Buedu.

Based on the assurances of security and cooperation from the AFRC/RUF, subsequent multisectoral assessments were undertaken to ascertain child nutrition patterns, food and logistics situation and related human rights issues. After their assessment of the town and surrounding villages, ACF and MSF described the humanitarian situation in Makeni as a major crisis, with over 30 percent malnutrition rates of the U5 children screened, compounded by lack of medical facilities and a chronic shortage of food commodities. Planned response to address the situation has been delayed by the deterioration of security in the area and along the routes to Makeni. However, national staff members of ACF and MSF who remain in the area are providing limited assistance in health and nutrition. At the beginning of the month ACF opened a supplementary feeding centre in Makeni town where 500 people were registered within two days of starting the operation. The organization plans to establish a day care centre during this week as a first step to addressing the needs of the severely malnourished. Expansion and continuation of relief operations in health, nutrition and food aid will largely depend on improvement of the security situation.

(Summary based on reports by ACF and MSF-H: 23 to 26 July)

Current Population

Current population of greater Makeni area is estimated at 25,000 compared to 63,000 prior to the attack in December 1999. Some 15,000 of the 25,000 are believed to be residing in Makeni town. According to demographic projections for SL, 18.6 per cent of the population are children U5.

IDP Camps

The two camps (Magbenteh and Makali) are still occupied by IDPs. Some 2,400 in Mabgenteh and 1,300 in Makali. There were over 12,000 IDPs in the two camps prior to the December attack. Current population includes both old and new cases.

Agriculture activities

Only about 25 per cent of farm families planted this year. Maximum two bushels of rice per family.

Feeding Patterns

Between January and February, people were living on rice, fruits, potatoes and cassava. From March to present, the main food sources are cassava, reptiles, larvae from composts, snails, frogs, rats and mushrooms. The situation really began to deteriorate in March 1999. Majority of the families can only afford one meal a day. More food is given to the working groups (youths) who provide for the family, followed by children, then women and lastly the aged. About 60 per cent of the food items are purchased from markets. If available, rice is sold for Le600/cup, compared to Le250 in Freetown.

Coping Mechanisms

Prior to December, people survived on menial jobs, petty trading, wood selling, car washing, hair plaiting, blacksmith, carpentry and masonry. At present, they depend on petty trading in wood, available food stuff and drugs, street begging, sale of household properties and personal belongings, robberies and pick pocketing, prostitution and rat hunting. Trading activities are very minimal. The few traders come from Makeni, Kamakwie, Kabala, Fadugu and Lunsar. Movement is mostly on foot as vehicular transportation is either not available or too expensive.

Health Situation

The health situation is described as desperate. Severe shortages of food and medicine significantly increased health risks. Malaria, respiratory infections and nutrition-related illnesses are the most common. No outbreaks detected at present, but expected as more areas are accessed.

Present Situation:

Before the December attack, treatment was done at the government hospital, private clinics, quacks, and pharmacies and with herbalists. At present, services are only available at the RUF/AFRC hospital called the "Pentagon" (this was ACF's Supplementary Feeding Centre). The Pentagon has trained and untrained medical personnel, including MCH aides, SRNs, CHOs and medical volunteers. Two doctors are running the hospital. No surgeon at present. None of the hospital staff is paid. The hospital lacks drugs and medical equipment. Treatment is mostly for soldiers and their dependants.

The government hospital is completely looted, half-destroyed and non-functional.

SLRCS clinic - some consultation but no medical/drug supplies

Garden Clinic - private consultant but no drugs

No standing building at the Magenteh camp. Complete destruction. Primary health care activities for civilians as a start. They organization has made clear to combatants that they will only provide for civilians. At the Makele camp, one building but nothing in it.

Action Plan by MSF-H

MSF plans to send medical team to Makeni in the near future. The team will include a medical Coordinator, a medical logistician and logistical assistant and one nurse. Three of the four members will be international staff.

MSF will rebuild clinic and provide drugs, medical supplies and equipment. Work scheduled to start at beginning of August has been delayed. They also plan rehabilitation of the Makali camp clinic. Drugs will be provided.

They have enough in stock for current needs.

For the surrounding villages, MSF will begin operating mobile clinics on a regular basis, providing consultations and some treatment.

One priority area will be training as many health staff as possible to meet the challenges.

Education

Schools were opened on 24 July 1999, however only a few kids are enrolled in primary schools (about 10 per cent in town and 0 per cent in rural areas), and none in secondary schools. No school fees are levied and teachers are paid token amounts using tax revenues from traders.

WATSAN

Residents have access to drinking water mostly from rain. Wells are not chlorinated.

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There is currently no access to electricity. People use their "appropriate technology" to get light in their homes.

Nutrition

Nutritional screening was conducted among U5s and adults in Makeni town and surrounding villages. Malnutrition was defined according to weight and height ratio.

Makeni Town:

Total U5 screened - 95; adults -- 36. Of the U5s, 17 were severely malnourished while 16 were moderate cases. Of the adults, 4 were severely malnourished and 5 were moderate. When malnutrition is detected among the adult population, it usually means that the situation is serious. No mortality assessment was conducted but according to local staff present in the area, several malnutrition-related deaths were reported over the past months.

Camp Population:

Magbenteh - Of the 97 U5s screened, 47 were severely malnourished and 8 were moderate cases; Out of 23 adults screened, 10 were severe cases and 2 moderate.

Makali - Out of 67 U5s 17 were severe cases and 10 moderate.

The ratio between severe and moderate cases is worrying, but the team believes that while most of the severe cases were screened, most of the moderate cases were absent at the time of screening. On the whole, taking into account the present camp population estimates, it is possible to say that about 20 per cent of the children U5 were screened in each camp. The situation in the camps among the adult population appeared worse than in town.

Surrounding villages:

All U5s present at the time were screened in Makama and Ropolo villages located in Bombali Sebora chiefdom and between Makeni and Magburaka. Some 100 U5s were screened in each village: Makama - 20 severe and 25 moderate; Ropolo - 11 severe and 23 moderate Masongbo - 19 severe and 12 moderate; Binkolo - 13 severe and 12 moderate. The situation in the villages compares with the camp situation. The situation in Makama village is particularly bad.

Conclusion:

In sum, among the 153 total severe cases seen, 103 bilateral oedema were observed. Important to note that it is always more difficult to treat kwashiorkor (oedema) than marasmus cases. The mortality rate among kwashiokor cases is usually higher. The present global picture is the result of an extremely poor access to food over the past

months. Generally speaking, the situation was found to be more difficult in surrounding villages of Makeni than in Makeni town itself, as the surroundings were repeatedly looted.

Recommendations/Action:

General food distributions urgently recommended in Makeni town and surrounding villages. In this regard, ACF emphasizes distributions in all chiefdoms and villages, not just the town, in order to avoid artificial population movements into the town.

A full ration at 2400 k/cals is recommended.

ACF intends to set up two therapeutic feeding centres and four supplementary feeding centres in Makeni town, camps, and surrounding villages by beginning of August. However, the organization notes that targetted supplementary and therapeutic nutritional feeding programmes aimed at addressing needs of malnourished populations are not effective if the general access to food remains limited and if such programmes are not complemented by regular and sufficient additional food input.

With regard to the frequency of the recommended food distributions, ACF recommends interviews with the local population in order to define the more appropriate alternatives and options for distribution. This will contribute to limiting incidents and to providing a comprehensive solution to the problem.

In the short term, medical facilities have to be set up in central locations, as well as rural and decentralized centres.
Medium term solutions should include agricultural assessments to determine the different kinds of inputs to be distributed to the population by September 1999.

Relevant players must also address the issue of food for combatants as soon as possible.

Intermediate food distributions for civilian populations residing in areas between Songo village and Makeni town (Masiaka, Rogberi, Lunsar areas), are also strongly recommended by ACF.

2. Inter-Agency teams assess villages, towns and chiefdoms in the East

Kandu Leppiama Chiefdom

During the reporting period, WFP, AFRICARE, MERLIN, SLRCS and HACU visited three towns in this chiefdom including Gbado, Levuma and Jenneh during July. In Levuma, about two acres of land have already been allocated to the IDPs for camp construction. An estimated population of about 5,000 IDPs have erected 60 booths covered with palm fronds. A clinic operated by MERLIN at Levuma is providing antenatal, EPI and health education services. At Gbado, there is a MCH aid clinic. Diseases like malaria, diarrhoea, anaemia, related to malaria, constitute the most common

cases. Mortality rate is low for U5s and above. The general nutritional status of the IDPs is reasonably good, with the exception of a few cases of malnutrition. In Gbado and Jenneh, the WATSAN situation is favourable, with 15 and 19 standpipes in both towns respectively, constructed by Water Aid and UNICEF. There are six toilets serving the host population and IDPs at Jenneh.

Simbaru Chiefdom

The assessment team couldn't get to Boajibu on the 15 of July due to a broken bridge at Babawahun. The team went on bikes the following day. There were two health centres, KDDO-supported clinic and a government health centre supported by MERLIN. ACF operates a mobile clinic and takes all referred cases to Blama and Bo. The host population at Boajibu refused the IDPs land for camp construction. They are presently in the catholic and Ahmadiyya schools while a few managed to stay with the host population.

Jawei Chiefdom -- Daru

MSF-F traveled by road to Daru to assess the spread of measles and to conduct a nutritional screening. They report an outbreak of measles in Daru, Malema and some of the villages surrounding Daru. They subsequently vaccinated target groups including children between six months and 15 years of age. A total of 4,567 children were immunised. A nutritional screening of 1,013 U5 children revealed 22 were severely malnourished while about 50 per cent were moderately malnourished.

Dama Chiefdom - Naiawama camp

On 23 July, the assessment team visited Niawama camp. IDPs were mainly from the Kailahun district, including Segbewema, Dia, Malema, Peje Bongre and other areas. They had completed 274 bamboo booths covered with grass. The camp had three shallow wells and no medical facilities. IDPs walk about 15 miles to Giema to attend clinic. There are about three TBAs without equipment. A total of 4,910 IDPs have been registered and the mortality rate was on the high side. The team counted 173 graves though most were thought to be old graves. The IDPs however claimed that the deaths occurred between June and July. Out of 179 U5 children nine were moderately malnourished and five were severe cases of kwashiorkor.

Konia Camp

The IDPs at this camp produced a register containing 4,933 names. Some 110 booths had been erected but not yet completed and occupied. The nearest health post supported by MERLIN was at Giema about 10 miles from the camp.

Gofor Camp

The IDPs here completed 275 booths to accommodate an estimated population of about 10,000 IDPS. There is a health centre operated by AFRICARE. The situation was not too grave since they received food supplies from CRS in June and July.

Recommendations/Action:

AFRICARE is to provide medical services to the Niawama camp, SLRC/ICRC will give two-week rations. Agencies were however concerned about distributing food at the Niawama camp which is close to Kailahun, where rebel groups remain armed. MERLIN recommends that vaccination and nutritional screening should be done regularly at this camp.

The IDPs at Kandu Leppiama and Simbaru chiefdoms have started receiving food from WFP. However, access to Boajibu remains difficult due to the broken bridge at Babawahun. IDPs were advised to go to the nearest accessible village for their supplies. There is an urgent need to negotiate the opening of the roads leading to Segbwema and Daru and the rest of the east to enable humanitarian relief agencies start accessing people living in bushes.

Kenema District

Mondema, Baama and Konta villages

The mission, undertaken during July, confirmed that the road from Bo to Grima junction in the Valunia chiefdom was relatively in good condition. There are 39 bridges between Grima junction and Baama village, 16 of which are in very bad condition and are made of palm trunks. These are located mainly between Mondema and Baama villages. Aid agencies have recommended that trucks be prevented from using the Mondema - Baama road until repairs are carried out.

At the Vengema village, the team learned that there were 1159 IDPs from Kono and Makeni staying in bush camps around the village. The IDPs were said to be surviving on bush yams and cassava. Rice and other commodities are acquired from Bo and Kenema. In Mondema village, the team observed a large concentration of people, mostly lactating mothers from bush camps. About 500 IDPs were said to be residing in the area, mainly from Kono and Masingbi. Almost all the houses in the town which is about 14 km from Masingbi, had been burned down by rebels.

The 18 km road from Mondema to Baama was still not open to vehicular traffic. Coping mechanisms were at the lowest here. Although some farming activities were evident, no agency had supplied seed rice and other farming inputs. A cup of rice when available is sold for Le 500. The team ascertained the lack of clean drinking water and poor toilet and medical facilities. The population depends on the river source for drinking water. They reported deaths from dysentery, diarrhoea, malaria and worm infections.

At Konta village, the section chief informed the team of the presence of 5,000 IDPs staying in the camp and 10,000 in the 17 surrounding villages. The team observed only one well and no toilet facilities in the town. Like in Mondema, the civilians told harrowing stories of suffering and deprivation. MERLIN offered some medical assistance on cost recovery basis. At the Konta displaced camp, the camp manager informed the team that 35 people, including nine children and 26 adults had died in April of hunger, malaria, dysentery and diarrhoea. Eight were said to have died in May and five in June. However, the death rate drastically reduced after the intervention of MERLIN. They reported that since the camp was established, they had received food from CRS twice (covering May and June). The living condition of the camp inmates remains deplorable. Children and adults alike are malnourished, as they live mainly on bush yam, cassava and other wild foods. The camp manager confirmed a caseload of 11,032 instead of the 1

5,000 stated by the section chief. The number of booths estimated by the team was about 200. Just over 5,000 IDPs reside in the camp while about 10,000 is reported to be in surrounding villages. There are no WATSAN facilities in the camp.

After the assessment, WFP led an inter-agency team to carry out a two-day registration and verification exercise from 16 to 18 July. According to their report, the following figures were derived: Mondema - 3,491, Konta - 5,449 bringing the total registered and verified to 8,940. The team did not encounter any security incidents during the trip. They learned that the area had been calm since the Ceasefire took effect on 24 May. They were informed that initiations were continuing by Kamajors, although one initiator claimed that they were in support of peace and would be ready to disarm.

3. Tasso Island - Port Loko District (input from IMC Report, July 1999)
Diarrhoea and dysentery accounted for 27 percent of all morbidity on Tasso Island. Among the 347 cases detected from January to April 1999, 23 resulted in death, a case fatality rate of 6.6 percent. The Island's community health post could not handle the outbreak as it lacked drugs and equipment and urgently needed rehabilitation. The problem was compounded by the large number of internally displaced persons whose presence more than tripled the island's population from 2,673 to approximately 7,718. This influx overwhelmed the island's capacity to provide for its residents.

In response to the situation, the International Medical Corps (IMC), in cooperation with MOHS, initiated an emergency health intervention project on the Island. By June, the Community Health Post had been rehabilitated. UNICEF and WHO supplied drugs while the MOHS provided health workers, enabling the CHP to effectively treat diarrhoeal diseases. As a result, there has not been a single fatality on Tasso Island from diarrhoeal disease or dysentery since the beginning of June.

Utilizing a boat procured from UNICEF and MOHS, IMC is undertaking bi-weekly visits to the Island to monitor the situation. These follow-up visits have revealed prevalence of high malnutrition cases among children. As of mid July, 536 of the under-five children screened were diagnosed as being malnourished. The severely malnourished (about 70%) were transported to ACF's TFC in Kissy, eastern Freetown. With the slow improvement

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of conditions on the Island, the number of severely malnourished cases is said to be on the decline. In order to prevent further deterioration of the situation, IMC established a supplementary feeding program for the moderately malnourished cases. High protein food, donated by Cap Anamur, along with supplementary food donated by WFP, is being used to feed pregnant women and breast feeding mothers at the health centre.

In addition to controlling the current outbreak of diarrhoeal diseases, IMC is putting in place long-term prevention measures. Work has already begun on the implementation of a health education campaign, and plans to train Blue Flag Volunteers are in the pipeline. The aim of this campaign, which is to be conducted in collaboration with WHO is to reduce the high rate of diarrhoeal disease on Tasso by raising community awareness about the importance of good sanitary practices. In order to improve sanitary conditions, IMC is finalizing a deal with a donor to get funds that will be used to build protected wells and V.I.P. latrines in all of the six villages on Tasso.

Continuing Challenges: While effective prevention measures have helped to reduce the number of cases of diarrhoeal diseases on the island, it must be noted that the incidence of bloody diarrhoea is still high. WHO and IMC are investigating the causes, and are planning appropriate intervention to address the situation. Another concern is the fact that the number of patients being seen at the Health Post has risen in recent weeks. In order to meet this rising demand for health services, funds for the construction of a new Health Centre are being sought.

NGO-Locations

Western Area	**Kenema**	**Pujehun**
ACF	ACF	ACF
ADRA	AFRICARE	AFRICARE
AMA	CARE	Bo-Pujehun RDP
CARE	CORD-SL	CARE
CCSL	CRS	CRS
CES	I. A. S.	I. A. S.
CHASL	ICRC	MSF-B
COOPI	MERLIN	OXFAM
CORD-SL	MSF-B	UNICEF
CRS	OXFAM	WVI
CWW	SLRCS	
GOAL	UNICEF	**Bo**
HANDICAP	WFP	ACF
I. A. S.		CRS

ICRC	**Moyamba**	I. A. S.
IMC	CARE	MRC
MCSL	SLRCS	MSF-B
MERLIN	TERRA TECH	OXFAM
WVI	UNICEF	SLRCS
MSF-B	WFP	UNICEF
MSF-F		WFP
MSF-H	**Bonthe***	WVI
OXFAM	CARE	HANDICAP
SCF-UK	MSF-B	
SLRCS	SLRCS	**Port Loko**
UNICEF	UNICEF	ACF
WFP	WVI	ADRA
		CAD
		CRS IMC
Bombali (activities in Makeni only)	**Kailahun (activities in Daru & Kailahun Town)**	Kap Anamur
		OXFAM
		UNICEF
		SLRCS
CARITAS	MSF-F	WFP
CWW CRS	ACF I. A. S.	
MSF-H	WFP	
ACF		
WFP		
	Kambia (Some Health programmes by MSF-H)	**Koinadugu (Activities in Kabala & surrounding villages)**
Tonkolili (activities in Yele only)	WFP CARITAS	CES CRS
ACF CARE SLRCS ICRC CWW WFP MRC IMC (Masiaka - Mile 91, in 2 eeks) CARITAS Makeni	WHO MSF-H A. AID UNICEF	MSF-B

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Interventions Data

District	Health/Nutrition Prog		WATSAN Prog.	Agric. Prog	Human Rights Prog	H/Hold Food Security	Family Tracing & Reunification	Conflict Resolution/Peace Building	Child Protection	Camp Management /Shelter/NFI	Education & Training	Food Supply	DDR
Bo	ACF, MRC, UNICEF, MSF-B, HANDICAP, IAS, WFP	GOSL	ACF, OXFAM, UNICEF, IAS, MSF-B	ACF, CRS, WFP, WVI, MCSL, MAFE, ADDO, OXFAM	FAO	ACF, WFP	WVI	MCSL, WVI	UNICEF WVI	CES, IAS, MSF-B	UNICEF, MCSL, CRS, WFP	IAS, CRS, WFP	UNOMSIL, SCF- UK (Location will depend on the DDR Centres), NCDDR, DFID, W.BANK, COOPI (Rehabilitation of Child Soldiers)
Bombali	ACF, CARITAS, MSF-H			CWW, WFP		ACF			CARITAS Makeni	CWW		WFP	
Bonthe	SLRCS, UNICEF, WVI, MSF-B		UNICEF WVI	CARE, WVI, MCSL, MAFE			WVI	WVI	UNICEF WVI		UNICEF	WVI, CARE	
Freetown & Peninsula	ACF, ADRA, ICRC, MERLIN, UNICEF, MSF-F, CHASL, COOPI, AMA, CWW, MCSL, MSF-H, MSF-B, HANDICAP, GOAL, KAP, IAS, IMC, WFP		ACF, ADRA, OXFAM, UNICEF, IAS, MSF-B	ACF, WFP, MAFE, NAFSL			COOPI, ADRA	WVI, MCSL, CHASL, CARITAS	UNICEF, COOPI, GOAL, HANDICAP, ADRA	ADRA, CARE, CORD-SL, CWW, CES, GOAL, IAS, MSF-B, CARITAS, CRS, OXFAM	UNICEF, IRC, CRS, IMC, WFP	CRS, CCSL, WVI, WFP, IAS, CARE	
Kailahun	MSF-F, ACF, IAS		IAS	MCSL, WFP		SCF-UK (Location to be determined)		MCSL		ICRS/SLRCS, IAS	MCSL	IAS, WFP	
Kambia	CARITAS, MSF-H		ACF, UNICEF	WFP				WVI	CARITAS Makeni			WFP	
Kenema	AFRICARE, ICRC, MERLIN, SLRCS, UNICEF, ACF, MOHS, IAS, IRC, WFP		ACF, OXFAM, UNICEF, IAS	ACF, AFRICARE, CORD-SL, ICRC, WFP, MCSL, KDDO, MAFE, WFP		ACF	CARITAS Makeni, UNICEF, ICRC, SCF-UK	WVI	UNICEF, KDDO	ICRC/SLRCS, CARE, CES, IAS, MSF-B, OXFAM	UNICEF, MCSL, WFP	IAS, CRS, WFP	
Koindugu	CES, MSF-B, MOHS		CES, MSF-B	CES, CRS				CES				CRS	
Kono	WVI			WVI			WVI	WVI	WVI	ICRS/SLRCS		WVI	
Moyamba	SLRCS, UNICEF, TERRA TECH, MOHS		CARE	CARE, MAFE, WFP				WVI		CARE	UNICEF	CARE, WFP	
Port Loko	ADRA, CAD, IMC, UNICEF, MOHS, WFP		OXFAM, WFP	ADRA, CAD, CRS, WFP, CARITAS Makeni				WVI	UNICEF	KAP	UNICEF	WFP	
Pujehun	ACF, AFRICARE, UNICEF, BP-RDP, MOHS, IAS, MSF-B, CRS		ACF, OXFAM, UNICEF, CRS, BP-RDP, IAS, MSF-B	OXFAM, ACF, AFRICARE, WVI, CRS			WVI	WVI	UNICEF, WVI	IAS	UNICEF, CRS	IAS, CRS, WVI, WFP	
Tonkolili	ACF, MRC, CES, IMC		ACF	CWW		ACF		WVI	CARITAS Makeni	ICRC/SLRCS, CARE		CARE, WFP	

WHO working partially in an inter governmental capacity with the MOHS;

UNOMSIL, Human Rights, Human Rights Watch

SCF-UK (Location to be determined)

CARITAS Makeni, UNICEF, ICRC, SCF-UK

In almost all the sectors National NGOS and CBOs serve as implementing partners of UN Agencies and Int'l NGOs
Most Agencies have reported adequate capacity to meet needs in view of access throughout the country

FACT 70

The United Nations Department of Public Information (DPI) reported on 01 September 1999 that:

(a) the Secretary-General's Special Representative for Children and Armed Conflict, Olara Otunnu, visited the Murray Town Amputee Camp in Sierra Leone, which hosted some 200 of the country's estimated 900 child amputees; and

(b) Mr. Otunnu was also scheduled to meet with former child soldiers and child prisoners of war.

a.	Exh. 1.186	n/a	"UN special envoy visits Sierra Leone camp for child amputees," United Nations Department of Public Information, 01 September 1999. Available at www.reliefweb.int.

Source: United Nations Department of Public Information (DPI)
Date: 01 Sep 1999

UN special envoy visits Sierra Leone camp for child amputees

The Secretary-General's Special Representative for Children and Armed Conflict, Olara Otunnu, on Wednesday visited a camp in Sierra Leone for child victims of amputation in the first of a series of field visits.
Mr. Otunnu visited the Murray Town Amputee Camp, which hosts some 200 of the country's estimated 900 child amputees. Later, the Special Representative went to a rehabilitation care centre and transit camp for abandoned children outside the capital Freetown as well as the National Workshop Centre, a camp for displaced persons.

On Thursday, Mr. Otunnu is scheduled to meet with former child soldiers and child prisoners of war as well as the President of Sierra Leone, Ahmad Tejan Kabbah.

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FACT 71

The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) issued the Sierra Leone Humanitarian Situation Report: 03-09 Oct 1999, in which the OCHA reported:

(a) rebels attacked a Sierra Leone Road Transport bus bound for Kenema on thee Masiaka-Mile 91 highway, where passengers were stripped of all they had, a pregnant woman reportedly aborted after suffering physical abuse by the captors, and Human Rights Watch interviewed passengers who confirmed that some of the girls had been raped. The RUF/AFRC blamed bandits for the incident (p. 1, ERN 00004165);

(b) terrorism in villages around Magburaka and Matotoka was on the rise, and residents were forced to give food to the Paramount Chief, who in turn gave it to the armed combatants, but sometimes the rebels went directly to the farmers for food (p. 1, ERN 00004165);

(c) persistent reports of armed groups attacking civilians (seizing properties, demanding money and beating civilians) in villages in the Kambia district (pp. 1-2, ERN 00004165-00004166); and

(d) groups of the AFRC were reportedly harassing civilians along the Port Loko-Lungi road and Loko Masama, and rape cases were also reported in the area (p. 2, ERN 00004166); and

(e) 72 children were released on October 2nd and 29 were released on October 3rd. On October 6, RUF/AFRC commanders turned over 78 children to UNOMSIL and CARITAS – Makeni (p. 4, ERN 00004168).

a.	Exh. 1.005	ERN 00004165-00004169	Sierra Leone Humanitarian Situation Report 03-09 October 1999, available at www.reliefweb.int.

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Source: UN Office for the Coordination of Humanitarian Affairs (OCHA)
Date: 9 Oct 1999

Sierra Leone Humanitarian Situation Report: 03 - 09 Oct 1999

1. Political Developments

The return of Chairman Foday Sankoh and Major Johnny Paul Koroma continues to improve prospects for peace in the country. Since their arrival in Freetown on October 3rd the RUF/AFRC leaders have been visiting civil society groups, IDP camps, DDR campsites and others. They are expected to work closely with the GOSL in the formation of a Government of National Unity. They are also making plans to visit their various locations to further sensitize their men on the DDR programme. Addressing about 800 people including some ex-combatants at Lungi on October 8, Chairman Sankoh said he had moved from guerrilla warfare to political warfare. He urged the ex-combatants to ask the forgiveness of all Sierra Leoneans and to do something positive for the country.

The UN Security Council is currently meeting to discuss the peacekeeping force for Sierra Leone, and is likely to adopt a resolution before the end of the month.

In other developments, Britain has notified the UN Security Council Sanctions Committee that it will be exporting live ammunitions and military equipment to Sierra Leone for use by the new military. The shipment includes 4.5million pounds promised by Britain to help re-train the Sierra Leone army. Some 5.5 million pounds has already been paid directly to ECOMOG.

On October 5, the Government, with the support of Britain's Department for International Development (DFID) held an anti-corruption workshop as part of the on-going effort to eradicate corruption in the public services. Participants included cabinet ministers, senior government officials and RUF/ AFRC leaders Chairman Foday Sankoh and Major Johnny Paul Koroma. Presidential spokesman Septimus Kaikai reported that the workshop focused on three main areas: Prevention, Enforcement and Education. Mr. Kaikai also reported that an anti-corruption bill was before Parliament. When enacted, the Bill will provide the legal basis for establishing an anti-corruption commission.

2. SECURITY

The security situation has not significantly improved since in the last week. On October 4, it was reported that rebels on the Masiaka - Mile 91 highway, attacked a Sierra Leone Road Transport bus bound for Kenema. The bus was reportedly stopped at a checkpoint five miles to Masiaka on the Freetown highway. According to the report, all the commuters were ordered to disembark while the band of armed men stripped them of all they had, and abandoned the bus at a nearby bush-path. Human Rights Watch interviewed some of the passengers on the bus who confirmed that some of the girls had been raped. One pregnant woman reportedly aborted after suffering physical abuse by the captors. Such abuses are said to be on the increase in the northern region. The RUF/AFRC have blamed bandits for the incident.

These security incidents are hindering access to RUF/AFRC-controlled areas, particularly in the north. Concern Worldwide (CW) which has been attempting to re-start relief activities on the Magburuka - Matotoka axis, reports that it has been prevented from moving into the area by RUF/AFRC Commanders who are demanding that food be distributed in their district. According to CW, travel to Matotoka is not possible at the moment. Terrorism in villages around Magburaka and Matotoka is on the rise. Residents are forced to give food to the Paramount Chief who in turn gives to the armed combatants. Sometimes, the rebels go directly to the farmers for food, causing them to be doubly taxed. OSM officials in the area are reportedly afraid of the commanders, all of whom seem to be at the same level of command. UNOMSIL has been informed and is looking into the matter.

Makeni residents reportedly went into a panic when shooting broke out in parts of the town on 3rd October over a period of three hours. The Bishop of Makeni, Bishop Biguzzi (who was on a visit to the town) was prevented from leaving the town until the situation was brought under control. He reported that a meeting between the RUF and AFRC led to a resolution of the situation.

There are also persistent reports of armed groups attacking civilians (seizing properties, demanding

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money and beating civilians) in villages in the Kambia district. The harassment has reportedly led civilians (some of them just returning from refugee camps in Guinea) to flee these villages and head back to the refugee camps or to settle in villages very close to the border with Guinea. The security situation in Port Loko district is also of concern. An aid agency working in the district reported some difficulty in the implementation of its programme due to the fragile security situation in the district. Groups of the AFRC are reported to be harassing civilians along the Port Loko - Lungi road and also at Loko Masama. Rape cases were also reported in this area.

In the Western Area, there are continuing reports of armed robbery attempts and the harassment of civilians by unidentified groups of young men suspected to be ex-combatants. According to UNOMSIL, there are reports of weapons being smuggled into the city.

The security situation in the southern region remains calm. However, elements of the CDF in the Bumpeh area continue to pose threats to the security of the people in the town. According to aid workers, these individuals are harassing innocent civilians. They confirmed that CDF personnel shot a pregnant woman dead on suspicion that she was having an affair with another man. The matter is under Police investigation. The peace-building and reconciliation committee and NCRRR are also following up on the issue.

3. Humanitarian Highlights

Inter-Agency Assessment Mission to Kailahun District

Following the inter-agency assessment mission to Kailahun District last week, WFP and other relevant agencies are beginning to take some practical steps to address some of the urgent needs. A detailed report of the mission is attached.

Health

The main health event during this period was the start of National Immunization Days (NIDs) on October 9, aimed at eradicating polio in Sierra Leone. Some 800,000 children under five are targeted for immunization countrywide. The whole of the southern region and parts of the northern and eastern regions were covered in this first phase. WHO, UNICEF and Rotary International, are the main supporters of the government in mounting the campaign. Their goal is to reach the entire country by the end of the third round. UNICEF and WHO reported that the first round got off to a good start as parents turned up in their numbers to immunize their children. In Freetown, President Ahmed Tejan Kabbah immunized the first child to kick-off the occasion. Over 5,000 children were reported to have been immunized by noon on the first day.

The programme was also undertaken in the RUF/AFRC-held northern towns of Makeni, Kabala, Kambia, Kono and Port Loko. Despite the overall success thus far, there have been a number of hitches. On 7 October, a scheduled helicopter flight to deliver vaccines to Makeni for the programme had to be cancelled, as there was no clear approval from the RUF/AFRC commanders for the helicopter to land. An assessment was made of the situation based on information from a number of sources (NGOS, UNOMSIL, ECOMOG) which led to the decision that at that time, it was not advisable to proceed to Makeni. The organizers managed to provide alternative means of transporting the supplies to the town. A serious security incident occurred during the exercise in the eastern town of Segbwema. Six MOHS staff members and NID volunteers have been missing since 9 October, and their abandoned vehicle has been found. Contacts have been made and negotiations are ongoing to secure their release.

It is hoped that by the end of the programme, at least 70% of the target group would have been covered. Community Health Organizations (CHOs), nurses and other health staff/volunteers have been fully trained for the programme. Intensive sensitization and awareness building programmes are being carried out throughout the country. The 2nd and 3rd phases will be undertaken on November 6th and December 11th .

Reported cholera cases in the Western Area have now increased to 927 cases with 9 cholera related deaths. There were however no new cases reported at the IDP camps. Efforts continue on all sides to combat the outbreak (See SITREP 23-30 September 1999). In Port Loko District, the District Medical Officer confirmed 40 cholera-related deaths during the month of September. Some 400 cases are currently being treated at the health center.

During the past week, a seven-year old died of measles at the METCHEM section of the National

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SITREP 23-30 September. It is expected that the exercise will guide stakeholders in the agriculture sector to better plan for the year 2000.

Distribution for the last phase of the planting season is still in progress. FAO, MAFE and NGOs are currently distributing seed rice, vegetable seeds, tools, groundnut and sweet potatoes to 8000 Farm Families. MAFE recently concluded the distribution of 1.3 Mt of vegetable seeds to Farm Families in the entire country. It is expected that at the end of October 1999, agencies will make their input distribution reports available to the NGO Desk and HACU for collation and analysis.

Finally, a tools selection-clearing house has been established within the Ministry of Agriculture to help NGOs and other interested organizations to select the right tools for their beneficiaries.

IDP Update

There was no significant change in IDP figures during this period. Registration done at Lunsar town for VGF distribution revealed a total of 30,616 war-affected persons (not encamped).

Water and Sanitation

ACF has constructed 4 (4 x 4) latrine structures on Kendeyella site 1 camp in Bo. These are now in use by 750 IDPs. The following is being done on site 2 by ACF:- 12 x 4 squat blocks of latrine pits dug; 6 x 4 squat blocks of latrine foundations cast. Latrines are expected to serve up to 6,000 IDPs. The first phase of sensitization on hygiene promotion at site 1 has commenced. At Splendid and Kendeyella camps, ACF also completed general spraying of latrines and drainage at Splendid, Lebanese and Kendeyella camps. At Splendid, 7 latrine blocks have collapsed and have been closed. ACF is also engaged in dismantling old latrines at the former Tikonko road camp, and has completed the construction of 1 x 4 squat block latrine at Yele. Another 2 x 2 block of VIP latrines has been completed at Yele for the community health center. ACF intends to provide additional ones once space is available. CARE has completed one latrine at the Lebanese camp to complement the existing ones that are expected to serve 1,131 IDPs.

OXFAM has rehabilitated nine wells on Kendeyella site 2 with one awaiting hand pump from UNICEF. Four more wells are on standby and will be completed according to demand. In Koya rural, WSD and OXFAM are rehabilitating 100 wells constructed by Plan International.

At Kaffu Bullom chiefdom in Port Loko district, OXFAM has completed and fitted three new lined wells fitted with hand-pumps. Two more wells are under construction. Family latrine projects are underway in eight more villages in the chiefdom and 500 latrines are planned. Support is also being given to the Lungi Hospital cholera ward in the form of buckets, plastic drums, plastic sheeting's, gloves and chlorine. Temporary latrines are being constructed at the site to complement the poor sanitation systems. CARE International is also planning to resume its water and sanitation programs in three chiefdoms in Port Loko District.

In Kenema, OXFAM has repaired 6 latrine blocks and construction is underway for 12x5 latrine blocks. Four full latrine blocks have been shut down. At Nyawama camp, - installation of a gravity water system will provide water to 3,500 camp residents.

In the Western Area, Guma Valley has solved the water situation at Parade grounds camp, and UNICEF is supplementing shortfalls with daily trucking of water to the camp. OXFAM is in the process of building three new latrine blocks and two wash areas for IDPs at Approved School camp.

Child Protection

Some 90 people were released in Lunsar on October 2nd, of which 72 were children. On October 3rd, another 29 children were released. On October 6, RUF/AFRC commanders turned over 78 children to UNOMSIL and CARITAS - Makeni.

Refugees

UNHCR reported that the recent crisis in Lofa County has seen the movement of about 2,000 Liberian refugees and Sierra Leoneans back to the Kailahun area. They are proposing increased monitoring in this area by humanitarian agencies. Although the people did not appear in poor condition, their shelter situation is of concern.

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The return of Chairman Foday Sankoh and Major Johnny Paul Koroma continues to improve prospects for peace in the country. Since their arrival in Freetown on October 3rd the RUF/AFRC leaders have been visiting civil society groups, IDP camps, DDR campsites and others. They are expected to work closely with the GOSL in the formation of a Government of National Unity. They are also making plans to visit their various locations to further sensitize their men on the DDR programme. Addressing about 800 people including some ex-combatants at Lungi on October 8, Chairman Sankoh said he had moved from guerrilla warfare to political warfare. He urged the ex-combatants to ask the forgiveness of all Sierra Leoneans and to do something positive for the country.

The UN Security Council is currently meeting to discuss the peacekeeping force for Sierra Leone, and is likely to adopt a resolution before the end of the month.

In other developments, Britain has notified the UN Security Council Sanctions Committee that it will be exporting live ammunitions and military equipment to Sierra Leone for use by the new military. The shipment includes 4.5million pounds promised by Britain to help re-train the Sierra Leone army. Some 5.5 million pounds has already been paid directly to ECOMOG.

On October 5, the Government, with the support of Britain's Department for International Development (DFID) held an anti-corruption workshop as part of the on-going effort to eradicate corruption in the public services. Participants included cabinet ministers, senior government officials and RUF/ AFRC leaders Chairman Foday Sankoh and Major Johnny Paul Koroma. Presidential spokesman Septimus Kaikai reported that the workshop focused on three main areas: Prevention, Enforcement and Education. Mr. Kaikai also reported that an anti-corruption bill was before Parliament. When enacted, the Bill will provide the legal basis for establishing an anti-corruption commission.

2. SECURITY

The security situation has not significantly improved since in the last week. On October 4, it was reported that rebels on the Masiaka - Mile 91 highway, attacked a Sierra Leone Road Transport bus bound for Kenema. The bus was reportedly stopped at a checkpoint five miles to Masiaka on the Freetown highway. According to the report, all the commuters were ordered to disembark while the band of armed men stripped them of all they had, and abandoned the bus at a nearby bush-path. Human Rights Watch interviewed some of the passengers on the bus who confirmed that some of the girls had been raped. One pregnant woman reportedly aborted after suffering physical abuse by the captors. Such abuses are said to be on the increase in the northern region. The RUF/AFRC have blamed bandits for the incident.

These security incidents are hindering access to RUF/AFRC-controlled areas, particularly in the north. Concern Worldwide (CW) which has been attempting to re-start relief activities on the Magburuka - Matotoka axis, reports that it has been prevented from moving into the area by RUF/AFRC Commanders who are demanding that food be distributed in their district. According to CW, travel to Matotoka is not possible at the moment. Terrorism in villages around Magburaka and Matotoka is on the rise. Residents are forced to give food to the Paramount Chief who in turn gives to the armed combatants. Sometimes, the rebels go directly to the farmers for food, causing them to be doubly taxed. OSM officials in the area are reportedly afraid of the commanders, all of whom seem to be at the same level of command. UNOMSIL has been informed and is looking into the matter.

Makeni residents reportedly went into a panic when shooting broke out in parts of the town on 3rd October over a period of three hours. The Bishop of Makeni, Bishop Biguzzi (who was on a visit to the town) was prevented from leaving the town until the situation was brought under control. He reported that a meeting between the RUF and AFRC led to a resolution of the situation.

There are also persistent reports of armed groups attacking civilians (seizing properties, demanding

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money and beating civilians) in villages in the Kambia district. The harassment has reportedly led civilians (some of them just returning from refugee camps in Guinea) to flee these villages and head back to the refugee camps or to settle in villages very close to the border with Guinea. The security situation in Port Loko district is also of concern. An aid agency working in the district reported some difficulty in the implementation of its programme due to the fragile security situation in the district. Groups of the AFRC are reported to be harassing civilians along the Port Loko - Lungi road and also at Loko Masama. Rape cases were also reported in this area.

In the Western Area, there are continuing reports of armed robbery attempts and the harassment of civilians by unidentified groups of young men suspected to be ex-combatants. According to UNOMSIL, there are reports of weapons being smuggled into the city.

The security situation in the southern region remains calm. However, elements of the CDF in the Bumpeh area continue to pose threats to the security of the people in the town. According to aid workers, these individuals are harassing innocent civilians. They confirmed that CDF personnel shot a pregnant woman dead on suspicion that she was having an affair with another man. The matter is under Police investigation. The peace-building and reconciliation committee and NCRRR are also following up on the issue.

3. Humanitarian Highlights

Inter-Agency Assessment Mission to Kailahun District

Following the inter-agency assessment mission to Kailahun District last week, WFP and other relevant agencies are beginning to take some practical steps to address some of the urgent needs. A detailed report of the mission is attached.

Health

The main health event during this period was the start of National Immunization Days (NIDs) on October 9, aimed at eradicating polio in Sierra Leone. Some 800,000 children under five are targeted for immunization countrywide. The whole of the southern region and parts of the northern and eastern regions were covered in this first phase. WHO, UNICEF and Rotary International, are the main supporters of the government in mounting the campaign. Their goal is to reach the entire country by the end of the third round. UNICEF and WHO reported that the first round got off to a good start as parents turned up in their numbers to immunize their children. In Freetown, President Ahmed Tejan Kabbah immunized the first child to kick-off the occasion. Over 5,000 children were reported to have been immunized by noon on the first day.

The programme was also undertaken in the RUF/AFRC-held northern towns of Makeni, Kabala, Kambia, Kono and Port Loko. Despite the overall success thus far, there have been a number of hitches. On 7 October, a scheduled helicopter flight to deliver vaccines to Makeni for the programme had to be cancelled, as there was no clear approval from the RUF/AFRC commanders for the helicopter to land. An assessment was made of the situation based on information from a number of sources (NGOS, UNOMSIL, ECOMOG) which led to the decision that at that time, it was not advisable to proceed to Makeni. The organizers managed to provide alternative means of transporting the supplies to the town. A serious security incident occurred during the exercise in the eastern town of Segbwema. Six MOHS staff members and NID volunteers have been missing since 9 October, and their abandoned vehicle has been found. Contacts have been made and negotiations are ongoing to secure their release.

It is hoped that by the end of the programme, at least 70% of the target group would have been covered. Community Health Organizations (CHOs), nurses and other health staff/volunteers have been fully trained for the programme. Intensive sensitization and awareness building programmes are being carried out throughout the country. The 2nd and 3rd phases will be undertaken on November 6th and December 11th .

Reported cholera cases in the Western Area have now increased to 927 cases with 9 cholera related deaths. There were however no new cases reported at the IDP camps. Efforts continue on all sides to combat the outbreak (See SITREP 23-30 September 1999). In Port Loko District, the District Medical Officer confirmed 40 cholera-related deaths during the month of September. Some 400 cases are currently being treated at the health center.

During the past week, a seven-year old died of measles at the METCHEM section of the National

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Workshop Camp in Freetown. An outbreak of measles is also reported at the Approved school camp. Concern Worldwide is handling the situation at its camp clinic.

The MOHS has announced the start of the Cost Recovery Program as of October 1, 1999 in all areas, with the exception of Kono, Kailahun and the displaced camps. The outpatient Units in Magburaka, Kambia, Port Loko and Makeni are now operational. Malnutrition cases are the most prominent in these locations.

Food Aid

During the past week, WFP served 12,885 IDPs in all camps in Bo and 777 IDPs with host population at Mandu in the Bo North cluster. CRS also provided food for 4,273 beneficiaries in TFCs, SFCs and institutional programmes. At the Songo-Masiaka axis, WFP, ACF, ADRA carried out food distributions to 5,957 persons. These distributions will be followed by a distribution to 3,130 beneficiaries at villages between Masiaka - Makeni. Also, food pipeline agencies are soon to complete the third month of Food-For-Agriculture in their areas of operation.

As more areas of the country are accessed, the collective resources of food aid agencies will be insufficient to address increasing needs. There are reports of continuing food shortages in many areas in the north, including Fadugu and Kabala. The food situation in Makeni (in spite of the last distribution) is said to be getting bad. Some agencies have recommended a second distribution to avoid further deterioration.

CARE, WFP and CRS provided 3,946 mt of food aid to 276,190 IDPs and war-affected populations during the month of September. At the time of writing, WVI figures were not available.

Food Distribution - September 1999

Food Pipeline Agency	Population Served	Bulger	Oil	Lentils	CSB	Others	Total (mts)
CARE	60,531	558	48	221	-	-	827
CRS	87,873	619	63	255	57	-	994
WFP	106,013	637	48	325	83	745	1,838
WFP Partners	21,773						287
Grand Total	**276,190**	**1,814**	**159**	**801**	**140**	**745**	**3,946**

Nutrition

MERLIN reported an increase in the cases of malnutrition in Kenema town, IDP camps and in some chiefdoms within the district. They reported a total caseload of 411 and 176 severely malnourished cases in Kenema and Blama respectively. MERLIN is in the process of handing over its supplementary feeding caseload to GOAL. They are working closely with GOAL and CRS to address the nutritional problem in the area, through a joint distribution/ screening exercise planned for all under 5s in Kenema. This will be undertaken in a few weeks.

Agriculture

In an effort to strengthen the existing coordination mechanism in the agriculture sector, FAO, in collaboration with MAFE and the Ministry of Fisheries and Marine Resources (MFMR), has embarked on the production of a monthly newsletter called AGRISIL. The first edition has just been distributed to partners. The monthly newsletter will attempt to highlight agricultural relief and rehabilitation activities carried out by the government, UN Agencies, International Organizations and NGOs in Sierra Leone. It is expected that AGRISIL will serve as a medium of information exchange among agencies in the agriculture sector.

Celebrations for the *World Food Day* are underway. FAO, in collaboration with MAFE, other agencies and farmers associations in the Western Area, has lined up activities to mark the day on October 16. "Youth against Hunger" has been selected as the theme for this year's celebrations, to highlight the potential contribution of young men and women in achieving food security for all.

FAO has in principle, agreed to provide US**$6,000** to fund the needs assessment survey referred to in

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SITREP 23-30 September. It is expected that the exercise will guide stakeholders in the agriculture sector to better plan for the year 2000.

Distribution for the last phase of the planting season is still in progress. FAO, MAFE and NGOs are currently distributing seed rice, vegetable seeds, tools, groundnut and sweet potatoes to 8000 Farm Families. MAFE recently concluded the distribution of 1.3 Mt of vegetable seeds to Farm Families in the entire country. It is expected that at the end of October 1999, agencies will make their input distribution reports available to the NGO Desk and HACU for collation and analysis.

Finally, a tools selection-clearing house has been established within the Ministry of Agriculture to help NGOs and other interested organizations to select the right tools for their beneficiaries.

IDP Update

There was no significant change in IDP figures during this period. Registration done at Lunsar town for VGF distribution revealed a total of 30,616 war-affected persons (not encamped).

Water and Sanitation

ACF has constructed 4 (4 x 4) latrine structures on Kendeyella site 1 camp in Bo. These are now in use by 750 IDPs. The following is being done on site 2 by ACF:- 12 x 4 squat blocks of latrine pits dug; 6 x 4 squat blocks of latrine foundations cast. Latrines are expected to serve up to 6,000 IDPs. The first phase of sensitization on hygiene promotion at site 1 has commenced. At Splendid and Kendeyella camps, ACF also completed general spraying of latrines and drainage at Splendid, Lebanese and Kendeyella camps. At Splendid, 7 latrine blocks have collapsed and have been closed. ACF is also engaged in dismantling old latrines at the former Tikonko road camp, and has completed the construction of 1 x 4 squat block latrine at Yele. Another 2 x 2 block of VIP latrines has been completed at Yele for the community health center. ACF intends to provide additional ones once space is available. CARE has completed one latrine at the Lebanese camp to complement the existing ones that are expected to serve 1,131 IDPs.

OXFAM has rehabilitated nine wells on Kendeyella site 2 with one awaiting hand pump from UNICEF. Four more wells are on standby and will be completed according to demand. In Koya rural, WSD and OXFAM are rehabilitating 100 wells constructed by Plan International.

At Kaffu Bullom chiefdom in Port Loko district, OXFAM has completed and fitted three new lined wells fitted with hand-pumps. Two more wells are under construction. Family latrine projects are underway in eight more villages in the chiefdom and 500 latrines are planned. Support is also being given to the Lungi Hospital cholera ward in the form of buckets, plastic drums, plastic sheeting's, gloves and chlorine. Temporary latrines are being constructed at the site to complement the poor sanitation systems. CARE International is also planning to resume its water and sanitation programs in three chiefdoms in Port Loko District.

In Kenema, OXFAM has repaired 6 latrine blocks and construction is underway for 12x5 latrine blocks. Four full latrine blocks have been shut down. At Nyawama camp, - installation of a gravity water system will provide water to 3,500 camp residents.

In the Western Area, Guma Valley has solved the water situation at Parade grounds camp, and UNICEF is supplementing shortfalls with daily trucking of water to the camp. OXFAM is in the process of building three new latrine blocks and two wash areas for IDPs at Approved School camp.

Child Protection

Some 90 people were released in Lunsar on October 2nd, of which 72 were children. On October 3rd, another 29 children were released. On October 6, RUF/AFRC commanders turned over 78 children to UNOMSIL and CARITAS - Makeni.

Refugees

UNHCR reported that the recent crisis in Lofa County has seen the movement of about 2,000 Liberian refugees and Sierra Leoneans back to the Kailahun area. They are proposing increased monitoring in this area by humanitarian agencies. Although the people did not appear in poor condition, their shelter situation is of concern.

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3. Socio-economic

UNDP organized a press briefing on the National Human Development Report on 8 October 1999, in preparation for the launching of the Report on 11 October. The launching will be followed by a two-day workshop in Freetown.

4. DDR

The DDR camp for 2000 ex-combatants in Port Loko is now ready, but will have to be increased so as to accommodate their families, which makes it only 80% ready to use. The newly constructed water wells have been found to be salty so alternate water supply has to be looked into. SRSG Ambassador Francis Okelo led a mission to the demobilization camp in Port Loko at the end of the week, including the DFID program manager, political and human rights officers. Ambassador Okelo confirmed significant progress in preparation of the site and commended DFID and ECOMOG for a job well done. He said the demobilization phase of the DDR process should start soon and should ensure the full participation of Chairman Foday Sankoh and Major Johnny Paul Koroma. The new campsite is attracting a lot of commerce in the area and it is expected that up to Le16 million will go into the local economy daily.

During the week, officials from the DDR secretariat, on their visit to Bo, announced that Bo (Gerihun) has been designated as one of the DDR centers in the country. Pre-planning will commence in the near future. It is expected that more than 10,000 CDF personnel in the region will be disarmed and demobilized. Child combatants will form the core of the total number of CDF to be disarmed. Meanwhile, in certain areas in Bo and Pujehun districts, the CDF is expressing their desire to disarm, return to their homes and engage in meaningful projects, which will help rebuild their shattered lives. The DDR site at Kenema is ready and the operation is expected to start by mid October. The programme is also expected to begin in Daru at the same time. RUF Brigadier Mike Lamin has been in the area sensitizing the combatants. A total of 50 ex-combatants are now at the site in Lungi. In Makeni rebels have not allowed the inspection of DDR campsites.

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FACT 72

The Security Council adopted Resolution 1270 at its 4054th meeting on 22 October 1999, in which it:

(a) called upon the RUF, CDF, former SLA/AFRC, and all other armed groups in Sierra Leone to begin immediately to disband and give up their arms in accordance with the provisions of the Peace Agreement, and to participate fully in the disarmament, demobilization and reintegration programme (para. 4, ERN 00004324); and

(b) deplored the recent taking of UNOMSIL and ECOMOG personnel by rebel groups, and called upon those responsible to put an end to such practices (para. 6, ERN 00004324).

a.	Exh. 1.013	ERN 00004323-00004327	U.N. Security Council Resolution 1270 (S/RES/1270 (1999)), 22 October 1999.

00004324

3. Takes note of the preparations made for the disarmament, demobilization and reintegration of ex-combatants, including child soldiers, by the Government of Sierra Leone through the National Committee for Disarmament, Demobilization and Reintegration, and urges all concerned to make every effort to ensure that all designated centres begin to function as soon as possible;

4. Calls upon the RUF, the Civil Defence Forces, former Sierra Leone Armed Forces/Armed Forces Revolutionary Council (AFRC) and all other armed groups in Sierra Leone to begin immediately to disband and give up their arms in accordance with the provisions of the Peace Agreement, and to participate fully in the disarmament, demobilization and reintegration programme;

5. Welcomes the return to Freetown of the leaders of the RUF and AFRC, and calls upon them to engage fully and responsibly in the implementation of the Peace Agreement and to direct the participation of all rebel groups in the disarmament and demobilization process without delay;

6. Deplores the recent taking of hostages, including UNOMSIL and ECOMOG personnel, by rebel groups and calls upon those responsible to put an end to such practices immediately and to address their concerns about the terms of the Peace Agreement peacefully through dialogue with the parties concerned;

7. Reiterates its appreciation for the indispensable role which ECOMOG forces continue to play in the maintenance of security and stability in and the protection of the people of Sierra Leone, and approves the new mandate for ECOMOG (S/1999/1073, annex) adopted by ECOWAS on 25 August 1999;

8. Decides to establish the United Nations Mission in Sierra Leone (UNAMSIL) with immediate effect for an initial period of six months and with the following mandate:

(a) To cooperate with the Government of Sierra Leone and the other parties to the Peace Agreement in the implementation of the Agreement;

(b) To assist the Government of Sierra Leone in the implementation of the disarmament, demobilization and reintegration plan;

(c) To that end, to establish a presence at key locations throughout the territory of Sierra Leone, including at disarmament/reception centres and demobilization centres;

(d) To ensure the security and freedom of movement of United Nations personnel;

(e) 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;

(f) To encourage the parties to create confidence-building mechanisms and support their functioning;

(g) To facilitate the delivery of humanitarian assistance;

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UNITED NATIONS

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Security Council

Distr.
GENERAL

S/RES/1270 (1999)
22 October 1999

RESOLUTION 1270 (1999)

Adopted by the Security Council at its 4054th meeting on 22 October 1999

The Security Council,

Recalling its resolutions 1171 (1998) of 5 June 1998, 1181 (1998) of 13 July 1998, 1231 (1999) of 11 March 1999 and 1260 (1999) of 20 August 1999 and other relevant resolutions and the statement of its President of 15 May 1999 (S/PRST/1999/13),

Recalling also the report of the Secretary-General of 8 September 1999 (S/1999/957) and its resolution 1265 (1999) of 17 September 1999 on the protection of civilians in armed conflict,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Having considered the report of the Secretary-General of 23 September 1999 (S/1999/1003),

Determining that the situation in Sierra Leone continues to constitute a threat to international peace and security in the region,

1. Welcomes the important steps taken by the Government of Sierra Leone, the leadership of the Revolutionary United Front of Sierra Leone (RUF), the Military Observer Group (ECOMOG) of the Economic Community of West African States (ECOWAS) and the United Nations Observer Mission in Sierra Leone (UNOMSIL) towards implementation of the Peace Agreement (S/1999/777) since its signing in Lomé on 7 July 1999, and recognizes the important role of the Joint Implementation Committee established by the Peace Agreement under the chairmanship of the President of Togo;

2. Calls upon the parties to fulfil all their commitments under the Peace Agreement to facilitate the restoration of peace, stability, national reconciliation and development in Sierra Leone;

3. Takes note of the preparations made for the disarmament, demobilization and reintegration of ex-combatants, including child soldiers, by the Government of Sierra Leone through the National Committee for Disarmament, Demobilization and Reintegration, and urges all concerned to make every effort to ensure that all designated centres begin to function as soon as possible;

4. Calls upon the RUF, the Civil Defence Forces, former Sierra Leone Armed Forces/Armed Forces Revolutionary Council (AFRC) and all other armed groups in Sierra Leone to begin immediately to disband and give up their arms in accordance with the provisions of the Peace Agreement, and to participate fully in the disarmament, demobilization and reintegration programme;

5. Welcomes the return to Freetown of the leaders of the RUF and AFRC, and calls upon them to engage fully and responsibly in the implementation of the Peace Agreement and to direct the participation of all rebel groups in the disarmament and demobilization process without delay;

6. Deplores the recent taking of hostages, including UNOMSIL and ECOMOG personnel, by rebel groups and calls upon those responsible to put an end to such practices immediately and to address their concerns about the terms of the Peace Agreement peacefully through dialogue with the parties concerned;

7. Reiterates its appreciation for the indispensable role which ECOMOG forces continue to play in the maintenance of security and stability in and the protection of the people of Sierra Leone, and approves the new mandate for ECOMOG (S/1999/1073, annex) adopted by ECOWAS on 25 August 1999;

8. Decides to establish the United Nations Mission in Sierra Leone (UNAMSIL) with immediate effect for an initial period of six months and with the following mandate:

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(b) To assist the Government of Sierra Leone in the implementation of the disarmament, demobilization and reintegration plan;

(c) To that end, to establish a presence at key locations throughout the territory of Sierra Leone, including at disarmament/reception centres and demobilization centres;

(d) To ensure the security and freedom of movement of United Nations personnel;

(e) 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;

(f) To encourage the parties to create confidence-building mechanisms and support their functioning;

(g) To facilitate the delivery of humanitarian assistance;

(h) 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;

(i) To provide support, as requested, to the elections, which are to be held in accordance with the present constitution of Sierra Leone;

9. Decides also that the military component of UNAMSIL shall comprise a maximum of 6,000 military personnel, including 260 military observers, subject to periodic review in the light of conditions on the ground and the progress made in the peace process, in particular in the disarmament, demobilization and reintegration programme, and takes note of paragraph 43 of the report of the Secretary-General of 23 September 1999;

10. Decides further that UNAMSIL will take over the substantive civilian and military components and functions of UNOMSIL as well as its assets, and to that end decides that the mandate of UNOMSIL shall terminate immediately on the establishment of UNAMSIL;

11. Commends the readiness of ECOMOG to continue to provide security for the areas where it is currently located, in particular around Freetown and Lungi, to provide protection for the Government of Sierra Leone, to conduct other operations in accordance with their mandate to ensure the implementation of the Peace Agreement, and to initiate and proceed with disarmament and demobilization in conjunction and full coordination with UNAMSIL;

12. Stresses the need for close cooperation and coordination between ECOMOG and UNAMSIL in carrying out their respective tasks, and welcomes the intended establishment of joint operations centres at headquarters and, if necessary, also at subordinate levels in the field;

13. Reiterates the importance of the safety, security and freedom of movement of United Nations and associated personnel, notes that the Government of Sierra Leone and the RUF have agreed in the Peace Agreement to provide guarantees in this regard, and calls upon all parties in Sierra Leone to respect fully the status of United Nations and associated personnel;

14. Acting under Chapter VII of the Charter of the United Nations, decides 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, within its capabilities and areas of deployment, to afford protection to civilians under imminent threat of physical violence, taking into account the responsibilities of the Government of Sierra Leone and ECOMOG;

15. Underlines the importance of including in UNAMSIL personnel with appropriate training in international humanitarian, human rights and refugee law, including child and gender-related provisions, negotiation and communication skills, cultural awareness and civilian-military coordination;

16. Requests the Government of Sierra Leone to conclude a status-of-forces agreement with the Secretary-General within 30 days of the adoption of this resolution, and recalls that pending the conclusion of such an agreement

the model status-of-forces agreement dated 9 October 1990 (A/45/594) should apply provisionally;

17. Stresses the urgent need to promote peace and national reconciliation and to foster accountability and respect for human rights in Sierra Leone, underlines in this context the key role of the Truth and Reconciliation Commission, the Human Rights Commission and the Commission for the Consolidation of Peace established under the Peace Agreement, and urges the Government of Sierra Leone to ensure the prompt establishment and effective functioning of these bodies with the full participation of all parties and drawing on the relevant experience and support of Member States, specialized bodies, other multilateral organizations and civil society;

18. Emphasizes that the plight of children is among the most pressing challenges facing Sierra Leone, welcomes the continued commitment of the Government of Sierra Leone to work with the United Nations Children's Fund, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and other international agencies to give particular attention to the long-term rehabilitation of child combatants in Sierra Leone, and reiterates its encouragement of those involved to address the special needs of all children affected by the conflict;

19. Urges all parties concerned to ensure that refugees and internally displaced persons are protected and are enabled to return voluntarily and in safety to their homes, and encourages States and international organizations to provide urgent assistance to that end;

20. Stresses the urgent need for substantial additional resources to finance the disarmament, demobilization and reintegration process, and calls upon all States, international and other organizations to contribute generously to the multidonor trust fund established by the International Bank for Reconstruction and Development for this purpose;

21. Stresses also the continued need for urgent and substantial humanitarian assistance to the people of Sierra Leone, as well as for sustained and generous assistance for the longer term tasks of peace-building, reconstruction, economic and social recovery and development in Sierra Leone, and urges all States and international and other organizations to provide such assistance as a priority;

22. Calls upon all parties to ensure safe and unhindered access of humanitarian assistance to those in need in Sierra Leone, to guarantee the safety and security of humanitarian personnel and to respect strictly the relevant provisions of international humanitarian and human rights law;

23. Urges the Government of Sierra Leone to expedite the formation of professional and accountable national police and armed forces, including through their restructuring and training, without which it will not be possible to achieve long-term stability, national reconciliation and the reconstruction of the country, and underlines the importance of support and assistance from the international community in this regard;

24. Welcomes the continued work by the United Nations on the development of the Strategic Framework for Sierra Leone aimed at enhancing effective collaboration and coordination within the United Nations system and between the United Nations and its national and international partners in Sierra Leone;

25. Notes the intention of the Secretary-General to keep the situation in Sierra Leone under close review and to revert to the Council with additional proposals if required;

26. Requests the Secretary-General to report to the Council every 45 days to provide updates on the status of the peace process, on security conditions on the ground and on the continued level of deployment of ECOMOG personnel, so that troop levels and the tasks to be performed can be evaluated as outlined in paragraphs 49 and 50 of the report of the Secretary-General of 23 September 1999;

27. Decides to remain actively seized of the matter.

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FACT 73

In the First Report on the United Nations Mission in Sierra Leone (UNAMSIL), dated 6 December 1999, the Secretary-General reported or noted that :

(a) of those ex-combatants who had registered as of 30 November for demobilization, 454 AFRC/ex-SLA/RUF and 92 CDF were children (para. 13, ERN 00004301);

(b) since early October 1999, there was an escalation of attacks on civilians by former rebel elements in the areas west of Occra Hills, Kabala, and in parts of Koinadugu. The attacks frequently involved raped, abduction and harassment, and looting and destruction of property (para. 20, ERN 00004302);

(c) fighting between RUF and ex-SLA at Makeni, Lunsar, and in other northern areas resulted in serious abuses, including killings of civilians, rape of women, and widespread looting (para. 21, ERN 00004302);

(d) both the AFRC and RUF showed great reluctance to release adult and child abductees in spite of commitments entered into under the Lomé Agreement and subsequent reaffirmations, and considerable numbers of abductees were still in captivity. Child fighters, including abductees, were still being sent into combat as recently as October, when a number of 15-year-old boys were injured in combat with other AFRC elements (para. 22, ERN 00004303);

a.	Exh. 1.009	ERN 00004298-00004307	First Report on the United Nations Mission in Sierra Leone (UNAMSIL), S/1999/1223, 6 December 1999.

the DDR camp at Port Loko rose significantly, which caused some strain on the management of the camp. As at 30 November, out of an estimated total of 45,000 fighters, 658 AFRC/ex-SLA, 1,469 RUF and 518 CDF ex-combatants have been registered in demobilization centres, in addition to the 1,572 ex-combatants registered at Lungi. Of the registered ex-combatants, 454 AFRC/ex-SLA/RUF and 92 CDF combatants were children. As of 2 December, the total number of ex-combatants registered at the DDR sites stood at 4,217, and the ratio of surrendered weapons to ex-combatants was about 1:4. Mr. Sankoh indicated that RUF might suspend its participation in disarmament in view of the poor response of the other groups.

14. So far, no RUF combatants have reported for disarmament in the areas of their eastern strongholds around Daru. These troops are under direct command of Sam Bockarie, a key RUF commander, who has publicly stated that the troops under his command will not disarm unless Nigerian ECOMOG troops withdraw from the country. He has also stated that he will resist any attempts at forced disarmament by United Nations troops.

15. In spite of the progress described above, the DDR process continues to suffer because of several security and organizational problems. Continuing movement of RUF troops and the fighting at Makeni have deepened mistrust among the rebels, which has prevented the establishment of a climate of confidence which would encourage ex-combatants to enter the DDR programme. In spite of Mr. Sankoh's public appeals, doubts remain with regard to the RUF commitment to the DDR programme. There is also a lack of understanding among combatants about the provisions of the DDR programme, especially concerning financial support and provisions for reintegration, which requires urgent strengthening of relevant public information programmes. UNAMSIL, for its part, has stepped up its own public information efforts in support of the peace process.

16. Recently, there have been several worrying incidents of unrest among the ex-combatants of the Lungi and Port Loko demobilization centres, partly as a result of a lack of information about the reintegration programme, but also because the ex-combatants have already spent several weeks or months of encampment without any necessary financial assistance for modest expenses or to provide for families and dependents who tend to accompany combatants to the demobilization centres. These issues need to be addressed urgently not only to prevent unrest among ex-combatants but also to make the disarmament programme more attractive for those who have not yet surrendered their arms. In addition, it is important to accelerate the demobilization process in order to avoid a prolonged presence of former fighters in the camps. Serious delays could occur unless a comprehensive plan for reintegration is developed and the necessary arrangements are put in place.

17. The National Committee for Disarmament, Demobilization and Reintegration (NCDDR), the main policy body in which all key stakeholders are represented (Government, RUF, AFRC, United Nations, ECOMOG and donor representatives), has met weekly to review ways of accelerating the DDR process and provide guidance to the programme. As a result, sensitization efforts have been stepped up, and the RUF/AFRC leadership has received strong encouragement to ensure that their forces participate in the DDR programme. NCDDR also set 15 December as the date at which the phase of disarmament of all ex-combatants should be completed.

18. Since the camps at Port Loko have now reached full capacity, efforts are under way to establish demobilization centres at Kambia, Makeni and Magburaka once cooperation from RUF is forthcoming. As the number of ex-combatants joining the DDR programme is rising, it has become apparent that strong coordination and leadership is needed to keep the process on course and maintain a level of stability throughout the country. I therefore appeal to the Government of Sierra Leone, to rebel groups and to all agencies involved to step up their efforts to expedite the implementation of the programme.

19. According to World Bank estimates, the financial support to the DDR programme as of 2 December stands at US$ 5.6 million in committed resources from the United Kingdom to the Multi-Donor Trust Fund (MDTF) administered by the World Bank on behalf of the Government and an additional US$ 4.3 million in confirmed pledges to MDTF from the Governments of Norway (US$ 1 million), Germany (US$ 1 million), Canada (US$ 1.7 million) and Italy (US$ 0.6 million). Approximately US$ 15 million has been made available in parallel or co-financing support, including US$ 7 million from the World Bank through a community reintegration and rehabilitation project, US$ 3.5 million from DFID for camp management, a proposal for US$ 2.7 million from WFP for the feeding of encamped ex-combatants and a US$ 2 million appeal for activities aimed at child ex-combatants in the year 2000. The Government of Japan has made US$ 1 million available for DDR activities through the United Nations trust fund. While the contributions made are encouraging signs of the international community's commitment to help the Sierra Leonean people, I should like to reiterate my strong appeal to donors to contribute to the World Bank MDTF in order to meet the total of US$ 50 million needed for the DDR process.

V. HUMAN RIGHTS

20. The human rights situation in Sierra Leone has also deteriorated markedly in recent weeks. Since early October 1999, there has been an escalation of attacks on civilians by former rebel elements in the areas west of the Occra Hills, along the Lungi-Port Loko road, as well as around Kabala and in parts of Koinadugu. The attacks frequently involve rape, abduction and harassment, in addition to looting and destruction of property. The frequency of attacks on civilians continues to impede freedom of movement in many locations and to prompt the displacement of people.

21. In particular, fighting between RUF and ex-SLA elements at Makeni, Lunsar and in other northern areas has resulted in serious abuses of the rights of the affected civilian communities. During the clashes at Makeni and Lunsar a number of civilians were killed, women were raped and there was widespread looting, including of the property of humanitarian organizations. In October, a group of some 40 humanitarian workers were prevented by RUF elements from leaving Makeni for four days. Reports received in recent weeks from Makeni and Lunsar, as well as from other locations under RUF control, such as Magburaka and Fadugu, suggest that the remaining civilian populations are subject to a harsh system of civil control, with severe punishments, including execution or threat of execution for those accused of offences, and the imposition of arduous food levies. Both national and international staff of humanitarian organizations have been subjected to threats and intimidation. One organization was obliged to cease

operating in Makeni following threats against its personnel delivered by Mr. Sankoh and senior RUF personnel on 15 November.

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23. Commendable efforts are being made to establish an effective and democratic police force in Sierra Leone. The newly appointed Inspector General of the national police has initiated a number of important human rights-related investigations and is promoting the development of enhanced human rights sensitivity within the force. The United Nations is redeploying a small team of civil police advisers, who will coordinate with other international efforts to advise the Government of Sierra Leone and local police officials on police practice, training, re-equipment and recruitment.

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25. Deteriorating security conditions throughout the country have reversed gains in access and prevented further expansion of humanitarian activity despite commitments by all parties of the Lomé Agreement to allow unhindered access countrywide. In particular, during the October RUF/AFRC clashes at Makeni, humanitarian agencies were targeted for looting and harassment. Much of the stolen property has not yet been returned. A further result of the fighting has been the displacement of more than 1,500 civilians to Kabala and the suspension of assistance to vulnerable groups. Disturbingly high rates of malnutrition previously assessed in other areas of the northern and eastern provinces remain unaddressed.

26. Humanitarian organizations attempting to re-establish programme activities in the area of Makeni following the October clashes have been forced to withdraw due to threats and harassment by RUF commanders. In addition, on 17 November a vehicle belonging to an international NGO was ambushed along the Port Loko-Lungi highway. Its occupants were abducted and badly treated. Regular attacks on villages in this area have led to an increase of internally displaced persons

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FIRST REPORT ON THE UNITED NATIONS MISSION IN SIERRA LEONE (UNAMSIL)

I. INTRODUCTION

1. By paragraph 8 of its resolution 1270 (1999) of 22 October 1999, the Security Council established the United Nations Mission in Sierra Leone (UNAMSIL), with a broad mandate to cooperate with the Government of Sierra Leone and other parties to the Lomé Peace Agreement of 7 July 1999 in the implementation of the Agreement, to assist in the disarmament, demobilization and reintegration of ex-combatants, and perform other tasks as set out in my report to the Security Council, dated 23 September 1999 (S/1999/1003).

2. By paragraph 26 of the same resolution, the Security Council requested me to report every 45 days to provide updates on the status of the peace process, on security conditions on the ground, and on the continued level of deployment of personnel of the Monitoring Group of the Economic Community of West African States (ECOMOG). The present report is submitted in accordance with that request and covers developments until 2 December 1999.

II. POLITICAL DEVELOPMENTS

3. While substantial progress has been achieved in the implementation of the Lomé Agreement, the overall situation in the country remains precarious. After the return to Freetown on 3 October 1999 of Foday Sankoh, leader of the Revolutionary United Front of Sierra Leone (RUF), and Johnny Paul Koroma, leader of the Armed Forces Revolutionary Council (AFRC), both men undertook a series of visits to meet with combatants and sensitize them to the Lomé Agreement and the disarmament, demobilization and reintegration (DDR) programme. They visited Lungi on 8 October and Port Loko on 13 October together. Subsequent visits to other sites were undertaken separately due to the increasing tension between RUF and AFRC. Mr. Sankoh visited RUF positions at Buedu, Daru, Segbwema, Makeni and Magburaka, while Mr. Koroma met with ex-Sierra Leone Army (SLA) combatants in the Occra Hills area.

4. On 20 October, President Ahmed Tejan Kabbah announced the composition of the Government of National Unity, comprising 20 ministers (including four members of RUF/AFRC); five ministers of State; and 13 deputy ministers

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(including four members of RUF/AFRC). After Parliament confirmed the new appointees, the members of the Government were sworn in on 2 November. Since then, the new Cabinet has met regularly in discharging its functions under the Constitution. However, few policy announcements have been made by the new Government.

5. Also on 20 October, President Kabbah appointed Mr. Sankoh as the Chairman of the Commission for the Management of Strategic Resources, National Reconstruction and Development (CMRRD), and also appointed Mr. Koroma as the Chairman of the Commission for the Consolidation of Peace (CCP). While the two Commissions have yet to be established, Mr. Koroma has already presented his views concerning the organization of work of CCP, which is the central monitoring body charged with overseeing and facilitating the implementation of the Lomé Agreement. The Parliament decided to establish an Executive Secretariat to assist the work of CMRRD.

6. On 22 November, RUF was registered provisionally with the Interim National Electoral Commission as the Revolutionary United Front Party (RUFP) in Freetown. As soon as RUFP meets all the criteria of a political party, such as having a constitution and party premises, the registration will become official. Mr. Sankoh, at the time of the registration, announced that all of his main field commanders will now be in charge of the party's chapters in their respective areas of operation. RUF should now give full priority to its transformation into a purely political party, which efforts would be deserving of support and encouragement.

III. MILITARY AND SECURITY SITUATION

7. After a period of relative calm, the military and security situation deteriorated in the months of October and November as a result of an increase in ceasefire violations and human rights abuses by rebel elements. In early October, RUF moved several hundred RUF fighters from Kailahun to Makeni, the provincial capital of the Northern Province and the central transit point in the north of the country. Makeni, which had been previously under joint RUF/AFRC control, was subsequently attacked and taken over by RUF troops on 15 October. AFRC elements, at the urging of Mr. Koroma, reportedly withdrew northwards. Later, fighting between RUF and AFRC also took place around Lunsar and Rogberi. RUF pursued the retreating AFRC groups from Makeni northwards and now controls a significant portion of the Makeni-Kabala axis south of the town of Kabala, one of the only two locations in the Northern Province under the Government's control.

8. These serious violations of the ceasefire have been condemned by the Joint Monitoring Commission (JMC) and were strongly protested through public statements by my Special Representative. Regional leaders, including President Olusegun Obasanjo of Nigeria, also appealed to the parties to stop their military confrontation. To date, RUF remains in control of Makeni and troop movements continue. Efforts to re-establish an Economic Community of West African States Ceasefire Monitoring Group (ECOMOG) presence in this town failed when a company of ECOMOG troops was withdrawn in response to hostile public

statements by Foday Sankah and Sam Bockarie. However, the same company was deployed at Lunsar on 30 November.

9. On 28 and 29 November, an exchange of fire took place between ECOMOG troops and a group of ex-SLA elements, which had raided the village of Pepel, 20 kilometres East of Lungi. A Ghanian ECOMOG soldier was injured and a rebel was killed in the incident.

10. The Joint Monitoring Commission, which has met regularly since July 1999 under the chairmanship of UNAMSIL, has only recently become fully operational since RUF assigned a permanent member to the Commission. RUF also did not cooperate initially with ceasefire monitoring committees (CMCs) established with the assistance of the United Nations in the areas of Kenema, Bo, Port Loko and Hastings, and threatened UNAMSIL and ECOMOG personnel when requested to provide access to some RUF-controlled areas for CMC activities and other tasks. However, AFRC and RUF representatives to the CMCs have now been appointed and will be briefed on their tasks in early December. Two incidents of short-term detention of UNAMSIL patrols by RUF occurred at Segbwema and Buedu as a result of RUF insistence that no movement may take place without its explicit permission.

11. ECOMOG troops have continued to fulfil their vital tasks of providing security at Freetown and Lungi as well as to many new areas in the southern parts of the country. Some clashes occurred between ECOMOG troops and small groups of armed rebels during the reporting period. ECOMOG also continued to maintain contacts with RUF/AFRC field commanders, and provided some logistical assistance to the Government related to peace efforts, including visits of Mr. Sankoh and Mr. Koroma to the countryside. ECOMOG has also provided support to facilitate humanitarian assistance and to assist released abductees and displaced persons. UNAMSIL military observers continued to work closely with ECOMOG in monitoring the military and security situation in Sierra Leone and in the implementation of the disarmament, demobilization and reintegration programme.

IV. DISARMAMENT AND DEMOBILIZATION

12. The disarmament, demobilization and reintegration (DDR) programme was officially launched on 20 October by President Kabbah, marked by the disarmament in Freetown of a symbolic number of combatants from the former rebel forces and the Civil Defence Forces (CDF). The first phase of the programme started on 4 November, when four new demobilization centres were opened at Port Loko (with separate centres for RUF/AFRC and CDF), Daru (RUF/AFRC) and Kenema (CDF), in addition to the long-standing camp at Lungi. In each area, several reception sites are operational and are set up to disarm combatants before their transfer to the demobilization centres. UNAMSIL has deployed between 12 and 25 military observers at each location and works closely with the Government, ECOMOG and the United Kingdom Department for International Development (DFID).

13. The initial response to the start of the DDR programme has been very poor. However, after an additional appeal by Mr. Sankoh on 25 and 26 November to RUF fighters at Port Loko and Lunsar, the number of their ex-combatants reporting to

the DDR camp at Port Loko rose significantly, which caused some strain on the management of the camp. As at 30 November, out of an estimated total of 45,000 fighters, 658 AFRC/ex-SLA, 1,469 RUF and 518 CDF ex-combatants have been registered in demobilization centres, in addition to the 1,572 ex-combatants registered at Lungi. Of the registered ex-combatants, 454 AFRC/ex-SLA/RUF and 92 CDF combatants were children. As of 2 December, the total number of ex-combatants registered at the DDR sites stood at 4,217, and the ratio of surrendered weapons to ex-combatants was about 1:4. Mr. Sankoh indicated that RUF might suspend its participation in disarmament in view of the poor response of the other groups.

14. So far, no RUF combatants have reported for disarmament in the areas of their eastern strongholds around Daru. These troops are under direct command of Sam Bockarie, a key RUF commander, who has publicly stated that the troops under his command will not disarm unless Nigerian ECOMOG troops withdraw from the country. He has also stated that he will resist any attempts at forced disarmament by United Nations troops.

15. In spite of the progress described above, the DDR process continues to suffer because of several security and organizational problems. Continuing movement of RUF troops and the fighting at Makeni have deepened mistrust among the rebels, which has prevented the establishment of a climate of confidence which would encourage ex-combatants to enter the DDR programme. In spite of Mr. Sankoh's public appeals, doubts remain with regard to the RUF commitment to the DDR programme. There is also a lack of understanding among combatants about the provisions of the DDR programme, especially concerning financial support and provisions for reintegration, which requires urgent strengthening of relevant public information programmes. UNAMSIL, for its part, has stepped up its own public information efforts in support of the peace process.

16. Recently, there have been several worrying incidents of unrest among the ex-combatants of the Lungi and Port Loko demobilization centres, partly as a result of a lack of information about the reintegration programme, but also because the ex-combatants have already spent several weeks or months of encampment without any necessary financial assistance for modest expenses or to provide for families and dependents who tend to accompany combatants to the demobilization centres. These issues need to be addressed urgently not only to prevent unrest among ex-combatants but also to make the disarmament programme more attractive for those who have not yet surrendered their arms. In addition, it is important to accelerate the demobilization process in order to avoid a prolonged presence of former fighters in the camps. Serious delays could occur unless a comprehensive plan for reintegration is developed and the necessary arrangements are put in place.

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along the Port Loko-Lungi axis. However, insecurity along the highway continues to impede the delivery of humanitarian supplies.

27. Attempts to gain access into these areas continue, including efforts to upgrade roads to allow for large-scale food distributions and other programmes in the Eastern Province. It is obvious that without sustained and convincing action by AFRC and RUF leaders to stem these incidents, the delivery of humanitarian assistance beyond the western area and southern provinces will remain extremely difficult. The deterioration of the security situation has also stalled plans to commence monitoring and assistance to internally displaced persons and returnees.

28. From 7 to 11 November, a multi-donor mission led by Caroline McAskie, Officer-in-Charge of the Office for the Coordination of Humanitarian Affairs of the Secretariat, visited Sierra Leone and Guinea to determine how best the international donor community could support the peace process. In addition to exploring support for the DDR programme, the mission's findings highlighted the need for a swift and vigorous humanitarian response if access increases dramatically, as well as immediate reintegration programmes for ex-combatants in tandem with support to Sierra Leonean communities. The Consolidated Inter-Agency Appeal for the year 2000, launched on 23 November at Geneva, requests $71 million in support of humanitarian activities.

VII. DEPLOYMENT OF UNAMSIL

29. In line with Security Council resolution 1260 (1999) of 20 August 1999, the civilian component of UNAMSIL is being strengthened with the deployment of additional political affairs and human rights officers, as well as the establishment of public information and civil affairs sections. The chief civil affairs officer has arrived in Freetown and has begun developing the programme of work, which should have its offices throughout the country. A senior Child Protection Adviser will be deployed shortly to ensure adequate and sustained attention to child rights and protection.

30. More than 200 military observers and a 15-member medical team are currently deployed at mission headquarters at Freetown, Hastings, Lungi, Port Loko, Bo, Kenema and Daru. Immediately after the adoption of Security Council resolution 1270 (1999), a United Nations technical team was dispatched to Sierra Leone in late October to assist the Observer Mission in preparing for the deployment of the mandated 6,000 United Nations troops. Despite the very tight timetable, preparation for the deployment of military contingents has progressed effectively, partly as a result of the excellent cooperation provided by the Government of Sierra Leone. By mid-November, reconnaissance parties from India and Kenya for the deployment of their troops had completed their tasks, and had drawn up plans for the deployment of the Indian and Kenyan battalions in Koidu/Kailahun and Makeni/Magburaka by December. The final decisions on deployment of various contingents will take into account security conditions on the ground. Meanwhile, the first contingent of 130 Kenyan troops arrived at Freetown on 29 November. Active preparations continue for the deployment of troops and military observers made available to UNAMSIL by the Governments of Nigeria, Ghana and Guinea. The Secretariat believes that it will be crucial to

expedite the deployment of these military personnel. A status of forces agreement is being finalized at Headquarters and will shortly be submitted to the Government of Sierra Leone.

31. The Special Representative of the Secretary-General and the United Nations country team have continued to work on developing the modalities for the implementation of the strategic framework for Sierra Leone. An initial draft plan for the strategic framework approach is expected to be completed by the end of December.

32. On 19 November, I appointed Oluyemi Adeniji (Nigeria) as my Special Representative in Sierra Leone. Mr. Adeniji has most recently served as my Special Representative for the Central African Republic. I have also appointed Major-General Vijay Kumar Jetley (India) as Force Commander of UNAMSIL. Both men are expected to assume their duties at Freetown in the first half of December. I would like to pay special tribute to my outgoing Special Representative, Francis Okelo, who has discharged his duties under often very difficult conditions, and I am most grateful for his leadership during the peace process which included the signing of the Lomé Agreement.

VIII. OBSERVATIONS

33. Undeniably, some progress has been made in the implementation of the Lomé Agreement with the return of the RUF and AFRC leadership to Sierra Leone, the establishment of the Government of National Unity, the provisional registration of RUF as a political party, and a recent increase of the number of ex-combatants registering for the DDR programme.

34. However, serious human rights abuses, ceasefire violations, including fighting between RUF and AFRC, extensive movement of troops and weapons by the former and the targeting of humanitarian personnel give cause for very serious concern. The continued violence against the people of Sierra Leone and international personnel is unacceptable and perpetrators should expect to be held accountable for their actions. The RUF and AFRC leadership as well as all their local commanders should prove by their actions that they are indeed committed to the peace process, in particular to the complete cessation of hostilities and international human rights standards and humanitarian law, including the release of all abductees as specified in the Lomé Agreement.

35. Despite some improvements, the humanitarian crisis in Sierra Leone continues unabated. In addition, some national and international humanitarian personnel have suffered harassment, assault and even detention at the hands of the former rebel forces. The Lomé Peace Agreement clearly commits all former parties to the conflict to providing safe and unhindered access for humanitarian interventions. Yet the delivery of assistance continues to be obstructed by arbitrary clearance procedures and threats. This should stop.

36. While the United Nations expedites the deployment of its troops in Sierra Leone, ECOMOG is expected to continue to play a critical role in providing national security functions as well as assisting the DDR process, as envisaged in the Lomé Agreement. To this end, it will be required to maintain a credible

force of several thousand troops. I would like to commend ECOMOG, once again, for its continued efforts in support of the Government and people of Sierra Leone. I therefore would like to renew my strong appeal to donors to provide ECOMOG with much-needed support in order to allow it the means to effectively perform its indispensable tasks.

37. I also should like to express my appreciation for the important involvement of regional leaders in the Sierra Leonean peace process, and I should like to encourage them to continue to support the efforts of the Government of Sierra Leone, the international community and other stakeholders to bring peace to this battered country.

38. There is also an urgent need to strengthen and accelerate the process of disarmament, demobilization and reintegration of ex-combatants and to enhance the coordination of these crucial activities. I welcome the progress made by the Government of Sierra Leone and the invaluable contributions of the donor community, especially the Government of the United Kingdom and the World Bank, in establishing the necessary demobilization facilities. I encourage all concerned to continue their efforts to build confidence among the parties, increase awareness of the procedures and benefits of the DDR programme and improve the links between the various steps in the programme. I have already asked UNAMSIL to step up its efforts in support of these crucial aspects of the peace process.

39. The commitments of the parties to the Lomé Agreement will be put to the test in the coming crucial period. Now that the main mechanisms for ceasefire monitoring and disarmament are in place, the responsibility rests with the leaders of the rebel movements to advance the peace process in Sierra Leone. The rebel movements now take part in the Government and should work in it towards a durable peace. I believe that any efforts in this regard will meet with the support of the international community. The United Nations, in close cooperation with ECOMOG, stands ready to do its part.

40. I should like, once again, to express my appreciation to my Special Representative, Francis Okelo, to the Chief Military Observer, Brigadier-General Subhash C. Joshi, and to all the military and civilian personnel of UNAMSIL for their unwavering commitment and efforts under difficult circumstances.

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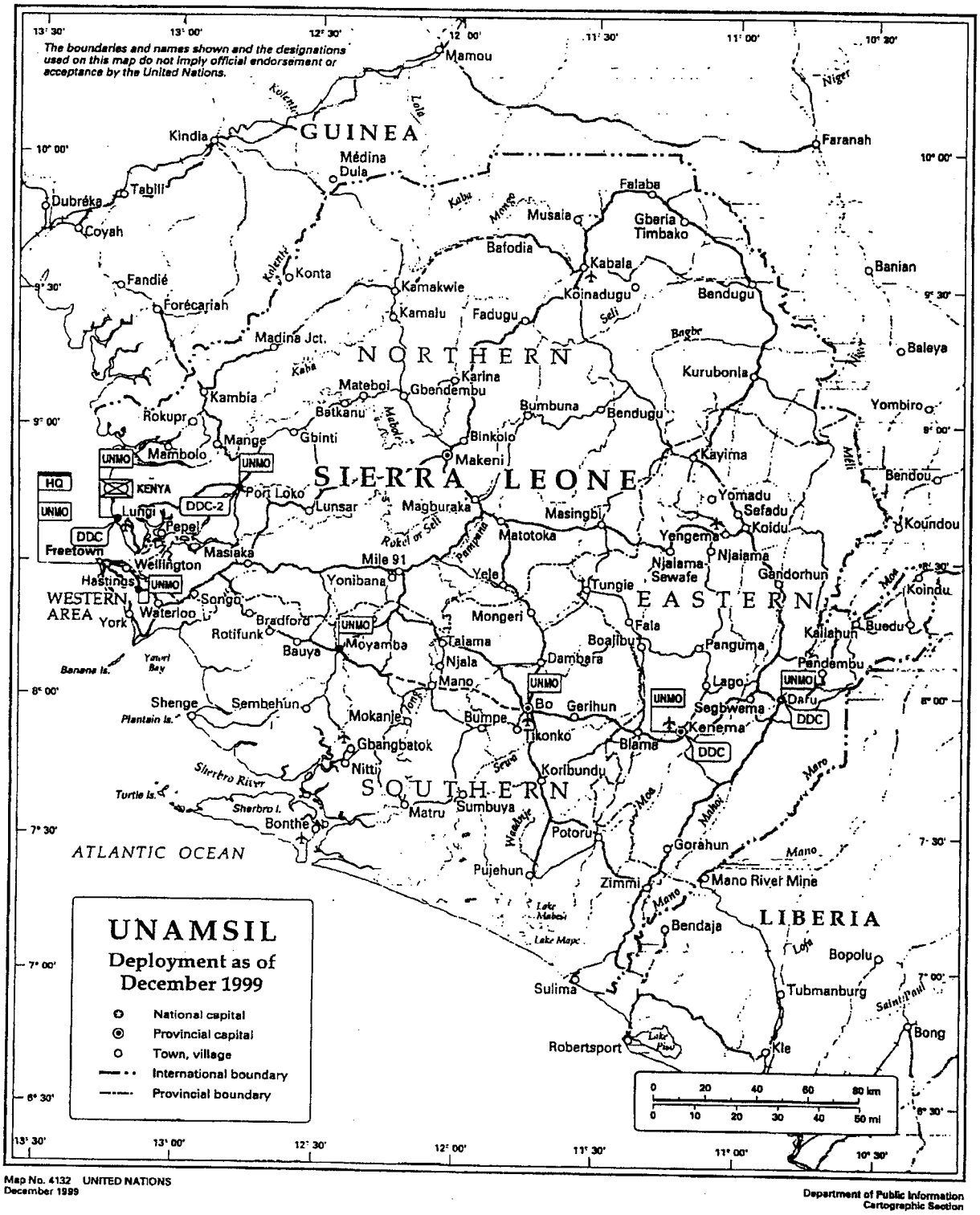

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Cartographic Section

FACT 74

The Security Council adopted Resolution 1289 at its 4099th meeting on 7 February 2000, in which it:

(a) noted the lack of progress on the release of abductees and child soldiers, and by continued hostage-taking and attacks on humanitarian personnel (para. 4, ERN 00004320); and

(b) emphasized the importance of the exercise by the Government of Sierra Leone of full control over the exploitation of gold, diamonds and other resources for the benefit of the people of the country (para. 18, ERN 00004322).

a.	Exh. 1.012	ERN 00004319-00004322	U.N. Security Council Resolution 1289, 7 February 2000 (S/RES/1289 (2000)).

00004320

2. Welcomes the efforts made by the Government of Sierra Leone, the leadership of the Revolutionary United Front Party of Sierra Leone, the Military Observer Group (ECOMOG) of the Economic Community of West African States and UNAMSIL towards the implementation of the Peace Agreement signed in Lomé on 7 July 1999 (S/1999/777);

3. Reiterates its call upon the parties to fulfil all their commitments under the Peace Agreement to facilitate the restoration of peace, stability, national reconciliation and development in Sierra Leone, and stresses that the responsibility for the success of the peace process ultimately lies with the people and leaders of Sierra Leone;

4. Notes with concern that, despite the progress that has been made, the peace process thus far has been marred by the limited and sporadic participation in the disarmament, demobilization and reintegration programme, by the lack of progress on the release of abductees and child soldiers, and by continued hostage-taking and attacks on humanitarian personnel, and expresses its conviction that the expansion of UNAMSIL as provided for in paragraphs 9 to 12 below will create conditions under which all parties can work to ensure that the provisions of the Peace Agreement are implemented in full;

5. Notes also with concern the continuing human rights violations against the civilian population of Sierra Leone, and emphasizes that the amnesty extended under the Peace Agreement does not extend to such violations committed after the date of its signing;

6. Calls upon the parties and all others involved to take steps to ensure that the disarmament, demobilization and reintegration programme is fully implemented throughout the country, and in particular urges the Revolutionary United Front (RUF), the Civil Defence Forces, the former Sierra Leone Armed Forces/Armed Forces Revolutionary Council (AFRC) and all other armed groups to participate fully in the programme and cooperate with all those responsible for its implementation;

7. Takes note of the decision of the Governments of Nigeria, Guinea and Ghana to withdraw their remaining ECOMOG contingents from Sierra Leone, as reported in the letter of the Secretary-General of 23 December 1999;

8. Expresses its appreciation to ECOMOG for its indispensable contribution towards the restoration of democracy and the maintenance of peace, security and stability in Sierra Leone, commends highly the forces and the Governments of its contributing States for their courage and sacrifice, and encourages all States to assist the contributing States further in meeting the costs they have incurred in making possible the deployment of ECOMOG forces in Sierra Leone;

9. Decides that the military component of UNAMSIL shall be expanded to a maximum of 11,100 military personnel, including the 260 military observers already deployed, subject to periodic review in the light of conditions on the ground and the progress made in the peace process, in particular in the disarmament, demobilization and reintegration programme, and takes note of paragraph 33 of the report of the Secretary-General of 11 January 2000;

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guarantees in this regard, and calls upon all parties in Sierra Leone to respect fully the status of United Nations and associated personnel;

16. Reiterates its request to the Government of Sierra Leone to conclude a status-of-forces agreement with the Secretary-General within 30 days of the adoption of this resolution, and recalls that pending the conclusion of such an agreement the model status-of-forces agreement dated 9 October 1990 (A/45/594) should apply provisionally;

17. Reiterates also the continued need to promote peace and national reconciliation and to foster accountability and respect for human rights in Sierra Leone, and urges the Government of Sierra Leone, specialized agencies, other multilateral organizations, civil society and Member States to accelerate their efforts to establish the Truth and Reconciliation Commission, the Human Rights Commission and the Commission for the Consolidation of Peace as fully-functioning and effective institutions, as provided for under the Peace Agreement;

18. Emphasizes the importance of the exercise by the Government of Sierra Leone of full control over the exploitation of gold, diamonds and other resources for the benefit of the people of the country and in accordance with Article VII, paragraph 6, of the Peace Agreement, and to that end calls for the early and effective operation of the Commission of the Management of Strategic Resources, National Reconstruction and Development;

19. Welcomes the contributions that have been made to the multi-donor trust fund established by the International Bank for Reconstruction and Development to finance the disarmament, demobilization and reintegration process, and urges all States and international and other organizations which have not yet done so to contribute generously to the fund so that the process is adequately financed and the provisions of the Peace Agreement can be fully implemented;

20. Underlines the ultimate responsibility of the Government of Sierra Leone for the provision of adequate security forces in the country, calls upon it, in that regard, to take urgent steps towards the establishment of professional and accountable national police and armed forces, and stresses the importance to this objective of generous support and assistance from the international community;

21. Reiterates the continued need for urgent and substantial assistance to the people of Sierra Leone, as well as for sustained and generous assistance for the longer terms tasks of peace-building, reconstruction, economic and social recovery and development in Sierra Leone, and urges all States and international and other organizations to provide such assistance as a priority;

22. Requests the Secretary-General to continue to report to the Council every 45 days to provide, inter alia, assessments of security conditions on the ground so that troop levels and the tasks to be performed by UNAMSIL can be kept under review, as indicated in report of the Secretary-General of 11 January 2000;

23. Decides to remain actively seized of the matter.

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UNITED NATIONS

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Security Council

00004319

Distr.
GENERAL

S/RES/1289 (2000)
7 February 2000

RESOLUTION 1289 (2000)

Adopted by the Security Council at its 4099th meeting
on 7 February 2000

The Security Council,

Recalling its resolutions 1171 (1998) of 5 June 1998, 1181 (1998) of 13 July 1998, 1231 (1999) of 11 March 1999, 1260 (1999) of 20 August 1999, 1265 (1999) of 17 September 1999 and 1270 (1999) of 22 October 1999 and other relevant resolutions and the statement of its President of 15 May 1999 (S/PRST/1999/13),

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Taking note of the letter to its President from the Minister of Foreign Affairs and International Cooperation of Sierra Leone of 17 January 2000 (S/2000/31),

Having considered the reports of the Secretary-General of 23 September 1999 (S/1999/1003), 6 December 1999 (S/1999/1223) and 11 January 2000 (S/2000/13) and the letter of the Secretary-General to its President of 23 December 1999 (S/1999/1285),

Determining that the situation in Sierra Leone continues to constitute a threat to international peace and security in the region,

1. Notes that the deployment of the United Nations Mission in Sierra Leone (UNAMSIL) as established by resolution 1270 (1999) is in the process of completion;

2. Welcomes the efforts made by the Government of Sierra Leone, the leadership of the Revolutionary United Front Party of Sierra Leone, the Military Observer Group (ECOMOG) of the Economic Community of West African States and UNAMSIL towards the implementation of the Peace Agreement signed in Lomé on 7 July 1999 (S/1999/777);

3. Reiterates its call upon the parties to fulfil all their commitments under the Peace Agreement to facilitate the restoration of peace, stability, national reconciliation and development in Sierra Leone, and stresses that the responsibility for the success of the peace process ultimately lies with the people and leaders of Sierra Leone;

4. Notes with concern that, despite the progress that has been made, the peace process thus far has been marred by the limited and sporadic participation in the disarmament, demobilization and reintegration programme, by the lack of progress on the release of abductees and child soldiers, and by continued hostage-taking and attacks on humanitarian personnel, and expresses its conviction that the expansion of UNAMSIL as provided for in paragraphs 9 to 12 below will create conditions under which all parties can work to ensure that the provisions of the Peace Agreement are implemented in full;

5. Notes also with concern the continuing human rights violations against the civilian population of Sierra Leone, and emphasizes that the amnesty extended under the Peace Agreement does not extend to such violations committed after the date of its signing;

6. Calls upon the parties and all others involved to take steps to ensure that the disarmament, demobilization and reintegration programme is fully implemented throughout the country, and in particular urges the Revolutionary United Front (RUF), the Civil Defence Forces, the former Sierra Leone Armed Forces/Armed Forces Revolutionary Council (AFRC) and all other armed groups to participate fully in the programme and cooperate with all those responsible for its implementation;

7. Takes note of the decision of the Governments of Nigeria, Guinea and Ghana to withdraw their remaining ECOMOG contingents from Sierra Leone, as reported in the letter of the Secretary-General of 23 December 1999;

8. Expresses its appreciation to ECOMOG for its indispensable contribution towards the restoration of democracy and the maintenance of peace, security and stability in Sierra Leone, commends highly the forces and the Governments of its contributing States for their courage and sacrifice, and encourages all States to assist the contributing States further in meeting the costs they have incurred in making possible the deployment of ECOMOG forces in Sierra Leone;

9. Decides that the military component of UNAMSIL shall be expanded to a maximum of 11,100 military personnel, including the 260 military observers already deployed, subject to periodic review in the light of conditions on the ground and the progress made in the peace process, in particular in the disarmament, demobilization and reintegration programme, and takes note of paragraph 33 of the report of the Secretary-General of 11 January 2000;

10. Acting under Chapter VII of the Charter of the United Nations, decides further that the mandate of UNAMSIL shall be revised to include the following additional tasks, to be performed by UNAMSIL within its capabilities and areas of deployment and in the light of conditions on the ground:

(a) To provide security at key locations and Government buildings, in particular in Freetown, important intersections and major airports, including Lungi airport;

(b) To facilitate the free flow of people, goods and humanitarian assistance along specified thoroughfares;

(c) To provide security in and at all sites of the disarmament, demobilization and reintegration programme;

(d) To coordinate with and assist, in common areas of deployment, the Sierra Leone law enforcement authorities in the discharge of their responsibilities;

(e) To guard weapons, ammunition and other military equipment collected from ex-combatants and to assist in their subsequent disposal or destruction,

authorizes UNAMSIL to take the necessary action to fulfil the additional tasks set out above, 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, within its capabilities and areas of deployment, to afford protection to civilians under imminent threat of physical violence, taking into account the responsibilities of the Government of Sierra Leone;

11. Decides further that the mandate of UNAMSIL, as revised, shall be extended for a period of six months from the date of adoption of this resolution;

12. Authorizes the increases in the civil affairs, civilian police, administrative and technical personnel of UNAMSIL proposed by the Secretary-General in his report of 11 January 2000;

13. Welcomes the intention of the Secretary-General, as indicated in his report of 11 January 2000, to establish within UNAMSIL a landmine action office responsible for awareness training of UNAMSIL personnel and for the coordination of mine action activities of non-governmental organizations and humanitarian agencies operating in Sierra Leone;

14. Stresses the importance of a smooth transition between ECOMOG and UNAMSIL for the successful implementation of the Peace Agreement and the stability of Sierra Leone, and in that regard urges all those concerned to consult over the timing of troop movements and withdrawals;

15. Reiterates the importance of the safety, security and freedom of movement of United Nations and associated personnel, notes that the Government of Sierra Leone and the RUF have agreed in the Peace Agreement to provide

guarantees in this regard, and calls upon all parties in Sierra Leone to respect fully the status of United Nations and associated personnel;

16. Reiterates its request to the Government of Sierra Leone to conclude a status-of-forces agreement with the Secretary-General within 30 days of the adoption of this resolution, and recalls that pending the conclusion of such an agreement the model status-of-forces agreement dated 9 October 1990 (A/45/594) should apply provisionally;

17. Reiterates also the continued need to promote peace and national reconciliation and to foster accountability and respect for human rights in Sierra Leone, and urges the Government of Sierra Leone, specialized agencies, other multilateral organizations, civil society and Member States to accelerate their efforts to establish the Truth and Reconciliation Commission, the Human Rights Commission and the Commission for the Consolidation of Peace as fully-functioning and effective institutions, as provided for under the Peace Agreement;

18. Emphasizes the importance of the exercise by the Government of Sierra Leone of full control over the exploitation of gold, diamonds and other resources for the benefit of the people of the country and in accordance with Article VII, paragraph 6, of the Peace Agreement, and to that end calls for the early and effective operation of the Commission of the Management of Strategic Resources, National Reconstruction and Development;

19. Welcomes the contributions that have been made to the multi-donor trust fund established by the International Bank for Reconstruction and Development to finance the disarmament, demobilization and reintegration process, and urges all States and international and other organizations which have not yet done so to contribute generously to the fund so that the process is adequately financed and the provisions of the Peace Agreement can be fully implemented;

20. Underlines the ultimate responsibility of the Government of Sierra Leone for the provision of adequate security forces in the country, calls upon it, in that regard, to take urgent steps towards the establishment of professional and accountable national police and armed forces, and stresses the importance to this objective of generous support and assistance from the international community;

21. Reiterates the continued need for urgent and substantial assistance to the people of Sierra Leone, as well as for sustained and generous assistance for the longer terms tasks of peace-building, reconstruction, economic and social recovery and development in Sierra Leone, and urges all States and international and other organizations to provide such assistance as a priority;

22. Requests the Secretary-General to continue to report to the Council every 45 days to provide, inter alia, assessments of security conditions on the ground so that troop levels and the tasks to be performed by UNAMSIL can be kept under review, as indicated in report of the Secretary-General of 11 January 2000;

23. Decides to remain actively seized of the matter.

FACT 75

The United Nations issued the Fourth Report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2000/455) on 19 May 2000, in which the Secretary-General noted or reported:

(a) the May 2000 RUF attacks on UN peacekeepers, and the destruction of disarmament and demobilization camps by RUF fighters (para. 2);

(b) that RUF fighters continue to obstruct UNAMSIL deployment to Koidu in the Kono District after the March 9 agreement to grant unhindered access to all parts of the country to UNAMSIL (para. 3); and

(c) that Sam Bockarie was said to be recruiting and training rebels in Liberia, but the Government of Liberia denied those reports (para. 11).

a.	Exh. 1.214	n/a	Fourth Report of the Secretary-General on the United Nations Mission in Sierra Leone, 19 May 2000 (S/2000/455), paras. 2, 3, 11.

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United Nations S/2000/455

Security Council

Distr.: General
19 May 2000

Original: English

Fourth report of the Secretary-General on the United Nations Mission in Sierra Leone

I. Introduction

1. By paragraph 22 of resolution 1289 (2000) of 7 February 2000, the Security Council requested me to continue to report to the Council every 45 days to provide, *inter alia*, assessments of security conditions on the ground so that troop levels and the tasks to be performed by the United Nations Mission in Sierra Leone (UNAMSIL) can be kept under review. The present report is submitted in accordance with that request and covers developments since my third report on the United Nations Mission in Sierra Leone issued on 7 March 2000 (S/2000/186). The present report also contains short-term recommendations for the stabilization of the current situation in Sierra Leone, including for an expansion of the capacity of UNAMSIL, beyond the level of 13,000 military personnel authorized by the Security Council in its resolution 1299 (2000) of 19 May 2000.

II. Political developments

2. During the reporting period, the peace process suffered a very serious setback as the result of the recent unprovoked armed attacks on United Nations peacekeepers, the detention of several hundred United Nations personnel, and the destruction of disarmament and demobilization camps by fighters of the Revolutionary United Front (RUF). Regrettably, those developments in May 2000, which are described in section VII of this report, overshadowed the limited progress achieved in the implementation of the Lomé Peace Agreement through a series of meetings of the parties and international stakeholders.

3. Prior to those events, President Ahmad Tejan Kabbah convened on 9 March a special meeting of the National Commission on Disarmament, Demobilization and Reintegration attended by the leader of RUF, Foday Sankoh, the leader of the Armed Forces Revolutionary Council/ex-Sierra Leone Army (AFRC/ex-SLA), Johnny Paul Koroma, the Deputy Defence Minister and Civil Defence Force Coordinator, Chief Hinga Norman, UNAMSIL and the Monitoring Group (ECOMOG) of the Economic Community of West African States (ECOWAS). At that meeting, all faction leaders agreed to grant unhindered access to all parts of the country to UNAMSIL, the humanitarian community and the entire population; to relinquish the territory they occupied and allow the Government to have full control over every part of the country; and to allow disarmament to take place in selected areas in the Eastern and Northern Provinces where disarmament, demobilization and reintegration (DDR) facilities were already in place, and thereafter in the rest of the country as facilities were made available. As a result of these efforts, the number of checkpoints maintained by the factions was reduced, and UNAMSIL was able to deploy to the RUF stronghold of Kailahun on 16 March. However, RUF fighters continued to obstruct UNAMSIL deployment to Koidu in the Kono District and the number of RUF ex-combatants reporting for disarmament remained very low. In addition, some checkpoints manned by the factions remained in place and continued to hinder movement by the humanitarian community and the general population.

4. On 20 March, at Freetown, ECOWAS convened a verification meeting of the Ad Hoc Committee of the Principal Parties to the Lomé Agreement to follow up on the decisions reached at the special meeting on

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combatants. However, Mr. Sankoh claimed that he was ready to work with Parliament.

10. At various bilateral and multilateral meetings during the reporting period, Mr. Sankoh and other RUF leaders complained about certain aspects of the Lomé Agreement that had not been implemented. Specifically, they mentioned the fact that no RUF members had been appointed to positions in parastatal enterprises, the diplomatic service and any other public sector, under article IV of the Lomé Agreement. They also complained that too much attention was being focused on the disarmament provisions to the neglect of the political provisions of the Agreement. While there can be little doubt that the lack of cooperation on the part of RUF and Mr. Sankoh in particular was the main obstacle to the effective implementation of the Lomé Agreement, it is also true that the situation was not helped by the slow pace of the disarmament, demobilization and reintegration programme, as well as various political, administrative and other problems.

11. During the reporting period, there were unconfirmed reports of the formation of a new faction by a former RUF commander, Sam Bockarie, who was said to be engaged in the recruitment and training of rebels in Liberia. The Government of Liberia has denied these reports. On 22 March, the Government of Sierra Leone arrested 16 persons suspected of organizing a group of dissidents to invade Liberia. The arrests were carried out in the area of the Gola Forest, close to the Liberian border.

12. During consultations of the heads of State of the Mano River Union held at Bamako on 2 March, the President of Liberia, Charles Taylor, was requested to become personally involved in resolving the obstacles confronting the Sierra Leone peace process. Pursuant to that decision, President Taylor extended an invitation to Mr. Sankoh to visit Monrovia on 12 March for consultations on the peace process. However, Mr. Sankoh insisted that he would not travel until the Security Council lifted the travel ban imposed on him by its resolution 1171 (1998) of 5 June 1998.

13. On 18 March, in a welcome development a ministerial meeting of the Mano River Union member States was held at Monrovia. The meeting was followed up by a meeting of the Ministers responsible for Security, Internal Affairs, Defence and Justice in Freetown on 17 April. At that meeting, agreement was reached to set up a Joint Security Committee of the Mano River Union, which would include a technical committee to advise the Joint Security Committee and joint border security and confidence-building units. The recommendations were submitted for consideration by the Union at its summit meeting, which was held at Conakry on 8 May. At that meeting, which was also attended by President Konaré, the situation in Sierra Leone was also discussed (see para. 76 below).

III. Security situation before 1 May 2000

14. Prior to the serious attacks on United Nations peacekeepers, which erupted on 1 May 2000 and which are described in section VII below, the overall security situation had improved gradually as UNAMSIL troops stepped up their patrols and deployed to new locations in the provinces. However, in the areas still under the control of rebel groups, particularly the RUF and AFRC/ex-SLA strongholds, the security situation remained precarious and there were several serious incidents, some involving United Nations peacekeepers.

15. On 21 March, a serious violation of the ceasefire occurred in the Bafodia-Kabala area, where fighting erupted between elements of RUF and AFRC/ex-SLA. UNAMSIL deployed military observers and two platoons from the Kenyan battalion to the area to calm the situation. Intermittent fighting continued until 30 March when the AFRC/ex-SLA commander agreed to the UNAMSIL proposal to disarm. To avert tension, a total of 292 AFRC/ex-SLA combatants were disarmed on 30 March and transported to the Lungi disarmament, demobilization and reintegration camp together with their dependants. A further 139 were disarmed on 2 and 3 April and also transferred to that camp. Altogether, some 900 persons were moved. A company from the Kenyan battalion and a team of military observers were subsequently deployed at Kabala, but had to be moved back to Makeni to strengthen UNAMSIL positions there after the RUF attacks in early May. In another incident on 8 April, unidentified persons fired several rounds at Ghanaian UNAMSIL troops at Kenema. The troops returned fire and the attack ceased.

16. On 22 April, RUF staged a demonstration against the disarmament, demobilization and reintegration programme at Makeni, in which about 40 armed RUF

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Security Council

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19 May 2000

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Fourth report of the Secretary-General on the United Nations Mission in Sierra Leone

I. Introduction

1. By paragraph 22 of resolution 1289 (2000) of 7 February 2000, the Security Council requested me to continue to report to the Council every 45 days to provide, *inter alia*, assessments of security conditions on the ground so that troop levels and the tasks to be performed by the United Nations Mission in Sierra Leone (UNAMSIL) can be kept under review. The present report is submitted in accordance with that request and covers developments since my third report on the United Nations Mission in Sierra Leone issued on 7 March 2000 (S/2000/186). The present report also contains short-term recommendations for the stabilization of the current situation in Sierra Leone, including for an expansion of the capacity of UNAMSIL, beyond the level of 13,000 military personnel authorized by the Security Council in its resolution 1299 (2000) of 19 May 2000.

II. Political developments

2. During the reporting period, the peace process suffered a very serious setback as the result of the recent unprovoked armed attacks on United Nations peacekeepers, the detention of several hundred United Nations personnel, and the destruction of disarmament and demobilization camps by fighters of the Revolutionary United Front (RUF). Regrettably, those developments in May 2000, which are described in section VII of this report, overshadowed the limited progress achieved in the implementation of the Lomé Peace Agreement through a series of meetings of the parties and international stakeholders.

3. Prior to those events, President Ahmad Tejan Kabbah convened on 9 March a special meeting of the National Commission on Disarmament, Demobilization and Reintegration attended by the leader of RUF, Foday Sankoh, the leader of the Armed Forces Revolutionary Council/ex-Sierra Leone Army (AFRC/ex-SLA), Johnny Paul Koroma, the Deputy Defence Minister and Civil Defence Force Coordinator, Chief Hinga Norman, UNAMSIL and the Monitoring Group (ECOMOG) of the Economic Community of West African States (ECOWAS). At that meeting, all faction leaders agreed to grant unhindered access to all parts of the country to UNAMSIL, the humanitarian community and the entire population; to relinquish the territory they occupied and allow the Government to have full control over every part of the country; and to allow disarmament to take place in selected areas in the Eastern and Northern Provinces where disarmament, demobilization and reintegration (DDR) facilities were already in place, and thereafter in the rest of the country as facilities were made available. As a result of these efforts, the number of checkpoints maintained by the factions was reduced, and UNAMSIL was able to deploy to the RUF stronghold of Kailahun on 16 March. However, RUF fighters continued to obstruct UNAMSIL deployment to Koidu in the Kono District and the number of RUF ex-combatants reporting for disarmament remained very low. In addition, some checkpoints manned by the factions remained in place and continued to hinder movement by the humanitarian community and the general population.

4. On 20 March, at Freetown, ECOWAS convened a verification meeting of the Ad Hoc Committee of the Principal Parties to the Lomé Agreement to follow up on the decisions reached at the special meeting on

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Sierra Leone held at Bamako on 1 March, which was covered in my third report. At the meeting in Freetown, the RUF leader, Foday Sankoh, stated that he accepted that UNAMSIL was the "neutral peacekeeping force" provided for in the Lomé Peace Agreement (S/1999/777, annex). This was considered a positive development, since RUF had previously questioned the presence of UNAMSIL peacekeepers in Sierra Leone.

5. The meeting on 20 March of the principal parties also set up a committee, headed by my Special Representative, Oluyemi Adeniji, to carry out an investigation into the seizure in January of weapons and equipment from Kenyan and Guinean troops by RUF and from the Kenyan contingent by AFRC/ex-SLA. The investigation committee held its first meeting on 31 March, but RUF failed to attend on the pretext that it was not involved in the seizure of the Guinean weapons, despite evidence to the contrary. The three seized Guinean armoured personnel carriers have been recovered, but the other weapons and equipment have yet to be returned.

6. The Under-Secretary-General for Peacekeeping Operations visited Sierra Leone from 19 to 21 March to assess the operations of UNAMSIL and to convey to the parties the strong commitment of the United Nations to assist them in implementing the Lomé Agreement. He held meetings with UNAMSIL senior staff, President Kabbah and other government officials, Mr. Koroma, Mr. Sankoh, United Nations agencies and representatives of civil society. The Under-Secretary-General also visited Port Loko and Makeni, where he inspected UNAMSIL troops, disarmament, demobilization and reintegration camps and centres for former child combatants. He also visited Bamako, where he met with the President of Mali, Alpha Oumar Konaré, current Chairman of ECOWAS.

7. At the initiative of the United Kingdom of Great Britain and Northern Ireland, a high-level donors conference on Sierra Leone was convened in London on 27 March, to affirm political support for the peace process and mobilize additional resources. The conference was co-chaired by the United Kingdom, the World Bank and the United Nations, which was represented by the Deputy Secretary-General. New pledges totalling some US$ 70 million were made, to support the peace process, in particular the process of disarmament, demobilization and reintegration, as well as humanitarian assistance. The conference reaffirmed the international community's continued and strong support for the implementation of the Lomé Peace Agreement and sent a strong message to the factions to fulfil their obligations under the Agreement. In particular, the rebels were called upon to put an end to the continuing human rights abuses, to disarm their combatants immediately, to release women and children still detained, and to allow safe and unhindered access for humanitarian assistance to all areas of the country. The participants also discussed the issue of elections and undertook to help to organize free and fair elections in Sierra Leone, as provided for under the Lomé Peace Agreement, on the clear understanding that elections would not be possible without significant progress on disarmament. I commend the Government of the United Kingdom for taking this important initiative.

8. During the reporting period, some progress has also been made with regard to the functioning of the various institutions envisaged in the Lomé Agreement. However, this continued to be hampered by a lack of resources. The Commission for the Management of Strategic Resources, National Reconstruction and Development, chaired by Mr. Sankoh, did not produce a plan of action and there also appeared to be a lack of political consensus on its role vis-à-vis existing ministries. The Commission for the Consolidation of Peace led by Mr. Koroma, however, made a good beginning and organized several meetings of the parties and other stakeholders to promote reconciliation and discuss ways of moving the peace process forward. From 18 to 23 April, the Commission for the Consolidation of Peace convened a commanders peace conference at Bo to facilitate face-to-face meetings among the commanders of the factions and to build confidence and promote peace. The conference was well attended by all factions.

9. Mr. Sankoh appeared before the Parliament of Sierra Leone on 15 March to answer questions on issues impeding the peace process. All political parties represented in Parliament strongly criticized Mr. Sankoh for impeding the peace process. In his response, Mr. Sankoh asserted that he was committed to the peace process and attributed the current obstacles to progress, in particular the slow pace of disarmament, to the weakness of the National Commission on Disarmament, Demobilization and Reintegration; the lack of transportation facilities, inadequate disarmament, demobilization and reintegration facilities; and to unattractive incentives for the ex-

combatants. However, Mr. Sankoh claimed that he was ready to work with Parliament.

10. At various bilateral and multilateral meetings during the reporting period, Mr. Sankoh and other RUF leaders complained about certain aspects of the Lomé Agreement that had not been implemented. Specifically, they mentioned the fact that no RUF members had been appointed to positions in parastatal enterprises, the diplomatic service and any other public sector, under article IV of the Lomé Agreement. They also complained that too much attention was being focused on the disarmament provisions to the neglect of the political provisions of the Agreement. While there can be little doubt that the lack of cooperation on the part of RUF and Mr. Sankoh in particular was the main obstacle to the effective implementation of the Lomé Agreement, it is also true that the situation was not helped by the slow pace of the disarmament, demobilization and reintegration programme, as well as various political, administrative and other problems.

11. During the reporting period, there were unconfirmed reports of the formation of a new faction by a former RUF commander, Sam Bockarie, who was said to be engaged in the recruitment and training of rebels in Liberia. The Government of Liberia has denied these reports. On 22 March, the Government of Sierra Leone arrested 16 persons suspected of organizing a group of dissidents to invade Liberia. The arrests were carried out in the area of the Gola Forest, close to the Liberian border.

12. During consultations of the heads of State of the Mano River Union held at Bamako on 2 March, the President of Liberia, Charles Taylor, was requested to become personally involved in resolving the obstacles confronting the Sierra Leone peace process. Pursuant to that decision, President Taylor extended an invitation to Mr. Sankoh to visit Monrovia on 12 March for consultations on the peace process. However, Mr. Sankoh insisted that he would not travel until the Security Council lifted the travel ban imposed on him by its resolution 1171 (1998) of 5 June 1998.

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III. Security situation before 1 May 2000

14. Prior to the serious attacks on United Nations peacekeepers, which erupted on 1 May 2000 and which are described in section VII below, the overall security situation had improved gradually as UNAMSIL troops stepped up their patrols and deployed to new locations in the provinces. However, in the areas still under the control of rebel groups, particularly the RUF and AFRC/ex-SLA strongholds, the security situation remained precarious and there were several serious incidents, some involving United Nations peacekeepers.

15. On 21 March, a serious violation of the ceasefire occurred in the Bafodia-Kabala area, where fighting erupted between elements of RUF and AFRC/ex-SLA. UNAMSIL deployed military observers and two platoons from the Kenyan battalion to the area to calm the situation. Intermittent fighting continued until 30 March when the AFRC/ex-SLA commander agreed to the UNAMSIL proposal to disarm. To avert tension, a total of 292 AFRC/ex-SLA combatants were disarmed on 30 March and transported to the Lungi disarmament, demobilization and reintegration camp together with their dependants. A further 139 were disarmed on 2 and 3 April and also transferred to that camp. Altogether, some 900 persons were moved. A company from the Kenyan battalion and a team of military observers were subsequently deployed at Kabala, but had to be moved back to Makeni to strengthen UNAMSIL positions there after the RUF attacks in early May. In another incident on 8 April, unidentified persons fired several rounds at Ghanaian UNAMSIL troops at Kenema. The troops returned fire and the attack ceased.

16. On 22 April, RUF staged a demonstration against the disarmament, demobilization and reintegration programme at Makeni, in which about 40 armed RUF

fighters participated. That group also set up a checkpoint close to the entrance of the reception centre of the Makeni disarmament, demobilization and reintegration camp. The RUF checkpoint was removed the same day under pressure from UNAMSIL. At that time, RUF fighters did not hinder the movement of UNAMSIL or personnel of the United Kingdom Department for International Development, which is providing the logistic support to the disarmament, demobilization and reintegration process. However, RUF did harass local Sierra Leonean disarmament, demobilization and reintegration personnel and forced them to leave the camp.

17. Also on 22 April, a group of some 20 RUF fighters prevented UNAMSIL military observers from entering the premises of the disarmament, demobilization and reintegration reception centre of Magburaka. They also alleged that UNAMSIL soldiers, who were providing security at that location, had taken some ammunition belonging to RUF. A small-scale scuffle ensued, after which UNAMSIL troops at the site decided to withdraw temporarily to avoid escalation. The Makeni/Magburaka area remained very tense and subsequently became the scene of the first attacks by RUF on UNAMSIL troops.

18. On 28 April, a scuffle between ECOMOG troops and ex-SLA members over a stolen vehicle led to several shots being fired, with one ex-SLA fighter killed and another seriously wounded. Several ex-SLA members immediately took to the streets to protest about this incident. The situation caused considerable tension in Freetown, but was brought under control by UNAMSIL. Mr. Koroma helped to restore calm. Mr. Sankoh, however, gave a press conference on 1 May during which he stated that UNAMSIL had shot the ex-combatants on 28 April in Freetown. This inciting statement led to an increase of tension between RUF and UNAMSIL throughout the country.

19. A serious incident occurred on 30 April, during which a soldier of the Nigerian contingent in UNAMSIL was shot and seriously wounded when he refused to surrender his weapon to a large group of armed men (presumably ex-SLA) in the Occra Hills area. His unit of five men was outnumbered and ultimately forced to surrender their weapons. The injured soldier was evacuated to Nigeria. A protest about the incident has been made to Mr. Koroma.

20. Other ceasefire violations during the reporting period included serious abuses against civilians in the Port Loko and Occra Hills areas, the maintenance of illegal roadblocks by all factions, and other obstruction of peacekeeping operations, particularly by RUF elements. Tension in the Occra Hills area subsided somewhat after the Government announced that AFRC/ex-SLA combatants would be able to join the restructured army, if they met certain criteria. Another contributing factor to the decrease in tension was the payment by the Government of transitional safety allowances to ex-combatants who had disarmed under the disarmament, demobilization and reintegration programme.

21. The Joint Monitoring Commission continued to hold its weekly meetings under the chairmanship of UNAMSIL to address ceasefire violations. The Commission continued to press the factions to comply with article XIX of the Lomé Peace Agreement which requires them to disclose the number and location of their combatants. While the Civil Defence Forces and AFRC/ex-SLA have furnished this information, RUF provided only partial information on 25 April. United Nations military observers convened several meetings of the district-level ceasefire monitoring committees in areas where UNAMSIL is deployed.

22. During the period under review, UNAMSIL contingents destroyed unstable ammunition found in various areas, as well as that collected during the disarmament process, the latter in close coordination with the National Commission on Disarmament, Demobilization and Reintegration. Some damaged bridges in the Eastern Province have been replaced or repaired by UNAMSIL troops deployed in the area.

23. Since my last report, UNAMSIL troops have deployed to new areas, including the RUF stronghold of Kailahun, as well as to Zimmi, Joru, Kambia, Mange and Kabala (see the attached map). Although the deployment of UNAMSIL troops to Kono district was obstructed by RUF, military observers and a Kenyan platoon from Magburaka sent frequent patrols to Koidu. The deployment of UNAMSIL was subsequently adjusted in view of the RUF attacks. The strength of the military component of UNAMSIL as at 15 May had reached 9,251 military personnel, including 260 military observers (see annex).

24. In accordance with the understanding reached with the Government of Nigeria, two Nigerian

battalions and a tank company serving with ECOMOG were brought under United Nations command and deployed in Freetown for a 90-day period. On 2 May, the remaining ECOMOG troops in Sierra Leone were repatriated after handing over their security functions to UNAMSIL peacekeepers, in particular in Freetown.

IV. Progress towards major objectives in the peace process

25. In my last report (S/2000/186), I outlined a number of important objectives or "steps ahead" to help define priorities and the responsibilities of all concerned and to provide the international community with benchmarks by which to measure progress. These main steps were endorsed by the Security Council at its 4111th meeting. This section describes the progress made during the reporting period towards these objectives.

Early disarmament, demobilization and reintegration of ex-combatants

26. The disarmament and demobilization process, which was making slow but steady progress, came to a virtual standstill after hostilities erupted early in May. As at 15 May, a total of 24,042 ex-combatants had been disarmed: 4,949 from RUF; 10,055 from AFRC/ex-SLA; and 9,038 from the Civil Defence Forces. The total figure of ex-combatants includes 1,701 child combatants who surrendered without weapons. The number and quality of weapons surrendered remain an issue of concern. To date, 10,840 weapons have been surrendered.

27. Following the attacks by RUF on UNAMSIL and its movements in the direction of Freetown, many ex-Sierra Leone Army and Civil Defence Forces combatants have taken up arms and are likely to remain armed at least for as long as RUF continues its attacks. While these actions on the part of the ex-SLA and the Civil Defence Forces would be understandable in the present context, it is clear that this development, together with the destruction of disarmament, demobilization and reintegration facilities by RUF, could seriously complicate the disarmament, demobilization and reintegration programme, which remains a crucial element of the peace process in Sierra Leone. There is also concern about the fate of those combatants, especially children, who had voluntarily joined the programme and would now be vulnerable to re-recruitment and possible punishment for desertion by RUF.

28. In view of the slow pace of disarmament, the National Commission on Disarmament, Demobilization and Reintegration held an emergency meeting on 7 April of all stakeholders in the disarmament, demobilization and reintegration process, chaired by President Kabbah, and agreed on a fast-track approach to disarmament. This approach included the shortening of the period of encampment of disarmed combatants at the demobilization centres from the initial six to eight weeks to a period of three weeks, and the use of mobile disarmament teams. The process would take the same time for all the RUF, AFRC/ex-SLA and Civil Defence Forces combatants, and was expected to result in a quicker flow of ex-combatants through the programme.

29. At that meeting, the National Commission also decided that the disarmament of RUF combatants in the Kailahun District would start in the Eastern Province. As a result, on 10 April, representatives from UNAMSIL, ECOMOG, a group of Parliamentarians and the press accompanied Mr. Sankoh to a ceremonial start of this exercise in Segbwema. However, only 89 combatants, including 56 RUF, 28 ex-SLA and 5 Civil Defence Forces, reported for disarmament and were subsequently transported to the Daru demobilization centre.

30. On 17 April, the four disarmament, demobilization and reintegration camps at Bo, Moyamba, Makeni and Magburaka became operational. Civil Defence Forces combatants have since then disarmed at Bo and Moyamba. RUF, however, did not participate in the disarmament, demobilization and reintegration process at Makeni and Magburaka and the overall number of RUF combatants disarmed remained well below expectations.

31. At the same time, many ex-SLA soldiers as well as combatants from other factions were reluctant to disarm for fear that they would not get the chance to join the new army if they left the demobilization centres. To allay this fear, the Government clarified that all former combatants would be eligible to join Sierra Leone's restructured army, provided that candidates met the criteria of the Military Reintegration Plan.

32. Delays in the payment of allowances for the combatants encamped at the disarmament,

demobilization and reintegration centres caused some disturbances in the camps as well as demonstrations in Freetown. UNAMSIL took steps to reinforce security at the camps and, in conjunction with the National Commission, to expedite the registration and documentation process for timely preparation of demobilization activities and payment of allowances.

33. The delays in the disarmament, demobilization and reintegration programme led to additional costs and therefore increased the need for financial assistance from donor countries. Before May, there was an important shortfall in contributions to the Multi-Donor Trust Fund, which is administered by the World Bank, of $19 million for the year 2000 disarmament, demobilization and reintegration budget. However, it is likely that a resumption in due course of the programme may require additional resources.

34. An additional concern arising in the context of the disarmament, demobilization and reintegration process was the lack of guidelines for the care and protection of so-called camp followers, or dependants of ex-combatants. UNAMSIL has initiated policy discussions and made recommendations on this issue, including the provision of adequate humanitarian assistance to this sector of the population, in cooperation with the Government and relevant humanitarian agencies.

Extension of State authority

35. During the period under review, the Government's Task Force for the restoration of civil authority throughout the country, which is chaired by Vice-President Joe Albert Demby, started discussions on plans and strategies for the return of Government officials and other public officials to the provinces, districts and chiefdoms.

36. In April, the Government of Sierra Leone decided to postpone the return of its officials to Makeni because of security concerns, as most parts of the Northern Province remain under RUF control. There was also a lack of basic amenities, including suitable residence and office accommodation.

National reconciliation and democratization

37. With a view to advancing democratization and national institution-building, UNAMSIL worked closely with the Attorney-General, the Minister of Justice and the High Commissioner for Human Rights in preparing draft legislation for the establishment of the national Human Rights Commission as foreseen in the Lomé Peace Agreement.

38. The National Electoral Commission was sworn into office on 20 March and has commenced work. The Government was also exploring the possibility of conducting phased local elections for Paramount Chiefs, beginning with rebel-free areas.

39. Obviously, the process of national reconciliation has become even more difficult in the light of the recent attacks by RUF, which have seriously undermined the peace process and have further exacerbated the lack of trust between the signatories of the Lomé Agreement.

Rebuilding Sierra Leone's security forces

40. There has been some improvement in the functioning of the Sierra Leone police force, which receives assistance from the United Kingdom and UNAMSIL. However, the restructuring process is proceeding slowly and is hampered by the lack of funding as well as the outbreak of hostilities. Changes have been made in the management structure, crime prevention methods, and rank structure of the police force. A Complaints and Discipline Department has been established to look into corrupt practices, criminal activities, sexual abuse and violent crimes by the police. UNAMSIL has also continued to regularly provide human rights training to the Sierra Leone police forces. Personnel of the armed Special Security Division of the Sierra Leonean police have now been deployed to Moyamba, Kenema, Bo and Lungi.

41. Efforts were also made to implement the Military Reintegration Plan, which was agreed upon by all parties. The first phase of the plan would involve an assessment of Sierra Leone Army officers to ensure that they, after fast-track training, could be involved in the training of their own army. I wish to express my appreciation for the crucial assistance provided by the United Kingdom in this regard.

42. Regrettably, a key figure in the national security system, General Mitikishe Maxwell Khobe, Chief of Defence Staff of the Sierra Leone Army, died on 18 April. The Government of Sierra Leone declared seven days of mourning.

V. Human rights

43. The human rights situation in some parts of the country, especially those areas not under the control of the Government, remained an issue of very serious concern. Abductions of civilians for specific tasks such as hard labour on palm oil plantations continued to be perpetrated by RUF and AFRC/ex-SLA elements from the Occra Hills area.

44. In the Northern Province, international non-governmental organizations seriously curtailed their humanitarian operations in RUF-held territories following the detention of some of their international and national aid workers by armed RUF combatants near Alikalia on 7 March. In Kabala, there were reports of the harassment of civilians and looting of villages by elements of the ex-SLA.

45. The large number of dependants of the AFRC/ex-SLA combatants who emerged from the bush at Kabala on 3 April (see para. 15 above) drew attention to the need to take special measures to protect dependants of ex-combatants, the majority of whom are women and children. The majority of "wives" of the combatants are in fact abductees and, if not interviewed separately from their "husbands", would most likely not feel free to express their wish to return to their original families.

46. The protection of internally displaced persons remains a source of concern, which needs to be urgently addressed in a coordinated manner. In the Port Loko area, internally displaced persons who move beyond the confines of relatively safe areas to meet their daily needs often become victims of abduction, rape and forced labour.

47. The deployment of United Nations human rights monitors to key locations in the country had to be curtailed as a result of the recent hostilities. However, their deployment will proceed as a matter of priority as soon as security conditions allow.

48. Recent reports of serious human rights abuses, summary executions and violations of international humanitarian law, committed during the recent fighting by RUF as well as by the Sierra Leone Army and AFRC/ex-SLA, are a cause of grave concern. I call on all parties and their leadership to refrain from such acts and restore respect for the rule of law.

Child protection

49. Preliminary reports suggest that child combatants have been used extensively during the current conflict. UNAMSIL human rights officers who undertook a mission to Masiaka on 15 May observed several armed child combatants, mostly boys, with the Civil Defence Forces, AFRC/ex-SLA and the Sierra Leone Army. About 25 per cent of the combatants were under 18 years and some freely admitted that their ages were between 7 and 14 years. Almost all of them were armed. Other reports indicate that RUF is using a similar proportion of child combatants in the front lines.

50. Prior to the events of May, a total of about 1,700 child combatants, out of an estimated 5,000, had entered the disarmament, demobilization and reintegration programme. UNICEF estimates that, at the time of the current crisis, about 800 of the demobilized child soldiers had been reunified with their families or placed in foster care, or had run away, leaving about 900 in interim care centres. These children remain vulnerable to re-abduction as a result of the collapse of the programme. Further, there have been no more releases of children from their commanders since the start of the crisis. UNICEF and its implementing partners, with significant support from key donors, are working to ensure that adequate protections are in place for these children.

51. Obviously, the delay in the disarmament process and the renewed hostilities also impacted negatively on the release of abducted children and women. The Government of Sierra Leone has agreed to establish a National Commission for War-Affected Children to ensure that children's concerns are addressed at the highest political levels. This agreement was reached during the recent visit to Freetown, on 29 and 30 April, of my Special Representative for Children and Armed Conflict, Olara Otunnu, and the Minister for Foreign Affairs of Canada, Lloyd Axworthy. Mr. Otunnu and Mr. Axworthy also held separate meetings with President Kabbah, Mr. Koroma and Mr. Sankoh to stress the need for special measures to address the plight of the war-affected children of Sierra Leone and to assess progress in implementation of the Lomé Agreement.

VI. Humanitarian aspects

52. During the reporting period, humanitarian access gradually improved in some areas owing to the wider deployment of UNAMSIL and the subsequent improvement of security conditions. Rehabilitation and reintegration activities continued to operate without serious difficulties in the relatively stable Southern Province. However, during the attacks on disarmament, demobilization and reintegration centres in the first week of May, international humanitarian staff were surrounded and harassed by rebel elements in Makeni. All staff were able to leave the area, but several assets belonging to humanitarian organizations were looted. The drastic deterioration of the security situation in May forced the curtailing of humanitarian operations in this and other areas of the Northern and Eastern Provinces, reversing gains made in the past few months. Food, health, water, sanitation and child protection programmes continue in Freetown and accessible areas of the Southern and lower Eastern Provinces, such as Bo, Kenema, Pujehun and Bonthe, despite limited staffing because of a drawdown in international humanitarian staff.

53. About 20,000 new internally displaced persons moved into Freetown following the fighting outside the peninsula. However, in view of improving security conditions, many of them are now returning to their homes in the Waterloo area, where they will receive assistance. Additionally, plans are under way to provide assistance to about 9,000 new internally displaced persons at Lungi. The World Food Programme, in collaboration with the Government, will also continue food distributions to about 59,000 internally displaced persons who were already in Freetown before the start of the current crisis. Further internal displacements have been reported in areas that cannot yet be reached, particularly around Masiaka and Port Loko. Meanwhile, the Office of the United Nations High Commission for Refugees is providing assistance to more than 1,000 new refugees who have arrived in Guinea, which already hosts about 450,000 Sierra Leonean and Liberian refugees.

54. Another area of concern is the apparently high rate of HIV/AIDS infection in Sierra Leone. Preliminary data suggest that the incidence of HIV/AIDS in Sierra Leone is increasing exponentially, indicating that the country is in the early stages of a major HIV/AIDS outbreak. The Government and their United Nations and non-governmental organization partners continue to support HIV testing, counselling and programmes for the control of sexually transmitted diseases, but much remains to be done in the areas of sexual education and health programmes. UNAMSIL has taken measures to sensitize its personnel to the risks of infection.

55. In order to cope with the current emergency, United Nations agencies have been forced to divert resources, such as food support for agricultural programmes, from activities designed to ensure the nation's long-term recovery. Further, the recent events have had a grave impact on the ability of humanitarian agencies to meet the needs of large segments of the population. Should these conditions persist, humanitarian priorities and needs will have to be re-evaluated and prioritized to reflect a new operating environment. To that end, the Office for the Coordination of Humanitarian Affairs, in cooperation with the agencies, is currently in the process of updating the Consolidated Inter-Agency Appeal to reflect the current situation. The Appeal, which requests $71 million in humanitarian assistance, is at present only about 37 per cent funded. However, a more robust response is required to meet the urgent humanitarian and rehabilitation needs of the country.

VII. Attacks on and detention of United Nations personnel

Military developments

56. The present crisis commenced on 1 May, when RUF ex-combatants approached the disarmament, demobilization and reintegration reception centre at Makeni in a threatening manner and started firing in the air. It should be noted that the RUF commander in Makeni obstructed the disarmament, demobilization and reintegration process in that area ever since the camps there, which were constructed to meet the RUF demands for better facilities, had become operational on 17 April. Only 10 RUF ex-combatants voluntarily came forward to disarm. They were demobilized in the morning of 1 May at the Makeni reception centre. There have also been incidents at various locations of RUF forcibly preventing its fighters from disarming. At the same time, UNAMSIL was about to deploy its forces to the area of Koidu, which is the centre of diamond mining operations conducted by RUF. This

planned deployment may also have contributed to the decision of RUF to attack UNAMSIL in a possible test of its resolve.

57. On 1 May, the local RUF commander and some of his fighters approached the reception centre at Makeni, which was manned by UNAMSIL military observers, in an assertive manner and demanded that the United Nations hand over five of the disarmed ex-combatants with their weapons as well as the UNAMSIL military observer who had demobilized them. The likely motive of RUF was to punish those ex-combatants for joining the disarmament, demobilization and reintegration programme. However, UNAMSIL prevented the RUF combatants from entering the UNAMSIL facilities and tried to discuss the situation with them. In the course of these discussions, the RUF combatants detained three UNAMSIL military observers as well as four UNAMSIL peacekeepers of the Kenyan battalion who were providing security at that location. The RUF combatants then proceeded to destroy part of the camp at Makeni and also started looting in the town. At Magburaka, a group of armed RUF ex-combatants surrounded the UNAMSIL team site, which was protected by a section of the Kenyan battalion.

58. In response to this incident, the Force Commander met the same day with President Kabbah to express his deep concern and discuss possible measures. The Force Commander also spoke with Mr. Sankoh by telephone to demand the immediate release of all UNAMSIL personnel. The RUF leader did not offer any help and accused UNAMSIL of trying to start a war by forcibly disarming RUF ex-combatants. President Kabbah then requested Mr. Lamin, the RUF-designated Minister for Trade and Industry, to try to convince Mr. Sankoh to give orders to defuse the situation. According to Mr. Lamin, this was agreed to by Mr. Sankoh, who, however, remained unavailable to UNAMSIL during the rest of that day.

59. On 2 May, which date coincided with the departure of the last ECOMOG troops from the country, the situation at Magburaka deteriorated sharply when RUF tried to disarm UNAMSIL troops. The United Nations troops resisted and an exchange of fire ensued which continued throughout the day. RUF used small arms, rocket-propelled grenades and mortars. Three soldiers of the Kenyan battalion were injured as a result of the fighting. RUF also destroyed and looted the disarmament, demobilization and reintegration facilities at Magburaka and Makeni. At Makeni, RUF attacked UNAMSIL troops, who returned fire. Two soldiers of the Kenyan battalion were wounded at that location. RUF also attacked and overran a 60-man strong unit of the Kenyan battalion located at the disarmament, demobilization and reintegration camp in Makeni. On 3 May, fighting in Makeni and Magburaka stopped, with the exception of some sporadic firing. A large group of the Kenyan unit, which had not been heard from since the attack at the disarmament, demobilization and reintegration camp, arrived at Mile 91 on 4 May after walking from Makeni, carrying three wounded. Smaller groups of this unit managed to join their company headquarters at Makeni.

60. The events at Makeni and Magburaka had immediate repercussions in other areas under RUF control where UNAMSIL had deployed its troops. On 2 May, a UNAMSIL helicopter and its crew and passengers were detained by RUF combatants at Kailahun. There were four crew members and two civilian staff members of UNAMSIL. In addition, RUF set up a roadblock to restrict UNAMSIL traffic in that area and detained 30 UNAMSIL military and civilian personnel and a helicopter. A 23-man unit of the Indian battalion, which was deployed from Daru to join the company deployed at Kailahun, was intercepted and detained by RUF at Kuiva, near Kailahun.

61. Also, late in the evening of 3 May, a company of the Nigerian contingent in Kambia came under fire from RUF. That company was then briefly detained by RUF and released on 4 May without their weapons and uniforms. A platoon of the Nigerian contingent at Mange also came under fire and was surrounded by RUF.

62. The Force Commander, Major General Vijay Kumar Jetley, took immediate measures to reinforce the UNAMSIL positions at Makeni and Magburaka. The company of the Kenyan battalion which had been deployed at Kabala moved to Makeni, while a 100-man unit of the Indian quick reaction company reinforced Magburaka. The Zambian battalion was then instructed to move from Lungi to Makeni, but was stopped at a strong roadblock erected by RUF, presumably ambushed and detained by a large group of RUF fighters. Some 400 United Nations troops, as well as elements of the Kenyan sector headquarters which accompanied them, are believed to have fallen into the hands of RUF, which reportedly moved 200 of them to

its stronghold in the Kono district. At that time, the Force Commander also began to redeploy United Nations troops to consolidate the UNAMSIL presence around Freetown as well as at Port Loko and Masiaka. The UNAMSIL units at the latter location were later forced to withdraw for lack of ammunition.

63. From 2 May onwards, there were several clashes between RUF and UNAMSIL troops, as well as elements of the Sierra Leone Army and the Civil Defence Forces at several locations in the northern and western parts of the country, including Makeni, Magburaka, Lunsar, Rogberi Junction, Port Loko, Mile 91, Masiaka, Songo, Mange and Kambia. At times, the Government-operated helicopter gunship engaged the rebel forces. During this period of fighting, UNAMSIL experienced serious difficulties in obtaining accurate information about the situation on the ground, which were exacerbated by a continuous stream of unconfirmed rumours and reports from the field. There were also unconfirmed reports about movements of RUF fighters from neighbouring countries into Sierra Leone. UNAMSL was forced to conduct frequent aerial reconnaissance missions to gather information about the movements of hostile RUF elements.

64. On 9 May, the Indian quick reaction company and a Kenyan company, which had been surrounded at Magburaka, broke successfully through RUF lines and managed to reach United Nations positions at Mile 91. On the same day, the remaining troops of the Kenyan battalion broke out of Makeni and managed to reach areas controlled by the ex-SLA at Kabala and Bumbuna. Before their breakout, these units stood their ground and did not surrender in spite of continuing threats and attacks by RUF, which had encircled their positions. I wish to convey to the United Nations troops concerned my admiration for this display of military courage and determination.

65. It should also be noted that, although RUF elements at Kailahun have surrounded and detained United Nations peacekeepers, they have so far refrained from hostilities against UNAMSIL and have reportedly been under considerable pressure from the local population to release United Nations personnel.

66. On 14 May, 18 detainees were moved from Geima, where they were being held by RUF, to the compound of the Indian battalion at Kailahun. This group includes 11 military observers and seven members of the Indian battalion. Although their location is surrounded by RUF, the former detainees are considered to be safe and under the protection of the Indian battalion, which did not yield to RUF. Negations continue with the RUF leadership to obtain their agreement to airlift the 11 military observers to Freetown.

67. On 15 May, 139 detainees, all members of the Zambian battalion, were moved to the Liberian border town of Foya, and 15 of them were transported onwards to Monrovia. Their release was the result of the commendable personal involvement of President Taylor of Liberia, whose efforts are to be commended by the international community. UNAMSIL is currently making arrangements to airlift the released detainees from Foya to Freetown with a stopover in Monrovia.

68. As at 15 May, the total number of UNAMSIL personnel presumed to be in the hands of RUF stands at 352, comprising 297 soldiers of the Zambian battalion, 29 soldiers of the Kenyan battalion, 23 soldiers of the Indian battalion and 3 military observers. They are believed to be held in Kuiva (near Kailahun) and in the Kono district. As a result of the fighting, a total of 25 UNAMSIL soldiers have been wounded. Fifteen United Nations soldiers remain missing, and it is feared that some of them may have lost their lives. RUF casualties are unknown, although reports indicate that RUF may have suffered a relatively high number of casualties.

69. At the time of preparation of this report, the situation in and around Freetown appeared to have stabilized, with no significant RUF movements reported towards the capital. The Government has mobilized forces which support it, including the Sierra Leone Army and Civil Defence Forces, to defend Freetown. A pivotal factor in restoring stability was the arrival of United Kingdom troops on 7 May and of a substantial British naval presence offshore a week later. The deployment of British troops at Lungi airport and in the western part of Freetown had as its objective the safe evacuation of nationals of the United Kingdom and others for whom it was responsible. Nevertheless, this presence boosted the confidence of the Sierra Leoneans, and enabled UNAMSIL to redeploy much-needed troops to areas east of Freetown. It is hoped that the United Kingdom will be able to maintain a military presence in the country until UNAMSIL has received the necessary reinforcements. An additional stabilizing factor was the arrival on 12 May of 300 well-trained and well-equipped troops from Jordan to

reinforce its contingent in UNAMSIL. The Government of India too made additional troops available for UNAMSIL, which will be airlifted soon. I applaud these countries for their immediate and resolute decisions to strengthen the international community's presence in Sierra Leone and their continued support since the beginning of the crisis.

70. As these events were unfolding, UNAMSIL received strong indications that Mr. Sankoh had given no instructions to his troops to stop the fighting or to seek the release of the detainees. On the contrary, Mr. Sankoh appeared initially to encourage his troops to take an assertive stand vis-à-vis the United Nations and later, when hostility against him increased in Freetown, called on his troops to march on Freetown.

71. On 9 May, the Under-Secretary-General for Peacekeeping Operations arrived in Freetown as my special envoy to boost the morale of UNAMSIL and to consult with my Special Representative and the Force Commander on their assessment of the situation and to prepare recommendations for the United Nations response.

Diplomatic and political efforts

72. Immediately following the outbreak of hostilities, I contacted leaders in the region and subregion to seek their assistance in bringing the situation to a rapid and peaceful resolution. I am grateful for the strong efforts made in this regard by African leaders, in particular the President of Algeria, Abdelaziz Bouteflika, current chairman of the Organization of African Unity (OAU), the President of Burkina Faso, Blaise Compaoré, the President of Liberia, Charles Taylor, the Leader of the Libyan Arab Jamahiriya, Colonel Muammar Al-Qadhafi, the President of Mali, Alpha Oumar Konare, the President of Nigeria, Olusegun Obasanjo, and the President of Togo, Gnassingbe Eyadema. Representatives of several Governments have been in touch with Mr. Sankoh to secure the immediate release of the detainees and to find ways to salvage the peace process in Sierra Leone. I am grateful for their efforts and, in particular, to the heads of State of Liberia, the Libyan Arab Jamahiriya, Mali and Nigeria, who sent their personal envoys to meet with Mr. Sankoh in the period from 3 to 7 May.

73. On 5 and 6 May, my Special Representative met in Freetown with Mr. Sankoh, who accused UNAMSIL troops of having precipitated the crisis by forcing RUF combatants to disarm. The Special Representative responded that no UNAMSIL troops had ever attempted to disarm RUF combatants by force and that, in fact, RUF combatants had in subsequent days escalated events by attacking UNAMSIL; and demanded the immediate release of all detained UNAMSIL troops and their weapons and equipment. In the evening of 6 May, the Special Representative and the Libyan Special Envoy, Ali Treiki, met jointly with Mr. Sankoh. They pressed him to reduce the tension by ordering the immediate release of the detainees and to issue a statement that RUF would cease its attacks. Mr. Sankoh agreed to issue a statement to that effect, which was read out that evening on national television by the Special Representative. Mr. Adeniji and Mr. Treiki also spoke to President Kabbah and urged him to reduce tension and, in particular, to call on the organizers of the planned demonstration on 8 May to avoid approaching Mr. Sankoh's house.

74. However, on 8 May, an estimated crowd of 30,000 went to Mr. Sankoh's house to protest against the RUF attacks on UNAMSIL. When the crowd tried to approach the house, armed members of RUF fired into the crowd from Mr. Sankoh's residence and killed several people and injured dozens more. The UNAMSIL troops stationed at Mr. Sankoh's home were overwhelmed by the huge crowd. In the panic and confusion, Foday Sankoh disappeared with some of his body guards. Several members of RUF were shot and killed by armed elements within the crowd; the house was ransacked and looted. The whereabouts of Foday Sankoh remained unknown until 17 May, when he was apprehended as he returned to his residence by elements of AFRC/ex-SLA who turned him over to the custody of the Government.

75. In the same period, Mr. Koroma, the Chairman of the Commission for the Consolidation of Peace and leader of AFRC/ex-SLA, made several public statements in which he urged his followers and other to take up arms and defend Freetown. Armed elements of the Sierra Leone Army, ex-SLA and the Civil Defence Forces started patrolling the town and arresting members of RUF, actions which contributed to an increase in tension in Freetown and beyond.

76. On 8 May, at the summit meeting of the Mano River Union held at Conakry, the Presidents of Liberia, Guinea and Sierra Leone were joined by President Konaré of Mali as Chairman of ECOWAS and my Special Representative in Sierra Leone in a special

discussion on Sierra Leone. The summit condemned the attacks on and detention of United Nations personnel and mandated President Taylor to involve himself personally to ensure the release of the detainees and the resumption of the peace process.

77. On 9 May, a summit meeting of the ECOWAS Committee on Sierra Leone, consisting of Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Liberia, Mali, Nigeria and Togo, met at Abuja. The meeting strongly condemned RUF and called for the immediate and unconditional release of the detainees. In this regard, the meeting approved the mandate given to President Taylor (see para. 76). The summit also warned the leadership of RUF that their amnesty under the Lomé Peace Agreement could be revoked and that they could be tried for war crimes if they continued to flout the Lomé Peace Agreement. Participants reaffirmed their total support for the peace process in Sierra Leone as set out in the Lomé Peace Agreement, which remains the most appropriate framework for the resolution of the conflict. They also expressed their determination to use all means at their disposal, including the military option, to foil any attempt to take over power through the use of force, and to defend democratic institutions in Sierra Leone. The ECOWAS Executive Secretary was directed to convene a meeting of Ministers of Defence and Chiefs of Staff on 17 May at Abuja to consider, in the event of new involvement of ECOMOG in Sierra Leone, the practical modalities of such involvement.

78. A meeting of the Joint Implementation Committee was held at Freetown on 13 May, chaired by the Minister for Foreign Affairs of Mali and attended by the Minister for Foreign Affairs of Liberia and representatives of Ghana, Guinea, the Libyan Arab Jamahiriya and Sierra Leone, as well as of Canada, the United Kingdom, the United States of America, OAU and UNAMSIL. Mr. Koroma also attended the meeting; RUF was not represented. The meeting agreed that a dual approach should be pursued to resolve the current crisis, namely, exerting strong diplomatic pressure on RUF and displaying military strength by enhancing the operational capabilities of UNAMSIL to enable it to perform its functions more efficiently.

79. As at 15 May, there have been few indications that the leaders of RUF are willing to change their course of action, although some individual members of RUF have conveyed their willingness to disarm. At the same time, RUF continued to detain hundreds of UNAMSIL personnel and also to attack UNAMSIL and Sierra Leonean troops at various locations in the country. It would therefore be important to continue to bring strong pressure to bear on the RUF leadership.

VIII. Recommendations for immediate measures

80. I very much welcome the efforts made at the subregional, regional and international levels to express the international community's condemnation of the attacks perpetrated by RUF and to seek the immediate release of the peacekeepers detained by RUF, which remains the Organization's highest priority. At the same time, it would be important that political pressure be supported by a strong military posture, including on the part of the United Nations, to deter RUF from pursuing the military option.

81. To this end, UNAMSIL should be reinforced immediately to enhance its capability to defend its positions at Lungi airport, on the Freetown peninsula and at other strategic locations in the western and southern parts of the country. This immediate reinforcement, which is currently under way, would bring the military strength of UNAMSIL from its present strength of 9,250 to a level of up to 13,000, including 260 military observers. Once this key objective has been attained, UNAMSIL should be further expanded, which would enable it to gradually increase its presence, with sufficient military strength, and to stabilize the situation in Sierra Leone.

82. From the beginning of the crisis, the Secretariat has been working closely with those Member States that had agreed to contribute military units to UNAMSIL, in order to expedite the preparations for their deployment. With airlift support provided by the Governments of Canada, the Netherlands, the Russian Federation and the United States and with financial support provided by the Government of Germany, it is expected that up to 3,600 additional military personnel will arrive by the end of May or early June. It is also envisaged that the fourth Nigerian UNAMSIL battalion, which was due to be repatriated by the end of May, would be retained.

83. As I stressed in my previous reports on UNAMSIL, the troop strength authorized under Security Council resolution 1289 (2000) was predicated on the cooperation of the parties and a

generally permissive environment. Clearly, this crucial condition for any progress towards the Mission's key objective of assisting the parties in the implementation of the Lomé Agreement is now lacking. All efforts should therefore be aimed at the restoration of conditions conducive to a resumption of the peace process. The first priority in this regard is the consolidation of UNAMSIL units, both those currently on the ground and those scheduled to arrive shortly, at strong positions at Lungi airport, on the Freetown peninsula, and at other strategic locations on the main access roads to the capital. The main objective of this consolidation is to ensure the protection of the civilian population in Freetown and the security of Government institutions, as well as maintaining a sufficient strength in the areas under Government control to deter and, if necessary, repel further attacks by RUF.

84. Once these initial objectives have been attained, UNAMSIL will then seek to stabilize the situation in the country and assist the Government to restore law and order in the areas outside the control of RUF. To this end, UNAMSIL would be further strengthened and would begin to gradually deploy forward. It would do so in strength and with adequate equipment, in order to secure strategic locations in the western and southern parts of the country, including Port Loko, Rogberi Junction, Masiaka, Mile 91, Moyamba, Kenema and Daru. Such a deployment would make a significant contribution to the restoration of a measure of normalcy in the areas outside RUF control, the resumption of the disarmament, demobilization and reintegration process, and the extension of Government authority to the provinces. This deployment would also allow the Government of Sierra Leone and the international community to reassess the necessary steps that will be required to promote a durable peace in Sierra Leone.

85. In determining the military strength needed to reach these objectives, it should be borne in mind that RUF elements may continue to employ guerrilla tactics. As the recent history of Sierra Leone has shown, the topography of the country lends itself well to such a modus operandi, especially during the rainy season. To counter the threat posed by RUF and to attain the objectives described above, it would therefore be necessary to deploy with due care and preparation, in sufficient numbers and backed up by adequate military means to deter attacks and, if necessary, respond decisively to any hostile action or intent.

86. However, after receiving the reinforcements currently under way, UNAMSIL would not have the necessary resources to fulfil its mandate in the present hostile environment in Sierra Leone and would need additional troops as well as the necessary force multipliers to do this. In this context, it is estimated that UNAMSIL would require, in addition to the immediate reinforcements described above, two infantry battalions (a mechanized battalion and one air transportable battalion for rapid reinforcement), a logistic battalion, a light artillery unit, additional air transportation assets and armed helicopters, and a maritime unit of six armed patrol boats, as well as the necessary medical, communications, intelligence and command personnel. The total military strength of an expanded UNAMSIL would be up to 16,500 military personnel, including 260 military observers.

87. It is envisaged that this force would comprise a total of 15 infantry battalions, which would tentatively be deployed to the following areas: the Freetown peninsula; Lungi airport and peninsula; Port Loko, Rogberi Junction and Lunsar; Masiaka, Moyamba and Mile 91; Bo, Kenema and Daru. UNAMSIL would also maintain a sizeable force reserve, which would provide it with the capacity to react rapidly to serious military threats throughout the country. It is understood that the deployment of troops and their modus operandi would need to be revised in the light of the situation on the ground and the time of arrival of the additional troops.

88. The envisaged expansion of the force up to a level of 16,500 military personnel would also require a commensurate increase in the civilian administrative and logistical support staff of the Mission. The financial implications of the envisaged increase in strength will be submitted to the Security Council in an addendum to the present report.

89. For the time being, I believe that the mandate entrusted to UNAMSIL under resolution 1289 (2000) provides the force with sufficient authority to conduct the necessary operations in support of the aims described above. In that resolution, the Security Council, acting under Chapter VII of the Charter, authorized UNAMSIL, within its capabilities and areas of deployment and in the light of conditions on the ground, to take the necessary action to (a) provide security at key locations and Government buildings, in

particular in Freetown, important intersections and major airports, including Lungi airport; (b) facilitate the free flow of people, goods and humanitarian assistance along specified thoroughfares; (c) provide security in and at all sites of the disarmament, demobilization and reintegration programme; (d) coordinate with and assist, in common areas of deployment, the Sierra Leone law enforcement authorities in the discharge of their responsibilities; (e) guard weapons, ammunition and other military equipment collected from ex-combatants and assist in their subsequent disposal or destruction. In that resolution, the Security Council also authorized UNAMSIL to take the necessary action, in the discharge of its mandate, to ensure the security and freedom of movement of its personnel and, within its capabilities and areas of deployment, to afford protection to civilians under imminent threat of physical violence, taking into account the responsibilities of the Government of Sierra Leone. On the basis of that mandate, the present robust rules of engagement of UNAMSIL enable it to use force, including deadly force, in self-defence against any hostile act or intent. In the present circumstances, it is obvious that the use of force against all elements that continue to display a hostile intent towards the United Nations would be warranted and justified. At the same time, UNAMSIL would be ready to enter into discussion with all those who would be willing and ready to pursue a peaceful solution.

90. To ensure proper control and unity of command, I believe that all international forces in Sierra Leone, with the exception of those sent for a brief period for strictly national purposes, should be integrated into UNAMSIL. It is also of the utmost importance that the United Nations forces coordinate closely with the Sierra Leonean Army and other elements allied with the Government, in particular the Civil Defence Forces and AFRC/ex-SLA, to avoid any misunderstandings which could lead to incidents. To this end, it is envisaged that UNAMSIL will place military liaison officers with the military command of the groups and units involved. UNAMSIL would also ensure close coordination with the British force while it remains in Sierra Leone.

Public information

91. As was noted in my third report, it would be necessary for UNAMSIL to set up a countrywide public information campaign. In that connection, the Department of Public Information conducted an assessment, from 13 to 20 March 2000, of public information needs. On the basis of the team's recommendations, efforts are currently under way to significantly increase the capacity of the UNAMSIL public information office as a matter of priority.

92. It is clear that UNAMSIL will face a significant challenge in disseminating information on the peace process in a country where the infrastructure has been damaged by years of warfare. In order to reach all parts of the country, UNAMSIL intends to set up its own radio station. The necessary equipment, donated to the United Nations in 1998 by the Government of Denmark, has been transferred to UNAMSIL. Radio UNAMSIL is expected to play a significant role in the Mission's efforts to inform the people of Sierra Leone, independent of any party or affiliation. The UNAMSIL public information office would also include units for liaison with the media, video and print production and community outreach.

IX. Observations

93. The overall situation in Sierra Leone remains tense and critical. The deliberate and unprovoked attacks by RUF fighters on United Nations peacekeepers and the detention of large numbers of United Nations personnel are unacceptable acts which have been unequivocally condemned by the international community. Given the suffering the country has endured during the past decade, it would be unforgivable to thwart the hopes of the Sierra Leonean people who had just begun to see some modest improvement in their situation. The international community should not allow any group, and in particular the RUF leadership, to deny to the people of Sierra Leone their legitimate aspirations to live in peace and rebuild their country.

94. Of immediate concern is the safe return of all those United Nations personnel currently being detained by RUF, an end to the hostile acts of the RUF fighters, and their full cooperation in retrieving the dead, wounded and missing. In this regard, I should like to acknowledge the efforts made by regional leaders, including President Taylor of Liberia, whose personal involvement led to the release of a significant number of detainees. However, I demand that the leadership of the RUF take urgent steps to ensure that

all remaining United Nations personnel in their hands be released immediately and unconditionally. I also call upon those with influence on RUF to continue to work towards this end. In addition, the Security Council may also wish to consider a strengthening of the sanctions regime, including measures which would prevent RUF commanders from reaping the benefits of their illegal exploitation of mineral resources, in particular diamonds.

95. While part of the responsibility for some of the recent events may lie with local commanders of RUF, it is clear that Mr. Sankoh has failed to take any action to prevent, curb or stop the actions of his troops. On the contrary, there is some evidence that he may well have encouraged, if not planned, some of these acts. The international community should hold Mr. Sankoh accountable for his actions and those of RUF, and for the safety and well-being of all those who have been detained.

96. At the same time, the international community should not lose sight of the overarching objective of helping the people and Government of Sierra Leone to establish a durable peace in their country and rekindling their hope. Their plight has become a crucial test of the solidarity of the international community, rising above race and geography, which is a basic guiding principle of this Organization. The United Nations has not abandoned and will not abandon Sierra Leone. It should continue to provide humanitarian aid and the required assistance in taking the many steps needed on the path to peace, national reconciliation and development.

97. In this regard, I believe that active political efforts to assist the people of Sierra Leone to change the course of events in their country must, in the present circumstances, be supplemented by credible military force. At the outset of the crisis, I called upon those Member States with the capacity to deploy well-trained and well-equipped troops to constitute a rapid reaction force to provide UNAMSIL with the necessary deterrent capacity. In this regard, I very much welcome the decision made by the United Kingdom to deploy a spearhead battalion and other assets which, although sent for national reasons, was instrumental in restoring calm in Freetown and helping UNAMSIL by ensuring the defence of Lungi airport.

98. I also deeply appreciate the commendable efforts made by troop contributors, other Member States, and United Nations logistical personnel to accelerate the arrival of the troops which had already been committed to serve with UNAMSIL, as well as the arrival of additional units made available by Member States. This will enhance the capability of UNAMSIL to defend the Freetown peninsula, Lungi airport and other strategic locations on the main access roads to the capital.

99. However, in the present circumstances this will not be enough to create conditions which would be conducive to the establishment of a lasting peace. I therefore recommend an increase of the Force's strength up to a level of 16,500 military personnel, as outlined in paragraphs 80 to 90 above, for the purpose of stabilizing the situation in Sierra Leone under the present mandate of UNAMSIL. Once these additional forces have arrived in Sierra Leone and countered the threat posed by RUF to the peace process, it would be appropriate to consider additional steps which I will present to the Security Council after a thorough assessment of the political and military situation in Sierra Leone. Such steps may involve a strengthening of UNAMSIL, above the proposed strength of 16,500, which could be necessary to establish the security conditions throughout the country required for the successful implementation of aspects of the peace process, including disarmament and the holding of democratic elections.

100. At the 4139th meeting of the Security Council on 11 May 2000, many Member States advocated that UNAMSIL should be given a strong peace-enforcement mandate under Chapter VII of the Charter. As I indicated in my statement at that meeting, I am not opposed to such a mandate in principle, as long as the United Nations is able to obtain, from Member States with ready capacity, the necessary resources to carry out the tasks that such a mandate implies. In addition, it would be essential for the international community to demonstrate the necessary will and resolve to sustain such a commitment to impose peace in Sierra Leone. If such conditions cannot be met, any effort to strengthen the mandate of UNAMSIL would unduly raise expectations, increase the risk of loss of life, and undermine the credibility of the Organization.

101. Some West African Governments have, in principle, offered to make troops available in an effort to restore peace in their region. I naturally welcome these offers. They have however indicated that their offers would be contingent on strong financial and logistical support from other Member States.

102. Looking ahead, it is clear that the Government of Sierra Leone, other parties to the Lomé Agreement and the international community will need to reflect on the future of the peace process. The recent events raise serious questions about the role of RUF and of Foday Sankoh in particular. ECOWAS, during its meeting of 9 May 2000, reaffirmed its support for the peace process in Sierra Leone as set out in the Lomé Peace Agreement, which remains the most appropriate framework for the resolution of the conflict. I too believe that the Lomé Agreement contains many elements which contribute to a durable peace, in particular the disarmament of all factions, national reconciliation, the holding of democratic elections, and the creation of an effective national army and police force. In this regard, I call upon the leaders of those factions fighting on the side of the Government to exercise restraint, to respect the rule of law, and to refrain from any acts of harassment or revenge against RUF members of sympathizers, which could complicate efforts at reconciliation and restoring confidence. At all times, there should be full respect for the rule of law and human rights.

103. The process of disarmament, demobilization and reintegration, which is the cornerstone of the peace process, has come to a virtual standstill. Many of the ex-combatants belonging to AFRC/ex-SLA and the Civil Defence Forces have taken up arms again in defence of their country, which will seriously complicate their disarmament. Obviously, this aspect of the peace process requires a re-evaluation of its assumptions, organization and implementation mechanisms, which is to be undertaken in full *coordination* with national and international stakeholders.

104. Ultimately, a lasting resolution of the crisis can only be found through political means; it cannot be imposed by military force alone. Nor can a solution be the result of international involvement alone. The Government of Sierra Leone has a particular responsibility to actively design and implement the necessary steps towards peace in consultation with its regional and international partners. Of special importance in this regard would be the continuation of the disarmament, demobilization and reintegration process, together with the restructuring of Sierra Leone's armed forces. As I have stated in previous reports, the assistance of the international community to Sierra Leone cannot be open-ended and the Government should do its utmost to ensure that it can maintain a stable democracy and guarantee the security of its territory and institutions.

105. Looking back on recent events, it is obvious that the United Nations will have to draw lessons from its experiences in Sierra Leone. The force, which had been designed, equipped and deployed as a peacekeeping force, was quickly forced into actual combat with one of the parties that had pledged to cooperate with it. In the course of these events, many problems emerged within the Mission, including with regard to command and control, cohesiveness of the force, the flow of information, equipment and preparedness of troops, and coordination between and within the various components in UNAMSIL. In this respect, the Secretariat is taking urgent steps to assess these problems and to address recognized equipment shortfalls, in close coordination with the troop-contributing countries. This is no reflection on the leadership of the Mission. My Special Representative has handled a very difficult situation effectively. I also wish to acknowledge the Force Commander's quick reaction, personal courage and military professionalism. Nor does this imply criticism of the troops on the ground, many of which displayed considerable courage and professionalism in defending themselves and their mandate. At the same time, I am deeply saddened by the casualties inflicted on UNAMSIL troops, who had come to assist a peace process, but were attacked and forced to engage in combat to defend themselves in a situation that resembles war. I pay tribute to those who have died or were injured while performing their duties to serve the cause of peace in Sierra Leone.

106. In our focus on Sierra Leone, it would be important not to lose sight of the regional dimensions of the peace process, in particular in respect of the neighbouring countries, Guinea and Liberia. In this regard, I very much welcome the efforts taken by the States Members of the Mano River Union to enhance their cooperation. I should also like to encourage further efforts by ECOWAS and regional leaders to bring their influence to bear on the parties to the Lomé Agreement, in particular the Revolutionary United Front, and convince them that a durable peace in Sierra Leone requires their full cooperation and respect for the provisions of the Lomé Agreement.

107. I should like to express my gratitude to all Member States contributing troops, military observers,

civilian police or other assistance to UNAMSIL for their unwavering support, resolve and commitment in the face of a very difficult situation. Their willingness to stay the course and to strengthen UNAMSIL, despite the adverse conditions on the ground, are an example to the international community. At no point during the crisis did the city and population of Freetown suffer casualties and destruction, which was not the case in January 1999. United Nations contingents have stood firm throughout in defence of the capital.

108. I should also like to express gratitude for the invaluable role played by ECOWAS and, in particular, by ECOMOG, which has now left the country after years of sacrifice and service to the people and Government of Sierra Leone. I pay tribute to the brave men and women in ECOMOG and their Governments for their defence of a democratically elected Government. Troops from ECOWAS continue, of course, to play an essential role as part of UNAMSIL.

109. I also take this opportunity to express my deep appreciation to my Special Representative, Oluyemi Adeniji, the UNAMSIL Force Commander, Major General Vijay Kumar Jetley, and the military and civilian personnel of UNAMSIL, as well as of United Nations programmes and agencies, the World Bank and other institutions working in the country, for their perseverance, courage and dedication in their work to fashion a better future for the people of Sierra Leone.

Annex

United Nations Mission in Sierra Leone: contributions as at 19 May 2000

	Military observers	*Staff Officers*	*Troops*	*Total*
Bangladesh	12			12
Bolivia	4			4
Canada	5			5
China	6			6
Croatia	10			10
Czech Republic	5			5
Denmark	2			2
Egypt	10			10
France	3			3
Gambia	26			26
Ghana	4	3	776	783
Guinea	12	3	776	791
India	14	18	1 644	1 676
Indonesia	10			10
Jordan	5		1 131	1 136
Kenya	11	13	858	882
Kyrgyzstan	2			2
Malaysia	10			10
Mali	8			8
Nepal	6			6
New Zealand	2			2
Nigeria	4	14	3 217	3 235
Norway	5			5
Pakistan	10			10
Russian Federation	15			15
Slovakia	2			2
Sweden	3			3
Thailand	5			5
United Kingdom	15	3		18
United Republic of Tanzania	12			12
Uruguay	11			11
Zambia	11	3	776	790
Total	**260**	**57**	**9 178**	**9 495**

Civilian police deployed (28): Bangladesh (2), Gambia (2), Ghana (3), India (1), Jordan (3), Kenya (1), Malaysia (3), Mali (2), Norway (2), Senegal (2), Namibia (1), Nepal (4), Zimbabwe (2).

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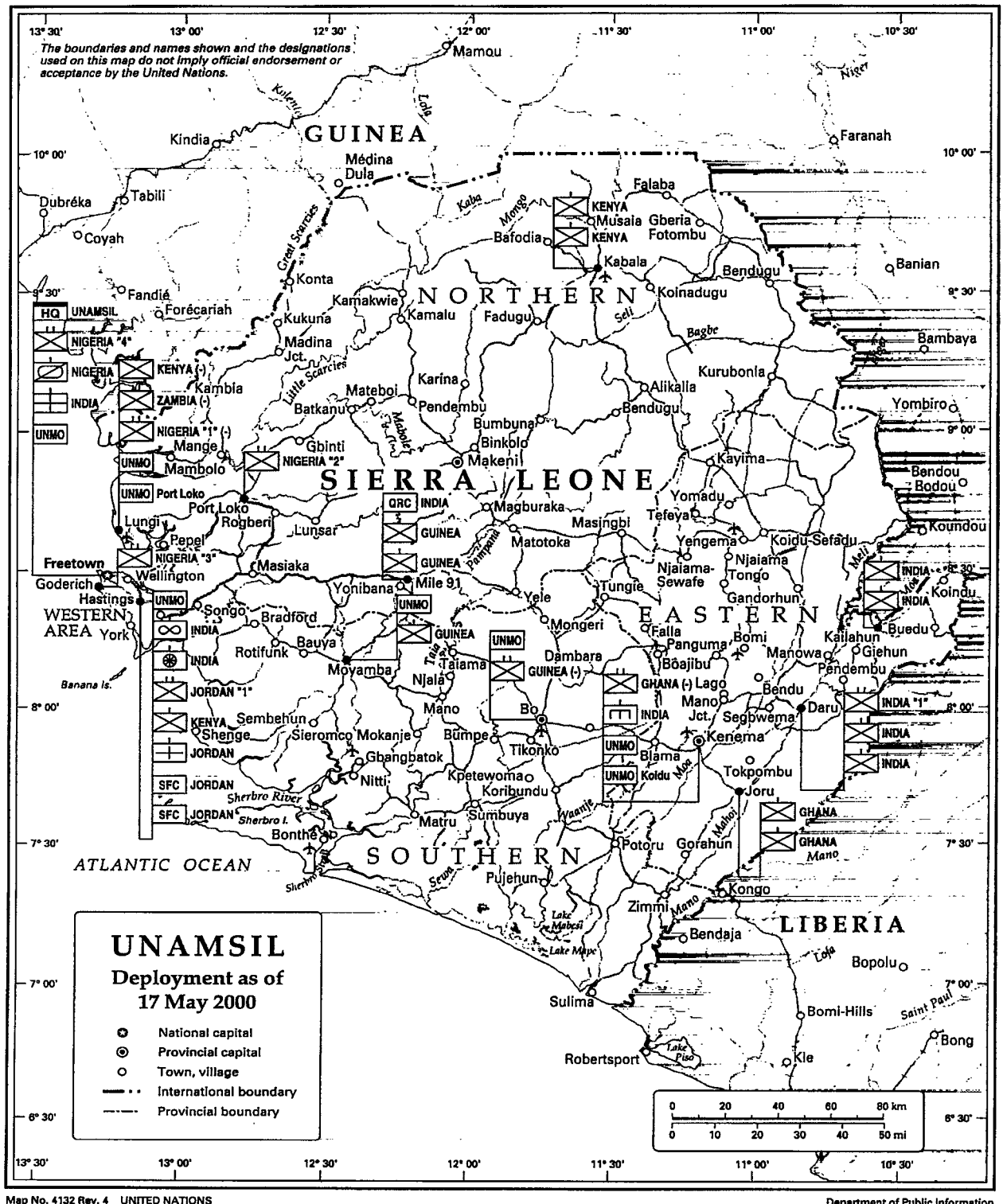

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FACT 76

The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) issued the Sierra Leonean Humanitarian Situation Report 25 Jul - 07 Aug 2000, in which the OCHA reported or noted:

(a) civilians attempting to flee RUF areas (Makeni, Lunsar, Kambia) were being tortured by the RUF or killed for attempting to flee (p. 11, ERN 00004188);

(b) Human Rights Watch stated that it believed the RUF was trying to terrorize the remaining civilian population in their areas of control to prevent them from leaving (p. 11, ERN 00004188);

(c) witness accounts of an RUF recruitment drive in Makeni and Yeliboya, near Kambia, which suggested a small number of children as young as 10 were recruited in Makeni between July 11 and 15, and there were (unconfirmed) similar reports from Kono (pp. 11-12, ERN 00004188-00004189); and

(d) RUF raids on villages in Makeni, Lunsar, Kambia and Kabala for food. Human Rights Watch said it had documented at least 15 murders and several rapes, which occurred during such raids (in June and July) (p. 12, ERN 00004189).

a.	Exh. 1.006	ERN 00004178-00004189	Sierra Leonean Humanitarian Situation Report 25 July – 07 August 2000, pp. 11-12 (ERN 00004188-00004189) Also available at http://www.reliefweb.int/w/rwb.nsf/s/8EB498F1DA9FFBE385256935005097B5.

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Meanwhile, WFP has offered to extend its school feeding programme to UNICEF-supported formal schools and non-formal centres.

Food Aid

During the reporting period, WFP distributed a total of 445.879mt of assorted food-aid commodities to 39,447 beneficiaries countrywide.

Health

According to a health information bulletin recently published by the MOHS, health facilities operational in the Western Area and northern province have declined from 356 institutions in 1997, to 154 to date; (Western Area-76; northern province- 78). Meanwhile, UNICEF, WHO and UNFPA continue to undertake activities to strengthen the MOHS capacity to respond to health challenges in different regions.

UNICEF recently supplied 1,800 EPI manuals for the training of PHU staff in accessible districts. They also launched a community-based Anemia & Prevention Control Project in Bo, aimed at targeting 12,000 pregnant and breast-feeding women. They continue with chlorination, water trucking, and cesspit emptying activities in IDP camps and in accessible areas. In collaboration with local contractors, UNICEF is constructing wells in Moyamba, Port Loko, Tonkolili and Kenema districts to service schools, PHUs and vulnerable communities.

F. HUMAN RIGHTS

Human Rights Watch (HRW) reports continuing violations committed against civilians by armed groups. According to a report sent to OCHA on 6 August, "of particular concern is the plight of civilians attempting to flee RUF areas to escape attacks, forced recruitment, and GOSL gunship attacks." HRW said it has collected testimonies of civilians who were tortured by the RUF or killed for attempting to flee (Makeni, Lunsar, Kambia). Given the massive displacement of populations within RUF areas, the organization said it has reason to believe that the RUF is trying to terrorize the remaining civilian population in their areas of control to prevent them from leaving. "We've also documented many cases of civilians being severely maltreated by CDF members, particularly the Gbethis who routinely extort money from civilians and beat and torture those accused of being RUF combatants or collaborators," the report said.

Gunship Attacks: Furthermore, testimonies of victims and witnesses from Tongo Field recounted serious civilian casualties resulting from gunship attacks near the market place. "While other RUF targets were also hit, and while there were reported to be RUF combatants in and around the crowded market place, the attack resulted in 14 civilian deaths and at least a dozen wounded," said the HRW report. HRW said it was yet to confirm which gunship was responsible for these attacks.

Forced Recruitment: HRW has recorded witness accounts of a recent RUF recruitment drive in Makeni and in Yeliboya, near Kambia. "We have credible evidence to suggest a small number of children as young as 10 were recruited in Makeni between July 11 and 15." There are (unconfirmed) similar reports from

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Kono.

Food Raids: The RUF continues to commit serious violations in raiding villages in Makeni, Lunsar, Kambia and Kabala for food. HRW said it has documented at least 15 murders and several rapes, which occurred during such raids (in June and July).

Westside Boys: HRW reported at least eight cases of abductions along the Freetown-Masiaka highway, including the four aid workers of the Christian Health Association of Sierra Leone (CHASL) who were abducted on 21 July and released a week later.

CDF: There are continuing reports of extortion and lawlessness within the areas of Moyamba, Kenema and Bo. HRW has also documented several cases of excessive use of brutality against suspected RUF rebels by the CDF.

For comments/questions/contributions please contact, Ahunna Eziakonwa, Humanitarian Affairs Officer, OCHA, Sierra Leone. Email: aeziaki@hotmail.com/Tel: 232-22-227759/23223-501302.

For the Directory of Humanitarian Agencies/Partners in Sierra Leone, please click here (pdf format)
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Sierra Leone Humanitarian Situation Report 25 Jul - 07 Aug 2000

A. SECURITY

The security situation was relatively calm during the reporting period, characterized by the disarming of a number of West Side Boys (WSBs) and RUF fighters. The only clashes with the RUF occurred around Mange Bridge in the northwest, with the advance of SLA troops from Port Loko.

Northern Region

UNAMSIL troops occupy Masiaka and regularly patrol the roads. Since UMAMSIL's "Operation Thunderbolt", which aimed at clearing the WSBs out of the area, 130 of them have disarmed in Mile 38 and Port Loko. However, others who refused to disarm are continuing to man three checkpoints on the Mile 38/Masiaka road, and are harassing civilians. Four relief workers of the Christian Health Association of Sierra Leone (CHASL) are among the latest victims of abductions by the WSBs. They went missing on 21 July, and were only released on 31 July, unharmed, but their vehicle and its contents (food supplies etc) remain unaccounted for. Although the Masiaka-Mile 91 route has been reopened, caution is advised due to the continuing presence of elements of armed WSBs.

The security situation in Mile 91 remains relatively calm but fluid. UNAMSIL has assured residents that the situation there is under control. They however confirmed rebel activities in Mayibin village, across the Mabang River, where 24 houses were reportedly burnt down and a few civilians killed during a recent incident that took place at the beginning of the month. UNAMSIL expects to deploy one full Indian Battalion in Mile 91 before the end of the month.

The Bo-Mile 91 route is reported safe with a constant flow of vehicular traffic. Road access via the Mabang Bridge continues to be hindered by the poor state of repair and CDF harassment. Work is programmed to start on the bridge in the near future and UNAMSIL has promised troops to guard the bridge once work commences. The difficulty experienced on this route prompted the first use of a UNAMSIL escort by an NGO food convoy on 28 July, taking 500 mt of food to Mile 91 and Kenema. Humanitarian agencies remain concerned about the issue of access and security for aid workers and beneficiaries in the area, and are arranging a series of meetings with UNAMSIL and government authorities to address the matter.

There has been continuing violence in Port Loko between CDF and the SLA, with sporadic shooting after dark. Defense HQ has deployed a new Battalion Commander to rectify the situation.

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Western Area

An increase in search and cordon operations by UNAMSIL and the Police within Freetown, and the movement of CDF out of the Brookfields Hotel, has seen positive results in reducing crime in the city.

Eastern Province

Daru continues to see the disarming of a small number of RUF fighters, but the agreement between the RUF and CDF, to allow commercial trucks to use the road from Kenema to Daru, seems to have fallen through, with the report of six vehicles captured by the RUF at Segbwema on Saturday 6 August. Save the Children Fund (SCF) reported that the vehicles (3 trucks and 3 taxis) were traveling from Kenema to Daru and Daru to Kenema respectively, when they were seized and taken to an unidentified RUF base. One of the vehicles is said to be a large commercial truck carrying rice and palm oil. With the exception of one passenger who escaped, the whereabouts of the people on the vehicles were still unknown at the time of writing.

Southern Province

The region was generally calm. However, aid agencies continue to express serious concerns about a number of security incidents involving Kamajors, which are hindering smooth delivery of humanitarian assistance in the region. The authorities are currently investigating a number of cases reportedly linked to the Kamajors, including the death of an MSF-B national officer; the looting of ACF/WFP food in Moyamba district and the commandeering of relief vehicles belonging to the Lutheran World Federation in Sorogbema, Pujehun district.

The recent decision of CDF authorities to organize a workshop in Freetown, with the participation of all its members, is viewed by the humanitarian community as a welcome and timely initiative. Humanitarian organizations urge the CDF to discuss as a matter of priority, strategies to end the continuing harassment and intimidation of aid workers and the civilian population at large by its members.

Military Expansion

UNAMSIL troop strength in the country now stands at 12,500, recently boosted by the arrival of a Russian aviation unit with four Helicopter Gun Ships. The SLAs have also expanded, with 1000 troops now undertaking continuation training after passing out of the Benguema Training Camp. A new group of recruits are now undergoing training.

B. POLITICAL DEVELOPMENTS

UN Security Council extends UNAMSIL mandate

On Friday, 4 August, the UN Security Council unanimously adopted a British-sponsored resolution to extend UNAMSIL's mandate until 8 September 2000 and to strengthen its capacity. The original six-month mandate was due to expire on Monday 7 August. The resolution said UNAMSIL's military component "should be reinforced

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through accelerated troop rotations, with further aviation and maritime assets, a strengthened force reserve, upgraded communications, and specialist combat and logistic support assets." According to the resolution, U.N. peacekeepers would help the Sierra Leone government to extend its authority over areas of the country under RUF control by deploying at key locations and main population centres. The Council also agreed that the peacekeeping force would "deter, and where necessary, decisively counter, the threat of RUF attack by responding robustly to any hostile actions" or threat of imminent use of force.

The resolution calls on the U.N. force to maintain security around Freetown and at Lungi International Airport as a priority, to patrol main access routes to the capital, and to promote efforts to disarm and demobilise combatants. "Widespread and serious violations" by the RUF of the Lomé Peace Accord "constitute a breakdown of the prior generally permissive environment based on the agreement" and predicated on the cooperation of the warring parties, the resolution said. Until security conditions allow progress toward a peaceful resolution of the conflict, "there will continue to be a threat to UNAMSIL and the security of the state of Sierra Leone," it added.

An initial draft of the resolution called for UNAMSIL's strength to be increased from 13,000 to 16,500 troops, but given disagreement among Council Members on various issues, the resolution was amended to call on the Secretary-General to recommend measures to strengthen and restructure the Force. Meanwhile, the UNAMSIL Force Commander, Major General Vijay Jetley is due back in the country on Tuesday, 8 August after an official mission to New York to brief troop contributing countries and the UN Secretary-General on military developments and issues relating to the mandate of the peacekeeping force.

The Quest for an RUF Leader continues

UNAMSIL reported on Monday, 7 August, that efforts were underway to identify a new RUF leader to facilitate renewed dialogue between the RUF and the GOSL. The RUF is yet to finalize their decision on the matter. Meanwhile, the UN Special Representative for the Secretary-General (SRSG) Ambassador Oluyemi Adeniji visited Monrovia on Wednesday, 2 August for consultations with President Charles Taylor on this and other matters relating to the Sierra Leone conflict. The SRSG is due to travel to Bamako, Mali, on Tuesday 8 August to hold discussions with the Chairman of ECOWAS, President Alpha Oumar Konare on the same issue.

C. DDR - Learning the Lessons

Deviation should not be tolerated in new DDR process - UN SRSG:

Disarmament should no longer be left to the discretion of the leadership of armed groups. Rather it should follow a generally agreed timetable and an agreed sequence. Any deviation should immediately be exposed as sabotage and as an indication of a hidden agenda, said the SRSG, Ambassador Oluyemi Adeniji at the opening session of the workshop. The SRSG, who chaired the occasion, stressed the need for political, military, humanitarian/development agencies, Donors as well as civil society movements, to work in full partnership in order to achieve the common goal.

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Humanitarian Agencies will play their part - UN Humanitarian Coordinator/Resident Coordinator

Speaking along the same lines, and in his capacity as UN Humanitarian/Resident Coordinator, Mr. Kingsley Amaning said humanitarian agencies saw the meeting as an opportunity to expand the ongoing collaboration with the NCDDR and its partners in the pursuit of the common goal - a successful DDR programme. In this regard, he said the Programme "should be anchored within a framework of a wider simultaneous and collective effort targeted at the resolution of conflict through: political arbitration; the enhancement of security; the provision of basic social safety nets and humanitarian assistance." While recognizing the role of political and military protagonists in providing a permissive environment, Mr. Amaning noted that, "without a well planned and efficient DDR and other humanitarian programmes to guide and encourage the peace process, an opportunity for real peace and stability can be easily lost." "For the UN humanitarian and operational agencies," he concluded, "this meeting is a timely invitation to us to join in biblical terms, the five wise maidens in putting oil in our lamps to keep them burning in readiness for the arrival of the bridegroom."

To do nothing is not an option for DDR - World Bank Director for Sierra Leone

"DDR is central and fundamental to Sierra Leone's transition from war to peace." "To do nothing, is not an option," declared Mr. Peter Harold, the new World Bank Director for Sierra Leone. Mr. Harold recognized the need to safeguard investments already made, while preparing for a full resumption of the Programme. Commenting on the controversial issue of the Transitional Safety Net Allowance (TSA) for ex-combatants, the Bank Director conceded that it was important to correct the erroneous image of a cash-for-guns policy, but underlined the continuing need for "cash", which he described as "cash-for-peace." "Without the early provision of development support, there will be no transition," Mr. Harold stressed, noting that the ultimate challenge was the Reintegration aspect of the programme. He observed that the Bank's contribution to reintegration was contingent on the support of humanitarian agencies, UNAMSIL, bilateral partners and civil society organizations.

GOSL still committed to the Lome Peace Accord

The Minister of Presidential Affairs declared that the GOSL was still committed to the Lome Accord, and that the government had gone one step further to outline the conditions for a resumption of peace talks with the RUF. He appealed to all stakeholders to fully support the DDR process and other instruments of peace.

Challenges for the future -- Dr Francis Kai-Kai, Executive Secretary of NCDDR

Dr Francis Kai-Kai, the Executive Secretary of NCDDR outlined a number of key challenges facing the DDR programme since May 2000, including: Status of the Lome Peace Agreement and its key structures; Status of political and military leadership of all fighting forces; Clarification of strategy to end the conflict and implications for DDR; Establishment of a security framework for DDR; Securing military compliance; and Clarifying the policy on encampment and specific incentives for D&D.

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Summary of specific recommendations from discussion groups

Status of the DDR Programme

Before the resumption of hostilities in May, 24,285 combatants had been disarmed including 1,743 child combatants. Some 14,807 weapons and 255,719 ammunitions were collected. Since then, some of the disarmed soldiers have been re-armed and have returned to the war front. Only the Lungi and Daru camps are currently operational. On 7 August, the Executive Secretariat of NCDDR reported a total of 260 ex-combatants at the Lungi camp, including some of the newly disarmed Westside Boys. They are currently screening the ex-combatants for appropriate action. The Executive Secretary said NCDDR had embarked on a sensitization campaign to inform ex-combatants that they would not receive TSA payments while they were encamped -- rather, payments would be made in communities -- to ensure that the money is utilized for community-based reintegration programmes.

At the Daru camp, there are now 582 RUF and SLA ex-combatants. It is increasingly difficult for NCDDR to plan community-based reintegration activities for the ex-combatants there, as the town remains surrounded by a hostile environment, dominated by the RUF. The Commission however hopes to be able to move the SLAs from the area and to find ways of reintegrating the RUF.

In Port Loko, 299 ex-combatants are said to have returned to the DDR camp. These are mainly ex-RUF fighters who were being protected by UNAMSIL. Some of them are finding it difficult to return to their home areas due to insecurity and lack of acceptance by community members.

The NCDDR is currently sensitizing previously registered ex-combatants under the reintegration programme to re-register so they could be considered for assistance. They have appealed to agencies planning rehabilitation projects to include ex-combatants in their beneficiary caseloads.

Meanwhile, World Vision, in collaboration with NCDDR-eastern region, has started a three-week training programme for community volunteers to assist over 300 ex-combatants and affected youths from seven chiefdoms in the Kenema district. This programme, which is sponsored by the USAID/Office for Transitional Initiatives (OTI), is aimed at empowering the youths to become better-adjusted citizens. OTI is also supporting apprenticeship programmes to rehabilitate schools, wells and other community projects, in collaboration with UNICEF and other partners.

D. HUMANITARIAN HIGHLIGHTS

1. Eastern Province

Daru - Relief activities expand

Further to our report on the Daru displaced in the last SITREP (10-24 July), subsequent inter-agency missions have confirmed the presence of around 5,000 new IDPs who arrived in Daru from nearby chiefdoms in Kailahun district. Agencies are gradually expanding activities in the area, with UNICEF and OXFAM supporting

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Watsan activities, IMC and ICRC providing health services, and NRC addressing education needs with UNICEF support. SCF continues to assist separated children and other children associated with the fighting forces.

Although food prices are reported to be high, WFP maintains that the situation does not yet warrant emergency food aid intervention. The IDPs are said to be in good condition with no visible signs of malnutrition. Agencies are closely monitoring the situation for any significant changes. In this regard, IMC, WFP and MERLIN will conduct a quick nutritional survey in the affected areas on Saturday 12 August, which will help determine the appropriate level of intervention required at this stage.

On the health side, IMC continues to run two clinics - one in the main town and the other in Malema (see Sitrep 10-24 July). They have commenced routine EPI activities for U5s and women of childbearing age. On Tuesday, 8 August, MERLIN and IMC will organize a Lassa fever workshop in Daru town, as Daru is part of the Lassa belt and could be at greater risk of an outbreak due to recent population movements.

Kenema - overcrowding in camps due to new influxes

The humanitarian situation in Kenema remains under control despite the latest population influx resulting from UNAMSIL/GOSL military operations in the east last month. Existing camps are however overcrowded, straining current facilities and services. The regional inter-agency committee in Kenema estimates that more than 7,000 of the new IDPs have settled in IDP camps - (Blama - 747; Gofor - 2,000; Nyandeyama camp - 100; Lebanese camp - 1000; Konia - 2000 and Refugee returnees residing in different camps - 2000). CRS has agreed to provide a one-month VGF distribution to the new IDPs in camps after they have been verified. WFP will also distribute food to the new caseload at the Blama camp. In order to help relieve the overcrowding in the camps, agencies are mobilizing resources to construct a new camp either at the Gofor site or near the Blama camp.

Meanwhile, MERLIN has now completed a nutritional survey of IDPs in four of the camps. They are currently analyzing the results, which will be made available in our next report.

2. Northern Province

Mile 91 area - Inter-agency coordination intensifies

Efforts are underway by CARE and WFP to re-register and verify IDPs in Mile 91 for further clarification on the numbers currently in the area. OCHA is now chairing a weekly inter-agency meeting in the town to improve coordination of activities between sectors and among agencies. The meetings are held every Friday.

Shelter: The immediate priority is to relocate IDPs currently occupying school buildings in Mile 91 town, as schools are due to resume by mid September. CARITAS reports significant progress in the construction of the transit camp in the town, which will accommodate about 4,000 IDPs. They have completed the clearing of the site and have pre-positioned construction materials in the area. Construction is expected to begin during the week of 7 August. UNICEF has already started digging

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wells at the camp location.

Health: As a follow up to the recommendations of a joint rapid assessment mission, UNICEF has distributed a consignment of drugs, medical equipment and EPI supplies to the District Medical Officer of Tonkolili District for IDPs in the township. Meanwhile, at the U5 clinic, ICRC/SLRC immunised 1,356 children (DPT & BCG) and treated 670 children for malaria, Acute Respiratory Infection (ARI) and diarrhea. Some 405 expectant mothers were immunized against Tetanus. At the SLMB clinic supported by MSF-H, a dehydration and observation unit has been temporarily set up to treat severe bloody diarrhea cases until the isolation treatment centre for Shigella, currently under construction is completed. MSF-H has already trained medical personnel to attend to patients in the new centre. Meanwhile, the agency continues outreach programmes within the township and in surrounding villages.

Nutrition: ACF is treating 151 severely malnourished children at its Therapeutic Feeding Centre in Yonibana, while 654 moderate cases are benefiting from dry ration programmes at the Supplementary Feeding Centre in Mile 91 town.

Non-food Items: ICRC/SLRC have completed distribution of Non-Food-Items (NFI) to 2,642 families on the Roruks-Yobinana axis who had not benefited from earlier distributions.

WATSAN: Water and sanitation needs remain acute in the township. UNICEF is supporting the construction of 25 pit latrines as well as cleaning and chlorination of 572 traditional wells in the town. In Gbonkenlenken chiefdom, ACF has resumed well rehabilitation and will begin hygiene education for the population there in the immediate future.

Agriculture: In Gbonkenlenken chiefdom, Tonkolili district, CARE is following up an earlier VGF distribution to about 12,000 new IDPs, with FFAg assistance to 750 farm families in the villages there. Meanwhile, CARE together with other agencies has commenced a re-registration of new IDPs in Yele.

In Kholifa chiefdom, also in Tonkolili district, CARITAS distributed 500 kits of vegetable seeds and 1,500 bushels of rice seeds to 100 farming families in 14 communities.

Kabala - Poor road conditions hinder food assistance to new IDPs

During the reporting period, hundreds of new IDPs were reported in the Kabala area, coming from the Makeni and Kono axis. The food security situation there is of major concern as the Christian Relief Services (CRS) has now run out of food stocks there. Food aid agencies are having difficulties re-supplying the area due to poor road access. A cross-border operation via Guinea is being considered, but might prove impossible for movement of large trucks, as the roads are extremely bad at this time. The only viable option appears to be airlift operations. However, the Humanitarian Helicopters managed by WFP and MSF do not have the needed capacity to lift large volumes of food stocks at a time. Negotiations are ongoing with UNAMSIL on the possible use of their MI26 Helicopter, which has the capacity to lift up to 25mt of food stocks at a time. According to MSF-B, which is operational in the area, the IDPs

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are presently coping with the host communities, but their conditions will most certainly deteriorate if a solution is not found in the next two weeks.

Bumbuna - humanitarian situation worrying

More than 7,000 newly displaced people are reported to have arrived in Bumbuna, (northeast of Makeni) in the last week. MSF-B undertook a one-day assessment mission to the town on Monday, 7 August and reported that the new IDPs were in desperate need of humanitarian assistance, particularly food aid. About 20 mt of food aid will be required to address the current needs. At present, food can only be transported to the area by air. Efforts are being made by various agencies to find ways of responding to the immediate needs of the IDPs.

The IDPs interviewed by MSF said they fled from Makeni and Magburaka to escape RUF forced recruitments and continuing attacks. Some of them also fled due to the helicopter gunship attack in Makeni in June, and had been hiding in bushes until their arrival in Bumbuna.

The American Ambassador, Amb. Joseph Melrose and the Catholic Bishop of Makeni, Bishop Biguzzi, visited the town on 4 August and donated some medical kits and BP5, which MSF said would help a great deal, as the bulk of the IDPs are children. Nearly 400 of the new arrivals are occupying a school building and an uncompleted hospital, while the rest are staying with host families. MSF conducted a quick nutritional screening of about 350 children during their visit. They are currently analyzing the results. Some of the children showed signs of malnutrition, particularly the new arrivals. MSF has opened a clinic in the town and plans to support MOHS health officials in the area to operate the facility. Some cases of diarrhea were identified, but no evidence of a major outbreak.

Port Loko - More IDPs reported

Within the Port Loko Township, the Norwegian Refugee Council (NRC) has registered a total of 25,200 IDPs, of which 5,499 arrived between 18 July and 1 August. Upon registration, the IDPs are reporting to the Police for further screening and security clearance. A significant number of the IDPs 10,831, have been absorbed into the local communities, while another 10,612 people have taken refuge in the camp. Due to the congestion in the camp, 3,241 of the IDPs have moved into the local primary school, while another 516 relocated to the Barracks. Meanwhile, WFP plans to undertake a re-registration and verification exercise in Port Loko town starting Tuesday, 8 August.

NRC began the construction of an additional 100 two-room booths at the camp on 31 July. Despite the continuing tense security situation, humanitarian activities are gradually being reactivated in Port Loko town, with OXFAM resuming WATSAN activities, which will help alleviate the suffering of many of the IDPs. The one-month VGF distribution by WFP in July has had a considerable impact on the food security status of the IDPs. However food shortages are reported in the camps due to continuing influxes. Non-food items have not been provided for new arrivals. IMC continues to maintain health programmes at the IDP clinic where they see an average of 120 patients per day. They identified about 40 malnourished children during the

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period under review, mainly among the newly displaced.

NRC continues the Rapid Response Education classes. They will soon complete the construction of two additional temporary school structures for the students. A total of 970 children are enrolled in the programme. NRC is currently conducting a three-week teacher training for the teachers attached to the camp school.

Lungi Area/Tasso Island/Kakum Island - boosting coping mechanisms

IMC continues to support the outpatient clinic at the Lungi hospital, while providing medical screening services to children in the Interim Care Centre in Lungi. In Tasso Island, where at least 8,000 IDPs and residents are considered vulnerable, IMC is maintaining health services and supplementary feeding programmes. They are currently distributing plastic sheeting donated by ICRC to cover 97 booths in a makeshift camp constructed by IDPs on Kakum Island. As a follow-up to a one-month VGF distribution to 8,116 IDPs and residents in Tasso Island, WFP is now focusing on FFW & FFAg interventions aimed at reducing the population's dependency on VGF. In Lokomassama, which also hosts a large number of IDPs, CARITAS is supporting agricultural production. They distributed 500 bags of seed rice and 500 hoes to help boost the production capacity of the farming community there.

3. Western Area

IDP relocation ongoing

CARE, WFP, OCHA and NCRRR continue to facilitate the relocation of IDPs in National Workshop to the expanded sections of Waterloo and Grafton camps. As of the time of reporting, a total of 1,675 IDPs had been relocated. The relocation exercise will resume on Friday, 11 August. Plans are underway to further expand camp facilities to ease the overcrowding situation in IDP camps. Concern Worldwide and GOAL are currently working on the site expansion, while ACF is helping to upgrade and extend WATSAN facilities in the expanded sites. Meanwhile, MSF-H reports an increase in watery and bloody diarrhea in the camp clinics in Freetown.

Gambia donates money to IDPs

The Gambian President, President Yayah Jammeh, donated US$10,000 to IDPs in the Western Area during a visit to Sierra Leone on 26 July. Discussions are ongoing with the IDPs on how best to allocate the funds. The Gambian leader also donated US$10,000 to the amputees at the Murray Town camp in Aberdeen, Freetown.

Enhancing women's capacity

After an assessment of women's associations and war-affected youths, ICRC/SLRC together with the Ministry of Agriculture are planning to establish a community-based vegetable production programme, initially targeting 11,722 women and children in the Western Area and in Port Loko district. Meanwhile, UNICEF has distributed six sets of food processing equipment through AFRICARE & Action Aid for women's groups involved in food security activities in the Western Area and in

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Bo.

4. Southern Province

Flood victims targeted in Bonthe District

WVI has completed a second distribution of 42.75mt of FFAg to 1,000 flood victims in the Kwame Bai Krim chiefdom, Bonthe district. Meanwhile, ACF has completed a food security assessment in five flood-affected chiefdoms in the Bonthe and Pujehun districts.

E. SECTORAL HIGHLIGHTS

Child Protection

The Minister of Social Welfare Gender & Children's Affairs (MSWGCA), in a press conference held on 27 July reported that the Sierra Leone government was working on modalities to ratify the two optional protocols approved by the UN General Assembly in May. The Minister also stated that the "Rights of the Child Act" has been drafted and is awaiting review. The Ministry is yet to organise a stakeholder's workshop to develop the mandate and structure for a Commission of War Affected Children in the country. UNICEF reports that the special rapporteur on "violence against women" will visit Sierra Leone by the end of the month.

During the past week, UNICEF and MYES along with other child protection agencies conducted a two-day mass tracing exercise in the Western Area, including cross-border tracing. Meanwhile, CRS has registered 28 separated children in Mile 91, while CARITAS is undertaking a registration and verification exercise for more than 400 separated children in Yele.

Below is a summary of family tracing and reunification activities in the South for the month of July.

	Separated children	Families traced	Reunifications effected	Follow-up visits made
Bo	7	15	11	11
Moyamba	3	2	2	-
Bonthe	3	-	-	-
Pujehun	7	-	1	13

Education

MYES in collaboration with UNICEF has conducted a 10-day training of trainer's workshop for the first batch of 20 trainers to implement the Accelerated Learning Programme (ALP). The ALP is meant to cater for over-age children wishing to complete primary schooling in half the normal time. UNICEF is also working with other partners to facilitate integration of amputee children and the children of amputees living in Murray town camp into neighbouring schools for the ensuing year.

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Meanwhile, WFP has offered to extend its school feeding programme to UNICEF-supported formal schools and non-formal centres.

Food Aid

During the reporting period, WFP distributed a total of 445.879mt of assorted food-aid commodities to 39,447 beneficiaries countrywide.

Health

According to a health information bulletin recently published by the MOHS, health facilities operational in the Western Area and northern province have declined from 356 institutions in 1997, to 154 to date; (Western Area-76; northern province- 78). Meanwhile, UNICEF, WHO and UNFPA continue to undertake activities to strengthen the MOHS capacity to respond to health challenges in different regions.

UNICEF recently supplied 1,800 EPI manuals for the training of PHU staff in accessible districts. They also launched a community-based Anemia & Prevention Control Project in Bo, aimed at targeting 12,000 pregnant and breast-feeding women. They continue with chlorination, water trucking, and cesspit emptying activities in IDP camps and in accessible areas. In collaboration with local contractors, UNICEF is constructing wells in Moyamba, Port Loko, Tonkolili and Kenema districts to service schools, PHUs and vulnerable communities.

F. HUMAN RIGHTS

Human Rights Watch (HRW) reports continuing violations committed against civilians by armed groups. According to a report sent to OCHA on 6 August, "of particular concern is the plight of civilians attempting to flee RUF areas to escape attacks, forced recruitment, and GOSL gunship attacks." HRW said it has collected testimonies of civilians who were tortured by the RUF or killed for attempting to flee (Makeni, Lunsar, Kambia). Given the massive displacement of populations within RUF areas, the organization said it has reason to believe that the RUF is trying to terrorize the remaining civilian population in their areas of control to prevent them from leaving. "We've also documented many cases of civilians being severely maltreated by CDF members, particularly the Gbethis who routinely extort money from civilians and beat and torture those accused of being RUF combatants or collaborators," the report said.

Gunship Attacks: Furthermore, testimonies of victims and witnesses from Tongo Field recounted serious civilian casualties resulting from gunship attacks near the market place. "While other RUF targets were also hit, and while there were reported to be RUF combatants in and around the crowded market place, the attack resulted in 14 civilian deaths and at least a dozen wounded," said the HRW report. HRW said it was yet to confirm which gunship was responsible for these attacks.

Forced Recruitment: HRW has recorded witness accounts of a recent RUF recruitment drive in Makeni and in Yeliboya, near Kambia. "We have credible evidence to suggest a small number of children as young as 10 were recruited in Makeni between July 11 and 15." There are (unconfirmed) similar reports from

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Kono.

Food Raids: The RUF continues to commit serious violations in raiding villages in Makeni, Lunsar, Kambia and Kabala for food. HRW said it has documented at least 15 murders and several rapes, which occurred during such raids (in June and July).

Westside Boys: HRW reported at least eight cases of abductions along the Freetown-Masiaka highway, including the four aid workers of the Christian Health Association of Sierra Leone (CHASL) who were abducted on 21 July and released a week later.

CDF: There are continuing reports of extortion and lawlessness within the areas of Moyamba, Kenema and Bo. HRW has also documented several cases of excessive use of brutality against suspected RUF rebels by the CDF.

For comments/questions/contributions please contact, Ahunna Eziakonwa, Humanitarian Affairs Officer, OCHA, Sierra Leone. Email: aeziaki@hotmail.com/Tel: 232-22-227759/23223-501302.

For the Directory of Humanitarian Agencies/Partners in Sierra Leone, please click here (pdf format)
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The United Nations issued the UN Panel of Experts Report pursuant to UN Security Council Resolution 1306, dated 20 December 2000, in which the Panel:

(a) detailed its evidentiary standards for its investigations, which required at least two credible and independent sources of information to substantiate a finding, and which put allegations to those concerned whenever possible in order to allow them the right of reply (para. 63, ERN 00004385);

(b) noted that full details of the sources would not be revealed, but in addition to its own detailed verification, the Panel received corroborating information from international intelligence agencies and police sources (para. 63, ERN 00004385).

a.	Exh. 1.018	ERN 00004371-00004434	UN Panel of Experts Report pursuant to UN Security Council Resolution 1306 (S/2000/1195), 20 December 2000.

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matériel to Sierra Leone in contravention of Security Council embargoes. The entire panel visited Sierra Leone twice, and some Panel members visited three times. In addition to Freetown, trips were made to Daru and to the diamond trading centre of Kenema. In Guinea, Panel members visited Conakry and Nzerekore. The entire Panel also visited Liberia, South Africa and United Nations Headquarters in New York. Travel was undertaken by one or several of the Panel members to Belgium, Burkina Faso, Canada, Ghana, France, India, Israel, Mali, Niger, Nigeria, Spain, Switzerland, Ukraine, the United Kingdom, the United States and the United Arab Emirates. Stopover visits were made to Abidjan, but because of elections and subsequent civil unrest, only a limited number of telephone conversations were possible.

61. In each country Panel members met with government authorities, and where relevant, with diplomatic missions, civil society organizations, aid agencies, private sector firms and journalists. The Panel had access to a wide range of public and confidential information provided by official sources, including law enforcement and intelligence agencies. The Panel also contacted a number of key individuals and informants whose names have been a subject of interest and controversy in recent months in connection with the Sierra Leone crisis. A full list of those contacted is contained in annex 2. Given the sensitive nature of the subjects investigated by the Panel, however, it should be noted that many individuals spoke under conditions of confidentiality. Several meetings held in various countries have therefore not been listed.

62. In August 2000, the Panel requested detailed statistics dating back to 1987 on diamond exports from major producing countries, and imports to countries with significant trading, cutting and polishing industries. The reason for going back to 1987 was to determine what trends might have prevailed before the wars in Sierra Leone and Liberia. In September, the Panel sent reminders to all governments that had not yet provided the requested statistics. In the end, most of the data requested was provided by most governments. Three exceptions stand out, despite reminders: no statistics were received from the Gambia, Côte d'Ivoire and the United Arab Emirates.

C. Standards of verification

63. The Panel agreed at the outset of its work to use high evidentiary standards in its investigations. This required at least two credible and independent sources of information to substantiate a finding. Wherever possible, the Panel also agreed to put allegations to those concerned in order to allow them the right of reply. In the past, allegations against various parties to the conflict in Sierra Leone have been denied with the question, 'Where is the evidence?' An example of this is the standard response to charges that weapons have been channelled to Liberia through Burkina Faso. In the report that follows, we have dealt in detail with this particular allegation. It might still be asked, 'Where is the evidence?' On this charge and others, full details of the sources will not be revealed, but the evidence is incontrovertible. The Panel examined the flight records maintained at the offices of Roberts Flight Information Region (FIR) in Conakry for all aircraft movement in West Africa during the period in question. It saw photographs of the aircraft being loaded in Burkina Faso. It examined flight plans. It spoke to eyewitnesses of aircraft movement in Burkina Faso and Liberia, and it spoke to individuals who were on board the aircraft in question. In addition to its own detailed verification, the Panel received corroborating information from international intelligence agencies and police sources operating at international as well as national levels. The assistance of Interpol specialists was also taken as and when required. This is an example of one of the more difficult issues examined by the Panel. All issues have been judged and reported using the same standard.

D. A reminder

64. The Panel's mandate is described in section A above. The Panel was reminded of the background to its mandate, however, during its visits to Sierra Leone. There, thousands of civilians, many of them child victims of unspeakable brutality, face a future without hands or feet. Tens of thousands of Sierra Leoneans have lost their lives, half a million have become refugees and three or four times that number has been displaced. As the Panel concluded its report, much of Sierra Leone remained in rebel hands, where people lived without access to medical assistance, education or the means to a secure livelihood. The Panel remained cognizant, throughout its work, of its role and its responsibility in helping to end the suffering of the people of Sierra Leone, and this decade-long tragedy.

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Note by the President of the Security Council

The attached report of the Panel of Experts established by resolution 1306 (2000) was presented to the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, in accordance with paragraph 19 of section B of resolution 1306 (2000). The report is being circulated for the information of the Members of the United Nations. Consideration of the report in the resolution 1132 (1997) Sanctions Committee is beginning, after which the Committee will officially present the report to the Security Council.

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Annex

Letter dated 19 December 2000 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, and in accordance with paragraph 19 of section B of resolution 1306 (2000), I have the honour to submit, as agreed at the 19th meeting of the Committee held today, the report of the Panel of Experts concerning the collection of information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and related *materiél* as well as the adequacy of air traffic control systems in the region.

In this connection, the Committee would appreciate it if this letter together with its enclosure were brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Anwarul Karim **Chowdhury**
Chairman
Security Council Committee established pursuant
to resolution 1132 (1997) concerning Sierra Leone

Enclosure

Letter dated 14 December 2000 from the Chairman and the members of the Panel of Experts on Sierra Leone Diamonds and Arms, appointed pursuant to Security Council resolution 1306 (2000), addressed to the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

On behalf of the members of the Panel of Experts on Sierra Leone Diamonds and Arms, I have the honour to enclose the report in accordance with paragraph 19 of section B of Security Council resolution 1306 (2000).

(Signed) Martin **Chungong Ayafor**
Chairman
Panel of Experts on Sierra Leone Diamonds and Arms
Security Council resolution 1306 (2000)

(Signed) Atabou **Bodian**

(Signed) Johan **Peleman**

(Signed) Harjit Singh **Sandhu**

(Signed) Ian **Smillie**

S/2000/1195

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Report of the Panel of Experts appointed pursuant to Security Council resolution 1306 (2000), paragraph 19, in relation to Sierra Leone

December 2000

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Acronyms

AFRC	Armed Forces Revolutionary Council (Sierra Leone)
ASECNA	Agency for the Safety of Air Navigation in Africa and Madagascar
ATU	Anti-Terrorist Unit (Liberia)
CMRRD	Commission for the Management of Strategic Mineral Resources (Sierra Leone)
DDR	Disarmament, Demobilization and Rehabilitation Programme (Sierra Leone)
DRC	Democratic Republic of the Congo
ECOMOG	ECOWAS Monitoring Group
ECOWAS	Economic Community of West African States
FIR	Flight Information Region
GGDO	Government Gold and Diamond Office (Sierra Leone)
IATA	International Air Transport Association
ICAO	International Civil Aviation Organization
IWETS	International Weapons and Explosives Tracking System
LISCR	Liberian International Ship and Corporate Registry
LKI	Lazare Kaplan International
NPFL	National Patriotic Front of Liberia
PCASED	Programme for Coordination and Assistance for Security and Development
RPG	Rocket Propelled Grenade
RUF	Revolutionary United Front
RUFP	RUF Party
SITA	Société internationale de télécommunications aéronautiques
SLA	Sierra Leone Army
UNAMSIL	United Nations Mission in Sierra Leone
UNITA	Uniao Nacional para a Independencia Total de Angola
WCO	World Customs Organization

Executive summary

A. Diamonds

1. Diamonds have become an important resource for Sierra Leone's Revolutionary United Front (RUF) in sustaining and advancing its military ambitions. Estimates of the volume of RUF diamonds vary widely, from as little as $25 million per annum to as much as $125 million. Whatever the total, it represents a major and primary source of income for the RUF, and is more than enough to sustain its military activities.

2. A certain volume of RUF diamonds are traded in Kenema and elsewhere in Sierra Leone. These are most likely smuggled out of the country. Some RUF diamonds have also been traded informally in Guinea. But the bulk of the RUF diamonds leave Sierra Leone through Liberia. The diamonds are carried by RUF commanders and trusted Liberian couriers to Foya-Kama or Voinjama, and then to Monrovia. Such trade cannot be conducted without the permission and the involvement of Liberian government officials at the highest level. Very little Liberian trade, in fact, whether formal or informal, takes place without the knowledge and involvement of key government officials. This is true of all imports, and where exports are concerned, it is especially true of diamonds.

3. The Lomé Peace Agreement appointed Foday Sankoh Chairman of the Commission for the Management of Strategic Mineral Resources (CMRRD). Between the time he returned to Sierra Leone in 1999 and the resumption of hostilities in May 2000, the Commission never actually functioned, but Foday Sankoh spent money lavishly, without an obvious source of income. Sankoh was, in fact, encouraging a wide variety of potential foreign investors, many thinking they would reap exclusive benefits from the same things. A picture emerges of a double-dealing leader, clutching at financial opportunities for personal and political gain, outside of the governmental framework in which he was ostensibly working. Most of this related to the diamond trade.

4. The report comments on Sierra Leone's new certification system. Where the RUF's conflict diamonds are concerned, the legitimate export system is largely irrelevant. As long as there are no controls in neighbouring countries, the RUF will continue to move their diamonds out with impunity. For this reason, it is imperative that a standardized global certification scheme be introduced as soon as possible.

5. A major difficulty in tracking the movement of rough diamonds, whether conflict or otherwise, is the inconsistent manner in which the governments of major trading centres record diamond imports and exports. One issue has to do with the general availability of statistics. Another has to do with a distinction made between 'country of origin' and 'country of provenance'. Country of provenance refers to the country from which diamonds were last imported; country of origin indicates where they were mined. Until recently, little serious attention was paid anywhere to the issue of where diamonds were actually mined. The result is a wide range of anomalies. For example, 41 per cent of British rough diamond imports in 1999 were said to originate in Switzerland, while Switzerland officially imports almost no rough diamonds at all. This is a consequence of diamonds passing through Swiss free trade areas, until recently without record and without serious government oversight.

6. In its search for conflict diamonds from Sierra Leone, the Panel discovered that there is a much greater volume of 'illicit' diamonds, and that distinguishing between the two is extremely difficult. A large volume of diamonds entering Europe is disguised as Liberian, Guinean and Gambian in order to evade taxation and launder money. The report describes flagrant examples in Belgium of fraudulent commercial reporting. A country like Liberia, whose name has been used with or without its knowledge by illicit traders, can thus conceal its own very real trade in illicit and conflict diamonds behind larger rackets being perpetrated by others.

B. Recommendations on diamonds

7. In order to better regulate the flow of rough diamonds from producing countries, a global certification scheme based on the system now adopted in Sierra Leone is imperative. It will give added impetus to current discussions on this subject if the Security Council endorses the concept of a global system.

8. In the short run, and in the absence of a global system, it is recommended that certification systems similar to that adopted by Sierra Leone, be required of all diamond exporting countries in West Africa, with special and immediate reference to Guinea and Côte d'Ivoire, as a protective measure for their indigenous industries and to prevent their exposure to conflict diamonds. If this has not been completed within a period of six months, the Security Council should impose an international embargo on diamonds from these countries.

9. The Panel further recommends a complete embargo on all diamonds from Liberia until Liberia demonstrates convincingly that it is no longer involved in the trafficking of arms to, or diamonds from, Sierra Leone. The ban should not be lifted until this condition has been met, and until Liberia too has joined the proposed standardized certification system.

10. The Security Council should place an immediate embargo on trade in all so-called Gambian diamonds until such time as its exports of diamonds can be reconciled with imports.

11. Other diamond exporting countries in the region have been designated by the Belgian government as 'sensitive' countries, where special attention to imports is required. In addition to the three countries suffering directly from conflict diamonds and those mentioned above, these include Uganda, Central African Republic, Ghana, Namibia, Congo (Brazzaville), Mali, Zambia and Burkina Faso. This list is commended to other major importing countries, including Switzerland, South Africa, India, Israel, the United Kingdom and the United States. Invoices from these countries need to be thoroughly checked, and where there is doubt about either provenance or origin, parcels should be seized until the authorities have checked the facts. Delays in processing will increase the cost of doing business and will encourage better paper work. Forfeiture of improperly labelled goods will discourage the habit decisively.[1]

12. Urgent attention should be given to extending a Sierra Leone-style certification system to these countries as soon as possible.

13. The United Nations, the World Diamond Council and the import control authorities of all rough diamond importing countries should be vigilant for other exporting countries, or for countries in the future, where trade in diamonds has little to do with domestic production or legitimate trading.

14. It is essential, and a matter of urgency, that major trading centres (Belgium, the United Kingdom, Switzerland, South Africa, India, the United States and Israel) come to a common agreement on the recording and public documentation of rough diamond imports that is consistent from one country to another, and that clearly designates the country of origin in addition to country of provenance.

15. An annual statistical production report should be compiled by each exporting country and gathered into a central annual report, compiled by the World Diamond Council and/or by the certification body that is expected to emerge from the 'Kimberly Process' of intergovernmental negotiation. Countries of origin must be distinguished from countries of provenance.

16. If diamonds are mixed and/or re-invoiced in a free trade zone, it is imperative that the government of that country take responsibility for verifying the *bona fides* of the diamonds before they are re-exported. This is especially important with regard to Switzerland because of the large volumes that pass through its *Freiläger*, losing their identity in the process. The same is true of the United Arab Emirates. In other words, all countries importing rough diamonds must be part of the anticipated 'rough controls' system.

17. Throughout its work, the Panel was struck by the widespread breaking of Security Council sanctions on both weapons and diamonds. If existing and future sanctions are to be effective, the Security Council will require an ongoing capacity to monitor their observance and conduct research. Where diamonds are concerned, there have been three Expert Panels examining many of the same issues concurrently. There has been useful collaboration, but there has also been overlap and duplication. Considering the complexity and the changing nature of the conflict diamond issue the Panel recommends that in future, it would serve the Security Council better to have an ongoing focal point within the United Nations to monitor adherence to

[1] *Note*: the term 'sensitive country' is not used in this report to suggest wrongdoing. It is taken from a Belgian government report which seeks to protect these countries, Belgium and the industry from problems to which they are all clearly vulnerable. Namibia, for example, is one of the leaders in the fight against conflict diamonds.

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sanctions, as well as progress towards the goals stated in the 1 December 2000 General Assembly resolution on conflict diamonds.

18. The attention of the Security Council, the Government of Sierra Leone, donor agencies and other interested parties is drawn to observations contained in the report about the need for probity and transparency. Without serious reform and due diligence within government and government agencies in Sierra Leone, international efforts to assist will be wasted.

C. Weapons and air traffic control

19. Despite an ECOWAS-Moratorium on arms shipments to West Africa, the region is awash with small arms. Guerrilla armies receive weapons through interlinked networks of traders, criminals and insurgents moving across borders. Systematic information on weapons smuggling in the region is non-existent, and information that could be used to combat the problem on a regional scale - through ECOWAS or through bilateral exchanges - is generally not available. Few States in the region have the resources or the infrastructure to tackle smuggling.

20. In Sierra Leone, the RUF depends almost exclusively on light weaponry, although it does have access to more sophisticated equipment. It has captured many weapons during confrontations with the Sierra Leone Army, ECOMOG and UNAMSIL forces. The Panel, however, found unequivocal and overwhelming evidence that Liberia has been actively supporting the RUF at all levels, in providing training, weapons and related *matériel*, logistical support, a staging ground for attacks and a safe haven for retreat and recuperation, and for public relations activities.

21. There is also conclusive evidence of supply lines to Liberia through Burkina Faso. Weapons supplied to Burkina Faso by governments or private arms merchants have been systematically diverted for use in the conflict in Sierra Leone. For example, a shipment of 68 tons of weapons arrived at Ouagadougou on 13 March 1999. They were temporarily off-loaded in Ouagadougou and some were trucked to Bobo Dioulasso. The bulk of them were then trans-shipped within a matter of days to Liberia. Most were flown aboard a BAC-111 owned by an Israeli businessman of Ukrainian origin, Leonid Minin. Details of the flights and dates are included in the report.

22. The role of aircraft in the RUF's supply chain is vital, especially over the past two years as their sphere of influence in Sierra Leone has widened. It is known that the RUF were supplied by helicopter on a sporadic basis before 1997, and on a regular basis since then. Helicopters originating in Liberia land at Buedu, Kailahun, Makeni, Yengema, Tumbudu and elsewhere in Kono District.

23. President Charles Taylor is actively involved in fuelling the violence in Sierra Leone, and many businessmen close to his inner-circle operate on an international scale, sourcing their weaponry mainly in eastern Europe. One key individual is a wealthy Lebanese businessman named Talal El-Ndine. El-Ndine is the inner-circle's paymaster. Liberians fighting in Sierra Leone alongside the RUF, and those bringing diamonds out of Sierra Leone are paid by him personally. The pilots and crew of the aircraft used for clandestine shipments into or out of Liberia are also paid by El-Ndine.

24. Regional air surveillance capacities are weak or totally inadequate in detecting, or in acting as a deterrent to the arms merchants supplying Liberia and the RUF. Weak airspace surveillance in the region in general, and abusive practices with regard to aircraft registration, create a climate in which arms traffickers operate with impunity.

25. Because of its lax licence and tax laws, Liberia has for many years been a flag of convenience for the fringe air cargo industry. Liberia also has lax maritime and aviation laws that provide the owners of ships and aircraft with maximum discretion and cover, and with minimal regulatory interference. A schedule of Liberian-registered aircraft provided to the Panel by the government listed only 7 planes. No documentation was available on more than 15 other aircraft identified by the Panel. Many aircraft flying under the Liberian flag, therefore, are apparently unknown to Liberian authorities, and are never inspected or seen in the country.

26. In November 1999, a Kenyan national named Sanjivan Ruprah was authorized by the Liberian Minister of Transport to act as the 'Global Civil Aviation agent worldwide' for the Liberian Civil Aviation Regulatory Authority, and to 'investigate and regularize the ... Liberian Civil Aviation register'. During its visit to Liberia the Panel asked the Transport Ministry, the Ministry of Justice and police authorities

about Ruprah and his work, but was told that he was not known to them. Ruprah is, in fact, a well-known weapons dealer. He travels using a Liberian diplomatic passport in the name of Samir M. Nasr, and carries additional authorization from the Liberian International Ship and Corporate Registry.

27. Victor Bout is a well-known supplier of embargoed non-State actors - in Angola, the Democratic Republic of the Congo and elsewhere. He oversees a complex network of over 50 planes and multiple cargo charter and freight-forwarding companies, many of which are involved in shipping illicit cargo. Bout has used the Liberian aviation register extensively, operating mainly out of the United Arab Emirates. Sharjah Airport is used as an 'airport of convenience' for planes registered in many other countries. One of Bout's aircraft, an Ilyushin 76, was used in July and August 2000 for arms deliveries from eastern Europe to Liberia. This aircraft and an Antonov made four deliveries, on 4 and 27 July, and 1 and 23 August 2000. The cargo included military helicopters, spare rotors, anti-tank and anti-aircraft systems, missiles, armoured vehicles, machine guns and ammunition.

28. It is difficult to conceal something the size of an Mi-17 military helicopter, and the supply of such items to Liberia cannot go undetected by customs authorities in originating countries unless there are false flight plans and end-user certificates, or unless customs officials at points of exit are paid to look the other way. The constant involvement of Bout's aircraft in arms shipments from eastern Europe into African war zones suggests the latter.

29. In addition, there have been few significant cases of aircraft with weapons being grounded at important fuelling points such as Cairo, Nairobi or Entebbe, or anywhere in West Africa. Although some countries have temporarily or permanently stopped aircraft registered in Liberia from entering their airspace, the Liberian register continues to be used fraudulently. The practice has clearly been organised from Liberia in cooperation with shrewd businessmen abroad, and Liberian-registered planes remain prominent in many African countries, particularly in countries at war.

30. In short, Liberia is actively breaking Security Council embargoes regarding weapons imports into its own territory and into Sierra Leone. It is being actively assisted by Burkina Faso. It is being tacitly assisted by countries allowing weapons to pass through or over their territory without question, and by those countries that provide a base for the aircraft used in such operations.

31. The report concludes with a full technical report on the adequacy of air traffic control and surveillance systems within the region.

D. Recommendations on weapons and air traffic control

32. The Panel strongly recommends that all aircraft operating with an EL-registration number and based at airports other than in Liberia, should be grounded immediately and until the provisions in the following recommendation are met. This includes planes based in Sharjah and other airports in the United Arab Emirates, in Congo (Brazzaville), in the Democratic Republic of the Congo, Gabon, Angola, Rwanda and Kenya. Airport authorities and operators of planes registered in Liberia over the past five years should be advised to keep all their documentation, log books, operating licences, way bills and cargo manifests for inspection.

33. It is further recommended that all operators of aircraft on the Liberian register, wherever they are based, be required to file their airworthiness and operating licences and their insurance documents with the International Civil Aviation Organization's headquarters in Montreal, Canada, including documentation on inspections carried out during the past five years. The aircraft of all operators failing to do so should be grounded permanently. Aircraft that do not meet ICAO standards should be grounded permanently.

34. The Security Council, through ICAO, IATA and the WCO should create a centralized information bulletin, making the list of grounded Liberian aircraft known to all airports in the world.

35. Burkina Faso has recently recommended that the Security Council supervise a proposed mechanism that would monitor all arms imports into its territory, and their use, for a period of three years. The Panel endorses this proposal. The Panel also recommends that under such a mechanism, all imports of weapons and related *matériel* into Burkina Faso over the past five years be investigated. The Panel further recommends that any State having exported weapons during this period to Burkina Faso should investigate

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the actual end-use of these weapons, and report their findings to the Security Council and to the Programme for Coordination and Assistance for Security and Development (PCASED) established under the ECOWAS Moratorium.

36. In view of the sanctions-breaking cases investigated by the Panel and the information gathered in the region, it is recommended that the Security Council encourage the reinforcement of the ECOWAS Programme for Coordination and Assistance for Security and Development (PCASED) with support from Interpol and the World Customs Organization. PCASED should have an active capacity to monitor compliance with arms embargoes and the circulation of illicit weapons in the region.

37. The Security Council should encourage ECOWAS member States to enter into binding bilateral arrangements between States with common frontier zones, to initiate an effective, common and internationally agreed system of control that includes the recording, licensing, collection and destruction of small arms and light weapons. These bilateral arrangements can be promoted and facilitated through ECOWAS and through the Programme for Coordination and Assistance for Security and Development. A common standard and the management of a database on significant cases of smuggling and sanctions busting in the region could be developed by Interpol. The IWETS (International Weapons and Explosives Tracking System) programme of Interpol could be used by all States and the United Nations for the purpose of tracking the origin of the weaponry.

38. In this report, the Panel has identified certain arms brokers and intermediaries responsible for supplying weapons to the RUF. A project should be developed to profile these arms brokers with the cooperation of Interpol. Similarly, considering the importance of air transport in the sanctions busting, profiles of major cargo companies involved in such practices should be developed, with a view to exploring ways and means of further strengthening the implementation of sanctions.

39. Responsibility for the flood of weapons into West Africa lies with producing countries as well as those that trans-ship and use them. The Security Council must find ways of restricting the export of weapons, especially from eastern Europe, into conflict areas under regional or United Nations embargoes. 'Naming and shaming' is a first step, but consideration could be given to placing an embargo on weapons exports from specific producer countries, just as diamonds have been embargoed from producer countries, until internationally acceptable certification schemes have been developed.

40. An analysis of the firearms recovered from rebels should be undertaken in cooperation with Interpol, and its International Weapons and Explosives Tracking System. This would help in further identifying those involved in the RUF supply line.

41. The World Customs Organization should be asked to share with the Security Council its views on creating adequate measures for better monitoring and detection of weapons or related *matériel* to non-State actors or countries under an arms embargo.

42. Current Security Council arms embargoes should be amended to include a clear ban on the provision of military and paramilitary training.

43. Countries in West Africa that have not signed the 1989 United Nations Convention on the Recruitment, Use, Training and Financing of Mercenaries should be encouraged to do so.

44. Consideration should be given to the development of special training programmes on sanctions monitoring for national law enforcement and security agencies, as well as airport and customs personnel in West Africa, and the development of a manual or manuals on the monitoring of sanctions at airports for worldwide use by airport authorities and law enforcement services.

45. Consideration should be given to placing specialized United Nations monitors at major airports in the region (and perhaps further afield), focusing on sensitive areas and coordinating their findings with other airports. This would enable better identification of suspect aircraft. It would also create a deterrent against illicit trafficking, and would generate the information needed to identify planes, owners and operators violating United Nations sanctions and arms embargoes.

46. The Security Council should consider ways in which air traffic control and surveillance in West Africa can be improved, with a view to curtailing the illicit movement of weapons. Possibilities include:

- encouraging the installation of primary radar at all major West African airports, and finding the financial support to do so. Only primary radar can independently detect the movement of aircraft;
- an alternative could be 'pseudo radar' which creates a radar environment with the use of powerful means of transmission of air/ground data through satellite;
- requiring the use in the region of a Global Positioning System and requiring aircraft to be equipped with the appropriate avionics, with installation of the corresponding equipment on the ground. This would entail requiring aircraft flying in West Africa to have on board or to be equipped with avionics which could enable controllers on the ground to identify any traffic, anywhere and at any time in their sector;
- encouraging ICAO and other interested agencies to assist states in reinforcing the financial autonomy of bodies established for the management of air navigation services.

Other recommendations

47. In this report, the Panel makes a variety of specific recommendations that deal with diamonds, weapons and the use of aircraft for sanctions-busting and the movement of illicit weapons. Many of these recommendations and the problems they address are related to the primary supporter of the RUF, Liberia - its President, its government and the individuals and companies it does business with. The Panel notes with concern that Security Council resolutions on diamonds and weapons are being broken with impunity. In addition to the foregoing, the Panel offers the following recommendations with a view to making the message of this report more clear, and to ensuring that there is better follow-up to Security Council decisions in future.

48. A travel ban similar to that already imposed on senior Liberian officials and diplomats by the United States should be considered for application by all United Nations member nations until such time as Liberia's support to the RUF and its breaking of other United Nations sanctions ends conclusively.

49. The principals in Liberia's timber industry are involved in a variety of illicit activities, and large amounts of the proceeds are used to pay for extrabudgetary activities, including the acquisition of weapons. Consideration should be given to placing a temporary embargo on Liberian timber exports, until Liberia demonstrates convincingly that it is no longer involved in the trafficking of arms to, or diamonds from, Sierra Leone.

50. Consideration should be given to creating capacity within the United Nations Secretariat for ongoing monitoring of Security Council sanctions and embargoes. This is imperative to the building of an in-house knowledge base on current issues such as conflict diamonds, as noted in paragraph 17 above, but it is even more important to creating greater awareness of, and capacity to deal with problems, which are not likely to be solved in the near future, such as the illicit trade in weapons and related *matériel*.

Introduction

A. General

51. On 2 August 2000, in reference to Security Council resolution 1306 (2000) concerning Sierra Leone, adopted by the Council on 5 July 2000, the Secretary-General of the United Nations appointed a Panel of Experts to collect information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and related *matériel*, and to consider the adequacy of air traffic control systems in the region.

52. Paragraph 2 of resolution 1171 (1998) states that

> The Security Council ... decides, with a view to prohibiting the sale and supply of arms and related matériel to non-governmental forces in Sierra Leone, that all States shall prevent the sale or supply, by their nations or from their territories, or using their flag vessels or aircraft, of arms and related *matériel* of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, to Sierra Leone other than to the Government of Sierra Leone through named points of entry on a list to be supplied by that Government to the Secretary-General who shall then promptly notify all Member States of the United Nations of the list.

53. In connection with this resolution, the Panel took cognizance of paragraph 8 of Security Council resolution 788 (1992), which remains in force:

> The Security Council ... decides, under Chapter VII of the Charter of the United Nations, that all States shall, for the purposes of establishing peace and stability in Liberia, immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Liberia until the Security Council decides otherwise.

54. The Panel also noted paragraphs 1 to 7 of Security Council resolution 1306 (2000), which dealt with the issue of Sierra Leone's diamonds, and in which the Security Council decided that 'all States shall take the necessary measures to prohibit the direct or indirect import of all rough diamonds from Sierra Leone to their territory'.

55. On 6 October 2000, the Chairman of the Sierra Leone Sanctions Committee informed the President of the Security Council that his Committee had agreed to exempt the export of diamonds controlled by the Government of Sierra Leone through a new Certificate of Origin regime from the measures imposed by paragraph 1 of the resolution.

56. The Panel of Experts consisted of Mr. Martin Chungong Ayafor (Cameroon - Chairman), Mr. Atabou Bodian (Senegal - Expert from the International Civil Aviation Organization), Mr. Johan Peleman (Belgium - Arms and Transportation Expert), Mr. Harjit S. Sandhu (India - Expert from Interpol), and Mr. Ian Smillie (Canada - Diamond Expert). The letter appointing the Panel is included in annex 1.

57. The Panel first met at United Nations Headquarters in New York on 21 August, and it was subsequently agreed with the Security Council Sanctions Committee on Sierra Leone that its report would be submitted on 8 December 2000. This was subsequently rescheduled to mid-December 2000.

B. The work of the panel

58. The Panel received a great deal of logistical and moral support from the United Nations Secretariat, from United Nations Resident Coordinators and UNDP officials in almost every country it visited. Many governments helped with detailed information and advice, and many individuals and companies in the diamond industry provided helpful information. The Security Council exploratory hearings on Sierra Leone diamonds held in New York on 31 July and 1 August 2000 were also very helpful in setting the stage for the Panel.

59. The Panel was able to coordinate some of its work with the concurrent Angola Panel. In addition, Panel members were able to attend an important intergovernmental conference on conflict diamonds held in Pretoria in September 2000.

60. The Panel travelled widely to countries involved in the diamond trade, and to countries involved, or said to be involved in the trafficking of weapons and related

matériel to Sierra Leone in contravention of Security Council embargoes. The entire panel visited Sierra Leone twice, and some Panel members visited three times. In addition to Freetown, trips were made to Daru and to the diamond trading centre of Kenema. In Guinea, Panel members visited Conakry and Nzerekore. The entire Panel also visited Liberia, South Africa and United Nations Headquarters in New York. Travel was undertaken by one or several of the Panel members to Belgium, Burkina Faso, Canada, Ghana, France, India, Israel, Mali, Niger, Nigeria, Spain, Switzerland, Ukraine, the United Kingdom, the United States and the United Arab Emirates. Stopover visits were made to Abidjan, but because of elections and subsequent civil unrest, only a limited number of telephone conversations were possible.

61. In each country Panel members met with government authorities, and where relevant, with diplomatic missions, civil society organizations, aid agencies, private sector firms and journalists. The Panel had access to a wide range of public and confidential information provided by official sources, including law enforcement and intelligence agencies. The Panel also contacted a number of key individuals and informants whose names have been a subject of interest and controversy in recent months in connection with the Sierra Leone crisis. A full list of those contacted is contained in annex 2. Given the sensitive nature of the subjects investigated by the Panel, however, it should be noted that many individuals spoke under conditions of confidentiality. Several meetings held in various countries have therefore not been listed.

62. In August 2000, the Panel requested detailed statistics dating back to 1987 on diamond exports from major producing countries, and imports to countries with significant trading, cutting and polishing industries. The reason for going back to 1987 was to determine what trends might have prevailed before the wars in Sierra Leone and Liberia. In September, the Panel sent reminders to all governments that had not yet provided the requested statistics. In the end, most of the data requested was provided by most governments. Three exceptions stand out, despite reminders: no statistics were received from the Gambia, Côte d'Ivoire and the United Arab Emirates.

C. Standards of verification

63. The Panel agreed at the outset of its work to use high evidentiary standards in its investigations. This required at least two credible and independent sources of information to substantiate a finding. Wherever possible, the Panel also agreed to put allegations to those concerned in order to allow them the right of reply. In the past, allegations against various parties to the conflict in Sierra Leone have been denied with the question, 'Where is the evidence?' An example of this is the standard response to charges that weapons have been channelled to Liberia through Burkina Faso. In the report that follows, we have dealt in detail with this particular allegation. It might still be asked, 'Where is the evidence?' On this charge and others, full details of the sources will not be revealed, but the evidence is incontrovertible. The Panel examined the flight records maintained at the offices of Roberts Flight Information Region (FIR) in Conakry for all aircraft movement in West Africa during the period in question. It saw photographs of the aircraft being loaded in Burkina Faso. It examined flight plans. It spoke to eyewitnesses of aircraft movement in Burkina Faso and Liberia, and it spoke to individuals who were on board the aircraft in question. In addition to its own detailed verification, the Panel received corroborating information from international intelligence agencies and police sources operating at international as well as national levels. The assistance of Interpol specialists was also taken as and when required. This is an example of one of the more difficult issues examined by the Panel. All issues have been judged and reported using the same standard.

D. A reminder

64. The Panel's mandate is described in section A above. The Panel was reminded of the background to its mandate, however, during its visits to Sierra Leone. There, thousands of civilians, many of them child victims of unspeakable brutality, face a future without hands or feet. Tens of thousands of Sierra Leoneans have lost their lives, half a million have become refugees and three or four times that number has been displaced. As the Panel concluded its report, much of Sierra Leone remained in rebel hands, where people lived without access to medical assistance, education or the means to a secure livelihood. The Panel remained cognizant, throughout its work, of its role and its responsibility in helping to end the suffering of the people of Sierra Leone, and this decade-long tragedy.

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Part one
Diamonds

I. Sierra Leone diamonds

A. Background

65. Each year, over 250 million carats of diamonds are mined worldwide. Even in its peak years of production during the 1960s, Sierra Leone never produced more than 2 million carats annually. But a high proportion of Sierra Leone's diamonds are gemstones of very high quality and value, and they are much sought after. During the 1970s and 1980s the Sierra Leone diamond industry fell prey to corruption and mismanagement and many of the country's diamonds were exported illegally. Between 1992 and 1996, average annual exports were less than 200,000 carats and the per carat value was significantly less than the country's known run-of-mine average. Not only were the bulk of the country's diamonds being smuggled out, but the emphasis in smuggling seemed to be on higher value diamonds.

66. Between 1997 and 1999 the situation worsened because of the war. In those three years a total of only 36,384 carats were exported officially.

B. Diamonds in the RUF

67. The Revolutionary United Front initiated the war in 1991. Until 1995, RUF diamond mining and digging was probably done on a sporadic and individual basis. By 1995, however, the RUF and its patrons were clearly taking a much greater interest in the diamond fields of Kono District, and had to be removed forcefully at that time by the private military company, Executive Outcomes. From then on, the RUF interest in diamonds became more focused, especially with the 1997 imprisonment of Foday Sankoh in Nigeria. During his imprisonment and subsequently, the diamond areas of Kono and Tongo Field became a primary military focus of the RUF, and diamond mining became a major fund-raising exercise.

68. This finding is supported by the tenacious military hold that the RUF has maintained on Kono District and Tongo Field, the two most valuable diamond areas in Sierra Leone. It is borne out in the written and oral testimony of current and past RUF leaders. It is supported by the testimony of Chiefs and elders from Kono District who are in daily communication with travellers from their areas. It is borne out in written reports made by RUF field commanders to Foday Sankoh. And it is supported by current internal communications between RUF leaders inside Sierra Leone, and between RUF leaders in Sierra Leone and in Liberia.

69. At first, RUF fighters did their own mining, or used forced labour. More recently they have developed a modified form of forced labour, allowing local diggers to keep a certain amount of what they find. One system is to make a group of diggers work for the RUF for four days, and allow them to work for themselves for two, with one day off. More common is what is known as the 'two pile system', in which diggers create one pile of diamondiferous gravel for the RUF and another for themselves. The idea is that diggers can then retain what they find in their own pile, although all the washing is watched, and any sizeable diamonds found in a digger's pile are also taken by the RUF.

70. Once the Kono diamond fields were secured by the RUF, they created a mining unit under 'Lt. Col. Kennedy'. The RUF have since organized something they refer to today as 'RUFP Mining Ltd.' As of October 2000, the 'Chairman' was 'Lt. Col. Abdul Razak' and the Deputy Chairman was 'Lt. Col. Victor'.

71. In addition to being a source of revenue, diamonds have also been a source of constant friction and confusion within the RUF. In 1999, Sam 'Mosquito' Bockarie, a former diamond digger who became the RUF's 'Battle Group Commander' and 'High Command', complained to Foday Sankoh that during the AFRC/RUF 'marriage' in 1997[2] Dennis Mingo ('Col. Superman') had sold a diamond to a Lebanese businessman. A portion of the proceeds had gone to the AFRC government and the balance, Le

[2] Following a coup in May 1997, the Armed Forces Revolutionary Council, headed by Johnny Paul Koroma took power. The AFRC invited the RUF to share power with them. A period of violence and anarchy ensued. In February 1999 the West African peacekeeping force, ECOMOG, forced the AFRC from power and returned Tejan Kabbah to the Presidency.

9 million, was intended for the RUF. Instead, however, Superman embezzled the money, according to Bockarie. (A list of RUF leaders and their pseudonyms is included as annex 3.)

72. Late in 1998, after the AFRC had been forced out of Freetown by ECOMOG, RUF forces led by Issa Sesay and under orders from Sam Bockarie (then referred to as Chief of Defence Staff for both the RUF and the AFRC), undertook a mission to move former AFRC Chairman Johnny Paul Koroma to the safety of RUF headquarters in Buedu. While they were there, Sesay discovered that Koroma was in possession of a parcel of diamonds, and that he was planning to escape to Ghana with his family. Sesay and Brigadier Mike Lamin confronted Koroma, finding it hard to believe that while they were trying to regroup, Koroma would keep diamonds for his own use and flee, leaving them with a problem he had created. The diamonds were subsequently handed over to the RUF leadership. According to internal RUF reports, the diamonds were then given to Ibrahim Bah and 'Sister Memuna' and taken to Liberian President Charles Taylor.

73. The name of 'Ibrahim Bah' arises frequently in the RUF diamond story. He is said to be a Burkinabe military officer. He is also known as Ibrahima Baldé and Baldé Ibrahima. He was a key player in the RUF-AFRC axis, and has been instrumental in the movement of RUF diamonds from Sierra Leone into Liberia and from there to Burkina Faso.

74. Issa Sesay, the current RUF leader, has had his own problems with diamonds. Late in 1998, Captain Michael Comber of the RUF Mining Unit brought a parcel of diamonds from Kono to the RUF headquarters at Buedu. Sam Bockarie gave the diamonds to Sesay who took them to Liberia where he was to meet Ibrahim Bah. Together they were then to meet a business associate of Foday Sankoh to make arrangements for the procurement of military equipment. Sesay lost the diamonds somewhere in Liberia, claiming he had accidentally dropped the parcel in the mud. This led to a major contretemps between Sesay and Bockarie, although Sesay was eventually forgiven.

75. Dennis 'Superman' Mingo, however, still smarting over the allegation that he had embezzled Le 9 million from a 1997 diamond sale, played up Sesay's loss, fomenting contention within the RUF ranks. In October 1999, he wrote to Foday Sankoh from Liberia, warning him that Sam Bockarie could not be trusted and that Sankoh's life was in danger. He also said that Bockarie and his men had been squandering funds from diamond sales and that Bockarie had bought a house in Liberia and one in France.

76. Shortly thereafter, a military confrontation occurred between forces loyal to Foday Sankoh and those loyal to Sam Bockarie. Several combatants were killed. Sam Bockarie subsequently went into exile in Liberia, where he remains close to President Charles Taylor.

77. Diamonds continue to cause friction. In September 2000, a dispute arose between Lt. Col. Victor, the Deputy Chairman of RUFP Mining Ltd. and some of his associates: Major Bob Vandy, Staff Captain Koroma and Major Morry Gebaru. RUFP Mining Chairman Abdul Razak undertook an investigation, which uncovered stories of diamond embezzlement by 'Capt. Prince Khan' and others who were in conflict with the Deputy Chairman, including 'Lt. Col. Mustafa Sherrif'. This in turn raised the concern of Issa Sesay, who was at the time carrying out a wider investigation into all RUF financial affairs in Liberia.

C. Estimated volume of diamonds mined by the RUF

78. Estimates of the volume of diamonds mined by the RUF vary widely, from as little as $25 million per annum to as much as $125 million. De Beers has estimated that the total was likely $70 million in 1999. Part of the difficulty in estimating what is available to the RUF is the fact that years of illicit mining and export have served to reduce all official historical production figures, providing no reliable statistics for at least two decades on what has actually been mined in Sierra Leone. In the late 1960s, Sierra Leone exported 2 million carats per annum. The RUF holds the richest diamond areas in the country. If 1999 RUF production was one eighth of Sierra Leone's best year (i.e. 250,000 carats), the value would be upwards of $50 million. If it was half of the official average exports in the early 1990s (i.e. 100,000 carats), it would be in the neighbourhood of $20 million.

79. There are arguments in favour of lower estimates: the RUF does not have access to heavy equipment and is thus limited to artisanal mining; many former RUF combatants today live very modest lives and say they

never saw diamonds. Arguments favouring higher estimates include the fact that the RUF has been able to support 3,500-5,000 armed combatants and as many camp followers for several years, and internal RUF communications regularly refer to the importance of diamonds. Knowledgeable diamantaires believe that a very high proportion of the diamonds being exported from the Gambia (which mines no diamonds of its own) originate in Sierra Leone, some travelling there via a third country such as Liberia. Imports into Belgium of 'Gambian' rough averaged over $100 million per annum between 1996 and 1999.

80. While the total generated by the RUF, whether it is $25 million, $70 million or $125 million, is very small in relation to the global annual output of diamonds, it nevertheless represents a major and primary source of income to the RUF, and is more than enough to sustain its military effort.

D. How the RUF move diamonds out of Sierra Leone

81. Diamonds have always been smuggled out of Sierra Leone, the bulk through Liberia. This historical fact is not in dispute. There have been a variety of reasons for smuggling: to avoid taxes; to avoid the higher cost of corruption in one country over another; to gain access to hard currency; to launder money. Historically, Liberia was the route of choice primarily because of its use of the United States dollar as its official currency. Other diamonds found their way to Guinea where they would more likely have been traded for rice and other foodstuffs. And diamonds also travelled further afield to other countries in the region, carried by Madingo and Senegalese traders, known as marakas.

82. Some RUF diamonds have been traded in Guinea. There are reports of one-off deals in which RUF commanders have traded diamonds for supplies, and sometimes for weapons, dealing with individual, mid-level Guinean military officers acting on their own account. One such arrangement in mid-2000 is said to have gone sour, resulting in an RUF attack on the Guinean border town of Pamelap when promised Guinean supplies were not forthcoming. There is no evidence, however, of any official Guinean collusion in such trade.

83. A certain volume of RUF diamonds are being traded in Kenema and elsewhere in Sierra Leone. It is an open secret that RUF traders bring diamonds to Kenema from Tongo Field, only 28 miles away, on a regular basis, and exchange them for food and other supplies. This would account for the continued presence in Kenema of more than 40 separate diamond dealers, many of them Lebanese, even though their main source of supply has officially been out of reach for several years. It is possible that these diamonds could enter the official export system if there is a lack of probity and vigilance in the Government Gold and Diamond Office (GGDO), the Ministry of Mineral Resources and its branches.

84. It is more likely, however, that these diamonds are being smuggled out to neighbouring countries. Many of Sierra Leone's diamond dealers are also major importers of food and consumer goods. The steep mark-up on these goods yields high profits which require a hard currency or its equivalent in order to be repatriated. Diamonds serve this purpose. Many prominent exporters from Sierra Leone are also exporters of diamonds from the Gambia, a country that produces no diamonds at all.

85. As noted in paragraphs 67 through 77, however, the bulk of the RUF trade in diamonds leaves Sierra Leone through Liberia. The diamonds are carried by RUF commanders and trusted Liberian couriers to Foya-Kama or Voinjama, and then to Monrovia.

86. A Liberian is said to be President Taylor's representative in Kono, with a mandate to supervise diamond operations. On the RUF side, during much of 1998, Dennis 'Superman' Mingo was in charge of the diamond operations in Kono. He regularly took diamonds to the RUF headquarters at Buedu and from there they were transferred to Liberia. At various times, diamonds were taken to Monrovia by Eddie Kaneh, Sam Bockarie and Issa Sesay. As noted in paragraphs 71 to 77, there have been frequent disputes over the diamonds, and RUF couriers travel in fear of being robbed by rogue Liberian NPFL (National Patriotic Front of Liberia) fighters. At RUF headquarters in Buedu, concerns have occasionally arisen that diamonds said to be held in safekeeping by President Taylor might actually have been sold. On one occasion in 1998, Sam Bockarie went to Monrovia to see Taylor about this concern, and when he returned, he reported that he had seen the diamonds.

87. Because of time constraints, the Panel could not go into the details of ways and means through which RUF diamonds are moved out of Liberia, however there is sufficient evidence to prove that this trade cannot be conducted in Liberia without the permission and the involvement of government officials at the highest level. In Liberia, uncorroborated stories refer to high-level go-betweens, senior government officials, and financial transactions made in Burkina Faso, South Africa, the United States and Lebanon. (This subject is covered from a different perspective in the Liberia case study, below.)

88. Liberian officials thrive on their country's reputation for weak administration, its crippled infrastructure and its 'porous border'. In fact, however, very little trade, whether formal or informal, takes place without the knowledge and involvement of key government officials. This is true of all imports, and where exports are concerned, it is especially true of diamonds and timber. Liberia's own official diamond exports were said to be only 8,500 carats in 1999, valued at $900,000.[3] Liberia's Minister of Lands, Mines and Energy estimates that this represents only 20 per cent of what is actually leaving the country, and the Ministry of Revenue suggests that it might be as little as 10 per cent of the total.

89. In a country where most of the diamond traders are foreigners and where the movement of foreigners, money and supplies is as carefully watched, as is the case in Liberia, it is not conceivable that so much of Liberia's own diamond production could avoid the detection of government. Nor is it conceivable that the significantly greater volumes of high-value Sierra Leone diamonds moving through Liberia could avoid detection by government.

E. Foday Sankoh's post-Lomé diamond business

90. The Lomé Peace Agreement appointed Foday Sankoh Chairman of a Commission for the Management of Strategic Mineral Resources (CMRRD). Between the time Foday Sankoh returned to Sierra Leone late in 1999 and the resumption of hostilities in May 2000, members of the Commission never actually met, and the Commission did not function. During his time in Freetown, Foday Sankoh spent money lavishly, although he had no obvious source of income. He imported vehicles, satellite phones and other expensive equipment.

91. In 1999, before Foday Sankoh's appearance in Freetown, Sam Bockarie wrote a 'To Whom It May Concern' letter on RUF stationery, appointing Mohamed Hijazi, a long-time diamond miner and dealer, as the RUF's agent 'to negotiate with any person or company within or outside S/Leone for the prospecting, mining, buying and selling of diamonds'.

92. After his arrival in Freetown, Foday Sankoh signed numerous agreements with international business firms and solicited financial favours from others making enquiries in his own name, in the name of the Commission, and in the name of the RUF. His own business files, found in his office after the May 2000 resumption of hostilities, contain correspondence relating to business opportunities he was actively promoting.

93. In November 1999, for example, Foday Sankoh received a visit from Chudi Izegbu, President of the Integrated Group of Companies based in McLean, Virginia. Izegbu had chartered an aircraft to Freetown from Abidjan, and together he and Sankoh discussed a range of investment possibilities for the Integrated Group, which includes a company called Integrated Mining, registered in the Cayman Islands. They discussed possible investments in civilian aircraft services, petroleum imports and a major investment in the Koidu diamond kimberlites. Subsequently, Izegbu and Sankoh exchanged correspondence about 'negotiations and discussions currently going on in the interest of the RUFP'. And they exchanged test messages in a code which would allow them to disguise names - words like 'diamonds' and 'gold', and expressions such as 'everything is OK', and 'things are bad'. In December 1999, Sankoh ordered 14 vehicles from Izegbu with the logo of the RUF Party painted on the side of each.

94. In March 2000, Damian Gagnon of the U.S. company, Lazare Kaplan International (LKI), visited Foday Sankoh, and in a subsequent letter to Sankoh, LKI Chairman Maurice Tempelsman said that Gagnon had reported 'a commonality of views between you and this company on the possibilities of LKI re-entering the

[3] Liberia's estimated production capacity varies between 100,000 and 150,000 carats per annum. In 1988 and 1989, Liberia officially exported approximately 150,000 carats, valued at an average of $8.7 million per annum.

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Sierra Leone diamond business in a manner beneficial to all the people of that country as well as our company'.

95. Much of the correspondence suggests that Sankoh was encouraging a wide variety of potential investors, many thinking they would reap exclusive benefits from the same things. One much-circulated April 2000 letter from 'Michel' to 'The Leader' talks about how Sankoh should try to get all of the diamonds mined in Kono, rather than the 10 per cent which the author said was the case - the rest being filtered off to Liberia. 'Michel' proposed that his Belgian partner 'Charles' could hire a private jet to take the diamonds out directly from Kono, avoiding 'the Lebanese' and Monrovia - 'We cannot trust those people', he wrote.

96. Michel Desaedeleer, a U.S.-based, self-employed Belgian, made contact with the RUF in Togo during the summer of 1999 while he was doing business with the son of President Eyadema. By October, he and John Caldwell, President of the Washington-based U.S. Trading & Investment Company, had worked up an arrangement with Foday Sankoh which would give them authority to broker rights to all of Sierra Leone's diamond and gold resources for a ten-year period. Although refused a visa by Sierra Leone's U.S. embassy, Caldwell and Desaedeleer went to Sierra Leone and Liberia anyway, and signed the agreement between Desaedeleer's BECA Company and the RUF (not with the Government of Sierra Leone or the Commission for the Management of Strategic Mineral Resources). While they were in Liberia, Desaedeleer was given diamonds by Ibrahim Bah (a.k.a. Ibrahima Baldé), which Desaedeleer later discovered in Antwerp were worth much less than he had been told. He also claimed to have been shown 'perhaps hundreds' of diamonds by Sankoh's wife, Fatou, during a 1999 meeting in New York.

97. In February 2000, Foday Sankoh, his wife and other RUF officials travelled to South Africa. Sankoh was in contravention of a United Nations travel ban prohibiting him from leaving Sierra Leone. The trip was sponsored and partially financed by South African businessman Raymond Kramer, who earlier the same month had signed an agreement with Sankoh to 'represent the Commission [the CMRRD, of which Sankoh was Chairman] in all areas relating to mining and mineral resources, including but not limited to strategic minerals and precious stones'. When Sankoh's presence in South Africa was made public, he was forced to return to Sierra Leone and curtail his dealings with Kramer. Fatou Sankoh, who travels on a U.S. passport, visited South Africa again in May 2000, and was again deported.

98. The correspondence presents an image of a double-dealing Leader, clutching at financial opportunities for personal and political gain, outside of the governmental framework in which he was ostensibly working. Much of this related to the diamond trade. It also suggests dissension within the RUF ranks, and an attempt by Sankoh to gain control over diamonds that remained effectively in the hands of his fractious field commanders and their Liberian mentors.

F. Sierra Leone's new diamond certification system

99. By resolution 1306 (2000) adopted on 5 July 2000, the Security Council imposed an embargo on the direct and indirect import of rough diamonds from Sierra Leone until a new mining, export and monitoring regime could be developed. With technical assistance from Belgium's Diamond High Council and financial assistance from the United Kingdom and the United States, a certificate of origin system was developed between July and October 2000, including a numbered confirmation certificate printed on security paper, new detailed electronic databases of exports with electronic confirmation at destination, and electronic transmission of digital photographs of the packages being exported.

100. In October, after considering the new measures and ensuring that information about them had been disseminated to importing countries, the Security Council lifted the embargo on official Sierra Leone exports. The first diamonds exported under the new arrangements reached Antwerp at the end of October.

101. The embargo and the new certification system were peripheral to the mandate of the Panel, but during our travel it was the subject of much discussion in Sierra Leone, in other African exporting countries, and in all the major diamond importing centres.

102. The new system is indeed foolproof once diamonds enter the formal system. It will be important for Sierra Leone's Government Gold and Diamond Office to ensure, therefore, that only diamonds mined in government-controlled areas are actually certified.

This is especially important, given efforts by the RUF to trade diamonds for food and other supplies in Kenema (see also paragraph 83 above).

103. It is perhaps more important to consider the value of the system beyond conflict diamonds, once the war ends. Then the issue for Sierra Leone will focus more on smuggling and other forms of illicit behaviour. In the end, the certification system can only work to its fullest potential if the government is willing and able to track and audit dealers in Sierra Leone, and if it is able to develop systems of support for the artisanal miners who, for the better part of 50 years, have worked outside the diamond industry.

104. There is more to be said about the certification scheme, however. There was never a serious problem with diamonds being exported officially from Sierra Leone. The problem was the illicit and conflict diamonds which avoided the formal system. In 1999, Sierra Leone officially exported only 9,320 carats, a demonstration, if one was needed, that the formal system was being ignored by the RUF and smugglers. This had changed in the first half of 2000, when concern about the country's conflict diamonds was noted in the world press and in diamond-buying centres. The consequence was a sudden influx of diamonds into the formal system, offered by dealers wanting at last to 'go straight' and avoid charges of illicit trading. While the 26,300 carats exported officially during this period did not represent a landslide, it was a significant step in the right direction.

105. The United Nations embargo effectively stopped this legitimizing trend for several months, and pushed traders back into their old and time-tested smuggling routes. Because there was no embargo on diamonds from any of Sierra Leone's neighbouring countries, the ban actually punished the victim and rewarded its enemies. This has now changed, and it is to be hoped that the new system will attract a significant volume of diamonds back into legitimate channels.

106. Where the RUF's conflict diamonds are concerned, the legitimate export system, whether it was foolproof or not, was irrelevant, and it will remain so. As long as there are no controls in neighbouring countries, the RUF will continue to be able to move their diamonds out with impunity.

107. For this reason, it is imperative that a standardized global certification scheme be introduced as soon as possible. The issue of conflict diamonds has now been addressed at four intergovernmental meetings in the 'Kimberley Process' and at a further meeting in London in October 2000. On 1 December 2000, the General Assembly passed a resolution on the role of diamonds in fuelling conflict (A/RES/55/56), and expressed 'the need to give urgent and careful consideration to ... the creation and implementation of a simple and workable international certification scheme for rough diamonds'. The resolution stated that this scheme should meet internationally agreed minimum standards, it should secure the widest possible participation, and that diamond exporting, processing and importing States should act in concert. The resolution also noted the need for transparency and for arrangements to help ensure compliance.

108. This resolution is strongly endorsed by the Panel. It is a major step forward in recognizing the need for what the diamond industry calls 'rough controls'. If implemented, it could go a long way in solving some of the problems identified in this report. The Government of Namibia will convene a workshop early in 2001 to consider technical aspects pertaining to the envisaged certification scheme. The Panel very much welcomes the Namibian offer to help move the process forward.

109. The Panel notes with concern, however, that some governments and some members of the industry may be approaching the idea of international 'rough controls' with reluctance or antipathy, urging a minimalist approach and a lengthy period of study and negotiation. The Panel believes that any international system must be developed carefully, and that it must be appropriate to the need. But the Panel is in no doubt about the urgency or the importance of the proposal. Despite all the meetings of the past year, despite the work of the United Nations and many governments, the wars in Sierra Leone, Angola and the Democratic Republic of the Congo continue; diamonds continue to serve as fuel for these wars and as a catalyst for the continuing misery of hundreds of thousands of people.

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Case study: diamond identification and certification

A diamantaire in London showed the Panel six diamonds, for which the owner was asking $1 million. The diamonds had been brought to London on approval from Antwerp, and were accompanied by all the necessary paper work. They were said to have originated in South Africa, and the South African export documents were also available.

The diamantaire and his colleagues, however, believed that the diamonds were not South African. One or two might have been Angolan or even Sierra Leonean, but they were fairly certain that all six had come from Namibia.

The South African Diamond Board scrutinizes all official diamond imports, but as with other countries, diamonds can be smuggled into, as well as out of the country. Panel members visited the Diamond Board and examined the available documentation on a sample import from Zambia. Along with the South African paper work, the importer had supplied a Zambian export certificate. The fact that Zambia mines few diamonds notwithstanding, the 'certificate' was a document that could have been created in five minutes with a rubber stamp and a laptop. Facilities for checking back with Zambian authorities as to its authenticity, or the authenticity of the information contained in it were minimal.

G. Conclusions on Sierra Leone diamonds

110. The issue of Sierra Leone's conflict diamonds is complex, but it is not unfathomable. As will be noted later in this report, it is tied to the wider issue of *illicit* diamonds, and this has been recognized in a forthright manner by the diamond industry in WDC documentation. A detailed proposal has also been made by the WDC for a 'System for International Rough Diamond Export and Import Controls', which should be an excellent basis for intergovernmental discussions.

111. At the beginning of 1999, the industry denied the problem of conflict diamonds, and governments appeared to be taking decisive action. The situation has now changed, with the most specific initiatives coming from industry. Despite the 1 December 2000 passage of General Assembly resolution 55/56 on the need for a global system of 'rough controls', the intergovernmental process may take several more months of negotiation. For this reason, where Sierra Leone is concerned, it will be imperative for the Security Council to take early steps on broadening the existing Sierra Leonean certification system throughout West Africa at least.

II. International diamond statistics and transit countries

A. General

112. The Panel sought to determine how illicit diamonds from Sierra Leone find their way into the legitimate trade. One line of enquiry was to compare diamond export statistics of neighbouring producer countries with their known mining production capacity, to see if exports significantly exceed production capacity. Another was to review the import statistics of major trading centres for anomalies. One such anomaly is the 33.6 million carats said to be of Liberian origin that were imported into Belgium in the five years between 1995 and 1999. This volume is far beyond Liberian production capacity, and exceeds official Liberian exports by so much, that investigation was clearly warranted (see also paragraphs 122 to 130 below).

113. A major difficulty in tracking the movement of rough diamonds, however, is the inconsistent manner in which the governments of major trading centres record diamond imports and exports. The first issue has to do with the general availability of statistics. Belgian authorities expressed concern to the Panel that Belgium

had been unfairly criticized in the past because it has been so open with its statistics. It was suggested to the Panel that other countries have escaped criticism for importing rough from 'sensitive' countries - either as countries of origin or provenance - simply because they produce no public statistics at all.

114. The Panel went to considerable lengths to obtain rough diamond import statistics from all the major trading centres for the years between 1987 and 1999. With the exception of the Gambia, Côte d'Ivoire and the United Arab Emirates, the Panel was largely successful. We found the following:

Belgium:

Imports a great deal of rough - 183 million carats in 1999, valued at $7,185 million, averaging $39 per carat.

India:

Imports a growing volume of rough, increasing from 52.1 million carats in 1990-91 to 187.2 million in 1998-99, tapering off at 178.4 million carats in 1999-00 and averaging $28 per carat. On average over the past five years, 80 per cent has been imported from Belgium and 15 per cent from the United Kingdom. A tiny volume is imported from the United Arab Emirates and virtually nothing from Africa.

Israel:

Has traditionally imported a small amount of rough - on average less than 12 million carats annually between 1997 and 1999. A tiny fraction of this has come from 'sensitive' countries - about 4,000 carats per annum. On average, 89 per cent of all rough imported into Israel between 1997 and 1999 was from three countries: Belgium, the United Kingdom and Switzerland. This is changing because one Israeli firm, IDI Diamonds, has made proprietorial diamond arrangements with the government of the Democratic Republic of the Congo. Between January and October 2000, Israeli imports of rough from Belgium, the United Kingdom and Switzerland had declined to 77 per cent of the total. Imports of Angolan rough accounted for 10 per cent of the total by weight, and 3.6 per cent by value.

South Africa:

Imports very little rough - approximately 70,000 carats in 1999, valued at $2.2 million. The imports originate in several countries in the region, with a very small amount from West Africa. About half of the total originates in Zambia, a country with very little diamond production of its own.

Switzerland:

Imports very little rough. Total value in 1999 was only Sw F 1.5 million, of which most was of British provenance. None was from 'sensitive' countries. The United Kingdom, however, recorded 41 per cent of its rough imports, valued at £44.8 million in 1999, as having come from Switzerland. The contradiction is explained by the unrecorded flow of large amounts of rough diamonds through Swiss *Freilager* (see paragraphs 116-119 below).

United Arab Emirates:

No data supplied. Belgium recorded imports from the United Arab Emirates of 5 million carats in 1999, up from only 500 carats in 1996. The average value of the diamonds in 1999 was $2.94 per carat.

United Kingdom:

Imports large volumes of rough, about half from South Africa and 40 per cent from Switzerland. Imports very little from 'sensitive' countries - 2,387 carats in 1999.

United States:

Imports a small amount of rough - approximately 8.7 million carats in 1999. The bulk was from the Russian Federation, Switzerland and the United Kingdom. Very little from sensitive countries, although imports from Sierra Leone totalled about 5,000 carats in 1999, roughly 54 per cent of what was officially exported.

B. Provenance and origin

115. Although the Panel received detailed import statistics from each of the major trading centres, there are a number of key differences that make the tracking of rough diamonds extremely difficult. The first has to do with a distinction made between 'country of origin' and 'country of provenance'. Country of provenance refers to the country from which diamonds were last imported; country of origin indicates where they were mined. Statistics on country of provenance are important in the calculation of national trade statistics,

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and until recently, little serious attention was paid anywhere to the issue of where diamonds were actually mined.

116. This leads to major anomalies. For example in 1999, British imports of rough unsorted diamonds (code 71021000) totalled £107 million (down from £347 million in 1998). Of this, Switzerland was recorded as the 'country of origin' for 41 per cent or £44.2 million. Switzerland, as a non-producer of diamonds, could only have been the country of provenance, importing the diamonds from another country. Switzerland, however, records the importation of virtually no rough, unsorted diamonds. The total in 1999 was valued at only Sw F 1.5 million, up from Sw F 295,000 in 1998.

117. The difference is explained by the fact that Switzerland has not in the past recorded statistics on diamonds passing through its free trade areas, or *Freiläger*, at Zurich and Geneva airports. The volume of these flows is so great that it would skew national trade statistics, and since no value is added to these diamonds as they pass through Swiss airports, there has, until recently, been no felt need to record the statistics. Those diamonds bound for the United Kingdom thus become 'Swiss' simply by virtue of having passed through a *Freiläger*. The country of origin, which might have been recorded in Switzerland, and passed on to British customs authorities, is thus lost.

118. It should be noted that parcels of rough diamonds passing through a *Freiläger* can be opened, mixed with other diamonds, repackaged for a variety of destinations, and exported as mixed diamonds. Private sector firms working in the *Freiläger* maintain facilities expressly for this purpose, including secure areas with diamond scales and sorting equipment. This sorting and re-invoicing serves to further obscure the origin of diamonds.

119. Origins become even more obscure once diamonds have been sorted and/or partially treated in the United Kingdom. Under this heading (code 71023100), the United Kingdom became the origin of 96.7 per cent of all Swiss imports in 1999. Having become 'Swiss' on the way to the United Kingdom, a huge proportion then becomes 'British' on the way back to Switzerland. Because 96.4 per cent of Swiss diamond exports in 1999 went to Israel, most of these same diamonds thus became 'Swiss' again as far as Israeli import statistics are concerned.

120. India notes the fact that it does not trade in conflict diamonds because 80 per cent of its rough imports come from Belgium and virtually none come directly from Africa. As with the United Kingdom and the United States, however, the operative word is 'directly'. The lack of scrutiny throughout the delivery chain and the stops along the way allow most importing countries to say that they do not import anything from Africa, conflict or otherwise.

121. These examples explain why it is so difficult to determine where diamonds - still in their rough state and moving from one trading or polishing centre to another - are actually mined. It does not explain, however, why the huge volume of diamonds entering Belgium, noted in paragraph 112 above, would have been labelled 'Liberian'. The superficial explanation is that they were of Liberian 'provenance', as clearly they could not have been mined in Liberia. According to this explanation, they would have transited Liberia and become 'Liberian', just as other diamonds transit Switzerland, Belgium or the United Kingdom, becoming 'Swiss', 'Belgian' or 'British' in the process.

C. Case studies: Liberia, Gambia, Guinea and Côte d'Ivoire

Liberia

122. The highest estimates of current Liberian production capacity do not exceed 150,000 carats per year. In 1987, the country exported a record high 295,000 carats, at an average value of $37 per carat. The Liberian Ministry of Lands, Mines and Energy informed the Panel that 1998 official diamond exports totalled only 8,000 carats, valued at $800,000 (i.e. $100 per carat). In the same year, Belgium recorded imports from Liberia by 26 companies, totalling 2.56 million carats, valued at $217 million (i.e. $85 per carat). One company alone, 'Company A', imported 168,456 carats, estimated at $87 million, or $516 per carat.

123. In 1999, official Liberian exports grew slightly, to 8,500 carats, at an average value of $105 per carat. 'Liberian' imports into Belgium declined to 1.75 million carats, but the stated value increased to $247 million, or $140 per carat. Company A's imports declined to 75,000 carats, valued at $57 million. This

represented a significantly higher per carat value, however, of $760.

124. Up to mid-August 2000, 'Liberian' imports into Belgium were 340,000 carats, valued at $50 million, or $147 per carat. Company A, however, which told the Panel at the end of October that it had not imported anything from Liberia for six months, showed imports of only 6,696 carats. But valued at $12.88 million, this represented a remarkable $1,923 per carat.

125. Belgium has recently changed the data requirements on the import licences that it requires for each shipment. It now requires that each import shipment state the country of provenance, as well as the country of origin. A review of selected Company A import licences, however, showed that diamonds *far in excess of the quality or quantity available in Liberia* had been imported as Liberian in provenance *and origin*. Invoices from 'Liberian' firms - none on the list of licencees provided by the Liberian government - accompanied the Belgian import licence.

126. A physical check of the Monrovia street addresses given by most of these firms revealed that there were no such companies, and no such addresses. Courier firms in Monrovia, however, have in the past been instructed to route correspondence for these addresses to the International Trust Company (ITC), which in January 2000 changed its name to the International Bank of Liberia Ltd. Since then, mail addressed to the companies in question has been forwarded to the newly established Liberian International Ship and Corporate Registry (LISCR) which now handles the Liberian maritime registry. This means that if the companies in question are more than shells, they are not physically present in Liberia, and none of the diamonds in question were either mined in, or passed through, Liberia. It also means, however, that there is an intimate Liberian connection with these deceptive diamond transactions.

127. The name of retired U.S. Army General Robert A. Yerks occurs frequently in discussions about Liberian diamond transfers. He was involved with ITC and is currently a senior official in LISCR.

128. Companies and individuals in Belgium importing 'Liberian' diamonds in 1999 and/or 2000 include (but may not be limited to) the following: Abadiam, Afrostars Diamonds, Ankur Diamonds, Arslanian, Cukrowicz, Diam 2000, Diambel, Diminco, Fink Diam, Hardwill Diamonds, I.D.H. Diamonds, Korn & Partners, Krishna Dimon, Lewy-Friedrich, Marjan Diamonds, Omega Diamonds, Orion, Samir Gems, Sana Diam, Shainydiam, Shallop Diamonds, Shour, Siddhi Gems, Sima Diamond, Soradiam, Starough, Sunshine Gems, Sygma Diamonds, Symphony Gems, Vijaydimon, Vitraag and Widawski.

129. Companies supposedly exporting diamonds from Liberia, which are not on the Government list of licencees and which do not have a physical presence in Liberia include Alcorta Trading, Barnet Trading Co., Diamond Trading Associates, Fairlib Enterprises Inc., Kamal Daoud S.A., Nybelgo Company, and Pier Enterprises S.A. There are undoubtedly more. While the diamonds listed on the invoices of these companies are not necessarily conflict diamonds, companies with a genuine physical presence in Liberia have also provided invoices to Belgian importers. Without further investigation, it is difficult to say whether they are exporting genuine Liberian diamonds, or smuggled Sierra Leonean diamonds. Whatever the case, they are engaged in illicit behaviour, because they do not have Liberian export licences and because their exports far exceed official Liberian exports.

130. Much has been made in recent months about the need to make a clearer distinction between 'country of origin' and 'country of provenance'. The volumes in question regarding Liberia, however, taken in conjunction with Liberia's own figures and its limited capacity to act as a trading centre, indicate that a large proportion of the diamonds entering Belgium under the Liberian label represent neither country of origin nor country of provenance. Most are illicit diamonds from other countries, taking advantage of Liberia's own involvement in the illicit diamond trade, its inability or unwillingness to monitor the use of its name internationally, and the improper use of its maritime registry. The larger illicit trade provides Liberia with a convenient cover for the export of conflict diamonds from Sierra Leone.

The Gambia

131. The Gambia produces no diamonds, but in recent years it has become a diamond-exporting nation. In 1998, Belgium recorded imports from the Gambia of 449,000 carats valued at $78.3 million, an average value of $174 per carat. The volume declined the following year to 206,000 carats, with an average per carat value of $234. Up to mid-August 2000, there was

a more significant decline: 82,000 carats valued at $17.6 million ($214/ct).

132. All of the Belgian importers of 'Gambian' rough also import from one or more of the producing countries in the region: Sierra Leone, Guinea and/or Liberia. 'Company B' explains its importation of $50 million in 'Gambian' diamonds between 1 January 1998 and mid-August 2000 as follows: There are many traders - 'marakas' - moving up and down the coast with diamonds. The Gambia has become a 'mini-Antwerp', and reputable companies are simply buying what is available on the open market. When pressed, however, Company B acknowledges that these diamonds have entered Gambia for one of two reasons: either to evade taxes in the countries where they have been mined, or to avoid detection as conflict diamonds. Knowledgeable diamantaires say that 90 per cent of 'Gambian' diamonds are from Sierra Leone.

133. The Gambia did not respond to the Panel's repeated requests for information on diamond imports and exports, so the Panel does not know whether exports from the Gambia are consistent in any way with official Gambian imports.

Guinea

134. Official Guinean exports were consistent over the 1990s, averaging 380,000 carats per annum, at $96 per carat. The panel examined Belgian, United States, British, Swiss and Israeli import statistics, and found that the only significant imports were into Belgium. This is consistent with information provided by the Government of Guinea.

135. Belgian trade statistics, however, record average imports over the same period of 687,000 carats per annum, with an average value of $167 per carat (see table 1). In other words, Belgium appears to import almost double the volume that is exported from Guinea, and the per carat value is almost 75 per cent higher than what leaves Guinea.

136. It is unlikely that the difference between Guinean exports and Belgian imports could be explained by the 'country of provenance' issue, because Guinea does not officially import diamonds, and any official Sierra Leone diamonds in transit through Conakry do not enter Guinean trade statistics.

137. There are three possible explanations. The first is that the difference is made up of diamonds exported unofficially from Guinea. These could be either Guinean diamonds, or diamonds smuggled in from Sierra Leone and elsewhere (as in the Gambian case). Such diamonds could be 'conflict diamonds' or simply 'illicit diamonds'. The second possibility is that Guinea's name is applied to diamonds entering Belgium from another country or countries, as in the Liberian case. A third possibility is that it is a combination of the first two.

138. United States statistics show a different problem, if they have been correctly presented to the Panel. They record a very small volume of Guinean imports by weight, but the value is over $1,300 per carat. This is a major anomaly in the sense that it is roughly 14 times higher than the average per carat value exported from Guinea. This statistic requires further investigation if it is to make sense (United States officials are currently reviewing the matter).

Côte d'Ivoire

139. A problem similar to that of Guinea exists in relation to Côte d'Ivoire. According to the authoritative United States Geological Survey, Côte d'Ivoire exported approximately 75,000 carats per annum in the mid-1990s. Very little rough is imported into the United Kingdom, the United States or Israel from Côte d'Ivoire. Belgium, however, imported 6 million carats between 1994 and 1999, about 13 times more than was apparently produced in the country. The average per carat was $92.

140. Export figures for Côte d'Ivoire have been taken from the United States Geological Survey because Côte d'Ivoire did not respond to the Panel's request for information.

D. Conclusions on statistics and transit countries

141. The statistical anomalies surrounding the Liberian example demonstrate that the Liberian name, and most likely the names of other countries, has been widely used by individuals and companies wishing to disguise the origin of rough diamonds. These diamonds could include conflict diamonds from Sierra Leone, the Democratic Republic of the Congo and/or Angola, but the volumes are such that additional explanations are required. These include the breaking of legally binding

Table 1
Comparison of Guinean exports and imports into trading and polishing centres 1993-1999

Year	*Guinea exports*		*Belgian imports from Guinea*		*United States imports from Guinea*		*United Kingdom imports from Guinea*	
	Carats (000)	US$ (000)	Carats (000)	US$ (000)	Carats (000)	US$ (000)	Carats (000)	US$ (000)
1993	374	29 582	1 030	178 020	3	4 400	-	-
1994	381	28 412	876	165 770	1	1 600	-	-
1995	452	34 719	780	26 210	2	3 400	-	-
1996	364	35 471	440	83 670	1	2 700	-	-
1997	380	46 930	533	108 120	3	10 000	-	-
1998	355	40 657	596	116 100	17	11 000	-	-
1999	357	40 207	554	127 120	10	16 400	84	5 098
Total	**2 663**	**255 978**	**4 809**	**805 010**	**37**	**49 500**	**84**	**5 098**

Sources: Bureau National d'Expertise des Diamants et Autres Gemmes, Guinea; Ministry of Economic Affairs, Belgium; U.S. Department of Commerce; HM Customs & Excise, Tariff & Statistical Office, UK. No Guinean diamonds appear in Israeli, Indian or Swiss import figures. Negligible amounts are imported into South Africa. UK£ converted at US$ 1.5.

commercial contracts, tax evasion and money laundering. Mostly, such diamonds are illicit in nature. Because the volume in illicit diamonds is so high, it is not difficult for the smaller volume of conflict diamonds to become lost in the larger numbers.

142. A country like Liberia, whose name has been used with or without its knowledge by illicit traders, can thus conceal its own trade in illicit or conflict diamonds behind the larger rackets being perpetrated by others.

143. The variations in the way major trading centres record the importation of rough diamonds add to the ease with which illicit and/or conflict diamonds can be laundered.

III. 'Conflict' diamonds and 'illicit' diamonds

A. The issue

144. 'Conflict diamonds' have been defined as diamonds that originate in areas controlled by forces fighting the legitimate and internationally recognized government of the relevant country. De Beers has estimated that in 1999 the total volume of conflict diamonds was approximately $255 million, less than 4 per cent of the world's rough diamond production of $6.8 billion. Of these, $35 million were said to originate in the Democratic Republic of the Congo, $150 million in Angola, and $70 million in Sierra Leone. Where the Democratic Republic of the Congo is concerned, some researchers place the figure at about twice the De Beers estimate. Where Sierra Leone is concerned, a more detailed discussion can be found in paragraphs 78-80 above.

145. In its search for conflict diamonds from Sierra Leone, the Panel discovered that there is a much greater volume of 'illicit' diamonds, and that distinguishing between the two is extremely difficult. As noted above, part of the difficulty in understanding diamond statistics is that once rough diamonds arrive in Europe, they are sorted, traded across borders, re-sorted and re-traded - possibly many times - before they actually get to a cutting and polishing centre.

146. This obscuring of origins makes the diamond industry vulnerable to a wide variety of illicit behaviour. It is no secret that diamonds are stolen from virtually every mining area in the world. Diamonds have long been used as an unofficial hard currency for international transactions. As with other precious commodities, they lend themselves to money laundering operations. Because they are small and easily concealed, they are readily moved from one country to another for the purpose of tax evasion, money laundering or to circumvent trade agreements. Virtually all of these diamonds eventually find their way into the legitimate trade. And all of these illicit transactions are made easier by the industry's long history of secrecy. Secrecy in the diamond industry is understandable for security reasons, but secrecy also obscures illicit behaviour.

147. At an October 2000 intergovernmental meeting on conflict diamonds in Pretoria, a senior diamond evaluator and trade consultant estimated that 20 per cent of the worldwide trade in rough diamonds is illicit in nature. The Panel raised this issue in its travels, and the figure was widely accepted as a reasonable estimate.

148. Official rough diamond production in 1999 was approximately $6.85 billion. About 65 per cent of this was controlled in one way or another by De Beers, which maintains that its diamonds are clean. If it is assumed that no De Beers diamonds are 'illicit', the illicit 20 per cent of $6.85 billion must all be flowing through the part of the business that trades on 'outside markets'. This would mean that a surprising 57 per cent of the outside market is comprised of illicit diamonds. Two other possibilities exist. The first is that the 20 per cent estimate is wrong. The second is that if it is not wrong, De Beers, too, must accept some responsibility for the trade in illicit diamonds. Whatever the explanation, this is an area that warrants further study, because it has the potential to taint and damage the entire industry.

149. Regardless of the explanation, it became obvious to the Panel that there is a very large trade in illicit diamonds, and that conflict diamonds are only a part of this trade. They are, in essence, illicit diamonds that have gone septic. They are, however, difficult to distinguish from illicit diamonds, because they are often traded in the same way, and by many of the same people who have been involved in the illicit trade for generations. When asked how conflict diamonds enter the system, dealer after dealer told the Panel that it happens in the same way that illicit diamonds enter the system. Someone brings them to a trading centre - Israel or New York, for example - either smuggling them past customs or making a false declaration. Either way, they will find a buyer. Or, a dealer will go to Africa and buy them from rebels, or from a third or fourth party. He will then take them to Europe, Israel or New York, and smuggle them past customs or make a false declaration.

B. Conclusion on conflict versus illicit diamonds

150. The Panel visited three import-export regulatory centres: in South Africa, Israel and Belgium. Given the huge volume of diamonds moving in and out of these three countries alone, even a five or tenfold increase in the size of these regulatory operations would probably not be enough to deal effectively with the issue of illicit diamonds. A global certification scheme with teeth would help, because it would require much better documentation on the part of exporters and importers, and would make false declarations less possible. A global certification scheme would not completely stop smuggling, but the anomalies described in the Liberian, Gambian and Guinean case studies above would not have been possible, and such a system would help put an end to conflict diamonds in Sierra Leone.

IV. A final note on diamonds

A. Some recommendations from Sierra Leone

151. A two-day conference on diamonds, organized by the Network Movement for Justice and Development, the Civil Society Movement of Sierra Leone and several other Sierra Leonean organizations, coincided with the visit to that country of the Panel. This 'Just

Mining' conference made several recommendations, which the Panel wishes to draw to the attention of the Security Council. The recommendations were based on widespread public frustration in Sierra Leone with the de facto division of the country into two parts - one with diamonds, controlled by the RUF, and one largely without diamonds, controlled by the government. The conference was vocal in its criticism of UNAMSIL's mandate and/or its inability to change this situation. UNAMSIL, the conference concluded, was actually complicit in dividing the country and in ensuring that the RUF can mine diamonds with impunity. The conference recommended the following:

- that the Government of Sierra Leone engage a private military/security firm to bring about a military solution to the problem as soon as possible;
- that the United Nations assume responsibility for the key diamond areas and manage them as a United Nations Trust Territory;
- that UNAMSIL be deployed to the diamond areas to protect them from future incursions and from illicit mining;
- that the Sierra Leone diamond industry be closed down completely for a period of five years in order to encourage non-Sierra Leoneans involved in the industry to leave, and to provide the government and people with the time required to devise new investment codes and more open systems of transparency and accountability, so that the diamond industry can benefit the people of the country, rather than the few who have enjoyed its rewards over the past three decades.

152. The Panel includes these civil society recommendations in the report for two reasons. The first is that they reflect widespread public concern in Sierra Leone about the connection between diamonds and the war, and about the lack of progress in resolving the conflict. The second is that they reflect a widespread concern, shared by the Panel, that once the conflict is settled, Sierra Leone's diamond industry should not be allowed to lapse back into the corruption and mismanagement of earlier years. The objective of the United Nations peacekeeping effort, the new diamond certification scheme, and the work of the Panel of Experts should not be a return to the status quo of earlier years. Rather the aim should be to help Sierra Leone move forward to a situation in which diamonds are a widespread public good, becoming an engine for development and peace rather than one of war and destruction.

B. Further research

153. There is reason to believe that a certain amount of diamonds have been traded by the RUF with officers of the former West African peacekeeping force, ECOMOG, in return for cash or supplies. The Panel did not see this issue as part of its mandate and so did not examine it in any detail, but repeated accounts, many of them first-hand eyewitness reports, made the stories impossible to ignore. If the issue is thought to be important, it will require further investigation.

154. The issue of 'illicit' diamonds and their implications for the diamond industry, as well as for the tracking and discovery of conflict diamonds, is an important one. This report has touched on it, but ongoing research and monitoring may be required in order to do the subject justice.

V. Recommendations on diamonds

155. In order to better regulate the flow of rough diamonds from producing countries, a global certification scheme based on the system now adopted in Sierra Leone is imperative. It will give added impetus to current discussions on this subject if the Security Council endorses the concept of a global certification system.

156. In the short run, and in the absence of a global system, it is recommended that certification systems similar to that adopted by Sierra Leone, be required of all diamond exporting countries in West Africa, with special and immediate reference to Guinea and Côte d'Ivoire, as a protective measure for their indigenous industries and to prevent their exposure to conflict diamonds. If this has not been completed within a period of six months, the Security Council should impose an international embargo on diamonds from these countries.

157. The Panel further recommends a complete embargo on all diamonds from Liberia until Liberia demonstrates convincingly that it is no longer involved in the trafficking of arms to, or diamonds from, Sierra Leone. The embargo should not be lifted until this

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condition has been met, and until Liberia too has joined the proposed standardized certification system.

158. The Security Council should place an immediate embargo on trade in all so-called Gambian diamonds until such time as its export of diamonds can be reconciled with imports.

159. Other diamond exporting countries in the region have been designated by the Belgian government as 'sensitive' countries, where special attention to imports is required. In addition to the three countries suffering directly from conflict diamonds and those mentioned above, these include Uganda, Central African Republic, Ghana, Namibia, the Congo (Brazzaville), Mali, Zambia and Burkina Faso. This list is commended to other major importing countries, including Switzerland, South Africa, India, Israel, the United Kingdom and the United States. Invoices from these countries need to be thoroughly checked, and where there is doubt about either provenance or origin, parcels should be seized until the authorities have checked the facts. Delays in processing will increase the cost of doing business and will encourage better paper work. Forfeiture of improperly labelled goods will discourage the habit decisively.[4]

160. Urgent attention should be given to extending a Sierra Leone-style certification system to these countries as soon as possible.

161. The United Nations, the World Diamond Council and the import control authorities of all rough diamond importing countries should be vigilant for other exporting countries, or for countries in the future, where trade in diamonds has little to do with domestic production or legitimate trading.

162. It is essential, and a matter of urgency, that major trading centres (Belgium, the United Kingdom, Switzerland, South Africa, India, the United States and Israel) come to a common agreement on the recording and public documentation of rough diamond imports that is consistent from one country to another, and that clearly designates the country of origin in addition to country of provenance.

163. An annual statistical production report should be compiled by each exporting country and gathered into a central annual report, compiled by the World Diamond Council and/or by the certification body that is expected to emerge from the 'Kimberly Process' of intergovernmental negotiation. Countries of origin must be distinguished from countries of provenance.

164. If diamonds are mixed and/or re-invoiced in a free trade zone, it is imperative that the government of that country take responsibility for verifying the *bona fides* of the diamonds before they are re-exported. This is especially important with regard to Switzerland because of the large volumes that pass through its *Freiläger*, losing their identity in the process. The same may be true of the United Arab Emirates. In other words, all countries importing rough diamonds must be part of the anticipated 'rough controls' system.

165. Throughout its work, the Panel was struck by the widespread breaking of Security Council sanctions on both weapons and diamonds. If existing and future sanctions are to be effective, the Security Council will require an ongoing capacity to monitor their observance and conduct research. Where diamonds are concerned, there have been three Expert Panels examining many of the same issues concurrently. There has been useful collaboration, but there has also been overlap and duplication. Considering the complexity and the changing nature of the conflict diamond issue the Panel recommends that in future, it would serve the Security Council better to have an ongoing focal point within the United Nations to monitor adherence to sanctions, as well as progress towards the specific goals stated in General Assembly resolution 55/56 of 1 December 2000.

166. The attention of the Security Council, the Government of Sierra Leone, donor agencies and other interested parties is drawn to the observations and recommendations about corruption and the need for probity contained paragraph 151-152 and in annex 5. Without serious reform and due diligence within government and government agencies in Sierra Leone, international efforts to assist will be wasted.

[4] Note: the term 'sensitive country' is not used in this report to suggest wrong-doing. It is taken from a Belgian government report which seeks to protect these countries, Belgium and the industry from problems to which they are all clearly vulnerable. Namibia, for example, is one of the leaders in the fight against conflict diamonds.

Part two
Weapons

I. Weapons and the RUF

A. Background

167. Small arms play an important role in sustaining conflicts, in exacerbating violence, in contributing to the displacement of innocent populations and threatening international law, and in fuelling crime and terrorism. Recognizing this, the Security Council and the international community have tried to constrain their proliferation in West Africa. The Security Council placed Sierra Leone under a variety of travel, economic and military sanctions after the May 1997 coup. Following the return of the elected government, the arms embargo was amended in June 1998 to lift sanctions against the government. Security Council sanctions placed on Liberia in 1992 remain in place.

168. On 31 October 1998, members of the Economic Community of West African States (ECOWAS) adopted 'The Declaration of a Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa'. The Moratorium came into force on 1 November 1998, for a period of three years and the Programme for Coordination and Assistance for Security and Development (PCASED) supports its implementation. PCASED is designed to monitor the moratorium and to establish a database and training programme for law enforcement agencies of the signatory countries. The programme is supported by the United Nations Development Programme, the United Nations Department of Political Affairs and the United Nations Institute for Disarmament Research.

169. Despite the ECOWAS Moratorium (also called the Mali Moratorium), West Africa is still awash with small arms. Serious problems with weapons have emerged, not only in countries that are victims of warfare, but also in major cities across the entire subregion. The rapidly increasing incidence of armed violence is a consequence. The outbreak of civil conflict in Senegal, Guinea-Bissau, Niger, Liberia and Sierra Leone during the past decade has increased the demand for light weapons.

170. Guerrilla armies receive weapons through interlinked networks of traders, criminals and insurgents moving across borders. Arms also travel from one unstable zone to another, and rebel movements or criminal gangs in one country sell their arms to groups they are aligned with elsewhere. In other instances governments may see opportunities for their own regional ambitions in West Africa, supplying rebel groups with weapons in order to further these ambitions.

171. Systematic information on weapons-smuggling in the region is non-existent, and information which could be used to combat the problem on a regional scale - through ECOWAS or through bilateral exchanges - is generally not available. Few States in the region have the resources or the infrastructure to tackle smuggling, a situation that creates opportunities for the smuggling of weapons across all major borders in the region.

172. Officials acknowledge the existence of a large, and largely uncontrolled informal weapons trade and outright illicit trafficking. The extent of such practices, far beyond normal levels of informal trade, aggravate corruption and criminalization throughout the region.

173. In Sierra Leone, the RUF depends almost exclusively on light weaponry, although it does have access to more sophisticated equipment. Lists of equipment turned in under the Disarmament, Demobilization and Rehabilitation (DDR) Programme include those of eastern European manufacture as well as American, Belgian, British and German types. In May 2000, at the time the Lomé peace process collapsed, roughly 12,500 weapons and 250,000 pieces of ammunition had been collected at the different weapons storage centres that had been initiated eight months earlier. The weapons included the following:

- 496 pistols,
- 4,000 AK-47 'Kalashnikov' rifles,
- 1,072 AK-74 rifles,
- 940 G-3 Rifles,
- 440 FN-FAL rifles,
- 451 SLR rifles,
- 140 Machine Guns,
- 217 Grenade Launchers,
- 1,855 Grenades,
- 45 Mortars.

174. These numbers represent only a small fraction of the weapons that are actually in the hands of the rebels. The very poor quality and the age of the weapons turned in suggest that the rebels have held onto the newest and best weapons at their disposal. Despite the setback in May, former rebels, child soldiers and Civil Defence Force members keep presenting themselves at the different DDR centres for demobilization and for the turning over of their weapons.

175. Many of the weapons are old and have been obtained from different sources, both regional and international. Provided that suitable ammunition is available, however, a ten-year-old firearm can still be lethal. One of the few positive elements of the war in Sierra Leone is that there has been little or no use of anti-personnel land-mines in the conflict.

176. With no standardized marking system for small arms and the proliferation of great amounts of weapons of this nature, the arms flow to rebel groups on the African continent remain largely uncontrolled.

B. Sources of RUF weaponry within Sierra Leone

177. The RUF needs a steady flow of arms and ammunition. Although the arms inventoried by the DDR programme originate in many countries, most of the rifles are of eastern European design. Variants of the AK-47 Kalashnikov are the most readily available. Although a Russian design, the AK-47 is today produced in so many countries, and in so many variants, that a thorough study of model numbers, serial numbers and factory markings would be required in order to determine their precise origin. After this, it might be possible to determine the supply trail of the weapons, but even this would be complicated by the fact that many may have been bought on the open market, and may be second- or even third-hand weapons.

178. The RUF have captured many weapons during confrontations with the Sierra Leone Army, ECOMOG and UNAMSIL forces. A forthcoming study made available to the Panel by the Small Arms Survey, a Geneva-based NGO, provides a well-documented summary overview of known seizures of weapons by the RUF. The Panel was able to verify most of the incidents reported in the survey.

179. Supplies obtained by the RUF from intervening forces deployed in Sierra Leone include, for example:

- considerable amounts of weaponry seized during confrontations with the government of Sierra Leone armed forces. A lack of training and discipline led to soldiers abandoning their weapons for ready seizure by the rebels. SLA soldiers are also reported to have sold weapons and ammunition to the rebels;
- a significant number of weapons, including hundreds of rifles, 24 machine guns, 10 mortars, 20 rocket propelled grenades, several tons of ammunition and three armoured personnel carriers were seized when the rebels detained and disarmed a Guinean UNAMSIL unit in January 2000. Guinean units serving under ECOMOG had also been disarmed during previous ambushes and seizures;
- Kenyan and Zambian UNAMSIL contingents were disarmed when they were taken hostage by rebels in May 2000. In these cases, great amounts of rifles were lost to the rebels, as well as eight armoured personnel carriers and several other military vehicles.

II. Liberian support to the RUF

A. General

180. The personal connections between President Charles Taylor and Foday Sankoh go back ten years to their training in Libya, to their combined efforts on behalf of Blaise Campaore in his seizure of power in Burkina Faso, and to Sankoh's involvement in Charles Taylor's struggle as head of the NPFL to take power in Liberia in the early 1990s. These events are well documented, and President Taylor told the Panel that he was a close friend of Foday Sankoh. President Taylor denies unequivocally, however, that he or his government have provided any training to the RUF, any weapons or related matériel, any Liberian facilities or territory for staging attacks, or a safe haven.

181. He told the Panel that RUF leader Sam Bockarie's presence in Liberia was a gesture of goodwill on Taylor's part, in order to allow the RUF to work together for a peaceful settlement in Sierra Leone after

Foday Sankoh and Bockarie had found themselves unable to work together.

182. The Panel, however, found unequivocal and overwhelming evidence that Liberia has been actively supporting the RUF at all levels, in providing training, weapons and related *matériel*, logistical support, a staging ground for attacks and a safe haven for retreat and recuperation.

B. Training

183. The RUF has received regular training in Liberia at Gbatala near Gbanga and elsewhere. Hundreds of ex-combatants and many former RUF leaders have confirmed this in oral testimony and in writing. Sufficient corroborative documentary evidence in the form of written reports of RUF commanders to Foday Sankoh is also available. RUF soldiers have been trained alongside Liberia's Anti-Terrorist Unit (ATU), and RUF combatants are frequently used by President Taylor for his own personal security details. Liberian officers and men are also actively assisting the RUF in Sierra Leone, serving as combatants, trainers and liaison officers.

184. The panel received information on the presence of Ukrainian, Burkinabe, Nigérien, Libyan and South African nationals in Liberia for training purposes. The training was given to non-Liberian nationals for deployment in RUF-territory in Sierra Leone, and for action in recent clashes on the Guinea border. Early in 1999, a significant improvement of tactics and use of weapons by the RUF rebels was noted in Sierra Leone. It was more than a coincidence that this happened immediately after foreigners started training these elements in Liberia.

185. In addition, the police interrogation statements of some of arrested RUF officials and the oral statements of former rebels interviewed by the panel confirm the presence of foreign mercenaries including South African and Ukrainians training and fighting alongside RUF.

South Africans providing training in Liberia

186. Fred Rindel, a retired officer of the South African Defence Force and former Defence Attaché to the United States, has played a key role in the training of a Liberian anti-terrorist unit, consisting of Liberian soldiers and groups of foreigners, including citizens of Sierra Leone, Burkina Faso, Niger and the Gambia.

187. The panel interviewed Mr. Rindel extensively. Rindel was contracted as a security consultant by President Charles Taylor in September 1998, and training started in November 1998. The contract included consultancy services and strategic advice to convert Charles Taylor's former rebel militia into a professional unit. The Anti-Terrorist Unit is used in Liberia to protect government buildings, the Executive Mansion and the international airport, and to provide VIP Security and the protection of foreign embassies. The numbers trained were approximately 1,200. Because of negative media attention, Rindel cancelled his contract in Liberia in August 2000.

188. In 1998, ECOMOG identified a plane, registration number N71RD, owned by a South African company, Dodson Aviation Maintenance and Spare Parts, as having carried weapons to Robertsfield in September of that year. The plane is a Gulfstream 14-seater business jet that cannot be used for arms transport, but there are other relevant connections. Fred Rindel was the owner of Dodson. The company was closed on 31 December 1998, but during the period under investigation, the plane was leased to, and operated by, Greater Holdings (Liberia) Ltd., a company with gold and diamond concessions in Liberia. The plane was used for the transport of the Greater Holdings' staff to and from Liberia.

189. Niko Shefer is a businessman located in South Africa, and was Chairman/CEO of the Greater Diamond Company (Liberia) Ltd, a subsidiary of Greater Holdings. Shefer denies diamond dealings in Liberia and Sierra Leone, except for two exploration agreements with the Liberian government for concessions in Mano and Lower Lofa. When the employees of their diamond operations in Mano came under attack, Shefer discussed security with President Taylor, and suggested bringing in private security specialists from South Africa. This resulted in the security contract with Mr. Rindel. In the end, Shefer's explorations were unprofitable and were abandoned. The American partners in Greater Diamonds were at that time under investigation by American authorities for tax evasion and money laundering, using assets in Liberia. Shefer met with RUF leader Foday Sankoh in South Africa in February 2000 (see also paragraph 97).

190. Fred Rindel states that he has never had any involvement with diamonds in Liberia and was never approached by anyone in Liberia with regard to diamonds. According to the Liberian Minister of Mines, however, Rindel was involved in a diamond project with the son of President Taylor, Charles Taylor Jr. Rindel includes a reference to De Dekker Diamonds (Pty) Ltd. on his business card. Rindel was also contracted as consultant on a mineral and geological survey of the gold potential in the Mano and Nimba areas in Liberia. Geologists from South Africa were hired for the purpose. Rindel acquired the gold and other mineral rights for two concessions on behalf of a Bermuda based company, the Bermuda Holding Corporation, a company in which President Charles Taylor and some of his relatives hold interests. Mr. Rindel was also negotiating with a number of international companies to form joint ventures with the Bermuda corporation.

191. Mr. Rindel denies bringing other South Africans to Liberia as trainers. During his time in Liberia, however, there were several other South Africans there, including Meno Uys, Gert Keelder and Faber Oosthuyzen. These men and others worked under contract in Liberia in 1998, 1999 and 2000 as security trainers. Their headquarters is at Gbanga. Another South African, Karl Alberts, is flying helicopters for the Liberian armed forces. Neither Rindel nor the other South Africans applied for authorization under the South African Regulation of Foreign Military Assistance Act (1998), because, in his case, according to Rindel, his services were purely of a protective nature and did not include any combat training, or training of armed forces in Liberia.

C. Safe haven

192. There are innumerable accounts in RUF written reports, in oral testimony given to the Panel, and in police and military intercepts, of high-level RUF meetings with President Taylor, RUF travel to Monrovia, RUF strategy meetings at the Executive Mansion, RUF travel on Liberian helicopters, RUF staging bases at Camp Schefflein, Voinjama and Foya-Kama. Liberia has provided the families of many senior RUF officials with a safe haven. Eyewitness accounts speak of RUF fighters being treated in Monrovia hospitals. Most recently, Gibril Massaquoi, acting as RUF spokesman on issues relating to the 10 November 2000 cease-fire, has been interviewed in, and has made his press statements from Monrovia.

D. Weapons and related *matériel*

193. Police and military intercepts, civilian accounts, the written reports of RUF commanders to Foday Sankoh and oral testimony provided to the Panel by ex-combatants provide lengthy and detailed descriptions of a constant flow of weapons and supplies entering Sierra Leone from Liberia. Weaponry and supplies include mortars, rifles, RPGs, satellite phones, computers, vehicles, batteries, food and drugs. Most of the supplies are sent by road or helicopter to Foya-Kama, a few miles from the Sierra Leone border near Kailahun, and then they are trucked across the border into RUF territory for onward distribution.

III. The role of other countries

194. Weapons can be procured directly from producing factories, or from surplus stocks of the armed forces in different countries. It is mainly through arms merchants or brokers that weapons are purchased for use by non-State actors. In the case of the RUF, private brokers and arms merchants are the principal suppliers, but most large arms and ammunition supplies only reach the RUF indirectly, through countries with governments sympathetic to the rebels.

195. The Panel has found conclusive evidence of supply lines to the RUF through Burkina Faso, Niger and Liberia. Weapons supplied to these countries by governments or private arms merchants have been diverted for use in the conflict in Sierra Leone. Côte d'Ivoire, under previous administrations, was sympathetic to the Liberian government and, indirectly, to the RUF in Sierra Leone. The Ivorian relationship dates back to the training of RUF and Liberian rebels in Côte d'Ivoire in the early 1990s.

196. Typically, the movement of the arms from a supplying country to the RUF will entail several stop-overs and cross-border shipments. This should expose arms dealers, especially those breaking United Nations sanctions, to controls, legal procedures and regulations on the export, import and transit of military equipment. Since weapons have moved into the region and across borders with impunity, it can only be assumed that the parties involved - the brokers and suppliers of arms to

the RUF - have obtained cooperation from border and customs inspectors, and licensing government departments in order to circumvent United Nations sanctions and normal border controls.

197. The President of Burkina Faso is a close ally of President Charles Taylor and Burkina Faso has acknowledged the presence of over 400 Burkinabe soldiers in Liberia during the time Taylor was leading his rebellion in 1994 and 1995. Provision was made in the government budget to cover salaries for the services rendered during this period. Burkina Faso has repeatedly denied the involvement of its nationals in supporting the RUF. Eyewitnesses and former RUF combatants, however, confirm the active involvement of Burkinabes with the RUF. A Burkinabe, 'General' Ibrahim Bah (a.k.a. Baldé) - referred to in paragraphs 72-73 - handles much of the financial, diamond and weapons transactions between the RUF, Liberia and Burkina Faso. He shuttles regularly between Monrovia and Ouagadougou. Burkina Faso's involvement in weapons transfers is detailed below.

IV. The role of aircraft in supplying the RUF

A. Direct flights into RUF territory

198. Having no access to the sea, the RUF can import weapons and related *matériel* only by road or by air. The role of aircraft in the RUF's supply chain is vital, especially over the past two years, as their sphere of influence in Sierra Leone has widened. Given the state of the country's roads, it would be impossible to supply RUF operations such as those undertaken at Pamelap in Guinea late in 2000, for example, without aerial support.

199. Most Sierra Leonean landing strips in the areas under RUF control were destroyed or have not been maintained because of the war. The landing strip at Yengema is probably not operational, and although the airstrip at Magburaka was rebuilt during the AFRC period in 1997 and is now in rebel territory, there are few reports of fixed-wing aircraft landing there or elsewhere in RUF-held territory.

200. The absence of reports in itself, however, is not very meaningful, as there is a total lack of governmental oversight of Sierra Leonean airspace, due to insufficient infrastructure at the country's airports and in the subregion in general (see Part III, below).

201. This problem notwithstanding, it is known that the RUF have been supplied with weapons by helicopter on a sporadic basis before 1997 and on a regular basis since then. Helicopters originating in Liberia land at Buedu, Kailahun, Makeni, Yengema, Tumbudu, Yigbeda and elsewhere in Kono District. More recently, newly delivered Mi-8 transport helicopters have been used for this purpose, including for the delivery of surface-to-air (SA-7) shoulder-launched missiles.

B. Weapons flights into Liberia

202. Virtually all of the weapons shipped into RUF territory are trans-shipped through at least two other countries between their point of origin and RUF territory in Sierra Leone. In virtually all cases, the last transit point before shipment into Sierra Leone is Liberia. The weapons reach Liberia in a variety of ways - occasionally by sea but most frequently by air. The Panel went to considerable lengths to document some of these shipments in order to demonstrate how the supply chain works.

Case study: Burkina Faso delivery of Ukrainian weapons

203. A shipment of 68 tons of weapons arrived at Ouagadougou on 13 March 1999. It included 715 boxes of weapons and cartridges, and 408 boxes of cartridge powder. The inventory also included anti-tank weapons, surface-to-air missiles, and rocket propelled grenades and their launchers.

204. This shipment has now been well documented. Documentation provided in April and June 1999 by the Ukraine government to United Nations Sanctions Committees shows that the weapons were part of a contract between a Gibraltar-based company representing the Ministry of Defence of Burkina Faso, and the Ukrainian State-owned company Ukrspetsexport. An aircraft of the British company Air Foyle, acting as an agent for the Ukrainian air carrier Antonov Design Bureau, shipped the cargo, under a contract with the Gibraltar-based company, Chartered Engineering and Technical Services. A Ukrainian licence for sale of the weaponry was granted after

Ukrspetsexport had received an end-user certificate from the Ministry of Defence of Burkina Faso.

205. The end-user certificate was dated 10 February 1999. The document authorized the Gibraltar-based company to purchase the weapons for sole use of the Ministry of Defence of Burkina Faso. The document also certified that Burkina Faso would be the final destination of the cargo and the end-user of the weaponry. The document is signed by Lieutenant-Colonel Gilbert Diendéré, head of the Presidential Guard of Burkina Faso. During a visit by a Panel Member to Ukraine, this sequence of events was reconfirmed.

206. The authorities of Burkina Faso, in correspondence with the United Nations Sanctions Committee on Sierra Leone, denied allegations that the weapons had been re-exported to a third country, Liberia, and during a visit to Burkina Faso the Panel was shown weapons that were purportedly in that shipment.

207. The weapons in question, however, were not retained in Burkina Faso. They were temporarily off-loaded in Ouagadougou and some were trucked to Bobo Dioulasso. The bulk of them were then trans-shipped within a matter of days to Liberia.

208. Most were flown aboard a BAC-111 owned by an Israeli businessman of Ukrainian origin, Leonid Minin. The aircraft bore the Cayman registration VP-CLM and was operated by a company named LIMAD, registered in Monaco. Minin was, and may remain, a business partner and confidant of Liberian President Charles Taylor. He is identified in the police records of several countries and has a history of involvement in criminal activities ranging from east European organized crime, trafficking in stolen works of art, illegal possession of fire arms, arms trafficking and money laundering. Minin uses several aliases. He has been refused entry into many countries, including Ukraine, and travels with many different passports. Minin offered the aircraft mentioned above for sale to Charles Taylor as a Presidential jet, and for a period between 1998 and 1999, it was used for this purpose. It was also used to transport arms.

209. Regarding the shipment in question, the aircraft flew from Ibiza in Spain to Robertsfield in Liberia on 8 March 1999. On 15 March, two days after the arrival of the Ukrainian weapons in Ouagadougou, the plane flew from Monrovia to Ouagadougou. On 16 March the plane was loaded with weapons and flew back to Liberia. On the 17th, it returned to Ouagadougou. After a flight to Abidjan in the Ivory Coast, the plane flew again from Ouagadougou to Liberia with weapons on the 19th. On the 25th the plane flew again from Liberia to Ouagadougou and returned on the same day with weapons. On the 27th the plane flew again to Ouagadougou and from there to Bobo Dioulasso for the weapons that had been trucked there. The aircraft made three flights over the next three days between Bobo Dioulasso and Liberia. On 31 March the plane flew back to Spain. Because the plane had a VIP configuration, it had only limited cargo capacity, which is why so many flights were necessary.

210. A second plane, an Antonov operated by a Liberian company named Weasua, is reported by eye-witnesses to have flown part of the cargo to Liberia from Bobo Dioulasso.

211. Minin's BAC-111 was used for an earlier shipment of weapons and related equipment from Niamey Airport in Niger to Monrovia. This occurred in December 1998, shortly after Minin purchased the plane and started to operate it in the region. On 22 December 1998, the BAC-111 made two trips from Niamey to Monrovia. On the second trip, it took a consignment of weapons, probably from existing stocks of the armed forces of Niger. The weapons were off-loaded into vehicles of the Liberian military. A few days after these events, the RUF rebels started a major offensive that eventually resulted in the destructive January 1999 raid on Freetown.

C. The inner circle of the Taylor regime

212. President Charles Taylor is actively involved in fuelling the violence in Sierra Leone. He and a small coterie of officials and private businessmen around him are in control of a covert sanctions-busting apparatus that includes international criminal activity and the arming of the RUF in Sierra Leone. Over the years - before President Taylor's inauguration and after - this group has contracted foreign businessmen for the financing, sourcing or facilitating of these covert operations. The sanctions-busting is fed by the smuggling of diamonds and the extraction of natural resources in both Liberia and areas under rebel control in Sierra Leone. In addition, the sovereign right of Liberia to register planes and ships, and to issue

diplomatic passports, is being misused in order to further the operations of this group.

213. The role of Liberia as a trans-shipment platform for arms to the RUF is crucial. However, arms are brought into the region from elsewhere. Many businessmen close to the inner-circle of the Liberian presidency operate on an international scale, sourcing their weaponry in Eastern Europe. The Panel focused on a limited number of individuals, but there are many more examples of the significant presence of criminal organizations in the region.

214. A key individual is a wealthy Lebanese businessman named Talal El-Ndine. El-Ndine is the inner-circle's paymaster. Liberians fighting in Sierra Leone alongside the RUF, and those bringing diamonds out of Sierra Leone are paid by him personally. Arms shippers and brokers negotiate their payments in his office in Old Road, Monrovia. El-Ndine also brings foreign businessmen and investors to Liberia, individuals who are willing to cooperate with the regime in legitimate business activities as well as in weapons and illicit diamonds. The pilots and crew of the aircraft used for clandestine shipments into or out of Liberia are also paid by El-Ndine. They are mostly of Russian or Ukrainian nationality and they invariably stay at the Hotel Africa in Monrovia.

215. The manager of this hotel is a Dutch national named Gus Van Kouwenhoven. Van Kouwenhoven started his hotel and a gambling business in Liberia in the 1980s. He is also a member of President Taylor's inner circle, through his contacts with Taylor's economic advisor, Emmanuel Shaw. Shaw, a former Liberian finance minister, owns a number of facilities at Robertsfield, including all the hangars. Van Kouwenhoven is responsible for the logistical aspects of many of the arms deals. Through his interests in a Malaysian timber project in Liberia, he organizes the transfer of weaponry from Monrovia into Sierra Leone. Roads built and maintained for timber extraction are also conveniently used for weapons movement within Liberia, and for the onward shipment of weapons to Sierra Leone.

216. Simon Rosenblum, an Israeli businessman based in Abidjan, has logging and road construction interests in Liberia. He, too, is very close to the Liberian President and carries a Liberian diplomatic passport. His trucks have been used to carry weapons from Robertsfield to the border with Sierra Leone.

217. Minin and Van Kouwenhoven are linked to Liberia's timber industry, which provides a large amount of unrecorded extrabudgetary income to President Taylor for unspecified purposes. Three companies are involved: Exotic and Tropical Timber Enterprise (ETTE), Forum Liberia and the Indonesian-owned Oriental Timber Company.

V. Liberia and international transport networks

A. General

218. Security Council resolution 1306 (2000) mandated the Panel to consider the adequacy of air traffic control systems in the region for the purpose of detecting flights of aircraft carrying arms and related *matériel* across national borders in violation of United Nations sanctions. Effective monitoring of airspace and a proper control system at airports is vital for the detection of illicit trafficking. In this context, the Panel found that regional air surveillance capacities are weak or totally inadequate in detecting, or in acting as a deterrent to the arms merchants supplying Liberia and the RUF. Weak airspace surveillance in the region in general, and abusive practices with regard to aircraft registration, create a climate in which arms traffickers operate with impunity. (Technical notes on this subject are contained in Part III of this report.)

219. There are many examples of this problem. On 18 July 2000 an Ilyushin 18D with Liberian registration EL-ALY requested permission to land at Conakry in Guinea. The aircraft was operated by a company named West Africa Air Services. The crew were citizens of the Republic of Moldova and the plane had flown from Kyrgyzstan to Burkina Faso, then to Guinea and finally to Liberia. The cargo documents listed seven tons of 'spare parts to equipment of aircraft' and the client was a company named Kipo Dersgona in Conakry, Guinea. This 'Guinean' company is not listed in the register of companies in Guinea. The plane is also not among those listed for the Panel by the Liberian authorities as having Liberian registry nor is it listed by the International Civil Aviation Organization.

220. The case was still under investigation at the time of writing. Tracing a plane carrying an unknown registration number, however, is practically impossible, and the plane was probably using multiple

registrations, shifting rapidly from one to another in order to avoid detection. Such clear abuses of international aviation procedures are not easily detected unless navigation controllers and national airport authorities in several countries cooperate, and actively track and share information on the whereabouts and operations of such aircraft.

B. Aircraft registered in Liberia

221. Because of its lax licence and tax laws, Liberia has for many years been a flag of convenience for the fringe air cargo industry. A company incorporated in Liberia can locate its executive offices in another country and conduct business activities anywhere in the world. Names of corporate officers or shareholders need not be filed or listed, and there is no minimum capital requirement. A corporate legal existence can be obtained in one day. Liberia also has lax maritime and aviation laws that provide the owners of ships and aircraft with maximum discretion and cover, and with minimal regulatory interference. Businessmen in several countries compete with each other to attract customers for these offshore registrations. The system has led to a total disregard for aviation safety and a total lack of oversight of Liberian registered planes operating on a global scale.

222. The Panel requested documentation on all Liberian registry aircraft from Liberian Civil Aviation Authorities and the Ministry of Transport, but was told that the documentation had been lost or was destroyed as a consequence of the Liberian civil war. A schedule of Liberian-registered aircraft provided to the Panel by the Ministry listed only 7 planes. No documentation was available on more than 15 other aircraft that had been identified by the Panel. Many aircraft flying under the Liberian flag, therefore, are apparently unknown to Liberian authorities, and are never inspected or seen in the country. Many operate from airports in Central Africa (N'Djili in the Democratic Republic of the Congo, Luanda in Angola or the national airports of the Congo (Brazzaville), Rwanda, Kenya and Gabon) or in the Middle East (United Arab Emirates, Tripoli in Libya or Khartoum in Sudan).

223. Several countries (including Belgium, South Africa, the United Kingdom and Spain) have in recent years banned Liberian registered aircraft from their airspace and airports, in part because of fraudulent activity in relation to their registration. The illegal registration of more than one plane with the same number, for example, is a practice frequently mentioned by airport inspectors throughout Africa. It is also widely acknowledged that Liberian EL-registry planes operating in Africa and from airports in the United Arab Emirates are commonly used for illicit arms shipments.

C. Key individuals in Liberia's aviation registry

224. A Kenyan national named Sanjivan Ruprah plays a key role in Liberia's airline registry and in the arms trade. Before his involvement in Liberia, Sanjivan Ruprah had mining interests in Kenya, and was associated with Branch Energy (Kenya). Branch Energy owned diamond mining rights in Sierra Leone, and introduced the private military company, Executive Outcomes to the government there in 1995. Ruprah is also known as an arms broker. He has worked in South Africa with Roelf van Heerden, a former colleague from Executive Outcomes, and together they have done business in Rwanda, the Democratic Republic of the Congo and elsewhere. Ruprah was once in charge of an airline in Kenya, Simba Airlines, until investigations into financial irregularities forced the company's closure.

225. In November 1999, Ruprah was authorized in writing by the Liberian Minister of Transport to act as the 'Global Civil Aviation agent worldwide' for the Liberian Civil Aviation Regulatory Authority, and to 'investigate and regularise the ... Liberian Civil Aviation register'. The ostensible aim of Ruprah's investigation was to 'suspend and/or cancel the registration of those aircraft which have had illegal certificates issued outside the knowledge of the government'. During its visit to Liberia the Panel asked the Transport Ministry, the Ministry of Justice and police authorities about Ruprah and his work, but was told that Ruprah was not known to them.

226. Sanjivan Ruprah travels using a Liberian diplomatic passport in the name of Samir M. Nasr. The passport identifies him as Liberia's Deputy Commissioner for Maritime Affairs.

227. A British national, Michael G. Harridine, was previously appointed by the Liberian Minister of Transport to act as Chairman of the Liberian Civil Aviation Regulatory Authority, through an office in the

United Kingdom. Harridine told the Panel that he is no longer involved with the registration of Liberian aircraft. He acknowledges, however, that irregular activities in the registration of Liberian aircraft were taking place.

228. An airline named Santa Cruz Imperial/Flying Dolphin, based in the United Arab Emirates, has used the Liberian registry for its aircraft, apparently unknown to Liberian authorities until 1998. It also used the Swaziland registry until the Government of Swaziland de-registered them in 1999. A total of 43 aircraft were de-registered, operated by the following companies: Air Cess, Air Pass, Southern Cross Airlines, Flying Dolphin and Southern Gateway Corporation. According to the Government of Swaziland, 'while the names may be different, some of these companies are one and the same and did not operate from Swaziland'. When it discovered that some of the aircraft were still operating, the Government of Swaziland sent information to the Civil Aviation Authorities in the United Arab Emirates where some of the aircraft were based, in part because of airworthiness concerns, and in part because it believed that the operators may have been involved in arms trafficking. Flying Dolphin is owned by Sheikh Abdullah bin Zayed bin Saqr al Nayhan, a business associate of Victor Bout.

229. Victor Bout is a well-known supplier of embargoed non-State actors - in Angola, the Democratic Republic of the Congo and elsewhere. Viktor Vasilevich Butt, know more commonly as Victor Bout, is often referred to in law enforcement circles as 'Victor B' because he uses at least five aliases and different versions of his last name. He was born in Dushanbe, Tajikistan, had air force training in Russia, and reportedly worked as a KGB officer shortly before the end of the Cold War. He then went into private business, setting up airline companies throughout Eastern Europe. Today Victor Bout oversees a complex network of over 50 planes, tens of airline companies, cargo charter companies and freight-forwarding companies, many of which are involved in shipping illicit cargo. Bout himself lives in the United Arab Emirates.

230. Bout has used the Liberian aviation register extensively in connection with his company, Air Cess Liberia. The United Nations Panel investigating the violations of United Nations embargoes on UNITA in Angola identified 37 arms flights, all with false end-user certificates and false flight schedules, conducted with Liberian-registered planes operated by Victor Bout, between July 1997 and October 1998. Victor Bout is a resident of the United Arab Emirates and many of his airline companies are based there, providing charter services to companies in more than ten countries. His planes, however, are registered elsewhere - in Equatorial Guinea, the Central African Republic and elsewhere.

231. Centrafricain Airlines is one of the many companies controlled by Bout and his Air Cess/Transavia Travel Cargo group. Early in 2000, an investigation into fraud concerning the registration of an aircraft operated by Centrafricain Airlines was initiated in the Central African Republic, because some aircraft flying these colours were operating without a licence.

232. An Ilyushin 76, registered in Liberia in the name of Air Cess Liberia in 1996, was later registered in Swaziland. It was subsequently removed from the Swaziland register by the Civil Aviation Authority because of irregularities. The plane then moved to the register of the Central African Republic, where it obtained the designation TL-ACU in the name of Centrafricain Airlines. The aircraft sometimes carries the registration of the government of the Congo (Brazzaville). As with other Bout aircraft, the plane is based in Sharjah in the United Arab Emirates.

233. This plane was used in July and August 2000 for arms deliveries from Europe to Liberia. This aircraft and an Antonov made four deliveries to Liberia, three times in July and once in August 2000. The cargo included attack-capable helicopters, spare rotors, anti-tank and anti-aircraft systems, missiles, armoured vehicles, machine guns and almost a million rounds of ammunition. The helicopters were Mi-2 and Mi-17 types. A few months earlier, two Alouette-3 helicopters had been flown in by a Libyan government plane, but these helicopters were replaced by the newly arrived ones and are thought to be in Liberia no longer. (A note on European sources of weaponry is included in paragraph 247, below.) These deliveries, all made after the collapse of the Lomé Peace Agreement, are especially worrisome.

234. The transactions were set up by Victor Bout in the United Arab Emirates, and by Gus van Kouwenhoven, mentioned in paragraph 217, above. The plane used for the helicopter shipment was the

Ilyushin 76, TL-ACU. Bout worked with a freight forwarder in Abidjan. A non-existent company 'Abidjan Freight' was set up as a front by Sanjivan Ruprah, to conceal the exact routing and final destination of the plane. The official routing was 'Entebbe-Robertsfield-Abidjan' but the cargo was unloaded in Robertsfield. The weapons were sourced from Central Europe and Central Asia.

D. Offices in the United Arab Emirates

235. Virtually all of Bout's companies, regardless of where they are registered, operate out of the United Arab Emirates. Sharjah Airport is used as an 'airport of convenience' for planes registered in many other countries, such as Swaziland, Equatorial Guinea, the Central African Republic and Liberia. In October 1998, 15 planes of Santa Cruz Imperial/Flying Dolphin, all registered in Liberia but operated from Sharjah, were temporarily grounded by the Liberian Aviation Authority. The planes have also been under investigation in Swaziland and in South Africa, and were finally barred from airports in these countries.

236. The authorities in the United Arab Emirates are aware of the seriousness of the issue and told the Panel that they are in the process of taking measures that will make it more difficult for aircraft registered elsewhere to remain in the United Arab Emirates for more than a year without a local inspection. Better registration and safety inspections would perhaps make such aircraft more airworthy, but they do not address the issue of gun-running. The concerns raised by the Panel have been raised before in the UAE, and it is not clear that any serious action has been taken.

VI. Other issues

A. The role of customs in exporting and transit countries

237. In the case of the July and August 2000 deliveries of military helicopters and heavy calibre missiles, the Panel did not obtain conclusive information on the exact source of supply. In general, however, the Panel believes that initiatives should be taken to enhance the capacity of countries in Eastern Europe to monitor arms exports more carefully. It is hard to conceal something the size of an Mi-17 military helicopter, and the supply of such items to Liberia cannot go undetected by customs authorities in originating countries unless there are false flight plans and end-user certificates, or unless customs officials at points of exit are paid to look the other way. The constant involvement of Victor Bout's aircraft in arms shipments from Eastern Europe into African war zones suggests the latter. A serious investigation into the capacity of licensing and monitoring authorities in Eastern Europe is therefore warranted.

238. Where West Africa is concerned, any aircraft flying from Eastern Europe must make at least one fuel stop halfway through the trip. At these refuelling airports, cargo could be inspected and illicit goods detected. In addition, arms shipments in violation of United Nations sanctions often pass through countries neighbouring the embargoed State. A third possible inspection of the cargo could occur there. There have been few significant cases, however, of aircraft with weapons being grounded in Eastern Europe, at important fuelling points such as Cairo, Nairobi or Entebbe, or anywhere in West Africa.

239. The strengthening of air surveillance or border controls alone is not enough to stop the problem of illicit arms flights. Coordination and feedback between any country of origin and any country of destination for international military cargo shipments is needed, and customs and airport authorities can play an equally important role in the implementation of sanctions. The World Customs Organization has designed a standardized, single document that could harmonize and standardize the procedure for the declaration and inspection of cargo at border crossings, ports or airports.

B. The role of airport authorities and inspectors

240. Aircraft that land or ship cargo are obliged to file for a foreign operating licence. The directorate of each airport is responsible for inspecting the legitimacy of all arriving planes and their operators. Here are two possible levels of inspection that can be used to deter illegal arms shippers. The filing of false flight plans, the use of fake aircraft registration, and the background of a plane's operator can all be scrutinized at these levels. Some of the arms traffickers and the planes they use are well known.

241. The use of multiple registration numbers for one plane, or the changing overnight from one register to another is a practice that should be viewed with suspicion by airport authorities worldwide. Victor Bout and other operators transporting illicit goods have been able to get away with such practices in far too many countries. In a few cases he has attracted minor fines, but not enough to stop his lucrative alliances with warlords, rebel leaders and criminals in many African countries.

242. Although some countries have temporarily or permanently stopped aircraft registered in Liberia from entering their airspace, the Liberian register continues to be used fraudulently. The practice has clearly been organized from Liberia in cooperation with shrewd businessmen abroad, and Liberian planes remain prominent in many African countries, particularly in countries at war.

C. The non-observance of moratoria and embargoes

243. Signatories to the Wassenaar Arrangement, which includes some of the world's most significant producers of arms, including small arms and ammunition, have agreed on a voluntary basis to participate in weapons and ammunition export controls. The signatories also agreed to abide by the ECOWAS Moratorium, and to restrain their arms exports to West Africa. The Panel deplores the fact that Ukraine, a signatory to the Wassenaar Arrangement, and Burkina Faso, a signatory to the ECOWAS Moratorium, have shown neither restraint nor due care and diligence in their arms transactions, and were involved in a major arms deal only months after signing these agreements. Furthermore, the arms were diverted to Liberia for use by the rebels in Sierra Leone, in gross violation of the spirit of the ECOWAS-Moratorium and of the United Nations sanctions imposed on Liberia and Sierra Leone.

244. The ECOWAS Moratorium does not cover illicit trafficking. However from 30 November to 1 December 2000 a Ministerial Conference was held under the auspices of the Organization of African Unity, in Bamako, Mali. A declaration was adopted on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons. The signatories agreed to enhance the capacity of the OAU's member States to identify, seize and destroy illicit weapons and to put in place measures to control the circulation, possession, transfer and use of small arms and light weapons and the institutionalization of training programmes to control and eradicate the circulation of illicit arms in Africa.

245. Military cargo should always be accompanied by an export licence, an end-user certificate, an airway bill, a pro-forma invoice and a cargo manifest, together with a detailed description of the items in the cargo. The revised 1996 Kyoto Convention on Customs is an adequate basis for this improved procedure, but the Convention awaits ratification and implementation of United Nations Member States. A single globally adapted document accompanying military cargo would provide customs officers or exporting, transiting and importing authorities with much greater clarity on the precise nature of the cargo, and the parties involved in the handling, shipping, facilitating or buying and selling the weaponry. As a first step, urgent ratification of the Convention by all United Nations Member States is necessary.

D. Further research

246. Financial assets are at the heart of all criminal enterprise. Lost workers and equipment can always be replaced if financial assets are not targeted. Because of time constraints, the Panel could not look into the assets of RUF leaders, their sponsors and the members of the organized crime groups that supply them. Further investigation is required to identify, trace, freeze and confiscate these assets.

247. Because of time constraints, the Panel was unable to fully investigate the original source (i.e. producing countries) of weapons that contravene the Security Council embargoes in question. As noted below (paragraph 250), one outstanding query involves an incident in Kazakhstan. Another involves a Moldova-based company named Renan.

248. On various occasions prior to the arrival of UNAMSIL in Sierra Leone, Nigerian ECOMOG troops lost weapons to the RUF when they fell victim to rebel ambushes. During the December 1998 siege of Kono, for example, the rebels captured a great number of ECOMOG weapons, including a number of armoured vehicles. In addition, however, the Panel heard an overwhelming number of reports on Nigerian

ECOMOG troops exchanging weapons with the RUF for cash, diamonds, food or other goods. The information was considered reliable, but in order to verify or disprove these allegations, further investigation will be required.

249. During its work, the Panel obtained information on connections between the RUF and rebels in Guinea-Bissau, and with UNITA representatives in West Africa. The evidence, however, was not conclusive, and needs more research, preferably with cooperation from law enforcement and border control authorities in the region.

250. An accomplice of Victor Bout, a Russian citizen named Oleg Grigorovich Orlov, is the subject of a government investigation in Kazakhstan into the smuggling of two Mi-8T helicopters out of the country. According to the Government of Kazakhstan, Orlov is active in the arms markets of the Confederation of Independent States, Syria, Sri Lanka, Pakistan, North Korea and certain African countries, including Eritrea. He is associated with the following companies: Dunford-Avia Progress Ltd. (Cyprus), Global Omarus Technology Ltd. lately renamed EMM Arab System Ltd. (Cyprus), Euroasian Financial Industry Group (Singapore and Malaysia), Belmont Trading and Gulfstream. Further investigation of Orlov and his association with Victor Bout could shed light on an important source of illegal weapons flows into Africa.

251. On 7 December 2000 the panel was informed by Ugandan authorities that Ugandan Customs had recently seized a consignment of arms, believed to be destined for Monrovia. Ugandan authority had been granted for air transport of the consignment from Entebbe to Conakry for the use of the Guinean Ministry of Defence. The flight plan, however, showed that the real destination of the plane was Monrovia. Further information is expected.

VII. Conclusions regarding weapons and the RUF

252. Liberia is actively breaking Security Council embargoes regarding weapons imports into its own territory and into Sierra Leone. It is being actively assisted by Burkina Faso. It is being tacitly assisted by all countries providing such weapons, by countries allowing weapons to pass through or over their territory without question, and by countries providing a base for the aircraft used in such operations.

253. The registration of aircraft in Liberia is clearly connected to illegal activities that go beyond the economic rationale for the offshore registration of aircraft or crews. The use of registrations bought in Liberia on an ad hoc basis and for short periods, without inspection of the plane or its operators, is clearly intended to circumvent the identification of planes that are used for illicit purposes. Victor Bout, Sanjivan Ruprah, Leonid Minin and Sheik Abdullah bin Zayed bin Saqr al Nayhan are key to such illicit practices, in close collaboration with the highest authorities in Liberia.

254. In summary, the RUF is able to obtain large quantities of arms, military equipment and related *matériel* as a result of the following key factors:

- the purchasing power it derives from the sale of conflict diamonds;
- the willingness of some major arms producing countries to sell weapons with disregard as to the final users;
- the willingness of some countries to provide their end-user certificates and/or to facilitate the safe passage of weapons through their territory;
- the largely unregulated activity of international arms brokers and their intermediaries;
- corruption;
- the inability of Sierra Leone and its neighbours to monitor and control their airspace;
- Liberia's interest in destabilizing its neighbours.

VIII. Recommendations on weapons, transport and air traffic control

255. The Panel strongly recommends that all aircraft operating with an EL-registration number and based at airports other than in Liberia, should be grounded immediately, and until the provisions in the following recommendation are met. This includes planes based in Sharjah and other airports in the United Arab Emirates, in the Congo (Brazzaville), in the Democratic Republic of the Congo, Gabon, Angola, Rwanda and Kenya. Airport authorities and operators of planes registered in Liberia over the past five years should be advised to

keep all their documentation, log books, operating licences, way bills and cargo manifests for inspection.

256. It is further recommended that all operators of aircraft on the Liberian register, wherever they are based, be required to file their airworthiness and operating licences and their insurance documents with the International Civil Aviation Organization's headquarters in Montreal, including documentation on inspections carried out during the past five years. The aircraft of all operators failing to do so should be grounded permanently. Aircraft that do not meet ICAO standards should be grounded permanently.

257. The Security Council, through ICAO, IATA and the WCO should create a centralized information bulletin, making the list of grounded Liberian aircraft known to all airports in the world.

258. Burkina Faso has recently recommended that the Security Council supervise a proposed mechanism that would monitor all arms imports into its territory, and their use, for a period of three years. The Panel endorses this proposal. The Panel also recommends that under such a mechanism, all imports of weapons and related *matériel* into Burkina Faso over the past five years be investigated. The Panel further recommends that any State having exported weapons during this period to Burkina Faso should investigate the actual end-use of these weapons, and report their findings to the Security Council and to the Programme for Coordination and Assistance for Security and Development (PCASED) established under the ECOWAS Moratorium.

259. In view of the sanctions-breaking cases investigated by the Panel and the information gathered in the region, it is recommended that the Security Council encourage the reinforcement of the ECOWAS Programme for Coordination and Assistance for Security and Development (PCASED) with support from Interpol and the World Customs Organization. PCASED should have an active capacity to monitor compliance with arms embargoes and the circulation of illicit weapons in the region.

260. The Security Council should encourage ECOWAS member States to enter into binding regional arrangements between States with common frontier zones, to initiate an effective, common and internationally agreed system of control that includes the recording, licensing, collection and destruction of small arms and light weapons. These bilateral arrangements can be promoted and facilitated through ECOWAS and through the Programme for Coordination and Assistance for Security and Development. A common standard and the management of a database on significant cases of smuggling and sanctions-busting in the region could be developed by Interpol. The IWETS (International Weapons and Explosives Tracking System) programme of Interpol could be used for the purpose of tracking the origin of the weaponry.

261. In this report, the Panel has identified certain arms brokers and intermediaries responsible for supplying weapons to the RUF. A project should be developed to profile these arms brokers with the cooperation of Interpol. Similarly, considering the importance of air transport in the sanctions-busting, profiles of major cargo companies involved in such practices should be developed, with a view to exploring ways and means of further strengthening the implementation of sanctions.

262. Responsibility for the flood of weapons into West Africa lies with producing countries as well as those that trans-ship and use them. The Security Council must find ways of restricting the export of weapons, especially from eastern Europe, into conflict areas under regional or United Nations embargoes. 'Naming and shaming' is a first step, but consideration could be given to an embargo on weapons exports from specific producer countries, just as diamonds have been embargoed from producer countries until internationally acceptable certification schemes have been developed.

263. Current Security Council arms embargoes should be amended to include a clear ban on the provision of military and paramilitary training.

264. Countries in West Africa that are not signatories to the 1989 United Nations Convention on the Recruitment, Use, Training and Financing of Mercenaries should be encouraged to do so.

265. An analysis of the firearms recovered from rebels should be undertaken in cooperation with Interpol, and its International Weapons and Explosives Tracking System. This would help in further identifying those involved in the RUF supply line.

266. The World Customs Organization should be asked to share with the Security Council its views on creating adequate measures for better monitoring and detection

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of weapons and related *matériel* to non-State actors and countries under an arms embargo.

267. Consideration should be given to the development of special training programmes on sanctions monitoring for national law enforcement and security agencies, as well as airport and customs personnel in West Africa, and the development of a manual or manuals on the monitoring of sanctions at airports for worldwide use by airport authorities and police services.

268. Consideration should be given to placing specialized United Nations monitors at major airports in the region (and perhaps further afield), focusing on sensitive areas and coordinating their findings with other airports. This would enable better identification of suspect aircraft. It would also create a deterrent against illicit trafficking, and would generate the information needed to identify planes, owners and operators violating United Nations sanctions and arms embargoes.

269. The Security Council should consider ways in which air traffic control and surveillance in West Africa can be improved, with a view to curtailing the illicit movement of weapons. Possibilities include:

- encouraging the installation of primary radar at all major West African airports, and finding the financial support to do so. Only primary radar can independently detect the movement of aircraft;
- an alternative could be 'pseudo radar' which creates a radar environment with the use of powerful means of transmission of air/ground data through satellite;
- requiring the use in the region of a Global Positioning System and requiring aircraft to be equipped with the appropriate avionics, with installation of the corresponding equipment on the ground. This would entail requiring aircraft flying in West Africa to have on board or to be equipped with avionics which could enable controllers on the ground to identify any traffic, anywhere and at any time in their sector;
- encouraging ICAO and other interested agencies to assist States in reinforcing the financial autonomy of bodies established for the management of air navigation services.

IX. Concluding recommendations

270. In this report, the Panel has made a variety of specific recommendations that deal with diamonds, weapons and the use of aircraft for sanctions-busting and the movement of illicit weapons. Many of these recommendations and the problems they address are related to the primary supporter of the RUF, Liberia - its President, its government and the individuals and companies it does business with. The Panel notes with concern that Security Council resolutions on diamonds and weapons are being broken with impunity. In addition to the foregoing, the Panel offers the following recommendations.

271. A travel ban similar to that already imposed on senior Liberian officials and diplomats by the United States should be considered for application by all United Nations Member nations until such time as Liberia's support to the RUF and its breaking of other United Nations sanctions ends conclusively.

272. The principals in Liberia's timber industry are involved in a variety of illicit activities, and large amounts of the proceeds are used to pay for extrabudgetary activities, including the acquisition of weapons. Consideration should be given to placing a temporary embargo on Liberian timber exports, until Liberia demonstrates convincingly that it is no longer involved in the trafficking of arms to, or diamonds from, Sierra Leone.

273. Consideration should be given to creating capacity within the United Nations Secretariat for ongoing monitoring of Security Council sanctions and embargoes. This is imperative to the building of an in-house knowledge base on current issues such as conflict diamonds, as noted in paragraph 165 above, but it is even more important to creating awareness and capacity on problems, which are not likely to be solved in the near future, such as the illicit trade in weapons and related *matériel*.

Part three
Technical note on air traffic control systems in West Africa

I. Background

274. What follows is a technical paper on air traffic control systems in West Africa. Recommendations emanating from this part of the report have been included in the previous section.

275. First, a word on terminology: airspace is divided into lower and upper airspace and into Flight Information Regions (FIRs), which can, as required, encompass Terminal Control Areas (TMAs) or Upper Control Areas (UTAs).

276. An FIR is an airspace with specific dimensions, in which an information service and an alert service are provided. A TMA is a control area established, in principle, at airways crossroads, around one or several important aerodromes. West African airspace is managed either by agencies to which governments have delegated responsibility, or by state-managed administrations. These include the following:

- ASECNA (Agency for the Safety of Air Navigation in Africa and Madagascar) is in charge of the airspaces of Burkina Faso, Côte d'Ivoire, the Gambia, Guinea Bissau, Mali, Mauritania, Niger and Senegal;
- Guinea, Liberia and Sierra Leone have established the Roberts FIR to control their airspace;
- Ghana manages its airspace and that of Benin, Sao Tomé and Togo from the Accra FIR;
- Cape Verde has an extensive oceanic airspace called Sal FIR;
- Nigeria has divided its national airspace in two parts: the Kano FIR to the North and the Lagos FIR to the South.

277. The Panel agreed, for the purposes of this report, to review first the air traffic control systems in West Africa, and then the ones that prevail in the Roberts FIR and the countries under its jurisdiction. For reasons of timing and flight availability, the Panel's expert on the subject was unable to visit the centres in Abidjan, Lagos and Sal Island.

II. Air traffic systems in West Africa

A. Air traffic management

278. The Panel was pleased to note that, contrary to the situation elsewhere, FIRs in West Africa do not strictly follow the contours of national boundaries, and that the delimitation of these FIRs is generally in line with operational requirements.

279. The Panel also noted that the present airspace configuration was redefined to take into account the ICAO (International Civil Aviation Organization) recommendation, which requires states to implement area control as soon as possible, with a view to increasing air traffic safety. A lot remains to be done however, especially in Nigeria, Mali, Mauritania, Niger and elsewhere.

280. The layout of the airways, which transit the Region, connects major airports, or the radio navigational aids, which serve these airports. The heaviest traffic flows are the Gulf of Guinea (Abidjan-Accra-Lagos corridor), then the Dakar/Abidjan axis and the North-South traffic flow. The East-West traffic is less dense. The West African airspace is far from being congested.

B. Communications

281. The most frequently used means for Aeronautical Mobile Service (AMS - air/ground and air/air communications) is the High Frequency (HF), which has an extended range but presents drawbacks on reception, and the Very High Frequency (VHF), whose range is not extended, but which offers greater listening comfort. These technologies operate well on the whole. A study carried out by IATA on this subject in May 2000 shows, on the one hand, that the VHF is increasingly used and has considerably improved, both from the point of view of quality and availability, and

that on the other hand, the HF is still the only available means in several sectors.

282. In several countries in the subregion, the Single Sideband (SSB) is used to provide links between the main airport and the domestic airports.

283. The Aeronautical Fixed Service (AFS), which ensures the transmission of flight plans and other aeronautical messages between specific fixed points, operates fairly well, especially at main airports. Performance has been enhanced by the implementation of the SATCOM (Satellite Communications) Project developed by ICAO and financed by the European Development Fund. SATCOM, which uses VSAT (Very Small Aperture Terminal) technology, has facilitated the implementation of several fixed service and speech circuits in the Region. Many VSAT have been installed in the region, and there are other projects under implementation, especially in the vast airspaces managed by ASECNA.

284. The Fixed Service is often backed up, however, or replaced by the SITA (Société internationale de télécommunications aéronautiques) network, a private network generally used by airlines. The 97% availability threshold recommended by ICAO is often never reached.

285. As regards the ATS/DS (direct speech) circuits based on the use of the public telecommunications network, these seem to be operating better in the ASECNA area (Dakar/Bamako, Niamey/Ouaga, etc) because of the similarity of equipment, than they do outside that area (Bobo/Accra, Bamako/Roberts). These ATS/DS circuits enable two controllers working in adjacent centres to exchange traffic data. Usually, when the ATS/DS circuits do not work, controllers use the HF for the coordination. This practice is not recommended. In short, communications remain a weakness.

C. Navigation

286. The main navigational aids in the region operate fairly well. However, many of them have reached their age limit, especially the Instrument Landing Systems.

287. The VORs (VHF Omni-directional Radio Range), coupled or not with DMEs (Distance Measuring Equipment), are implemented in all international aerodromes and are generally operational. The same is true for the NDBs (Non-directional radio beacons), which are used nearly everywhere. All these ground facilities work towards providing safe navigation in the Region.

D. Surveillance

288. The use of radar is very rare in West Africa. The explanation given to the Panel is that ICAO recommends that states should use radar only if the situation really warrants it. If this is taken as a rule, it would apply only to the Gulf of Guinea States (Côte d'Ivoire, Ghana and Nigeria).

289. Thus Ghana has installed radar in Accra to cover the Western sector of its airspace. A project is presently under way which will enable Ghana to cover its entire airspace, including that of Benin and Togo. In Nigeria, the radar of Lagos is being replaced. That of Abuja operates within a radius of 50 Nautical Miles.

290. A secondary radar system has been undergoing tests in Abidjan for the past few years. Its official commissioning has been delayed because of a problem between the government and ASECNA, the manager of the airspace. It has nonetheless proven very useful. As an example, the Panel was informed that a few hours after a recent takeoff from Accra, an aircraft heading west realized that its navigation instruments were no longer functioning. It therefore decided to land at Accra, its point of departure. Soon after, it was seen on the Abidjan radar screens heading north. The Ivorian controllers were able to guide it safely to its final destination.

291. The Panel was informed that, as part of a surveillance exercise, ASECNA had carried out Automatic Dependent Surveillance (ADS) trials, which had been positive. But for the past two or three years, ASECNA has stopped talking about them.

292. The CNS/ATM (Communication, Navigation, Surveillance/Air Traffic Management) implementation plan (1995-2005) provides for the installation of an ADS in Dakar and in Sal Island to monitor the Oceanic FIRs.

293. The absence of radar is strongly felt and all the aeronautical and/or military authorities questioned by the Panel mentioned the problem. Authorities are frequently informed of violations of their airspace by pilots who come across illegal traffic. They are also

aware that aircraft operators can operate with impunity in their sphere of sovereignty, without their knowledge. At times, it is local authorities or even local individuals who contact them to inform them of an overflight. The military admit that they do not have the means to intercept such traffic, a common practice elsewhere. Training and refresher course were also mentioned as a major requirement.

294. In spite of the absence of radar, West African air traffic services still provide the classic elements of control, which is to prevent collision between aircraft in the air and on the ground, and to speed up and regulate air traffic generally.

III. The Roberts Flight Information Region

A. General

295. The Roberts FIR is a dismemberment of the Dakar FIR. It was established in January 1975 by Guinea, Liberia and Sierra Leone, which decided to manage their airspace jointly. The FIR was named after Roberts International Airport (also known as Robertsfield), which hosted the headquarters at its creation. The headquarters was transferred to Freetown in June 1990 because of the war in Liberia. It has been based in Conakry since June 1997 as a result of the war in Sierra Leone. The Panel also noted that whether in Robertsfield, Freetown or Conakry, the buildings, which have hosted the headquarters and its technical services, are not architectural models. In Conakry, for example, the building where the FIR administration is located is old, tiny and inaccessible. The Flight Information Centre (FIC) is not much better. It is located in a very narrow single room, and the control equipment is old. Everything in the centre dates from an earlier epoch. The controllers complain about unsuitable working conditions.

Air traffic management

296. The Roberts FIR TMA extends 40NM north of Conakry and 99NM south of Monrovia. It therefore encompasses the three airports, and VHF coverage is also provided. The most frequently flown airway is UB 600, which extends from Dakar to Abidjan. Domestic traffic in Guinea, Liberia and Sierra Leone is very low.

297. The Roberts Flight Information Centre is responsible for all overflights and takes charge of flights above 3,000 feet, after takeoff. Upon landing, it transfers traffic to the local control tower when the descending aircraft has reached about 4,000 feet.

298. The air traffic service authorities are aware of the existence of illegal transboundary traffic. They are informed by other pilots who fly in their airspace on the one hand, and by the supervisory authorities of the three countries, on the other.

Communications

299. The Roberts FIC operates a VHF which covers the entire TMA. It uses the HF for links with Freetown and Monrovia.

300. The ATS/DS system is operational with Dakar and Abidjan. An iridium satellite telephone is used with Bamako.

301. Only the Conakry VSAT is operational. Freetown VSAT is out of order. The AFS is not operational in the Roberts FIR.

Navigation

302. Navigational aids (ILS, VOR/DME, NDB) are available at the three airports, except at Roberts (Monrovia) where the VOR has been out of order for a very long time.

Surveillance

303. There is no radar in the Roberts FIR. However, the Panel noted that in the Air Navigation Plan for the African/Indian Ocean Region, the Roberts FIR included the installation of a radar.

B. Guinea

304. In Conakry, the Panel was informed of the following incident: on 10 November 2000, the crew of an Antonov 12, registered in Ukraine and chartered over a period of time by a Guinean airline, was carrying out maintenance work on the aircraft which had been grounded because of a contract dispute. The crew requested permission from the control tower to taxi, in order to test the engines. The authorization was granted. Soon thereafter, the aircraft took off and disappeared into the Guinean sky without a flight plan, without authorization and without answering numerous

calls from the tower. It was only few hours later that the aircraft was reported to be on the ground at Freetown. This is a concrete example of what can happen at airports in the Region.

305. Guinean civil aviation authorities observe that their country is going through a difficult period, and they have taken measures to revise overflight and landing agreements. They have noted an increase in the number of requests for overflight and landing authorizations whose justification leaves much to be desired. While key staff in the Air Traffic Management field have been in the Roberts FIR since its creation, they badly need training in the field of CNS/ATM.

306. Many domestic airports in Guinea are closed to public air traffic due to a lack of passengers or aircraft. Most of the equipment at domestic airports is very old. Where surveillance is concerned, civil aviation authorities note the concern of the Interior Ministry and the Ministry of Defence, and they mention letters from these Ministries informing them of cases of unauthorized overflight. (A copy of one of these letters is attached to this report as Annex 4).

307. The DCA is aware of the presence of small aircraft and helicopters operating near national borders. It also recognizes the existence of several landing strips, either authorized or not. Some are used by the Office of the United Nations High Commissioner for Refugees and World Food Programme.

308. The Panel was authorized to visit a domestic airport, namely the Nzerekore Airport, near the borders with Côte d'Ivoire and Liberia. An NDB is available. The airport is not fenced. The only communications means available at this airport is the common frequency with the other airports, including Freetown and Monrovia.

C. Sierra Leone

309. During discussions with the Panel, the civil aviation authorities of Sierra Leone stressed that military flights in general and Nigerian military flights in particular do not follow air traffic instructions. They do whatever they want in Sierra Leonean airspace. The authorities deplore the absence of radar, which would enable them to know what these military flights actually do on the one hand, and on the other, to detect illegal overflights. They also lack the means to detect weapons and dangerous objects at the airport. Lack of training is also mentioned as a problem.

310. The authorities expressed concern about airports being open to public air traffic without technical personnel, and of them being used for unauthorized private flights. Where Freetown is concerned, they have made arrangements to act in case of unauthorized landing, for example, by requesting fire-fighting trucks to block the runway and informing the appropriate authorities. They gave the Panel a memorandum, copy of which is attached to this report (as Annex 5). The Panel noted a large number of aircraft and helicopters in the public parking lot on the one hand, and the absence of airport security measures, as well as the absence of a fence, on the other. Virtually everything in the field of civil aviation needs to be done or redone in Sierra Leone.

D. Liberia

311. The Panel met with President Charles Taylor and found him to be aware of the shortcomings and deficiencies faced by Roberts International Airport, which only a few years ago, was a very dynamic air traffic control centre. He was concerned by the lack of resources to control his airspace and he said that he had personally approached the United Nations for assistance in acquiring the equipment necessary for effective management of the airport. His request, he said, had yielded no result. Asked about the priority he would give between the acquisition of military equipment and the acquisition of means to improve his airport, he chose the airport.

312. The day before this discussion, the Panel visited Roberts International Airport, which is gradually resuming activity. The airport has many burned out and tumbledown buildings, a consequence of the war. As in Conakry and Freetown, the activities of the control tower are limited to takeoffs and landings. However unlike Conakry and Freetown, there is no link between Robertsfield and the domestic airports of the hinterland, and there is no telephone.

313. The authorities say that they do not have the means to take inventories or to inspect domestic airports. As regards military flights, the air traffic services are not involved in their movements. A separate sector is allocated to them.

IV. Conclusions

314. As noted in previous sections of this report, major shortcomings and deficiencies are obvious in the Roberts FIR and its constituent states in particular, as well as in the other West African FIRs in general. The civil aviation community is aware of this situation, and recommendations and conclusions have been adopted at technical meetings organized by ICAO on this subject. The problem is a lack of resources, despite the existence of more or less autonomous administrations set up to manage airports and air navigation services.

315. Training is a basic requirement in all centres. And finally, it is essential that each country in the region have the ability to identify aircraft operating in its airspace.

Annex 1

United Nations S/2000/756

Security Council

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Original: English

Letter dated 2 August 2000 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to resolution 1306 (2000), adopted by the Security Council on 5 July 2000, concerning Sierra Leone. In paragraph 19 of that resolution, the Council requested that, after consultation with the Security Council Committee established pursuant to resolution 1132 (1997), I establish a panel of experts composed of up to five members, for an initial period of four months from its effective entry into operation, to collect information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and related *matériel*, and to consider the adequacy of air traffic control systems in the region.

Accordingly, following consultations with the Committee, I wish to inform you that I have appointed the following five experts:

Mr. Martin **Chungong Ayafor** (Cameroon)

Mr. Ian **Smillie** ((Canada), diamond expert)

Mr. Johan **Peleman** ((Belgium), expert on arms and transportation)

Mr. Harjit Singh **Sandhu** ((India), expert from Interpol)

Mr. Atabou **Bodian** ((Senegal), expert from the International Civil Aviation Organization)

I have also selected Mr. Martin Chungong Ayafor (Cameroon) to chair the panel of experts.

(*Signed*) Kofi A. **Annan**

Annex 2

Meetings and consultations

Belgium

Government
Ministry of Foreign Affairs
Cabinet of Development Cooperation
Ministry of Economic Affairs
Ministry of Finance (Customs)
Cabinet of the Secretary of State for Foreign Trade
Diamond Office
Diamond High Council (Hoge Raad voor Diamant)

Private sector
Mackie Diamonds
Omega Diamonds
Rapaport Belgium
Talib Diamonds

Civil society
International Peace Information Service (IPIS)

Burkina Faso

Government
Ministry of Foreign Affairs
Ministry of Energy and Mines
Ministry of Commerce, Industry and Trade
Customs and Excise
National Police
Ministry of Transport
Ministry of Defence
Representatives of the Armed Forces

Civil society
Mouvement Burkinabe des Droits de l'Homme et des Peuples

Private sector
Chamber of Commerce

Diplomatic, bilateral and multilateral agencies
France
United States
Agence pour la Securité de la Navigation en Afrique et à Madagascar (ASECNA)
UNDP

Canada

Department of Foreign Affairs and International Trade
International Civil Aviation Organization (ICAO)

Côte d'Ivoire

Modern Africa Fund Managers
BBC

France

Several Panel members visited Interpol Headquarters in Lyon. Discussions were also held with the Police Attaché in the Paris Embassy of Israel, and the Deputy Air Attaché in the Embassy of India

Ghana

Government
Ministry of Roads and Transport
Civil Aviation Authority
Aviation Security
Air Traffic Services

Diplomatic, bilateral and multilateral agencies
UNDP

Guinea

Government
Ministère des Mines, de la Géologie et de l'Environnement
Direction Nationale de l'Aviation Civile
Agence Nationale de la Navigation Aérienne

Diplomatic, bilateral and multilateral agencies
Canada
France
Ukraine
United Kingdom
World Bank
Office of Roberts Flight Information Region (FIR)
UNDP

Private sector
Société de Gestion de l'Aéroport de Conakry

India

Government
Ministry of Foreign Affairs
Ministry of Commerce
Customs and Central Excise Department
Airport and Customs Officials, Mumbai (Bombay)

Diplomatic, bilateral and multilateral agencies
UNDP

Private sector
Gem and Jewellery Export Promotion Council of India

Media
The Hindu
Indian Express

Israel

Government
Ministry of Foreign Affairs
Ministry of Industry and Trade: Diamonds, Precious Stones & Jewellery Administration

Private sector
Israel Diamond Exchange
Israel Diamond Manufacturers Association
Tacy Ltd.

Media
Market Direct Business Communications
Pazit Ravina

Kenya

African Airlines Association
International Air Transport Association (IATA)
International Civil Aviation Organization (East & Southern Africa Regional Office)
UNDP

Liberia

Government
President Charles Taylor
Ministry of Foreign Affairs
Ministry of Lands, Mines & Energy
Ministry of Planning & Economic Affairs
Ministry of Transport
Ministry of Revenue
Ministry of Defence
Ministry of Justice
Ministry of Finance, Bureau of Customs & Excise
Ministry of Commerce and Industry
Liberian Police
Roberts International Airport

Private sector
Mr. George Haddad
Mars Diamonds

Diplomatic, bilateral and multilateral agencies
European Union
Sierra Leone
UNDP
United Kingdom
United States

Civil society
Centre for Democratic Empowerment
Liberian Interfaith Council
Liberian National Bar Association
Susuku

Media
BBC
The Enquirer
The News

Niger

Government
Ministry of Foreign Affairs
Ministry of Transport
Civil Aviation Authority

Diplomatic, bilateral and multilateral agencies
Agence pour la Sécurité de la Navigation en Afrique et à Madagascar (ASECNA)
UNDP

Mali

Civil Aviation Authority
L'Agence pour la Sécurité de la Navigation en Afrique et à Madagascar (ASECNA)
UNDP

Nigeria

ECOWAS
UNDP officials in Abuja

Senegal

ICAO (West and Central Africa Regional Bureau)

Sierra Leone

Government
Ministry of Foreign Affairs
Ministry of Mineral Resources (in Freetown and Kenema)
Ministry of Trade
Ministry of Justice
Customs and Excise

Port Authority
Airports Authority
Government Gold and Diamond Office
National Security Advisor
Sierra Leone Police (several agencies)
Sierra Leone Army
Sierra Leone Air Wing

Private sector
Diamond Counsellor International
Mackie Diamonds
Sar-Kuma Mining Co. Ltd.
Rex Diamonds
Sierra Leone Airports Authority
Several diamond dealers in Kenema

Diplomatic, bilateral and multilateral agencies
United Nations Special Representative of the Secretary-General
UNAMSIL
- officers and officials in Daru
- a wide range of officers and officials in Freetown

UNV (United Nations Volunteers)
United Kingdom
United States

Civil society
Campaign for Good Governance
Human Rights Watch
Network Movement for Justice and Development
Oxfam GB
Search for Common Ground
Sierra Leone Muslim Congress
Various Chiefs and Elders from Kono District
Civil Defence Force (Kamajor) leaders in Kenema and Daru

Media
BBC
CBS News
NHK Japan Broadcasting Corporation

South Africa

Government
Ministry of Foreign Affairs
Ministry of Justice
South African Diamond Board
Civil Aviation Authority

Private sector
Executive Research Associates
Landmat
Lanseria Airport
Raymond Kramer & Associates

Diplomatic, bilateral and multilateral agencies
UNDP
United Kingdom
United States

Civil society
Institute for Security Studies
Institute for Global Dialogue
South African Institute for International Affairs

Media
Sunday Independent
Khareen Pech

Other

Participation in Inter-ministerial Meeting on Conflict Diamonds gave Panel members access to a wide range of government and private sector firms from Africa, Europe, Israel and North America.

The Panel also participated in an Air Transport Sector Workshop: Controlling the Movement of Illicit Goods, attended by a wide range of experts from civil aviation and South Africa agencies, including the National Anti-Corruption Unit, Air Traffic and Navigation Services and the National Inter-Departmental Structure. The workshop was organized by Saferworld (U.K.) and the Institute for Security Studies in Pretoria.

Spain

Meeting with police officials, Madrid.

Switzerland

Government
Federal Department of Foreign Affairs (United Nations & International Organizations; Financial & Economic Affairs)
Federal Customs Administration (Berne)
Federal Customs Administration (Geneva Free Port)
State Secretariat for Economic Affairs
Federal Office for Police Matters (Money Laundering Reporting Office NCO Division)

Private sector
Acal Amit S.A.
HSB Republic Bank (Suisse) S.A.
Bucher & Co. Publikationen
TAG Aviation

Civil society
Small Arms Survey

Other
United Nations Institute for Disarmament Research

Ukraine

Government
Ministry of Foreign Affairs
State Security Service
National Security Directorate
Border Control Authority
Civil Aviation Authority
Ministry of Defence
National Security Directorate
Ukrspetsexport

Diplomatic, bilateral and multilateral agencies
UNDP

United Arab Emirates

Civil Aviation Authorities
Customs and diamond officials in Sharjah
A visit was also made to Sharjah airport.

United Kingdom of Great Britain and Northern Ireland

Government
Foreign and Commonwealth Office
- Minister of State
- United Nations Department
- Africa Department
- Sanctions Unit
- Arms Control Unit

Department for International Development
Metropolitan Police Service
HM Customs & Excise

Private sector
De Beers
Anaconda Worldwide Ltd.
WWW International Diamond Consultants Ltd.
M. Vainer Ltd.

Civil society
Amnesty International
Global Witness
International Alert
Human Rights Watch

Media
Financial Times
Basel Magazine
Insight News Television
Africa Confidential
Thomas Brian-Johnson

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United States of America

Government
Department of State
Defense Intelligence Agency
Department of National Intelligence
USAID

Private sector
World Diamond Council
Rapaport Diamonds

Diplomatic, bilateral and multilateral agencies
Sierra Leone Embassy
Missions to the United Nations:
- Bangladesh
- Belgium
- Canada
- France
- India
- Kazakhstan
- Sierra Leone
- Switzerland
- Uganda
- United Kingdom
- United States

Media
Sebastian Junger
Teun Voeten
The Perspective

Individuals

A number of individuals have played a key part in some of the events noted in this report, or have been mentioned in that connection in media reports. The Panel was grateful to several who agreed to be interviewed:

Andrei Bressler
John Caldwell
Roger Crooks
Omrie Golley
Michael Harridine
Nicholas Karras
Ya'ir Klein
Johnny Paul Koroma
Raymond Kramer
Ze'ev Morgenstern
Richard Ratcliffe
Fred Rindel
Niko Schefer

Note: Given the sensitive nature of the subjects being investigated by the Panel, many individuals spoke under conditions of confidentiality. Several interviews have therefore not been noted.

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Annex 3

Key figures in the RUF

Many of the RUF leaders have been given, or have given themselves high-ranking military titles and nicknames or aliases. As many of them are known mainly by the latter, the report has occasionally used these as well as real names, where known. The following are some of the main RUF leaders.

Foday Saybana Sankoh, Chairman of the RUF; currently in prison in Sierra Leone

General Issa H. Sesay, formerly Brigadier, then Battlefield Commander; currently Interim Head of the RUF

Brigadier General Maurice Kallon; currently heading the northern axis of the RUF

Brigadier Dennis Mingo (alias "Superman"), Battle Group Commander, latterly Battle Commander, Lunsar Axis; currently fighting with the RUF

Lt. Col. Gibril Massaquoi, latterly Foday Sankoh's personal assistant; currently acting as RUF Spokesman behind RUF lines

Major General Sam Bockarie (alias "Mosquito"), former Battle Group Commander and "High Command"; currently in exile in Liberia

Colonel Boston Flamoh or Flomoh (alias "Rambo"); killed by RUF comrades in Makeni

Brigadier Mike Lamin, formerly Chief Intelligence Officer; Minister of Trade and Industries until May 2000; currently in prison in Freetown

Eldred Collins, Public Relations Officer, RUF Party; currently in prison in Freetown

General Ibrahim Bah, a Burkinabe, possibly of Gambian origin; senior logistics expert in the movement of weapons and diamonds between Burkina Faso, Liberia and Sierra Leone. Also known as Ibrahima Baldé and Baldé Ibrahima.

Annex 4

Sample communication on aircraft from Guinea

(A) N A L Y S E :- MESSAGE RADIO CLAIR N°138/DRS/N'Z/2000 DU 03-07-2000 DE LA DIRECTION GENERALE DE SURETE DE N'ZEREKORE RELATIF AU SURVOL A BASSE ALTITUDE DE LA FRONTIERE KOYANAH-DARO-ET MACENTA VILLE FAIT PAR LE DIRECTEUR GENERAL DE LA POLICE NATIONALE.

--- REPUBLIQUE DE GUINEE ---
Travail - Justice - Solidarité
-:-:-:-:-:-:-:-

MINISTERE DE LA DEFENSE NATIONALE
ETAT - MAJOR GENERAL DES ARMEES

N° 0882/MDN/EMGA.

(II) O I T T R A N S M I S

(I)

MONSIEUR LE DIRECTEUR GENERAL DE L'AVIATION CIVILE
à CONAKRY/

POUR NOUS ECLAIRER AUTOUR DE CE SURVOL ".

CONAKRY LE 06 JUILLET 2000
LE CHEF D'ETAT-MAJOR GENERAL DES ARMEES

LE COLONEL KEPPALLA CAMARA
GRAND OFFICIER DE L'ORDRE NATIONAL DU MERITE

AVIATION CIVILE
Enregistré à l'Arrivée Sous
Le N° 00108
Du 18.07.2000

Conakry le 3 - 07 - 2000

10H57

N° 1584

D.C.S.N.
Entré le 3/07/00
Sous le N° ...

Message Radio

CR/au SES
copie à l'EMGIA
E 4/07/00

Origine : D.R.S N'ZEREKORE

Destinataire : D.I.P.N. Conakry à titre de Compte rendu
S.E.S. Conakry pour information

Clair N° 138/D.R.S./N'Z/2000 du 3/07/2000 # Honneur vous rendre Compte # nous venons d'être informés ce jour 3/0 à 9H45 # Par Monsieur le préfet de Macenta # De ce qu'un avion léger bi-moteur à survolé à 1H45 du me # Le long de frontière de Koyama # Dara # ... ville # Cet avion survolant à basse Altitude n'a pa été identifié par nos services en place # Compte tenu du temps de survol # Nous pensons qu'est saisissan les autorités Militaires et de l'aviation civile pour être éclairé sur l'identité de l'avion et le moti du survol # Salutation distinguées # et fin

Signé

D.R.S. N'ZEREKORE

Baldé Alpha Oumar

(Commissaire de police)

Opérateur du jour

Jean pierre Kalissa

Annex 5

List of problems and recommendations provided by Sierra Leone Airports Authority

Drawbacks in detecting diamonds and arms smuggling through the airports

1. No equipment available to detect diamonds or arms.

2. Security personnel screening passengers not properly trained in diamonds and arms detection.

3. Coordination between various security agencies, viz: airport security, police, UNAMSIL, SLA etc. very inadequate and the sheer numbers represented make the process counter-productive.

4. Social aspects of state security personnel exposes them to temptation; e.g. very low salaries and allowances, poor IQs, poor education, little exposure, etc.

5. VIP protocol and escort extended by state security personnel to too many classes of people, e.g. ministers, parliamentarians, judges, army and police officers, corporate executives, diplomats, etc.

6. Poor integrity of many state security and customs personnel, who use the privilege of their position to directly facilitate smuggling for personal benefit.

7. No facilities for detecting unauthorized aircraft landing elsewhere other than Lungi and Hastings airports.

8. Direct disloyalty of some state security and customs personnel who intentionally facilitate smuggling in order to promote the course of saboteurs and dissidents of the government.

Recommendations

1. To strengthen the aspect of coordination and control by the SLAA through the provision of equipment such as:

(a) X-ray baggage screening equipment (high resolutions) for both Lungi and Hastings Airports;

(b) Surveillance radar equipment at Lungi Airport with a coverage of low altitudes;

(c) Air-to-ground and ground-to-ground state-of-the-art VHF and HF communication equipment to be installed at Lungi, Hastings, Bo and Kenema Airports;

(d) Appropriate training of SLAA personnel in Security, ATC and operations management.

2. To properly screen all state security and customs personnel deployed at the airport to ensure integrity, loyalty, education, intelligence and character.

3. To provide induction courses and appropriate training for all state security and customs personnel on the detection of diamonds, arms, laws relating to international smuggling, etc.

4. Substantially improve the remuneration of all personnel charged with the responsibility of screening passengers.

5. To desist from all VIP protocol except for persons using the Presidential Lounge and the heads of diplomatic mission only.

6. To improve coordination and the exchange of information between various security agencies.

7. To reduce the over-abundance of state security personnel deployed in passenger screening processes and to limit it to a small and well-trained core.

8. To impose stiff penalties of jail terms without any option of a fine, for persons convicted of smuggling or facilitating smuggling through action or omission.

FACT 78

The United Nations issued Security Council Resolution 1346 (S/RES/1346 (2001)), dated 30 March 2001, in which the Security Council:

(a) expressed its deep concern at the reports of human rights abuses committed by the RUF and others, including other military groups, against the civilian population, in particular the harassment and forced recruitment of adults and children for fighting and forced labour; and

(b) demanded that these acts cease immediately.

a.	Exh. 1.010	ERN 0004308-00004310	Security Council Resolution 1346 (S/RES/1346 (2001)), 30 March 2001, http://daccessdds.un.org/doc/UNDOC/GEN/N01/312/19/PDF/N0131219.pdf?OpenElement, at para. 6.

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00004309

3. *Welcomes* the revised concept of operations for UNAMSIL as set out in paragraphs 57 to 67 of the report of the Secretary-General and the progress already made towards its implementation, and *encourages* the Secretary-General to proceed to its completion;

4. *Expresses* its appreciation to those Member States providing additional troops and support elements to UNAMSIL and those who have made commitments to do so, *encourages* the Secretary-General to continue his efforts to seek, if necessary, further properly trained and equipped forces to strengthen the military components of UNAMSIL in order to enable the mission to implement fully its revised concept of operations, and *requests* the Secretary-General to inform the Council upon receipt of firm commitments to that end;

5. *Requests* the Secretary-General to inform the Council at regular intervals on progress made by UNAMSIL in the implementation of key aspects of its concept of operations, and *further requests* him to provide an assessment in his next report on steps taken to improve the effectiveness of UNAMSIL;

6. *Expresses* its deep concern at the reports of human rights abuses committed by the Revolutionary United Front (RUF) and others, including other military groups, against the civilian population, in particular the harassment and forced recruitment of adults and children for fighting and forced labour, *demands* that these acts cease immediately, and *requests* the Secretary-General to ensure all human rights monitoring positions within UNAMSIL are filled in order to address the concerns raised in paragraphs 44 to 51 of the report of the Secretary-General;

7. *Expresses also* its deep concern that the Ceasefire Agreement signed in Abuja on 10 November 2000 (S/2000/1091) between the Government of Sierra Leone and the RUF has not been fully implemented, and *demands* that the RUF take immediate steps to fulfil its commitments under that Agreement to ensure full liberty for the United Nations to deploy its troops throughout the country, the free movement of persons and goods, unimpeded movement of humanitarian agencies, refugees and displaced persons and the immediate return of all seized weapons, ammunition and other equipment, and to recommence active participation in the disarmament, demobilization and reintegration programme;

8. *Requests*, in this respect, UNAMSIL to maintain its support, within its capabilities and areas of deployment, for returning refugees and displaced persons and to encourage the RUF to cooperate to this end in fulfilment of its commitments under the Abuja Ceasefire Agreement;

9. *Requests* the Secretary-General to submit to the Council his views on how to take forward the issue of refugees and internally displaced persons, including their return;

10. *Calls upon* all the parties to the Sierra Leone conflict to intensify their efforts towards the full and peaceful implementation of the Abuja Ceasefire Agreement and the resumption of the peace process, taking into account the basis of the Abuja Ceasefire Agreement and relevant Security Council resolutions, and *urges* Governments and regional leaders concerned to continue their full cooperation with the Economic Community of West African States (ECOWAS) and the United Nations to promote these efforts, and, in particular, to use their influence with the leaders of the RUF to obtain their cooperation towards achievement of the above-mentioned goals;

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United Nations S/RES/1346 (2001)

Security Council

Distr.: General

30 March 2001

Resolution 1346 (2001)

Adopted by the Security Council at its 4306th meeting, on 30 March 2001

The Security Council,

Recalling its previous resolutions and the statements of its President concerning the situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Expressing its continued concern at the fragile security situation in Sierra Leone and neighbouring countries, and in particular at the continued fighting on the border regions of Sierra Leone, Guinea and Liberia and at the grave humanitarian consequences for the civilian, refugee and internally displaced populations in those areas,

Recognizing the importance of the progressive extension of State authority throughout the entire country, political dialogue and national reconciliation, the full implementation of a disarmament, demobilization and reintegration programme, the legitimate exploitation of the natural resources of Sierra Leone for the benefit of its people, full respect for the human rights of all and the rule of law, effective action on the issues of impunity and accountability, the voluntary and unhindered return of refugees and internally displaced persons, the holding by the Government of Sierra Leone of free, fair and transparent elections, and the formulation of a long-term plan for the peace process in order to achieve sustainable peace and security in Sierra Leone, and *stressing* that the United Nations should continue to support the fulfilment of these objectives,

Having considered the report of the Secretary-General of 14 March 2001 (S/2001/228),

1. *Decides* that the mandate of the United Nations Mission in Sierra Leone (UNAMSIL), established in its resolutions 1270 (1999) of 22 October 1999 and 1289 (2000) of 7 February 2000, shall be extended for a period of six months from the date of the adoption of this resolution;

2. *Further decides* to increase the military component of UNAMSIL to a strength of 17,500, including the 260 military observers already deployed, as recommended by the Secretary-General in paragraphs 99 and 100 of his report;

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3. *Welcomes* the revised concept of operations for UNAMSIL as set out in paragraphs 57 to 67 of the report of the Secretary-General and the progress already made towards its implementation, and *encourages* the Secretary-General to proceed to its completion;

4. *Expresses* its appreciation to those Member States providing additional troops and support elements to UNAMSIL and those who have made commitments to do so, *encourages* the Secretary-General to continue his efforts to seek, if necessary, further properly trained and equipped forces to strengthen the military components of UNAMSIL in order to enable the mission to implement fully its revised concept of operations, and *requests* the Secretary-General to inform the Council upon receipt of firm commitments to that end;

5. *Requests* the Secretary-General to inform the Council at regular intervals on progress made by UNAMSIL in the implementation of key aspects of its concept of operations, and *further requests* him to provide an assessment in his next report on steps taken to improve the effectiveness of UNAMSIL;

6. *Expresses* its deep concern at the reports of human rights abuses committed by the Revolutionary United Front (RUF) and others, including other military groups, against the civilian population, in particular the harassment and forced recruitment of adults and children for fighting and forced labour, *demands* that these acts cease immediately, and *requests* the Secretary-General to ensure all human rights monitoring positions within UNAMSIL are filled in order to address the concerns raised in paragraphs 44 to 51 of the report of the Secretary-General;

7. *Expresses also* its deep concern that the Ceasefire Agreement signed in Abuja on 10 November 2000 (S/2000/1091) between the Government of Sierra Leone and the RUF has not been fully implemented, and *demands* that the RUF take immediate steps to fulfil its commitments under that Agreement to ensure full liberty for the United Nations to deploy its troops throughout the country, the free movement of persons and goods, unimpeded movement of humanitarian agencies, refugees and displaced persons and the immediate return of all seized weapons, ammunition and other equipment, and to recommence active participation in the disarmament, demobilization and reintegration programme;

8. *Requests*, in this respect, UNAMSIL to maintain its support, within its capabilities and areas of deployment, for returning refugees and displaced persons and to encourage the RUF to cooperate to this end in fulfilment of its commitments under the Abuja Ceasefire Agreement;

9. *Requests* the Secretary-General to submit to the Council his views on how to take forward the issue of refugees and internally displaced persons, including their return;

10. *Calls upon* all the parties to the Sierra Leone conflict to intensify their efforts towards the full and peaceful implementation of the Abuja Ceasefire Agreement and the resumption of the peace process, taking into account the basis of the Abuja Ceasefire Agreement and relevant Security Council resolutions, and *urges* Governments and regional leaders concerned to continue their full cooperation with the Economic Community of West African States (ECOWAS) and the United Nations to promote these efforts, and, in particular, to use their influence with the leaders of the RUF to obtain their cooperation towards achievement of the above-mentioned goals;

11. *Encourages* the efforts of ECOWAS towards a lasting and final settlement of the crisis in the Mano River Union region caused by the continued fighting in the border areas of Sierra Leone, Guinea and Liberia, and *underlines* the importance of the political support that the United Nations can provide to these efforts in order to stabilize the region;

12. *Takes note* of the responsibilities to be undertaken by UNAMSIL in support of the Government of Sierra Leone's disarmament, demobilization and reintegration programme, notably the decision to provide an enhanced management role as referred to in paragraphs 76 to 79 of the report of the Secretary-General, *commends* the Government of Sierra Leone for the improvements it has already brought about in the programme, *encourages* it to take the necessary urgent decisions to allow finalization of the programme and dissemination of information on its benefits and conditions to proceed expeditiously, and *also encourages* international organizations and donor countries to support generously the efforts of the Government of Sierra Leone in this regard;

13. *Emphasizes* that the development and extension of the administrative capacities of Sierra Leone are also essential to sustainable peace and development in the country, and therefore *urges* the Government of Sierra Leone to take the necessary practical steps to prepare for and bring about the restoration of civil authority and basic public services throughout its territory, including in the locations where UNAMSIL is expected to deploy in accordance with its concept of operations, and *encourages* States, other international organizations and non-governmental organizations to provide appropriate assistance in this regard;

14. *Encourages* the Government of Sierra Leone, together with the Secretary-General, the United Nations High Commissioner for Human Rights and other relevant international actors, to expedite the establishment of the Truth and Reconciliation Commission and the Special Court envisaged by resolution 1315 (2000) of 14 August 2000, bearing in mind in particular the need to ensure the appropriate protection of children;

15. *Welcomes* the Secretary-General's intention to keep the security, political, humanitarian and human rights situation in Sierra Leone under close review and to report to the Council, after due consultations with troop-contributing countries, with any additional recommendations, including, if necessary, for a further strengthening of the military component of UNAMSIL for the completion of the planned concept of operations to fulfil the overall objective of assisting the Government of Sierra Leone to re-establish its authority throughout the country, including the diamond-producing areas, and to create the necessary conditions for the conduct of free, fair and transparent elections in due course under the authority of the Government of Sierra Leone;

16. *Decides* to remain actively seized of the matter.

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FACT 79

The United Nations issued Security Council Resolution 1132 (S/RES/1132 (1997)), dated 8 October 1997, in which the Security Council:

(a) expressed its grave concerns at the continued violence and loss of life in Sierra Leone following the military coup of 25 May 1997 and the deteriorating humanitarian conditions in that country;

(b) determined that the situation in Sierra Leone constituted a threat to international peace and security in the region;

(c) acting under Chapter VII of the Charter of the United Nations, the Security Council further:

  (i) reiterated its call upon the junta to end all acts of violence (para.2);

  (ii) decided that all States shall prevent the sale or supply to Sierra Leone of petroleum and petroleum products and arms and related materiel of all types (para. 6);

  (iii) imposed restrictions on the travel of members of the military junta and adult members of their families, provided that those restrictions would not oblige a State to refuse entry into its territory of its nationals (para. 5);

  (iv) authorized ECOWAS to ensure strict implementation of the oil and arms embargo (para. 8);

(d) called upon all States and all international and regional organizations to act strictly in conformance with the Resolution (para. 11).

a.	Exh. 1.015	ERN 00004333-00004336	Security Council Resolution 1132 (S/RES/1132 (1997)), 8 October 1997, http://daccessdds.un.org/doc/UNDOC/GEN/N97/267/13/PDF/N9726713.pdf?OpenElement

00004333

UNITED NATIONS

S

Security Council

Distr.
GENERAL

S/RES/1132 (1997)
8 October 1997

RESOLUTION 1132 (1997)

Adopted by the Security Council at its 3822nd meeting, on 8 October 1997

The Security Council,

Recalling the statements of its President of 27 May 1997 (S/PRST/1997/29), 11 July 1997 (S/PRST/1997/36) and 6 August 1997 (S/PRST/1997/42) condemning the military coup in Sierra Leone,

Taking note of the decision of the thirty-third summit of the Organization of African Unity (OAU) held in Harare, Zimbabwe, from 2 to 4 June 1997 concerning the situation in Sierra Leone,

Taking note also of the Communique issued at the meeting of the Foreign Ministers of the Economic Community of West African States (ECOWAS) on Sierra Leone, held in Conakry, Guinea on 26 June 1997 (S/1997/499), the Declaration of the ECOWAS Committee of Four Foreign Ministers on Sierra Leone (the ECOWAS Committee) of 30 July 1997 (S/1997/646), and the final Communique of the summit of ECOWAS held at Abuja on 28 and 29 August 1997 and the Decision on sanctions against the military junta in Sierra Leone issued at the summit (S/1997/695, Annexes I and II),

Taking note also of the Secretary-General's letter of 7 October 1997 (S/1997/776),

Expressing its full support and appreciation for the mediation efforts of the ECOWAS Committee,

Reaffirming its view that the Abidjan Agreement (S/1996/1034) continues to serve as a viable framework for peace, stability and reconciliation in Sierra Leone,

Deploring the fact that the military junta has not taken steps to allow the restoration of the democratically-elected Government and a return to constitutional order,

Gravely concerned at the continued violence and loss of life in Sierra Leone following the military coup of 25 May 1997, the deteriorating humanitarian conditions in that country, and the consequences for neighbouring countries,

Determining that the situation in Sierra Leone constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. Demands that the military junta take immediate steps to relinquish power in Sierra Leone and make way for the restoration of the democratically-elected Government and a return to constitutional order;

2. Reiterates its call upon the junta to end all acts of violence and to cease all interference with the delivery of humanitarian assistance to the people of Sierra Leone;

3. Expresses its strong support for the efforts of the ECOWAS Committee to resolve the crisis in Sierra Leone and encourages it to continue to work for the peaceful restoration of the constitutional order, including through the resumption of negotiations;

4. Encourages the Secretary-General, through his Special Envoy, in cooperation with the ECOWAS Committee, to assist the search for a peaceful resolution of the crisis and, to that end, to work for a resumption of discussions with all parties to the crisis;

5. Decides that all States shall prevent the entry into or transit through their territories of members of the military junta and adult members of their families, as designated in accordance with paragraph 10 (f) below, provided that the entry into or transit through a particular State of any such person may be authorized by the Committee established by paragraph 10 below for verified humanitarian purposes or purposes consistent with paragraph 1 above, and provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

6. Decides that all States shall prevent the sale or supply to Sierra Leone, by their nationals or from their territories, or using their flag vessels or aircraft, of petroleum and petroleum products and arms and related matériel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territory;

7. Decides that the Committee established by paragraph 10 below may authorize, on a case-by-case basis under a no-objection procedure:

(a) applications by the democratically-elected Government of Sierra Leone for the importation into Sierra Leone of petroleum or petroleum products; and

(b) applications by any other government or by United Nations Agencies for the importation of petroleum or petroleum products into Sierra Leone

for verified humanitarian purposes, or for the needs of the Military Observer Group of ECOWAS (ECOMOG),

subject to acceptable arrangements for effective monitoring of delivery;

8. Acting also under Chapter VIII of the Charter of the United Nations, authorizes ECOWAS, cooperating with the democratically-elected Government of Sierra Leone, to ensure strict implementation of the provisions of this resolution relating to the supply of petroleum and petroleum products, and arms and related matériel of all types, including, where necessary and in conformity with applicable international standards, by halting inward maritime shipping in order to inspect and verify their cargoes and destinations, and calls upon all States to cooperate with ECOWAS in this regard;

9. Requests ECOWAS to report every 30 days to the Committee established under paragraph 10 below on all activities undertaken pursuant to paragraph 8 above;

10. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) to seek from all States further information regarding the action taken by them with a view to implementing effectively the measures imposed by paragraphs 5 and 6 above;

(b) to consider information brought to its attention by States concerning violations of the measures imposed by paragraphs 5 and 6 above and to recommend appropriate measures in response thereto;

(c) to make periodic reports to the Security Council on information submitted to it regarding alleged violations of the measures imposed by paragraphs 5 and 6 above, identifying where possible persons or entities, including vessels, reported to be engaged in such violations;

(d) to promulgate such guidelines as may be necessary to facilitate the implementation of the measures imposed by paragraphs 5 and 6 above;

(e) to consider and decide expeditiously requests for the approval of imports of petroleum and petroleum products in accordance with paragraph 7 above;

(f) to designate expeditiously members of the military junta and adult members of their families whose entry or transit is to be prevented in accordance with paragraph 5 above;

(g) to examine the reports submitted pursuant to paragraphs 9 above and 13 below;

(h) to establish liaison with the ECOWAS Committee on the implementation of the measures imposed by paragraphs 5 and 6 above;

11. Calls upon all States and all international and regional organizations to act strictly in conformity with this resolution, notwithstanding the existence of any rights granted or obligations conferred or imposed by any international agreement or of any contract entered into or any licence or permit granted prior to the entry into force of the provisions set out in paragraphs 5 and 6 above;

12. Requests the Secretary-General to provide all necessary assistance to the Committee established by paragraph 10 above and to make the necessary arrangements in the Secretariat for this purpose;

13. Requests States to report to the Secretary-General within 30 days of the date of adoption of this resolution on the steps they have taken to give effect to the provisions set out in paragraphs 5 and 6 above;

14. Requests all those concerned, including ECOWAS, the United Nations and other international humanitarian agencies, to establish appropriate arrangements for the provision of humanitarian assistance and to endeavour to ensure that such assistance responds to local needs and is safely delivered to, and used by, its intended recipients;

15. Urges all States, international organizations and financial institutions to assist States in the region to address the economic and social consequences of the influx of refugees from Sierra Leone;

16. Requests the Secretary-General to submit an initial report to the Council within 15 days of the adoption of this resolution on compliance with paragraph 1 above, and thereafter every 60 days after the date of adoption of this resolution on its implementation and on the humanitarian situation in Sierra Leone;

17. Decides, if the measures set out in paragraphs 5 and 6 above have not been terminated in accordance with paragraph 19 below, to conduct, 180 days after the adoption of this resolution and on the basis of the most recent report of the Secretary-General, a thorough review of the application of these measures and of any steps taken by the military junta to comply with paragraph 1 above;

18. Urges all States to provide technical and logistical support to assist ECOWAS to carry out its responsibilities in the implementation of this resolution;

19. Expresses its intention to terminate the measures set out in paragraphs 5 and 6 above when the demand in paragraph 1 above has been complied with;

20. Decides to remain seized of the matter.

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FACT 80

In Press Release SC/6472, dated 28 January 1998, the Security Council Committee published a list of junta members affected by sanctions, whose entry into or transit through other States was to be prevented, in accordance with paragraph 5 of Security Council Resolution 1132 (1997). Those listed in the travel ban included the following members of the Supreme Council of the Armed Forces Revolutionary Council:

(a) Sam Bokarie [sic Bockarie], Alex Tamba Brima, Eldred Collins, Morris Kallon, Brima Bazzy Kamara; and

(b) Johnny Paul Koroma, Michael Lamin, Gibril Massaquoi, Foday Saybana Sankoh.

a.	Exh. 1.320	ERN 00010224-00010225	*Security Council Committee on Sierra Leone Releases List of Junta Members Affected by Sanctions*, Press Release SC/6472, 28 January 1998.

SCA

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28 January 1998

Press Release
SC/6472

SECURITY COUNCIL COMMITTEE ON SIERRA LEONE RELEASES LIST OF JUNTA MEMBERS AFFECTED BY SANCTIONS

The following was issued today by the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone:

The Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone decided to release the following list of members of the military junta in Sierra Leone, adopted by the Committee on 8 January 1998, whose entry into or transit through other States is to be prevented in accordance with paragraph 5 of Security Council resolution 1132 (1997):

List of the Members of the Military Junta in Sierra Leone

THE SUPREME COUNCIL OF THE ARMED FORCES REVOLUTIONARY COUNCIL

Name Title

1. ADAMS, George/Sergeant Arrested 2. BANGURA, Kandeh Sorie-Sebba/Mr. 3. BANGURA, K. /Sergeant. 4. BANGURA, Momoh/Corporal 5. BOB-LAHAI, Hector/Lance Corporal 6. BOKARIE, Sam/Colonel (Revolutionary United Front aka Commander Moskita. - RUF) 7. BRIMA, Alex Tamba/ Staff Sergeant Principal Liaison Officer II, Works and Labour, Sierra Tel, Customs and Excise, SALPOST 8. CATER-TARAWALLIE, J.B./Major 9. COLLINS ,Eldred/Lieutenant Secretary of State, Works, Energy & Power [RUF, Liberian] 10. CONTEH, Franklyn/Warrant Officer II 11. GBORIE, Sahr/Sergeant 12. KABIA, Moses/Staff Sergeant Chief Security Officer 13. KALLAY, K./ Sergeant 14. KALLON, David G./Mr. 15. KALLON, Morris/Major 16. KAMARA, Brima Bazzy/Staff Sergeant Principal Liaison Officer III, aka Ibraham Bazzy Agriculture, Forestry and Fisheries, Energy and Power, Lotto and Income Tax

Name Title

17. KAMARA Mohamed Saidu/Mr. 18. KARGBO, Samuel/Warrant Officer II 19. [redacted] 20. KING, Victor L./Major Secretary of State, Office of the Chairman 21. KOROMA, Johnny Paul/Major Chairman of the Supreme Council of the Armed Forces Revolutionary Council (AFRC), Head of State & Commander-in- Chief 22. KURRARY-BANGURA, Bai Hinga/Mr. 23. LAMIN, Michael S./Colonel Member of the People's Army Leadership 24. MASSAQUOI,

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Gibril/Colonel Arrested 25. MUNU, Abdulai Michael/Mr. 26. MUSA, Solomon A.J./Captain Chief Secretary of State & Secretary of State, Lands Mines and the environment 27. SANKOH, Abu/Hon. Staff Sergeant Principal Liaison Officer I, Mineral Resources, Transport and Communications, Lands and Environment 28. SANKOH, Foday Sayabana/Corporal Deputy Chairman of the Supreme Council of AFRC, Deputy Head of State and Deputy Commander- in-Chief 29. SANKOH, Haroun S./Mr. 30. SESAY, Abdul Karim/Colonel Secretary General of the Supreme Council of AFRC 31. SESAY, Abdul M./Lance Corporal 32. SESAY, Ibrahim D./Lance Corporal 33. SESAY Issa H./Colonel 34. TURAY, Sulaiman/Sergeant 35. WOMANDIA, Lawrence S./Captain Secretary of State, Trade Industry and State Enterprises

SECRETARIES OF STATE

1. BANGALI, Joe Amara/ Mr. Secretary of State, Finance. 2. BANGURA, Alimamy Pallo/Mr. Secretary of State, Foreign Affairs & International Cooperation 3. BANGURA, David/Reverend Secretary of State Religious Affairs 4. BANGURA, Kandeh S./Mr. Secretary of State, Information, Tourism and Cultural Affairs

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Name Title

5. BRANDON, Victor O.F./Mr. Secretary of State, Development & Economic Planning 6. GOTTOR, Fatoma Sanoh/Major Secretary of State, Northern Region. 7. KAIGBANGA, Sahr Kondewa/Mr. Secretary of State, Education aka J.K. Kaibanga 8. KAMARA, Augustine F./Major Secretary of State, Southern Region 9. KAMARA, Karefa I.S./ Colonel Secretary of State, Internal Affairs 10. LEIGH, Baila/Dr. Secretary of State, Health and Sanitation 11. MANLEY-SPAINE, Ajibola E./Mr. Attorney General & Secretary of State, Judicial Matters 12. MANSARAY, A.Y.K./Captain Secretary of State, Eastern Region 13. OSHO-WILLIAMS, Cecil Akindele/Mr. Secretary of State, Transport & Communications 14. ROGERS, Solomon.Y.B./Mr Secretary of State, Agriculture and Natural Resources 15. SAMBA, Kula/Major (US Citizen) Secretary of State, Social Welfare, Children & Gender Affairs 16. SESAY, UmaruDin/Mr. Secretary of State, Recreational Sports 17. THOMAS, Paul/Captain Secretary of State Marine Resources 18. WILLIAMS, Abdul Salami/Mr. Secretary of State, Employment Industrial Relations, Youth and Social Mobilization

OTHERS

1. KAMARA, Allieu Badara/Mr. Under-Secretary of State, Information & Spokesman 2. TURAY, Gabriel/Major Under-Secretary of State, Foreign Affairs and International Cooperation 3. MILTON, John E./Major Acting Director of Information 4. KOROMA, S.F.Y./Brigadier-General Chief of Defence Staff (brother of Major Johnny Paul Koroma)

This list is to be updated on a regular basis. The Committee is currently considering additional names provided to it, including those of adult members of the immediate families of members of the military junta. The list has been distributed to all Member States and international organizations/agencies. * ***

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FACT 81

The United Nations issued Security Council Resolution 1306 (S/RES/1306 (2000)), dated 5 July 2000, in which the Security Council:

(a) expressed its concern at the role played by the illicit trade in diamonds in fuelling the conflict in Sierra Leone, and at reports that such diamonds transit neighbouring countries, including the territory of Liberia;

(b) decided that all States shall take the necessary measures to prohibit the direct or indirect import of all rough diamonds from Sierra Leone to their territory (para. 1);

(c) stressed the obligation of all Member States, including those neighbouring Sierra Leone, to comply fully with the measures imposed by the Council (Part B); and

(d) reminded States of their obligation to implement fully the measures imposed by resolution 1171 (1998) (para. 17).

a.	Exh. 1.011	ERN 00004313-00004317	UN Security Council Resolution 1306 (S/RES/1306/2000), 5 July 2000, http://daccessdds.un.org/doc/UNDOC/GEN/N00/517/01/PDF/N0051701.pdf?OpenElement

00004313

United Nations S/RES/1306 (2000)

Security Council

Distr.: General
5 July 2000

Resolution 1306 (2000)

Adopted by the Security Council at its 4168th meeting, on 5 July 2000

The Security Council,

Recalling its previous resolutions and the statements of its President concerning the situation in Sierra Leone, and in particular its resolutions 1132 (1997) of 8 October 1997, 1171 (1998) of 5 June 1998 and 1299 (2000) of 19 May 2000,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Having considered the report of the Secretary-General of 19 May 2000 (S/2000/455), and in particular its paragraph 94,

Determining that the situation in Sierra Leone continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

A

Expressing its concern at the role played by the illicit trade in diamonds in fuelling the conflict in Sierra Leone, and at reports that such diamonds transit neighbouring countries, including the territory of Liberia,

Welcoming ongoing efforts by interested States, the International Diamond Manufacturers Association, the World Federation of Diamond Bourses, the Diamond High Council, other representatives of the diamond industry and non-governmental experts to improve the transparency of the international diamond trade, and encouraging further action in this regard,

Emphasizing that the legitimate diamond trade is of great economic importance for many States, and can make a positive contribution to prosperity and stability and to the reconstruction of countries emerging from conflict, and *emphasizing further* that nothing in this resolution is intended to undermine the legitimate diamond trade or to diminish confidence in the integrity of the legitimate diamond industry,

Welcoming the decision taken by the member States of the Economic Community of West African States (ECOWAS) at their Abuja summit on 28-29 May 2000 to undertake a regional inquiry into the illegal trade in diamonds,

Taking note of the letter of 29 June 2000 to its President from the Permanent Representative of Sierra Leone to the United Nations and of its enclosure (S/2000/641),

1. *Decides* that all States shall take the necessary measures to prohibit the direct or indirect import of all rough diamonds from Sierra Leone to their territory;

2. *Requests* the Government of Sierra Leone to ensure, as a matter of urgency, that an effective Certificate of Origin regime for trade in diamonds is in operation in Sierra Leone;

3. *Also requests* States, relevant international organizations and other bodies in a position to do so to offer assistance to the Government of Sierra Leone to facilitate the full operation of an effective Certificate of Origin regime for Sierra Leone rough diamonds;

4. *Further requests* the Government of Sierra Leone to notify the Committee established by resolution 1132 (1997) ("the Committee") of the details of such a Certificate of Origin regime when it is fully in operation;

5. *Decides* that rough diamonds controlled by the Government of Sierra Leone through the Certificate of Origin regime shall be exempt from the measures imposed in paragraph 1 above when the Committee has reported to the Council, taking into account expert advice obtained at the request of the Committee through the Secretary-General, that an effective regime is fully in operation;

6. *Decides* that the measures referred to in paragraph 1 above are established for an initial period of 18 months, and *affirms* that, at the end of this period, it will review the situation in Sierra Leone, including the extent of the Government's authority over the diamond-producing areas, in order to decide whether to extend these measures for a further period and, if necessary, to modify them or adopt further measures;

7. *Further decides* that the Committee shall also undertake the following tasks:

(a) To seek from all States further information regarding the action taken by them with a view to implementing effectively the measures imposed by paragraph 1 above;

(b) To consider information brought to its attention concerning violations of the measures imposed by paragraph 1 above, identifying where possible persons or entities, including vessels, reported to be engaged in such violations;

(c) To make periodic reports to the Security Council on information submitted to it regarding alleged violations of the measures imposed by paragraph 1 above, identifying where possible persons or entities, including vessels, reported to be engaged in such violations;

(d) To promulgate such guidelines as may be necessary to facilitate the implementation of the measures imposed by paragraph 1 above;

(e) To continue its cooperation with other relevant sanctions committees in particular that established pursuant to resolution 985 (1995) of 13 April 1995 concerning Liberia and that established pursuant to resolution 864 (1993) of 15 September 1993 concerning the situation in Angola;

8. *Requests* all States to report to the Committee established by resolution 1132 (1997), within 30 days of the adoption of this resolution, on the actions they have taken to implement the measures imposed by paragraph 1 above;

9. *Calls upon* all States, in particular those through which rough diamonds from Sierra Leone are known to transit, and all relevant international and regional organizations to act strictly in accordance with the provisions of this resolution notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of adoption of this resolution;

10. *Encourages* the International Diamond Manufacturers Association, the World Federation of Diamond Bourses, the Diamond High Council and all other representatives of the diamond industry to work with the Government of Sierra Leone and the Committee to develop methods and working practices to facilitate the effective implementation of this resolution;

11. *Invites* States, international organizations, members of the diamond industry and other relevant entities in a position to do so to offer assistance to the Government of Sierra Leone to contribute to the further development of a well-structured and well-regulated diamond industry that provides for the identification of the provenance of rough diamonds;

12. *Requests* the Committee to hold an exploratory hearing in New York no later than 31 July 2000 to assess the role of diamonds in the Sierra Leone conflict and the link between trade in Sierra Leone diamonds and trade in arms and related *materiél* in violation of resolution 1171 (1998), involving representatives of interested States and regional organizations, the diamond industry and other relevant experts, *requests* the Secretary-General to provide the necessary resources, and *further requests* the Committee to report on the hearing to the Council;

13. *Welcomes* the commitments made by certain members of the diamond industry not to trade in diamonds originating from conflict zones, including in Sierra Leone, *urges* all other companies and individuals involved in trading in rough diamonds to make similar declarations in respect of Sierra Leone diamonds, and *underlines* the importance of relevant financial institutions encouraging such companies to do so;

14. *Stresses* the need for the extension of government authority to the diamond-producing areas for a durable solution to the problem of illegal exploitation of diamonds in Sierra Leone;

15. *Decides* to conduct a first review on the measures imposed by paragraph 1 above no later than 15 September 2000, and further such reviews every six months after the date of adoption of the resolution, and to consider at those times what further measures may be necessary;

16. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to report to the Committee information on possible violations of the measures imposed by paragraph 1 above;

B

Stressing the need to ensure effective implementation of the measures concerning arms and related materiel imposed by paragraph 2 of resolution 1171 (1998),

Stressing the obligation of all Member States, including those neighbouring Sierra Leone, to comply fully with the measures imposed by the Council,

Recalling the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Light Weapons in West Africa adopted in Abuja on 31 October 1998 (S/1998/1194, annex),

17. *Reminds* States of their obligation to implement fully the measures imposed by resolution 1171 (1998), and *calls upon* them, where they have not already done so, to enforce, strengthen or enact, as appropriate, legislation making it a criminal offence under domestic law for their nationals or other persons operating on their territory to act in violation of the measures imposed by paragraph 2 of that resolution, and to report to the Committee not later than 31 July 2000 on the implementation of those measures;

18. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to report to the Committee information on possible violations of the measures imposed by the Council;

19. *Requests* the Secretary-General, in consultation with the Committee, to establish a panel of experts, for an initial period of four months, consisting of no more than five members:

(a) To collect information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and related materiel including through visits to Sierra Leone and other States as appropriate, and making contact with those they consider appropriate, including diplomatic missions;

(b) To consider the adequacy, for the purpose of detecting flights of aircraft suspected of carrying arms and related materiel across national borders in violation of the measures imposed by paragraph 2 of resolution 1171 (1998), of air traffic control systems in the region;

(c) To participate, if possible, in the hearing referred to in paragraph 12 above;

(d) To report to the Council through the Committee with observations and recommendations on strengthening the implementation of the measures imposed by paragraph 2 of resolution 1171 (1998), and of those imposed by paragraph 1 above, no later than 31 October 2000;

and *further requests* the Secretary-General to provide the necessary resources;

20. *Expresses* its readiness, on the basis, *inter alia*, of the report produced pursuant to paragraph 19 (d) above, to consider appropriate action in relation to States that it determines to have violated the measures imposed by paragraph 2 of resolution 1171 (1998) and paragraph 1 above;

21. *Urges* all States to cooperate with the panel in the discharge of its mandate, and ***underlines***, in this regard, the importance of the cooperation and technical expertise of the Secretariat and other parts of the United Nations system;

22. *Requests* the Committee to strengthen existing contacts with regional organizations, in particular ECOWAS and the Organization of African Unity, and relevant international organizations, including INTERPOL, with a view to identifying ways to improve effective implementation of the measures imposed by paragraph 2 of resolution 1171 (1998);

23. *Requests* the Committee to make information it considers relevant publicly available through appropriate media, including through the improved use of information technology;

24. *Requests* the Secretary-General to publicize the provisions of this resolution and the obligations imposed by it;

25. *Decides* to remain actively seized of the matter.

FACT 82

In the Report of the Security Council Committee established pursuant to Resolution 1132 (1997) concerning Sierra Leone, the Committee reported or noted that:

(a) at the Committee's exploratory hearing on 31 July and 1 August 2000 in New York, items discussed included the Sierra Leone diamond industry and the link to trade in arms and other materiel. Invitees to the hearing included representatives of Burkina Faso, Cote d'Ivoire, the Gambia, Ghana, Guinea, Liberia, Senegal, Sierra Leone, and others (para. 13);

(b) a panel of experts composed of five members was established, for an initial period of four months, to collect information on violations of the measures imposed by paragraph 2 of Resolution 1171 (1998) and the link between trade in diamonds and trade in arms and related materiel (para. 15);

(c) the Committee was informed that in June 2000, Sam Bockarie, Gabriel [sic Gibril] Massaquoi, had visited Burkina Faso from Liberia on 5 and 6 June 2000, and that Morris Kallon was also in Liberia at that time (para. 22); and

(d) the Committee was informed that a Liberian military helicopter had been observed delivering supplies of ammunition to locations in Sierra Leone, including Koidu and Bumumbu, from within Liberia (para 22).

a.	Exh. 1.317	n/a	Report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, dated 26 December 2000, S/2000/1238.

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11. By paragraph 8 of resolution 1306 (2000) all States were requested to report to the Committee, within 30 days of its adoption, on actions they had taken to implement the measures imposed by paragraph 1 of that resolution. Furthermore, the Council also reminded States of their obligation to implement fully the measures imposed by resolution 1171 (1998), and called upon them, if they had not already done so, to enforce, strengthen or enact, as appropriate, legislation making it a criminal offence under domestic law for their nationals or other persons operating on their territory to act in violation of the measures imposed by paragraph 2 of that resolution and to report to the Committee not later than 31 July 2000 on the implementation of those measures. To that effect, two note verbales were sent by the Chairman on 10 July 2000. On 13 September 2000, the Chairman issued two reports on the measures taken by States in implementation of paragraphs 8 and 17 of resolution 1306 (2000) (S/2000/861 and S/2000/862). Addenda to the above reports were issued on 4 December 2000 (S/2000/861/Add.1 and S/2000/862/Add.1). Subsequently, a reply was received from the Republic of Belarus (S/AC.34/2000/(9)/37; S/AC.34/2000/(10)/22).

12. In accordance with paragraph 22 of section B of resolution 1306 (2000), the Chairman, on 18 July 2000, addressed letters to the Organization of African Unity (OAU), ECOWAS and Interpol, with a view to identifying ways to improve effective implementation of the measures imposed by paragraph 2 of resolution 1171 (1998).

13. On 31 July and 1 August 2000 the Committee, under the Chairmanship of Ambassador Anwarul Karim Chowdhury, held an exploratory hearing, as requested for in Security Council resolution 1306 (2000). The hearing took place at United Nations Headquarters in New York and covered the following areas: the Sierra Leone diamond industry; the link to trade in arms and other materiel; and ways and means to develop a sustainable and well-regulated diamond industry in Sierra Leone. Invitees to the hearing included representatives of interested States (Angola, Belgium, Benin, Bulgaria, Burkina Faso, Canada, Cape Verde, Côte d'Ivoire, the Gambia, Ghana, Guinea, Guinea-Bissau, India, Israel, Liberia, Mali, Mauritania, the Netherlands, Niger, Nigeria, the Russian Federation, Senegal, Sierra Leone, South Africa, Togo, the United Kingdom of Great Britain and Northern Ireland and the United States); international and regional organizations (the World Bank, OAU and ECOWAS); the diamond industry (the Diamond High Council, the International Diamond Manufacturers Association and the World Federation of Diamond Bourses); and other relevant experts in their personal capacity (Patrick Smith, Alex Yearsley, Ralph Hazleton, Peter Takirambudde, Brian Wood, Olivier Vallee, Andrew Coxon and Andrew Bone).

14. At the conclusion of the hearing, the Chairman held a press conference and, as requested by paragraph 12 of resolution 1306 (2000), submitted a report with observations to the Security Council on 1 December 2000 (S/2000/1150).

15. After consultation with the Security Council Committee established pursuant to resolution 1132 (1997), the Secretary-General addressed a letter to the President of the Security Council, dated 2 August 2000 (S/2000/756), informing him that, in accordance with paragraph 19 of resolution 1306 (2000), he had established a panel of experts composed of five members, for an initial period of four months, to collect information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and

related materiel, and to consider the adequacy of air traffic control systems in the region. The panel consisted of the following experts:

Mr. Martin Chungong Ayafor (Cameroon, Chairman)

Mr. Ian Smillie (Canada, diamond expert)

Mr. Johan Peleman (Belgium, expert on arms and transportation)

Mr. Harjit Singh Sandhu (India, expert from Interpol)

Mr. Atabou Bodian (Senegal, expert from the International Civil Aviation Organization (ICAO)).

16. The Committee, at its 16th and 18th meetings, held on 9 August and 29 September 2000, examined a request from the Government of Sierra Leone submitted in compliance with paragraph 2 of resolution 1306 (2000) regarding a proposed new mining, export and monitoring regime for rough and uncut diamonds from Sierra Leone, together with a new draft forgery-proof certificate of origin document. The Government of Sierra Leone also indicated that, after a trial period of approximately 90 days, it would notify the Committee on the effectiveness of the new regime it had put in place. In this connection, and in accordance of paragraph 5 of Security Council resolution 1306 (2000), the Committee, after careful consideration of the aforementioned request, had no objection to the procedures outlined by the Government of Sierra Leone. Furthermore, the Chairman, on 6 October 2000, addressed a letter to the President of the Security Council informing him of the Committee's decision (S/2000/966). Additional information submitted by the Government of Sierra Leone to the Committee regarding the new certification regime for the export of Sierra Leone diamonds was forwarded to the President of the Security Council by the Chairman on 4 December 2000 (S/2000/1151).

17. In accordance with paragraphs 6 (e) and 23 of resolution 1306 (2000) concerning the situation in Sierra Leone and paragraph 30 of resolution 1295 (2000) concerning the situation in Angola, a press conference was held in New York on 11 September 2000, following the inscription of "The role of diamonds in fuelling conflicts" as agenda item 175 of the fifty-fifth session of the General Assembly.

18. Ambassador Paul Heinbecker (Canada), Chairman of the Angolan Sanctions Committee, Ambassador Juan Larrain (Chile), Chairman of the Angolan Monitoring Mechanism and Ambassador Martin Chungong Ayafor (Cameroon), Chairman of the Panel of Experts on Sierra Leone, were present at the press conference to field questions from the media and to launch the release of an information pamphlet, "Conflict Diamonds, Sanctions and War", to be distributed to some 1,600 non-governmental organizations, the press and other members of the general public.

19. As agreed at the 19th meeting of the Committee, held on 20 December 2000, the Chairman on behalf of the Committee, and in accordance with paragraph 19 of section B of resolution 1306 (2000), transmitted to the President of the Security Council the report of the Panel of Experts concerning the collection of information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and related materiel as well as the adequacy of air traffic control systems in the region (S/2000/1195).

C. Violations and alleged violations of the sanctions regime

20. On 18 February 2000, at its 13th meeting, under the Chairmanship of Ambassador Anwarul Karim Chowdhury (Bangladesh), the Committee discussed the fact that Foday Sankoh, Chairman of the Commission for the Management of Strategic Resources, National Reconstruction and Development in Sierra Leone, had left Sierra Leone without the authorization of the Committee. The members of the Committee urged the return of Mr. Sankoh to Sierra Leone immediately. The Committee also decided to remind all Member States of their obligations under Security Council resolution 1171 (1998), and, in particular, of the provisions contained in paragraph 5 of the resolution. Furthermore, on 21 February 2000, the Committee addressed letters to the Permanent Representatives of Côte d'Ivoire, Sierra Leone and South Africa and to the Under-Secretary-General of the Department of Peacekeeping Operations requesting any information that could shed light on the above matter.

21. On 10 March 2000, at its 14th meeting, the Committee discussed the departure of Mike Lamin, Minister of Trade and Industry in Sierra Leone, from Sierra Leone without the authorization of the Committee. In this connection, the Committee requested its Chairman to bring to the attention of all concerned this alleged breach of the sanctions regime. The Committee once again decided to remind all Member States of their obligations under Security Council resolution 1171 (1998) and in particular, under paragraph 5.

22. In June 2000, information reached the Committee that Sam Bockarie and Gabriel Massaquoi had visited Burkina Faso from Liberia on 5 and 6 June 2000, and that Morris Kallon was also in Liberia at that time, in breach of paragraph 5 of resolution 1171 (1998). The Committee was also informed that a Liberian military helicopter had been observed delivering supplies of ammunition to locations in Sierra Leone, including Koidu and Bumumbu, from within Liberia, in breach of paragraph 2 of the same resolution. In this regard, on 19 July 2000, the Chairman addressed letters to the Permanent Representatives of Burkina Faso, Liberia and Sierra Leone as well as to the Under-Secretary-General of the Department of Peacekeeping Operations.

III. Other activities

23. In accordance with paragraph 15 of resolution 1306 (2000), on 15 September 2000, the Security Council conducted its first review on the measures imposed by paragraph 1 of that resolution. At the conclusion of the Council's consultations on the above issue, a statement was issued to the press by the President of the Security Council, in which, inter alia, the Council commended the Government of Sierra Leone for developing, with international assistance, the certification regime that was submitted to the Sanctions Committee and hoped that, with further information from that Government, the export of diamonds would soon begin. The Council also welcomed the hearing on diamonds and the arms trade, praised the Secretary-General for appointing a panel of experts and encouraged States to report to the Committee on national implementation of resolution 1306 (2000).

24. On 1 December 2000, following the request by the United Kingdom to include a supplementary agenda item, entitled "The role of diamonds in fuelling conflict" on

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United Nations S/2000/1238

Security Council

Distr.: General
26 December 2000

Original: English

Letter dated 26 December 2000 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, containing an account of the Committee's activities since the beginning of 2000. The report, which was adopted by the Committee on 26 December 2000, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) Anwarul Karim **Chowdhury**
Chairman
Security Council Committee established pursuant to
resolution 1132 (1997) concerning Sierra Leone

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Report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

I. Introduction

1. The Committee, under the Chairmanship of Ambassador Anwarul Karim Chowdhury (Bangladesh), adopted the present report on 26 December 2000. The purpose of the report is to present a factual summary of the activities of the Committee since the beginning of 2000, in accordance with the transparency measures outlined by the President of the Security Council in his note of 29 March 1995 (S/1995/234). During this period the Committee held seven meetings.

II. Background information and summary of the work of the Committee

A. Background information

2. By resolution 1132 (1997), adopted on 8 October 1997, the Security Council, gravely concerned at the continued violence following the military coup of 25 May 1997 and determining that the situation in Sierra Leone constituted a threat to international peace and security in the region, imposed a regime of mandatory sanctions, under Chapter VII of the Charter of the United Nations, against Sierra Leone. The Council decided, in paragraphs 5 and 6 of the resolution, that all States should prevent the sale or supply to Sierra Leone of petroleum and petroleum products, arms and related materiel of all types, and imposed restrictions on the travel of members of the military junta of Sierra Leone and adult members of their families. By paragraph 10 of the resolution, the Security Council established a Committee consisting of all members of the Council. By resolution 1171 (1998) of 5 June 1998, the Council lifted the petroleum embargo leaving the other measures in effect.

3. Acting under the provisions set out in Chapter VII of the Charter, the Security Council at its 4168th meeting held on 5 July 2000 adopted resolution 1306 (2000), in which, inter alia, it decided that all States should prohibit the direct or indirect import of rough diamonds from Sierra Leone to their territory.

4. The Security Council, in the same resolution, asked the Secretary-General to appoint a panel of five experts to monitor implementation of the ban and requested the Government of Sierra Leone to ensure, as a matter of urgency, that an effective certificate of origin regime for trade in diamonds was in operation in the country. The Council also asked relevant international organizations and other bodies to assist the Government in facilitating the full operation of the regime. The Government was to notify the Committee of the details of the regime when it was fully in operation.

5. Under the terms of the resolution, the above regime would be in effect for 18 months, after which period it would be reviewed. Following the review, which would examine the situation in Sierra Leone, including the extent of the Government's authority over the diamond producing areas, the Council would

decide whether to extend the prohibition for a further period and, if necessary, modify it or adopt further measures.

6. In expressing its concern at the role played by the illicit trade in diamonds in fuelling the conflict in Sierra Leone, and at reports that such diamonds transit neighbouring countries, including Liberia, the Security Council, in connection with the ban on the direct or indirect import of all rough diamonds, exempted imports of rough diamonds whose origin was certified by the Government of Sierra Leone and called upon the diamond industry to cooperate with the ban.

7. The Security Council further decided that a first review of the prohibition would be conducted not later than 15 September 2000, followed by further reviews every six months after the date of adoption of the resolution. By other provisions of the resolution, States were called upon to enforce, strengthen or enact, as appropriate, legislation making violation of the arms and weapons embargo imposed by the Council under paragraph 2 of resolution 1171 (1998) a criminal offence.

B. Summary of activities of the Committee

8. With reference to paragraph 4 (b) of the note by the President of the Security Council dated 30 October 1998 (S/1998/1016), and following consultations among the members of the Council under the no-objection procedure, the members of the Council agreed to elect the bureau for the calendar year 2000. The bureau consists of Ambassador Anwarul Karim Chowdhury (Bangladesh), as Chairman, with the two Vice-Chairmen being provided by the delegations of Mali and Namibia (see S/2000/27).

9. On 29 February 2000, the Committee approved two requests for exemption to paragraph 5 of Security Council resolution 1171 (1998): one for Pallo Bangura to enable him to attend the first follow-up Ministerial Conference on Integrated Water Resources Management in West Africa in Ouagadougou, on 1 and 2 March 2000; and the second for Foday Sankoh and Johnny Paul Koroma to attend a meeting concerning Sierra Leone organized by the President of the Republic of Mali, current Chairman of the Economic Community of West African States (ECOWAS) in Bamako, on 1 and 2 March 2000. On 14 April 2000, the Committee approved a request for exemption, for Pallo Bangura to visit the United States of America to hold discussions with officials of the World Bank from 24 to 28 April 2000. On 7 November 2000, the Committee approved a request for exemption for Colonel Gabriel Massaquoi to travel to Abuja on 9 November 2000, to participate in the peace talks under the auspices of President Olusegun Obasanjo and to return to Sierra Leone at the conclusion of those talks. Concerning the request for travel of other individuals, no such authorization was required since their names do not appear on the list subject to the above travel restrictions.

10. In accordance with paragraph 4 of resolution 1171 (1998), the Committee reported to the Council, on 7, 21 and 26 July and on 27 November 2000 (S/2000/659; S/2000/660; S/2000/730; S/2000/739; S/2000/1127), concerning notifications received from States on the export of arms and related materiel to Sierra Leone, as well as to the United Nations Mission in Sierra Leone (UNAMSIL), and on notifications of imports of arms and related materiel made by the Government of Sierra Leone.

11. By paragraph 8 of resolution 1306 (2000) all States were requested to report to the Committee, within 30 days of its adoption, on actions they had taken to implement the measures imposed by paragraph 1 of that resolution. Furthermore, the Council also reminded States of their obligation to implement fully the measures imposed by resolution 1171 (1998), and called upon them, if they had not already done so, to enforce, strengthen or enact, as appropriate, legislation making it a criminal offence under domestic law for their nationals or other persons operating on their territory to act in violation of the measures imposed by paragraph 2 of that resolution and to report to the Committee not later than 31 July 2000 on the implementation of those measures. To that effect, two note verbales were sent by the Chairman on 10 July 2000. On 13 September 2000, the Chairman issued two reports on the measures taken by States in implementation of paragraphs 8 and 17 of resolution 1306 (2000) (S/2000/861 and S/2000/862). Addenda to the above reports were issued on 4 December 2000 (S/2000/861/Add.1 and S/2000/862/Add.1). Subsequently, a reply was received from the Republic of Belarus (S/AC.34/2000/(9)/37; S/AC.34/2000/(10)/22).

12. In accordance with paragraph 22 of section B of resolution 1306 (2000), the Chairman, on 18 July 2000, addressed letters to the Organization of African Unity (OAU), ECOWAS and Interpol, with a view to identifying ways to improve effective implementation of the measures imposed by paragraph 2 of resolution 1171 (1998).

13. On 31 July and 1 August 2000 the Committee, under the Chairmanship of Ambassador Anwarul Karim Chowdhury, held an exploratory hearing, as requested for in Security Council resolution 1306 (2000). The hearing took place at United Nations Headquarters in New York and covered the following areas: the Sierra Leone diamond industry; the link to trade in arms and other materiel; and ways and means to develop a sustainable and well-regulated diamond industry in Sierra Leone. Invitees to the hearing included representatives of interested States (Angola, Belgium, Benin, Bulgaria, Burkina Faso, Canada, Cape Verde, Côte d'Ivoire, the Gambia, Ghana, Guinea, Guinea-Bissau, India, Israel, Liberia, Mali, Mauritania, the Netherlands, Niger, Nigeria, the Russian Federation, Senegal, Sierra Leone, South Africa, Togo, the United Kingdom of Great Britain and Northern Ireland and the United States); international and regional organizations (the World Bank, OAU and ECOWAS); the diamond industry (the Diamond High Council, the International Diamond Manufacturers Association and the World Federation of Diamond Bourses); and other relevant experts in their personal capacity (Patrick Smith, Alex Yearsley, Ralph Hazleton, Peter Takirambudde, Brian Wood, Olivier Vallee, Andrew Coxon and Andrew Bone).

14. At the conclusion of the hearing, the Chairman held a press conference and, as requested by paragraph 12 of resolution 1306 (2000), submitted a report with observations to the Security Council on 1 December 2000 (S/2000/1150).

15. After consultation with the Security Council Committee established pursuant to resolution 1132 (1997), the Secretary-General addressed a letter to the President of the Security Council, dated 2 August 2000 (S/2000/756), informing him that, in accordance with paragraph 19 of resolution 1306 (2000), he had established a panel of experts composed of five members, for an initial period of four months, to collect information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and

related materiel, and to consider the adequacy of air traffic control systems in the region. The panel consisted of the following experts:

Mr. Martin Chungong Ayafor (Cameroon, Chairman)

Mr. Ian Smillie (Canada, diamond expert)

Mr. Johan Peleman (Belgium, expert on arms and transportation)

Mr. Harjit Singh Sandhu (India, expert from Interpol)

Mr. Atabou Bodian (Senegal, expert from the International Civil Aviation Organization (ICAO)).

16. The Committee, at its 16th and 18th meetings, held on 9 August and 29 September 2000, examined a request from the Government of Sierra Leone submitted in compliance with paragraph 2 of resolution 1306 (2000) regarding a proposed new mining, export and monitoring regime for rough and uncut diamonds from Sierra Leone, together with a new draft forgery-proof certificate of origin document. The Government of Sierra Leone also indicated that, after a trial period of approximately 90 days, it would notify the Committee on the effectiveness of the new regime it had put in place. In this connection, and in accordance of paragraph 5 of Security Council resolution 1306 (2000), the Committee, after careful consideration of the aforementioned request, had no objection to the procedures outlined by the Government of Sierra Leone. Furthermore, the Chairman, on 6 October 2000, addressed a letter to the President of the Security Council informing him of the Committee's decision (S/2000/966). Additional information submitted by the Government of Sierra Leone to the Committee regarding the new certification regime for the export of Sierra Leone diamonds was forwarded to the President of the Security Council by the Chairman on 4 December 2000 (S/2000/1151).

17. In accordance with paragraphs 6 (e) and 23 of resolution 1306 (2000) concerning the situation in Sierra Leone and paragraph 30 of resolution 1295 (2000) concerning the situation in Angola, a press conference was held in New York on 11 September 2000, following the inscription of "The role of diamonds in fuelling conflicts" as agenda item 175 of the fifty-fifth session of the General Assembly.

18. Ambassador Paul Heinbecker (Canada), Chairman of the Angolan Sanctions Committee, Ambassador Juan Larrain (Chile), Chairman of the Angolan Monitoring Mechanism and Ambassador Martin Chungong Ayafor (Cameroon), Chairman of the Panel of Experts on Sierra Leone, were present at the press conference to field questions from the media and to launch the release of an information pamphlet, "Conflict Diamonds, Sanctions and War", to be distributed to some 1,600 non-governmental organizations, the press and other members of the general public.

19. As agreed at the 19th meeting of the Committee, held on 20 December 2000, the Chairman on behalf of the Committee, and in accordance with paragraph 19 of section B of resolution 1306 (2000), transmitted to the President of the Security Council the report of the Panel of Experts concerning the collection of information on possible violations of the measures imposed by paragraph 2 of resolution 1171 (1998) and the link between trade in diamonds and trade in arms and related materiel as well as the adequacy of air traffic control systems in the region (S/2000/1195).

C. Violations and alleged violations of the sanctions regime

20. On 18 February 2000, at its 13th meeting, under the Chairmanship of Ambassador Anwarul Karim Chowdhury (Bangladesh), the Committee discussed the fact that Foday Sankoh, Chairman of the Commission for the Management of Strategic Resources, National Reconstruction and Development in Sierra Leone, had left Sierra Leone without the authorization of the Committee. The members of the Committee urged the return of Mr. Sankoh to Sierra Leone immediately. The Committee also decided to remind all Member States of their obligations under Security Council resolution 1171 (1998), and, in particular, of the provisions contained in paragraph 5 of the resolution. Furthermore, on 21 February 2000, the Committee addressed letters to the Permanent Representatives of Côte d'Ivoire, Sierra Leone and South Africa and to the Under-Secretary-General of the Department of Peacekeeping Operations requesting any information that could shed light on the above matter.

21. On 10 March 2000, at its 14th meeting, the Committee discussed the departure of Mike Lamin, Minister of Trade and Industry in Sierra Leone, from Sierra Leone without the authorization of the Committee. In this connection, the Committee requested its Chairman to bring to the attention of all concerned this alleged breach of the sanctions regime. The Committee once again decided to remind all Member States of their obligations under Security Council resolution 1171 (1998) and in particular, under paragraph 5.

22. In June 2000, information reached the Committee that Sam Bockarie and Gabriel Massaquoi had visited Burkina Faso from Liberia on 5 and 6 June 2000, and that Morris Kallon was also in Liberia at that time, in breach of paragraph 5 of resolution 1171 (1998). The Committee was also informed that a Liberian military helicopter had been observed delivering supplies of ammunition to locations in Sierra Leone, including Koidu and Bumumbu, from within Liberia, in breach of paragraph 2 of the same resolution. In this regard, on 19 July 2000, the Chairman addressed letters to the Permanent Representatives of Burkina Faso, Liberia and Sierra Leone as well as to the Under-Secretary-General of the Department of Peacekeeping Operations.

III. Other activities

23. In accordance with paragraph 15 of resolution 1306 (2000), on 15 September 2000, the Security Council conducted its first review on the measures imposed by paragraph 1 of that resolution. At the conclusion of the Council's consultations on the above issue, a statement was issued to the press by the President of the Security Council, in which, inter alia, the Council commended the Government of Sierra Leone for developing, with international assistance, the certification regime that was submitted to the Sanctions Committee and hoped that, with further information from that Government, the export of diamonds would soon begin. The Council also welcomed the hearing on diamonds and the arms trade, praised the Secretary-General for appointing a panel of experts and encouraged States to report to the Committee on national implementation of resolution 1306 (2000).

24. On 1 December 2000, following the request by the United Kingdom to include a supplementary agenda item, entitled "The role of diamonds in fuelling conflict" on

the agenda of the fifty-fifth session of the General Assembly (A/55/231), the Assembly adopted, without a vote, resolution 55/56 entitled "The role of diamonds in fuelling conflict: breaking the link between the illicit transaction of rough diamonds and armed conflict as a contribution to prevention and settlement of conflicts".

25. Under the terms of the resolution, introduced by South Africa, the General Assembly, inter alia, urged all States to support the efforts made by the Security Council, the diamond-producing, processing, exporting and importing countries and the diamond industry to find ways to break the link between conflict diamonds and armed conflicts, including those in Angola and Sierra Leone. The General Assembly also expressed the need to devise effective and pragmatic measures to address the problem of conflict diamonds, including the creation and implementation of an international certification scheme for rough diamonds and the need for national practices to meet internationally agreed minimum standards.

IV. Observations

26. Since the Committee established pursuant to resolution 1132 (1997) plays a central role in the monitoring of the implementation of the sanctions regime in Sierra Leone, it must consider ways to improve the monitoring and implementation of the sanctions. The Committee does not have any specific monitoring mechanism to ensure the effective implementation of the sanctions imposed by the Security Council. The Committee therefore urges all Member States and organizations to provide the information pertinent to the effective implementation of the embargo to the Committee. Reports through ECOWAS and from UNAMSIL could strengthen, in particular, the effectiveness of the arms embargo, by assisting the Committee in its efforts.

27. The Committee urges all States, including neighbouring States, to comply fully with, and assist in, the implementation of the sanctions regime in Sierra Leone.

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FACT 83

U.S. Ambassador Johnnie Carson, Principal Deputy Assistant Secretary For African Affairs, testified during the hearing on Sierra Leone before the House Subcommittee on Africa of 11 June 1998, stating that:

(a) The celebratory shouts that marked the return of Sierra Leone's democratically elected President, Ahmed Tejan Kabbah, in early March were "drowned by the screams and cries of victims of the atrocities" committed by the remnants of the former AFRC/RUF junta (p.1, ERN 00025106).

(b) The RUF embarked on "Operation No Living Thing," a campaign of terror that had visited untold suffering on the people of Sierra Leone (p.1, ERN 00025106).

(c) RUF and remnants of the AFRC appeared to be infiltrating areas previously secured by ECOMOG in order to spread their campaign of horror (p.1, ERN 00025106).

(d) The RUF had refused repeated invitations to give up violence and join the political process, knowing that it would not gain much voluntary support (p. 1, ERN 00025106).

(e) To build its fighting force, the RUF kidnapped young children from their villages, often after forcing them to brutalize or murder their own families. The RUF drugged these children on cocaine, amphetamines, and marijuana and then sent them out to fight their dirty war (p. 1, ERN 00025106).

(f) During and after the May 25, 1997 coup, the AFRC/RUF junta killed, tortured, and arbitrarily detained anyone they perceived as a threat to their hold on power. AFRC and RUF brigands stole and looted at will (p. 2, ERN 00025107).

a.	Exh. 1.229	ERN 00025106-00025110	Testimony by Ambassador Johnnie Carson, Principal Deputy Assistant Secretary for African Affairs, at the Hearing on Sierra Leone Before the House Subcommittee on Africa, 11 June 1998, at pp. 1-2 (ERN 00025106-00025107).

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TESTIMONY BY AMBASSADOR JOHNNIE CARSON
PRINCIPAL DEPUTY ASSISTANT SECRETARY FOR AFRICAN AFFAIRS

HEARING ON SIERRA LEONE BEFORE THE HOUSE SUBCOMMITTEE ON AFRICA

JUNE 11, 1998

Mr. Chairman, Members of the Committee, good afternoon. We have entered a very critical period in Sierra Leone and I welcome this opportunity to brief this distinguished Committee on developments in that country.

A NATION IN ANGUISH

The celebratory shouts that marked the return of Sierra Leone's democratically elected President, Ahmed Tejan Kabbah, in early March of this year have been drowned by the screams and cries of victims of the atrocities committed by the remnants of the former Armed Forces Revolutionary Council (AFRC)/Revolutionary United Front (RUF) junta.

A humanitarian crisis is looming in Sierra Leone because of the ruthlessness of the former junta. In a cynical attempt to avoid disarmament and demobilization while it attempts to regain control of Sierra Leone's rich diamond fields, the RUF has embarked on "Operation No Living Thing." This campaign of terror has visited untold suffering on the people of Sierra Leone.

A small five year-old boy emerged as the lone survivor of his small village after the RUF threw him and 60 other villagers into a human bonfire. Hundreds of civilians have escaped to Freetown with arms, feet, hands, and ears amputated by the rebels. These victims tell of thousands of others perishing in the bush, unable to reach medical facilities. Koidu, a city of approximately 70,000, is gone. Its inhabitants have scattered, many presumably mutilated or killed, and every building has been razed. Dozens of other towns and villages have been obliterated. Refugees are streaming into already overcrowded camps in Guinea and Liberia to escape the RUF. Since February, over 237,000 Sierra Leonean refugees have fled their country to seek safety.

Due to the chaos, we cannot tell exactly how many terrified civilians are hiding in Sierra Leone's dense forests. We believe that there may be thousands of unattended children trying to make it on their own. Even more troubling is that the RUF and remnants of the AFRC appear to be infiltrating areas previously secured by ECOMOG in order to spread their campaign of horror. I could go on, Mr. Chairman, with one account of tragedy after another.

The RUF has no political support or identifiable constituency. This gang-like outfit has no clear leadership structure and even murkier political aims, save for greed and the sheer quest for power. It has refused repeated invitations to give up violence and join the political process, knowing that it would not gain much voluntary support. To build its fighting force, the RUF kidnaps of young children from their villages, often after forcing them to brutalize or murder their own families. The RUF drugs these children on cocaine, amphetamines, and marijuana and then sends them out to fight their dirty war.

The brutality authored by the RUF is political terror at its worst. It deserves the strongest of condemnations from the international community and friends of Sierra Leone. The international community must act swiftly and with sufficient resources to help end these atrocities and alleviate the human suffering. The United States must play its part in this effort.

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BACKGROUND

A long history of coups and corrupt one-party and military governments have left the Sierra Leonean body politic ailing and paralytic. The structures of government collapsed long ago. The nation slowly disintegrated. The RUF first entered Sierra Leone in 1991, crossing over the border from Liberia. It was a small force made up of Sierra Leonean exiles, plus Burkinabe and Liberian mercenaries. Its announced program was to overthrow the corrupt All People's Congress (APC) one-party regime of Major-General Joseph Momoh. However, the credibility of its program was severely compromised by its tactics of terror and looting.

In 1992, a popular military coup removed the APC regime. Offers by the new National Provisional Ruling Council (NPRC) government of amnesty and a cease-fire were ignored by the RUF and fighting continued. The NPRC became corrupted as well and the Sierra Leone Army concentrated more on looting villages than fighting the RUF. By 1995, the RUF had control of the major diamond mining areas and was on the outskirts of the capital, Freetown. In desperation, the NPRC hired the mercenary firm Executive Outcomes. Within a few weeks, E.O. pushed the RUF back into its base camps and restored security to most of Sierra Leone.

At this point, Sierra Leonean civil society -- particularly Sierra Leonean women -- stood up to the NPRC and demanded elections. Despite harassment by the military, and RUF attacks against voters, the people turned out en masse to participate in the first free and fair elections in three decades. They chose Ahmed Tejan Kabbah, who had recently returned to Sierra Leone after 20 years with the United Nations. He was inaugurated as President in March 1996 and named a Cabinet that included representatives from all the major political parties and ethnic groups.

We hoped that installation of the first democratic civilian government in roughly thirty years would begin national political reconciliation, economic reconstruction, and signal the end of the senseless civil conflict. The vast majority of Sierra Leoneans welcomed the Kabbah government's efforts to reestablish peace throughout the country. He negotiated a Peace Accord with the RUF which was signed in Abidjan in November 1996. As one condition of the agreement, President Kabbah canceled the Government's contract with Executive Outcomes. Flouting the will of their own people, the RUF resumed guerrilla warfare and acts of terror aimed at securing control of Sierra Leone's vast diamond wealth.

Then on May 25, 1997, a group of junior military officers, who styled themselves the Armed Forces Revolutionary Council, (AFRC) overthrew the Kabbah Government. The AFRC suspended the constitution, banned political activity and public meetings, and invited the RUF to join their junta. The junta killed, tortured, and arbitrarily detained anyone they perceived threatening their hold on power. Civil and political freedoms were muzzled. AFRC and RUF brigands stole and looted at will.

World opinion resounded against the coup. The United States, joining the Economic Community of West African States (ECOWAS), the Organization of African Unity (OAU), the United Nations (UN), and the rest of the international community. The OAU authorized ECOWAS to take the steps necessary to restore the elected government. From the onset, the United States advocated a negotiated return of the Kabbah Government. This policy was predicated on the desire to restore democracy without inflicting additional suffering on the already hard-pressed Sierra Leonean people.

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TESTIMONY BY AMBASSADOR JOHNNIE CARSON
PRINCIPAL DEPUTY ASSISTANT SECRETARY FOR AFRICAN AFFAIRS

HEARING ON SIERRA LEONE BEFORE THE HOUSE SUBCOMMITTEE ON AFRICA

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Due to the chaos, we cannot tell exactly how many terrified civilians are hiding in Sierra Leone's dense forests. We believe that there may be thousands of unattended children trying to make it on their own. Even more troubling is that the RUF and remnants of the AFRC appear to be infiltrating areas previously secured by ECOMOG in order to spread their campaign of horror. I could go on, Mr. Chairman, with one account of tragedy after another.

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BACKGROUND

A long history of coups and corrupt one-party and military governments have left the Sierra Leonean body politic ailing and paralytic. The structures of government collapsed long ago. The nation slowly disintegrated. The RUF first entered Sierra Leone in 1991, crossing over the border from Liberia. It was a small force made up of Sierra Leonean exiles, plus Burkinabe and Liberian mercenaries. Its announced program was to overthrow the corrupt All People's Congress (APC) one-party regime of Major-General Joseph Momoh. However, the credibility of its program was severely compromised by its tactics of terror and looting.

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legitimate government. ECOWAS established the Committee of Four, comprised of Cote D'Ivoire, Ghana, Guinea and Nigeria, to negotiate with the AFRC/RUF. (After the Liberian elections, Liberia joined the ECOWAS team, now the Committee of Five (C-5).) In response to junta intransigence at the negotiating table, the August 1997 ECOWAS Summit adopted a sanctions package and authorized ECOMOG to enforce a blockage to pressure the junta. Nigeria and Guinea, which already had troops in Sierra Leone both under bilateral security agreements with the Kabbah Government and to support ECOMOG operations in Liberia, deployed additional troops. To further increase pressure on the junta the UN Security Council on October 8, 1997 adopted its own targeted sanctions against the junta and authorized ECOWAS to enforce them.

As a result of the increased pressure, AFRC/RUF representatives and C-5 Foreign Ministers met in Conakry, Guinea, on October 23, 1997, to sign an agreement establishing a cease-fire and a six-month timetable for reinstallation of President Kabbah. The Conakry Accord also provided for ECOMOG supervised disarmament of combatants and verification of the cease-fire and disarmament by UN military observers. Although an encouraging step, the Accord was only a broad framework that required detailed negotiations and sustained goodwill to make it work.

The junta dashed initial optimism when it again became recalcitrant, resorting to hectoring and tabling inconsistent new demands in an attempt to thwart implementation of the framework agreement. As the junta delayed and obfuscated, tensions mounted within Sierra Leone. The cease-fire disintegrated due to recurrent probes by junta forces against the regional peacekeepers. This escalation culminated in late February. In reaction to a junta attack against its soldiers, the peacekeepers took action to oust the junta. Successfully dislodging the junta from Freetown and other parts of the country, ECOMOG pushed the coupists into the RUF's traditional redoubt in the northeast. The UN commended ECOWAS and ECOMOG for their role in restoring peace and security to Sierra Leone. In the past several weeks, ECOMOG efforts have slowed due to logistic and manpower shortages and tougher than expected resistance by remnants of the junta. Rebel fighters have regrouped and are being aided by former NPFL and ULIMO from Liberia.

Essentially, Sierra Leone has returned to the status quo that existed before the May 25 coup, except for one fundamental difference -- the violent severity of RUF misanthropy. These wanton atrocities have galvanized the citizens against the former junta and heightened support for the Kabbah Government more than ever before.

U.S. INTERESTS AND POLICY GOALS

The United States has important interests in Sierra Leone. First, there is the inescapable, compelling moral imperative to respond to the humanitarian situation. Second, we have an interest in promoting West African regional security. The trouble in Sierra Leone threatens Guinea as well as the hard won peace and stability in Liberia. Third, Sierra Leone is an important test of our commitment to democracy in Africa. For the first time, all African nations, including Nigeria, have publicly condemned a military coup in the region. Lack of support for the democratic Kabbah Government would be viewed throughout the continent as lack of genuine U.S. commitment to democracy in Africa. Fourth, the benefits of a stable Sierra Leone are tangible in terms of an export market and direct U.S. investment in raw mineral resources, including diamonds and rutile, both of which the country has in vast abundance.

Although a former British colony, Sierra Leone has a clear cultural and historic nexus with the United States. The first slaves in North America were brought from Sierra Leone to the South Carolina coast in 1522. Significant numbers of captives that came to the United States passed

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through slave forts that once dotted the Sierra Leonean coastline. Freetown, Sierra Leone's capital, was founded in 1792 as the Province of Freedom by freed slaves from the United States.

In the contemporary era, Sierra Leone has been a steadfast friend of the U.S. Its sons fought along side Allied forces in both World Wars. Continuing that tradition and responding to our request, Sierra Leone sent a contingent to participate in Operation Desert Storm.

The Administration has three major policy objectives in Sierra Leone: (1) to prevent the humanitarian situation from degenerating into an unmanageable large-scale crisis, (2) to enhance ECOMOG's ability to provide security for civilians and the Kabbah government, and (3) to encourage and support establishment of a durable peace, including national reconciliation as well as disarmament and demobilization of combatants.

Regarding humanitarian assistance, the United States is Sierra Leone's largest bilateral donor. We are providing over $50 million in humanitarian assistance during Fiscal Year 1998. We are increasing our emergency assistance to meet the needs caused by the junta's terror. USAID's Food for Peace program is providing 49,570 metric tons of food assistance, valued at $34.5 million for refugees, internally displaced persons, and other vulnerable groups. USAID's Office of Foreign Disaster Assistance has provided $6.8 million for emergency relief and will fund a helicopter to airlift mutilation victims to medical facilities. The Department of Defense will airlift urgently needed medical supplies and is exploring the deployment of medical personnel to treat mutilation victims. We are examining ways to bring surgeons, therapists and prostheses to help people begin the process of recovery. President Clinton recently approved a drawdown of Emergency Refugee and Migration Assistance (ERMA) funds to enable us to contribute to the care of the new refugees and displaced persons.

To enhance ECOMOG capabilities, we have obligated $3.9 million in Peacekeeping Operations Funds to provide non-lethal logistical support to the West African peacekeepers. These funds will provide radio equipment and transport, including helicopter lift, to improve ECOMOG's mobility and communications. Some of the equipment will be transferred from our support of ECOMOG in Liberia to Sierra Leone.

We will fund conflict resolution programs that encourage dialogue among all sectors of Sierra Leonean society. This dialogue is critical to the development of democratic institutions on which long-term stability must be established. Additionally, we will help fund disarmament and demobilization programs for combatants, including trauma counseling for the large numbers of child soldiers.

Some observers have raised the question of negotiations with the RUF. We do not preclude any possible option that might lead to peace. ECOWAS, with the support of the international community, must explore every political avenue and determine the best way to proceed. However, we find it difficult to envision talks with the RUF and former junta leadership until they unambiguously and honestly renounce the systematic carnage and widespread human rights violations they have visited on their country.

THE INTERNATIONAL COMMUNITY

While ECOWAS has the leading diplomatic role and ECOMOG is the peacekeeping/security force in Sierra Leone, the region cannot establish peace alone. The international community must be prepared to help. In this regard, the United Kingdom has offered to take the primary lead in

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generating additional donor support, especially among European Union and Commonwealth countries. A major issue is providing additional support for ECOMOG. ECOMOG has approximately 10,000 troops in Sierra Leone. It estimates another 6-8,000 peacekeepers are needed to have sufficient strength and territorial coverage to provide security and implement disarmament. At the May ECOWAS Chiefs of Defense Staff meeting in Accra, several ECOWAS member-states pledged additional troops, conditioned on receiving donor support to deploy and sustain these contingents. We will be teaming with the British to garner other donor support for these potential troop contributing countries. The British have also pledged £2 million to support ECOMOG. As in Liberia, support for ECOMOG in Sierra Leone promises to be an efficient, cost-effective peacekeeping operation.

THE UNITED NATIONS

We hope the UN will play a similar complementary role to ECOWAS/ECOMOG in Sierra Leone as it did in Liberia. In a series of resolutions, the latest being adopted June 5, the Security Council has condemned the junta and the atrocities it is committing; instituted sanctions, including an arms embargo; and has encouraged the international community to provide support to ECOMOG. Along with the British, we are encouraging the UN to increase international attention on the crisis and to improve coordination of humanitarian assistance. The UN is currently planning a Special Political Conference on Sierra Leone to focus attention on ECOMOG's needs, the humanitarian situation and the requirements for an effective disarmament and demobilization program.

In early May the United Nations sent eight military liaison and security advisory personnel to Sierra Leone to coordinate with ECOMOG and the Government of Sierra Leone, report on the military situation, and assist ECOMOG in planning for disarmament. As a result of their work, in Secretary General Annan's June 9 report to the Security Council, he proposed a small U.N. Observer Mission with an initial six-month mandate. The mission would have 70 officers and a medical unit of up to 15 persons, with the first group of 40 to be deployed in July. It would report on the military and security situation and monitor respect for international humanitarian law. It would also verify disarmament and monitor the demobilization of former combatants. We are carefully evaluating the Secretary General's recommendations.

CONCLUSION

Finally, Mr. Chairman, we acknowledge the work and sacrifices of ECOWAS and ECOMOG in Sierra Leone. Their efforts have prevented the country from descending into near complete chaos. While the process will be difficult, peace in Sierra Leone is attainable. The West African region, the international community, and most of all the people of Sierra Leone want peace. We will continue to participate in international efforts to further peace in Sierra Leone.

Mr. Chairman, Distinguished Members of the Committee, I thank you for your attention and for holding this hearing. I would be pleased to answer any questions you might have.

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Amnesty International issued *In Sierra Leone: A disastrous set-back for human rights* (AI Index: AFR 51/05/97), dated 20 October 1997, in which Amnesty International stated or noted:

(a) since the military coup on 25 May 1997, soldiers and RUF who joined them had committed serious violations of human rights. Hundreds of people had been arbitrarily arrested and detained; many had been tortured and ill-treated. Physical assault of civilians by soldiers and members of the RUF was routine (p.1, ERN 00011099);

(b) murders, robbery and rape were reported to continue at unprecedented levels in Freetown; soldiers and RUF forces were frequently implicated in these crimes (p. 1, ERN 00011099);

(c) the serious human rights abuses which had characterized the internal armed conflict from 1991 until 1996 were once again occurring as violence and insecurity spread throughout Sierra Leone (p. 2, ERN 00011100);

(d) there had been a return to the brutality which characterized the years of internal armed conflict (p. 3, ERN 00011101);

(e) violence, including murders and rapes and extensive looting, broke out in Freetown following the coup. The situation was further exacerbated by the arrival of large numbers of RUF forces in Freetown who were not paid a salary and flagrantly abused their power (p. 5, ERN 00011103);

(f) on 29 March 1997, members of the RUF abducted at least five of their own members, a Sierra Leonean diplomat and also members of the Guinean security forces in Kailahun District, Eastern Province (p. 17, ERN 00011115);

(g) among those abducted were Fayia Musa and Ibrahim Deen-Jalloh, Lt Colonel Mohamed Diaby, the SL Ambassador to Guinea, and Philip Palmer (p. 18, ERN 00011116);

(h) since the military coup on 25 May 1997, there had been widespread torture and ill treatment by both soldiers and RUF forces in the People's Army (p. 18, ERN 00011116);

(i) there were reports of torture and ill treatment of civilians in areas around the country, in particular Zimmi and Kenema. Reportedly civilians were beaten and their arms tied tightly behind their backs, causing serious injuries, and

women and girls were raped and forced into sexual slavery (p. 20, ERN 00011118);

(j) the resumption of attacks by RUF forces before the military coup and the violence and insecurity since forced thousands of Sierra Leoneans to flee their homes, and notes that the refugees fled mainly to Guinea and Liberia, and that by July 1997, 7,000 fleeing people were registered at Bo-Waterside in Liberia (p. 23, ERN 00011121); and

(k) the Report recommended to the UN, OAU and ECOWAS that the protection and respect of human rights in Sierra Leone must feature prominently in any decisions and actions taken in efforts by the international community to find a solution to the current political crisis in Sierra Leone, and that the international community should maintain pressure on the Armed Forces Revolutionary Council to end human rights violations by official security forces and those acting under their authority (p. 26, ERN 00011124).

a.	Exh. 1.070	ERN 00011094-00011124	*In Sierra Leone: A disastrous set-back for human rights*, 20 October 1997, AI Index: AFR/51/05/97, at ERN 00011099-00011101, 00011103-00011115, 00011116-00011118, 00011121-00011124, also available at http://web.amnesty.org/library/index/engafr510051997

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SIERRA LEONE

A disastrous set-back for human rights

Introduction

Since a military coup on 25 May 1997, in which the government of President Ahmad Tejan Kabbah was overthrown, the rule of law in Sierra Leone has completely collapsed. Hopes and aspirations for the protection and respect of human rights in Sierra Leone, following a return to civilian rule after elections in February 1996 and the conclusion of a peace agreement by the government and the armed opposition Revolutionary United Front (RUF) in November 1996, have been dealt a devastating blow.

The military formed the Armed Forces Revolutionary Council (AFRC), headed by Major Johnny Paul Koroma. Since the military coup soldiers, together with members of the RUF who have joined forces with them, have committed serious human rights violations. While Major Johnny Paul Koroma has called on soldiers to refrain from illegal activity, lack of effective control over both soldiers and members of the RUF has resulted in human rights violations being committed with impunity. Hundreds of people have been arbitrarily arrested and detained; many have been tortured and ill-treated. Physical assault, amounting to ill-treatment, of civilians by soldiers and members of the RUF is routine. There have also been reports of extrajudicial executions of some of those suspected of opposing the AFRC.

Violence and insecurity followed the military coup, both in the capital, Freetown, and in other parts of the country. On the day of the coup and during the following days as many as one hundred people died in Freetown in the ensuing violence. Many others were injured. There were many incidents of rape and widespread looting. President Ahmad Tejan Kabbah fled to neighbouring Guinea on the day of the coup and was joined by other members of his government. In the months which have followed, maintenance of law and order has collapsed. Many judges, lawyers and senior police officers have been among the thousands of people fleeing Sierra Leone and seeking refuge in other countries in the region. There is a large number of cases pending before the criminal courts which have all but ceased to function. The AFRC announced that People's Revolutionary Courts would be established, composed of people without legal training. Murder, robbery and rape are reported to continue at unprecedented levels in Freetown; soldiers and RUF forces have frequently been implicated in these crimes.

Almost all sectors of Sierra Leonean society, including trade unions, religious groups, lawyers, women's groups, teachers, students and journalists, have opposed the military coup. Large numbers of civil servants, teachers and other public sector workers have refused to work in protest against the military coup, despite threats of dismissal by the AFRC.

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The overthrow of President Ahmad Tejan Kabbah has been condemned by the international community which has demanded the return of constitutional order to Sierra Leone. Negotiations with the AFRC have faltered, a global economic embargo has been imposed and further military intervention to restore the elected government of Sierra Leone has been seriously considered by countries in the region if dialogue and sanctions fail.

Attempts by West African troops, predominantly Nigerian, based in Freetown, to confront the AFRC shortly after the coup and subsequent clashes between soldiers, together with RUF forces, and West African troops in and around Freetown have resulted in deaths of civilians. Civilian casualties were also reported following efforts by West African forces to implement the embargo by preventing ships entering the port of Freetown. Outside Freetown confrontations between soldiers, together with RUF forces, and a civilian militia composed of local hunters of the Mende ethnic group known as *kamajors* intensified and resulted in many deaths, including of civilians caught up in the fighting. Fighting has been particularly fierce around Kenema in Eastern Province and Bo, Moyamba and Zimmi in Southern Province. The *kamajors*, who had fought against the RUF during Sierra Leone's internal armed conflict, remain loyal to President Ahmad Tejan Kabbah. In the north of the country, in Tonkolili District, there have been confrontations between the *kapras*, a civilian militia of the Temne ethnic group, and RUF forces.

The serious human rights abuses, including torture, ill-treatment and deliberate and arbitrary killings of unarmed civilians, which had characterized the internal armed conflict from 1991 until 1996, are once again occurring as violence and insecurity have spread throughout Sierra Leone[1].

The major political developments in 1996 - the return of a civilian government after parliamentary and presidential elections and the peace agreement to end the internal armed conflict - offered unique opportunities for ending human rights abuses. The new government of President Ahmad Tejan Kabbah stated its commitment to protect and respect human rights and the peace agreement contained commitments by both parties to the conflict to adhere to international human rights standards. It was a decisive moment to act and build on those commitments[2]. In August 1996 the government acceded to the International Covenant on Civil and Political Rights (ICCPR) and to the International Covenant on

[1]For further information about human rights abuses committed in the internal armed conflict in Sierra Leone, refer to *Sierra Leone: Human rights abuses in a war against civilians* (AI Index: AFR 51/05/95), published by Amnesty International on 13 September 1995, and also *Sierra Leone: Towards a future founded on human rights* (AI Index: AFR 51/05/96), published by Amnesty International on 25 September 1996.

[2]For further information, refer to *Sierra Leone: Towards a future founded on human rights* (AI Index: 51/05/96), published by Amnesty International on 25 September 1996.

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Economic, Social and Cultural Rights. The military coup on 25 May 1997 has been a major set-back. There has been a return to the brutality which characterized the years of internal armed conflict and the foundations laid during 1996 for the protection and respect of human rights have been seriously undermined.

Amnesty International is urging the AFRC to take measures immediately to end human rights violations. It should adhere strictly to Sierra Leone's obligations under international human rights law, including the ICCPR, the African Charter on Human and Peoples' Rights (African Charter)[3] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[4]. The AFRC is bound by the standards which Sierra Leone is obliged to respect. These obligations include to guarantee: the right to life; the right not to be subjected to cruel, inhuman or degrading treatment or punishment; the right not to be arbitrarily detained; the right to a fair trial and public hearing by a competent, independent and impartial tribunal established by law and, if convicted, to have the conviction and sentence reviewed by a higher tribunal; and the right to freedom of expression and association.

The international community, including the United Nations (UN), the Organization of African Unity (OAU), the Economic Community of West African States (ECOWAS)[5], the Commonwealth and the European Union (EU), has devoted considerable attention and effort to resolving the political crisis in Sierra Leone and restoring the elected government. Amnesty International is urging that the protection of human rights is a priority in the efforts by the international community to end this crisis and that any decisions and actions which it takes ensure that fundamental human rights in Sierra Leone are respected.

The military coup on 25 May 1997

On 25 May 1997 the government of President Ahmad Tejan Kabbah was overthrown by a group of low-ranking army officers. President Ahmad Tejan Kabbah had come to power in March 1996 after parliamentary and presidential elections, ending four years of military

[3]Sierra Leone ratified the African Charter on Human and Peoples' Rights in 1984.

[4]Sierra Leone signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1985 but has not yet ratified it. By signing the Convention the government of Sierra Leone has made a commitment to abide by the principles of the Convention.

[5]ECOWAS is an intergovernmental organization of 16 states (Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Togo) with its headquarters in Nigeria. The aim of ECOWAS is to promote cooperation and development and to improve relations among member states.

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setbacks and delays, however, in implementing the peace agreement which, in the weeks before the military coup, appeared to have collapsed as hostilities resumed, particularly in the north of Sierra Leone. With the break-down of the cease-fire and the resumption of hostilities came renewed reports of serious human rights abuses. Since the military coup further progress towards implementing the peace agreement reached in Abidjan in November 1996 has been impossible.

Violence, including murders and rape, and extensive looting, including from UN and humanitarian agencies, broke out in Freetown following the coup. Hundreds of prisoners were freed from Pademba Road prison; many were given arms and army uniforms. The situation was further exacerbated by the arrival of large numbers of RUF forces in Freetown who were not paid a regular salary and flagrantly abused their power.

Food stocks and medical supplies of humanitarian agencies were stolen. The political upheaval and subsequent widespread civil unrest have aggravated an already precarious food situation. Agricultural activity has been seriously disrupted. There are severe shortages of food and the price of rice and other staple foods has soared. A severe humanitarian emergency has been predicted by aid and relief agencies. Many public sector employees continue to refuse to work in protest against the military coup and some banks remain closed. Electricity power cuts are frequent in Freetown as fuel has become scarce. Both in Freetown and in other parts of the country, civilians are facing acute hardship and insecurity.

Immediately after the coup, Nigerian forces already present in Sierra Leone under the provisions of a defence agreement between Sierra Leone and Nigeria were significantly reinforced, including by forces from the ECOWAS Cease-fire Monitoring Group, known as ECOMOG, which had been deployed under the authority of ECOWAS in neighbouring Liberia since 1990. Forces from other West African states, including Guinea and Ghana, also joined them. On 2 June 1997 Nigerian vessels bombarded military targets in Freetown and fighting ensued between Nigerian soldiers and Sierra Leonean soldiers together with RUF forces. Efforts in September and October 1997 to enforce an economic embargo imposed by ECOWAS resulted in further bombardments in Freetown.

Although hostilities between soldiers and RUF forces appeared to have ceased in the weeks immediately after the military coup, there have since been violent confrontations between the *kamajors,* loyal to President Ahmad Tejan Kabbah, and soldiers together with RUF forces, particularly in Southern and Eastern Provinces. Soldiers and ECOWAS troops have also clashed, particularly at the international airport at Lungi and also around Hastings airport and Jui, east of Freetown.

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without charge until 28 August 1997. He subsequently remained under surveillance until he fled the country in early October 1997.

Nigerian nationals

Nigerian nationals appeared to have been deliberately targeted for harassment, ill-treatment, arrest and detention because of the dominant role played by Nigeria in attempts by West African states to force the AFRC to relinquish power.

Following the attempts in early September 1997 by the Nigerian contingent of ECOWAS forces in Sierra Leone to tighten the implementation of the embargo imposed by the ECOWAS summit in late August 1997, hostility by soldiers, RUF forces and some civilians towards Nigerian nationals resident in Sierra Leone, already fomented in early June 1997 when further military intervention by Nigerian troops appeared to be imminent, increased. The AFRC claimed that more than 50 civilians resident in the port area of Freetown had been killed during the bombardment by Nigerian jets of a vessel attempting to enter the port of Freetown during the night of 3 and 4 September 1997. However, with some reports suggesting that the AFRC was implicated in the deaths, it remained unclear how many people had died and also who was responsible for the deaths (see above).

Following these events, the situation of Nigerian nationals in Sierra Leone became increasingly precarious. On 4 September 1997 a member of the AFRC called on demonstrators not to retaliate against Nigerian nationals since they were not personally involved in the actions of Nigerian forces in Sierra Leone. At least 20 Nigerian nationals were reported to have been arrested shortly after 4 September 1997 and held at Cockerill military headquarters. Around 18 September 1997 another six Nigerian nationals were reported to have been arrested while travelling from Freetown to the interior of the country. Their whereabouts was unknown; they were not known to be held at either Pademba Road prison or Cockerill military headquarters. Whereas some of those arrested previously had been accused of spying, the exact circumstances and reasons for these arrests remained unclear.

On 9 September 1997 two Nigerian nationals were reported to have been killed by armed men - soldiers or members of the RUF - in Freetown (see below).

Detention of members of the Revolutionary United Front (RUF)

On 29 March 1997 members of the RUF abducted at least five of their own members, a Sierra Leonean diplomat and also members of the Guinean security forces in Kailahun District, Eastern Province. The abductions followed the announcement two weeks earlier by prominent members of the RUF that its leader, Foday Sankoh, had been removed as leader because he was deliberately obstructing the peace process in Sierra Leone. Foday

Sankoh had been detained by the Nigerian authorities on his arrival in Lagos on 2 March 1997, apparently for possession of arms and ammunition; subsequently transferred to Abuja, he remains effectively under house arrest. When members of the newly emerged RUF leadership travelled to Kailahun District, near the border with Guinea, to meet RUF forces, they were abducted together with **Lieutenant-Colonel Mohamed Diaby**, the Sierra Leonean ambassador to Guinea. Initially, the RUF members called for Foday Sankoh's release in Nigeria as a condition for the release of those captured.

Two of those abducted, **Fayia Musa** and **Ibrahim Deen-Jalloh**, had been appointed as RUF representatives on the Commission for the Consolidation of Peace which was established by the peace agreement signed by the Government of Sierra Leone and the RUF in November 1996. The Commission was to be responsible for supervising and monitoring the implementation of the peace agreement.

Lieutenant-Colonel Mohamed Diaby was released shortly after the military coup when the RUF joined forces with the AFRC. However, both Fayia Musa and Ibrahim Deen-Jalloh, together with another former RUF leader, **Philip Palmer**, and possibly others were still held by RUF members in Kailahun District by October 1997. The RUF said that the captured RUF members are being held for having conspired against the legitimate leader of the RUF.

Since members of the RUF have now been incorporated into the Sierra Leonean armed forces to form the People's Army and are represented on the ruling council of the AFRC, including Foday Sankoh as Vice-Chairman, the AFRC cannot evade its responsibility for the continuing detention of Fayia Musa, Ibrahim Deen-Jalloh, Philip Palmer and any others also still held.

Torture and ill-treatment

Since the military coup on 25 May 1997 there has been widespread torture and ill-treatment by both soldiers and RUF forces in the People's Army, violating Article 7 of the ICCPR and Article 5 of the African Charter. By signing the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Sierra Leone has also undertaken a commitment to adhere to the principles of the Convention. Soldiers and RUF members have operated with impunity and have created a climate of fear and intimidation in Freetown.

Many of those apprehended or sought by soldiers in the days following the military coup were reported to have been ill-treated. Several government ministers were reported to have been physically assaulted by soldiers either at their homes or after their arrest. **Emmanuel Grant**, former Minister of Works and Technical Maintenance, was reported to have sustained injuries after being beaten when arrested and **David Quee**, former Minister

On the morning of 20 September 1997 people gathered at the Mende Central Mosque in Freetown were reported to have been beaten by security forces who demanded information about the radio station broadcasting in support of President Ahmad Tejan Kabbah.

On 2 October 1997 a man accused by soldiers of theft was tortured. Three soldiers and one member of the RUF were reported to have gone to the house of **Olu Jones** at Lumley in Freetown. He was tied, beaten and stabbed with a bayonet in both ears. He was beaten throughout the night and then taken away, bleeding profusely from both ears, to Cockerill military headquarters.

During the detention of David Tam Baryoh, editor of *Punch* newspaper, at CID headquarters for three days from 10 October 1997, armed men arrived at the home of his sister-in-law where they believed property belonging to David Tam Baryoh had been taken by his wife. When his sister-in-law denied having the property, both she and her daughter were reported to have been raped.

On 11 October 1997 another journalist, **Umaru Fofanah**, working freelance for *The Vision* newspaper and also a correspondent for the BBC, was reported to have been shot in the leg and tortured by soldiers who suspected him of providing information to the clandestine radio station broadcasting in support of President Ahmad Tejan Kabbah. He received treatment in a military hospital before being released.

There were also reports of torture and ill-treatment of civilians in areas of the country, in particular around Zimmi and Kenema, where soldiers and RUF forces were fighting *kamajors*. Soldiers and members of the RUF were reported to have entered villages accusing villagers of supporting the *kamajors*. People fleeing to Liberia from the area around Gofo near Zimmi during fierce fighting in mid-August 1997 reported serious ill-treatment. Civilians were beaten and their arms tied tightly behind their backs, causing serious injuries. Women and girls were raped and forced into sexual slavery.

Extrajudicial executions

With the breakdown of the rule of law in Sierra Leone since the military coup, the Sierra Leone armed forces, together with members of the RUF, have also been responsible for extrajudicial executions. While many civilians have died as a result of the general situation of violence and insecurity, particularly in the period immediately following the coup, other civilians have been deliberately killed for political reasons by soldiers and RUF members. Such killings violate Sierra Leone's obligations under international law, including Article 6 of the ICCPR and Article 4 of the African Charter which guarantee the right to life and prohibit the arbitrary deprivation of this right.

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The President of the Civil Liberties Congress, Soulaiman Banja Tejan-Sie, condemned the killings and the brutal manner in which they were carried out, including dismembering the bodies.

Refugees and displaced people

Extensive programs for the resettlement and rehabilitation within Sierra Leone of hundreds of thousands of returning refugees and internally displaced people - nearly half the population of Sierra Leone - were put into place following the peace agreement signed by President Ahmad Tejan Kabbah and the RUF in November 1996. Since the beginning of 1997 large numbers of Sierra Leoneans had returned to their homes. However, the resumption of attacks by RUF forces before the military coup and the violence and insecurity since have forced thousands of Sierra Leoneans to once again flee their homes. Resettlement and rehabilitation projects have been suspended.

Hundreds of people fled Freetown to escape the violence and insecurity, also fearing military intervention by West African forces. Several hundred residents of the area around the port in Freetown were also reported to have left their homes in mid-September 1997 after ECOWAS forces intensified efforts to impose an economic blockade by shelling ships approaching the port of Freetown. At least a thousand people, however, sought refuge in Freetown as fighting between soldiers and ECOWAS forces intensified from 9 October 1997 around the military base held by ECOWAS forces at Jui outside Freetown. Liberian refugees who had fled the internal armed conflict in their own country and were in a camp at Jui had to be moved because of earlier fighting between Nigerian troops and soldiers and RUF forces in June 1997.

People in Northern, Southern and Eastern Provinces also fled the insecurity and fighting which followed the military coup.

Refugees fled mainly to Guinea and Liberia but also to other countries in the region, including Gambia, Ghana and Nigeria. In the weeks immediately following the coup, between 500 and 800 people were reported to be crossing into Guinea at Pamélap every day. By July 1997 an estimated 30,000 people had crossed the border into Guinea, another 7,000 were registered at Bo-Waterside in Liberia and almost 50,000 were internally displaced. Thousands of displaced people arrived in the towns of Bo in the south, Kenema in the east and Makeni and Kambia in the north. By September 1997 more than 92,000 people were estimated to have become displaced within Sierra Leone as a result of the increasing violence and insecurity. In early September 1997 hundreds of Sierra Leoneans were reported to have been attempting to flee into Liberia.

The Guinean authorities became increasingly concerned about the large influx of people from Sierra Leone. On 8 June 1997 120 people from West African countries, about

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Sierra Leone and calls on it also to use its influence in order to bring an end to human rights violations in Sierra Leone. In particular:

UN, OAU and ECOWAS

- the protection and respect of human rights in Sierra Leone must feature prominently in any decisions and actions taken in efforts by the international community to find a solution to the current political crisis in Sierra Leone;

- the international community should maintain pressure on the Armed Forces Revolutionary Council to end human rights violations by official security forces and those acting under their authority;

ECOWAS

- ECOWAS should ensure that, if armed intervention in Sierra Leone is authorized, all military forces acting with its authorization adhere to the highest international humanitarian and human rights standards at all times;

- in the event of armed intervention, the ECOWAS force should include a human rights component to ensure compliance of its forces to international humanitarian law and international human rights standards. There should also be a mechanism to monitor human rights violations, to assess the human rights situation and to lay foundations for human rights protection and the prevention of abuses[6] ;

Commonwealth

- the Commonwealth Ministerial Action Group on the Harare Declaration should consider sending a delegation to Sierra Leone to investigate human rights violations;

United Nations High Commissioner for Refugees (UNHCR) and West African governments

- all measures should be taken to ensure the protection of refugees. Return to Sierra Leone should not be promoted or encouraged without an independent and impartial assessment that they will not be at risk of human rights violations in Sierra Leone. There should also be effective monitoring of their safety.

[6]For further information, refer to *Peace-keeping and human rights* (AI Index: IOR 40/01/94), published by Amnesty International in January 1994.

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SIERRA LEONE
A disastrous set-back for human rights

20 October 1997 SUMMARY AI INDEX: AFR 51/05/97
DISTR: SC/CO/GR

Since a military coup on 25 May 1997, in which the government of President Ahmad Tejan Kabbah was overthrown, the rule of law in Sierra Leone has completely collapsed. Hopes and aspirations for the protection and respect of human rights in Sierra Leone, following a return to civilian rule after elections in February 1996 and the conclusion of a peace agreement by the government and the armed opposition Revolutionary United Front (RUF) in November 1996, have been dealt a devastating blow.

The military formed the Armed Forces Revolutionary Council (AFRC), headed by Major Johnny Paul Koroma. Since the military coup soldiers, together with members of the RUF who have joined forces with them, have committed serious human rights violations. Hundreds of people have been arbitrarily arrested and detained; many have been tortured and ill-treated. Physical assault, amounting to ill-treatment, of civilians by soldiers and members of the RUF is routine. There have also been reports of extrajudicial executions of some of those suspected of opposing the AFRC.

Victims of human rights violations have included people associated with the government of President Ahmad Tejan Kabbah, journalists, students and human rights activists.

The overthrow of President Ahmad Tejan Kabbah has been condemned by the international community which has demanded the return of constitutional order to Sierra Leone. Negotiations with the AFRC have faltered, a global economic embargo has been imposed and further military intervention to restore the elected government of Sierra Leone has been seriously considered by countries in the region if dialogue and sanctions fail.

The serious human rights abuses, including torture, ill-treatment and deliberate and arbitrary killings of unarmed civilians, which had characterized the internal armed conflict

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from 1991 until 1996, are once again occurring as violence and insecurity have spread throughout Sierra Leone.

The major political developments in 1996 - the return of a civilian government after parliamentary and presidential elections and the peace agreement to end the internal armed conflict - offered unique opportunities for ending human rights abuses. The new government of President Ahmad Tejan Kabbah stated its commitment to protect and respect human rights and the peace agreement contained commitments by both parties to the conflict to adhere to international human rights standards. It was a decisive moment to act and build on those commitments. The military coup on 25 May 1997 has been a major set-back. There has been a return to the brutality which characterized the years of internal armed conflict and the foundations laid during 1996 for the protection and respect of human rights have been seriously undermined.

Amnesty International is urging the AFRC to take measures immediately to end human rights violations. It should adhere strictly to Sierra Leone's obligations under international human rights law, including the International Covenant on Civil and Political Rights, the African Charter on Human and Peoples' Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment . The AFRC is bound by the standards which Sierra Leone is obliged to respect. These obligations include to guarantee: the right to life; the right not to be subjected to cruel, inhuman or degrading treatment or punishment; the right not to be arbitrarily detained; the right to a fair trial and public hearing by a competent, independent and impartial tribunal established by law and, if convicted, to have the conviction and sentence reviewed by a higher tribunal; and the right to freedom of expression and association.

The international community, including the United Nations, the Organization of African Unity, the Economic Community of West African States, the Commonwealth and the European Union, has devoted considerable attention and effort to resolving the political crisis in Sierra Leone and restoring the elected government. Amnesty International is urging that the protection of human rights is a priority in the efforts by the international community to end this crisis and that any decisions and actions which it takes ensure that fundamental human rights in Sierra Leone are respected.

KEYWORDS: ARMED CONFLICT1 / COUPS1 / ARBITRARY ARREST1/ INDISCRIMINATE KILLINGS1/ TORTURE/ILL-TREATMENT / EXTRAJUDICIAL EXECUTIONS / MILITARY / NON-GOVERNMENTAL ORGANIZATIONS / TRIALS / POLITICIANS / JOURNALISTS / MILITARY AS VICTIMS / STUDENTS / HUMAN RIGHTS ACTIVISTS / FOREIGN NATIONALS / REFUGEES / DISPLACED PEOPLE / SECOND GOVERNMENTS / OAU / UN / UNHCR / COMMONWEALTH / EU / RECOMMENDED ACTIONS /

This report summarizes a 26-page document (11,503 words), *Sierra Leone: A disastrous set-back for human rights*, issued by Amnesty International on 20 October 1997. Anyone wishing further details or to take action on this issue should consult the full document.

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SIERRA LEONE

A disastrous set-back for human rights



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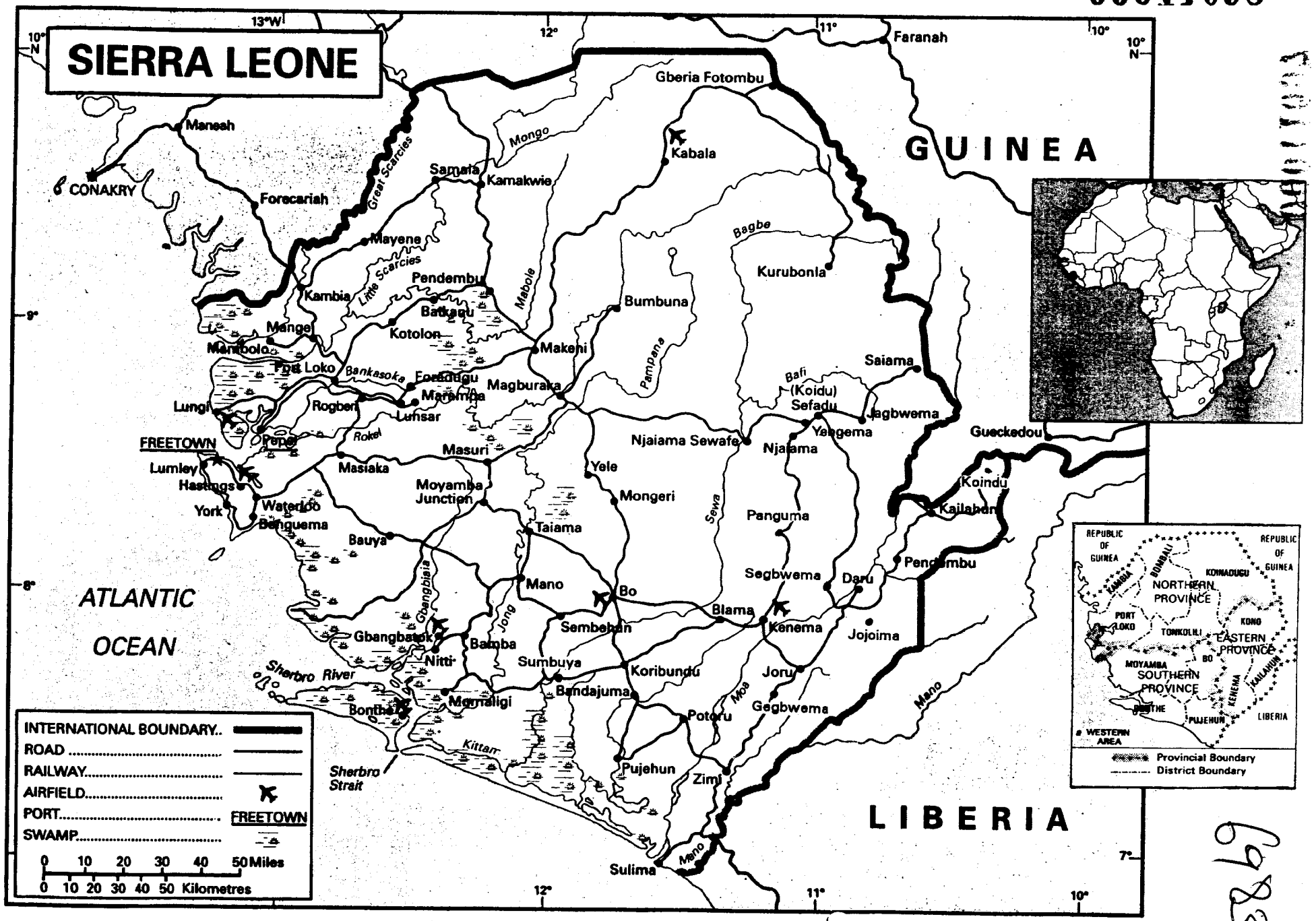

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SIERRA LEONE

A disastrous set-back for human rights

Introduction

Since a military coup on 25 May 1997, in which the government of President Ahmad Tejan Kabbah was overthrown, the rule of law in Sierra Leone has completely collapsed. Hopes and aspirations for the protection and respect of human rights in Sierra Leone, following a return to civilian rule after elections in February 1996 and the conclusion of a peace agreement by the government and the armed opposition Revolutionary United Front (RUF) in November 1996, have been dealt a devastating blow.

The military formed the Armed Forces Revolutionary Council (AFRC), headed by Major Johnny Paul Koroma. Since the military coup soldiers, together with members of the RUF who have joined forces with them, have committed serious human rights violations. While Major Johnny Paul Koroma has called on soldiers to refrain from illegal activity, lack of effective control over both soldiers and members of the RUF has resulted in human rights violations being committed with impunity. Hundreds of people have been arbitrarily arrested and detained; many have been tortured and ill-treated. Physical assault, amounting to ill-treatment, of civilians by soldiers and members of the RUF is routine. There have also been reports of extrajudicial executions of some of those suspected of opposing the AFRC.

Violence and insecurity followed the military coup, both in the capital, Freetown, and in other parts of the country. On the day of the coup and during the following days as many as one hundred people died in Freetown in the ensuing violence. Many others were injured. There were many incidents of rape and widespread looting. President Ahmad Tejan Kabbah fled to neighbouring Guinea on the day of the coup and was joined by other members of his government. In the months which have followed, maintenance of law and order has collapsed. Many judges, lawyers and senior police officers have been among the thousands of people fleeing Sierra Leone and seeking refuge in other countries in the region. There is a large number of cases pending before the criminal courts which have all but ceased to function. The AFRC announced that People's Revolutionary Courts would be established, composed of people without legal training. Murder, robbery and rape are reported to continue at unprecedented levels in Freetown; soldiers and RUF forces have frequently been implicated in these crimes.

Almost all sectors of Sierra Leonean society, including trade unions, religious groups, lawyers, women's groups, teachers, students and journalists, have opposed the military coup. Large numbers of civil servants, teachers and other public sector workers have refused to work in protest against the military coup, despite threats of dismissal by the AFRC.

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The overthrow of President Ahmad Tejan Kabbah has been condemned by the international community which has demanded the return of constitutional order to Sierra Leone. Negotiations with the AFRC have faltered, a global economic embargo has been imposed and further military intervention to restore the elected government of Sierra Leone has been seriously considered by countries in the region if dialogue and sanctions fail.

Attempts by West African troops, predominantly Nigerian, based in Freetown, to confront the AFRC shortly after the coup and subsequent clashes between soldiers, together with RUF forces, and West African troops in and around Freetown have resulted in deaths of civilians. Civilian casualties were also reported following efforts by West African forces to implement the embargo by preventing ships entering the port of Freetown. Outside Freetown confrontations between soldiers, together with RUF forces, and a civilian militia composed of local hunters of the Mende ethnic group known as *kamajors* intensified and resulted in many deaths, including of civilians caught up in the fighting. Fighting has been particularly fierce around Kenema in Eastern Province and Bo, Moyamba and Zimmi in Southern Province. The *kamajors*, who had fought against the RUF during Sierra Leone's internal armed conflict, remain loyal to President Ahmad Tejan Kabbah. In the north of the country, in Tonkolili District, there have been confrontations between the *kapras*, a civilian militia of the Temne ethnic group, and RUF forces.

The serious human rights abuses, including torture, ill-treatment and deliberate and arbitrary killings of unarmed civilians, which had characterized the internal armed conflict from 1991 until 1996, are once again occurring as violence and insecurity have spread throughout Sierra Leone[1].

The major political developments in 1996 - the return of a civilian government after parliamentary and presidential elections and the peace agreement to end the internal armed conflict - offered unique opportunities for ending human rights abuses. The new government of President Ahmad Tejan Kabbah stated its commitment to protect and respect human rights and the peace agreement contained commitments by both parties to the conflict to adhere to international human rights standards. It was a decisive moment to act and build on those commitments[2]. In August 1996 the government acceded to the International Covenant on Civil and Political Rights (ICCPR) and to the International Covenant on

[1]For further information about human rights abuses committed in the internal armed conflict in Sierra Leone, refer to *Sierra Leone: Human rights abuses in a war against civilians* (AI Index: AFR 51/05/95), published by Amnesty International on 13 September 1995, and also *Sierra Leone: Towards a future founded on human rights* (AI Index: AFR 51/05/96), published by Amnesty International on 25 September 1996.

[2]For further information, refer to *Sierra Leone: Towards a future founded on human rights* (AI Index: 51/05/96), published by Amnesty International on 25 September 1996.

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Economic, Social and Cultural Rights. The military coup on 25 May 1997 has been a major set-back. There has been a return to the brutality which characterized the years of internal armed conflict and the foundations laid during 1996 for the protection and respect of human rights have been seriously undermined.

Amnesty International is urging the AFRC to take measures immediately to end human rights violations. It should adhere strictly to Sierra Leone's obligations under international human rights law, including the ICCPR, the African Charter on Human and Peoples' Rights (African Charter)[3] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[4] . The AFRC is bound by the standards which Sierra Leone is obliged to respect. These obligations include to guarantee: the right to life; the right not to be subjected to cruel, inhuman or degrading treatment or punishment; the right not to be arbitrarily detained; the right to a fair trial and public hearing by a competent, independent and impartial tribunal established by law and, if convicted, to have the conviction and sentence reviewed by a higher tribunal; and the right to freedom of expression and association.

The international community, including the United Nations (UN), the Organization of African Unity (OAU), the Economic Community of West African States (ECOWAS)[5] , the Commonwealth and the European Union (EU), has devoted considerable attention and effort to resolving the political crisis in Sierra Leone and restoring the elected government. Amnesty International is urging that the protection of human rights is a priority in the efforts by the international community to end this crisis and that any decisions and actions which it takes ensure that fundamental human rights in Sierra Leone are respected.

The military coup on 25 May 1997

On 25 May 1997 the government of President Ahmad Tejan Kabbah was overthrown by a group of low-ranking army officers. President Ahmad Tejan Kabbah had come to power in March 1996 after parliamentary and presidential elections, ending four years of military

[3]Sierra Leone ratified the African Charter on Human and Peoples' Rights in 1984.

[4]Sierra Leone signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1985 but has not yet ratified it. By signing the Convention the government of Sierra Leone has made a commitment to abide by the principles of the Convention.

[5]ECOWAS is an intergovernmental organization of 16 states (Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Togo) with its headquarters in Nigeria. The aim of ECOWAS is to promote cooperation and development and to improve relations among member states.

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rule by the National Provisional Ruling Council which had itself come to power after a military coup in April 1992.

The AFRC is headed by Major Johnny Paul Koroma, who was released on the day of the coup after soldiers broke into the Central Prison, Pademba Road, in Freetown. He had been among nine soldiers charged but not yet tried with conspiring to overthrow President Ahmad Tejan Kabbah's government in September 1996. The Constitution was suspended, political parties were banned and all demonstrations were prohibited. The AFRC gave itself far-reaching powers of detention; anyone could be arrested "in the interest of public safety" with no safeguards against arbitrary arrest or indefinite detention without charge or trial. Former members of the government of President Ahmad Tejan Kabbah or his political party, the Sierra Leone People's Party (SLPP), or those closely associated with the government were reported to have been arrested and detained. The AFRC announced that the *kamajors* were to be disbanded.

The AFRC claimed that they had overthrown the government because it had failed to consolidate peace in Sierra Leone following the peace agreement of November 1996. It also claimed that the government was undemocratic and that it had promoted tribalism by appointing people mainly from Mende ethnic group from the south and the east to prominent government positions. A major grievance was the perceived lack of resources accorded by the government to the Sierra Leone armed forces and a favouring of the *kamajors* by the government. These accusations were strongly denied by President Ahmad Tejan Kabbah, members of his government and their supporters. The AFRC also called for the release and return of the RUF's leader, Foday Sankoh, in detention in Nigeria. It stated shortly after the coup that it intended to remain in power for 18 months. Major Johnny Paul Koroma was sworn in as head of state on 17 June 1997; he said that he was committed to peace and that he would establish a broad-based government to include all ethnic groups.

Foday Sankoh remained held, effectively under house arrest, in Abuja, Nigeria. He had been detained by the Nigerian authorities on his arrival in Nigeria on 2 March 1997, apparently for possession of arms and ammunition. From Nigeria, Foday Sankoh announced his support for the military coup. The armed forces of Sierra Leone were joined by forces of the RUF, to form the People's Army. Large numbers of RUF forces arrived in Freetown. Foday Sankoh was named as Vice-Chairman of the AFRC and prominent members of the RUF were appointed to the AFRC's ruling council.

Negotiations between the Sierra Leone Government and the RUF to end the five-year internal armed conflict in Sierra Leone culminated in the signing of the peace agreement in Abidjan, Côte d'Ivoire, in November 1996. The peace agreement provided for an immediate cessation of hostilities and a schedule for disarmament, demobilization and reconstruction. A Neutral Monitoring Group from the international community was to be responsible for monitoring the implementation of the peace agreement. There were major

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setbacks and delays, however, in implementing the peace agreement which, in the weeks before the military coup, appeared to have collapsed as hostilities resumed, particularly in the north of Sierra Leone. With the break-down of the cease-fire and the resumption of hostilities came renewed reports of serious human rights abuses. Since the military coup further progress towards implementing the peace agreement reached in Abidjan in November 1996 has been impossible.

Violence, including murders and rape, and extensive looting, including from UN and humanitarian agencies, broke out in Freetown following the coup. Hundreds of prisoners were freed from Pademba Road prison; many were given arms and army uniforms. The situation was further exacerbated by the arrival of large numbers of RUF forces in Freetown who were not paid a regular salary and flagrantly abused their power.

Food stocks and medical supplies of humanitarian agencies were stolen. The political upheaval and subsequent widespread civil unrest have aggravated an already precarious food situation. Agricultural activity has been seriously disrupted. There are severe shortages of food and the price of rice and other staple foods has soared. A severe humanitarian emergency has been predicted by aid and relief agencies. Many public sector employees continue to refuse to work in protest against the military coup and some banks remain closed. Electricity power cuts are frequent in Freetown as fuel has become scarce. Both in Freetown and in other parts of the country, civilians are facing acute hardship and insecurity.

Immediately after the coup, Nigerian forces already present in Sierra Leone under the provisions of a defence agreement between Sierra Leone and Nigeria were significantly reinforced, including by forces from the ECOWAS Cease-fire Monitoring Group, known as ECOMOG, which had been deployed under the authority of ECOWAS in neighbouring Liberia since 1990. Forces from other West African states, including Guinea and Ghana, also joined them. On 2 June 1997 Nigerian vessels bombarded military targets in Freetown and fighting ensued between Nigerian soldiers and Sierra Leonean soldiers together with RUF forces. Efforts in September and October 1997 to enforce an economic embargo imposed by ECOWAS resulted in further bombardments in Freetown.

Although hostilities between soldiers and RUF forces appeared to have ceased in the weeks immediately after the military coup, there have since been violent confrontations between the *kamajors*, loyal to President Ahmad Tejan Kabbah, and soldiers together with RUF forces, particularly in Southern and Eastern Provinces. Soldiers and ECOWAS troops have also clashed, particularly at the international airport at Lungi and also around Hastings airport and Jui, east of Freetown.

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Civilians have been caught up in the fighting and bombing. As many as one hundred people were reported to have died and many others were injured on 2 June 1997 in Freetown during the bombardment from Nigerian vessels and subsequent fighting.

Efforts by the international community to resolve the political crisis in Sierra Leone have centred on condemnation of the military coup, international isolation of the AFRC and calls for the reinstatement of President Ahmad Tejan Kabbah's government. While continuing to pursue a strategy of dialogue and sanctions, recourse to military intervention to remove the AFRC remains a possibility if these measures fail.

International reaction to the crisis in Sierra Leone

The military coup in Sierra Leone on 25 May 1997 was immediately condemned by the international community, including the UN, the OAU, ECOWAS, the Commonwealth and the EU. No government has recognized the AFRC. There was also condemnation of the violence and loss of life which resulted from the coup. In the weeks which followed there was intense diplomatic activity to try to find a peaceful solution to the political crisis and to avert the threat of military intervention.

The possibility of military intervention has been seriously considered as a response to the political crisis in Sierra Leone. In June 1997 ECOWAS, earlier mandated by the OAU to take appropriate measures to restore constitutional order to Sierra Leone, decided to resolve the crisis through dialogue, sanctions and, if necessary, the use of force. The use of force has not been endorsed by the UN Security Council.

Amnesty International does not favour or oppose military intervention. However, it is concerned that, if any intervention is authorized by the international community, the military forces involved must adhere strictly to international humanitarian and human rights standards at all times. Any countries sending military troops as part of an eventual intervention have an obligation to ensure that deliberate or indiscriminate killings or other human rights abuses prohibited by international humanitarian and human rights standards do not occur.

Organization of African Unity (OAU)

Immediately after the coup, the OAU Secretary General, Dr Salim Ahmed Salim, condemned it as "unacceptable to the continent". On 26 May 1997 the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution unequivocally condemned the coup and called for the immediate restoration of constitutional order. It appealed to the leaders of ECOWAS states to pursue efforts aimed at assisting the people

of Sierra Leone in the restoration of constitutional order and to the international community to support those efforts.

The 33rd OAU Assembly of Heads of State and Government meeting in Harare, Zimbabwe, in early June 1996 gave a mandate to ECOWAS to take necessary action to restore legality and constitutionality to Sierra Leone. The specific measures to be taken were to be decided by ECOWAS. The OAU Secretary General reiterated the OAU's strong support for ECOWAS's initiatives to bring peace, security and stability to Sierra Leone at the 20th ECOWAS summit in Abuja at the end of August 1997.

Economic Community of West African States (ECOWAS)

On 26 June 1997 the foreign ministers of 14 ECOWAS states met in the Guinean capital, Conakry. They agreed to pursue the early reinstatement of President Ahmad Tejan Kabbah, the return of peace and security and the resolution of issues relating to refugees and internally displaced people. They also reaffirmed the support of ECOWAS for the peace agreement signed in Abidjan in November 1996. They decided that efforts should be made towards the reinstatement of the elected government through a combination of dialogue, imposition of sanctions, enforcement of an embargo and, if necessary, the use of force. The ECOWAS foreign ministers also established a committee made up of Côte d'Ivoire, Ghana, Guinea and Nigeria, and including a representative of the OAU, to monitor developments in Sierra Leone and to implement the measures adopted.

Two rounds of talks were held between the committee of four foreign ministers and representatives of the AFRC in Abidjan. The first, held on 17 and 18 July 1997, was adjourned after agreeing that a cease-fire should be immediately established throughout Sierra Leone. The second round of negotiations, on 29 and 30 July 1997, collapsed. The AFRC delegation failed to respect the agreement of the previous meeting to present its proposals on modalities for the early restoration of constitutional order to Sierra Leone, including the reinstatement of the government of President Ahmad Tejan Kabbah. Instead, the AFRC delegation rejected the return of President Ahmad Tejan Kabbah, demanded the withdrawal of West African forces from Sierra Leone and insisted that the leader of RUF, Foday Sankoh, be released in order to participate in the talks. On 30 July 1997 Major Johnny Paul Koroma announced that the Constitution would remain suspended and that the AFRC would remain in power for a further four years, until 2001. This statement was greeted with outrage by the international community. Major Johnny Paul Koroma subsequently said that the AFRC remained willing to negotiate a solution to the political crisis.

At the 20th ECOWAS summit held in Abuja on 29 and 30 August 1997, ECOWAS heads of state and government called for a continuing and intensified embargo against Sierra Leone and agreed to seek assistance from the UN Security Council to make the sanctions

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global and mandatory, in accordance with the UN Charter. It expressed its determination to deploy all efforts towards a peaceful solution to the crisis in Sierra Leone. The meeting expanded the mandate of ECOMOG forces to monitor the cease-fire, enforce the sanctions and embargo and secure peace in Sierra Leone.

In early September 1997 there was an escalation of military attacks by ECOWAS forces in attempts to enforce a land, sea and air embargo. On the night of 3 to 4 September 1997 a ship off the coast of Freetown was shelled by ECOWAS forces based at Lungi. The AFRC claimed that more than 50 civilians in Freetown had died as residential areas were hit. Many others were injured. Both the commander of ECOMOG in Liberia, Major-General Victor Malu, and President Ahmad Tejan Kabbah denied that these deaths had resulted from the ECOWAS operation and said that there had been heavy gun-fire from AFRC forces positioned at Fourah Bay College on a hill overlooking Freetown. Eye-witnesses were also reported as having seen firing from AFRC positions at Fourah Bay College. Other reports also suggested that the deaths had been caused by artillery fire and rocket propelled grenades from AFRC positions. It was not possible to establish the number of those killed or the exact circumstances of their deaths.

On 8 October 1997 Nigerian jets bombed Cockerill military headquarters in Freetown. ECOMOG forces said that the raid had been undertaken to destroy a helicopter gunship used to attack its forces. Six people, including two civilians, were reported to have been killed and up to 40 injured. Nigerian jets attacked an external communications centre in Freetown on 15 October 1997. The following day the area around the state radio transmitter to the west of Freetown, close to a military barracks, as well as other parts of Freetown were bombed. Thirteen civilians were reported to have been killed and about 20 others injured in the shelling.

UN Security Council

In a statement issued on 11 July 1997, after meeting the four ECOWAS foreign ministers, the UN Security Council reiterated its view that the overthrow of the government of President Ahmed Tejan Kabbah was unacceptable and called for the immediate and unconditional restoration of constitutional order in Sierra Leone. The UN Security Council expressed its concern about the serious humanitarian consequences of the continuing crisis in Sierra Leone as well as the threat to regional stability. It also expressed its full support for the efforts of ECOWAS. On 31 July 1997 the Security Council expressed serious concern after talks between representatives of ECOWAS and the AFRC collapsed.

On 6 August the UN Security Council repeated its condemnation of the overthrow of the democratically elected government of President Ahmad Tejan Kabbah and called on the AFRC to take immediate steps towards its unconditional restoration. The Security Council declared that, in the absence of a satisfactory response, it would be ready to take

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appropriate measures aimed at restoring the government. It also called on the AFRC to resume negotiations with the committee of four ECOWAS foreign ministers. The Security Council condemned the continuing violence and threats of violence by the AFRC towards the civilian population, foreign nationals and personnel of the ECOWAS monitoring group.

In early September 1997, the UN Secretary-General appointed Francis Okelo, former deputy head of the UN Special Mission to Afghanistan, as his special envoy to Sierra Leone.

Following the ECOWAS summit in Abuja at the end of August 1997, the Security Council decided that further action relating to the embargo enforced by ECOWAS should be postponed until the Security Council had had the opportunity to discuss the issue in further detail with the ECOWAS group of five foreign ministers - of Côte d'Ivoire, Ghana, Guinea, Nigeria, subsequently joined by Liberia. The Security Council decided on 8 October 1997 to impose a global oil, arms and travel embargo against Sierra Leone in order to support the efforts of ECOWAS and increase pressure on the AFRC to relinquish power. International sanctions are to remain in force until the government of President Ahmad Tejan Kabbah and constitutional order are restored. The resolution provides for exceptions to the oil embargo for humanitarian purposes. The Security Council also called on international financial institutions and UN member states to provide assistance to countries in the region to cope with the influx of refugees from Sierra Leone. The resolution gave international authorization to ECOWAS to enforce the embargo on oil and arms and prevent vessels from reaching Sierra Leone.

Commonwealth

On 11 July 1997, the Commonwealth Ministerial Action Group on the Harare Declaration (CMAG), composed of the foreign ministers of Canada, Ghana, Jamaica, Malaysia, New Zealand, South Africa, the United Kingdom and Zimbabwe, condemned the military coup in Sierra Leone and called for the immediate and unconditional reinstatement of the democratically elected government of Sierra Leone under President Ahmad Tejan Kabbah. It urged the international community to continue to deny recognition to the AFRC and decided that, pending the restoration of the elected government of President Ahmad Tejan Kabbah, the participation of Sierra Leone in meetings of the Commonwealth would be suspended. The Group welcomed the efforts of ECOWAS, noting that these efforts were being taken in accordance with the decision taken by the OAU and that they were being carried out in coordination with the UN.

On 31 July 1997 the Commonwealth Secretary General, Chief Emeka Anyaoku, announced that "any delay in the immediate transfer of power from the junta and back to civilian rule - let alone a postponement until 2001 - would represent a major setback not

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only for Sierra Leone and the West Africa region, but for the continent of Africa as a whole".

The CMAG, meeting in September 1997, was reported to have decided to recommend to the Commonwealth Heads of Government Meeting to be held in Edinburgh, United Kingdom, in October 1997 that Sierra Leone be suspended from the Commonwealth. In a statement issued on 12 September 1997 the CMAG welcomed the decision by the ECOWAS heads of state and government to take further measures against the AFRC in accordance with the decision taken by the OAU and in coordination with the UN. The Group supported the efforts of the committee of five foreign ministers towards a peaceful solution to the crisis in Sierra Leone. The Group urged the international community to support the objectives of these efforts and called on the AFRC to cooperate with ECOWAS.

European Union (EU)

In declarations on 28 May and 20 June 1997 the EU condemned the military coup in Sierra Leone and on 10 July 1997 the Presidency of the EU issued a statement welcoming ECOWAS efforts to resolve the crisis in Sierra Leone. It also stated that, pending the return of the elected government to Sierra Leone, development aid could not be continued.

Human rights violations since the military coup on 25 May 1997

The military coup on 25 May 1997 has led to a breakdown in the rule of law which has resulted in serious human rights violations by both soldiers and members of the RUF. Despite calls from Major Johnny Paul Koroma to soldiers to refrain from illegal activity, abuses have continued. The AFRC has failed to exercise effective control or chain of command over soldiers, joined by RUF forces in the People's Army.

Arrest and detention of political opponents

Since the military coup on 25 May 1997 many of those associated with the government of President Ahmad Tejan Kabbah or suspected of opposition to the AFRC have been arbitrarily arrested and detained. Those targeted have included members of President Ahmad Tejan Kabbah's government, those closely associated with it or the Sierra Leone People's Party (SLPP), journalists, students and human rights activists. However, with the complete collapse of the rule of law, all Sierra Leonean civilians are at risk of arbitrary arrest and detention.

While many of those arrested have been imprisoned at Pademba Road prison, others have been held at Cockerill military headquarters, at headquarters of the Criminal Investigation Department (CID) and at police stations in Freetown. It is unclear exactly how

many people have been arrested and detained since 25 May 1997. While some of those arrested have been released after a short time, others remained held without charge or trial for days, weeks or months. It has been difficult to assess with any accuracy the number of those detained because of continuous arrests and releases and lack of access to places of detention. Those detained at Pademba Road prison have been allowed visits by members of their families and also by representatives of a local non-governmental organization, Prison Watch. Further visits by Prison Watch were reported, however, to have been refused by the prison authorities in October 1997. The number of those arbitrarily arrested and detained is likely to be several hundred.

Most of those held at Pademba Road prison since 25 May 1997 have been held in administrative detention without charge or trial. They are categorized as being held in "military safe custody". There appears to be no legal basis for the detention of those in this category; they are in effect being arbitrarily detained on the apparent orders of the military. No substantive investigations into the grounds for detention have taken place and there is no opportunity for a review of these cases by a court. While at the end of July 1997 more than 70 detainees were held in administrative detention at Pademba Road prison, this number had doubled by the end of September 1997. Arbitrary arrests were reported to occur daily and to be continuing.

People associated with President Ahmad Tejan Kabbah's government

In the days immediately following the coup, several members of President Ahmad Tejan Kabbah's government and senior military officers were reported to have been detained briefly at Cockerill military headquarters. All prominent politicians and military officers were ordered to report to military headquarters. No reasons were given for the arrests of former politicians and it appeared that they were held only because of their membership of the government.

Others closely associated with the government or the SLPP remained at risk of arbitrary arrest and detention. At least 15 people - eight senior military officers and seven civilians, including prominent SLPP members - were arrested on 16 June 1977, accused of conspiring to overthrow the AFRC. Others were reported to have been arrested in the following days. They included **Dr Sama S. Banya**, a prominent political figure, medical doctor and environmentalist, **Colonel K.E.S. Boyah**, **Dauda Bundeh**, **Colonel Tom Carew**, **Major Francis Gottor**, **Lieutenant-Colonel John Ade Oluwole Jah-Tucker**, **Dr B.M. Kobba**, a medical doctor, **Abu Aiah K** [redacted] inister for Parliamentary and Political Affairs, **Colonel R.Y. Koroma**, **Ansu Morseray**, a student at Njala University College, **Captain John Massaquoi**, **Vandy Morseray**, a student at the Institute of Public Administration and Management, **Captain Daniel Musa**, **Abdullai Mustapha**, **Brima Senesie** and **Major Vandi Turay**.

Those arrested were first held at military headquarters before being transferred to Pademba Road prison. Although initially denied visits from families, doctors and lawyers, they were later permitted visits and their families were allowed to provide basic necessities such as mattresses and blankets. There was concern about the health of several of those detained.

The AFRC said that they would be brought to trial before a military court. Although accused of conspiring against the government, it appeared that most, if not all, of those arrested had been detained only because of their opposition to the military coup which brought the AFRC to power and their lack of cooperation with the AFRC. None of those detained was charged with any offence. Most of those arrested were released during the following weeks; several military officers were reported to have been released on 6 July 1997 and the two students were released after five weeks. However, Dr Sama S. Banya, Dauda Bundeh, Dr Abdul Jalloh, Dr B.M. Kobba, Abdullai Mustapha and Brima Senesie were not released until 29 July 1997. They remained under house arrest, however, until 7 October 1997.

Many other people were subsequently arbitrarily arrested because of their perceived support for the government of President Ahmad Tejan Kabbah and opposition to the AFRC. They included **Raymond Dorwie**, a chief security officer at the Port Authority in Freetown. He was arrested around 10 July 1997 and imprisoned at Pademba Road prison until early October 1997. **Juliet Hagan**, a teacher, **Christopher Sawyer**, a student, **Momodu Bah**, a trader, and two other people were arrested on 6 August 1997. **Joan Tucker**, a teacher at the YWCA in Freetown, was reported to have been arrested on 11 August 1997. They were all held without charge at Pademba Road prison until 16 August 1997.

A radio station began broadcasting in July 1997, transmitting messages from President Ahmad Tejan Kabbah and providing information about the activities of his government in Conakry, Guinea. Soldiers and members of the RUF subsequently carried out arrests, accusing people of either knowing from where the broadcasts were being transmitted or of passing information to the radio station. The AFRC believed that the broadcasts were being transmitted from the international airport at Lungi, under the control of Nigerian troops since the military coup on 25 May 1997. Many people, including those travelling from Lungi to Freetown, who were suspected of involvement with the radio station were physically assaulted and arrested by soldiers and members of the RUF.

In early September 1[redacted]scribed as a personal assistant to President Ahmad Tejan Kabbah, was arrested and taken to Cockerill military headquarters. According to reports, he was not held in any building but in a freight container within the confines of the military headquarters. His physical condition was seriously deteriorating as a result of his conditions of detention. He was still held by mid-October 1997. Others were also reported to be held with him in the freight container.

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On 3 October 1997 a lecturer from Fourah Bay College was reported to have been arrested, apparently because he was believed to have been associated with President Ahmad Tejan Kabbah. He was badly beaten and was subsequently admitted to hospital. **Mohamed B. Sesay**, Deputy Minister for Marine Resources in the government of President Ahmad Tejan Kabbah, was reported to have been arrested around 8 October 1997, apparently accused of involvement in subversive activities. He was held at CID headquarters in Freetown. Among others arrested in early October 1997 on similar accusations were a Temne traditional leader and members of his family.

In addition to those suspected of direct association with the government of President Ahmad Tejan Kabbah, others perceived as supporting the *kamajors*, loyal to President Ahmad Tejan Kabbah, have also been arrested. On 16 September 1997 soldiers and RUF forces were reported to have attacked the town of Bonthe, on Sherbro Island, in Southern Province. The AFRC had accused the *kamajors* of establishing bases and military training centres at Bonthe. Many civilians fled Bonthe, where property was destroyed and looted, for Freetown. More than 60 others were arrested and taken to the town on Moyamba for questioning, apparently suspected of sympathizing with the *kamajors*. It was not clear how long they remained in detention or whether some might have been subsequently transferred to Freetown.

Journalists

Shortly after the military coup on 25 May 1997, the AFRC expressed its intention to ensure that press freedom was unrestricted. It criticized legislation passed earlier in May 1997 which required the registration of newspapers and newspaper editors to have academic qualifications and lengthy previous professional experience. However, this commitment was short-lived.

As with other critics of the military coup and the AFRC, journalists soon became the targets for threats, ill-treatment, arrest and detention. On 3 July 1997 the Sierra Leone Association of Journalists (SLAJ) issued a statement saying that it was committed to the restoration of democratic and constitutional rule and the speedy restoration of the elected government of Sierra Leone. The same month SLAJ condemned the AFRC for its unprecedented harassment and intimidation of journalists. In September 1997 the AFRC announced that newspapers were required to obtain permission before publishing. It also ordered all newspapers to register officially within six days or cease publication, citing the Newspapers Act of 1980. It subsequently allowed those newspapers which had legally registered before 25 May 1997 to continue to publish until the end of the year.

During the week of 9 June 1997, some two weeks after the military coup, **Ojukutu Macaulay**, editor of *The Quill* newspaper and also the host of a live radio broadcast, "Good morning, Freetown", was reported to have gone into hiding after being confronted by a

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group of soldiers. According to reports, a few hours earlier he had had a conversation with another journalist during which he apparently stated that he did not and would not support the military coup. As he returned home, a group of soldiers confronted him and threatened to kill him if he continued to denounce the military coup. Also in early June 1997 journalists working for *For di People* newspaper were threatened following articles critical of the AFRC. A correspondent for the British Broadcasting Corporation (BBC), **Sylvester Rogers**, based in Makeni, Northern Province, was also reported to have gone into hiding in June 1997 after soldiers sought to locate him after he filed reports critical of the AFRC. Several months later, in early October 1997, he was reported to have been arrested and severely beaten and his passport seized.

In the weeks which followed, an increasing number of journalists were arrested and detained, apparently only because of undertaking their professional activities and legitimately exercising their right to freedom of expression. Four newspapers critical of the AFRC closed down after receiving threats.

On 8 July 1997 four members of staff of *The Democrat* newspaper and three other people who were at *The Democrat*'s premises were arrested by soldiers searching for the clandestine radio transmitter broadcasting on behalf of the government of President Ahmed Tejan Kabbah. They were taken to Cockerill military headquarters. Although four were released after four days, **Jeff Bowley Williams**, **Salomon Conteh** and **Fatmata Kamara** were subsequently transferred to Pademba Road prison and held without charge until 19 July 1997. Other journalists reported to have been arrested and detained briefly without charge in July 1997 because of their reporting of events included **Hilton Fyle**, an independent radio broadcaster, **Bundu Hayes**, editor of *The Point* newspaper, and **Martins I. Martins**, a journalist working for *Business News* newspaper.

Four members of staff of the newspaper *Unity Now* were arrested on 26 July 1997 by soldiers following an article critical of the AFRC. According to reports, **Dominic Lamine**, deputy editor, **Sahr Mbayoh**, news editor, and two women employees were arrested on 26 July 1997. They were held at Cockerill military headquarters where they were denied all visits. The two women and Sahr Mbayoh were released on 30 July 1997 and Dominic Lamine three days later. The newspaper's editor, **Frank Kposowa**, also president of SLAJ, went into hiding for a brief period.

Two days later, on 28 July 1997, **Suliman Janger**, production manager of the newspaper *The New Tablet*, was reported to have been arrested and held briefly, again following an article critical of the AFRC. Five newspaper vendors selling *The New Tablet* were also reported to have been arrested on 28 July 1997; two were held in Pademba Road prison.

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Two journalists and their driver who were on their way to report a demonstration by students protesting against the AFRC on 18 August 1997 were arrested and taken to Cockerill military headquarters. **Kelvin Lewis**, described as a correspondent for both *Radio France Internationale* and Voice of America, and **Ojukutu Macaulay**, previously arrested in June 1997, were reported to have been severely beaten with the blunt ends of machetes and butts of guns by soldiers, who also were reported to have threatened to kill them. Ojukutu Macaulay sustained injuries to his head which required stitches. Both journalists and their driver were released the following day.

On 10 October a freelance journalist, **Abdul Salam Timbo**, was reported to have been arrested on accusations of involvement in subversive activities. **David Tam Baryoh**, editor of *Punch* newspaper, was arrested the same day and held at CID headquarters for 72 hours. He was accused of providing information to President Ahmed Tejan Kabbah and Sierra Leone's ambassadors to the UN and the United States. The following day, **John Foray**, acting editor of *The Democrat* newspaper, and **Abdul Kposowa**, a freelance journalist, were arrested by soldiers and taken to Pademba Road prison. They were beaten at the time of their arrest.

Students

Many students, who have been vocal in their opposition to the AFRC, have been arbitrarily arrested and detained.

In the days immediately following the coup, a student at Milton Margai College of Education, **Abdulai Musa**, was arrested after being heard to say that the AFRC would be in power only for a matter of days. He was taken to Pademba Road prison where he remained for almost a month. According to reports, he had recently undergone an operation and was denied access to a doctor while in detention.

In early June 1997 **Ansu Bockarie**, a member of the executive committee of the National Union of Sierra Leone Students, was reported to have been severely ill-treated by a prominent member of the AFRC when he was found to be in possession of his student union card (see below).

More than 120 people, mostly students, were arrested on 18 and 19 August 1997 following attempts by students to stage a demonstration - a march for democracy - protesting against the AFRC. The demonstration had been prohibited by the authorities; however, students and others, including trade unionists and market women, defied the ban. Those attempting to demonstrate were forced to disperse by the security forces who fired shots and tear-gas. At least six students were killed and many others seriously injured as a result of ill-treatment (see below).

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Among those reported to be have been arrested on 18 August 1997 were **Brima Ali**, **Miranda Hanciles**, a student at Milton Margai College of Education, **Sahr Kortequee**, a medical student, **Mohamed Mansaray**, a student at Fourah Bay College, **Albert Massaquoi**, a student at Njala University College, **Imran Mohamed Silla**, a student, **James Tucker**, a student at Fourah Bay College, **Lewis Tucker**, a student at Njala University College, and **Sheik Turay**, a teacher.

Eighty-six students, including nine women, were taken to Pademba Road prison, another 35 to Cockerill military headquarters and an unknown number to the CID headquarters in Freetown. Those held at Pademba Road prison were held for 12 days before being released. Some students were reported to be still held by October 1997 at other places of detention, including Cockerill military headquarters. The exact numbers of those held was impossible to determine; reports referred to at least 37. Many students were reported to remain missing, their families frightened to make inquiries to the authorities about their whereabouts; they include a woman, **Juliet Jones**.

Since the events of 18 August 1997 students, and their families, have continued to be intimidated and threatened. They have been warned against approaching the media or non-governmental human rights organizations.

Human rights activists

Those who have spoken out against human rights violations committed by the AFRC have been arbitrarily arrested and detained, tortured and ill-treated. Some members of non-governmental human rights organizations have had to leave Sierra Leone; those who remain are severely restricted in their activities because of the serious threats posed to their physical safety.

In early July 1997 a non-governmental human rights organization, the Civil Liberties Congress (CLC), condemned the increase in human rights violations since the military coup, including summary executions by soldiers together with members of the RUF of those caught or suspected of looting (see below). On 13 August 1997 the President of the CLC, **Soulaiman Banja Tejan-Sie**, issued a statement calling on Sierra Leoneans to demonstrate in protest against the AFRC. He subsequently wrote a letter to the Inspector General of Police to say that he intended to stage a one-man demonstration. He received threatening telephone calls and on 17 August 1997, the day before the demonstration was scheduled to take place, soldiers seeking Soulaiman Banja Tejan-Sie arrested three people closely associated with him, including **Mohamed Bash Kamara** and **Abu Rahman**. The three men were beaten. Soulaiman Banja Tejan-Sie was arrested on 18 August 1997 and taken first to Cockerill military headquarters where he was tortured (see below). He was forced at gun point to appear on national television to call on students not to proceed with planned demonstrations that day. He was then taken to Pademba Road prison where he was held

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without charge until 28 August 1997. He subsequently remained under surveillance until he fled the country in early October 1997.

Nigerian nationals

Nigerian nationals appeared to have been deliberately targeted for harassment, ill-treatment, arrest and detention because of the dominant role played by Nigeria in attempts by West African states to force the AFRC to relinquish power.

Following the attempts in early September 1997 by the Nigerian contingent of ECOWAS forces in Sierra Leone to tighten the implementation of the embargo imposed by the ECOWAS summit in late August 1997, hostility by soldiers, RUF forces and some civilians towards Nigerian nationals resident in Sierra Leone, already fomented in early June 1997 when further military intervention by Nigerian troops appeared to be imminent, increased. The AFRC claimed that more than 50 civilians resident in the port area of Freetown had been killed during the bombardment by Nigerian jets of a vessel attempting to enter the port of Freetown during the night of 3 and 4 September 1997. However, with some reports suggesting that the AFRC was implicated in the deaths, it remained unclear how many people had died and also who was responsible for the deaths (see above).

Following these events, the situation of Nigerian nationals in Sierra Leone became increasingly precarious. On 4 September 1997 a member of the AFRC called on demonstrators not to retaliate against Nigerian nationals since they were not personally involved in the actions of Nigerian forces in Sierra Leone. At least 20 Nigerian nationals were reported to have been arrested shortly after 4 September 1997 and held at Cockerill military headquarters. Around 18 September 1997 another six Nigerian nationals were reported to have been arrested while travelling from Freetown to the interior of the country. Their whereabouts was unknown; they were not known to be held at either Pademba Road prison or Cockerill military headquarters. Whereas some of those arrested previously had been accused of spying, the exact circumstances and reasons for these arrests remained unclear.

On 9 September 1997 two Nigerian nationals were reported to have been killed by armed men - soldiers or members of the RUF - in Freetown (see below).

Detention of members of the Revolutionary United Front (RUF)

On 29 March 1997 members of the RUF abducted at least five of their own members, a Sierra Leonean diplomat and also members of the Guinean security forces in Kailahun District, Eastern Province. The abductions followed the announcement two weeks earlier by prominent members of the RUF that its leader, Foday Sankoh, had been removed as leader because he was deliberately obstructing the peace process in Sierra Leone. Foday

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Sankoh had been detained by the Nigerian authorities on his arrival in Lagos on 2 March 1997, apparently for possession of arms and ammunition; subsequently transferred to Abuja, he remains effectively under house arrest. When members of the newly emerged RUF leadership travelled to Kailahun District, near the border with Guinea, to meet RUF forces, they were abducted together with **Lieutenant-Colonel Mohamed Diaby**, the Sierra Leonean ambassador to Guinea. Initially, the RUF members called for Foday Sankoh's release in Nigeria as a condition for the release of those captured.

Two of those abducted, **Fayia Musa** and **Ibrahim Deen-Jalloh**, had been appointed as RUF representatives on the Commission for the Consolidation of Peace which was established by the peace agreement signed by the Government of Sierra Leone and the RUF in November 1996. The Commission was to be responsible for supervising and monitoring the implementation of the peace agreement.

Lieutenant-Colonel Mohamed Diaby was released shortly after the military coup when the RUF joined forces with the AFRC. However, both Fayia Musa and Ibrahim Deen-Jalloh, together with another former RUF leader, **Philip Palmer**, and possibly others were still held by RUF members in Kailahun District by October 1997. The RUF said that the captured RUF members are being held for having conspired against the legitimate leader of the RUF.

Since members of the RUF have now been incorporated into the Sierra Leonean armed forces to form the People's Army and are represented on the ruling council of the AFRC, including Foday Sankoh as Vice-Chairman, the AFRC cannot evade its responsibility for the continuing detention of Fayia Musa, Ibrahim Deen-Jalloh, Philip Palmer and any others also still held.

Torture and ill-treatment

Since the military coup on 25 May 1997 there has been widespread torture and ill-treatment by both soldiers and RUF forces in the People's Army, violating Article 7 of the ICCPR and Article 5 of the African Charter. By signing the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Sierra Leone has also undertaken a commitment to adhere to the principles of the Convention. Soldiers and RUF members have operated with impunity and have created a climate of fear and intimidation in Freetown.

Many of those apprehended or sought by soldiers in the days following the military coup were reported to have been ill-treated. Several government ministers were reported to have been physically assaulted by soldiers either at their homes or after their arrest. **Emmanuel Grant**, former Minister of Works and Technical Maintenance, was reported to have sustained injuries after being beaten when arrested and **David Quee**, former Minister

for Internal Affairs, Local Government and Community Development, was physically assaulted by soldiers who came to his house.

At least two of the 15 people arrested on 16 June 1997 accused of conspiring to overthrow the AFRC were reported to have been physically assaulted by soldiers at the time of their arrest.

On 4 June 1997 **Philip Neville**, managing editor of the *Standard Times* newspaper, was reported to have been attacked by two armed men in military combat uniforms who broke into his home in the early hours of the morning. They accused him of hiding a government minister in his house and demanded to know where he was. When he denied that he was hiding anyone, the armed men demanded money. When he refused, he was beaten around the head with the butt of a gun. He was subsequently admitted to hospital for treatment for his injuries. Philip Neville was reported to have received several anonymous calls threatening that those working for the *Standard Times* would be killed if the newspaper continued to publish articles critical of the AFRC. Philip Neville was reported to have gone into hiding after copies of the *Standard Times* were confiscated by soldiers at the newspaper's offices on 30 July 1997. Journalists at the offices of the *Standard Times* were reported to have been beaten by soldiers on 21 September 1997.

When student leader **Ansu Bockarie** was found to be in possession of his student union card in early June 1997 he was beaten and cut with a razor blade by a prominent member of the AFRC. Many of the students arrested while attempting to hold demonstrations on 18 August 1997 were ill-treated and tortured by soldiers at the time of their arrest. Some were wounded by being cut with machetes or stabbed with bayonets; others were badly beaten. Many required hospital treatment for serious injuries including multiple fractures.

Some of the women students who were arrested were reported to have been taken directly to the residences of members of the AFRC, particularly in the Hill Station area of Freetown, where they were sexually assaulted. Some were believed to remain at these residences in October 1997, apparently under duress.

When **Soulaiman Banja Tejan-Sie**, the President of the Civil Liberties Congress, was arrested on 18 August 1997 he was beaten with military helmets and butts of guns. His arms were tied tightly with nylon rope and he was put into the boot of the car of a member of the AFRC. He suffered injuries to his arms as a result. After several hours in the boot of the car, he was taken to Cockerill military headquarters where he was interrogated and again beaten. He was subsequently transferred to Pademba Road prison where for about five days he was held in the section of the prison reserved for prisoners under sentence of death; he was denied washing and other facilities. He received no food during the first three of his 11 days in detention.

On the morning of 20 September 1997 people gathered at the Mende Central Mosque in Freetown were reported to have been beaten by security forces who demanded information about the radio station broadcasting in support of President Ahmad Tejan Kabbah.

On 2 October 1997 a man accused by soldiers of theft was tortured. Three soldiers and one member of the RUF were reported to have gone to the house of **Olu Jones** at Lumley in Freetown. He was tied, beaten and stabbed with a bayonet in both ears. He was beaten throughout the night and then taken away, bleeding profusely from both ears, to Cockerill military headquarters.

During the detention of David Tam Baryoh, editor of *Punch* newspaper, at CID headquarters for three days from 10 October 1997, armed men arrived at the home of his sister-in-law where they believed property belonging to David Tam Baryoh had been taken by his wife. When his sister-in-law denied having the property, both she and her daughter were reported to have been raped.

On 11 October 1997 another journalist, **Umaru Fofanah**, working freelance for *The Vision* newspaper and also a correspondent for the BBC, was reported to have been shot in the leg and tortured by soldiers who suspected him of providing information to the clandestine radio station broadcasting in support of President Ahmad Tejan Kabbah. He received treatment in a military hospital before being released.

There were also reports of torture and ill-treatment of civilians in areas of the country, in particular around Zimmi and Kenema, where soldiers and RUF forces were fighting *kamajors*. Soldiers and members of the RUF were reported to have entered villages accusing villagers of supporting the *kamajors*. People fleeing to Liberia from the area around Gofo near Zimmi during fierce fighting in mid-August 1997 reported serious ill-treatment. Civilians were beaten and their arms tied tightly behind their backs, causing serious injuries. Women and girls were raped and forced into sexual slavery.

Extrajudicial executions

With the breakdown of the rule of law in Sierra Leone since the military coup, the Sierra Leone armed forces, together with members of the RUF, have also been responsible for extrajudicial executions. While many civilians have died as a result of the general situation of violence and insecurity, particularly in the period immediately following the coup, other civilians have been deliberately killed for political reasons by soldiers and RUF members. Such killings violate Sierra Leone's obligations under international law, including Article 6 of the ICCPR and Article 4 of the African Charter which guarantee the right to life and prohibit the arbitrary deprivation of this right.

On 26 June 1997 **Albert Sandy Demby**, a traditional leader known as a Paramount Chief, and father of Dr Albert J.E. Demby, Vice-President until the military coup on 25 May 1997, was shot dead by soldiers at his home in Gerihun, Bo District, Southern Province. The soldiers were apparently looking for *kamajors*. Albert Sandy Demby's family fled into the bush; when they returned they found him dead. Soldiers searching the area around Bo for *kamajors* were also reported to have killed some 25 people in the villages of Telu Bongor and Sembehun, south of Bo.

Fighting between soldiers together with members of the RUF against the *kamajors* has continued. It became particularly fierce around Zimmi in mid-August 1997. Unarmed civilians, accused of supporting the *kamajors*, were killed as soldiers and RUF members entered villages. They fired indiscriminately and also entered homes, shooting civilians and looting their property. At least five civilians were deliberately and arbitrarily killed in the village of Gofo, near Zimmi, in mid-August 1997. Similar killings were reported in other villages around Zimmi. In fighting between soldiers and *kamajors* around the towns of Panguma and Dodo in Kenema District around 23 September 1997, *kamajors* who were captured by soldiers were reported to have been summarily executed.

On 27 June 1997 the town of Moyamba, in Southern Province, was attacked by a group of armed men, believed to be members of the RUF. More than 10 people, including women and children, were reported to have been deliberately and arbitrarily killed. One of them, **Sheku Kabbah**, a student of accountancy at the Institute of Public Administration and Management, prominent in the student movement, was reported to have been tortured in public before being killed; his eyes were gouged out and his ears cut off before his throat was cut.

In late August 1997 six people who were suspected of involvement with the radio station broadcasting in support of the government of President Ahmad Tejan Kabbah were reported to have been extrajudicially executed. According to reports, some seven men were arrested when they arrived by boat from Lungi at a wharf in Freetown. They were taken to Cockerill military headquarters. One was subsequently released; according to reports, the six others were shot.

At least six students were killed on 18 August 1997 as security forces pursued students attempting to demonstrate in protest against the AFRC. **Morie Momoh**, a student at the School of Nursing, was shot when soldiers entered his room at the nursing school hostel in Lightfoot Boston Street in the centre of Freetown. Another student, **Vassie Konneh**, a student at Njala University College, was shot in the grounds of the School of Nursing. At least four other students, including **Edward Gbapie**, were reported to have been killed in the Kissy Road area of Freetown. Many students remain missing since the events of 18 August 1997; the number of those killed may be considerably higher.

On 9 September 1997 two Nigerians, named as **Ifeanyi** and **Okechukwu**, were reported to have been killed by armed men - soldiers or members of the RUF - in the Ross Road area of Freetown, a week after Nigerian forces bombarded a vessel approaching the port of Freetown. The AFRC subsequently publicly denied that these killings had taken place. However, an AFRC spokesman was later reported to have conceded that two Nigerians had died but that their deaths had been the result of an accident and that soldiers were not responsible. The exact circumstances of the deaths remained unclear.

Following the military coup on 25 May 1997 a number of people were reported to have been shot and killed by soldiers in operations to prevent and deter looting in Freetown. These killings contravened international treaty obligations undertaken by Sierra Leone under the ICCPR and the African Charter as well as internationally recognized standards on the use of force and firearms by law enforcement personnel. They followed an instruction given by the AFRC shortly after the coup and repeated publicly in the following days and weeks that suspected looters should be shot on sight.

While governments have an obligation to prevent and punish crime, if the measures employed are themselves unlawful, they promote human rights abuses and further undermine the rule of law.

According to international standards and, in particular, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, law enforcement officials should, as far as possible, apply non-violent means before resorting to the use of force and firearms. Law enforcement officials should not use firearms against people except in self-defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme measures are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.

The AFRC has instructed its forces to blatantly disregard these standards and Sierra Leone's obligations under international law.

In early June 1997 four soldiers were reported to have been shot and killed after being caught attempting to loot the premises of an aid agency in Freetown. Five people were reported to have been summarily executed in Kissy, in Freetown, on 8 and 9 June 1997. There were reports of further killings on 13 June 1997, when three people were killed, and again on 16 June 1997, when two people were killed. Reports in June 1997 referred to 15 people in Freetown, at least five in Kenema and two in Bo who had been summarily executed for looting and robbery. Similar killings were believed to be continuing.

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The President of the Civil Liberties Congress, Soulaiman Banja Tejan-Sie, condemned the killings and the brutal manner in which they were carried out, including dismembering the bodies.

Refugees and displaced people

Extensive programs for the resettlement and rehabilitation within Sierra Leone of hundreds of thousands of returning refugees and internally displaced people - nearly half the population of Sierra Leone - were put into place following the peace agreement signed by President Ahmad Tejan Kabbah and the RUF in November 1996. Since the beginning of 1997 large numbers of Sierra Leoneans had returned to their homes. However, the resumption of attacks by RUF forces before the military coup and the violence and insecurity since have forced thousands of Sierra Leoneans to once again flee their homes. Resettlement and rehabilitation projects have been suspended.

Hundreds of people fled Freetown to escape the violence and insecurity, also fearing military intervention by West African forces. Several hundred residents of the area around the port in Freetown were also reported to have left their homes in mid-September 1997 after ECOWAS forces intensified efforts to impose an economic blockade by shelling ships approaching the port of Freetown. At least a thousand people, however, sought refuge in Freetown as fighting between soldiers and ECOWAS forces intensified from 9 October 1997 around the military base held by ECOWAS forces at Jui outside Freetown. Liberian refugees who had fled the internal armed conflict in their own country and were in a camp at Jui had to be moved because of earlier fighting between Nigerian troops and soldiers and RUF forces in June 1997.

People in Northern, Southern and Eastern Provinces also fled the insecurity and fighting which followed the military coup.

Refugees fled mainly to Guinea and Liberia but also to other countries in the region, including Gambia, Ghana and Nigeria. In the weeks immediately following the coup, between 500 and 800 people were reported to be crossing into Guinea at Pamélap every day. By July 1997 an estimated 30,000 people had crossed the border into Guinea, another 7,000 were registered at Bo-Waterside in Liberia and almost 50,000 were internally displaced. Thousands of displaced people arrived in the towns of Bo in the south, Kenema in the east and Makeni and Kambia in the north. By September 1997 more than 92,000 people were estimated to have become displaced within Sierra Leone as a result of the increasing violence and insecurity. In early September 1997 hundreds of Sierra Leoneans were reported to have been attempting to flee into Liberia.

The Guinean authorities became increasingly concerned about the large influx of people from Sierra Leone. On 8 June 1997 120 people from West African countries, about

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half of them from Sierra Leone, had to remain on board the vessel which brought them as they were refused permission to disembark. The Guinean authorities threatened to deny entry to more boats from Freetown carrying refugees for reasons of internal security. Sierra Leonean refugees arriving at Forécariah in Guinea were reported to be stopped at checkpoints on the road between Forécariah and Conakry and to have been prevented from entering Conakry. In mid-June 1997 some 3,000 Sierra Leonean refugees trying to cross the border into Guinea at Guékédou were refused entry by the Guinean authorities.

The majority, numbering several hundred, of Sierra Leoneans who fled Sierra Leone for Gambia were allowed to disembark and claim asylum. In June 1997, however, 29 Sierra Leoneans, reported to be young men aged from 15, were refused permission by the Gambian authorities to disembark in the capital, Banjul. They were not allowed to enter Gambia for several days and remained at sea on the boat in which they had arrived from Freetown. Conditions on the boat were hazardous, with a lack of fresh water and food and inadequate sanitary facilities, creating a risk of disease.

All countries should respect their commitments under international refugee law, including the UN Convention relating to the Status of Refugees and the OAU Convention governing the specific aspects of refugee problems in Africa, to allow all asylum-seekers to their territory, to provide adequate protection and to respect the principle of *non-refoulement*. The OAU Convention states in Article II, paragraph 3, that "No person shall be subjected by a Member State to measures such as rejection at the frontier, return or expulsion, which would compel him to return to ... a territory where his life, physical integrity or liberty would be threatened...". Gambia, Guinea and Liberia are parties to both the UN and OAU Conventions.

Conclusion No.22 of the Executive Committee of the United Nations High Commissioner for Refugees (UNHCR) establishes an international principle that: "In situations of large-scale influx, asylum-seekers should be admitted to the State in which they first seek refuge and if the State is unable to admit them on a durable basis, it should always admit them on at least a temporary basis... They should be admitted without any discrimination as to race, political opinion, nationality, country of origin or physical incapacity."

Recommendations

To the Armed Forces Revolutionary Council

Amnesty International is calling on the Armed Forces Revolutionary Council to take immediate measures to act in accordance with Sierra Leone's obligations under international human rights treaties including the International Covenant on Civil and Political Rights and

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the African Charter on Human and Peoples' Rights, and to end human rights violations in Sierra Leone. In particular:

- clear instructions should be issued to all officials that arbitrary arrest and detention of those perceived to be opposed to the AFRC should cease immediately;
- all prisoners of conscience should be immediately and unconditionally released;
- all those detained without charge or trial should be released unless they are to be charged and tried fairly in accordance with international standards;
- torture, ill-treatment and extrajudicial executions should be officially condemned by the AFRC; it should make clear to all members of the security forces and members of the Revolutionary United Front that human rights violations will not be tolerated under any circumstances;
- strict chain of command control should be asserted over the security forces and members of the Revolutionary United Front in order to ensure that they do not commit human rights violations such as torture, ill-treatment and extrajudicial executions;
- law enforcement officials should only use force when strictly necessary and only to the minimum extent required under the circumstances. Lethal force should not be used except when strictly unavoidable to protect life;
- all complaints of torture, ill-treatment and extrajudicial executions should be investigated promptly, impartially and effectively, in accordance with international standards, and those responsible brought to justice in a process which accords with international fair trial standards;
- the judicial system should be allowed to function independently, impartially and effectively, in accordance with the UN Basic Principles on the Independence of the Judiciary;
- effective measures should be taken to ensure that humanitarian agencies are able to operate without threats to their safety.

To the international community

Amnesty International welcomes the serious attention given by the international community, including the United Nations, the Organization of African Unity, the Economic Community of West African States and the Commonwealth, to the political and humanitarian crisis in

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Sierra Leone and calls on it also to use its influence in order to bring an end to human rights violations in Sierra Leone. In particular:

UN, OAU and ECOWAS

- the protection and respect of human rights in Sierra Leone must feature prominently in any decisions and actions taken in efforts by the international community to find a solution to the current political crisis in Sierra Leone;

- the international community should maintain pressure on the Armed Forces Revolutionary Council to end human rights violations by official security forces and those acting under their authority;

ECOWAS

- ECOWAS should ensure that, if armed intervention in Sierra Leone is authorized, all military forces acting with its authorization adhere to the highest international humanitarian and human rights standards at all times;

- in the event of armed intervention, the ECOWAS force should include a human rights component to ensure compliance of its forces to international humanitarian law and international human rights standards. There should also be a mechanism to monitor human rights violations, to assess the human rights situation and to lay foundations for human rights protection and the prevention of abuses[6] ;

Commonwealth

- the Commonwealth Ministerial Action Group on the Harare Declaration should consider sending a delegation to Sierra Leone to investigate human rights violations;

United Nations High Commissioner for Refugees (UNHCR) and West African governments

- all measures should be taken to ensure the protection of refugees. Return to Sierra Leone should not be promoted or encouraged without an independent and impartial assessment that they will not be at risk of human rights violations in Sierra Leone. There should also be effective monitoring of their safety.

[6]For further information, refer to *Peace-keeping and human rights* (AI Index: IOR 40/01/94), published by Amnesty International in January 1994.

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Amnesty International issued the report *Sierra Leone:1998 - a year of atrocities against civilians*, in which Amnesty International stated or noted that:

(a) During 1998, the scale of atrocities against civilians in Sierra Leone had reached unprecedented levels. Several thousand unarmed civilians, including many women and children, had been deliberately and arbitrarily killed and mutilated by forces of the AFRC and the RUF since February 1998. These atrocities were continuing (p. 1).

(b) Several thousand civilians had been brutally killed or mutilated. Hundreds of others had been abducted from their villages and forced to join the attackers (p.1).

(c) In some villages, civilians were rounded up and then taken individually to a pounding block in the village where their hands, arms or legs were cut with a machete. In some villages, after the civilians were rounded up, they were stripped naked and ordered to rape members of their own families, or raped by rebels, or had objects inserted in their vaginas, or locked in houses which were then set alight (p. 12).

(d) One example of a rebel attack occurred on 9 April 1998 in Kono District. Villagers from Kondeya had fled into the bush when they heard the rebel forces were approaching. A group of about 50 rebels found them and captured about 120. One of the men was strangled. A baby was thrown into a river. The villagers were forced to return to the village where all the houses were burned. Twenty-seven of the captured villagers were then attacked with machetes; some were decapitated, others had their throats cut or their eyes gouged out (p. 12).

(e) When the AFRC and RUF were forced by ECOMOG from Freetown in mid-February 1998, many children, some of whom had been responsible for killings and torture, were identified as members of the RUF and risked revenge attacks by civilians, placing their safety and lives in jeopardy. Almost 3,000 children associated with the RUF, fearing reprisals from civilians, were reported to have fled from Freetown in a matter of days (p.15).

a.	Exh. 1.170	n/a	*Sierra Leone: 1998 – a year of atrocities against civilians*, available at http://web.amnesty.org/library/print/ENGAFR510221998.

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SIERRA LEONE

1998 - a year of atrocities against civilians

Introduction

During 1998 the scale of atrocities against civilians in Sierra Leone has reached unprecedented levels. Several thousand unarmed civilians, including many women and children, have been deliberately and arbitrarily killed and mutilated by forces of the Armed Forces Revolutionary Council (AFRC) and the armed opposition Revolutionary Front (RUF) since February 1998. These atrocities are continuing.

The AFRC, which seized power in a military coup in May 1997 and which was joined by the RUF, was deposed in February 1998 by West African forces deployed in Sierra Leone. The government of President Ahmad Tejan Kabbah, which had been elected in 1996, returned to Freetown in March 1998. Although security has since returned to the capital, Freetown, and much of the south of the country, the scale of human rights abuses committed by AFRC and RUF forces in the north and east of the country has escalated and taken on grotesque forms. From April 1998 reports emerged of civilians suffering mutilations such as crude amputations of their feet, hands, arms, lips or ears. Women and girls have been systematically raped. Hundreds of civilians, in particular children and young men and women, have been abducted by rebel forces. The violence has resulted in hundreds of thousands of Sierra Leoneans fleeing to neighbouring Guinea and Liberia or becoming internally displaced within Sierra Leone. AFRC and RUF forces must respect international humanitarian law and immediately end the gross human rights abuses which they are perpetrating against unarmed civilians.

The international community, including the United Nations (UN), the Organization of African Unity (OAU), the Economic Community of West African States (ECOWAS), the Commonwealth and the European Union (EU), has devoted considerable attention and effort to resolving the political crisis in Sierra Leone and to restoring the government of President Kabbah. It has since repeatedly condemned the atrocities being committed by AFRC and RUF forces. The international community has committed itself to bringing peace and security to Sierra Leone and also to assisting in its reconstruction and rehabilitation. This commitment must include initiatives to help end the gross human rights abuses being perpetrated by AFRC and RUF forces, to prevent further abuses and also to lay solid foundations for the respect and protection of human rights in the future.

The challenges facing Sierra Leone in confronting the widespread and gross human rights abuses which have continued and worsened since May 1997 are difficult and daunting. Sierra Leone's social and economic infrastructure needs to be rebuilt. Its institutions, such as the legal and judicial systems and the army and police, need to be restructured and reinforced in order to ensure protection of human rights. Civil society, including the human rights community, has a crucial role to play. The government of Sierra Leone has to respond to these challenges in a way that ensures that the fundamental human rights of all those in Sierra Leone are protected.

West African forces and a civilian militia who are fighting rebel forces must also respect international humanitarian and human rights law. Forces of the civilian militia have been responsible for extrajudicial executions, torture and ill-treatment, although on a far lesser scale than rebel forces. West African forces have in some cases illegally detained civilians and tortured and ill-treated captured combatants. Concerns have also been expressed about the protection of non-combatants during military operations.

Accountability for the gross human rights abuses which have occurred in Sierra Leone must be established. National reconciliation within Sierra Leone will not be possible if there is impunity for those who have perpetrated human rights abuses. All those charged in connection with the military coup in May 1997 and the period of AFRC rule must be granted trials which conform to international standards of fairness. Recourse to the death penalty will not contribute to the process of reconciliation.

The international community should continue to assist Sierra Leone to respond effectively to the challenges which it faces in ensuring the long-term protection and respect of human rights in Sierra Leone.

The political context

On 25 May 1997 the government of President Kabbah was overthrown in a military coup and the military formed the AFRC, headed by Major Johnny Paul Koroma. President Kabbah had come to power in March 1996 following parliamentary and presidential elections, ending four years of military rule. The AFRC claimed that they had overthrown

representative of the UN High Commissioner for Refugees (UNHCR) reported that more than 400 refugees in a camp at Kissidougou in Guinea had hands, limbs or ears cut off or were suffering other injuries.

Many of the survivors provided accounts of the violence inflicted upon them. Groups of armed men arrived in their villages, claiming to be ECOMOG, that they had come to liberate the villagers and that they were safe. Forced out of their homes, they realised that they were not ECOMOG troops. Civilians were rounded up, in groups or in lines, and then taken individually to a pounding block in the village where their hands, arms or legs were cut with a machete. In some villages, after the civilians were rounded up, they were stripped naked. Men were then ordered to rape members of their own family. If they refused, their arms were cut off and the women were raped by rebel forces, often in front of their husbands. As well as rape, women and girls also suffered other forms of sexual assault such as having foreign objects inserted into their vaginas. Victims of these atrocities also reported women and children being rounded up, locked into houses which were then set alight.

The UN Under-Secretary-General for Humanitarian Affairs, Sergio Vieira de Mello, following a visit to Sierra Leone, said on 15 June 1998 that the brutal treatment of civilians by AFRC and RUF forces was unlike anything he had seen in 29 years of humanitarian work. Describing the pattern of amputations, lacerations and maiming of civilians, including of children, he said that "*hands are cut off and ears and noses are amputated ... there are no words to condemn this sort of practice ...*".

Villagers from Kondeya, Kono District, fled into the bush when they heard that rebel forces were approaching their village in early April 1998. On 9 April 1998 a group of about 50 rebel forces found them and captured about 120. One of the men was strangled. A baby who was crying was pulled from its mother's back and thrown into a river. They were forced to return to the village where all the houses were burned. Twenty-seven of the captured villagers were then attacked with machetes; some were decapitated, others had their throats cut or their eyes gouged out.

Survivors were often taunted by rebel forces to go to ECOMOG and tell them that the AFRC and RUF were there or to go to President Kabbah to ask for a new limb. One was given a letter and told to deliver it to President Kabbah. Victims who had one or both ears cut off were told that without their ears they could no longer listen to the government or ECOMOG.

In some cases it took victims days or weeks to reach medical assistance. One man who had both arms cut off in April 1998 walked for several weeks from village to village until he was able to find a vehicle to take him to Freetown. Many more, unable to reach a medical centre in time, died as a result of their injuries. Some spent weeks in the bush either attempting to walk to safety or waiting until it was safe to return to their homes. The fate of several thousand people who fled into the bush during attacks on villages remains unknown. Many of those wounded have died in the bush.

An Amnesty International delegation which visited Sierra Leone in May 1998 met some of the victims of these atrocities at Connaught Hospital. One, a farmer aged 40 from the village of Badala, in Koinadugu District, had both hands cut off when the village was attacked on 3 May 1998. Hearing reports of advancing attacks, including those on Yifin and Alikalia, he had previously sent his family to safety in Kabala. At the time of the attack he was preparing food in his compound. Up to 400 men, armed with machetes, AK 47 guns and rocket propelled grenades entered the village. They caught him and asked him where ECOMOG was. When he said that he did not know, he was hit on the head with an AK 47. He was then forced to lie down and both arms were cut off. He was also beaten on his legs. He begged to be killed. The men who attacked him wrote three letters and put them in the pockets of his trousers. He was then told to go to tell President Kabbah that they were coming to Freetown, adding "*No AFRC, no peace*". He lay injured for three days in Badala and arrived at Connaught Hospital four days later. He had no news of his wife and three children. Other villagers, of all ages, from Badala were also mutilated and killed; they included a woman who was raped and then cut with machetes.

Another of the victims, a 15-year-old schoolboy from Koidu who had arrived at Connaught Hospital on 10 May 1998, had suffered severe lacerations to his right ankle in an attempted amputation. He and his family - his parents and six brothers and sisters - had been hiding in the bush for more than two months after being driven from Koidu after it was attacked by rebel forces. They had no food throughout that time other than bananas. On 1 May 1998 the family had heard reports that ECOMOG had arrived in Koidu and they went to enter the eastern part of the town. They and those with them were attacked by rebel forces who accused them of supporting President Kabbah. Almost 50 people were killed. The young boy stayed for four days in a house without food or treatment for his severely injured leg. He was taken first to Makeni by ECOMOG forces and then brought to Connaught Hospital. He did not know what had happened to his family.

Three young women survived an attack on the village of Boima in Bombali District, Northern Province, on 7 May 1998; one had a deep cut to her arm, the other two had been beaten all over their bodies. One of the women had witnessed the killing of several members of her family, including her children. Twelve people, including three of her children, died when their house was set alight. Another child, a girl aged three, was pulled from her back and cut with machetes.

There were many atrocities in villages around Karina, between Makeni and Fadugu, in Northern Province, which were attacked on 7 May 1998. All those who were unable to run away were killed; others had limbs amputated.

In an incident which occurred on 7 May 1998 in Northern Province, a woman survivor recounted that one of her sisters had been killed by having her throat cut and two others were covered in kerosene and burned. Other victims, including children, were wrapped in a foam mattress which was then set alight.

the conflict, including former child combatants, should be supported and reinforced by the international community.

Abduction of children

Large numbers of civilians, in particular children and young men and women, have been abducted by the RUF throughout the years of the internal armed conflict. They have been forcibly recruited to fight or forced to undertake other tasks such as carrying loads, including looted property and food, and cooking. Women and girls have been forced to become the sexual partners of rebel forces. While in the early years of the conflict representatives of the RUF claimed publicly that some of those abducted had joined rebel forces willingly, in most cases captured civilians have been held under duress, threatened with killing or ill-treatment, and have had little option but to cooperate.

Capture and abduction of civilians, including many children, has continued throughout the months since the AFRC and RUF were deposed and has occurred increasingly in Northern Province. In those areas of the country which remained under the control of rebel forces thousands of civilians, including women and children, effectively remained captive, many of them in Kailahun District, a stronghold of the RUF since the beginning of the internal armed conflict. Some estimates put this number as high as 10,000. They were used to carry goods, as human shields or for sexual slavery.

Testimonies of victims of the attacks by rebel forces which occurred in Northern Province from April 1998 invariably referred to the abduction of large numbers of people, including children. When the town of Kabala was attacked by a large group of rebel forces in July 1998, a large number of children were abducted. Njalia Nimikoro, a village some 10 kilometres southwest of Koidu, was reported to have been attacked around 18 August 1998. Nine civilians, including a 10-year-old child were admitted to hospital with gunshot wounds, and a woman and her five children were reported to have been abducted by rebel forces. A few days earlier, on 15 August 1998, rebels in the area around Koidu were reported to have released around 250 captured civilians. Dozens of civilians were reported to have been abducted, however, when three villages in Kambia District were attacked in September 1998.

The abuse of children by rebel forces

Many of those abducted have been trained and forced to fight. When RUF forces joined the AFRC in Freetown following the military coup in May 1997 many of its fighters, some as young as 11 or 12 years and many in their teens, who had previously been abducted arrived in Freetown. Many had spent several years in RUF camps in the bush and had fought in the conflict. In some cases their names had been changed by the RUF. Fear played a significant role in forcing these children to remain with the RUF. Those who attempted to escape were beaten or killed. Former RUF child combatants have recounted summary killing, torture and ill-treatment. These children also relied on the RUF for their means of survival, including food and shelter. As well as being forced to fight, they were used as porters to carry goods and looted property. The use of drugs such as amphetamines was reported to be widespread. Sex was used in a systematic way by the RUF to enslave girls, often very young, and young women. While some later expressed a wish to remain with their partners, most remained under duress. Many had become pregnant and had children, making eventual reintegration into their own communities even more difficult.

The histories of many of the children abducted by the RUF since 1991 emerged when they arrived in Freetown. An 11-year-old boy caught and abducted during an ambush by the RUF near Bo several years earlier had been forced to take drugs and fight. Another boy had been captured in Kailahun District in 1992 when he was six years old and separated from his mother, sister and brother. Six years later he did not know where his family were or whether they were still alive. Another boy had been abducted during an attack in Kenema District in 1992, in which both his parents had been killed, when he was 10 or 11 years old. He had been with the RUF for six years and had been trained to use a gun and fight. A girl, aged 14 at the time of her abduction in 1995, was forced to become the sexual partner of a member of the RUF. She was forced to cook and taught how to use a gun.

Victims and perpetrators of human rights abuses

When the AFRC and RUF were forced by ECOMOG from Freetown in mid-February 1998 many of these children, some of whom had been responsible for killings and torture, were identified as members of the RUF and risked revenge attacks by civilians, placing their safety and lives in jeopardy. Almost 3,000 children associated with the RUF, fearing reprisals from civilians, were reported to have fled from Freetown in a matter of days. There were reports of such children being beaten by civilians before being handed over to ECOMOG troops and one child who had been living on the streets of Freetown was reported to have been burned alive in an apparent revenge attack. ECOMOG troops were also reported to have ill-treated some of these children when they were handed over into their custody.

Recruitment of children by Civil Defence Forces

Large numbers of children have also been recruited into the ranks of the CDF which support President Kabbah and are fighting with ECOMOG against rebel forces. Although the CDF has made a commitment to end initiation of children into the traditional hunters' societies which form the CDF, there were reports that new members, including children between the ages of 15 and 17, were recruited near Magburaka in Tonkolili District, Northern Province, in July 1998. Initiation of children into the CDF was also reported to be continuing in Southern and Eastern Provinces, for example at Daru and

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The challenges facing Sierra Leone in confronting the widespread and gross human rights abuses which have continued and worsened since May 1997 are difficult and daunting. Sierra Leone's social and economic infrastructure needs to be rebuilt. Its institutions, such as the legal and judicial systems and the army and police, need to be restructured and reinforced in order to ensure protection of human rights. Civil society, including the human rights community, has a crucial role to play. The government of Sierra Leone has to respond to these challenges in a way that ensures that the fundamental human rights of all those in Sierra Leone are protected.

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the government because it had failed to consolidate peace in Sierra Leone following a peace agreement concluded in Abidjan, Côte d'Ivoire, in November 1996 between the government and the RUF to end the internal armed conflict which began in 1991. It also claimed that the government was undemocratic and that it had promoted tribalism by appointing people mainly from the Mende ethnic group from the south and the east to prominent government positions. A major grievance was the perceived lack of resources accorded by the government to the Sierra Leone armed forces and a favouring of a civilian militia composed of traditional hunters of the Mende ethnic group, known as *kamajors*, which supported the government in the conflict against the RUF. These accusations were strongly denied by President Kabbah, members of his government and their supporters. The AFRC also called for the release and return of the RUF's leader, Foday Sankoh, in detention in Nigeria.

Foday Sankoh remained held, effectively under house arrest, in Abuja, Nigeria. He had been detained by Nigerian authorities on arrival in Nigeria in March 1997, apparently for possession of arms and ammunition. From Nigeria, Foday Sankoh announced his support for the military coup. The AFRC was subsequently joined by RUF forces who arrived in large numbers in Freetown. Foday Sankoh was named as Vice-Chairman of the AFRC and prominent members of the RUF were appointed to the AFRC's ruling council.

The overthrow of President Kabbah was condemned by the international community which demanded the return of constitutional order to Sierra Leone. Negotiations by the international community with the AFRC faltered, a global economic embargo was imposed and military intervention to restore the government of President Kabbah was seriously considered by countries in the region if dialogue and sanctions failed. Following the military coup the OAU gave a mandate to ECOWAS to take necessary action to restore legality and constitutionality to Sierra Leone and subsequently provided strong support for ECOWAS's initiatives to bring peace, security and stability to Sierra Leone. The UN Security Council also expressed its full support for the efforts of ECOWAS to resolve the political crisis in Sierra Leone.

On 23 October 1997 the AFRC signed an agreement in Conakry, in neighbouring Guinea, with representatives of five other West African governments to return power to President Kabbah by 22 April 1998. Implementation of this agreement, however, which included cessation of hostilities, disarmament and demobilization, encountered serious set-backs. Fighting between AFRC and RUF forces on the one hand and the *kamajors* on the other intensified.

In early February 1998, following attacks on its bases outside Freetown, West African forces deployed in Sierra Leone, the ECOWAS Cease-fire Monitoring Group (ECOMOG) [1], launched an offensive on Freetown. Chaos and violence ensued the following week during which there were many civilian casualties. Civilians were killed by AFRC and RUF forces who also looted and destroyed their homes. Reports described soldiers and RUF forces, also joined by Liberian fighters, going from house to house of those they suspected of opposing them and deliberately and arbitrarily killing them. Others died as a result of shelling both by ECOMOG and also AFRC and RUF forces. While fighting continued in Freetown, civilians in Southern and Eastern Provinces were facing an equally desperate situation as they were caught in fighting between the *kamajors* and AFRC and RUF forces. Thousands of people, including women and children, fled into neighbouring Liberia to escape. The humanitarian situation in Sierra Leone, already critical, deteriorated still further with the increase in hostilities.

Although after the ECOMOG intervention and the return of President Kabbah's government comparative calm and the rule of law returned to Freetown and Southern Province, armed confrontation has continued throughout the following months in Northern and Eastern Provinces as ECOMOG forces have fought to defeat remaining rebel forces. Appalling atrocities have been committed against civilians as conflict has continued. Major Johnny Paul Koroma and other prominent members of the AFRC and the RUF, including Sam Bockarie, known as Mosquito, remained with rebel forces in the north and east of the country.

The government of Sierra Leone has adopted a comprehensive program for disarmament, demobilization and reintegration of former combatants which contains clearly defined roles for ECOMOG and the UN Observer Mission in Sierra Leone (UNOMSIL), which was established by the UN Security Council in July 1998. The program is aimed at some 33,000 former combatants of the disbanded national army, the RUF and the civilian militia, known as the Civil Defence Forces (CDF). The government has expressed a particular commitment to demobilizing some 2,500 child soldiers who have fought in the internal armed conflict. Funding was expected from international financial institutions, several UN agencies and important donor nations such as the United States and the United Kingdom. As violence has escalated and offensives by ECOMOG and CDF against rebel forces have continued, however, effective implementation of this program has been prevented.

On 25 July 1998 Foday Sankoh was released by the Nigerian government into the custody of the Sierra Leonean authorities. He appeared in a television interview calling on his fighters to end atrocities against civilians and to surrender to either ECOMOG or UNOMSIL. The government subsequently reiterated a deadline of 8 August 1998 for an amnesty for rebel forces but there was no significant response. Members of the RUF were subsequently reported as claiming that Foday Sankoh had made these statements under duress and continued to demand his release. The RUF threatened to continue their campaign of violence against civilians if he remained in detention. The government announced its intention to prosecute Foday Sankoh for crimes, including gross human rights abuses, committed during Sierra Leone's internal armed conflict. He was brought to trial on 24 September 1998 and convicted and sentenced to death the following month. This prompted further attacks by rebel forces against unarmed civilians in retaliation.

Also in September 1998 rebel forces called on the government to begin negotiations for peace through the UN, the OAU and the Commonwealth Secretariat, the moral guarantors of the peace agreement signed in Abidjan. The Commonwealth Ministerial Action Group on the Harare Declaration (CMAG)[2] on 9 October 1998 called on rebel forces to make an immediate statement accepting the following terms: the recognition of the legitimacy and authority of the government; an unconditional and indefinite cessation of all hostilities; and a willingness to enter into talks to bring about an immediate end to the conflict. At the same time CMAG expressed its grave concern about the humanitarian situation in Sierra Leone, in particular the continuing atrocities by rebel forces, which it condemned unreservedly. The government also responded to the call by rebel forces for negotiations by saying that they should lay down their arms and surrender to UNOMSIL military observers.

President Kabbah repeated calls for rebel forces to surrender on 19 October 1998 and renewed an offer of amnesty for those surrendering. It appeared that the amnesty implied that those surrendering who had not been responsible for crimes would be included in the disarmament, demobilization and reintegration process whereas those who were accused of criminal offences would prosecuted with due process of the law. There was, however, no significant increase in the number of those surrendering.

The West Africa sub-region

Liberia was widely reported to be providing combatants, arms and ammunition to AFRC and RUF forces in Sierra Leone. Liberian fighters were present in Freetown at the time of the ECOMOG intervention and survivors of the gross human rights abuses which followed stated that the armed groups which had attacked them had included Liberians.

In the Vahun and Kolahun areas of Lofa Country in northwestern Liberia, where tens of thousands of Sierra Leonean refugees had fled escalating fighting in eastern Sierra Leone, cooperation between rebel forces and the Liberian military was reported to be witnessed regularly. The RUF second-in-command, Sam Bockarie, was reported to have been in direct contact with Liberian military forces and to have regularly crossed the border into Liberia.

On 12 May 1998 a statement by the United States Department of State referred to "*distressing rumours that RUF and AFRC forces were being assisted in their campaign of terror by other governments. Although we cannot confirm these rumours, it should be clear that any government or other party which is found to be helping the rebels to prolong the tragedy in Sierra Leone will face the strongest condemnation of the United States and the international community.*"

On 20 May 1998 the President of the UN Security Council condemned as gross violations of international humanitarian law the atrocities carried out against the civilian population, particularly women and children, by the deposed AFRC and RUF, including widespread rape, mutilation and killings, and called for an immediate end to continuing violence against civilians. The Security Council also expressed grave concern about reports of military support being provided to the AFRC and RUF by other countries and called on all states to observe strictly the provisions of Security Council Resolution 1132 (1997) of 8 October 1997, which had imposed an arms embargo on Sierra Leone, and to avoid any action which might further destabilize the situation in Sierra Leone. Security Council Resolution 1171 (1998) of 5 June 1998 lifted the arms embargo on the government of Sierra Leone. The same resolution prohibited the sale and supply of arms and related *matériel* to non-governmental forces in Sierra Leone. The Security Council subsequently praised the efforts of the UN Secretary-General to stop the flow of arms across the border from Liberia to rebels forces in Kailahun District, Eastern Province. All states were urged to comply strictly with the terms of the UN embargo on sales of arms to rebel forces still fighting in the interior of the country.

In his Fifth Report on the Situation in Sierra Leone to the UN Security Council of 9 June 1998, the UN Secretary-General stated that the deployment of ECOMOG troops at the border with Liberia could help dispel allegations of the influx of arms or the provision of armed assistance to the AFRC and RUF by foreign forces. While welcoming a commitment by the government of Liberia not to allow its territory to be used to destabilize any neighbouring country, the Secretary-General expressed the view that verification of this would improve the security climate throughout the sub-region and improve mutual confidence among countries in the sub-region.

On 22 and 23 June 1998 a Liberian delegation visited Freetown to deliver a message from President Charles Taylor to President Kabbah on ways to promote peace between Guinea, Liberia and Sierra Leone, the three Mano River Union countries. The delegation denied allegations that the Liberian government was supporting AFRC and RUF forces. President Kabbah and President Taylor met in Abuja on 1 July 1998 at a meeting convened by the UN Secretary-General. Agreement was reached on a number of confidence-building measures. A further meeting between President Kabbah and President Taylor took place in Monrovia, Liberia, on 20 July 1998. In a communiqué signed at the conclusion of the meeting both leaders condemned atrocities and human rights abuses committed by combatants in Sierra Leone against civilians, as well as continued rebel activities in Sierra Leone. They reaffirmed their commitment to non-aggression against the territorial integrity of each other's country and pledged to continue cooperation towards peace and security in the sub-region. Both leaders renewed a call to the UN and ECOWAS to deploy observer units on the border between Liberia and Sierra Leone and agreed to coordinate border security activities.

At a UN special conference on Sierra Leone in New York in July 1998 the meetings between President Kabbah and President Taylor were welcomed and the two leaders were urged to continue to work towards improving relations between

their two countries and regional security. The importance of stopping entry of illegal supplies of weapons into Sierra Leone and ending the direct or indirect support of neighbouring countries to rebel forces was stressed.

Relations between the two countries appeared to deteriorate, however, in October 1998 when the government of Sierra Leone was reported to have complained to the international community, including the UN Secretary-General, about the presence of Liberian combatants among rebel forces in Sierra Leone and about preparations for an incursion of Liberian fighters into Sierra Leone. These allegations were vigorously denied by President Taylor. UNOMSIL military observers at that time detected no evidence of an armed incursion from Liberia.

The UN Secretary-General in his Second Progress Report on UNOMSIL on 16 October 1998 expressed deep concern about developments in the situation between Sierra Leone and Liberia and urged both governments to exercise maximum restraint, pursue dialogue and implement the confidence-building measures agreed in July 1998. He also proposed that, should both countries agree, the deployment of ECOMOG forces at the border, subsequently accompanied by UNOMSIL military observers, could help stabilize the situation and restore mutual confidence.

During a visit by Reverend Jesse Jackson, special envoy of United States President Bill Clinton, to West Africa in November 1998 he held meetings in Conakry with President Kabbah, President Taylor and President Lansana Conté of Guinea. The three heads of state on 12 November 1998 stated their commitment to non-aggression and cooperation on security issues within the Mano River Union and also to promoting peace in Sierra Leone and maintaining stability within the sub-region.

In view of the appalling level of violence against civilians which has characterized the conflict in Sierra Leone, including the widespread and gross human rights abuses being perpetrated by AFRC and RUF and their stated intention to attack unarmed civilians, Amnesty International believes that military transfers, including arms, ammunition and combatants, to rebel forces will contribute to abuses of international human rights and humanitarian principles governing the conduct of war.

Recommendations

- **all governments should take all possible measures to end immediately military transfers, including arms, ammunition and combatants, to AFRC and RUF forces;**
- **in addition, the governments of Liberia and Guinea, which border Sierra Leone, should take all possible measures to prevent military supplies, whether they originate in their country or not, destined for AFRC and RUF forces, from entering Sierra Leone across their borders;**
- **effective monitoring of the border between Sierra Leone and Liberia by ECOMOG forces and UNOMSIL military observers could assist in preventing military transfers to AFRC and RUF forces;**
- **governments in the sub-region should use whatever influence they may have on AFRC and RUF forces to bring about an end to the atrocities they continue to perpetrate against civilians.**

International response to the human rights crisis

Following the military coup in May 1997 the international community made strenuous efforts to resolve the political crisis in Sierra Leone. Since the reinstatement of President Kabbah's government in March 1998, serious attention continues to be paid to consolidating the government's position, ending the conflict in the north and east of the country, which is still claiming hundreds of civilian victims, and to assisting rehabilitation and reconstruction of the country. The continuing gross human rights abuses committed by AFRC and RUF forces have been universally condemned, including by the UN, the OAU, the EU and the Commonwealth.

United Nations

On 17 April 1998 the UN Security Council authorized the deployment of a UN liaison unit in Sierra Leone. Resolution 1162 (1998) provided for up to 10 UN military liaison and security advisory personnel in Freetown with a mandate for up to three months. The group was to coordinate closely with ECOMOG to report on the military situation in Sierra Leone and to assist in disarming former combatants. The resolution also welcomed efforts of President Kabbah and his government to restore peaceful and secure conditions, to re-establish an effective administration and democratic process and to embark on reconstruction. The resolution noted the need to promote national reconciliation and encouraged all parties to work towards that objective. All countries and international organizations were urged to provide urgent humanitarian assistance in Sierra Leone and were encouraged to help with its reconstruction and economic and social recovery. A human rights officer was also appointed to assist the UN Secretary-General's Special Envoy to Sierra Leone, Francis Okelo (who was subsequently appointed as Special Representative).

In the UN Secretary-General's Fifth Report on Sierra Leone, the deteriorating human rights situation was emphasized, and it was recommended that the number of UN human rights officers in Freetown be increased.

The UN Observer Mission in Sierra Leone

On 13 July 1998 the UN Security Council established a new peace-keeping operation, UNOMSIL, which expanded the office of the Secretary General's Special Envoy, to monitor the military and security situation in Sierra Leone, as security conditions permitted, for an initial six-month period until 13 January 1999. UNOMSIL would consist of 70 military observers and would be accompanied by a small medical unit and civilian support staff. The civilian staff would advise the government and local police, report on violations of international humanitarian and human rights law in Sierra Leone, and assist the government in its efforts to address the country's human rights needs. UNOMSIL was to be led by the Special Representative of the UN Secretary-General in Sierra Leone. Initially, 40 military observers were to be deployed from July 1998 in Freetown, Hastings and Lungi. Depending on the security situation, a second phase of deployment would take place.

In approving Resolution 1181 (1998), which established UNOMSIL, the Security Council also condemned the continued resistance by remnants of the AFRC and RUF to the legitimate government and demanded that they lay down their arms immediately. It expressed its grave concern "*at the loss of life and immense suffering undergone by the people of Sierra Leone, including refugees and displaced persons, as a result of continuing rebel attacks*".

Resolution 1181 (1998), in addition to establishing a military and civilian police peace-keeping mission, also mandated the monitoring of human rights and the provision of assistance to the government of Sierra Leone in addressing its human rights obligations [3]. The resolution also gave UNOMSIL military observers a mandate to monitor respect of international humanitarian law during the demobilization process.

By October 1998 the human rights component of UNOMSIL had been increased to seven staff: four international human rights officers, one national human rights officer and two support staff. Subsequent progress reports by the UN Secretary-General on UNOMSIL to the Security Council referred extensively and in detail to continuing human rights abuses in Sierra Leone. The prominence given to the human rights crisis in Sierra Leone in these reports is welcomed and should continue.

In his First Progress Report on 12 August 1998, the Secretary-General reported that "*there is strong evidence of the systematic and widespread perpetration of multiple forms of human rights abuse against the civilian population, including rape. In recent weeks, elements of the former junta have continued to shell population centres such as Koidu and Daru and have used civilians as human shields in their military operations. There have been numerous instances of arbitrary execution, including of women and children, followed in some cases by mutilation of the bodies.*"

In his Second Progress Report on 16 October 1998, the Secretary-General stated that "*the continuing conflict in Sierra Leone imposes immense suffering on the people of that country. I strongly condemn the summary executions, torture, mutilation, rapes, looting and other acts of barbarism carried out by former junta elements and call on them to lay down their arms and surrender. I am particularly outraged by the senseless acts of terror perpetrated against children, such as the amputation of limbs of boys and girls as young as six years of age, and support the efforts to bring to justice the authors of these especially abhorrent crimes.*"

The UN Secretary-General concluded his Second Progress Report by stating that he would "*examine with great care any realistic proposal to end the armed conflict with minimal loss of life to combatants and to innocent civilians, and to promote lasting peace and national reconciliation in Sierra Leone*".

Major initiatives have been undertaken by UNOMSIL human rights officers. Continued monitoring and reporting of human rights abuses have been reflected in the UN Secretary-General's reports to the Security Council. A preliminary human rights needs assessment has been developed. Human rights officers have also closely observed trials before the High Court and court martial in Freetown of those charged with treason in connection with the military coup in May 1997 and have intervened with the government in relation to these trials when appropriate. Guidance on human rights reporting to UNOMSIL military observers has been provided and human rights training programs for police officers, prison officials, the legal profession and the media have been developed and implemented. A human rights monitoring network including local non-governmental human rights organizations throughout the country and international non-governmental organizations has also been developed. Training for the network in human rights monitoring and reporting has been planned by UNOMSIL human rights officers, in cooperation with the National Commission for Democracy and Human Rights and a coalition of local groups, the National Forum for Human Rights. Increased cooperation between local human rights groups has been encouraged and it is anticipated that the human rights training program will involve relevant sectors of civil society from all parts of the country.

The role of UNOMSIL human rights officers in human rights monitoring and reporting should be continued for as long as necessary, including until it is clear that the government is implementing international human rights guarantees effectively. In September 1998 UNOMSIL human rights officers also began to provide human rights technical assistance to the government, including assistance in meeting its reporting requirements under international human rights treaties to which it

is a party, such as the UN Convention on the Rights of the Child [4].

The human rights component plays a dominant role within UNOMSIL and is an essential part of the military mandate of the peace-keeping operation. Sierra Leone continues to face a human rights emergency and monitoring and reporting of human rights abuses therefore remain essential. Strategies to develop continued and enhanced support for the UNOMSIL human rights component should be developed by the UN Office of the High Commissioner for Human Rights.

The UN special conference on Sierra Leone

The UN Secretary-General, Kofi Annan, convened a special conference in New York on 30 July 1998 to galvanize the international community's response to the political, humanitarian and human rights situation in Sierra Leone. The purpose of the meeting was to focus international attention on the situation in Sierra Leone and the government's initiatives aimed at resolving the conflict, restoring secure conditions and effective administration throughout the country. The conference brought together representatives of the government of Sierra Leone, intergovernmental organizations, including the UN, the OAU, ECOWAS, the EU and the Commonwealth. The special conference on Sierra Leone specifically sought assistance from the international community for UNOMSIL and for the disarmament, demobilization and reintegration of former combatants, including child soldiers.

At the time of the UN special conference Amnesty International recommended that the international community's commitment to bring peace and security to Sierra Leone and to assist in its reconstruction and rehabilitation include initiatives which would help to stop the gross human rights abuses being perpetrated by AFRC and RUF forces, prevent further abuses and also lay solid foundations for the respect and protection of human rights in the future[5].

The UN special conference strongly condemned the continued resistance of AFRC and RUF forces, and in particular their perpetration of appalling atrocities, and they were called on to lay down their arms and surrender. The Special Representative of the UN Secretary-General in Sierra Leone urged the international community to match their pledges of support to Sierra Leone with concrete action to consolidate its democratic gains. The conference agreed to establish an international contact group to mobilize and coordinate further support for Sierra Leone. The contact group was convened by the government of the United Kingdom in London on 5 November 1998[6]. Those participating included representatives of the government of Sierra Leone, the Special Representative of the UN Secretary-General in Sierra Leone and Lansana Kouyaté, Executive Secretary of ECOWAS. In his opening address to the meeting, Tony Lloyd, United Kingdom Minister of State, Foreign and Commonwealth Office, said that: "*Atrocities are still being carried out by remaining rebel forces. Sierra Leone needs peace, reconciliation and lasting restoration of democracy and human rights ... we hope to boost the efforts of the international community to meet these needs.*"

Recommendations

- **the human rights component of UNOMSIL should continue to be supported and strengthened; adequate resources, including additional staff, should be provided to effectively monitor and report on human rights abuses throughout the country, implement technical assistance programs with the Sierra Leone government and provide support and training to Sierra Leonean human rights groups;**

- **the UN Office of the High Commissioner for Human Rights should play a major role in reinforcing and providing support to the human rights component of UNOMSIL;**

- **the human rights component of UNOMSIL should include experts in the area of violence against women, including rape and sexual abuse;**

- **UNOMSIL human rights officers should continue to submit reports of violations of international humanitarian and human rights law to the UN Secretary-General and to the UN High Commissioner for Human Rights; comprehensive reports on the human right situation in Sierra Leone should be made public and submitted to the UN Security Council;**

- **the human rights component of UNOMSIL should have sufficient resources to effectively contribute towards long-term measures for human rights protection and its human rights monitoring and reporting roles should be continued for as long as necessary;**

- **visits to Sierra Leone by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions and the UN Special Rapporteur on torture should take place in order to investigate and report on the gross human rights abuses which continue to be perpetrated;**

- **the international contact group on Sierra Leone should place human rights at the centre of its efforts to coordinate the international community's response to the situation in Sierra Leone and ensure that**

adequate resources are provided to initiatives aimed at the protection and respect of human rights.

OAU and ECOWAS

Immediately after the military coup in May 1997, the OAU Secretary General, Dr Salim Ahmed Salim, condemned it as "*unacceptable to the continent*". The Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution unequivocally condemned the military coup and called for the immediate restoration of constitutional order [7]. It appealed to the leaders of ECOWAS states to pursue efforts aimed at assisting the people of Sierra Leone in the restoration of constitutional order and to the international community to support those efforts.

The 33rd OAU Assembly of Heads of State and Government meeting in Harare, Zimbabwe, in early June 1997 gave a mandate to ECOWAS to take necessary action to restore legality and constitutionality to Sierra Leone. The specific measures to be taken were to be decided by ECOWAS. The OAU Secretary General reiterated the OAU's strong support for ECOWAS's initiatives to bring peace, security and stability to Sierra Leone at the ECOWAS summit in Abuja at the end of August 1997.

It was under this mandate from the OAU that ECOWAS forces were deployed in Sierra Leone to monitor a cease-fire, to enforce the sanctions and embargo imposed by the UN Security Council and to secure peace in Sierra Leone. Military intervention by ECOMOG remained an option if dialogue between the AFRC and representatives of other ECOWAS countries and sanctions failed.

ECOWAS and ECOMOG have played a dominant role in political developments in Sierra Leone since the military coup, culminating in the removal of the AFRC and the reinstatement of President Kabbah's government in February 1998. ECOMOG forces in Sierra Leone have been widely praised by the international community. At the ECOWAS summit in Abuja in late October 1998 ECOWAS heads of state and government endorsed the extension of ECOMOG's mandate in Sierra Leone and agreed that it should be strengthened, adding that efforts to achieve a lasting solution to the conflict should continue.

Between 10,000 and 12,000 ECOMOG forces were reported to have been deployed in Sierra Leone by October 1998. ECOMOG, which is composed largely of Nigerian forces, also comprises Guinean and Ghanaian troops and further contingents from Côte d'Ivoire, Gambia, Guinea, Mali and Niger were envisaged. ECOMOG headquarters were to be transferred from Monrovia to Freetown. In April 1998 President Kabbah appointed the ECOMOG commander in Sierra Leone, Brigadier-General Maxwell Khobe, as head of internal security in Sierra Leone. He was subsequently appointed in July 1998 as Chief of Defence Staff of the Republic of Sierra Leone Military Force (RSLMF). The national Sierra Leone army had effectively ceased to exist but was to be re-established.

The ECOMOG force in Sierra Leone is generally considered by the international community and within Sierra Leone to be disciplined and its intervention in February 1998 was welcomed by the majority of Sierra Leoneans. During the following months, as atrocities in the north and east of the country escalated, ECOMOG forces evacuated to safety and medical facilities some of the hundreds of victims of amputations and other injuries, saving many lives.

In the following months, however, reports began to be received of human rights violations committed by ECOMOG forces, including illegal detention of civilians, and torture and ill-treatment of civilian detainees and captured combatants. Concerns have also been expressed that the safety of the civilian population might be endangered during ECOMOG operations, especially air strikes, against rebel forces, particularly in Kailahun District, a rebel stronghold. Measures to minimise the risk to civilians during combat must be undertaken during all military operations by ECOMOG forces. The OAU and ECOWAS have a responsibility to ensure that ECOMOG forces in Sierra Leone conform to international humanitarian and human rights law at all times.

As atrocities against unarmed civilians by rebel forces have continued, the need for concerted action by the international community remains. The OAU Central Organ should continue to play a role both in attempts to resolve the conflict in Sierra Leone and also to respond to post-conflict needs, in particular assistance for creating and reinforcing institutions aimed at long-term protection of human rights in Sierra Leone.

The African Commission on Human and Peoples' Rights (African Commission), meeting in Banjul, Gambia, on 22 October 1998 agreed to send its Special Rapporteur on extrajudicial, arbitrary or summary executions, Dr Mohamed Hatem Ben-Salem, to Sierra Leone in November 1998.

Recommendations

- **in view of the continuing gross human rights abuses in Sierra Leone, the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution should consider requesting that the UN Security Council increase the resources of the human rights component of UNOMSIL in order to investigate and document these abuses;**

- **in addition to its Special Rapporteur on extrajudicial, arbitrary or summary executions, the African Commission should also consider a visit to Sierra Leone by its Special Rapporteur on women in order to investigate and report the gross human rights abuses which continue to be committed in Sierra Leone, including against girls and women;**

- **the OAU Central Organ should send a delegation to Sierra Leone to assess the country's post-conflict needs including the establishment of effective structures for the future protection and respect of human rights;**

- **ECOWAS should ensure full compliance of its forces in Sierra Leone to international humanitarian and human rights law; there should be a mechanism to monitor human rights violations and take measures to prevent further violations.**

Human rights violations during the period of AFRC rule

The period from 25 May 1997 until 12 February 1998 was marked by a total disregard for the rule of law and demands from the international community to respect international humanitarian and human rights law. The rule of law completely collapsed and violence engulfed the country.

Hundreds of people who were associated with the government of President Kabbah or his political party, the Sierra Leone People's Party (SLPP), or who were perceived to be opposed to the AFRC were detained without charge or trial, torture and ill-treatment were systematic, and many of those perceived to be political opponents of the AFRC were extrajudicially executed.

On 20 October 1997 Amnesty International published a report which documented the human rights violations systematically committed by the AFRC and the RUF after the military coup [8]. The victims included those associated with the government of President Kabbah, journalists, students and human rights activists. Between October 1997 and February 1998 arrests, torture and killings continued relentlessly. The full toll of those detained, tortured, ill-treated and killed while the AFRC and RUF held power only emerged after they were forced from power.

During the period of AFRC rule, while it was possible to obtain limited information about human rights violations in Freetown, few details of what was happening in the Provinces were accessible. When an Amnesty International delegation travelled to Sierra Leone in May 1998, the extent of the suffering of civilians became evident. Killings, rape and looting were systematic in all parts of the country. Hundreds of people had been deliberately and arbitrarily killed, thousands lost their possessions, homes and livelihoods. Rape of girls and women was systematic throughout the country.

Amnesty International repeatedly called on the AFRC to end the systematic human rights violations which occurred after May 1997 and to adhere to its obligations under international human rights law, in particular the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples' Rights (African Charter)[9]. It called for urgent measures to end arbitrary arrest and detention of those perceived to be opposed to the AFRC and to end torture, ill-treatment and extrajudicial executions.

It is important that there continue to be full and independent investigations into the human rights violations committed during the period of AFRC rule and that the truth of what occurred during those months is established and documented in order to bring those responsible to justice. There should be no impunity for the grave human rights violations committed throughout the period of AFRC rule. Investigation and accountability for these human rights violations will also contribute towards the process of national reconciliation within Sierra Leone.

Arbitrary arrest and detention

Hundreds of political detainees were held incommunicado without charge or trial. It was difficult to assess with any accuracy the number of those detained because of continuous arrests and releases, the failure of the authorities to provide information about detainees and lack of access to places of detention. Detainees were held at the Central Prison, Pademba Road, the police Criminal Investigation Department (CID) headquarters and Cockerill military headquarters in Freetown as well as other military camps, such as that known as the SS camp at the village of Regent in the hills above Freetown.

Throughout the period of AFRC rule journalists were particular targets of arrest, detention and torture. During October and November 1997 the crack-down on the press intensified; at least 20 journalists were detained and many were tortured and ill-treated. They included Jon Z. Foray, editor of the *New Storm* newspaper, who was arrested by soldiers on 11 October 1997. He was taken first to Cockerill military headquarters where he was handed over to the military police and then held in a freight container. Also held in the container was Prince Akpu, a Nigerian journalist who had established a newspaper called *Alpha jet*, and who was arrested around the same time and accused of subversive activities. (Nigerian ECOMOG forces had used military aircraft called Alpha jets in their operations.) Two days later the two journalists were collected by a

senior AFRC member, apparently to be taken to CID headquarters. They were, however, blindfolded and taken to the SS camp. Jon Z. Foray was beaten and stabbed with bayonets by soldiers and sustained a serious injury to his spine. He and Prince Akpu were released on 22 October 1997. With the help of friends, Jon Z. Foray managed to leave Sierra Leone for Ghana where he was admitted to hospital and received two months of medical treatment.

Arrests of journalists continued into November 1997: Dorothy Awoonor Gordon, acting editor of the *Concord Times*, Ibrahim Karim-Sei, editor of the *Standard Times*, and Pius Foray, editor of *The Democrat*, were among those detained and subsequently released without charge.

Sylvanus Kanyako, a journalist working for the *Herald Guardian*, and David Kamara, the newspaper's proprietor, were arrested on 10 January 1998, the day after an article suggested that a prominent member of the AFRC, Sergeant Abu "Zagalo" Sankoh, should be arrested in connection with the looting of the Iranian Embassy in Freetown on 31 December 1997. Sylvanus Kanyako was arrested by soldiers after being identified by an AFRC supporter. He and David Kamara were detained for three weeks. Both men were tortured. Sylvanus Kanyako was tied tightly with his arms behind his back, beaten all over his body and burned with a cigarette. At one point he lost consciousness. He sustained serious injuries to his arms and hands. He was then taken to CID cells where he remained, without any medical treatment, until he managed to escape on 30 January 1998.

On 30 January 1998 Michael Lawson, a university student at Fourah Bay College in Freetown, was arrested. He was apparently accused of passing information to a radio station broadcasting in support of the government of President Kabbah. The radio station, 98.1 FM, had been broadcasting clandestinely since July 1997. Many people suspected of providing information to the radio station, or knowing from where broadcasts were transmitted, had previously been arrested and detained. He was reported to be held at CID headquarters until his release in February 1998 after the intervention by ECOMOG.

Torture and extrajudicial executions

Ill-treatment, torture and extrajudicial executions were systematic throughout the period of AFRC rule. Soldiers and RUF members operated with impunity and created a climate of fear both in Freetown and throughout the country.

On 14 January 1998 a trader, Sama Turay, was shot dead by soldiers on Wilkinson Road in Freetown after an argument. Local residents were forced to hand the body over to soldiers. Residents of the area staged a demonstration along Wilkinson Road the following day in protest against the killing. This demonstration coincided with a visit to Freetown of a delegation headed by the UN Secretary-General's Special Envoy to Sierra Leone, at that time based in Conakry, for discussions with the AFRC on the implementation of the peace agreement signed in Conakry in October 1997.

The demonstration on 15 January 1998 was brutally suppressed; soldiers indiscriminately beat civilians and raided homes in the area around Wilkinson Road. They went from house to house accusing civilians of deliberately discrediting the AFRC during the visit of the delegation. One of the victims was a 25-year-old trader. When soldiers arrived at his stall he was hit in the face with butt of an AK 47 gun and was also badly beaten on his back. He recognized the soldiers who beat him and described them as relatives of Major Johnny Paul Koroma.

Another of the victims was an 18-year-old girl, also living in the Wilkinson Road area, who had joined the demonstration. Three days later six soldiers came to her home. She was raped by all six soldiers who then cut her hair and shaved her head with a broken bottle.

In Kenema, Eastern Province, terror reigned throughout the period of AFRC rule. The town was effectively under the control of the RUF and, in particular, Sam Bockarie. As in Freetown and other parts of the country, rape of girls and women was systematic and at least a hundred civilians were reported to have been deliberately and arbitrarily killed in Kenema. Every house in the town was looted. The homes of those perceived to have been supporters of the SLPP were destroyed.

On 13 and 14 January 1998 several prominent members of the community in Kenema were arrested by members of the RUF under the supervision of Sam Bockarie. They included B.S. Massaquoi, the chairman of the town council, Dr P.B. Momoh, a medical doctor, Paramount Chief Moinama Karmor, a traditional leader, and Ibrahim Kpaka, a businessman. They were arrested at a time of fierce fighting between the *kamajors* and AFRC and RUF forces around Kenema and were accused of supporting the *kamajors*. They were held at the AFRC Secretariat building in Kenema, which had been the local SLPP headquarters, and some were later moved to the police station and army brigade headquarters. They were stripped and repeatedly beaten with sticks, electric cable and strips of tyres and were threatened with death. Their arms were tied tightly behind them. One of those detained sustained a serious head wound and injury to his eye after being beaten on his head with a gun. At least one of these detained died as a result of beatings.

Some of those arrested were released on 26 January 1998 and escaped to safety. B.S. Massaquoi, however, was among those who remained held at army brigade headquarters. He was killed by members of the RUF on 8 February 1998 as news arrived of ECOMOG's offensive on Freetown and as *kamajors* entered Kenema. Dozens of other people were also reported to have been killed. The mutilated body of B.S. Massaquoi and 35 other people were reported to have been found

in mass grave near Kenema on 23 March 1998.

The use of the death penalty by the AFRC

The AFRC resorted to the use of the death penalty in an apparent attempt to be seen to be taking action to impose law and order but in doing so violated international human rights standards. On 25 October 1997 10 soldiers were executed after being convicted of murder and sentenced to death by a military court. A further 17 people were reported to have been executed on 2 November 1997, apparently after conviction by a military court although some reports suggested that summary executions took place without any form of legal proceedings. Another eight people were publicly executed in Koidu on 2 December 1997. According to reports, they had been convicted of armed robbery by a military court, from which there was no right of appeal.

On 28 November 1997 a new decree was promulgated which was retroactive to the time of the military coup and which extended the scope of the death penalty by making death sentences statutory for the offences of looting and commandeering vehicles.

International standards prohibit the retroactive use of the death penalty. The ICCPR states that the death sentence may be imposed only "in accordance with the law in force at the time of the commission of the crime" and also that a heavier penalty shall not be imposed than the one that was applicable at the time when the criminal offence was committed. The Safeguards Guaranteeing the Protection of the Rights of Those Facing the Death Penalty state that: "Capital punishment may be imposed only for a crime for which the death penalty is prescribed by law at the time of its commission...".

In addition, the ICCPR states that: "In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes...". The Safeguards Guaranteeing the Protection of the Rights of Those Facing the Death Penalty, adopted by the UN Economic and Social Council (ECOSOC) in 1994, also state that "... capital punishment may be imposed only for the most serious crimes ... with lethal or other extremely grave circumstances." The UN Human Rights Committee, a body of 18 experts established under the ICCPR, stated in 1996 that: "Extension of the scope of the application of the death penalty raises questions as to the compatibility with Article 6 of the Covenant", which guarantees the right to life. The UN Commission on Human Rights, in a resolution adopted in April 1997, called on all states which have not yet abolished the death penalty "progressively to restrict the number of offences for which the death penalty may be imposed".

Amnesty International urged the AFRC to repeal this legislation and to ensure that all death sentences were commuted and that no further executions took place.

Recommendations

- **investigations into the human rights violations committed during the period of AFRC rule should continue to be undertaken in order to bring those responsible to justice and to provide compensation to the victims of human rights violations;**

- **assistance for documenting the human rights violations which occurred during this period should be provided by the international community.**

Human rights abuses by AFRC and RUF forces since February 1998

Since their removal from power the AFRC and RUF have wreaked a campaign of terror against unarmed civilians and human rights abuses have reached unprecedented levels. Several thousand civilians have been brutally killed or mutilated. Hundreds of others have been abducted from their villages and forced to join their attackers. Members of the AFRC and the RUF again inflicted on unarmed civilians the atrocities which they had endured throughout Sierra Leone's internal armed conflict but now on a much greater scale [10].

The abuses perpetrated by rebel forces of the AFRC and RUF constitute the most egregious violations of international humanitarian law. The Geneva Conventions of 1949 which apply to international conflicts - wars between nations - also contain provisions which apply to internal armed conflicts. Article 3, common to all four Conventions, extends to "armed conflict not of an international character" fundamental rules for the protection of non-combatants which each party to the conflict is "bound to apply, as a minimum". Under the terms of common Article 3, people who take no active part or who have ceased to take an active part in hostilities must be treated humanely in all circumstances. Common Article 3 specifically prohibits: violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; the taking of hostages; and outrages upon personal dignity, in particular humiliating and degrading treatment. This prohibition applies not only to government forces but to all parties to internal armed conflicts including armed political groups.

Article 4 of the Additional Protocol II of the Geneva Conventions of 1949 relating to the protection of victims of internal

armed conflicts prohibits violence to life, health and physical well-being, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment, of all those not taking a direct part in hostilities or who have ceased to take part in hostilities. [11]

In the days immediately after their removal from power by ECOMOG, AFRC and RUF forces indiscriminately killed unarmed civilians, looted and burned houses, both in Freetown and other towns. As the rebel forces were pursued eastwards by ECOMOG forces through towns such as Bo in Southern Province, Kenema and Koidu in Eastern Province and Makeni in Northern Province during February, March and April 1998, they were responsible for widespread killings, torture and ill-treatment, including rape and other forms of sexual assault, and abduction. Villages and towns were burnt to the ground, destroying thousands of homes. Koidu, a major town in the diamond-rich Kono District, was almost totally destroyed by AFRC and RUF forces and villages between Njaiama-Sewafe and Koidu were repeatedly attacked.

Several foreign nationals were captured by RUF forces in mid-February 1998. They included Spanish, Italian and Austrian religious brothers working at St Joseph's Hospital in Lunsar, Port Loko District, Northern Province, who were abducted on 14 February 1998. Eldred Collins, a prominent RUF member, was reported to have demanded the release of Foday Sankoh, at that time still detained in Nigeria, in exchange for the release of the hostages. They were, however, released on 27 February 1998. Two staff of the humanitarian organization *Médecins Sans Frontières* (MSF), a Canadian and a French national, were also abducted around 14 February 1998 at Rogberi while driving between Port Loko and Lunsar. They were also released after two weeks.

Those perceived to be opposed to the AFRC and the RUF were particularly targeted by rebel forces. They included Catholic priests. As almost all other sectors of Sierra Leonean society, the Catholic Church in Sierra Leone had condemned the military coup. Catholic priests were specifically sought by AFRC and RUF forces after February 1998 and some narrowly escaped death. Their homes were looted and destroyed. Traditional leaders, known as Paramount Chiefs, were also singled out; 44 Paramount Chiefs were reported to have been killed in the months following February 1998.

"*Operation no living thing*"

An even more grotesque pattern of killing, rape and mutilation became evident in April 1998 and the number of victims increased dramatically. Rebel forces called their campaign of terror against civilians "*Operation no living thing*". As fighting continued between ECOMOG and rebel forces around Koidu attacks on civilians in villages in the area persisted and then spread west and north. Later in April and into May 1998 Alikalia, Yifin and other villages in Koinadugu District, Northern Province, were attacked. Unarmed civilians who were taking no active part in the conflict were killed, their homes burned and their villages destroyed.

Although the exact number of those killed is unknown, it is likely to be several thousand. Most survivors of attacks described hundreds of bodies lying in the bush where they had fled and of several members of their families and communities being killed. More than 200 people were killed during an attack on one village, Yifin, in Koinadugu District, in late April 1998. More than 650 bodies, many of them women and children, were reported to have been buried following fighting in the area around Koidu in mid-June 1998.

With these attacks came reports of mutilations. The arms, hands, legs, ears and lips of victims were deliberately cut off. By early May 1998 some 120 victims of severe mutilations had been admitted to Connaught Hospital in the centre of Freetown; about 60 were admitted on one day alone, 26 April 1998. Four had both arms cut off, another 23 had one arm cut off, and others had deep lacerations on their lower arms, severed tendons or broken bones in their arms after being attacked with machetes. Some had a complete hand, several fingers or ears missing. They were all civilians: farmers, housewives, traders, miners, school students. These numbers swelled in the weeks and months which followed as more victims arrived at Connaught Hospital and other hospitals in the north of the country, including in Makeni and Magburaka. Some of these hospitals lacked the equipment needed to perform war surgery. Connaught Hospital in the centre of Freetown, which had the necessary facilities, struggled to cope with the influx of patients. Between 6 April 1998 and 27 July 1998 an MSF surgical team treated almost 300 patients with amputations, severe mutilations or gunshot wounds at the hospital. The majority of the cases treated were lacerations to the head or neck or amputations of arms, hands, fingers, ears or lips. About a fifth of these victims were children, one aged 18 months. This number represented, however, only a fraction of the number of such victims, many of whom never reached medical help. Between 25 May 1998 and 12 June 1998 International Committee of the Red Cross (ICRC) delegates evacuated 23 people from the north of the country with gunshot wounds, deep lacerations and amputated limbs requiring urgent reconstructive surgery. A helicopter was used to reach areas inaccessible by road because of insecurity and fear of attack by armed groups. Evacuation of wounded civilians continued throughout the following months. According to humanitarian agencies in Freetown, only about one in four victims of mutilations by rebel forces survived their injuries. In June 1998 the ICRC rehabilitated Netland Hospital in Freetown for the surgical treatment of victims of amputations. By the end of September 1998, some 400 victims of amputations were reported to have undergone surgery at Netland Hospital. By October 1998 estimates of the number of victims of mutilations since February 1998 were put as high as 4,000.

Among the thousands of refugees arriving from Eastern and Northern Provinces into Guinea to escape attacks were civilians with similar mutilations. Between April and June 1998 some one hundred refugees were reported to have arrived in Guinea with serious injuries; half of them had suffered deliberate mutilation. By September 1998 a regional

representative of the UN High Commissioner for Refugees (UNHCR) reported that more than 400 refugees in a camp at Kissidougou in Guinea had hands, limbs or ears cut off or were suffering other injuries.

Many of the survivors provided accounts of the violence inflicted upon them. Groups of armed men arrived in their villages, claiming to be ECOMOG, that they had come to liberate the villagers and that they were safe. Forced out of their homes, they realised that they were not ECOMOG troops. Civilians were rounded up, in groups or in lines, and then taken individually to a pounding block in the village where their hands, arms or legs were cut with a machete. In some villages, after the civilians were rounded up, they were stripped naked. Men were then ordered to rape members of their own family. If they refused, their arms were cut off and the women were raped by rebel forces, often in front of their husbands. As well as rape, women and girls also suffered other forms of sexual assault such as having foreign objects inserted into their vaginas. Victims of these atrocities also reported women and children being rounded up, locked into houses which were then set alight.

The UN Under-Secretary-General for Humanitarian Affairs, Sergio Vieira de Mello, following a visit to Sierra Leone, said on 15 June 1998 that the brutal treatment of civilians by AFRC and RUF forces was unlike anything he had seen in 29 years of humanitarian work. Describing the pattern of amputations, lacerations and maiming of civilians, including of children, he said that "*hands are cut off and ears and noses are amputated ... there are no words to condemn this sort of practice ...*".

Villagers from Kondeya, Kono District, fled into the bush when they heard that rebel forces were approaching their village in early April 1998. On 9 April 1998 a group of about 50 rebel forces found them and captured about 120. One of the men was strangled. A baby who was crying was pulled from its mother's back and thrown into a river. They were forced to return to the village where all the houses were burned. Twenty-seven of the captured villagers were then attacked with machetes; some were decapitated, others had their throats cut or their eyes gouged out.

Survivors were often taunted by rebel forces to go to ECOMOG and tell them that the AFRC and RUF were there or to go to President Kabbah to ask for a new limb. One was given a letter and told to deliver it to President Kabbah. Victims who had one or both ears cut off were told that without their ears they could no longer listen to the government or ECOMOG.

In some cases it took victims days or weeks to reach medical assistance. One man who had both arms cut off in April 1998 walked for several weeks from village to village until he was able to find a vehicle to take him to Freetown. Many more, unable to reach a medical centre in time, died as a result of their injuries. Some spent weeks in the bush either attempting to walk to safety or waiting until it was safe to return to their homes. The fate of several thousand people who fled into the bush during attacks on villages remains unknown. Many of those wounded have died in the bush.

An Amnesty International delegation which visited Sierra Leone in May 1998 met some of the victims of these atrocities at Connaught Hospital. One, a farmer aged 40 from the village of Badala, in Koinadugu District, had both hands cut off when the village was attacked on 3 May 1998. Hearing reports of advancing attacks, including those on Yifin and Alikalia, he had previously sent his family to safety in Kabala. At the time of the attack he was preparing food in his compound. Up to 400 men, armed with machetes, AK 47 guns and rocket propelled grenades entered the village. They caught him and asked him where ECOMOG was. When he said that he did not know, he was hit on the head with an AK 47. He was then forced to lie down and both arms were cut off. He was also beaten on his legs. He begged to be killed. The men who attacked him wrote three letters and put them in the pockets of his trousers. He was then told to go to tell President Kabbah that they were coming to Freetown, adding "*No AFRC, no peace*". He lay injured for three days in Badala and arrived at Connaught Hospital four days later. He had no news of his wife and three children. Other villagers, of all ages, from Badala were also mutilated and killed; they included a woman who was raped and then cut with machetes.

Another of the victims, a 15-year-old schoolboy from Koidu who had arrived at Connaught Hospital on 10 May 1998, had suffered severe lacerations to his right ankle in an attempted amputation. He and his family - his parents and six brothers and sisters - had been hiding in the bush for more than two months after being driven from Koidu after it was attacked by rebel forces. They had no food throughout that time other than bananas. On 1 May 1998 the family had heard reports that ECOMOG had arrived in Koidu and they went to enter the eastern part of the town. They and those with them were attacked by rebel forces who accused them of supporting President Kabbah. Almost 50 people were killed. The young boy stayed for four days in a house without food or treatment for his severely injured leg. He was taken first to Makeni by ECOMOG forces and then brought to Connaught Hospital. He did not know what had happened to his family.

Three young women survived an attack on the village of Boima in Bombali District, Northern Province, on 7 May 1998; one had a deep cut to her arm, the other two had been beaten all over their bodies. One of the women had witnessed the killing of several members of her family, including her children. Twelve people, including three of her children, died when their house was set alight. Another child, a girl aged three, was pulled from her back and cut with machetes.

There were many atrocities in villages around Karina, between Makeni and Fadugu, in Northern Province, which were attacked on 7 May 1998. All those who were unable to run away were killed; others had limbs amputated.

In an incident which occurred on 7 May 1998 in Northern Province, a woman survivor recounted that one of her sisters had been killed by having her throat cut and two others were covered in kerosene and burned. Other victims, including children, were wrapped in a foam mattress which was then set alight.

The village of Tumbodu, north of Koidu, was attacked repeatedly during April and May 1998. During one of these attacks, on 11 May 1998, a woman aged in her twenties who was hiding in the bush outside the town was caught and asked for rice, which she did not have. She was forced to carry a heavy load; when she faltered she was beaten. When she reached Tumbodu she was forced to place her legs on a stone which were then cut in an attempted amputation. She suffered deep laceration to both legs and also to her arms. She arrived in Connaught Hospital on 15 May 1998. Her 10-year-old son was abducted by the rebels.

Massenbendu, a village close to Tumbodu, was also attacked on 11 May 1998. One of the victims, a farmer, was in his house when the door was broken down by rebel forces who demanded money; he said that he had none. Rebel forces told him that they were going to kill him because he supported President Kabbah. He sustained deep lacerations to his neck, head and arms. He was taken first to an ECOMOG base at Masingbi and was then transferred to Freetown. Three members of his family - two men and a small boy -were abducted.

Human rights abuses by rebel forces since July 1998

Atrocities declined significantly during July and August 1998 as the rainy season advanced. Despite this decreased level of atrocities concerns remained that rebel forces could mount future attacks against unarmed civilians. In his First Progress Report on UNOMSIL, the UN Secretary-General said that he remained "*deeply concerned about the plight of innocent civilians in the country, who may still be suffering the depredations of the rebel forces or at risk from future attacks.*"

Incidents of killing and mutilations continued to be reported. On 27 July 1998 rebel forces, after feigning surrender, attacked Kabala was held by ECOMOG. Rebel forces threatened to use civilians as human shields. No mutilations were reported but a large number of civilians, including children and young people, were reported to have been abducted. Rebel forces held Kabala for about four days before it was retaken by ECOMOG. Some 200 houses had been destroyed, property was looted and money extorted from civilians. All relief goods, medical supplies and logistics for humanitarian efforts had been looted or destroyed. At about the same time, rebel forces attacked a bus carrying civilians about 10 kilometres south of Kabala, killing seven people. Three young boys were also reported to have been abducted.

During attacks on villages in the area of Gbinti, Port Loko District, in early August 1998 victims of killings and mutilations included three women and a two-year-old child who were subsequently admitted to hospital with gunshot wounds, either to the backs of their bodies or their head. Three men were also admitted to hospital with deep lacerations apparently inflicted in attempted amputations.

In late August and during September 1998 an escalation of attacks was reported in Northern Province. Reports began to be received of victims having the initials "AFRC" carved into their foreheads and backs. Around 24 August 1998 there were attacks on villages, including Thawuya and Masunthu, in Kambia District. Several civilians were subsequently admitted to the Government Hospital in the town of Kambia with amputated limbs or severe lacerations. Three had both hands and ears amputated; others had deep wounds to their arms, shoulders and faces. One of the victims was a three-month-old baby with lacerations to the nape of its neck. On 6 September 1998 the town of Kamalu, near Kamakwie, in Bombali District, was attacked by rebel forces. At least 40 civilians, including children, were reported to have been killed in the attack; others were seriously injured with machete wounds. Some of those killed had been first been subjected to torture and sexual abuse; others had been burned alive. A Paramount Chief, Samura Bangura, was reported to have been abducted from Kamalu, together with some 50 others. On 11 September 1998 Fadugu, Koinadugu District, was attacked. According to reports, during that attack eight civilians, including a Paramount Chief, Alimamy Fanna Thoronka II, were burned alive.

Three villages in Kambia District, Yebaya, Kathatinah and Kakula, were reported to have been attacked by around one hundred rebel forces on 12 September 1998, resulting in the deaths of at least 16 civilians. According to witnesses of the attack on Yebaya, at least nine people were killed either by being shot or attacked with machetes. In late September 1998 and early October 1998 more than 50 people were reported to have been killed in attacks in Kambia District, near the border with Guinea, including on the village of Kukuna, and at least 25 civilians were reported to have been mutilated, including by amputations, by rebel forces.

On 8 October 1998 the town of Mange in Port Loko District, some 150 kilometres from Freetown and on the main road to Guinea, was attacked by more than 200 rebel forces in an attempt to gain control of a strategic bridge. Some 25 civilians were reported to have been killed in the attack but the toll was expected to be higher since rebel forces were reported to have set fire to more than 40 homes, in some cases with civilians inside. Most of the town's 15,000 inhabitants fled and many of the wounded arrived at the hospital in the town of Port Loko for treatment. ECOMOG forces maintained control of the bridge after three days of fighting.

There were further attacks by rebel forces on villages in Bombali District during September 1998. Among the victims were two men, Pa Bai Munu and Morlai Munu, from the village of Mabunduka, between Pendembu and Mateboi, some 40 kilometres from Makeni. Pa Bai Munu, a farmer aged over 70, had fled his village for Makeni following an earlier attack during which two other members of his family, including Sorie Kabbie Munu, were abducted by rebel forces. The village was burned. Other members of the same family, Pa Amadu Munu and Pa Santigie Munu, had been killed by having their

throats cut during an attack on Mateboi in May 1998. Pa Bai Munu later returned to a village, Four Road Loko, close to his home at Mabunduka. He, Morlai Munu and about 20 other people were killed when Four Road Loko was attacked on 16 September 1998. According to reports, Pa Bai Munu was tied by the neck and dragged for about 10 kilometres before he was hacked to death and his body mutilated. At least six members of the family had been killed or abducted.

Attacks on villages around Kabala, including Benikoro and Badala, resumed and intensified during September 1998. The town of Kabala itself, earlier attacked and held briefly by rebel forces in late July 1998, was again attacked on 18 September 1998. Some 20 civilians were reported to have been killed and houses burned. Among the victims who were evacuated to Freetown by the ICRC were three children, two of whom were suffering from extensive burns. One of them had hidden with his family in a hut which was set alight by rebel forces; he was the only survivor.

On 24 October 1998, apparently in retaliation at the death sentence imposed on Foday Sankoh the previous day, the village of Alikalia was attacked by some 300 rebel forces. Reports of the attack referred to civilians, including women and children, being shot, decapitated or having their arms amputated. Civilian survivors of the attack on Alikalia were admitted to Connaught Hospital with gunshot wounds and multiple lacerations.

Attacks by rebel forces also escalated in Kenema District from August 1998. Among the villages affected were Mendekelema, Neama and Sandaru, which was completely destroyed, less than 30 kilometres from the town of Kenema. One of the victims of the attack on Mendekelema in late August 1998 had both hands amputated. Survivors of attacks consistently described mutilation, rape, torture, killing and the burning of houses. Entire local communities were displaced from the area, many fleeing to the towns of Kenema, Segbwema and Daru.

Recommendations

- **the international community must continue to condemn in the strongest possible terms the grave breaches of international humanitarian law committed by forces of the AFRC and RUF;**
- **leaders of AFRC and RUF forces must take immediate measures to end human rights abuses committed by their combatants, including deliberate and arbitrary killing of non-combatants, torture, mutilation and rape, and must publicly state their commitment to respecting international humanitarian law;**
- **those in command of AFRC and RUF forces should exert effective control over those under their command in order to prevent torture and killing of non-combatants; those suspected of committing human rights abuses should be removed from any position of authority or duties which bring them into contact with prisoners or others at risk of abuse;**
- **AFRC and RUF forces must respect human rights and the basic principles of international humanitarian law and abide by minimum standards of humane behaviour at all times.**

Children at the centre of the violence

Children have not escaped the violence and brutality of the conflict in Sierra Leone; they have often been the principal victims of gross human rights abuses, including the atrocities in Eastern and Northern Provinces which occurred in the months following the removal of the AFRC and RUF from power in February 1998. They have been deliberately and arbitrarily killed, mutilated and maimed, abducted and forcibly recruited by rebel forces. Among the thousands of Sierra Leonean refugees in neighbouring countries or internally displaced within Sierra Leone after February 1998 were hundreds of unaccompanied children, separated from their families as a result of the violence.

Several thousand children, including babies and very young children, have been separated from their families as a result of seven years of internal armed conflict. Most of those abducted in the earlier years of the war were from Southern and Eastern Provinces. The most common reason for the separation of children from their families was abduction by rebel forces. Others became separated from their parents as a result of attacks on their towns and villages when their parents were killed, abducted or became missing.

Many families have rejected children who had been forcibly recruited into rebel forces and have refused to take them back into their homes. Even in cases where parents are willing to take back their children, the level of resentment and bitterness within their communities sometimes prevents them from doing so.

Significant and coordinated efforts are being undertaken by the UN Children's Fund (UNICEF) together with a coalition of non-governmental organizations to reunite these children with their families and to help their reintegration into their families and communities, often in the most difficult of circumstances.

The work of UN agencies and non-governmental organizations in providing help and protection to children traumatized by

the conflict, including former child combatants, should be supported and reinforced by the international community.

Abduction of children

Large numbers of civilians, in particular children and young men and women, have been abducted by the RUF throughout the years of the internal armed conflict. They have been forcibly recruited to fight or forced to undertake other tasks such as carrying loads, including looted property and food, and cooking. Women and girls have been forced to become the sexual partners of rebel forces. While in the early years of the conflict representatives of the RUF claimed publicly that some of those abducted had joined rebel forces willingly, in most cases captured civilians have been held under duress, threatened with killing or ill-treatment, and have had little option but to cooperate.

Capture and abduction of civilians, including many children, has continued throughout the months since the AFRC and RUF were deposed and has occurred increasingly in Northern Province. In those areas of the country which remained under the control of rebel forces thousands of civilians, including women and children, effectively remained captive, many of them in Kailahun District, a stronghold of the RUF since the beginning of the internal armed conflict. Some estimates put this number as high as 10,000. They were used to carry goods, as human shields or for sexual slavery.

Testimonies of victims of the attacks by rebel forces which occurred in Northern Province from April 1998 invariably referred to the abduction of large numbers of people, including children. When the town of Kabala was attacked by a large group of rebel forces in July 1998, a large number of children were abducted. Njalia Nimikoro, a village some 10 kilometres southwest of Koidu, was reported to have been attacked around 18 August 1998. Nine civilians, including a 10-year-old child were admitted to hospital with gunshot wounds, and a woman and her five children were reported to have been abducted by rebel forces. A few days earlier, on 15 August 1998, rebels in the area around Koidu were reported to have released around 250 captured civilians. Dozens of civilians were reported to have been abducted, however, when three villages in Kambia District were attacked in September 1998.

The abuse of children by rebel forces

Many of those abducted have been trained and forced to fight. When RUF forces joined the AFRC in Freetown following the military coup in May 1997 many of its fighters, some as young as 11 or 12 years and many in their teens, who had previously been abducted arrived in Freetown. Many had spent several years in RUF camps in the bush and had fought in the conflict. In some cases their names had been changed by the RUF. Fear played a significant role in forcing these children to remain with the RUF. Those who attempted to escape were beaten or killed. Former RUF child combatants have recounted summary killing, torture and ill-treatment. These children also relied on the RUF for their means of survival, including food and shelter. As well as being forced to fight, they were used as porters to carry goods and looted property. The use of drugs such as amphetamines was reported to be widespread. Sex was used in a systematic way by the RUF to enslave girls, often very young, and young women. While some later expressed a wish to remain with their partners, most remained under duress. Many had become pregnant and had children, making eventual reintegration into their own communities even more difficult.

The histories of many of the children abducted by the RUF since 1991 emerged when they arrived in Freetown. An 11-year-old boy caught and abducted during an ambush by the RUF near Bo several years earlier had been forced to take drugs and fight. Another boy had been captured in Kailahun District in 1992 when he was six years old and separated from his mother, sister and brother. Six years later he did not know where his family were or whether they were still alive. Another boy had been abducted during an attack in Kenema District in 1992, in which both his parents had been killed, when he was 10 or 11 years old. He had been with the RUF for six years and had been trained to use a gun and fight. A girl, aged 14 at the time of her abduction in 1995, was forced to become the sexual partner of a member of the RUF. She was forced to cook and taught how to use a gun.

Victims and perpetrators of human rights abuses

When the AFRC and RUF were forced by ECOMOG from Freetown in mid-February 1998 many of these children, some of whom had been responsible for killings and torture, were identified as members of the RUF and risked revenge attacks by civilians, placing their safety and lives in jeopardy. Almost 3,000 children associated with the RUF, fearing reprisals from civilians, were reported to have fled from Freetown in a matter of days. There were reports of such children being beaten by civilians before being handed over to ECOMOG troops and one child who had been living on the streets of Freetown was reported to have been burned alive in an apparent revenge attack. ECOMOG troops were also reported to have ill-treated some of these children when they were handed over into their custody.

Recruitment of children by Civil Defence Forces

Large numbers of children have also been recruited into the ranks of the CDF which support President Kabbah and are fighting with ECOMOG against rebel forces. Although the CDF has made a commitment to end initiation of children into the traditional hunters' societies which form the CDF, there were reports that new members, including children between the ages of 15 and 17, were recruited near Magburaka in Tonkolili District, Northern Province, in July 1998. Initiation of children into the CDF was also reported to be continuing in Southern and Eastern Provinces, for example at Daru and

Segbwema, during the following months and children, some as young as seven years, were still seen carrying arms and guarding CDF checkpoints. In early October 1998 Chief Samuel Hinga Norman, Deputy Minister of Defence, during a visit to Sierra Leone by the Executive Director of UNICEF, Carol Bellamy, was reported as stating his commitment to disarming and demobilizing children recruited by the *kamajors*, adding, however, that the conflict in Sierra Leone was not yet over.

Efforts by the international community to meet the needs of children

The Special Representative of the UN Secretary-General for Children and Armed Conflict, Olara Otunnu, visited Sierra Leone in both March and May 1998. During his visit in May 1998, when he travelled to the east of the country, it became clear that one of the most pressing challenges facing Sierra Leone was the "*crisis of the young*": the plight of children affected directly or indirectly by the conflict. He identified five areas requiring urgent action by the international community: demobilization and reintegration of child combatants; resettlement of internally displaced people; tracing the families of unaccompanied children; rehabilitation and support of victims without limbs; and provision and rehabilitation of medical and educational services.

At a meeting with the UN Special Representative during his visit in May 1998, the government agreed not to recruit children under the age of 18 years into a reconstituted national army. The CDF also agreed to stop initiation and recruitment of children under the age of 18 and to begin the process of demobilization of child combatants within their ranks [12]. Both ECOMOG and the CDF agreed to provide special protection to AFRC and RUF child combatants in their custody as a result of surrender, capture or escape. On 5 November 1998 Olara Otunnu again appealed to both the CDF and rebel forces to end the recruitment of child soldiers.

Olara Otunnu called on the international community to respond in a more vigorous and concerted way to the needs of children affected by the conflict in Sierra Leone and urged it to make the rehabilitation of children in Sierra Leone a pilot project for post-conflict reconstruction. Meeting the specific needs of children, young people and women affected by the conflict in Sierra Leone were particularly important in plans for rehabilitation and reconstruction.

In a press conference following his address to the UN General Assembly in October 1998, Olara Otunnu made specific references to the plight of children in Sierra Leone and called for the international community to provide both political commitment and resources. He recommended to the key actors responsible for post-conflict reconstruction programs, such as the World Bank and the United Nations Development Programme (UNDP), that the needs of women and children who had been victims of conflict should be at the centre of such programs.

On 29 June 1998 the UN Security Council strongly condemned the targeting of children in war, in particular their abduction, sexual abuse and recruitment as soldiers, and said that it would pay serious attention to the situation of children affected by armed conflicts.

In his address to the UN special conference, the UN Secretary-General acknowledged the terrible suffering of children in Sierra Leone: "*To an appalling degree, it was children who were, and still are, the victims of war, either as conscripted fighters or as casualties of indiscriminate attacks.*" The Secretary-General welcomed the government of Sierra Leone's decision to offer an amnesty for child soldiers from all combatant groups and efforts to develop a national program to meet the needs of children who had been particularly adversely affected by seven years of conflict.

At the UN special conference the Executive Director of UNICEF referred to the importance of demobilizing and reintegrating into society an estimated 4,000 children still attached to fighting forces which would require an intensive and long-term commitment of resources from the international community. Some 2,500 of these children were being forced to fight with rebel forces; the others had been recruited by the CDF. The safety of all children who had been captured needed to be ensured and ways found to release them and include them in the disarmament, demobilization and reintegration program.

During her visit to Sierra Leone in early October 1998, the Executive Director of UNICEF again urged that all child combatants be disarmed and demobilized: "*the fact that the conflict is (still going) on should not justify recruitment of children*". During discussions with government officials, she sought assurances that the government would abide by its commitments to demobilize child combatants, not to recruit new child combatants and to provide an amnesty for those children who had been fighting with rebel forces. She urged that the process be speeded up. She also called for the release of all child prisoners of war, the number of which is unknown.

The demobilization of soldiers and their reintegration into society - socially, psychologically, politically and economically - is critical to post-conflict reconstruction and rehabilitation. Support for such programs, particularly those for children, is vital. UNICEF and UNOMSIL, with the National Commission for Human Rights and Democracy and ECOMOG, are undertaking a program of registration and interviewing of former RUF child combatants in order to include them into the disarmament, demobilization and reintegration process. The children, once registered, are released from ECOMOG custody into the care of UNICEF. In October 1998 some 60 children, aged from eight to 18, were reported to have been registered in Makeni and another 120 in Bo; registration in Port Loko was due to commence in November 1998.

Recommendations

- **AFRC and RUF forces must end the gross human rights abuses being perpetrated against children, including killing, mutilation, rape and other forms of sexual abuse, abduction and forcible recruitment as combatants;**

- **AFRC and RUF forces should release all children currently held as captives or child soldiers;**

- **immediate measures to end the recruitment of children under the age of 18 by the CDF should be taken and the government should be assisted and supported in the registration of child combatants among the CDF in order to ascertain their exact number and location and to incorporate them into the disarmament, demobilization and reintegration program;**

- **the Sierra Leone government and the international community should fully support and assist relevant UN agencies and non-governmental organizations to identify and address the social, psychological and material needs of children, particularly former child combatants, affected by the conflict in Sierra Leone;**

- **the international community should fully support the proposal of the Special Representative of the UN Secretary-General for Children and Armed Conflict for Sierra Leone to be made a pilot project for a more effective response in the context of post-conflict peace building; this pilot project should coordinate, reinforce, and provide adequate resources for initiatives aimed at the protection of children in Sierra Leone.**

Human rights violations by ECOMOG forces

At the time of its offensive on Freetown which began on 5 February 1998, shelling by ECOMOG forces was reported to have caused a high number of civilian casualties. Shelling continued in densely populated areas of Freetown throughout the week of the offensive, including in areas where medical facilities, such as Connaught Hospital, were situated. More than 600 people with war-related injuries were reported to have been admitted to hospital during that period. The high number of civilian casualties suggested that ECOMOG may have taken inadequate measures to protect civilians during the offensive on Freetown.

Shelling by AFRC and RUF forces was, however, also intensive during that period and some civilians claimed that residential areas in Freetown were being deliberately shelled by AFRC and RUF forces, particularly by those positioned at Fourah Bay College on a hill overlooking Freetown.

Thousands of civilians in rebel-controlled areas, in particular Kailahun District, remain at risk of being caught in hostilities between ECOMOG, fighting with the CDF, and rebel forces. There are fears that the safety of the civilian population might be endangered, especially during air strikes which are reported to be taking place. Measures to minimise the risk to civilians during combat, in conformity with international humanitarian law, must be undertaken during military operations, including aerial bombardments of rebel forces' bases located near or within areas where there are high concentrations of civilians.

In his Second Progress Report on UNOMSIL the UN Secretary-General referred to reports which suggested that "*certain ECOMOG personnel do not consistently ensure full respect for provisions of international humanitarian law, such as those regarding the protection of non-combatants in combat situations and the proper treatment of combatants during surrender or capture. UNOMSIL is encouraging the ECOMOG leadership to raise awareness among all troops to ensure full respect for all relevant aspects of international humanitarian law*".

In the days after it took control of Freetown, several thousand soldiers surrendered to or were captured by ECOMOG forces. In subsequent weeks and months, ECOMOG supervised thousands of military detainees, in particular at Benguema, a military training camp some 25 kilometres from Freetown, but also at military bases at Lungi, Bo, Kenema and Makeni. According to the Attorney-General and Minister of Justice, Solomon Berewa, all military detainees held by ECOMOG remained under the authority of the Sierra Leone government; the role of ECOMOG was to screen those detained, assess whether they were a security risk and whether they could be deployed as part of the ECOMOG force or the eventual reconstituted national army.

It was claimed that AFRC and RUF combatants captured by the CDF were handed over to the police or ECOMOG forces after February 1998. It appeared, however, that CDF forces summarily killed some captured combatants and reports also suggested that ECOMOG forces handed over captured AFRC and RUF forces to the CDF who subsequently killed them.

A significant number of civilians are being detained by ECOMOG forces under the category of "safe custody" in prisons and other places of detention throughout the country. An unspecified number of people are held under ECOMOG "safe custody" at Pademba Road prison. At the Central Prison in Kenema more than 30 people, some apparently accused of collaboration with rebel forces, were reported to be held under ECOMOG "safe custody" in October 1998 without any

referral of their cases to the civilian authorities. There is apparently no legal basis for their detention; it is unclear whether they are held under the provisions of the Public Emergency Regulations which came into effect in March 1998. In October 1998 there were reports that a suspected member of rebel forces had been taken into custody by ECOMOG in Makeni despite substantial evidence that he was innocent.

There have also been reports that those taken into custody by ECOMOG forces have been ill-treated by being beaten and tied tightly. Among the victims in Freetown were children who had been among RUF forces and who were detained shortly after the ECOMOG intervention. During September 1998 there were reports, although few in number, of torture and ill-treatment of both civilian detainees and captured combatants. A number of former RUF child combatants who were registered as part of the disarmament, demobilization and reintegration program claimed that they had been ill-treated while in the custody of ECOMOG.

There have also been reports of acts of violence and intimidation by ECOMOG forces against civilians in Freetown and other parts of the country. On 5 October 1998 at a checkpoint at Magbenteh, about three kilometres from Makeni, a driver was reported to have been beaten and stabbed with a bayonet by a member of ECOMOG during an argument about a search of his vehicle and request for his documents. Sexual assault of women at ECOMOG checkpoints has also been reported in the area around Makeni.

There were several reports of harassment of humanitarian convoys by both ECOMOG and CDF forces in the area of Masingbi and Njaiama-Sewafe during October 1998. For example, the driver of vehicle belonging to a non-governmental organization was reported to have been physically assaulted by ECOMOG forces near Masingbi who also stole property from the vehicle. UNOMSIL military observers have frequently been requested to intervene with ECOMOG and the CDF on behalf of UN agencies and non-governmental organizations.

ECOMOG commanders have expressed a determination to address problems of ill-discipline and were reported to have established a complaints procedure to investigate any allegations of harassment of civilians by ECOMOG forces.

Recommendations

- **all military personnel participating in the ECOMOG force in Sierra Leone must adhere to international humanitarian and human rights law at all times;**
- **all troops participating in ECOMOG should be fully trained in these standards and understand their obligation to adhere to them;**
- **in accordance with international humanitarian law, civilians should not be targeted during military operations by ECOMOG forces; ECOMOG forces must at all times distinguish between the civilian population and combatants and take all necessary measures to protect civilians from the dangers arising from military operations;**
- **the cases of civilian detainees reported to be held "in safe custody" by ECOMOG forces should be reviewed by a civilian judicial authority in order to establish the legal basis for their detention and to determine whether they should be charged or released;**
- **specific mechanisms for monitoring, investigating and reporting any violations of international humanitarian and human rights law by ECOMOG forces should be established;**
- **UNOMSIL military observers should be provided with adequate resources to monitor the respect by ECOMOG forces of international humanitarian and human rights law during both military operations and during disarmament, demobilization and reintegration programs for former combatants;**
- **any allegations of human rights violations by ECOMOG forces, such as extrajudicial execution, torture and ill-treatment, should be promptly and independently investigated and those responsible brought to justice, in accordance with international standards.**

Human rights violations by Civil Defence Forces

The CDF have also failed to respect international human rights and humanitarian law and have been responsible for torture, ill-treatment and extrajudicial executions, although not on the scale of abuses committed by AFRC and RUF forces.

The CDF are composed of traditional hunters and include *kamajors* from the south and east of the country, and *kapras*,

donsos, tamaboros from the north. The National Coordinator of the CDF is the Deputy Minister of Defence. Although attempts have been made to register all members of the CDF throughout the country, this has been made difficult because of the lack of a formal structure and control over some of the CDF, continuing recruitment and fighting.

The CDF have killed, tortured and ill-treated both captured AFRC and RUF combatants and also civilians suspected of supporting or collaborating with the AFRC and RUF. In September 1997 four people, including a woman, who were suspected of being soldiers or AFRC supporters were reported to have been summarily executed by being decapitated when the vehicle in which they were travelling from Bo to Makeni was stopped by *kamajors*. In January 1998 *kamajors* were reported to have summarily killed civilians suspected of supporting the AFRC and RUF in two villages near the town of Rotifunk, Southern Province, some 90 kilometres from Freetown.

In February 1998, in the days following the removal of the AFRC and RUF, there were many cases of torture, ill-treatment and extrajudicial executions by the *kamajors*, including in the towns of Bo, Kenema and Koidu. They were often mutilated and many were killed by being burned alive; some had tyres placed around their heads which were then set alight. At least 50 people accused of having supported the AFRC and RUF were extrajudicially executed in Kenema. Black marks on the dirt roads where people had been burned alive were still visible months later. When *kamajors* entered Koidu on 11 and 12 February 1998 they captured and killed AFRC soldiers. Some were decapitated, others were doused with petrol or had tyres placed around them and were burned alive. Such killings also took place in Freetown in the days immediately following the removal of the AFRC and RUF. At least six people were killed by civilians in revenge attacks. They included Mohamed Bangura, also known as Saccoma, who was burned alive, Sheik Mustapha, who was beaten to death, and Musa Kabia.

Several independent sources referred to isolated incidents of extrajudicial execution together with ritual cannibalism by members of the CDF. Ritual cannibalism is not, however, accepted behaviour or policy among the CDF and is rejected as abhorrent by most CDF. It appears to be carried out only by a small number of *kamajors*, in particular in the region around Kenema, who subscribe to animist beliefs. One such incident was reported to have occurred on 27 March 1998 when a boy aged 17 from Kenema was detained by *kamajors* and accused of collaborating with the AFRC and RUF. He was taken to the market place and forced to buy vegetables and other ingredients. He was then reported to have been killed in a cannibalistic ritual. His partially burned body, with the heart removed, was later seen by witnesses. Other incidents of ritual cannibalism were reported to have taken place during April and May 1998 at Panguma, north of Kenema. These incidents must be investigated by the authorities and those responsible brought to justice. Longer-term measures, including increasing awareness and understanding of the cultural basis for this practice, are also needed in order to eradicate ritual cannibalism.

On 28 April 1998 President Kabbah announced that the CDF had been placed under the command of ECOMOG. The following day a *kamajor* leader in Bo was reported to have criticized the growing lawlessness of the *kamajors* and called for the registration of all CDF, who were apparently roaming the streets of Bo. Although nominally under the command and control of ECOMOG, the behaviour of the CDF continued to be undisciplined in the following months, particularly in areas other than their own villages, towns and districts. Reports of extrajudicial executions and torture of prisoners decreased significantly, however, from June 1998, apparently as a result of intervention by the government and ECOMOG, and the discipline of many CDF units improved significantly.

Some incidents of extrajudicial execution, torture and ill-treatment, however, continue to be reported. On 26 October 1998 four captured rebels were reported to have been extrajudicially executed in the village of Romeni, north of Port Loko. At least another 10 were reported to have been killed after being captured during the attack on Alikalia in October 1998.

In late August 1998 a young woman from the area around Kenema who had previously handled goods looted from the World Food Programme (WFP) by rebel forces was reported to have been interrogated by a group of about 20 CDF in the town of Kenema. When she made remarks considered offensive by the CDF, she was stripped and beaten. She was then taken to an unknown destination. Reports were also received in September 1998 of illegal arrest and detention of civilians by the CDF although it is unclear whether this practice is continuing.

Criminal acts, such as looting, confiscation of vehicles and civil disturbance, by the CDF have continued. Civilians have been harassed and money and goods extorted in exchange for permission to pass through checkpoints along major roads. The CDF have imposed their authority through fear and intimidation with the result that many people are afraid to make formal complaints to the authorities about their conduct. During September 1998 there were persistent reports of interference with the delivery of humanitarian supplies.

Little or no action is known to have been taken by the authorities against members of the CDF who have been responsible for illegal arrest and detention, torture and ill-treatment and extrajudicial executions of those suspected of having collaborated with the AFRC which have occurred since February 1998. The CDF appear to act with impunity. There is an urgent need to investigate human rights violations committed by the CDF and bring those responsible to justice.

Recommendations

- **strict chain of command must be enforced over members of the CDF in order to prevent extrajudicial**

executions, torture and ill-treatment, illegal arrest and detention;

- **all reports of extrajudicial executions, torture and ill-treatment, illegal arrest and detention by the CDF should be promptly and independently investigated in order to bring those responsible to justice.**

Refugees and internally displaced people - still at risk

In July 1998 at the UN special conference on Sierra Leone, the UN High Commissioner for Refugees, Sadako Ogata, stated that the refugee crisis in Sierra Leone had been the worst in Africa so far during 1998. On 10 November 1998 she again referred to the plight of Sierra Leonean refugees and internally displaced people when she called on the UN Security Council to respond more effectively to refugee crises in Africa.

As fighting has intensified in the east and north of the country since the intervention by ECOMOG in February 1998, at least 550,000 Sierra Leoneans are estimated to have fled areas affected by conflict. They include hundreds of unaccompanied children. According to UNHCR, since the beginning of 1998, some 210,000 Sierra Leoneans have sought refuge in Guinea and another 57,000 in Liberia. It is also estimated that more than 300,000 have become internally displaced within Sierra Leone during 1998.

The continuing violence perpetrated by rebel forces has not only prevented the return of refugees and internally displaced people to their homes but has also caused a serious humanitarian situation which threatens lives. Both refugees and internally displaced people remain vulnerable to attacks by rebel forces and face acute hardship, disease and malnutrition. The violence and insecurity in areas affected by the conflict has often prevented adequate assistance reaching them.

Refugees in Guinea and Liberia

When fighting between ECOMOG and rebel forces intensified in Kailahun District in April 1998, some 1,000 civilians were reported to be fleeing to Liberia daily. Thousands of refugees also fled into Guinea; 6,000 new refugees arrived during the first week of June 1998. Many, including children, died as a result of malnutrition, diarrhoea and malaria.

The majority of Sierra Leonean refugees were in areas where access was extremely difficult. In both Guinea and Liberia, poor road conditions and the onset of the rainy season, combined with concerns about security by both the Liberian and Guinean authorities, aggravated still further problems of access by humanitarian agencies to refugees in camps near the border, threatening food deliveries and basic medical care, including vaccinations.

Between 15 June 1998 and 10 July 1998 humanitarian agencies were denied access by the Guinean authorities to camps close to the border in the Guéckédou region where more than 150,00 refugees had recently arrived. The Guinean authorities cited insecurity and difficulties in guaranteeing the safety of humanitarian agencies in the area. UNHCR and its partners did not have access to these refugees for more than three weeks. Many of the refugees in this area were already in poor physical condition when they had arrived. In early September 1998 heavy rains disrupted the delivery of relief assistance to some 180,000 Sierra Leonean refugees in camps in the Guéckédou region of Guinea.

In Guinea most camps were near the border with Sierra Leone, leaving refugees close to areas of the fighting and vulnerable to attacks. On 3 July 1998 the refugee camp at Forokonia in Guinea was attacked during an incursion by rebel forces from Sierra Leone. Six refugees were killed and the camp was looted and almost entirely burned.

In early September 1998 UNHCR reported that rebel forces were continuing to brutalize Sierra Leonean refugees in Guinea. Rebel forces had attacked a refugee camp at Tomandu inside Guinea on 1 September 1998, killing at least 10 people - seven women refugees and several Guineans - as they forced other refugees to carry stolen goods back across the border into Sierra Leone. UNHCR sent representatives to the village which had been attacked. They found Sierra Leonean refugees who had previously been abducted by rebel forces, including a girl who said that she had been repeatedly raped and a boy who had the letters RUF carved into his chest and forehead. Witnesses said that rebel forces had raided local food stores killing everyone nearby. Three women refugees were reported to have been shot and seriously wounded when they refused to continue across a bridge into Sierra Leone. UNHCR subsequently moved thousands of refugees from Tomandu to camps further inside Guinea.

Conclusion 22 of the UNHCR Executive Committee states that: "The location of asylum-seekers should be determined by their safety and well-being as well as by the security needs of the receiving State. Asylum-seekers should, as far as possible, be located at a reasonable distance from the frontier of their country of origin". In addition, Conclusion 48: "Condemns all violations of the rights and safety of refugees and asylum-seekers and in particular military or armed attacks on refugee camps and settlements".

On 8 September 1998 the WFP appealed for assistance for more than 200,000 Sierra Leonean refugees in the Guéckédou region, most of whom had fled continuing rebel attacks in Kono and Kailahun Districts. According to the WFP, some 80 per cent of civilians from these areas were either dead or unaccounted for. Several thousand others were believed to be held captive by rebel forces. Refugees were arriving destitute, suffering from exhaustion, malnutrition and

disease.

There was a further large influx of Sierra Leonean refugees into the Forécariah region of Guinea in late September 1998. According to UNHCR, more than 3,000 people crossed the border on 29 September 1998 after rebel forces had killed civilians and burned homes in Kukuna. Concern was expressed that refugee camps in the Forécariah region, close to the border, were vulnerable to incursions by rebel forces from Sierra Leone. Another 2,000 were reported to have also fled their homes and become internally displaced.

Most Sierra Leonean refugees in Liberia, the majority unaccompanied women and children, were based at camps at Vahun and Kolahun in Lofa Country in northwestern Liberia. An unknown number of others were scattered along the border without access to humanitarian assistance. Bad roads and rains hampered access by humanitarian organizations to refugee camps.

The large concentrations of Sierra Leonean refugees in Liberia, in particular at camps in Vahun and Kolahun, contained significant numbers of both active and former combatants. They included rebel forces who regularly crossed the border between Sierra Leone and Liberia. Others were former Sierra Leonean soldiers who feared returning to Sierra Leone because of possible reprisals by the CDF. Also among Sierra Leonean refugees in Liberia were former combatants of the RUF who had voluntarily ceased combat. Conclusion 77 of the UNHCR Executive Committee "calls on States of refuge to take all necessary measures to ensure that the civilian and humanitarian character of refugee camps and settlements is maintained".

In addition to the severe physical hardship encountered by refugees and internally displaced people, there was also concern that refugees returning to Sierra Leone who might be considered to be associated with rebel forces could be at risk of revenge attacks on their return and might become victims of arbitrary detention, torture and ill-treatment or extrajudicial execution.

Internally displaced people

Some 20,000 internally displaced people sought safety from the increasing attacks in Northern and Eastern Provinces from April 1998 at Masingbi, between Koidu and Makeni, swelling the town's normal population of 7,000. During June and early July 1998 up to 300 people arrived daily at Masingbi, decreasing to between 50 and 100 a day during August 1998. The humanitarian situation of internally displaced people at Masingbi remained critical during the following months and there was a high mortality rate as a result of disease and malnutrition. Children under five years were the worst affected. Fears for the safety of displaced people at Masingbi heightened after ECOMOG forces repelled an attack by rebel forces on Masingbi in late October 1998.

With the onset of the rainy season from May, when endemic diseases such as cholera resurface, many civilians caught in areas under the control of rebel forces, forced from their homes and seeking refuge in the bush and with no access to medical assistance were reported to be suffering from vomiting and diarrhoea.

As attacks by rebel forces in both Northern and Eastern Provinces resumed during September and October 1998 entire local communities in Kambia, Koinadugu, Bombali and Kenema Districts were displaced. Attacks by rebel forces on villages in Kenema District in late September 1998 were reported to have resulted in as many as 10,000 people fleeing their homes, half of whom sought refuge in the town of Kenema.

Recommendations

- **all violations of the rights and safety of refugees and, in particular, military or armed attacks on refugee camps and settlements should be condemned; all efforts should be made to protect the safety of refugees in camps and settlements, including location to secure areas and, whenever possible, at a reasonable distance from the border with Sierra Leone;**

- **effective measures should be taken to preserve the civilian and humanitarian nature of refugee camps and settlements;**

- **every effort should be made to ensure the safety of internally displaced people; internally displaced people's camps should be provided adequate protection from human rights abuses;**

- **all efforts should be made to ensure that there is adequate access to refugees and internally displaced people in order to monitor their safety and provide humanitarian assistance;**

- **refugee repatriation programs should include effective monitoring and protection for as long as necessary; international refugee law and protection standards must be adhered to at all times, including the principles of *non-refoulement*, the right to seek asylum and repatriation only on a voluntary basis with international**

supervision.

Accountability for human rights abuses

The government of President Kabbah, since it was reinstated in March 1998, has taken measures to establish accountability for human rights abuses and to bring those responsible to justice. This is essential for achieving justice and moving towards national reconciliation. Such a process, however, must be undertaken in accordance with international standards and must not itself violate human rights. Trials of those accused of human rights abuses must conform to international standards for a fair trial and there should be no recourse to the death penalty.

Impunity contributes to continuing human rights abuses. It is only when those responsible for human rights abuses are brought to justice for their crimes that a clear message is sent that these abuses will not be tolerated or allowed to go unpunished.

The scale of the atrocities committed by the AFRC and the RUF, both before and after they held power, demand that those responsible be brought to justice. This is not incompatible with peace and reconciliation. Peace and security will not be achieved in Sierra Leone until there is an end to impunity. True reconciliation cannot be achieved if the right of victims and their families to truth, justice and redress are ignored.

On 17 June 1998, shortly after a conference on the creation of an international criminal court opened in Rome, Italy, a joint statement by the heads of five UN agencies said that the atrocities being committed in Sierra Leone were a brutal reminder of the urgent need for an international criminal court to try those responsible for war crimes and crimes against humanity. The statement by UNICEF, UNHCR, the Special Representative of the UN Secretary-General for Children and Armed Conflict, the UN High Commissioner for Human Rights and the UN Under-Secretary-General for Humanitarian Affairs urged those participating at the conference in Rome to study carefully the situation in Sierra Leone and to ensure that the statute they adopted would be able to combat impunity, provide justice and contribute to a lasting peace in the country.

The statement added that, despite the willingness of the Sierra Leone government, it was unlikely that the judicial system would have sufficient resources to bring those responsible for human rights abuses to justice, which would raise "*the prospect of yet another round of mindless violence going unpunished*".

The delegation of Sierra Leone to the conference in Rome repeatedly cited its country as evidence of the need for the establishment of a permanent international criminal court. Amnesty International believes that the international community must assist in establishing accountability for the atrocities in Sierra Leone. This assistance should include both political commitment and practical assistance towards the re-establishment of a functioning and effective justice system and the investigation and documentation of past human rights abuses.

At the UN special conference on Sierra Leone, the UN Secretary-General also stressed the need for national reconciliation and for Sierra Leoneans to put the past behind them and put the future first. The process of reconciliation did not, however, preclude accountability for human rights abuses: "*Those responsible for the atrocities and other gross violations of human rights will in time be brought to justice*". The need to pursue policies promoting national reconciliation had to be combined with ensuring that those responsible for crimes and atrocities against civilians were brought to justice. All those accused had to be given fair trials with full respect for due process of the law.

Recommendations

- **those responsible for the gross human rights abuses which have occurred in Sierra Leone since May 1997 must be held accountable for their crimes, in accordance with international standards;**
- **the international community should assist Sierra Leone in establishing accountability for the atrocities in Sierra Leone and bringing those responsible to justice, in accordance with international standards.**

Detentions and trials after February 1998

After ECOMOG forced the AFRC from power in February 1998, some 2,000 people were arrested and detained. A significant number were former combatants who were considered to be prisoners of war. Others were associated or perceived to be associated with the AFRC and RUF. Many of those detained were suspected of criminal offences which included gross human rights abuses such as torture and deliberate and arbitrary killing of civilians. Some of those detained had given themselves up to police and ECOMOG forces as a means of protection from civilians who attacked, and in some cases killed, those closely associated with the AFRC and RUF.

On 10 March 1998, President Kabbah proclaimed a state of emergency, under Section 29 of the Constitution of 1991, which includes provisions for indefinite detention without charge or trial. The Proclamation of Emergency was ratified by

parliament on 26 March 1998. The Public Emergency Regulations, 1998, state that:

"2. The President may, if in his opinion it is necessary, for the purpose of maintaining and securing peace, order and good government in Sierra Leone, make an Order-

(a) directing that any person be detained or continues to be detained and so long as such an Order is in force in respect of any person, that person shall be liable to be detained in such place and under such circumstances as the President may from time to time determine and shall, while so detained, be deemed to be in legal custody".

Although Article 4 of the ICCPR allows the Sierra Leone government to derogate from its obligations under the treaty, it requires that derogation has to be to the "extent strictly required by the exigencies of the situation". Certain rights, including the right to life in Article 6 and the prohibition of torture, cruel, inhuman or degrading treatment or punishment in Article 7, cannot be derogated from. The UN Human Rights Committee which monitors compliance with the ICCPR has stated that "measures taken under Article 4 are of an exceptional and temporary nature and may only last as long as the life of the nation concerned is threatened and that, in times of emergency, the protection of human rights becomes all the more important, particularly those rights from which no derogations can be made".

Hundreds of people alleged to have collaborated with the AFRC and RUF have been held without charge under the Public Emergency Regulations. The scope of these regulations raises concern that people could be held indefinitely without charge or trial, in violation of international human rights standards, in particular the ICCPR.

Throughout the months following the return of the government of President Kabbah arrests of those suspected of collaborating with the AFRC have continued, although the scale of arrests has gradually decreased and some of the detainees have been released without charge. It has been difficult to determine at any one time exactly how many detainees are held without charge. At the end of September 1998, however, several hundred people, including some 130 children, were believed to be held without charge in detention in Pademba Road prison and other places of detention in and around Freetown. In some cases detentions appeared to be entirely arbitrary, for example, in cases where people were denounced as collaborators for reasons of personal revenge or settling of scores. In September 1998, 18 women were reported to have been arrested in Freetown after being denounced for having fraternized with members of the AFRC.

Significant numbers of civilians are also being held illegally by ECOMOG forces in "safe custody" without any process of review of their detention by a civilian judicial authority.

Among those released without charge from Pademba Road prison after several months in detention were more than 20 senior police officers, who were reported to have been released on 20 August 1998. More than 270 Sierra Leonean soldiers who had been part of the ECOMOG contingent in Liberia at the time of the ECOMOG intervention in Freetown, repatriated in March 1998 and detained in Pademba Road prison were also released from custody for retraining on 31 August 1998.

Fifty-nine civilians were charged with treason and other offences in April 1998 and were brought to trial before the High Court early the following month. Trials before a court martial of 37 soldiers began in July 1998. Foday Sankoh was brought before a magistrates' court on 4 September 1998 and charged with treason and other related offences; his trial before the High Court began later that month. It was also expected that further trials of both civilians and soldiers would begin in November 1998. The Court of Appeal ruled in 1975 that the death penalty for the offence of treason was discretionary.

The cases of some of the hundreds of other detainees who remained held without charge or trial were to be reviewed by an independent committee of investigation.

The committee of investigation

In late May 1998 the government established an independent committee of investigation to review the cases of the several hundred people arrested for alleged collaboration with the AFRC who remained detained without charge. The purpose of the committee is to review the cases of those detained in order to expedite release or prosecution. The terms of reference of the committee was to advise the government on action to be taken in the cases of: those alleged to have collaborated with the AFRC; civil servants who had resumed work under the AFRC at their own request or on the invitation of the AFRC; and managers and employees of public sector services who allowed the use of funds by the AFRC or others who facilitated payment of public funds.

The committee of investigation is headed by Nasiru Tejan-Cole, a former Director of Public Prosecution, and includes seven other prominent members of the community. It began its work on 17 July 1998 but its hearings were not held in public. Human rights officers from UNOMSIL were, however, allowed to attend. Detainees appeared before the committee in person and were not represented by lawyers. They were invited to comment on statements that they had made to the police after their arrest and were also able to call witnesses. The committee then made recommendations to the government on whether to prosecute or release them.

Amnesty International welcomed the establishment of the committee of investigation by the government as a positive

initiative. While its progress in reviewing cases has been slower than anticipated, the committee is reported to have conducted its work professionally and competently.

By late September 1998 the cases of some 120 detainees had been considered by the committee. More than 70 had been released unconditionally and another 17 were released either on bail or pending further investigations. In other cases the committee concluded that there was evidence of criminal offences. The committee of investigation is continuing its work and has repeated its calls for witnesses of suspected collaboration to provide evidence and cooperate with the committee.

Recommendations

- **the cases of those who remain detained without charge or trial should be reviewed by the committee of investigation with a minimum of delay with a view to either charging or releasing them.**

Trials before the High Court

Among the 59 civilians charged in April 1998 with treason and some also with other offences, including murder and arson, were those who had participated in the AFRC by accepting government posts. The defendants also included a number of former politicians including former President Joseph Saidu Momoh. One of the defendants, Abdul B. Sankoh, died as a result of ill-health on 21 June 1998. Trials in three groups began in early May 1998 before the High Court in Freetown.

The government stated its commitment to ensuring fair trials for those charged, whereas the public mood was one of anger and a desire for swift justice. The trials were open to the media and public and were monitored by UNOMSIL human rights officers, assisted from July until October 1998 by representatives of the International Bar Association. Independent observers concluded that there had been a genuine attempt by the government to conduct fair and transparent trials before the High Court and that the trials appeared to comply to international procedural standards.

On 25 August 1998, 16 defendants in one of the trials were convicted and sentenced to death; the two remaining defendants were acquitted. Among those sentenced to death were Victor Foh, a member of parliament of the All People's Congress (APC) party, Allieu Badara Kamara, AFRC Under-Secretary of State for Information, Christian Kargbo, former Governor of the Central Bank, Hilton Fyle, a journalist and broadcaster, who had formerly worked for the British Broadcasting Corporation (BBC) World Service, Ibrahim Ben Kargbo, a journalist and editor of the *New Citizen* newspaper, Gipu Felix-George, Director General of the Sierra Leone Broadcasting Service (SLBS), and two other SLBS broadcasters, Dennis Ayodele Smith and Olivia Mensah. Olivia Mensah, who was pregnant at the time of her arrest and who gave birth in July 1998, was also convicted of murder.

A second trial concluded on 19 October 1998; 16 defendants were convicted and three acquitted. On 21 October 1998, 11 of those convicted were sentenced to death and the five others were sentenced to 10 years' imprisonment. Those sentenced to death included Claude Victor Campbell, a former Attorney General and Minister of Justice, Ahmed Charrid Dumbuya, former head of the National Power Authority, Brigadier (rtd.) Leslie Modibo Lymon, AFRC Secretary of State for the Interior, and Nancy Steele, a former APC politician.

The third trial concluded on 4 November 1998. Fifteen of the defendants were convicted of treason and were sentenced to death the following day. They included several people who had held ministerial positions during the period of AFRC rule, including Victor Brandon, Secretary of State for Development, Dr Bailah Leigh, Secretary of State for Health, Dr Matilda King, Under-Secretary of State for Health, and Ajibola Manley-Spaine, Attorney General and Minister of Justice. Former President Momoh was found not guilty of treason but was convicted of two counts of conspiracy and sentenced to two five-year terms of imprisonment to be served concurrently. Five other defendants were acquitted.

All those convicted by the High Court have the right to appeal to the Court of Appeal and, if unsuccessful, to the Supreme Court. If conviction and sentence are confirmed on appeal, those sentenced to death may seek the exercise of the prerogative of mercy, under Section 63 of the Constitution of 1991. The prerogative of mercy is exercised by a special committee chaired by the President. All those convicted and sentenced to death have appealed against their conviction and sentence; a date for hearings before the Court of Appeal had not been set by early November 1998.

Following interventions by the international community calling for commutation of the death sentences passed in August 1998, the government responded that the judicial process was continuing, that those sentenced had the right to appeal to the Court of Appeal and the Supreme Court, that it remained committed to due process of the law and that the President would consider exercising clemency in any cases where a death sentence was confirmed at the completion of the judicial appeal procedure.

The trial of Foday Sankoh began on 24 September 1998 and he appeared before the High Court on several occasions during October 1998, pleading not guilty to charges of treason and other offences related to the military coup of May 1997. Sierra Leonean lawyers feared reprisals if they agreed to represent Foday Sankoh and genuine efforts by the government to provide legal representation for him proved unsuccessful. He therefore conducted his own defence.

Under Article 14(3)(d) of the ICCPR, a defendant should be allowed to defend himself through a legal representative of his own choosing and that, if he does not have legal assistance, such assistance should be assigned to him. Article 7 of the African Charter, as interpreted by the African Commission, also includes the right to be defended by a lawyer of the defendant's choice. Safeguard 5 of the Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty, states that: "Capital punishment may only be carried out pursuant to a final judgment rendered by a competent court after legal process which gives all possible safeguards to ensure fair trial, at least to those contained in Article 14 of the International Covenant on Civil and Political Rights, including the right of anyone suspected of or charged with a crime for which capital punishment may be imposed to adequate legal assistance at all stages of the proceedings." The UN Special Rapporteur on extrajudicial, summary or arbitrary executions reiterated in December 1996, that: "All defendants facing the imposition of capital punishment must benefit from the services of a competent defence counsel at every stage of the proceedings."

On 23 October 1998 Foday Sankoh was convicted on seven of the nine counts against him and sentenced to death. He appealed against his conviction and sentence and requested representation by a defence lawyer for the appeal procedure. The government sought assistance in providing a lawyer for Foday Sankoh from the United Kingdom and other Commonwealth countries.

Recommendations

- **all trials should continue to be open to international observers and to conform to international standards for a fair trial;**
- **all those tried for offences which carry a mandatory or discretionary death sentence should be ensured all appropriate safeguards as guaranteed by international standards, including adequate legal assistance at all stages of the proceedings and the right to appeal against conviction and sentence to a higher jurisdiction.**

Trials before court martial

The trial of 37 soldiers charged with mutiny, failure to suppress a mutiny, treason and conspiracy began on 23 July 1998. The defendants included senior members of the AFRC such as Colonel Abdul Karim Sesay, AFRC Secretary General, Sergeant Abu "Zagalo" Sankoh and Corporal Tamba Gborie who had announced the military coup on 25 May 1997 on state radio. The judicial panel comprised Sierra Leonean army officers and was presided by a Judge Advocate who was a Nigerian ECOMOG officer.

As with the trials before the High Court, the court martial was open to independent observers. In addition to monitors from UNOMSIL and the International Bar Association, an Amnesty International representative observed the early proceedings of the trial before the court martial in late July and early August 1998.

Trials before court martial in Sierra Leone allow no right of appeal against conviction and sentence to a higher jurisdiction. The right of appeal from a decision of a court martial was abolished by statute in 1971. This lack of judicial appeal violates international standards for a fair trial. Amnesty International repeatedly urged the government to allow a judicial appeal from the court martial.

Article 14(5) of the ICCPR states that: "Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law." Under the Optional Protocol to the ICCPR, ratified by Sierra Leone in 1996, where rights guaranteed by the ICCPR, including the right to fair trial, have been violated, recourse may be sought from the UN Human Rights Committee.

The Human Rights Committee has concluded that imposition of a death sentence after a trial which violates the provisions of the ICCPR, including Article 14, constitutes a violation of the right to life which is guaranteed by Article 6 of the treaty.

In addition, Safeguard 6 of the Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty states that: "Anyone sentenced to death shall have the right to appeal to a court of higher jurisdiction, and steps should be taken to ensure that such appeals shall become mandatory." [13]

The African Charter also guarantees, under Article 7, the right to fair trial. The African Commission has made several decisions which interpret Article 7 of the African Charter to include a right of appeal to a higher jurisdiction. In April 1998 the African Commission, before the execution of 23 people in Rwanda, issued a statement saying that the executions of people who had been denied a fair trial violated Article 4 of the African Charter which prohibits the arbitrary deprivation of the right to life.

As with those sentenced to death by a civilian court, the presidential committee for the prerogative of mercy may meet after judgment has been made to confirm or reduce sentences by the court martial.

In the final stages of the trial, the judicial panel of the court martial refused to accept legal arguments, which had previously been accepted by the prosecution in the case of civilians being tried for treason before the High Court, that the death penalty was discretionary, rather than mandatory, for the offence of treason. It therefore refused to accept evidence in mitigation.

On 12 October 1998 34 of the defendants before the court martial were convicted of treason, murder and collaborating with the enemy and sentenced to death. They included Colonel Abdul Karim Sesay, Sergeant Abu "Zagalo" Sankoh, Corporal Tamba Gborie, Brigadier Hassan Karim Conteh, a former Chief of Defence Staff, Colonel Samuel Francis Koroma, also former Chief of Defence Staff, Squadron Leader Victor L. King, and a woman, Major Kula Samba, who had been AFRC Secretary of State for Social Welfare, Children and Gender Affairs. The three other defendants were acquitted.

Complaints of violations of the ICCPR were submitted to the UN Human Rights Committee on behalf of 18 of those sentenced to death by the court martial. Despite these submissions and appeals for stays of execution and clemency by the international community, including the UN Secretary-General and UN High Commissioner for Human Rights, 24 of those sentenced to death, including those named above, were executed on 19 October 1998. The other 10 had their sentences commuted to life imprisonment by the committee for the prerogative of mercy.

The executions were carried out by a firing squad using automatic weapons and took place in public on the outskirts of Freetown. The executions were reported to have been observed by a large number of people, although not specifically invited, who included the news media. Photographs of the executions were subsequently published. Amnesty International considers that the death penalty in all circumstances is a cruel, inhuman and degrading punishment. The manner in which these executions were carried out, however, was particularly cruel, inhuman and degrading. The graphic publicity subsequently appearing in the news media in Sierra Leone both emphasized and aggravated the brutalizing effect that the executions have on society within Sierra Leone.

These executions violated Sierra Leone's commitments under international human rights law and were condemned by the international community, including the UN and the EU, as well as Amnesty International and other human rights organizations. The UN Secretary-General said on 22 October 1998 that he regretted that the executions had taken place despite his appeal to the government to consider, at the very least, a stay of execution pending review of the proceedings before relevant international monitoring bodies. He added that he hoped that the government would ensure due process of the law in subsequent trials. The UN Human Rights Committee requested the government to explain why it had disregarded the Committee's request for a stay of execution and carried out the executions.

It was reported in late October 1998 that a further 16 soldiers would be tried on treason charges before the court martial; if convicted, they too faced death sentences without the right to appeal to a higher jurisdiction.

Recommendations

- **trials before court martial must conform to international standards for a fair trial, including the right of appeal against conviction and sentence to a higher jurisdiction;**
- **in addition, those tried before court martial for offences which carry a mandatory or discretionary death sentence should be ensured all appropriate safeguards.**

The death penalty - a violation of human rights

All those convicted of treason and other offences relating to the military coup of May 1997 face a possible death sentence. By early November 1998, 42 civilians and Foday Sankoh had been sentenced to death and 24 of 34 soldiers sentenced to death by court martial had been executed.

The anger and bitterness of the people of Sierra Leone against those tried for crimes committed during the period of AFRC rule and the desire for retribution and swift justice was demonstrated by the series of revenge killings which took place in Freetown and other parts of the country after the removal of the AFRC and RUF. Public opinion in Sierra Leone demands that strong action is taken by the government against those responsible for crimes committed during that period, which included gross human rights abuses such as killings and torture. The atmosphere surrounding the trials has been highly charged and support for the death penalty in Sierra Leone is inevitably widespread.

Amnesty International acknowledges the government's responsibility to bring to justice those responsible for such crimes, in accordance with international standards. Amnesty International is opposed to impunity and always encourages governments to investigate human rights abuses and to bring the perpetrators to justice. It is precisely because Amnesty International is concerned that those guilty of human rights abuses should not escape justice that it urges the government to ensure that all trials are conducted fairly.

Amnesty International is, however, unconditionally opposed to the death penalty on the grounds that it is a violation of the

fundamental right to life and the right not to be subjected to cruel, inhuman or degrading punishment as set out in the Universal Declaration of Human Rights and the ICCPR. There is particular concern when those sentenced to death and executed do not receive fair trials.

The scale of human rights abuses committed in Sierra Leone has been horrendous. An argument used in favour of the death penalty is that it is justified retribution for particularly atrocious crimes. The use of the death penalty, however, perpetuates a cycle of violence, bitterness and revenge, instead of bringing reconciliation and respect for human rights. The death penalty is an official form of violence which has a brutalizing effect on society. Violent retribution is not justice but vengeance disguised as justice. A government and people committed to end human rights abuses must rise above vengeance and promote and protect human rights, in particular the right to life.

A difficult and daunting task faces Sierra Leone in achieving reconciliation within its society after the atrocities committed by the AFRC and RUF. Amnesty International, however, does not believe that the use of the death penalty will contribute in any way to the process of reconciliation. On the contrary, it considers that the public executions of 24 soldiers in October 1998 after an unfair trial are incompatible with initiatives aimed at reconciliation within Sierra Leone.

There has been significant progress towards ending the use of the death penalty both in Africa and throughout the world; 19 states in Africa and a majority of states worldwide have abolished the death penalty in law or in practice. The government of Sierra Leone should move in the direction of this trend, rather than against it.

Recommendations

- **the government of Sierra Leone should take steps towards the abolition of the death penalty in law**
- **pending abolition, all death sentences should be commuted and no executions should take place;**
- **the government and non-governmental organizations should initiate and promote open debate on the death penalty among the Sierra Leonean population in order to raise awareness of the human rights issues involved.**

Harsh prison conditions

Conditions in prisons, police stations and other places of detention in Freetown and throughout the country fall far short of international standards for the treatment of prisoners and in some cases amount to cruel, inhuman and degrading treatment. The severity of conditions in Sierra Leone's prisons appears to be attributable to material shortages in a country which faces acute economic problems. Conditions have been further exacerbated by the destruction and damage of prison facilities at the time of the military coup in May 1997.

All places of detention hold numbers of detainees well beyond the capacity for which they were designed. Following the detention of some 2,000 people in the weeks following the removal of the AFRC and RUF from power, conditions in Pademba Road prison and police cells in Freetown became severely overcrowded. In October 1998 some 1,200 detainees were reported to be held at Pademba Road prison, more than three times the capacity for which it was constructed. Most of these detainees were held under the Public Emergency Regulations. Detainees were also held in military camps, including ECOMOG bases at Wilberforce and Lungi barracks.

In August 1998 a local human rights organization, Prison Watch Sierra Leone, reviewed conditions both at Pademba Road prison and the Kingtom Remand Home for children in Freetown. It concluded that generally the diet of prisoners was deficient. With the exception of separate facilities provided for women prisoners, sanitation was poor at Pademba Road prison. Prisoners depended on family and relatives for the provision of clothing. Prison Watch Sierra Leone drew particular attention to the neglect of 24 children held at that time at the Kingtom Remand Home, the youngest of whom was 11 years old. Few received visits from members of their families and most appeared to be children who had lost contact with their families as a result of the conflict.

Conditions are particularly harsh at CID headquarters and also at the Central Police Station in the centre of Freetown. Large number of detainees, accused of criminal offences or of crimes committed during the period of AFRC rule, are reported to have been held for lengthy periods at CID headquarters in small, dark cells with inadequate ventilation and sanitary facilities. Cells at the Central Police Station, which is situated next to the sea, are reported to be extremely damp and subject to flooding. Often detainees have no bedding and have to sleep on the floor. Food and medical care are inadequate. Detainees held in police stations rely on food being provided by relatives and friends.

Conditions in prisons outside the capital are also extremely poor. Food and sanitary provisions are particularly deficient. There is no effective system for providing food to prisoners and those without support from relatives are at particular risk of deprivation. Often there is no space for exercise within the prison. In prisons outside Freetown, for example in Kenema, female prisoners are not segregated from males and minors are held with adult prisoners.

As a result of severe overcrowding, inadequate hygiene and medical care diseases, including malaria, diarrhoea and skin complaints, are rife in Pademba Road prison and other places of detention. Some prisoners and detainees were reported to have died as a result of ill-health. While Pademba Road prison has medical facilities within the prison and a prison doctor, most prisons outside Freetown have no such provision.

Following the detention of hundreds of people alleged to have collaborated with the AFRC and RUF visits were severely restricted and denied altogether on several occasions. The authorities justified these restrictions on security grounds.

Shortly after the removal of the AFRC and RUF a delegation of the ICRC, accompanied by a doctor and a nurse, were authorized to visit all places of detention in areas under the control of ECOMOG, including Pademba Road prison, and visits have since continued.

The government is reported to be reviewing the prison system in Sierra Leone in order to undertake major reforms. Financial assistance from the international community will, however, be necessary to implement improvements to conditions in prisons and other places of detention. Following visits to several places of detention in late October 1998 UNOMSIL human rights officers prepared an analysis of the problems faced by the prison system in order to provide a more coordinated response to the needs of prisons and other places of detention.

Recommendations

- **urgent and effective measures should be taken to ensure that all places of detention in Sierra Leone conform to international standards for the treatment of prisoners, including the UN Standard Minimum Rules for the Treatment of Prisoners;**
- **the health of all detainees and prisoners should be ensured while in custody; adequate medical facilities and treatment, food, washing and sanitary facilities should be provided, and prisoners should have daily exercise in the fresh air;**
- **the international community should assist the Sierra Leone government in ensuring acceptable conditions of detention.**

Long-term measures for the protection and respect of human rights

Establishing accountability for human rights abuses is essential to prevent human rights violations in the future. Also needed are strong and effective institutions within Sierra Leone to ensure that fundamental human rights are respected and protected. This includes the legal and judicial systems, the army and the police, as well as an independent national human rights commission. Civil society, including human rights groups, are also integral to promoting human rights and creating an environment in which human rights are respected.

Despite the exceptionally difficult circumstances that all sectors of civil society, including the human rights community, in Sierra Leone have recently endured, human rights groups have emerged as a committed and active force. Their potential should be acknowledged and their activities supported. A National Forum for Human Rights, which is a coalition of 18 organizations working in diverse areas, has been established.

It is essential that basic institutional reforms are guided by strict adherence to international standards relating to the independence of the judiciary, human rights in the administration of justice and codes of conduct for law enforcement officials. All sectors of Sierra Leonean society, including the human rights community, should be involved in these reforms and should receive education and training on human rights standards and complaints procedures.

The international community, including the UN and international financial institutions such as the World Bank and the International Monetary Fund, should work closely together to promote post-conflict reconstruction and rehabilitation in Sierra Leone which is based on good governance and respect for human rights. International financial institutions should use their influence - official and unofficial - to ensure that the restoration of good and effective governance includes the re-establishment of mechanisms and systems to promote the rule of law and the protection of human rights. This should include assistance towards the establishment of permanent, independent and effective national institutions for the long-term protection of human rights and the rule of law, including an independent judiciary and fair criminal justice system.

Reform of the legal and judicial system

The long-term protection of human rights in Sierra Leone depends fundamentally on an effective legal system which is enforced by an independent, impartial and accessible judiciary with adequate resources. The Sierra Leone government, following its return to power, admitted that the judicial system was entirely inadequate. Courts outside Freetown are not functioning, other than magistrates courts in Bo, Kenema and Makeni, and the traditional court system has collapsed.

There should be a thorough review of existing legal institutions in order to make them more effective in the protection of human rights. These initiatives should be accompanied by a determined government policy to hold those responsible for human rights violations fully accountable.
UNOMSIL, UNDP, other UN agencies and international financial institutions should contribute towards the reconstruction of an effective judiciary and legal system in Sierra Leone. Some initiatives have already been undertaken. UNOMSIL has provided law books to the legal profession and has distributed legal technical documents to lawyers representing defendants in the treason trials. It has also conducted seminars for lawyers to discuss aspects of trial practice and procedure.

Restructuring the armed forces

The Sierra Leone national army, the RSLMF, was effectively disbanded following its participation in the military coup and the period of rule by the AFRC. Programs for disarmament, demobilization and reintegration have commenced but at a slower pace than anticipated.

In May 1998 the government announced plans for the establishment of a new national army. Recruitment and training was entrusted to ECOMOG. During a meeting with the Special Representative of the UN Secretary-General for Children and Armed Conflict in May 1998, the government agreed not to recruit children under the age of 18 years. The government and ECOMOG have also agreed to receive assistance from UN agencies in providing training materials on humanitarian and human rights standards concerning the protection of civilians, particularly women and children.

In early September 1998 President Kabbah announced the government's strategy for the re-establishment of a professional and disciplined Sierra Leonean national army which would comprise 5,000 soldiers, including some of those who had remained loyal to President Kabbah's government after the military coup and who had surrendered to ECOMOG forces after February 1998. Some of these soldiers have already been deployed alongside ECOMOG and CDF forces in those parts of the country still affected by conflict. The international community, including the United Kingdom and the Commonwealth, are providing assistance in training and equipping the new national army. Restructuring, training and equipping the national army should include provisions for the protection of human rights contained in international humanitarian and human rights law.

Human rights training for the police force

Restructuring and training of the police force should also include training in human rights. In August 1998 the government announced its intention to create a police force which would be able to assist Sierra Leone in returning to peace and prosperity and which would eventually remove the need for the deployment of military and paramilitary forces, including the CDF, in towns and villages.

UNOMSIL civilian police advisers should continue to monitor, supervise and train national police and security forces and verify their adherence to international human rights and criminal justice standards. A UN civilian police adviser was deployed in Sierra Leone in accordance with UN Security Council resolution 1162 (1998) in July 1998; Resolution 1181 (1988) provided for the deployment of a further four police advisers. Their role is to assist in restoring the confidence of the government and the people of Sierra Leone in the police force and to advise the government on training and re-equipment needs. UNOMSIL civilian police advisers are working closely with a team of police advisers from Commonwealth countries, the Commonwealth Police Development Task Force, deployed at the request of the government, as well as with UNOMSIL human rights officers.

In his Second Progress Report on UNOMSIL, the UN Secretary-General acknowledged that reform of the police force in Sierra Leone poses great challenges. Parts of the country are without a police presence, since many police officers have been killed or have abandoned their posts as a result of the conflict. Little or no training has been available for several years and the police suffer from inadequate logistical support, lack of equipment and poor conditions of service. Respect for human rights has been emphasized and police training initiatives have begun.

UNOMSIL human rights officers have conducted a series of human rights training workshops for police officers, including at the Sierra Leone police training college and in Bo and Kenema, as part of continuing efforts by UNOMSIL and the Commonwealth to restructure and train the Sierra Leonean police force.

The National Commission for Human Rights and Democracy

Long-term respect for human rights requires national human rights institutions to redress human rights violations. Rarely do they receive the necessary funding. If empowered with political support and resources national human rights institutions are the most sustainable mechanisms for the protection human rights. National institutions, which include government bodies as well as those of civil society such as human rights groups, the media, trade unions and professional organizations, are an important element of post-conflict reconstruction.

A National Commission for Human Rights and Democracy has been established in Sierra Leone and with the return

President Kabbah's government has begun to resume its activities. The National Commission has a crucial role to play within Sierra Leone in building a culture based on the universality, interdependence and indivisibility of all human rights for all people. It should be supported and strengthened and its independence and impartiality guaranteed [14].

An effective national human rights commission, with the power to investigate human rights violations and to institute legal proceedings where appropriate, can play a central role in protecting human rights. It is crucial, however, that the National Commission is supported by the government in bringing those responsible for human rights violations to justice.

An effective national human rights commission is an important mechanism for strengthening human rights protection and bringing about institutional reform. It should not, however, replace or detract from the importance of safeguards provided by an effective legal system.

On 18 September 1998 the National Commission established four committees, composed of prominent civilians, to monitor and report on areas of concern for the protection and respect of human rights. These included the conduct of the police, prison conditions and the situation of women and children. On 10 October 1998 UNOMSIL human rights officers conducted a human rights training session for the committee monitoring women and children which was also attended by members of the National Commission.

The National Commission should continue to work closely with local human rights groups in order to develop a strong and effective human rights movement in Sierra Leone which includes all sectors of civil society.

Recommendations

- **the international community, including international financial institutions, should continue to contribute to institutional reform in Sierra Leone, including strengthening the independence of the judiciary and reforming the military and civilian police force;**

- **the National Commission for Human Rights and Democracy should have the necessary powers, resources, professional competence and guarantees of independence and impartiality to carry out prompt and effective investigations into human rights violations; its findings should be made public and it should include recommendations for bringing those responsible for human rights violations to justice and for providing compensation to the victims;**

- **the National Commission for Human Rights and Democracy should also make recommendations for institutional reform and other preventive measures, such as human rights education aimed at all sectors of society, including military, police and judicial officials.**

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(1) ECOMOG had been deployed under the authority of ECOWAS in neighbouring Liberia since 1990. Immediately after the military coup in May 1997, Nigerian forces already present in Sierra Leone under the provisions of a defence agreement between Sierra Leone and Nigeria were significantly reinforced by ECOMOG forces, who were predominantly Nigerian. ECOWAS is an intergovernmental organization of 16 states (Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Togo) with its headquarters in Nigeria. Established in 1975, the aim of ECOWAS is to promote cooperation and development and to improve relations among member states.
(2) CMAG is composed of Barbados, Botswana, Canada, Ghana, Malaysia, New Zealand, the United Kingdom and Zimbabwe.
(3) For further information on implementing human rights in international peace-keeping operations, refer to *Peace-keeping and human rights* (AI Index: IOR 40/01/94), published by Amnesty International in January 1994.
(4) Sierra Leone ratified the Convention on the Rights of the Child in 1990.
(5) For further information about Amnesty International's recommendations to the UN special conference on Sierra Leone, refer to *Sierra Leone: The United Nations special conference on Sierra Leone: the protection of human rights must be a priority for the international community* (AI Index: AFR 51/14/98), published by Amnesty International on 24 July 1998.
(6) The contact group included representatives from China, Egypt, France, Germany, Japan, the Netherlands, Nigeria, Norway, New Zealand, Sweden, the United States and the EU.
(7) Countries which are part of the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution are also part of the Bureau of the Assembly of the Heads of State and Government. The Bureau consists of 16 ambassadors and is elected annually. It plays a crucial role in decision-making and planning at the OAU. For further information about the OAU and the African Commission on Human and

Peoples' Rights, refer to *Organization of African Unity: Making Human Rights a Reality for Africans* (AI Index: IOR 63/01/98), published by Amnesty International in August 1998.
(8) For further information, refer to *Sierra Leone: A disastrous set-back for human rights* (AI Index: AFR 51/05/97), published by Amnesty International on 20 October 1997.
(9) Sierra Leone ratified the International Covenant on Civil and Political Rights in 1996 and the African Charter on Human and Peoples' Rights in 1984.
(10) For further information about human rights abuses committed in the internal armed conflict in Sierra Leone, refer to *Sierra Leone: Human rights abuses in a war against civilians* (AI Index: AFR 51/05/95), published by Amnesty International on 13 September 1995, and also *Sierra Leone: Towards a future founded on human rights* (AI Index: AFR 51/05/96), published by Amnesty International on 25 September 1996.
(11) Sierra Leone acceded to the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Additional Protocol II) in 1986.
(12) For further information on the involvement of children in armed conflicts, refer to *"Old enough to kill but too young to vote"* (AI Index: IOR 51/01/98), published by Amnesty International in January 1998.
(13) For further information on international standards relating to the use of the death penalty, refer to *International standards on the death penalty* (AI Index: ACT 50/06/97), published by Amnesty International in August 1997.
(14) For further guidelines on the mandate, composition and functioning of national institutions for the promotion and protection of human rights, refer to *Proposed Standards for National Human Rights Commissions* (AI Index: IOR 40/01/93), published by Amnesty International in January 1993, and the handbook on *National Human Rights Institutions*, published in 1995 by the UN Centre for Human Rights (now the Office of the High Commissioner for Human Rights).

Previous

FACT 86

Médecins Sans Frontières issued the press release, *Mutilation of Civilians on the Increase in Sierra Leone*, dated 5 May 1998, in which surgical teams for Médecins Sans Frontières working at Connaught Hospital reported that:

(a) The number of patients suffering from severe mutilations had increased significantly over the past few weeks. The victims, mostly civilians, originated from the northeast region of Kono.

(b) Since April 6 1998, the surgical team had treated 128 injured patients. Many of the victims had one or more limbs traumatically amputated. Several had also had their ears removed.

a.	Exh. 1.175	n/a	Médecins Sans Frontière, *Mutilation of Civilians on the Increase in Sierra Leone*, 5 May 1998, available at http://www.doctorswithoutborders.org/pr/before1999/05-05-1998.htm

MEDECINS SANS FRONTIERES
DOCTORS WITHOUT BORDERS

PRESS RELEASE

Mutilation of Civilians on the Increase in Sierra Leone

May 5, 1998 — Doctors Without Borders/Médecins Sans Frontières (MSF) surgical teams at Connaught Hospital in Freetown, Sierre Leone, report that the number of patients suffering from severe mutilations has increased significantly over the past few weeks. The victims, mostly civilians, originate from the northeastern region of Kono, where insecurity is still rife.

Since April 6, the surgical team has treated 128 injured patients. MSF Head of Mission Monique Nagelkerke worries there could be many more victims in the countryside, unable to reach the hospital. "We fear that this may be just the tip of the iceberg," she says.

Many of the victims have had one or more limbs traumatically amputated; several have also had their ears removed. Some of them walked for weeks through the bush to get to the hospital.

According to the patients, the civilian population of Kono is terrorised by various armed groups, who have been carrying out executions, mutilations, rapes and kidnappings. Attacks are reported to be very systematic, with groups of people rounded up and killed, wounded, or raped, one by one. Many patients report seeing other civilians, some seriously wounded, fleeing into the bush. They remain unaccounted for.

Out of an estimated total population of half a million, about 25,000 people from Kono managed to migrate to villages in the west of the region, and another 70,000 fled across the border to Guinea. Those who remain in the province have no form of protection or care. International agencies are unable to access the area.

An MSF surgical team has been working in Connaught Hospital since May 1997. The organization also supports four other clinics in Freetown and hospitals and clinics in Bo, Pujehun, and Makeni. A nutritional program is carried out in Kambia in the north of Sierra Leone.

MSF is the world's largest independent emergency medical relief organization, providing aid to victims of armed conflict, natural and man-made disasters, and epidemic diseases, and to populations who lack of access to health care. Nearly 2,500 volunteers from 45 countries currently work with MSF, providing medical aid in more than 80 countries.

FACT 87

In the *MSF 1998 Report: Atrocities against civilians in Sierra Leone*, dated 1 May 1998, surgical teams from Médecins sans Frontières working at Connaught Hospital reported the following in connection to the patients they were treating for severe mutilations between the 6th of April 1998 and May 1998:

(a) Patients told them that between 15 and 25 April, the villages between Njaiama Sewafe and Koidu (Kono District) were attacked by groups of armed men. Some villages seemed to have been attacked more than once, during day and night. Patients from around Yfin and Alikalia, northeast of Koidu, reported that after the attacks, people scattered into the bush in all directions and witnessed many wounded and dead people on the roads (p. 3).

(b) The patients said groups of men pretending to be ECOMOG there to free the villagers rounded up the villagers, but then the villagers realised the men did not belong to ECOMOG. The villagers were taken one by one, in front of the other villagers, to the pounding block. The attackers asked which arm they used to work with, and then the right or left arm would be amputated with a cutlass. Sometimes a pre-cut would be made with bayonet, to show where the amputation was to happen (p. 4).

(c) In some villages, after the people were rounded up, they were stripped naked and ordered to "use their women"; men were ordered to "use" their sister (p. 4).

(d) The armed men told many of the patients to go to ECOMOG and tell "that we, the attackers do not want them here, and to tell ECOMOG that the attackers were here and they would come to ECOMOG soon." Patients were also told that they should go to President Kabbah and ask him for a new arm (p. 4).

(e) Groups of people were rounded up and locked in a house which was then set on fire (p. 4).

(f) After interviewing 70 patients at Connaught Hospital and taking into account credible reports from other parts of the country, MSF strongly believed that the actual number of casualties was much higher than the number of patients reaching the hospital (p. 5).

a.	Exh. 1.180	n/a	Médecins Sans Frontière, *MSF 1998 Report: Atrocities against civilians in Sierra Leone,* 1 May 1998, available at http://www.msf.org.

tendons, broken ulna and radius, as result of cutlass attacks.
- 7 patients with either a complete hand or several fingers missing as result of cutlass attacks.
- 20 patients with gunshot wounds.
- 1 patient with shrapnel wounds as result of Ecomog bombing.
- 2 women who were raped and had foreign objects inserted in their vagina.

Only one interviewee could be identified as a combattant (in this case a Kamajor fighter). All others were civilians, with occupations ranging from housewives, trader, farmer to diamond digger and miner.

* While writing the report, this afternoon 4 May 1998, 13 more patients were admitted in Connaught Hospital. Of these 13 people, three men had both their arms hacked off, six had one arm or nearly one arm hacked of. One of the victims is a 60-year-old woman with one arm hacked off.

The interviews were carried out by MSF staff over a period of four days. All patients were informed that all information would be dealt with in a confidential manner, and that no names would be recorded. None of the patients approached refused to be interviewed. The full story of when, where and how the attack occurred was recorded. The summary is as follows.

3. ATTACKS AS TOLD BY VICTIMS

After having talked to the 70 patients, it became clear that between 15 and 25 April the villages between Njaiama Sewafe and Koidu, East Sierra Leone were attacked by groups of armed men. Some villages seem to have been attacked more then once. Patients told about attacks on their villages both during the day and at night, and also about attacks that occurred on the road, while people were moving between villages or their farms.

More recently, on 2nd May, patients started to arrive from the area around Yifin and Alikalia, north-east of Koidu. All patients reported that after the attacks, people scattered into the bush in all directions. In most cases the current whereabouts of these people is unknown. It is also reported that, while moving away from their attacked villages, patients witnessed many "damaged" (wounded) and dead people on the roads. It might well be possible that the 115 patients admitted to the hospital form only a small percentage of the total wounded and mutilated people from these areas.

In general, most patients told about attacks that started with groups of men arriving in their villages, calling out that they were ECOMOG, and that they were there to free the villagers. Many villagers mentioned that they were be woken up by a knock on their door, with the order to open the door, that they were ECOMOG and that they were safe. Upon leaving their houses, the villagers then realised that these men did not belong to ECOMOG. Some of the attackers were wearing green fatigues. Villagers were then rounded up, in groups or in lines.

They were then, one by one, in front of the other villagers, taken to the pounding block, asked by their attackers which arm they used to work with, after which the right or left arm would be put

on the pounding block and amputated with a cutlass. Sometimes a pre-cut would be made with bayonet, to show where the amputation was to happen. People realising what was happening like one teacher, said that he used his left arm, even though he was right handed. His left arm was amputated.

Several patient reported that the attackers took the amputated arms with them. One patient said that they did not take his arm, but that he was able to keep his cut-off arm.

In some villages, after the people were rounded up, they were stripped naked and ordered to "use their women"; men were ordered to "use" their sister. When men refused to do so, their arms were amputated, and the women were raped by the attackers.

After the attack, many patients mentioned that the armed men would tell them to go now, and report themselves to ECOMOG and tell ECOMOG, "That we, the attackers do not want them here, and to tell ECOMOG that the attackers were here, and that they would come to ECOMOG soon".

Patients were also told that they should go to President Kabbah, and ask him for a new arm. One patient was given a letter by the attackers, with the order to give it to President Kabbah.

Some patients, who did not leave their village after the attack, and when encountering the attackers again, were ordered to leave ; "Why are you still here , we told you to go to ECOMOG !". Other men, who had one or two ears cut off, reported that the attackers told them, that without their ears, they should no longer listen to ECOMOG and the government and that they should listen better to the attackers.

Other patients reported that they hid under their beds but that the attackers pulled them out from underneath the bed, or shot under the beds in the room, as they were aware that people were hiding there. One patient reported that she was in a room with a group of other people, and that the attackers shot and killed four people, and the patient hid underneath the 4 dead bodies with her baby until the attackers had left.

Several patients reported that groups of people had been rounded up, locked into a house and then the house was set on fire. It was reported that this had happened to women and children.

In one family that was interviewed, the older brother had both arms amputated, his wife had one arm amputated, the younger nephew of 16 had both arms amputated, and another relative had both arms badly cut (tendons cut and ulna and radius broken due to cutlass attack). One man of 50 had walked for 4 weeks, from village to village, with both arms amputated, until he reached a place where he found a commercial vehicle that took him and 2 others to Freetown. These examples are just a few of the stories as recorded by the MSF staff. Each patient had a similar gruesome story to tell.

4. CONCLUSION

After interviewed 70 patients at Connaught hospital and taking into account credible reports from other parts of the country, MSF strongly believes that the actual number of casualties may be much higher than the number of patients reaching the hospital. All patients interviewed mentioned other people, wounded and mutilated who ran into the bush during the attacks, and who remain unaccounted for.

MSF is concerned that a significant proportion of the civilian population of rural Sierra Leone is vulnerable to more attacks of this sort and that no protection is currently available for them. MSF calls upon the international community to look urgently for ways to provide protection and assistance for these civilians.

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Information dated 01.05.1998

MSF Reports

MSF 1998 Report: Atrocities against civilians in Sierra Leone

From 6th April 1998, the surgical teams of the international medical aid agency Médecins Sans Frontières (MSF) at Connaught Hospital, Freetown, started recording an alarming increase in the number of patients suffering from severe mutilations. This report provides further details of the injuries inflicted on the people admitted to hospital, as well as a summary of in-depth interviews with over 70 survivors conducted by MSF medical staff. The victims, mostly civilians, originate from the north-eastern region of Kono, where insecurity is still rife.

The history of Sierra Leone and the recent outbreaks of fighting need little introduction. The first democratically elected president Ahmad Kabbah was ousted in a coup in May 1997 led by Johnny Paul Koromah, commander of the Sierra Leone military junta, with the support of the Revolutionary United Front (RUF). The RUF/AFRC remained in power until February 1998, when, after failed talks in Conakry, the West African troops of ECOMOG (Economic Community of West African States Cease-Fire Monitoring Group) forced the coup leaders and their followers out of Freetown and into the isolated areas upcountry.

While the capital Freetown, major towns and villages are now held by Ecomog and relatively safe for civilians, large areas in the countryside around these locations remain under the control of the former Junta. Fighting is currently under way in the north, west and east of the country.

Between 6th April and 4th May 1998, the Connaught Hospital in Freetown received 115 patients, most of whom are severely mutilated. Connaught Hospital, which receives MSF support, is Sierra Leone's only hospital with an orthopaedic surgeon.

2. ATROCITIES AND MUTILATIONS

Mutilations and other forms of torture and retribution are not a new phenomenon in Sierra Leone. Between 1992 and 1996, many civilians (including non-nationals) were mutilated and murdered during attacks against villages and towns conducted by various armed groups. Expatriates were also taken hostage or killed. The horrific injuries now being treated at Connaught

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hospital are of a similar nature.

As of 6th April, 1998 Connaught Hospital started receiving small or large groups, depending on the availability of transport.

The following overview gives the number of patients admitted with arm amputations.

Date	No of patients	Double arm amputation	Single arm amputation
06/04	10	-	-
14/04	24	1	6
18/04	17	1	4
24/04	2	1	-
26/04	58	-	13
02/05	4	1	-
Total	115	4	23

Out of these 115 patients, 70 were interviewed (56 male, 14 female).

Their mutilations and wounds are as follows :

4 men with both arms amputated, age ranging between 16 and 40.

- 14 men with one arm amputated, age ranging between 23 and 50.
- 5 men had, in addition to having their arm(s) amputated, a part of, or one or both ears cut off.
- 1 woman with one arm amputated as a result of a gunshot wound.
- 1 patient with an amputated foot, 1 patient with an amputated leg, both as the result of gunshot wounds.
- 23 patients with deep lacerations on lower arms, severed

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tendons, broken ulna and radius, as result of cutlass attacks.
- 7 patients with either a complete hand or several fingers missing as result of cutlass attacks.
- 20 patients with gunshot wounds.
- 1 patient with shrapnel wounds as result of Ecomog bombing.
- 2 women who were raped and had foreign objects inserted in their vagina.

Only one interviewee could be identified as a combattant (in this case a Kamajor fighter). All others were civilians, with occupations ranging from housewives, trader, farmer to diamond digger and miner.

* While writing the report, this afternoon 4 May 1998, 13 more patients were admitted in Connaught Hospital. Of these 13 people, three men had both their arms hacked off, six had one arm or nearly one arm hacked of. One of the victims is a 60-year-old woman with one arm hacked off.

The interviews were carried out by MSF staff over a period of four days. All patients were informed that all information would be dealt with in a confidential manner, and that no names would be recorded. None of the patients approached refused to be interviewed. The full story of when, where and how the attack occurred was recorded. The summary is as follows.

3. ATTACKS AS TOLD BY VICTIMS

After having talked to the 70 patients, it became clear that between 15 and 25 April the villages between Njaiama Sewafe and Koidu, East Sierra Leone were attacked by groups of armed men. Some villages seem to have been attacked more then once. Patients told about attacks on their villages both during the day and at night, and also about attacks that occurred on the road, while people were moving between villages or their farms.

More recently, on 2nd May, patients started to arrive from the area around Yifin and Alikalia, north-east of Koidu. All patients reported that after the attacks, people scattered into the bush in all directions. In most cases the current whereabouts of these people is unknown. It is also reported that, while moving away from their attacked villages, patients witnessed many "damaged" (wounded) and dead people on the roads. It might well be possible that the 115 patients admitted to the hospital form only a small percentage of the total wounded and mutilated people from these areas.

In general, most patients told about attacks that started with groups of men arriving in their villages, calling out that they were ECOMOG, and that they were there to free the villagers. Many villagers mentioned that they were be woken up by a knock on their door, with the order to open the door, that they were ECOMOG and that they were safe. Upon leaving their houses, the villagers then realised that these men did not belong to ECOMOG. Some of the attackers were wearing green fatigues. Villagers were then rounded up, in groups or in lines.

They were then, one by one, in front of the other villagers, taken to the pounding block, asked by their attackers which arm they used to work with, after which the right or left arm would be put

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on the pounding block and amputated with a cutlass. Sometimes a pre-cut would be made with bayonet, to show where the amputation was to happen. People realising what was happening like one teacher, said that he used his left arm, even though he was right handed. His left arm was amputated.

Several patient reported that the attackers took the amputated arms with them. One patient said that they did not take his arm, but that he was able to keep his cut-off arm.

In some villages, after the people were rounded up, they were stripped naked and ordered to "use their women"; men were ordered to "use" their sister. When men refused to do so, their arms were amputated, and the women were raped by the attackers.

After the attack, many patients mentioned that the armed men would tell them to go now, and report themselves to ECOMOG and tell ECOMOG, "That we, the attackers do not want them here, and to tell ECOMOG that the attackers were here, and that they would come to ECOMOG soon".

Patients were also told that they should go to President Kabbah, and ask him for a new arm. One patient was given a letter by the attackers, with the order to give it to President Kabbah.

Some patients, who did not leave their village after the attack, and when encountering the attackers again, were ordered to leave ; "Why are you still here , we told you to go to ECOMOG !". Other men, who had one or two ears cut off, reported that the attackers told them, that without their ears, they should no longer listen to ECOMOG and the government and that they should listen better to the attackers.

Other patients reported that they hid under their beds but that the attackers pulled them out from underneath the bed, or shot under the beds in the room, as they were aware that people were hiding there. One patient reported that she was in a room with a group of other people, and that the attackers shot and killed four people, and the patient hid underneath the 4 dead bodies with her baby until the attackers had left.

Several patients reported that groups of people had been rounded up, locked into a house and then the house was set on fire. It was reported that this had happened to women and children.

In one family that was interviewed, the older brother had both arms amputated, his wife had one arm amputated, the younger nephew of 16 had both arms amputated, and another relative had both arms badly cut (tendons cut and ulna and radius broken due to cutlass attack). One man of 50 had walked for 4 weeks, from village to village, with both arms amputated, until he reached a place where he found a commercial vehicle that took him and 2 others to Freetown. These examples are just a few of the stories as recorded by the MSF staff. Each patient had a similar gruesome story to tell.

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MSF is concerned that a significant proportion of the civilian population of rural Sierra Leone is vulnerable to more attacks of this sort and that no protection is currently available for them. MSF calls upon the international community to look urgently for ways to provide protection and assistance for these civilians.

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FACT 88

In its report, *The United Nations special conference on Sierra Leone: the protection of human rights must be a priority for the international community*, dated 24 July 1998, Amnesty International stated or noted that:

(a) AFRC and RUF forces in the east and north of Sierra Leone were deliberately and arbitrarily killing and torturing unarmed civilians. A deliberate and systematic campaign of killing, rape and mutilation, called by the AFRC and RUF "Operation no living thing" emerged since April 1998 (p. 1).

(b) A 15-year-old schoolboy from Koidu in Kono District had arrived at the hospital on 10 May 1998 with severe lacerations to his right ankle in an attempted amputation. Almost 50 people with him had been killed when they were attacked on 1 May 1998 (p. 2).

(c) Children had been deliberately and arbitrarily killed, mutilated and maimed, and thousands continued to be abducted by AFRC and RUF forces and forced to fight (p. 3).

(d) Girls and women were systematically raped and forced into sexual slavery (p. 3).

a.	Exh. 1.316	n/a	Amnesty International, "The United Nations special conference on Sierra Leone: the protection of human rights must be a priority for the international community," 24 July 1998, AI Index AFR 51/14/98. Available at http://web.amnesty.org.

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SIERRA LEONE

The United Nations special conference on Sierra Leone: the protection of human rights must be a priority for the international community

On 30 July 1998 the United Nations (UN) Secretary-General, Kofi Annan, will convene a special conference in New York to galvanize the international community's response to the political, humanitarian and human rights situation in Sierra Leone.

The meeting will bring together representatives of the Government of Sierra Leone, intergovernmental organizations, including the UN, the Organization of African Unity, the Economic Community of West African States - which played a key role in restoring the elected government of President Ahmad Tejan Kabbah in March 1998 - the European Union and the Commonwealth, as well as humanitarian organizations.

Continuing atrocities

The international community's commitment to bring peace and security to Sierra Leone and to assist in its reconstruction and rehabilitation must include initiatives which will help to stop the gross human rights abuses being perpetrated by the joint forces of the ousted Armed Forces Revolutionary Council (AFRC) and Revolutionary United Front (RUF), prevent further abuses and also lay solid foundations for the respect and protection of human rights in the future.

AFRC and RUF forces in the east and north of Sierra Leone are deliberately and arbitrarily killing and torturing unarmed civilians. A deliberate and systematic campaign of killing, rape and mutilation - called by the AFRC and RUF "*Operation no living thing*" - has emerged since April 1998.

Although the exact number of those killed in recent months is unknown, it is likely to be several thousand, many of them women and children. More than 200 people were killed during an attack on one village alone - Yifin, in Koinadugu District in Northern Province - in late April 1998. Many hundreds of men, women and children of all ages have suffered mutilation and crude amputations of their arms, legs, lips or ears, lacerations and gunshot wounds. Women and girls have been raped or suffered other forms of sexual assault. Survivors of attacks who manage to reach safety and medical assistance recount that many others from their villages were killed or fled into the bush, their fate unknown.

The UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Sergio Vieira de Mello, following a visit to Sierra Leone in June 1998, said that the brutal treatment of civilians by the AFRC and RUF was unlike anything he had seen in 29 years of humanitarian work: *"there are no words to condemn this sort of practice..."*.

An Amnesty International delegation which visited Sierra Leone in May 1998 met some of the victims of these atrocities at Connaught Hospital in Freetown. One, a farmer aged 40 from the village of Badala, in Koinadugu District, had both hands cut off when the village was attacked on 3 May 1998. He had arrived at Connaught Hospital four days later. Another, a 15-year-old schoolboy from Koidu, in Kono District, Eastern Province, who had arrived at the hospital on 10 May 1998, had suffered severe lacerations to his right ankle in an attempted amputation. Almost 50 people with him had been killed when they were attacked on 1 May 1998.

Three young women survived an attack on the village of Boima in Bombali District, Northern Province, on 7 May 1998; one had a deep cut to her arm, the other two had been beaten all over their bodies. One of the women had witnessed the killing of several members of her family, including her children. Twelve people, including three of her children, died when their house was set alight. Another child, a girl aged three, was pulled from her back and cut with machetes.

Such gross and large-scale human rights abuses demand an immediate and forceful response from the international community. The UN Observer Mission in Sierra Leone (UNOMSIL), the peace-keeping operation established by the UN Security Council on 13 July 1998 to monitor the military and security situation in Sierra Leone, must be given the necessary resources and political support to effectively monitor violations of international humanitarian and human rights law and to make its findings public. In approving resolution 1181 (1998) the Security Council expressed its grave concern about *"the loss of life and immense suffering undergone by the people of Sierra Leone ... as a result of continuing rebel attacks"*. Effective monitoring and reporting should be an important part of the international community's response.

Monitoring and reporting human rights abuses

Measures taken by the UN so far to address the human rights situation in Sierra Leone, including UNOMSIL civilian staff to monitor and report on violations of international humanitarian and human rights law, should be supported and reinforced. The inclusion of reporting on human rights in the Fifth Report of the UN Secretary-General on the situation in Sierra Leone of 9 June 1998 is welcomed and should be developed further in future reports.

The extent of the atrocities in Sierra Leone requires an increased number of civilian staff with human rights expertise within UNOMSIL to report on human rights violations to the UN Secretary-General and the High Commissioner for Human Rights. It is important that there are adequate resources for UNOMSIL human rights monitors to be deployed in those areas of the country, in particular Eastern and Northern Provinces, where human rights abuses are being perpetrated. Adequate protection must be provided in areas where their security might be at risk.

The special conference will specifically seek assistance from the international community for UNOMSIL and for the disarmament, demobilization and reintegration of former combatants and child soldiers in Sierra Leone. Military observers deployed in Sierra Leone should also report, through explicit channels, to the UN Secretary-General and the High Commissioner for Human Rights any violations of international humanitarian and human rights law which they may witness or receive reliable information about.

Children caught in the violence

Children have been particular victims of the violence and brutality in Sierra Leone. As well as being deliberately and arbitrarily killed, mutilated and maimed, thousands of children have been and continue to be abducted by AFRC and RUF forces and forced to fight. Girls and women have been systematically raped and forced into sexual slavery.

Among the more than 350,000 Sierra Leoneans who have either become refugees in neighbouring countries or internally displaced since February 1998 are hundreds of unaccompanied children separated from their families as a result of the violence. Children are the most vulnerable to the acute hardship, disease and malnutrition faced by Sierra Leonean refugees and displaced people. During May and June 1998, 750 people, including children, were reported to have died of disease and malnutrition at Masingbi, in Tonkolili District, Northern Province, where some 15,000 displaced people have sought safety.

The Special Representative of the UN Secretary-General for Children and Armed Conflict, Olara Otunnu, following a visit to Sierra Leone in May 1998, challenged the international community to respond in a more vigorous and concerted way to the needs of children affected by the conflict in Sierra Leone. In June 1998 the UN Security Council, condemning the abduction, sexual abuse and recruitment and use in hostilities of children, said that it would pay serious attention to the situation of children affected by armed conflict. The needs of children in Sierra Leone are critical. Amnesty International welcomes the work of the Special Representative and endorses his call for Sierra Leone to be made one of the pilot projects for a more effective response in the context of post-conflict peace-building.

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SIERRA LEONE

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Effective institutions for the protection of human rights

Amnesty International urges the participants at the special conference on Sierra Leone, including the UN and international financial institutions, to work closely together to promote post-conflict reconstruction and rehabilitation which is based on good governance and respect for human rights. The police and army need to be restructured and trained, including in human rights; the legal and judicial systems need to be reformed and strengthened. The international community should assist in creating effective institutions for the protection and respect for human rights, including an independent national commission for human rights.

Ending impunity

Impunity contributes to continuing patterns of human rights abuses. Peace and security in Sierra Leone will not be achieved until there is an end to impunity. It is only when those responsible for human rights abuses are brought to justice for their crimes that a clear message is sent that gross human rights abuses will not be tolerated or allowed to go unpunished.

Amnesty International strongly endorses the joint statement in June 1998, shortly after the conference on the creation of a permanent international criminal court opened in Rome, by the heads of five UN agencies - UNICEF, the United Nations High Commissioner for Refugees, the Special Representative of the UN Secretary-General for Children and Armed Conflict, the UN High Commissioner for Human Rights and the UN Under-Secretary-General for Humanitarian Affairs - that the atrocities being committed in Sierra Leone are a brutal reminder of the urgent need for an international criminal court to bring to trial those responsible for war crimes and crimes against humanity.

The delegation of Sierra Leone to the diplomatic conference in Rome repeatedly cited the experience of its country as evidence of the need for the establishment of a permanent international criminal court. The international community must assist in establishing accountability for the atrocities in Sierra Leone in order to combat impunity and to bring justice, and also to contribute to lasting peace in Sierra Leone.

KEYWORDS: UN1 / ARMED CONFLICT1 / CHILDREN / WOMEN / INDISCRIMINATE KILLINGS / IMPUNITY / OAU

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FACT 89

In its *Situation Report on Human Rights Violations in and Around Makeni Town, in the Bombali District, Northern Province, Sierra Leone, West Africa*, covering the period December 1998 to July 1999, the International Rescue Committee noted or reported that:

(a) a common spectacle was the long line of "Povuls" (RUF coinage for civilian/slaves) plodding with heavy loads on their heads from as far as fifty miles away without food (p. 2);

(b) as far as properties were concerned, every item was considered to belong to members of the forces. It was not uncommon for armed men to enter a house (even in the day time) and cart away whatever they wanted. In some cases, the owners were forced to carry the loads (p. 8);

(c) in principle and according to the joint forces, "a rebel lives on the terrain," meaning that everything belonged to them. Items such as rice, nut oil, money and drugs were considered "Government Property" and possession by civilians was a crime. People in the outskirts of Makeni suffered from this most (p. 8).

a.	Exh. 1.216	n/a	International Rescue Committee, "Situation Report on Human Rights Violations in and Around Makeni Town, in the Bombali District, Northern Province, Sierra Leone, West Africa," for the period December 1998 to July 1999.

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EXECUTIVE SUMMARY

This report is intended to provide an insight into the variety and severity of inhuman treatment suffered by individuals and groups in the target area (Makeni Town and its environs) during its occupation by joint forces of the renegade faction of the Sierra Leone Army that named itself as the Armed Forces Revolutionary Council (A.F.R.C.) after ousting the legitimate Government in a coup on Wednesday May 25th, 1997, the Revolutionary United Front (R.U.F.) rebel group, the Liberian Mercenary Force, the Special Task Force (S.T.F.) in collaboration with mercenaries from Burkina Faso (West Africa) and Ukraine(Asia)

Of greater concern is the high level of children and women's right violations. The most appalling but common spectacle was the long line of ''Povuls'' (RUF coinage for civilian/slaves) plodding with heavy loads on their heads from as far as fifty miles away without food, only to return to be recaptured enroute to recommence the vicious circle - an ordeal some unlucky captives repeated several times without mercy. This forced many women and children to associate with the armed groups.

This report is essentially a result of clandestine site visits, subtle interview with victims and none victims on one hand; and members of the rebel forces on the other, together with personal experiences. The Executive Director on an official visit to Makeni in December, 1998 was arrested and detained (on a tip-off that he was a Journalist and a Government spy) for one month during which period he was also tortured; and he witnessed the torturing and killing of other detainees. The Programme Officer was assaulted on two occasions while other Kwayor Personnel suffered various rights violations.

The work was chiefly constrained by the dreadful and risky conditions under which it was done, though logistical and economic problems also left their marks.

The sample cases (as the title implies) are by no means exhaustive; the magnitude and scope of this human tragedy will ever remain a fertile field of research for human rights defenders.

~~This report covers the period December 1998 to July, 1999~~ The investigating team was forced out of the area by unbearable economic constraints, complete dearth of basic logistical needs and incessant threats to the lives of members.

movement. Although travelling passes were officially supposed to be free, certain issuing military authorities asked for money

Moreover, military personnel at checkpoints asked especially frightened villagers for money even if they had official passes.

In addition, the AFRC/RUF High command also requested per household contributions for such expenditure items as welcome reception for Corporal Foday Sankoh, UNOMSIL, Sacrificial items for peace and registration for relief food. These amounts ranged from Five Hundred Leone (Le500/-) per household to One cow per Chiefdom.

Finally, village communities were forced to provide the feeding and other domestic needs of military personnel posted to their areas.

2.9 Dispossession:

As far as properties were concerned, every item belong to members of the forces. Thus it was not uncommon for armed men to enter a house (even in the day time) and cart away whatever they wanted. In some cases the owners were forced to carry the loads.

Even properties buried in the ground were no exception. For instance (on a tip-off) a gang opened a grave for hidden items at the SUPER KAYS Night Club Compound, at 2, field road, the disappointed group went away, leaving the corpse uncovered .

In principle and according to the joint forces " a rebel lives on the terrain" - meaning that everything belongs to them.

In addition items such as rice, nut oil, money, drugs were declared as "Government Property", possessions of which by civilians was a crime. People in the outskirts of Makeni suffered from this most.

2.10 Assault and Insult:

The incidence of assault and insult ranked amongst the most frequent violations. And if anything, it was this that reduced residents of the target area to slaves in their own places.

People forced to carry loads were insulted and assaulted if they did not walk at the desired pace of their armed masters

Sometimes innocent people were subjected to this indignity out of mere instinct. For instance one Captain Joseph Pandawa walked into the bedroom of Miss Maseray Sesay at No.4 Agriculture road and hit her with a stick; after hauling insults at her person and parents.

The use of obscene language in public was a common attribute of the average combatant.

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SITUATION REPORT

ON

HUMAN RIGHTS VIOLATIONS

IN AND AROUND MAKENI TOWN,

IN THE BOMBALI DISTRICT,

NORTHERN PROVINCE,

SIERRA LEONE,

WEST AFRICA.

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EXECUTIVE SUMMARY

This report is intended to provide an insight into the variety and severity of inhuman treatment suffered by individuals and groups in the target area (Makeni Town and its environs) during its occupation by joint forces of the renegade faction of the Sierra Leone Army that named itself as the Armed Forces Revolutionary Council (A.F.R.C.) after ousting the legitimate Government in a coup on Wednesday May 25th, 1997, the Revolutionary United Front (R.U.F.) rebel group, the Liberian Mercenary Force, the Special Task Force (S.T.F.) in collaboration with mercenaries from Burkina Faso (West Africa) and Ukraine(Asia)

Of greater concern is the high level of children and women's right violations. The most appalling but common spectacle was the long line of ''Povuls'' (RUF coinage for civilian/slaves) plodding with heavy loads on their heads from as far as fifty miles away without food, only to return to be recaptured enroute to recommence the vicious circle - an ordeal some unlucky captives repeated several times without mercy. This forced many women and children to associate with the armed groups

This report is essentially a result of clandestine site visits, subtle interview with victims and none victims on one hand; and members of the rebel forces on the other, together with personal experiences. The Executive Director on an official visit to Makeni in December, 1998 was arrested and detained (on a tip-off that he was a Journalist and a Government spy) for one month during which period he was also tortured; and he witnessed the torturing and killing of other detainees. The Programme Officer was assaulted on two occasions while other Kwayor Personnel suffered various rights violations.

The work was chiefly constrained by the dreadful and risky conditions under which it was done, though logistical and economic problems also left their marks.

The sample cases (as the title implies) are by no means exhaustive; the magnitude and scope of this human tragedy will ever remain a fertile field of research for human rights defenders.

~~This report covers the period December 1998 to July, 1999~~ The investigating team was forced out of the area by unbearable economic constraints, complete dearth of basic logistical needs and incessant threats to the lives of members.

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CHAPTER 1

INTRODUCTION

1.1 Background Information

Makeni is the headquarter town of the Northern Province of Sierra Leone, West Africa.

It is a cosmopolitan area with an estimated population of Forty Thousand people. A greater proportion of persons residing in the town are indigenous Sierra Leoneans, essentially belonging to the Northern tribes: Lokos, Limbas, Temnes, Fullahs, Madingos etc; although other Sierra Leonean citizens and foreigners also live there.

Security in Makeni began eroding by the second week of December, 1998, when reports about the fall of Kono District in the East was received.

As a result residents, especially those who had previously tasted the bitterness of rebel atrocities lost no time to flee. But Makeni actually crumbled on the morning of Wednesday December 23rd, 1998, when Bishop Bighouzzi left the town. The Catholic Bishop's presence around had always been a source of confidence since the Sierra Leone rebel crisis commenced in 1991. Thus his singular departure signaled the inevitable fall of the town; especially when rumours were rife that some members of the invading forces were already in hiding in the homes of local collaborators. Consequently by the time the actual event occurred, Makeni was virtually empty.

From then and for almost two weeks, the incessant thundering of bombardments and pattering of artillery fire became the lone voice of the desolate town and its environs.

By the second week of January, 1999, some of the invaders were stepping beyond Makeni to outskirt communities to loot and harass. Following this the armed adventurers added to their activities the propagation of false propaganda to convince hiding civilians that the town was safe for their return home.

Some civilians in hiding who yielded to this on the first instance later became agents to assure others still in fear that no danger awaited in the town.

But the latter returnees were to discover to their dismay that they had been merely illuded into a snare. All roads leading to and out of the town were mounted with check-points manned by officials who hardly let any one out.

1.2 Terms of Reference

The Northern Regional Office was mandated by the Programme Coordinating Secretariat (Head Office) to investigate and record cases of Human Rights abuses in and around Makeni during the occupation of the area by AFRC/RUF Forces.

The main goal of the report is to provide an insight into the level of crime committed and or perpetuated against humanity during the period under review and in the target area. The duties of the Northern Regional Office in this regard were as follows:

- Visit all sites of violations (if possible)
- Interview victims of specific violations
- Interview alleged offenders
- Interview alleged perpetuators
- Discuss and or cross-check findings with other individuals and or groups with similar interest.
- Record all cases verified.

1.3. Methodology

In pursuance of its stipulated terms of reference a number of steps were taken to achieve the prescribed goal.

Sites of alleged violations were visited and victims and non-victims interviewed. Also AFRC/RUF personnel were interviewed on specific allegations. It must be however noted that such interviews were not formal. The issues involved were introduced in conversations and casual discussions. Other civilians were also encouraged to inform team members about violations for further verification.

Cases cross checked. with groups and individuals sharing similar interest were recorded.

1.4. Constraints and Limitations

The major constraint of this report was the unwillingness of people with facts to reveal same for fear of reprisals. This explains why certain items in the sample cases (names, addresses, dates etc) remain unavailable.

In addition, the Northern Regional Office also faced serious handicaps. The office was not only vandalised but every item of office equipment and furniture was carted away.

Members of the investigating team like most civilians in the target area were left with only their bare skins as property. This economic and social deprivation seriously eroded the ability of the assigned personnel to maximally perform.

The team could not reach certain areas of alleged violations chiefly because of security - which also limited the scope of the report.

CHAPTER 2

VIOLATIONS

2.1 Extra-Judicial Killing

This was rampant from December, 1998 to February, 1999 The main victims were youths accused of rape, robbery and harassment. A considerable number of persons killed in this manner were members of the armed group, especially AFRC Soldiers although some Civilians and RUF Rebel victims suffered in like manner. In certain cases the innocence of the victims were proven after their deaths.

2.2 Torture

People accused of various crimes were tortured before investigations. Thus even after such investigations and they were proved innocent, most suspects would have received punishment in excess of the crimes allegedly committed. Some victims did not survive the ordeals.

2.3 Unlawful Arrest and Detention

The arrest and detention of civilians was carried out by every combatant unhindered. Civilian collaborators used personal vendetta to incite such arrests and detentions in some cases. These were very indiscriminate and occurred on a daily basis.

2.4 Abduction:

The abduction of youths, children and women especially within Makeni by the AFRC/RUF was a common sight during the first three months of occupation.

For instance, on Thursday, 21st January 1999 Two Thousand abducted youths were assembled at the former I.D A. Compound at Agriculture road for final briefing by one Colonel Augustine Gbow before conveyance to various training camps.

Also on the 9th March, 1999 more than three thousand abducted youths rounded up the previous day by one colonel Mende Rambo and his team were also assembled at the premises of the Seventh Day Adventist Mission Primary School for dispatch to training camps.

Also girls and boys were raided from their houses to carry out domestic work for combatants. This plague became the source of agony for both parents and children in the township.

Although abductions were no longer common after the said period random cases outside Makeni continued to be reported and verified.

2.5 Sexual Abuse:

This human rights violation claimed victims from both males and females. A group of sex-starved female RUF combatants at No. 1, Watson Lane constantly raided young men and were forced to go to bed with them, although the victims were sometimes rewarded with financial and other offers.

Their male counterparts on the other hand used brute force to sexually abuse the victims.

There is an infamous case of an RUF combatant who, meeting with a young woman on the way, arrested her and forced the victim to bed in a house belonging to none of the two parties. While he went away, the victim collapsed in tears over her wounded pride before the watching eyes of the stupefied public.

There are also cases of child combatants with two or more wives; all abducted.

2.6 Forced Labour

This violation was as indiscriminate as it was frequent. Combatants seized anybody at any time not only to do domestic work at home, but the able bodied were frequently forced to accompany armed looting teams to steal and serve as human portage for items forcefully seized from their owners. Civilians used for this purpose did not only go without pay, but were equally punished in some cases.

For instance One Hundred and fifty (150) youths from various villages in the Biriwa Chiefdom were rounded up and forced to destroy the Magbonso bridge on the Kamabai-Kabala highway.

Most often, these marauding groups met with resistance, resulting in deaths; including of those forced to join the gangs.

2.7 Conscription:

The Epicurean life-style of combatants, particularly the senior Officers easily revealed their cowardly nature. Youths were therefore constantly rounded up for conscription, especially at the threat of battle at the warfront. It therefore goes without saying that these conscripts were used as human shields.

Equally, the excessive abuse of drugs by youngsters at the time and the economic deprivations suffered by many homes enticed especially girls and young men to the rebel force

2.8 Extortion:

This violation was committed through the arrest and detention of under-age children in the first instance. A fee of Five Thousand Leones(Le5,000/-) was the standard charge per head for freedom. Also people were forced to provide fees for unhindered

movement. Although travelling passes were officially supposed to be free, certain issuing military authorities asked for money

Moreover, military personnel at checkpoints asked especially frightened villagers for money even if they had official passes.

In addition, the AFRC/RUF High command also requested per household contributions for such expenditure items as welcome reception for Corporal Foday Sankoh, UNOMSIL, Sacrificial items for peace and registration for relief food. These amounts ranged from Five Hundred Leone (Le500/-) per household to One cow per Chiefdom.

Finally, village communities were forced to provide the feeding and other domestic needs of military personnel posted to their areas.

2.9 Dispossession:

As far as properties were concerned, every item belong to members of the forces. Thus it was not uncommon for armed men to enter a house (even in the day time) and cart away whatever they wanted. In some cases the owners were forced to carry the loads.

Even properties buried in the ground were no exception. For instance (on a tip-off) a gang opened a grave for hidden items at the SUPER KAYS Night Club Compound, at 2, field road, the disappointed group went away, leaving the corpse uncovered .

In principle and according to the joint forces " a rebel lives on the terrain" - meaning that everything belongs to them.

In addition items such as rice, nut oil, money, drugs were declared as "Government Property", possessions of which by civilians was a crime. People in the outskirts of Makeni suffered from this most.

2.10 Assault and Insult:

The incidence of assault and insult ranked amongst the most frequent violations. And if anything, it was this that reduced residents of the target area to slaves in their own places.

People forced to carry loads were insulted and assaulted if they did not walk at the desired pace of their armed masters.

Sometimes innocent people were subjected to this indignity out of mere instinct. For instance one Captain Joseph Pandawa walked into the bedroom of Miss Maseray Sesay at No.4 Agriculture road and hit her with a stick; after hauling insults at her person and parents.

The use of obscene language in public was a common attribute of the average combatant.

2.11 Violence-Related Injury:

This came about as a result of several circumstances. Detainees were often wounded in the process of torture. Also drugged/drunken combatant wounded civilians who resisted their violent advances.

In the villages people who could not show the hiding places of food stuff were wounded as one means of forcing them to comply. Several rape victims were also wounded to subdue same. Cases of wounding which characterised the advent of the rebel forces showed a gradual decline with time.

2.12 Forceful Eviction:

The forceful eviction of people from their homes chiefly affected the more socially and economical superior members of the Makeni community. The combatants mainly targeted the best house in town. Thus Lebanese, Missionaries and other Foreigners became the bulk of the victims

However, people in the lower social stratum were also affected.

2.13 Freedom Of Movement:

Because of the many checkpoints that beset the town and its environs many people chose to stay at home to avoid any trouble with the men manning those checkpoints. During the early period of occupation most people went indoors by 6 p.m. and never came out before 7 a.m.

As food and other human needs became scarce in town many combatants spread outside. Their cruelty forced village dwellers to abandon their homes, while some town residents never ventured out.

This problem became so acute that Reverend Usman J Forna of the Weslyan Church of Sierra Leone and Secretary General of the Inter-Religious Council, Northern Region, had cause to bravely complain about "numerous checkpoints preventing worshippers going to churches and mosques"

The said checkpoint personnels often 'off-loaded' personal effects of passers-by, thus restricting the movement of petty traders; consequently making more acute the shortage of food and other essential commodities.

2.14 Freedom of Speech

In this case it was inconceivable for anyone to make utterance unpleasing to the military establishment. People merely accused of making negative remarks were subjected to cruel treatments even before investigations.

There is the case of a Teacher, Mr. Andrew Kanu of the Saint Francis Secondary School who was arrested and harassed for opining that schools could not resume in the town because the necessary furniture and other materials were not only destroyed but also some were taken away by renegade soldiers and RUF combatants.

In Makeni and its environs therefore many people spoke and laughed against their wishes and consciences, especially at public meetings or at the sight of men at arms.

2.15 Freedom Of Assembly

All forms of meetings were banned when the combatants occupied Makeni. Even people converging to listen to radio news were harassed.

Although worship services were not officially prohibited the awkward daily experiences of the average man on the street prevented some followers from mixing with others who may be possible spies; especially when certain religious leaders chose to side with the junta and rebel groups

The fears of such persons are not unfounded, considering the case of one Pa Yamba Forna of No. 77 Old Magburaka Road. He was arrested and detained for one month on the false accusation that he conducted secret meetings against the occupying forces. He was released later when his innocence was confirmed.

2.16 Harassment

This violation occurred in all its possible forms without any limitation. It neither discriminated nor observed any time limit. It descended on the Makeni community like endemic plague.

CHAPTER 3

CHILD AND WOMEN'S RIGHTS VIOLATIONS

From the foregone it is clear that children and women have been victims of every violation suffered by the target population in and around Makeni during the specified period.

However, this explanation is not enough for one to appreciate the extent to which the two vulnerable groups fell prey to this social quagmire.

The fundamental truth is that because of their inexperience and physical weakness children have often been easy prey; they have often been trapped where adults escaped.

It is also worthy to note that because of their age(and all other things being equal) they are bound to live longer and hence, unavoidably bear the prolonged disadvantages of whatever violations become their lot: loss of pride, self-esteem, impairment, lack of education/profession and general social degradation etc.

The future of women in this regard cannot be different. One thing that is clearly revealed is that the indignity to which females have been subjected is bound to print a permanent stain on their persons.

Used as sexual incentives and sex objects even the married ones were snatched from their legal husbands to serve as maids to combatants who, under normal circumstances would be condemned as inferior for matrimonial partnership.

In addition to being subdued to this status, assault and insults together with other forms of indignity become a permanent characteristic of their lives. Hardly did one pass by a house hosting a rebel family without witnessing incidents of fighting, hauling of insults etc.

Similarly underage girls were forced into premature marriage with no future. They are abandoned as soon as their so-called superior new 'catches' were won. Most bush wives of combatants were forced out upon arrival in Makeni town, in preference for their town-dwelling counterparts; only for the latter to also suffer same fate afterwards. The vicious circle remained unending with the attendant increasing number of disowned spouses left on the street to face economic strangulation and other ills.

This partly explains the upsurge of prostitution in Makeni with the advent of members of the AFRC and the RUF, and the proliferation of sexually transmitted diseases (STDs)

Thus it is plausible to assert that all articles and protocols guaranteeing the basic human rights of people(The Universal Declaration of Human Rights, Convention on The Right of the Child etc) and particularly those of women and children were violated in one form or the other.

Consequently the highlighted plights of the two groups points a brighter light on the image of the totality of violations suffered by the entire community.

This is so because the victimisation of children and women has always had an unavoidable direct and indirect impact on the rest of the community Parents have often been trapped in the process of searching for lost children in addition to their perpetual anguish.

In the same manner husbands have often been spiritually battered on account of dear wives forcefully snatched away from them. Some have lost their lives in attempt to retrieve their spouses.

It is from this perspective that one can possibly appreciate the wider implications of the violations of the right of children and women. This in turn also indicates a new and more realistic vista through which can be determined the level of attention and amount of resources required to rehabilitate the victims and measures to be adopted to prevent a future reoccurrence.

It also succinctly tells how much needs to be done to save the women and children of Sierra Leone from the claws of violations tomorrow. This is very crucial, now that it has been proved that the violation of the rights of women and children has positive correlation on the violation of the rights of the rest of the community.

CHAPTER 4
SAMPLE CASES

NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
		EXTRA-JUDICIAL KILLING					
1	Unidentified 29, Mess Road, Makeni	23/12/98		Adult		"	The victim was shot dead by AFRC/RUF forces for being an ECOMOG collaborator. She was suspected of being in love with an ECOMOG Officer.
2	Ballah Janneh 42 Mabanta Road, Makeni	23/12/98	Rice Mill Operator	"	"		The victim was shot in the leg, leading to his death.
3	John Conteh Mayanka Lane Makeni	27/12/98	Diamond Miner	"	"		The victim was shot dead for refusing to surrender his car to AFRC/RUF combatants.
4	Unidentified C/O John Adams Campbell Street Makeni	3/1/99	Unemployed	Youth	"	"	The victim was shot dead for allegedly stealing Palmoil.
5	Anthony Tarawalie	4/1/99	"	"	"		The victim was beaten to death for enlisting in the Civil Defence Force.
6	Fullah Boy	12/1/99	"	"	"		The victim was shot dead for alleged harrassment.
7	Abdulai	12/1/99	"	"	"		Same as above.
8	Unidentified	12/1/99	"	"	"		Same as above.

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NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
9	Three Youths	13/1/99	Not Available	Youth	"		The victims were tortured and later shot to death at the Military Police Office at Azzolini Highway.
10	Gibril Bangura Campbell Street Makeni	15/1/99	Unemployed	Youth	Male		The victim was shot dead for allegedly stealing.
11	Three Youths	16/1/99	"	"	"		The victims were shot dead for allegedly raping. People could not identify them for fear of repraisals. KWAYOR personnel saw the corpses.
12	Alias Obomi Turn-Table Old Magburaka Road Makeni	19/1/99	"	"	"		The victim was shot dead for allegedly stealing.
13	Unidentified	19/1/99	Tailor	"	"		The victim was shot dead by RUF Combatants because he failed to halt when the latter ordered him to do so. He could only be identified as a tailor.
14	Alusine	19/1/99	Unemployed	Youth	"		An alleged rape victim was reported to have pointed him as one of her absuers. His innocence was proved after he was shot dead at the Makeni Market Square.
15	Ahmed	19/1/99	"	"	"		Same as above.
16	Unidentified Magbonso Village	1/2/99	RUF Combatant	"	"		The victim was shot dead for allegedly raping one Yariba Conteh.

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NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
17	Fatmata Makama Village	2/2/99	Unemployed	Youth		"	The victim was shot dead for rejecting the love proposal of an RUF combatant.
18	Brima Sesay Katombo Village Biriwa Chiefdom	2/2/99	Farmer	Adult	"		The victim was shot to death by combatants in vegeance for the death of a combatant who was earlier killed for attempting to seize properties from the villagers.
19	Tunkuh Mansaray Katombo Village Biriwa Chiefdom	2/2/99	"	Adult	"		Same as above (18)
20	Kendeka Mansaray Katombo Village Biriwa Chiefdom	"	"	"	"		Same as above (18)
21	Mr Bona and 7 others	5/2/99	Civil Servant	"	"		The eight victims were arrested, detained and shot to death for various allegations ranging from fraud, harrassment to rape. The cases were not properly investigated. Two of the eight were under forceful conscription.
22	John Sesay	5/2/99	Unemployed	Youth	"		The victim was arrested for forceful conscription. When he refused, he was beaten until two of his ribs fractured which led to his death on 5-2-99.
23	Mani Kabba 6 Lunsar Road Makeni	3/3/99	"	Child		"	The victim was shot dead by an RUF Colonel (Banya) who later pleaded with the bereaved family with the claim that it was an unintentional act.

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NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
24	John C/o Yansama 19 Conteh Street Makeni	3/3/99	"	Adult	Male		The victim was shot dead by armed combatants when the deceased asked for the repayment of his debt.
25	Paul Turay Makama Road Makeni	17/4/99	"	"	"		The victim was shot dead by armed combatants because military wearings were found at his place of residence.
26	Saidu Conteh 8A Back of Ropolon Lane, Makeni	17/4/99	Watchman Makama Institute	"	"		The victim was killed by an armed man because the victim could not offer the sum of Fifteen Thousand Leones (Le15,000.00) which the latter requested.
27	Brima Kamara Alias Nico	25/5/99	Head of Civil Defence	"	"		The victim was shot by the AFRC/RUF highcommand for his role in the Civil Defence Force.
28	Sheriff Koroma 14 Yaide Street Makeni	31/5/99	Unemployed	Youth	"		The victim was accused of withcraft, butchered to death; and pieces of his body displayed to the public at Yaide Street.
29	Sahr M. Sandi 6A Agriculture Raod Makeni	TORTURE 21/1/99	Development Worker and Journalist	Adult	"		The victim was arrested detained for one month and tortured on allegation of possessing a communication machine. He was released when the allegation proved false.
30	Ali Kargbo Masingbi	26/1/99	Unemployed	Child	"		Arrested, detained and tortured for serving as carrier to a combatant who forcefully abducted him.

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NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
31	Mr Sidi Bangura 3A Mabanta Road Makeni Alias Nico	5/2/99	Development Worker (CARE)	Youth	"		The victim was arrested detained and torturedfor allegedly possessing a communication set.He was released when proved innocent.
33	Sahr T. Gbeinda Sylvanus Street Makeni	6/2/99	Wireless Operator (CARE)	"	"		Same as above (30)
34	Alpha C/O P.C Kassanga II Upper Banana Street Makeni	1/3/99	Driver	Adult	"		The victim was tied and assulted to force himto point the location of a vehicle
35	John Fofanah Water Works Area Makeni	11/2/99	Employee of SIERRATEL Mmakeni	"	"		The victim was arrested detained and assaulted for possessing wireless communication machine which allegation was later proved false - leading to his release.
36	Sahr Yongai Makeni	17/4/99	Unemployed	Youth	"		The victim was tatooed with razor blade on his back with the inscriptions: 'SLA/RUF" by rebel personnel
37	Joseph S. Tholley Makeni Teacher's College, Makeni	17/4/99	Lecturer Makeni Teachers College	Adult	"		Same as above (36)
38	Mrs Mmabinty Sankoh Tendatta Village	17/5/99	Housewife/ Farmer	"		"	The victim was tied and assaulted for planting rice which her assailants condemned as waste of food. She had to point the location of rice belonging to a neighbour in the same Tendatta Village to ensure the release of her mother.

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NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
39	Pa Kassun Katombo Village	30/6/99	Farmer	"	"		The victim was arrested, and beaten on account of the Katombo incident in case No (18)
40	Mammy Pili Katombo Village	30/6/99	Housewife	"		"	Same as case No. 39
41	Mr Kanu Batmorie Magburaka	29/6/99	Head Teacher R.C.Primary Sch Magburaka	"	"		The victim was arrested, detained and tied and assaulted to force him to show the location of a wireless set.
42	Henry Magburaka	29/6/99	Catechist	Youth	"		Same as above (41).
43	Pa Yamba Forna 77, Old Magburaka Road, Makeni	UNLAWFUL ARREST AND DETENSION 21/1/99	Farmer	Adult	"		The victim was arrested, detained for allegedly holding clandestine SLPP meetings at home. He was later released because the allegation was false.
44	Christiana Forna (Nee Baby) 77 Old Magburaka Road	21/1/99	MCH Aid	"		"	The victim was arrested and detained for one month when she enquired about the arrest of her father Pa Yamba Forna above in case No (43)
45	Yei Hawa Sandi	22/1/99	Unemployed	Five months		"	This baby victim was detained with her mother. While in detention RUF Colonel Alpha vowed to force the mother to shoot her baby before he (Colonel Alpha) shoots the mother dead.

NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
46	Mrs. Mayonette Porter (Nee Aminata Clement) 28 Masuba Road Makeni	2/2/99	Housewife	Adult		Female	The victim was arrested, put in car boot anddriven to the Makeni Police Prison she was detained for one month. She was accused of forging documents relating to a consignment of assorted chemical fertilizers. But the victim claimed that the issue had to do with her rejection of a love proposal from one RUF Colonel Titus Tarawallie.
47	Mr. Sam Sesay 3, Lower Mathanko Street, Makeni	5/2/99	Development Worker (ICRC)	Adult	Male		The victim was arrested, detained and tortured on allegation of possessing a wireless communication machine.
48	Abdulai Kuyateh 3A Lower Mathonka Street, Makeni	5/2/99	Journalist	Youth	"		The victim was arrested and detained for expressing his opinion that he did not believe that Mr. Sesay in (47) had the machine in question.
49	Moses Nabay 44, Old Mabantha Road, Makeni	6/2/99	Development Worker (CARE)	Adult	"		The victim was arrested and detained on allegation of possessing a wireless communication machine, which allegation was later proved false.
50	Mr. Timbo 44, Old Mabantha Road, Makeni	6/2/99	Development Worker (CARE)	Youth	"		The victim was arrested and detained for accompanying Mr. Nabay in (49) above to the Prison Yard.
51	Fonty Sesay 1, Hospital Road Makeni	7/2/99	Development Worker (C.R.S.)	Adult	Male		The victim was arrested and detained on allegation of possessing a wireless communication machine; an allegation which was later proved false.

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NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
52	Komba A. Mondeh 11, Ropollon Raod Makeni	23/5/99	Teacher	Adult	"		The victim was arrested and assaulted and detained on allegation of being a Journalist
53	Andrew Kanu Makeni	26/6/99	Teacher St. Francis Sec. School Makeni	"	"		The victim was arrested and harrassed for pointing out that schools in Makeni could not resume because the necessary teaching and learning materials had been looted by individuals, especially soldiers; an act interpreted by the AFRC/RUF High Command as anti-revolutionary
54	89 Youths (unidentified)	ABDUCTION 7/2/99	Unemployed	Youth	"		The victims were abducted from their homes to be conscripted into the RUF by force. They spent their first two days in detention without food. A price of Le5,000.00 was put on the heads of those who expressed unwillingness to be trained.
55	Mr. Apha Kamara 34, Mabalha Road Makeni	ARMED ROBBERY 13/5/99	Businessman	Adult	"		Armed men broke into the victim's home at night, put him under gun point, tortured him and stole money and other belongings from him.
56	Saidu Koroma 145, Makeni Road Binkolo	ASSAULT 16/5/99	Student	Child	"		The victim was assaulted and wounded on the head when he asked why his grandmother planting materials were being taken away by armed men.

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NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
57	Mr. Sahr M. Sandi 6, Agriculture Road	21/5/99	Journalist and Development Worker	Adult	Male		The victim was hit with the but of gun by an armed man who alleged that the victim did not greet him.
58	Sahr Morsay 6, Teko Road	10/1/99	Teacher and Lay Preacher	Adult	"		The victim was slapped in the face by one RUF Combatant for attending divine church service.
59	Alimamy Sankoh (Alias Depor) 4 Francess Conteh Street, Makeni	10/5/99	Student	Youth	"		The victim was shot in the leg by one RUF Combatant for not obeying his order to stop playing chess.
60	Solomon H Butcher Water Works Compound	24/5/99	Dispenser	Adult	"		The victim was dragged out of a public meeting, assaulted, arrested, wounded on the head and hands, and later detained for 24 hours, for being a member of the ousted Sierra Leone Peoples Party.
61	Maseray Sesay 4 Agriculture Road	25/5/99 Violence related injury	Unemployed	Youth		Female	The victim was assaulted in the face by a disloyal soldier, Captain Joseph Pandawa.
62	Rev. Usman J. Fornah Wesleyan Church Compound Rognaeh Road, Makeni	FORCED LABOUR 31/12/98	Clergy	Adult	"		The victim was forced to push a vehicle looted from the compound of the Wesleyan Mission in Makeni, by armed men.
63	Salifu Kamara Makeni	3/1/99	Unemployed	17 Yrs	"		The victim was seized from his home and forced to serve as a Cook and later trained as a combatant.
64	Abdul Kamara 14, Mabureh Street Makeni	24/12/98	Student Makama Agric. Institute	Adult	"		The victim was seized by Colonel Tamba Yamba to serve as a Cook. He was later forced to join armed looting gangs.

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NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
65	150 Youths (unidentified) Biriwa Chiefdom	Between 21/1/99 and April, 1999	Farmers	Youths	"		The victims were forcefully mobilised from various villages in the said chiefdom to destroy the Magbonso Bridge at Magbonso Village, Biriwa Chiefdom. Villages in the same community were forced to provide food-for-work for the venture.
		EXTORTION					
66	Saio Marah 35 Wallace Johnson Street, Makeni	9/3/99	Unemployed	Youth	"		The victim was one of more than 3000 youths arrested and detained for conscription. He was released after paying Le5,000.00 for his head.
67	Saran Dabor 77, Old Magburaka Road, Makeni	9/5/99	Housewife	Youth		Female	The victim was beaten by armed men who put their hands in her private parts to steal the sum of Le60,000.00
		DISPOSSESSION					
68	Tamba E. Kemoh 13, Ropollon Road Makeni	20/1/99	Teacher	Adult	"		The victim was insulted and his two bundles of wood forceably taken away from him; his only source of income and livelihood for the day.
69	Rev. Usman J. Fornah Wesleyan Church Rogbane Road Makeni	20/3/99	Clergyman	"	"		He was harrassed by an armed combatant who also took away his sunglasses.

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NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
70	Mrs. Isatu Sesay (nee Isatu Kanu) 1, Savage Square Makeni	21/6/99	Housewife	Adult		Female	The victim together with other traders were forced out of a vehicle hired by them and full of their wares. After travel ling from Gbomsamba to Makeni, the victims were forced to flee from the vehicle under gun-point. Isatu and others lost more than two million Leones (Le2,000,000.00)
71	Mabinty Koroma Makeni	VIOLENCE RELATED INJURY 25/1/99	Unemployed	Youth		Female	The victim was arrested, detained and shot in the foot by RUF Captain Green Snake for carrying arms forced into her hand by other combatants
72	Alimamy Sankoh (Alias Depor) 4 Francess Conteh Street, Makeni	10/5/99	Student St. Francis Sec. School	"	"		The victim was shot in the leg by one RUF Combatant for not obeying his order to stop playing chess.
73	Maseray Sesay 4 Agriculture Road Makeni	25/5/99	Unemployed	"		"	The victim was hit and wounded in the face by a disloyal soldier Captain Josie Pandawa.
74	Solomon H. Butcher Water Works Compound, Makeni	24/5/99	Dispenser	Adult	"		The victim was dragged out of a public meeting, arrested, strapped naked, wounded on the head and hands and later detained for twenty hours during which period he was also assaulted.

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NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
75	Saidu Koroma 145 Makeni Road Binkolo	16/5/99	Student St. Francis Sec. School	Youth	"		The victim was assaulted and wounded on the head when he asked why his grandmother's planting materials where being taken away by armed combatants
76	Tamba Samba Makeni Technical College, Makeni	1/6/99	Student Makeni Teachers College	Youth	Male		The victim was wounded and assualted before his X-Bass Tape Recorder and other belongings were seized from him.
77	Hawa Janneh 14 Yaide Street Makeni	31/5/99	Midwife	Youth		"	The victim is one of eight persons accused of witchcraft, arrested, detained and tortured by the AFRC/RUF establish-ment in Makeni.
78	Major Francess 14, Yaide Street Makeni	"	Soldier	Youth		"	Same as above No. (78)
79	Mariatu Kamara 14, Yaide Street Makeni	"	RUF Combatant	Youth		Female	Same as above No. (78)
80	Posseh Sesay 14, Yaide Street Makeni	31/5/99	Unemployed	Youth		"	Same as above No. (78)
81	Ramatu Bockarie 14, Yaide Street Makeni	"	Housewife	"		"	Same as above No. (78)
82	Adama Fofanah 37, Sahid Kamara Street, Makeni	"	Unemployed	"		"	Same as above No. (78)

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NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
83	Hawa Newland Makeni	"	"	"		"	Same as above No. (78)
84	Zainab Koroma Makeni	"	"	"		"	Same as above No. (78)
85	Abdulai Sillah 14 Lady's Mile Makeni	13/1/99	"	Adult	Male		The victim reported being wounded by Kamajors Militia Personnel at Masingbi.
86	Pa Yamba Forna 77 Magburaka Road Makeni	HARRASSMENT 13/1/99	Farmer	"	"		The victim's home was broken into at night by armed men who put him under gun-point and forced him to surrender his money and other belongings; after assaulting same.
87	Mr. Andrew Forna 77 Magburaka Road Makeni	"	Teacher	"	"		Sameas above No. (87)
88	Mrs. Adesatu Forna 77 Magburaka Road Makeni	"	Teacher	"		Female	Same as above No. (87)
89	Dauda S Kamara 18 Makama Road Makeni	15/1/99	Unemployed	Youth			Same as above No. (83)
90	Alimamy S. Marah 35 Wallace Johnson Street, Makeni	19/1/99	Development Worker (KWAYOR)	"	Male		The victim was requested by RUF Combatants for money. When he could not surrender, his sandals were removed from his feet and damaged.

NO.	NAME AND ADDRESS OF VICTIM	VIOLATION AND DATE	OCCUPATION OF VICTIM	AGE	SEX		BRIEF HISTORY
					Male	Female	
91	Sahr M. Sandi 6, Agriculture Road Makeni	21/5/99	Journalist and Development Worker	Adult	"		The victim was hit with the butt of a gun by RUF Major Francis, who alleged that the victim did not greet him.
92	Sahr Morsay 6, Teko Road Makeni	10/1/99	Teacher and Lay Preacher	"	"		The victim was slapped in the face for attending divine church service.
93	Mr. Franklin Syvanus Sylvanus Street Makeni	30/5/99		"	"		The victim was harrassed until he had to abandone his home.
94	Mrs. Franklin Sylvanus Sylvanus Street Makeni	"	Housewife	"		"	Same as above No. (95)
95	Adama Kallon, Kamabai	30/6/99	"	Youth		"	The victim was assaulted by a combatant Thoronka for shouting in his (the combatant's) compound; which the latter interpreted as OVERLOOKING - a local RUF coinage for disregard.

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FACT 90

In the *HRW World Report 1999: Sierra Leone: Defending Human Rights*, Human Rights Watch noted or reported that:

(a) For the past seven years, a vicious civil war had engulfed Sierra Leone, characterized by atrocities against civilians, often committed by the RUF (p.1);

(b) After losing political power [in March 1998], the AFRC/RUF alliance engaged in a war of terror against civilians, committing widespread and egregious atrocities in an attempt to regain power. Between February and June alone, its members raped, deliberately mutilated, or killed thousands of Sierra Leonean civilians. The AFRC/RUF abducted men, women, and children, probably numbering in the thousands, for use as combatants, forced laborers, or sexual slaves. Women were actively targeted through sexual violence, including rape and sexual slavery (p.1).

(c) Children were victims of gross violations of human rights committed by both sides to the conflict. The AFRC/RUF abducted an unknown number of children – probably in the thousands – for use as laborers, fighters, and in the case of girls, sexual prisoners. Many girls were forced to work for the AFRC/RUF combatants until they reached sexual maturity, when they would be assigned to a fighter as a "wife" (p.2).

a.	Exh. 1.178	n/a	HRW World Report 1999: Sierra Leone: Defending Human Rights, available at www.hrw.org.

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Human Rights Developments

In early February, troops of the Economic Community of West African States Cease-Fire Monitoring Group (ECOMOG) ousted the government of the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF) from Freetown. This ended their nine-month rule, characterized by widespread human rights abuses and a complete breakdown of the rule of law. For the past seven years a vicious civil war has engulfed Sierra Leone, characterized by atrocities against civilians, often committed by the RUF, a rebel group formed in 1991 with support from the National Patriotic Front of Liberia (NPFL).

Upon taking power on May 25, 1997, the AFRC suspended the constitution, banned political parties and public meetings, and announced rule by military decree. The ARFC, created by a group of senior military officers, soon joined forces with the RUF. During their joint rule, many judges, lawyers, and police fled the country, causing a total collapse of the judicial system. The AFRC/RUF government arbitrarily arrested and detained its suspected opponents and critics, including students, journalists and human rights advocates, causing thousands to seek asylum.

On March 10, the Nigerian-led ECOMOG reinstated President Tejan Kabbah, first elected in March of 1996, who subsequently declared a state of emergency. After losing political power, the AFRC/RUF alliance engaged in a war of terror against civilians, committing widespread and egregious atrocities in an attempt to regain power. Between February and June 1998 alone, its members raped, deliberately mutilated, or killed outright thousands of Sierra Leonean civilians. The AFRC/RUF abducted men, women and children, probably numbering in the thousands, for use as combatants, forced laborers, or sexual slaves. Women were actively targeted through sexual violence, including rape and sexual slavery. In addition to various forms of physical abuse, innumerable civilians suffered psychological trauma from the rebels' choice of tactics and extreme cruelty—like the severing of limbs—to compound the horror of their attacks.

Civilian Defense Forces (CDFs), civilian militias who supported the Kabbah government, also committed numerous abuses, including indiscriminate killings and torture, but on a significantly smaller scale than those carried out by the AFRC/RUF. The CDFs were created in order to provide local security and targeted for abuse those they claimed

were AFRC/RUF combatants or their supporters. The largest and most powerful of the CDFs, the Kamajors, were responsible for the majority of abuses committed by those fighting on behalf of the Kabbah government. In addition to killings and torture, Kamajors also obstructed humanitarian assistance and extorted money or other payment at roadblocks.

Children were victims of gross violations of human rights committed by both sides to the conflict. The AFRC/RUF abducted an unknown number of children—probably in the thousands—for use as laborers, fighters, and in the case of girls, sexual prisoners. Many girls were forced to work for the AFRC/RUF combatants until they reached sexual maturity, when they would be assigned to a fighter as a "wife." There were also many child soldiers among the Kamajors, and despite promises by the government to demobilize all combatants under the age of eighteen, the CDFs continued to recruit children at least until July.

The United Nations estimated that over 416,000 Sierra Leoneans fled the fighting as refugees to neighboring Guinea and Liberia or to internally displaced camps. Conditions for both internally displaced persons (IDPs) and refugees were often severe due to alack of access to camps and poor security conditions. In particular, the close proximity of the camps in Guinea and Liberia to the Sierra Leonean border and the presence of former combatants among the refugee population in Liberia jeopardized humanitarian assistance and protection. Many refugees and IDPs suffered from a host of problems including high levels of malnutrition and disease, as well as occasional attacks from the RUF/AFRC.

The government made repeated gestures in support of human rights, such as its pledge to provide amnesty for child soldiers and intermittent appeals to combatants to lay down their arms in exchange for amnesty. In a climate of public hatred for individuals associated with the AFRC/RUF, the Kabbah government initiated legal proceedings against fifty-eight civilians in regular courts and thirty-eight former soldiers before a military court on a range of charges including treason and murder. In hearings in August and October, the High Court of Sierra Leone sentenced to death twenty-seven civilians convicted of treason, including five journalists and a seventy-five-year-old woman. International observers questioned the appropriateness of the treason charges for the journalists, and criticized the lack of a right to appeal sentencing by the military court. On October 19, the government of Sierra Leone executed by firing squad twenty-four of the soldiers who had been sentenced to death one week earlier. The trials constituted the first major test under the Kabbah government of a justice system which lacked basic infrastructure and support. Many of the over 2,000 prisoners in Sierra Leone were held under the 1998 Public Emergency Regulations, introduced by President Kabbah on March 16 and ratified by parliament, which provided for indefinite detention without trial. Prisons were often overcrowded, unsanitary, and lacking in health care and the regular provision of food.

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Section 13 of the Public Emergency Regulations declared that "disturbing reports" by the media were punishable offences. On June 24, Minister of Information and Cultural Affairs Dr. Julius Spencer stated that any information regarding the security situation must be approved by ECOMOG before publication. Journalists complained further that taxes had been unjustly imposed upon newspapers in an attempt to limit their ability to publish.

FACT 91

In *Amnesty International USA Report 2000*, Amnesty International USA stated or noted that:

(a) The political and human rights crisis deepened as rebel forces attacked Freetown in 1999 (p. 2).

(b) Although it was impossible to ascertain the exact number of deaths during the rebel's incursion into Freetown, an estimated 5,000 people, at least 2,000 of them civilians killed. Medical authorities subsequently put the figure at over 6,000 (p. 4).

(c) After being forced from Freetown, rebels' forces continued to commit atrocities. In Masiaka, east of Freetown, civilians accused of sympathizing with the government forces were killed or mutilated. In one incident in a village between Masiaka and Mile 38, several babies and young children were reported to have been killed (p.4).

(d) Atrocities committed by rebels retreating from Freetown included deliberate and arbitrary killings, torture, mutilations, rape, and abduction of civilians (pp. 3-5).

a.	Exh. 1.174	n/a	Amnesty International USA Report 2000, available at http://www.amnestyusa.org.

Sierra Leone

Republic of Sierra Leone
Head of state and government: Ahmad Tejan Kabbah
Capital: Freetown
Population: 4.4 million
Official language: English
Death penalty: retentionist

The political and human rights crisis deepened as rebel forces attacked Freetown in January 1999. Thousands of unarmed civilians were deliberately and arbitrarily killed, mutilated, raped or abducted. Although conclusion of a peace agreement in July provided opportunities to end human rights abuses, the political and security situation remained precarious and human rights abuses against civilians continued. The peace agreement included a general amnesty which provided impunity for human rights abuses, including war crimes and crimes against humanity, committed during the conflict.

Background

Rebel forces of the Revolutionary United Front (RUF) and the Armed Forces Revolutionary Council (AFRC) attacked Freetown on 6 January and committed large-scale atrocities against civilians. Extensive destruction of property made as many as 200,000 people homeless. Although rebel forces were forced to retreat by forces of the Economic Community of West African States (ECOWAS) Cease-fire Monitoring Group (ECOMOG), fighting continued in other parts of the country and some towns, including Makeni in Northern Province, remained under rebel control. Liberia was widely accused of providing military support to rebel forces, in violation of a UN Security Council resolution.

A cease-fire was agreed in May, and a peace agreement — signed in Lomé, Togo, in July — provided for an immediate cessation of hostilities and disarmament and demobilization of former combatants. RUF and AFRC members were appointed to ministerial positions in a government of national unity in October and the RUF became a political party. RUF leader Foday Sankoh, with the status of vice-president, chaired a commission to manage mineral resources and post-conflict reconstruction, and Johnny Paul Koroma, leader of the AFRC, a commission to oversee implementation of the peace process.

Implementation of key provisions of the peace agreement, including disarmament and demobilization, release of captured civilians and unhindered humanitarian access, was, however, limited. Full deployment of a UN peace-keeping force to monitor the cease-fire and assist with disarmament and demobilization was delayed. By the end of 1999 only some 3,500 of an estimated 45,000 combatants had been disarmed and demobilized. Despite the appointment of their leaders to official positions, political rivalry between AFRC and RUF forces resulted in heavy fighting, in particular in Makeni and Lunsar in October. Rifts also emerged between Foday Sankoh and other rebel leaders who had yet to disarm, and doubts remained about the commitment of the RUF to the peace process. Parts of the north and east of the country, including strategic diamond-mining areas, remained inaccessible.

Abuses by rebel forces

RUF and AFRC forces committed gross human rights abuses on a large scale. AI repeatedly called for an end to abuses and to transfers of arms, ammunition and combatants to rebel forces.

Despite improvement after the signing of the peace agreement, there was

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a marked increase in attacks on civilians from October in areas west of the Occra Hills and in Northern Province, in particular around Makeni, Lunsar, Port Loko, Kambia and Kabala, and a pattern of deliberate intimidation and terrorizing of civilians re-emerged. From November such attacks, often during raids for food, money and other goods, occurred almost daily in Northern Province.

Deliberate and arbitrary killings

Although it was impossible to ascertain the exact number of deaths during the rebel incursion into Freetown, an estimated 5,000 people, at least 2,000 of them civilians, were killed. Medical authorities subsequently put the figure at over 6,000. Although most killings were arbitrary, some individuals and groups — including government officials, journalists, lawyers, human rights activists, prison officials and police officers — were deliberately targeted. For example, more than 200 police officers and eight journalists were reported to have been killed.

After being forced from Freetown, rebel forces continued to commit atrocities. In Masiaka, east of Freetown, civilians accused of sympathizing with government forces were killed or mutilated. In one incident in a village between Masiaka and Mile 38, several babies and young children were reported to have been killed. Deliberate and arbitrary killings of civilians continued after the peace agreement, particularly in Northern Province.

Torture, including mutilation and rape

As rebel forces retreated from Freetown, they mutilated civilians by cutting off limbs, most frequently hands and arms. In February reports indicated that some 500 victims of mutilation who required surgery were being treated in Freetown hospitals. Among the youngest recorded victims was a six-year-old girl whose left arm had been severed. It was probable that many other victims failed to reach medical help and died from their injuries.

Amputations and others forms of torture continued to be reported after rebel forces retreated from Freetown, although on a lesser scale. In May boys and young men in the area around Masiaka were seen with the letters RUF carved across their chests. In an attack on a village near Port Loko in October there were cases of attempted amputation of limbs, and burns inflicted by molten plastic.

Rape and other forms of sexual abuse of women and girls were systematic

and widespread. During the rebel incursion into Freetown, women and girls were rounded up and gang-raped, often in public. More than 90 per cent of women and girls abducted and held captive were believed to have been raped: many were forced to submit to rape or be killed. Many girls subsequently released were pregnant, had given birth or had contracted sexually transmitted diseases. Rape of women and girls caught up in the fighting between AFRC and RUF forces in Makeni and Lunsar in October was common.

Abduction of civilians

Rebel forces abducted several thousand civilians, including children, from Freetown in January. Some of those abducted were subsequently killed. Some were selected for training as fighters, others used as porters to carry looted goods. Abducted women and girls were forced into sexual slavery and retained to cook and undertake other tasks. Up to 4,000 children were reported missing from Freetown, most of them abducted. A small number of prominent Sierra Leoneans, including the Roman Catholic Archbishop of Freetown, and foreign nationals, including priests and nuns, were also abducted. At least eight were killed and two others seriously injured. Others, including the archbishop, either escaped or were released.

Although the peace agreement provided for the release of captured civilians, only some 1,000 adults and children, a comparatively small number, had been freed by December. Many of those released suffered from malnutrition and disease. The release of girls and young women was particularly difficult to secure. Some 2,400 children, most of them girls, abducted from Freetown remained missing.

As attacks against civilians increased from October, the number of civilians being abducted exceeded those released.

Hostage-taking

AFRC forces captured more than 30 UN military and civilian personnel who had gone to the Occra Hills in August with an ECOMOG escort to supervise the release of abducted civilians. Their captors claimed that Johnny Paul Koroma was held under duress by RUF forces and that the peace agreement disadvantaged AFRC forces. All were released after six days.

In December RUF forces captured two foreign nationals working for an international humanitarian organization, *Médecins sans frontières* (MSF-



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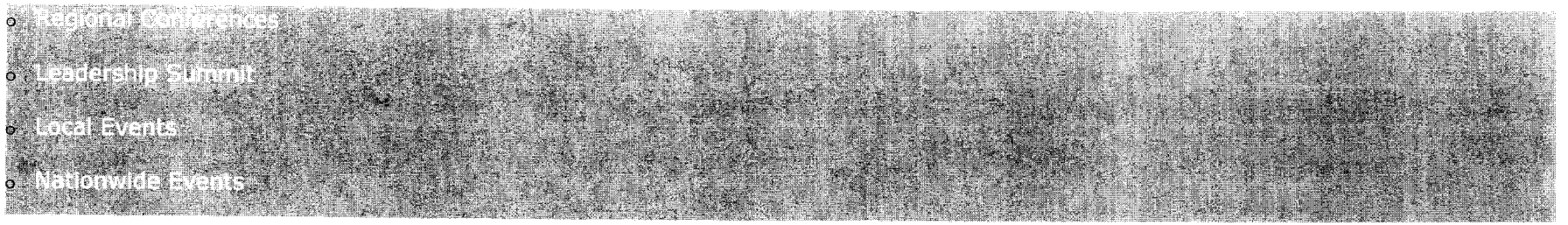

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Sierra Leone

Republic of Sierra Leone
Head of state and government: Ahmad Tejan Kabbah
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Official language: English
Death penalty: retentionist

The political and human rights crisis deepened as rebel forces attacked Freetown in January 1999. Thousands of unarmed civilians were deliberately and arbitrarily killed, mutilated, raped or abducted. Although conclusion of a peace agreement in July provided opportunities to end human rights abuses, the political and security situation remained precarious and human rights abuses against civilians continued. The peace agreement included a general amnesty which provided impunity for human rights abuses, including war crimes and crimes against humanity, committed during the conflict.

Background

Rebel forces of the Revolutionary United Front (RUF) and the Armed Forces Revolutionary Council (AFRC) attacked Freetown on 6 January and committed large-scale atrocities against civilians. Extensive destruction of property made as many as 200,000 people homeless. Although rebel forces were forced to retreat by forces of the Economic Community of West African States (ECOWAS) Cease-fire Monitoring Group (ECOMOG), fighting continued in other parts of the country and some towns, including Makeni in Northern Province, remained under rebel control. Liberia was widely accused of providing military support to rebel forces, in violation of a UN Security Council resolution.

A cease-fire was agreed in May, and a peace agreement — signed in Lomé, Togo, in July — provided for an immediate cessation of hostilities and disarmament and demobilization of former combatants. RUF and AFRC members were appointed to ministerial positions in a government of national unity in October and the RUF became a political party. RUF leader Foday Sankoh, with the status of vice-president, chaired a commission to manage mineral resources and post-conflict reconstruction, and Johnny Paul Koroma, leader of the AFRC, a commission to oversee implementation of the peace process.

Implementation of key provisions of the peace agreement, including disarmament and demobilization, release of captured civilians and unhindered humanitarian access, was, however, limited. Full deployment of a UN peace-keeping force to monitor the cease-fire and assist with disarmament and demobilization was delayed. By the end of 1999 only some 3,500 of an estimated 45,000 combatants had been disarmed and demobilized. Despite the appointment of their leaders to official positions, political rivalry between AFRC and RUF forces resulted in heavy fighting, in particular in Makeni and Lunsar in October. Rifts also emerged between Foday Sankoh and other rebel leaders who had yet to disarm, and doubts remained about the commitment of the RUF to the peace process. Parts of the north and east of the country, including strategic diamond-mining areas, remained inaccessible.

Abuses by rebel forces

RUF and AFRC forces committed gross human rights abuses on a large scale. AI repeatedly called for an end to abuses and to transfers of arms, ammunition and combatants to rebel forces.

Despite improvement after the signing of the peace agreement, there was

a marked increase in attacks on civilians from October in areas west of the Occra Hills and in Northern Province, in particular around Makeni, Lunsar, Port Loko, Kambia and Kabala, and a pattern of deliberate intimidation and terrorizing of civilians re-emerged. From November such attacks, often during raids for food, money and other goods, occurred almost daily in Northern Province.

Deliberate and arbitrary killings

Although it was impossible to ascertain the exact number of deaths during the rebel incursion into Freetown, an estimated 5,000 people, at least 2,000 of them civilians, were killed. Medical authorities subsequently put the figure at over 6,000. Although most killings were arbitrary, some individuals and groups — including government officials, journalists, lawyers, human rights activists, prison officials and police officers — were deliberately targeted. For example, more than 200 police officers and eight journalists were reported to have been killed.

After being forced from Freetown, rebel forces continued to commit atrocities. In Masiaka, east of Freetown, civilians accused of sympathizing with government forces were killed or mutilated. In one incident in a village between Masiaka and Mile 38, several babies and young children were reported to have been killed. Deliberate and arbitrary killings of civilians continued after the peace agreement, particularly in Northern Province.

Torture, including mutilation and rape

As rebel forces retreated from Freetown, they mutilated civilians by cutting off limbs, most frequently hands and arms. In February reports indicated that some 500 victims of mutilation who required surgery were being treated in Freetown hospitals. Among the youngest recorded victims was a six-year-old girl whose left arm had been severed. It was probable that many other victims failed to reach medical help and died from their injuries.

Amputations and others forms of torture continued to be reported after rebel forces retreated from Freetown, although on a lesser scale. In May boys and young men in the area around Masiaka were seen with the letters RUF carved across their chests. In an attack on a village near Port Loko in October there were cases of attempted amputation of limbs, and burns inflicted by molten plastic.

Rape and other forms of sexual abuse of women and girls were systematic

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and widespread. During the rebel incursion into Freetown, women and girls were rounded up and gang-raped, often in public. More than 90 per cent of women and girls abducted and held captive were believed to have been raped: many were forced to submit to rape or be killed. Many girls subsequently released were pregnant, had given birth or had contracted sexually transmitted diseases. Rape of women and girls caught up in the fighting between AFRC and RUF forces in Makeni and Lunsar in October was common.

Abduction of civilians

Rebel forces abducted several thousand civilians, including children, from Freetown in January. Some of those abducted were subsequently killed. Some were selected for training as fighters, others used as porters to carry looted goods. Abducted women and girls were forced into sexual slavery and retained to cook and undertake other tasks. Up to 4,000 children were reported missing from Freetown, most of them abducted. A small number of prominent Sierra Leoneans, including the Roman Catholic Archbishop of Freetown, and foreign nationals, including priests and nuns, were also abducted. At least eight were killed and two others seriously injured. Others, including the archbishop, either escaped or were released.

Although the peace agreement provided for the release of captured civilians, only some 1,000 adults and children, a comparatively small number, had been freed by December. Many of those released suffered from malnutrition and disease. The release of girls and young women was particularly difficult to secure. Some 2,400 children, most of them girls, abducted from Freetown remained missing.

As attacks against civilians increased from October, the number of civilians being abducted exceeded those released.

Hostage-taking

AFRC forces captured more than 30 UN military and civilian personnel who had gone to the Occra Hills in August with an ECOMOG escort to supervise the release of abducted civilians. Their captors claimed that Johnny Paul Koroma was held under duress by RUF forces and that the peace agreement disadvantaged AFRC forces. All were released after six days.

In December RUF forces captured two foreign nationals working for an international humanitarian organization, *Médecins sans frontières* (MSF-

France),in Kailahun District, Eastern Province, and held them hostage for 10 days in protest against disarmament and demobilization being supervised by UN peace-keeping forces and ECOMOG troops.

ECOMOG and Civil Defence Forces

ECOMOG forces were commended by the international community for their role in Sierra Leone. They and the civilian militia supporting President Ahmad Tejan Kabbah, the Civil Defence Forces (CDF), however, also committed human rights violations.

During the rebel incursion into Freetown, large numbers of captured or suspected rebels were extrajudicially executed by ECOMOG and the CDF, often without any real attempt to establish guilt or innocence. Children, including an eight-year-old boy caught in possession of a gun, were among the victims. Ill-treatment, including beatings, whippings and public humiliation, was common at ECOMOG and CDF checkpoints.

At least 10 Sierra Leonean staff of humanitarian organizations and the International Committee of the Red Cross were detained by ECOMOG forces in January; most were beaten. Although accused of cooperating with rebel forces, these allegations were unfounded.

Indiscriminate aerial bombardments on densely populated areas of Freetown during the rebel incursion resulted in large numbers of civilian casualties.

AI called for strict compliance by ECOMOG forces with international human rights and humanitarian law. In April the ECOWAS Executive Secretary called for an investigation into extrajudicial executions by ECOMOG forces but none took place. A committee subsequently established to monitor relations between ECOMOG forces and the civilian population failed to function effectively.

Reports of harassment and ill-treatment by ECOMOG forces continued in the months which followed. Detainees held by ECOMOG forces and the CDF were ill-treated, including by being beaten and having arms and hands tied extremely tightly. Civilians and humanitarian convoys travelling along major roads were frequently harassed.

Child combatants

Several thousand children under the age of 18 fought with rebel and CDF forces. An estimated 10 per cent of rebel forces who attacked Freetown were children, many of them previously abducted and frequently under

the influence of drugs. Some were responsible for killings and mutilations. Before the peace agreement, widespread recruitment of children by the CDF in Southern and Eastern Provinces continued. The peace agreement specified that particular attention be given to the issue of child combatants and the government made repeated commitments to end recruitment of children. Although the CDF subsequently demobilized some child combatants, it admitted in November that some 200 children aged between 15 and 18 were in its forces in the Kabala region and that there had been no effort to demobilize them.
In September the UN estimated that 5,400 child combatants were awaiting disarmament and demobilization; the real number, however, was likely to be much higher. Child combatants, including those who had been abducted, were still engaged in combat; in October a number of boys were among those injured in fighting between rebel forces.
AI called for priority to be given to disarmament, demobilization and reintegration of child soldiers and for adequate resources for agencies, including UNICEF, specifically helping them.

Refugees and internally displaced people
More than a million people were internally displaced and half a million were refugees, most of them in Guinea. Often still at risk of human rights abuses, they also suffered acute hardship including shortage of food and basic health care. In some areas up to 80 per cent of internally displaced people were reported to be children, many unaccompanied.
Delays in disarmament and demobilization, continuing insecurity and lack of access to parts of the country limited the return of internally displaced people and refugees.

Intergovernmental organizations
Human rights abuses and violations of the peace agreement by rebel forces were repeatedly condemned by the international community which took major initiatives to establish peace and security. An international contact group bringing together intergovernmental organizations and key governments met in April and July. AI called on the international community, including the UN and the World Bank, for protection and respect of human rights to be at the centre of efforts to resolve the political crisis and during post-conflict reconstruction.
A Human Rights Manifesto for Sierra Leone was adopted during a visit by

the UN High Commissioner for Human Rights in June. It included commitments to promote children's rights and to raising the age of military recruitment to 18 years. It also pledged UN support for a Truth and Reconciliation Commission and a National Human Rights Commission, both subsequently included in the peace agreement.
In September, after visiting Sierra Leone, the Special Representative of the UN Secretary-General for Children and Armed Conflict proposed specific measures to meet the needs of children affected by the conflict.
In October the UN Security Council authorized the deployment of an international peace-keeping force of 6,000 troops as part of the UN Mission in Sierra Leone (UNAMSIL). The force, to include a substantial number of troops from ECOWAS countries, was to be deployed for an initial period of six months to help implement the peace agreement, in particular monitoring the cease-fire and the disarmament and demobilization of former combatants. The full complement of troops, however, had not been deployed by the end of 1999. A reduced ECOMOG force was to remain to maintain security and help implement the peace agreement with UNAMSIL. Subsequent plans to withdraw ECOMOG troops, however, prompted a recommendation by the UN Secretary-General in late December for a substantial increase in UNAMSIL troops. The UN peace-keeping force was mandated to protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment. Following the peace agreement, the UN Security Council agreed to expand the human rights section of UNAMSIL, including by appointing advisers on child protection. The human rights section monitored and reported abuses and promoted respect and protection of human rights. It was actively involved in securing the release of prisoners and captured civilians and in assisting in the establishment of the Truth and Reconciliation Commission and the National Human Rights Commission. It also provided human rights training for police and UN military observers and support for Sierra Leonean human rights groups. AI called for the human rights section to receive full political support and adequate resources.
In November the African Commission on Human and Peoples' Rights decided to send a delegation to Sierra Leone in early 2000.

Impunity
The peace agreement provided for a general amnesty for all acts undertaken in pursuit of the conflict. The Special Representative of the UN

Secretary-General for Sierra Leone, signing the peace agreement as a moral guarantor, added a disclaimer that the UN did not recognize the amnesty as applying to genocide, crimes against humanity, war crimes, and other serious violations of international humanitarian law. It remained unclear, however, how impunity for such abuses would be addressed. While the Truth and Reconciliation Commission provided by the peace agreement could examine human rights abuses committed during the conflict, it could not alone establish full accountability because of the amnesty.

Shortly after the peace agreement was signed, the UN High Commissioner for Human Rights called for an international investigation into human rights abuses during the conflict and the UN Secretary-General acknowledged that the amnesty was difficult to reconcile with the goal of ending impunity. He suggested to the UN Security Council that it consider measures to ensure accountability for serious violations of human rights and humanitarian law, including the establishment of an international commission of inquiry. While noting the views of the Secretary-General, the Security Council neither explicitly supported nor endorsed such a commission, judging that insistence on accountability for human rights abuses at that stage would undermine the peace process.

In a letter to the Security Council in July, AI urged that it recommend an effective international mechanism for investigating human rights abuses and for bringing those responsible to justice. Although the High Commissioner's Office established a study on the possible relationship between the Truth and Reconciliation Commission and an international commission of inquiry, no recommendations were known to have been made by the end of the year.

AI country reports

- Sierra Leone: Escalating human rights crisis requires urgent action (AI Index: AFR 51/001/99)
- Sierra Leone: UN human rights presence reduced as abuses worsen(AI Index: AFR 51/003/99)
- Sierra Leone: Recommendations to the international contact group on Sierra Leone, New York, 19 April 1999 (AI Index: AFR 51/005/99)
- Sierra Leone: Mary Robinson's visit to Freetown — placing human rights centre stage (AI Index: AFR 51/006/99)
- Sierra Leone: A peace agreement but no justice (AI Index: AFR

51/007/99)
• Sierra Leone: The Security Council should clarify the United Nations' position on impunity (AI Index: AFR 51/010/99)
• Sierra Leone: Amnesty International's recommendations to the Commonwealth Heads of Government Meeting, Durban, South Africa, 12–15 November 1999 (AI Index: AFR 51/011/99)
• Sierra Leone: Escalating human rights abuses against civilians (AI Index: AFR 51/013/99)

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In the report, *The Heart of the Matter: Sierra Leone, Diamonds and Human Security*, dated 1 January 2000, Partnership Africa Canada stated that:

(a) Government officials in Sierra Leone estimated that in recent years as much as 85 percent of the country's diamond production had been stolen and was not, therefore, included in the United States Geological Survey (USGS) figures. In other words, the USGS figures for Sierra Leone were very low (pp. 17-18, ERN 00011386-00011387).

(b) USGS estimated annual Liberian production at 150,000 carats. The Belgian Diamond High Council recorded 1998 imports from Liberia of 2.6 million carats and a total of over 28 million carats in the three preceding years. The discrepancy in statistics "points to—in Liberia's case—a very great contradiction between known reserves and actual exports" (p. 18, ERN 00011387).

a.	Exh. 1.367	ERN 00011362-00011460	Partnership Africa Canada, "The Heart of the Matter: Sierra Leone, Diamonds and Human Security," January 2000, available at www.reliefweb.int.

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1. INTRODUCTIONINTRODUCTION

1.1_ Background to the WarBackground to the War

Through the 1990s, the war in Sierra Leone became a tragedy of major humanitarian, political and historical proportions. Sierra Leone is Africa's first modern state, founded by black Nova Scotians over 200 years ago and home to sub Saharan Africa's first university. A weak post-independence democracy was subverted in the 1960s and 1970s by corruption and despotism. Economic decline and military rule followed. A rebellion which began in 1991 was characterized by banditry and horrific brutality, wreaked primarily on civilians. Attempts to improve governance in the 1990s, and in particular since 1996, have been inadequate. International support which might have made a difference at key moments, especially since 1996, has also been inadequate. Between 1991 and 1999, the war took over 75,000 lives, caused half a million Sierra Leoneans to become refugees, and has displaced half of the country's 4.5 million people. A peace accord between the government and the Revolutionary United Front (RUF) was signed in July 1999, and in October 1999, a 6000-member United Nations Peacekeeping Force was approved by the Security Council as a complement to the West African Peacekeeping Force (ECOMOG) that had supported the government through the latter half of the 1990s. (For details, see Box 1)

1.2 Why the Issue is Important: Murder, Terror, Theft1.2 Why the Issue is Important: Murder, Terror, Theft

The issues arising from Sierra Leone's lengthy and brutal conflict have ramifications that extend well beyond the country's borders. Inside Sierra Leone, diamonds have fueled a conflict that has destabilized the country for the better part of a decade. Seventy five thousand people - most of them civilians - have lost their lives. Rebel butchery has left thousands of women, men and children without hands and feet, disfigured physically and psychologically for life. At different times during the crisis, as many as half of Sierra Leone's population - more than the entire population of Kosovo - became displaced or were refugees. Schools, hospitals, government services and normal commerce ground to a halt in all but the largest urban centres. Mineral resources which should have been available for development were used to finance the war, robbing the potential beneficiaries and an entire generation of children, putting Sierra Leone very last on the UNDP Human Development Index.

The issue is also important because the economic fuel for this enormous human tragedy is almost exclusively derived from diamonds, small bits of carbon that have no intrinsic value in themselves, and no value whatsoever to the average Sierra Leonean beyond their attraction to outsiders. It is ironic that enormous profits have been made from diamonds throughout the conflict, but the only effect on the citizens of the country where they are mined has been terror, murder, dismemberment and poverty. At the far end of the diamond chain, in the retail jewelry stores of Europe, North America and Japan, diamonds are purchased as emblems of wealth, or as symbols of love and affection, to commemorate weddings and anniversaries. Many of these diamonds that make their way through London, Antwerp, Tel Aviv, New York and elsewhere are of Sierra Leonean origin and most of them over the past decade have been stolen. The chain between the teen-aged boy

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who mines a diamond and the individual who wears a diamond ring is complex, but it is traceable. Many governments, reputable companies and international agencies participate one way or another in, and benefit enormously from, the theft.

Sierra Leoneans are not alone in seeing their country, their lives and their families destroyed for diamonds; the Angolan situation is equally horrific, and there are similar diamond-related tragedies in Liberia and Congo. It is estimated that various African rebel groups supply as much as 20 per cent of the world's diamonds to the global market.[1] This report will examine how the theft of Sierra Leone's diamonds occurs, who the thieves are, and what the theft means to ordinary people. It will offer recommendations and ideas that may help to change the situation for the better.

1.3 A Crisis of Modernity?1.3 A Crisis of Modernity?

There is a view that Sierra Leone's war is a crisis of modernity, caused by the failed patrimonial system of successive post-colonial governments. This argument makes the case that three decades of bad government blighted the hopes of most young people for a meaningful life, and that RUF terror techniques - conditioned in part by repeated viewing of *Rambo* and other 'lone warrior' videos - are compensation for a lack of opportunity. Some writers cite the RUF's Libyan connections, and talk of a highly educated 'excluded intellectual' leadership. This sort of argument posits a clear RUF political agenda within an understandable - even reasonable - anthropological and environmental context.[2]

Sierra Leonean writers have rejected this type of analysis on several grounds. While it is true that the RUF is made up of disaffected young men, a very high proportion of them were already alienated and dangerous before the RUF opportunity for rape, drugs and pillage arose. Only a fraction of Sierra Leone's young people joined the RUF of their own volition. The main RUF recruits have been drawn from the ranks of illicit diamond miners and from the same Freetown slums where President Siaka Stevens (1968-1985) recruited his brutal Internal Security Unit and where President Joseph Momoh (1985-1991) found the material to double the size of his army. Others were children who were kidnaped, drugged, and forced to commit atrocities. The 'radical intellectual' roots of the RUF were extinguished in murderous internal purges during the RUF's first year of operation. And its brutal attacks on civilians stand in sharp contradiction to its ostensible aim of creating a 'revolutionary egalitarian system'.[3]

While there is no doubt about widespread public disenchantment with the failing state, corruption and lack of opportunity in Sierra Leone in the late 1980s and early 1990s, similar problems elsewhere have not led to years of brutality by forces devoid of ideology, political support and ethnic identity. Only the economic opportunity presented by a breakdown in law and order could sustain violence at the levels that plagued Sierra Leone after 1991.

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THE HEART OF THE MATTER

SIERRA LEONE, DIAMONDS & HUMAN SECURITY

(COMPLETE REPORT)

Ian Smillie
Lansana Gberie
Ralph Hazleton

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Partnership Africa Canada (PAC) is a coalition of Canadian and African organizations that work in partnership to promote sustainable human development policies that benefit African and Canadian societies.

The *Insights* series seeks to deepen understanding of current issues affecting African development. The series is edited by Bernard Taylor.

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Since 1997 he has worked as an associate with the Thomas J. Watson Jr. Institute at Brown University on issues relating to humanitarianism and war. Ian Smillie started his international work in 1967 as a teacher in Koidu, the centre of Sierra Leone's diamond mining area.

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Ralph Hazleton holds a PhD in economics. He has 25 years of experience divided equally between Canadian academia, where he has worked as a political economist, and Africa, where he has worked as a senior manager of development and emergency efforts in Zaire, Zambia, Tanzania, Rwanda, and more recently, in Liberia and Sierra Leone. He was awarded the Meritorious Service Medal by the Government of Canada for his work with Rwandan refugees in Zaire in 1994-5.

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ACRONYMS

AFRC	Armed Forces Ruling Council
APC	All Peoples Congress
CAST	Consolidated African Selection Trust
CSO	Central Selling Organization
EO	Executive Outcomes
GGDO	Government Gold and Diamond Office
HRD	Hoge Raad voor Diamant (Diamond High Council)
NDMC	National Diamond Mining Company
NPFL	National Patriotic Front of Liberia
NPRC	National Provisional Ruling Council
OAU	Organization of African Unity
PMMC	Precious Metals Mining Company
RCMP	Royal Canadian Mounted Police
RUF	Revolutionary United Front
SLPP	Sierra leone People's Party
SLST	Sierra Leone Selection Trust
UNDP	United Nations Development Program
USGS	United States Geological Survey
VAT	Value Added Tax

"Oh, the diamonds, diamonds, diamonds," Yusef wearily complained. "I tell you, Major Scobie, that I make more money in one year from my smallest store than I would in three years from diamonds. You cannot understand how many bribes are necessary."

- Graham Greene, *The Heart of the Matter*, 1948

The diamond, a symbol of purity, makes a market that functions both above and below ground, in which the licit and the illicit mingle freely and comfortably, the line between them almost imperceptible, usually irrelevant. Diamonds bring out the worst in men---and women.

- David Koskoff, *The Diamond World*, 1981

Loot, not better government, has motivated the psychotically brutal guerrillas of Sierra Leone. They trade the diamonds they control for arms through neighbouring Liberia, under sponsorship of President Charles Taylor, their longtime patron.

- *New York Times*, Editorial, August 8, 1999.

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FOREWORD

The processes of mining, trading and selling diamonds are myriad and byzantine; only those intimately involved in the industry truly comprehend its vagaries.

Sierra Leone has one of the richest mother lodes of diamonds in the world. Over the years, the ramifications of diamond extraction in Sierra Leone have intrigued the international community, spawning numerous articles and books, from Graham Greene's *The Heart of the Matter*, to Robert Kaplan's *The Ends of the Earth*.

But more recently, Sierra Leone has intruded on the world's attention for other reasons. The recurring conflicts and brutality; the uprooting of fully half of its people, the mutilation and murder of its children have shocked even the most hardened observers. And many are asking:

How can peace and stability be restored in Sierra Leone? Is there a connection between the illicit diamond trade and the mayhem that has disfigured Sierra Leone in recent years? What can the international community do to assuage the trauma of conflict in Sierra Leone? These are the questions this study seeks to address.

Too often in the past the powers of the North have felt compelled to help resolve tensions in countries with which they felt some compatibility, while ignoring similar struggles in countries of the South. One has only to contrast the attention accorded the conflict in Bosnia with what was given Rwanda; or of Kosovo with Sierra Leone. The eight million refugees and internally displaced persons throughout Africa are symptomatic of this lack of concern. Root causes of conflict in Africa are ignored. The authors of this report are to be commended for their investigation. In reading their report, I can only conclude that greed and corruption - local, regional and global in scope - have encompassed Sierra Leone's diamond industry, and are the root cause of a conflict too long ignored.

Hon. Flora MacDonald, C.C.
Ottawa, January 2000

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PREFACE

This study grew from a discussion in 1998 among members of an informal group in Ottawa called the 'Sierra Leone Working Group' (SLWG). Meeting under the auspices of the Canadian and African NGO coalition, Partnership Africa Canada (PAC), the SLWG has helped to raise Canadian awareness about the conflict in Sierra Leone, it has raised funds for peacebuilding and emergency relief in Sierra Leone, and it has encouraged senior Canadian government officials to take a greater interest in the broader political and economic aspects of the conflict. The group concluded in 1998 that diamonds were central to the conflict, and that a highly criminalized war economy had developed a momentum of its own. The group believed that regardless of what might be done to bring about a peaceful settlement, no peace agreement would be sustainable until the problems related to mining and selling diamonds had been addressed, both inside Sierra Leone and internationally.

The Sierra Leone Working Group requested financial support for this study from a variety of organizations with interests in Sierra Leone specifically, or with an interest in the broader issues surrounding extractive industries and war. Supporters include the Canadian Catholic Organization for Development and Peace, the Canadian Auto Workers' Social Justice Fund, Canadian Feed the Children, the Centre canadien d'étude et de coopération internationale, the Commonwealth Human Rights Initiative, CUSO, Inter Pares and the Steelworkers Humanity Fund. Five additional institutional donors in Canada and Britain wished to remain anonymous. The study was also generously supported by the Peacebuilding Division of the Canadian Department of Foreign Affairs and International Trade and the International Development Research Centre. To all of them we are very grateful. Although much of the funding was Canadian, the study's subject matter is international. The only point of particular reference to Canada is the distinctive role of Canadian stock exchanges and certain 'Canadian' mining companies that are active in Sierra Leone.

The study was conducted between February and December 1999. Core team members were Ian Smillie, Lansana Gberie and Ralph Hazleton. Members of the core team traveled extensively in Europe, North America and West Africa. Belgian research was conducted with the valuable assistance of Johan Peleman of the International Peace Information Service in Antwerp, and assistance was provided in Sierra Leone by Mohamed Swaray.

Many individuals, organizations, companies and government officials - in Sierra Leone, Britain, Belgium, Canada and the United States - assisted in the preparation of this study and were generous with their time and their knowledge. Special thanks is due to the Government of Sierra Leone, the Royal Canadian Mounted Police, Global Witness, the Diamond High Council, and several companies in the diamond industry, including De Beers and AmCan Minerals. Individuals who assisted in many ways include Bonnie Campbell, Terry Copp, Caspar Fithen, Frances Fortune, Howard Goldenpaul, Kingsley Lington, Hon. Flora MacDonald, Doug Paget of Indian and Northern Affairs Canada, David Pratt, Nicola Reindorp, David Tam-Baryoh, long-time Sierra Leone-watcher William Reno, Jim Rupert, Dr. Julius Spencer, Minister of Information, Sierra Leone, and Thomas Turay. Special thanks to Helen Moore. Without the continuing assistance of Bernard Taylor and PAC, the study would not have been possible. Many officials, journalists, miners, traders, dealers, couriers and smugglers - especially in Sierra Leone and Belgium - spoke to the Project Team on the condition of anonymity. The reasons for this will become apparent in the text, however efforts were made to corroborate any information used in the report from 'off-the-record' sources. To them as well, a vote of thanks is very much in order.

A list of those who were consulted 'on the record' is included in an appendix. It is important to note, however, that the entire report, its recommendations and any errors or omissions are those of the authors alone.

CORRIGENDUM

This report was issued in January 2000. In the following six months there were many changes in Sierra Leone and the diamond industry at large. We stand by the facts contained in the report as at the time of publication, with minor exceptions. On pages 2 and 26 the report states that De Beers maintains a diamond buying office in Conakry and a diamond trading company in Liberia. These continue to be mentioned in De Beers reports, but the company has informed us that these offices have been closed for some time. On page 3, we referred to "De Beers' Sierra Leone Selection Trust". SLST was, as explained on page 38, a subsidiary of the consolidated African Selection Trust.

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EXECUTIVE SUMMARY

This study is about how diamonds - small pieces of carbon with no great intrinsic value - have been the cause of widespread death, destruction and misery for almost a decade in the small West African country of Sierra Leone. Through the 1990s, Sierra Leone's rebel war became a tragedy of major humanitarian, political and historic proportions, but the story goes back further - almost 60 years, to the discovery of the diamonds. The diamonds are, to use the title of Graham Greene's classic 1948 novel about the Sierra Leone, *The Heart of the Matter.*

A weak post-independence democracy was subverted in the 1960s and 1970s by corruption and despotism. Economic decline and military rule followed. The rebellion that began in 1991 was characterized by banditry and horrific brutality, wreaked primarily on civilians. Between 1991 and 1999, the war claimed over 75,000 lives, caused half a million Sierra Leoneans to become refugees, and displaced half of the country's 4.5 million people.

There is a view that Sierra Leone's war is a crisis of modernity, caused by the failed patrimonial systems of successive post-colonial governments. Sierra Leonean writers have rejected this analysis on several grounds. While there is no doubt about widespread public disenchantment with the failing state, with corruption and with a lack of opportunity, similar problems elsewhere have not led to years of brutality by forces devoid of ideology, political support and ethnic identity. Only the *economic* opportunity presented by a breakdown in law and order could sustain violence at the levels that have plagued Sierra Leone since 1991.

This study constitutes a strong critique of prevailing orthodox explanations of conflict, which tend towards state-centric and non-economic explanations. Traditional economics, in fact, as well as traditional political science and military history are of little assistance in explaining Sierra Leone's conflict. The point of the war may not actually have been to win it, but to engage in profitable crime under the cover of warfare. Diamonds, in fact, have fueled Sierra Leone's conflict, destabilizing the country for the better part of three decades, stealing its patrimony and robbing an entire generation of children, putting the country dead last on the UNDP Human Development Index.

Over the years, the informal diamond mining sector, long dominated by what might be called 'disorganized crime', became increasingly influenced by *organized* crime and by the transcontinental smuggling not just of diamonds, but of guns and drugs, and by vast sums of money in search of a laundry. Violence became central to the advancement of those with vested interests. As the mutation of the war in Sierra Leone continued through the 1990s, so did the number and type of predators, each seeking to gain from one side of the conflict or another.

The Diamond Industry and De Beers

In 1998 the diamond industry produced an estimated 115 million carats of rough diamonds with a market value of US $6.7 billion. At the end of the diamond chain, this was converted into 67.1 million pieces of jewelry worth close to US $50 billion.

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The De Beers group of companies mines or partners in mining the majority of the world's diamonds. De Beers purchases by far the majority of all diamonds produced, and more or less sets the price of rough diamonds on the global market. Manipulation of both the supply and demand for rough diamonds on world markets is managed through its Central Selling Organization (CSO), headquartered in London.

The CSO sources diamonds from De Beers mines as well as from the 'outside market' - diamonds produced by non-De Beers firms. Diamonds purchased by the CSO are in turn sold at ten annual 'sights' (sales) to 160 'sightholders'. Sightholders are designated by De Beers and are presented with mixed 'parcels' of diamonds. The parcels are packages of combined rough gem quality and industrial diamonds, and may include stones from a combination of countries. Parcels are priced by De Beers and are bought by sightholders - ironically enough, sight unseen. Sightholders then take the diamonds to other cities where they are resorted and repackaged for onward sale, or for cutting and polishing.

Until the 1980s, De Beers was directly involved in Sierra Leone, had concessions to mine diamonds offshore, and maintained an office in Freetown. Since then, however, the relationship has been indirect. De Beers maintains a diamond trading company in Liberia and a buying office in Conakry, Guinea. Both countries produce very few diamonds themselves, and Liberia is widely understood to be a 'transit' country for smuggled diamonds. Many 'Liberian' diamonds are of Sierra Leonean origin, and others reportedly originate as far away as Russia and Angola. De Beers says that it does not purchase Sierra Leonean diamonds. Through its companies in West Africa, however, and in its attempts to mop up supplies everywhere in the world, it is virtually inconceivable that the company is not - in one way or another - purchasing diamonds that have been smuggled out of Sierra Leone.

Belgium and the Diamond High Council

Antwerp is the world centre for rough diamonds. More that half of the CSO sightholders reside in Antwerp. Antwerp is also the principal 'outside market' serving as a funnel for more than half of all the diamonds produced in the world. The formal trading of diamonds in Belgium is structured around the *Hoge Raad voor Diamant* (HRD) - the Diamond High Council. The HRD is a non-profit umbrella organization officially acknowledged as the voice of the entire Belgian diamond industry. The mission of the HRD is to maintain and strengthen the position of Antwerp as the world centre for diamonds. Smuggling in the Belgian context refers to diamonds which enter Belgium without being declared to customs officials, and which are not licensed for import by the Ministry of Economic Affairs and the HRD Diamond Office. Neither the Government of Belgium nor the HRD have estimates of the quantity or source of smuggled diamonds. In addition, there are few active policies aimed at controlling diamond smuggling.

A factor which eases large-scale diamond smuggling and inhibits the tracking of diamond movements is the manner in which the HRD documents diamond purchases. The HRD records the origin of a diamond as the country from which the diamond was last exported. Therefore diamonds produced in Sierra Leone, say, may be officially imported and registered as originating in Liberia, Guinea (Conakry), Israel or the UK, depending on their journey from one trading centre to another.

A major problem with the Belgian environment, as it pertains to Sierra Leone or any other diamond producing country, is the lack of interest and information on the true source of the diamonds entering the country. A comparison of West African diamond export figures with Belgian imports is revealing. For example:

- while the Government of Sierra Leone recorded exports of only 8,500 carats in 1998, the HRD records imports of 770,000 carats;
- annual Liberian diamond mining capacity is between 100,000 and 150,000 carats, but the HRD records Liberian imports into Belgium of over 31 *million* carats between 1994 and 1998 - an average of over six million carats a year;
- Ivory Coast, where the small diamond industry was closed in the mid 1980s, apparently exported an average of more than 1.5 million carats to Belgium between 1995 and 1997.

Of further interest where transparency and accountability are concerned, is the question of who actually monitors imports and exports on behalf of the Belgian government. Oddly, this role is carried out largely by the HRD itself, the representative and lobbying institution for the Belgian diamond industry. In recent years there have been a number of judicial inquiries which have shown that the overall system violates almost any definition of neutrality, and is an invitation to corruption. Cases of fraud in the Antwerp diamond and banking trade are legendary and Antwerp has become one of the primary world centres for Russian organized crime. Several recent cases of fraud, banking collapse and the involvement of organized crime in the Belgian diamond industry are documented in the report.

The Sierra Leone Diamonds

The first Sierra Leonean diamond was found in 1930, and significant production commenced in 1935. By 1937 Sierra Leone was mining one million carats annually, reaching a peak of 2 million carats in 1960. From 1930 to 1998, approximately 55 million carats were mined (officially) in Sierra Leone. At an average price in 1996 dollars of US $270 per carat, the total value is close to US $15 billion.

In 1935, the colonial authorities concluded an agreement with De Beers' Sierra Leone Selection Trust (SLST), giving the company exclusive mining and prospecting rights over the entire country for 99 years. By 1956, however, there were an estimated 75,000 illicit miners in Kono District - the heart of the diamond area - leading to smuggling on a vast scale, and causing a general breakdown of law and order. The buyers and smugglers at that time were mainly Madingo and Lebanese traders. With the tightening of security between Kono and Freetown in the early 1950s, Lebanese smugglers began moving their goods to Liberia. Antwerp, and then Israeli-based diamond merchants soon noticed the booming diamond trade in Monrovia, and many established offices there. De Beers itself set up a buying office in Monrovia in 1954 to keep as much of the trade under its control as possible.

In 1955, the colonial authorities scrapped SLST's nation-wide monopoly, confining its operations to Yengema and Tongo Field, an area of about 450 square miles. In 1956, they introduced the Alluvial Mining Scheme, under which both mining and buying licenses were granted to

indigenous miners. Many of these licenses came to be held by Lebanese traders who had begun to settle in Sierra Leone at the turn of the century.

Siaka Stevens came to power seven years after independence in 1968. A populist, he quickly turned diamonds and the presence of SLST into a political issue, tacitly encouraging illicit mining, and becoming involved himself in criminal or near-criminal activities. In 1971, Stevens created the National Diamond Mining Company (NDMC) which effectively nationalised SLST. All important

[map]

decisions were now made by the prime minister and his right hand man, a Lebanese businessman named Jamil Mohammed. From a high of over two million carats in 1970, legitimate diamond exports dropped to 595,000 carats in 1980 and then to only 48,000 in 1988. In 1984, SLST sold its remaining shares to the Precious Metals Mining Company (PMMC), a company controlled by Jamil. Stevens retired in 1985, handing over power to Joseph Momoh, who placed even greater responsibility in the hands of Jamil.

From the late 1970s to the early 1990s, aspects of Lebanon's civil war were played out in miniature in Sierra Leone. Various Lebanese militia sought financial assistance from their compatriots in Sierra Leone, and the country's diamonds became an important informal tax base for one faction or the other. This was of great interest to Israel, in part because the leader of the important Amal faction, Nabih Berri, had been born in Sierra Leone and was a boyhood friend of Jamil. Following a failed (and probably phoney) 1987 coup attempt in Sierra Leone, Jamil went into

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exile, opening the way for a number of Israeli 'investors' with close connections to Russian and American crime families, and with ties to the Antwerp diamond trade.

The Revolutionary United Front (RUF) war began in 1991 and soon after, Momoh was replaced by a military government - the National Provisional Ruling Council (NPRC). Despite the change in government, however, RUF attacks continued. From the outset of the war, Liberia acted as banker, trainer and mentor to the RUF, although the Liberian connection was hardly new. With a negligible diamond potential of its own, Liberia's dealings in stolen Sierra Leone diamonds have been a major concern to successive Sierra Leone governments since the great diamond rush of the 1950s.

What was different and more sinister after 1991 was the active involvement of *official* Liberian interests in Sierra Leone's brutal war - for the purpose of pillage rather than politics. By the end of the 1990s, Liberia had become a major centre for massive diamond-related criminal activity, with connections to guns, drugs and money laundering throughout Africa and considerably further afield. In return for weapons, it provided the RUF with an outlet for diamonds, and has done the same for other diamond producing countries, fuelling war and providing a safe haven for organized crime of all sorts.

The 'Juniors' and Private Security Firms

Joseph Momoh's search for new investors in the early 1990s was carried forward by the NPRC military government. With De Beers out of the picture, and with the disappointing and short-lived Israeli experience behind it, the government now began to receive overtures from small mining firms, known in the business as 'juniors'. The report deals primarily with the three juniors most involved in Sierra Leone during the 1990s, some with interests that extended far beyond the mining of diamonds.

All three trade on Canadian stock exchanges, no doubt because of Canada's well-deserved reputation as a source of easy venture capital for small mining and exploration companies. The first, Rex Diamond - with de facto headquarters in Antwerp - has an integrated mining, sorting, cutting and marketing operation, holding Sierra Leonean concessions in Zimmi and Tongo Field. Although Rex claims friends among both government and the RUF, this is denied by the RUF, perhaps understandably. In 1998, Sierra Leone lost its only combat helicopter - a serious problem because the Soviet-built gunship had been the government's most effective weapon against the RUF. Zeev Morgenstern, Rex's Managing Director, and Serge Muller, the company's President, came to the government's aid by making an arrangement to supply engines, parts and ammunition worth US $3.8 million. The deal went sour as a result of defective parts supplied from Russia. According to the *Washington Post*, Morgenstern and Muller have both said, '...the arms deals were unrelated to Rex's mining activities'.

The second firm is Toronto-based AmCan Minerals, which holds various exploration licenses in Sierra Leone. Because of the security situation, AmCan has so far done little diamond mining, although it recently acquired a South African-owned firm, ArmSec International (SL) with connections to both the diamond and the security industries. AmCan's Sierra Leone lawyer is Chairman of the Government Gold and Diamond Office, the body responsible for overseeing the monitoring, valuation and taxation of the diamond industry.

The third 'Canadian' firm is DiamondWorks, an outgrowth of Carson Gold and Vengold, companies promoted by Robert and Eric Friedland. In 1995, DiamondWorks acquired Branch Energy Ltd., a private company registered on the Isle of Man. DiamondWorks and Branch Energy have become the subject of widespread interest because of their apparent but much-denied connections with two major international security firms, Executive Outcomes and Sandline. In 1995, The Government of Sierra Leone, backed onto the Freetown peninsula by the RUF and facing certain defeat, engaged the services of Executive Outcomes (EO) to help in its defense. With 200 imported soldiers, air support, and sophisticated communications equipment, EO pushed the RUF back from Freetown within a week, and within another month had cleared the major diamond areas of Kono as well. Shortly after EO took control of the diamond areas, Branch Energy - which had introduced EO to the GOSL - secured a 25 year lease on Sierra Leonean diamond concessions.

In 1997, DiamondWorks' Sierra Leone country manager was seconded - as a 'private citizen' - to Sandline, in connection with a controversial arms shipment intended for the briefly exiled government of Tejan Kabbah.

The juniors arrived in Sierra Leone when the formal instruments of the state had all but disappeared, notably law, order, probity and justice. They also arrived in the midst of a war which had at its epicentre the same thing that brought them to the country - diamonds. Lawlessness, however, was not new. The government of Sierra Leone had - from the 1950s - given up pretending that it could police the diamond areas. From the days of the SLST Diamond Protection Force, it had encouraged and even required foreign investors to make their own security arrangements. This goes a long way to explaining why the juniors appear to have such an intimate relationship with private security firms.

There is a distinction to be made, however, between the need to hire a private security firm in order to police a mining operation, and the provision of troops and weapons in support of a faction in a civil war. It can be said that the involvement of Executive Outcomes in Sierra Leone was in a good cause. The company successfully protected the government against a brutal and illegitimate rebel force. EO was certainly cheered in the streets of Freetown for its efforts. It can also be said that the provision of weapons to the democratically elected government of Tejan Kabbah - a UN arms embargo notwithstanding - made sense and was in support of a good cause.

The problem is not the individual episodes, but the bigger picture which they help to form - of a world in which beleaguered and legitimate governments find little formal international protection against internal predators, and are forced into Faustian bargains in order to survive.

Conclusions

In the absence of a governmental capacity for self-protection, and in the absence of effective mechanisms for international protection, private security firms and mercenaries may well be the way of the future. Closely connected to mining interests, the phenomenon, however, is more than just a convenient way to let the international community 'off the hook'. It begins to look like a protection racket, with the payment for assistance made in future mineral concessions - 'concessions for protection'.

It is unclear whether junior mining companies have the capacity to undertake serious mining ventures in Sierra Leone. Only time and peace will tell. On the latter point, however, a peace

agreement is only one step in a long process that will be required to provide real security in the diamond areas. An important next step will the demobilization of fighters and a return to the rule of law under government authority. Before government authority can be established, however, there may be a lengthy interregnum required for UN peacekeeping forces.

The report concludes with a discussion on the identification of rough diamonds, an issue of great interest to law enforcement agencies. Long thought to be impossible, new diamond 'fingerprinting' technology is being developed in consultation with the Royal Canadian Mounted Police. The RCMP stresses that it has yet to clearly identify the limitations and capabilities of the system through actual use. The potential difficulties in applying the technology are reduced, however, by the fact that the bulk of the rough diamond trade is centralized in only two organizations and two locations, the HRD in Antwerp and De Beers' Central Selling Organization in London.

The report ends with a series of recommendations directed to the United Nations, The European Union, the Governments of Sierra Leone and Belgium, the Diamond High Council and others. It also argues that a consumer campaign may be required in order to draw attention to the urgency of the matter and to gain broad public support for change.

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1. INTRODUCTIONINTRODUCTION

1.1_ Background to the WarBackground to the War

Through the 1990s, the war in Sierra Leone became a tragedy of major humanitarian, political and historical proportions. Sierra Leone is Africa's first modern state, founded by black Nova Scotians over 200 years ago and home to sub Saharan Africa's first university. A weak post-independence democracy was subverted in the 1960s and 1970s by corruption and despotism. Economic decline and military rule followed. A rebellion which began in 1991 was characterized by banditry and horrific brutality, wreaked primarily on civilians. Attempts to improve governance in the 1990s, and in particular since 1996, have been inadequate. International support which might have made a difference at key moments, especially since 1996, has also been inadequate. Between 1991 and 1999, the war took over 75,000 lives, caused half a million Sierra Leoneans to become refugees, and has displaced half of the country's 4.5 million people. A peace accord between the government and the Revolutionary United Front (RUF) was signed in July 1999, and in October 1999, a 6000-member United Nations Peacekeeping Force was approved by the Security Council as a complement to the West African Peacekeeping Force (ECOMOG) that had supported the government through the latter half of the 1990s. (For details, see Box 1)

1.2 Why the Issue is Important: Murder, Terror, Theft1.2 Why the Issue is Important: Murder, Terror, Theft

The issues arising from Sierra Leone's lengthy and brutal conflict have ramifications that extend well beyond the country's borders. Inside Sierra Leone, diamonds have fueled a conflict that has destabilized the country for the better part of a decade. Seventy five thousand people - most of them civilians - have lost their lives. Rebel butchery has left thousands of women, men and children without hands and feet, disfigured physically and psychologically for life. At different times during the crisis, as many as half of Sierra Leone's population - more than the entire population of Kosovo - became displaced or were refugees. Schools, hospitals, government services and normal commerce ground to a halt in all but the largest urban centres. Mineral resources which should have been available for development were used to finance the war, robbing the potential beneficiaries and an entire generation of children, putting Sierra Leone very last on the UNDP Human Development Index.

The issue is also important because the economic fuel for this enormous human tragedy is almost exclusively derived from diamonds, small bits of carbon that have no intrinsic value in themselves, and no value whatsoever to the average Sierra Leonean beyond their attraction to outsiders. It is ironic that enormous profits have been made from diamonds throughout the conflict, but the only effect on the citizens of the country where they are mined has been terror, murder, dismemberment and poverty. At the far end of the diamond chain, in the retail jewelry stores of Europe, North America and Japan, diamonds are purchased as emblems of wealth, or as symbols of love and affection, to commemorate weddings and anniversaries. Many of these diamonds that make their way through London, Antwerp, Tel Aviv, New York and elsewhere are of Sierra Leonean origin and most of them over the past decade have been stolen. The chain between the teen-aged boy

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who mines a diamond and the individual who wears a diamond ring is complex, but it is traceable. Many governments, reputable companies and international agencies participate one way or another in, and benefit enormously from, the theft.

Sierra Leoneans are not alone in seeing their country, their lives and their families destroyed for diamonds; the Angolan situation is equally horrific, and there are similar diamond-related tragedies in Liberia and Congo. It is estimated that various African rebel groups supply as much as 20 per cent of the world's diamonds to the global market.[1] This report will examine how the theft of Sierra Leone's diamonds occurs, who the thieves are, and what the theft means to ordinary people. It will offer recommendations and ideas that may help to change the situation for the better.

1.3 A Crisis of Modernity?1.3 A Crisis of Modernity?

There is a view that Sierra Leone's war is a crisis of modernity, caused by the failed patrimonial system of successive post-colonial governments. This argument makes the case that three decades of bad government blighted the hopes of most young people for a meaningful life, and that RUF terror techniques - conditioned in part by repeated viewing of *Rambo* and other 'lone warrior' videos - are compensation for a lack of opportunity. Some writers cite the RUF's Libyan connections, and talk of a highly educated 'excluded intellectual' leadership. This sort of argument posits a clear RUF political agenda within an understandable - even reasonable - anthropological and environmental context.[2]

Sierra Leonean writers have rejected this type of analysis on several grounds. While it is true that the RUF is made up of disaffected young men, a very high proportion of them were already alienated and dangerous before the RUF opportunity for rape, drugs and pillage arose. Only a fraction of Sierra Leone's young people joined the RUF of their own volition. The main RUF recruits have been drawn from the ranks of illicit diamond miners and from the same Freetown slums where President Siaka Stevens (1968-1985) recruited his brutal Internal Security Unit and where President Joseph Momoh (1985-1991) found the material to double the size of his army. Others were children who were kidnaped, drugged, and forced to commit atrocities. The 'radical intellectual' roots of the RUF were extinguished in murderous internal purges during the RUF's first year of operation. And its brutal attacks on civilians stand in sharp contradiction to its ostensible aim of creating a 'revolutionary egalitarian system'.[3]

While there is no doubt about widespread public disenchantment with the failing state, corruption and lack of opportunity in Sierra Leone in the late 1980s and early 1990s, similar problems elsewhere have not led to years of brutality by forces devoid of ideology, political support and ethnic identity. Only the economic opportunity presented by a breakdown in law and order could sustain violence at the levels that plagued Sierra Leone after 1991.

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Box 1: KEY EVENTS IN SIERRA LEONE'S HISTORY

1787: 377 black and white colonists from Britain land in Sierra Leone; most die within two years

1792: 1200 'free Negroes' sail from Nova Scotia to Sierra Leone where they establish the settlement of 'Freetown'.

1799: A Royal Charter gives legal status to the colony.

1808: Establishment of a Crown Colony (Sierra Leone thus becomes the first modern state in sub-Saharan Africa).

1827: Establishment of Fourah Bay College, the first university in sub-Saharan Africa.

1896: Establishment of a Protectorate over territories of the interior.

1961: Independence

1964: First Prime Minister, Sir Milton Margai, dies; power goes to his brother, Albert Margai.

1967: General elections are marred by widespread violence, in part because of Margai's plan to establish a one-party state. Army takes power as 'National Reformation Council'.

1968: Non-commissioned officers seize power and invite Siaka Stevens, apparent winner of the 1967 election, to take power. Elections reconfirm him in office.

1970s: Stevens consolidates power through violence, corruption and intimidation, creating an Internal Security Unit with Cuban assistance. 1977 elections are rigged and marred by violence, after which Stevens declares a one-party state.

1985: The economy in ruins, Stevens - now 80 - hands over to former army chief, Joseph Momoh.

1990: Momoh relaxes press restrictions; moves to reintroduce multi-party democracy; UNDP *Human Development Report* places Sierra Leone last out of 160 countries; Charles Taylor begins his war in Liberia; 80,000 Liberian refugees flee to Sierra Leone; ECOMOG is established with Freetown as the rear base.

1991: Former army corporal Foday Sankoh leads Revolutionary United Front (RUF) attacks on Sierra Leone border towns from Liberia; attacks continue, marked by brutality against civilians; children are kidnapped and inducted into RUF; Momoh doubles the army, recruiting 'hooligans, drug addicts and thieves' and children.

1992: April: A mutiny by unpaid soldiers becomes a coup; Momoh flees; National Provisional Ruling Council (NPRC) assumes power under Capt. Valentine Strasser (age 27); brutal war continues; RUF attacks target civilians. Their hallmark is crude amputations - feet, hands, lips, ears, noses - with special attention to women and children. 120,000 refugees flee to Guinea; widespread internal dislocation.

1993 Kamajor (traditional hunters) militia begins fighting against RUF along with Republic of Sierra Leone Military Forces (RSLMF) and ECOMOG; rebel atrocities continue.

1994: RUF overruns diamond areas, bauxite and titanium mines; economy essentially bankrupt; Freetown threatened. By now an estimated 50,000 have been killed and about half the country's 4.5 million people have been displaced.

1995: February: NPRC employs Gurkha Security Guards for combat duty, but following setbacks they withdraw; May: Executive Outcomes contracted by NPRC; by June, the RUF is beaten back from Freetown and diamond areas liberated; rebel activity subsides.

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1996: May: Sierra Leone's first democratic elections in 30 years. Strategic Resources and Diamond Co. (SRDC) begin diamond mining in Kono district. Major mining by RUF commences, and reported to the tune of $125 million per year. Abidjan Accord signed between RUF and government. Armed Forces Revolutionary Council (AFRC) overthrows President Kabbah and establishes military junta. Widespread looting and destruction of civilian property. Economic sanctions imposed by ECOWAS. Kabbah flees to Guinea. Foday Sankoh and RUF invited to join the government. Freetown and countryside under AFRC/RUF control. Systematic looting, rape and killing of civilians. Virtual collapse of formal banking and commerce throughout the country.

1998 February: ECOMOG launches offensive on Freetown, driving the AFRC/RUF out. President Kabbah returns. Sierra Leone armed forces disbanded. Towns and villages throughout the country experience continued attacks and extreme brutality from AFRC/RUF forces. July: Security Council creates UN peacekeeping operation, UNOMSIL, and sends 40 military observers and later human rights observers. October: An estimated 10,000 - 12,000 ECOMOG troops continue to battle AFRC/RUF. An estimated 800-1200 Nigerian soldiers have been killed, and the cost is estimated at $1 million per day. October: Trials of soldiers and civilians result in death sentences for many, including Foday Sankoh. Attacks continue; RSLMF regroups.

1999 January: AFRC/RUF elements attack and enter Freetown resulting in two weeks of arson, terror, murder and dismemberment. Cabinet ministers, journalists and civil servants are tortured and killed. Parts of the city are razed, over 6000 civilians are killed before ECOMOG pushes them back. 2000 children are reported missing. February: Nigerian presidential candidates agree that Nigeria should get out of Sierra Leone soon after Nigeria's return to civilian rule on May 29. The UN Security Council discusses Sierra Leone. July: GOSL concludes a negotiated peace agreement with the RUF, giving Foday Sankoh and several other RUF and AFRC leaders cabinet positions. All RUF and AFRC leaders are given amnesty. August: Phased Nigerian Troop withdrawal begins. October: UN Security Council approves a 6000-member Peacekeeping Force for Sierra Leone with authority to used 'deadly force' if required. December: Kenyan and Indian contingents of the new UNAMSIL peacekeeping force begin to arrive in Sierra Leone.

1.4 The Political Economy of War1.4 The Political Economy of War

Claueswitz said that war is 'the pursuit of politics by other means'. David Keen has amended this, saying that 'war is the pursuit of economics by other means'.[4] He is critical of journalists like Robert Kaplan who depict wars like Sierra Leone's as little more than chaotic madness and the result of 'ancient economic hatreds'.[5] He suggests that 'traditional economics (with a focus on peaceful markets) and traditional political science (with a focus on elections and voting), as well as traditional military history (with a focus on bureaucratic war) are simply too rigid and narrowly defined.' The point of some wars, he argues, is not for one side or the other to win them, but to 'engage in profitable crime under the cover of warfare'. War, then, becomes not so much a breakdown of society as a complex, shifting and re-ordering of society. Neither government nor rebels may be in full command of their followers, and both inevitably require the financial support of outsiders. Often these outsiders are 'investors' likely to seek an economic return for their support.

External intervention in complex emergencies has focused to a large extent on emergency assistance at one end, and on calls for negotiation, often brokered by neighbouring (or even distant) countries at the other. In between can be found multifarious efforts at reconstruction, rehabilitation and reconciliation, often far removed from the principal combatants, and far removed from the elements that made war an attractive proposition for them in the first place. And often far removed from those who invest in supporting one side or the other in a conflict. Such situations mock the Carnegie Commission report, *Preventing Deadly Conflict,* which recommends that private companies 'put pressure on governments to seek an early resolution of emerging conflict'. Private companies, or at least certain types of private company, may well benefit from *increased* destabilization, finding new opportunities for short-term profit and longer-term gain, picking up the

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pieces abandoned by earlier investors who have fled, or who shelter away from the front, behind the facade of arm's length but interlocking relationships.

1.5 Private Power, Commerce and State Institutions1.5 Private Power, Commerce and State Institutions

It is odd, given the voluminous critical discourse on aid agencies, development assistance, humanitarianism and war, that very little study has been devoted to the role of the private sector in modern complex emergencies and their aftermath. This is especially surprising, given the now widespread prescription of the private sector as an appropriate and workable solution for most economic and development ailments. Aid has been implicated in causing economic and political collapse and in delaying its recovery. NGOs are frequently assailed for opportunism, individualism, amateurism and lack of transparency. The UN, Northern governments and their politicians are regularly held up to scorn for inaction and tight-fistedness. But the private sector is rarely discussed in the context of complex emergencies, except as something that must be 'jump-started' in the reconstruction phase of waning emergencies.[6]

The OECD *Development Assistance Committee Guidelines on Conflict, Peace and Development Co-operation* has considerably more to say about NGOs than it does about the private sector, devoting only one or two lines to the subject under the general rubric of the need for a stable macroeconomic environment in post-conflict situations. The Carnegie Commission report devotes two pages to the subject, suggesting primarily that businesses may be well placed to detect the early warning signs of conflict, and could pressure governments to seek an early resolution.

During a conflict, normal commerce is likely to be disrupted or destroyed, although new opportunities, not to mention opportunism, inevitably arise. The arms trade, for example, is likely to grow and thrive. Much of the private sector, however - although operational and in plain sight - remains largely invisible, or is deemed irrelevant by those reporting on conflict.

'Investors' in natural resources such as tropical hardwoods, or mineral resources such as gold or diamonds can play an important role during an emergency, in providing or denying foreign exchange, jobs, political support. Prior to the downfall of Zaire's Mobutu Sese Seko, for example, America Mineral Fields, a Vancouver-listed penny stock company with headquarters in Hope, Arkansas, signed a $1 billion deal with rebel leader Laurent Kabila for mineral rights to high grade copper and cobalt tailings near Kolwezi. The company's CEO, Jean-Raymond Boulle, put his own plane and other assets at Kabila's disposal during his final struggle to topple Mobutu.[7]

There is another, more controversial but nonetheless available role for the private sector - the use of private security firms whose services range from equipment and training through to the use of direct force. Private security firms are not a new phenomenon, but in recent years they have begun to provide a more up-scale corporate service to governments whose problems are beyond the abilities of their own armed forces, and beyond the interest of the international community. Executive Outcomes and Sandline have been the most prominent of these companies in recent years, the former providing effective support at critical moments to the governments of Angola and Sierra Leone, the latter becoming embroiled in controversies as far apart as London and Papua New Guinea.* The intimate

* Sandline director Tim Spicer prefers 'private military armies' to the term 'mercenaries'.

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connection between private security firms and the Sierra Leone diamond industry will be examined in detail in this report.

Their involvement is hardly surprising. Commercial enterprises operating in an environment with severe security problems can do one of three things: they can hope for the best; they can leave; or they can do something about it. After 20 years of war in Angola, a decade in Bougainville and five years in Sierra Leone, it is not surprising that beleaguered governments, failed by the UN and international diplomacy, would turn to options offered by the private sector. Although few officials in the international community openly endorse enterprises like Executive Outcomes and Sandline, the privatization of defence is not without appeal in the face of ineffective and inefficient public institutions. Certainly, Executive Outcomes was enthusiastically cheered by Sierra Leoneans in 1997 for beating the RUF back from the gates of Freetown.

1.6 Conclusion1.6 Conclusion

It is not, however, quite that simple. William Reno argues that 'internal warfare and the rise of so-called warlords and other armed factions, develops out of a particular Cold War era relationship between private power, commerce and state institutions in weak states.'[8] He uses the term 'shadow state' to explain the relationship between corruption and politics, and the growth of personal rule that can develop behind the facade of state sovereignty. Reno's shadow state ruler manages by fiat through a patronage network, manipulating factions and tensions, and weakening any formal institution - army, police, universities, central bank, the civil service - that might pose a challenge. This is Sierra Leone with all t's crossed under Siaka Stevens and Joseph Momoh. Inevitably, in the gray area of disintegration between shadow state and collapsed state, challenges do arise, often from sociopathic entrepreneurs willing to employ whatever level of violence is required to serve their objectives.

The willingness by factions and entrepreneurs to use violence is encouraged by the inability of the collapsing state to mount an effective defence. State employment of external security firms can become part of the scenario, but these are likely to be linked to other commercial interests, never entirely trustworthy and often mutating into a kind of protection racket. In the case of Sierra Leone, the connection between diamond mining firms and private security forces (described in greater detail below) is indivisible. As state kleptocracy and disintegration progressed, the peculiar nature of the diamond industry allowed large name-brand companies to withdraw from the front lines, leaving the field to 'juniors' - companies more willing to take risks with their capital and their reputation, and sometimes more willing to engage in unethical behaviour. The same has been true in Angola, Liberia and Congo. Marketing channels, long dominated in the informal diamond mining sector by what might be called 'disorganized crime', are increasingly influenced by *organized* crime and by the transcontinental smuggling not just of diamonds, but of guns and drugs, and by vast sums of money in search of a laundry. Violence in such cases is central to the advancement of those with vested interests. As Reno puts it, the organization of violence - 'who becomes a partner in the direct exercise of power and who gets managed into becoming a business' - are issues of critical concern for those interested in ending violence and building sustainable peace.[9] Political settlement alone does not necessarily mean that the deeper causes of conflict have been solved. It may be little more

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than a temporary realignment of political and economic interests, especially if key actors have a vested interest in the continuation of conflict.

It is worth noting at the outset of this study, therefore, that commercial interests of all kinds, licit and illicit, can be as potent a determinant of outcomes, if not more so, than the work of international aid agencies. Milton Friedman once wrote that 'There is one and only one responsibility of business - to use its resources and engage in activities designed to increase its profits, so long as it stays within the rules of the game, which is to say, engages in open and free competition without deception and fraud'.[10] The problem in emergency situations is that the 'rules of the game' may well be ignored. In the absence of enforceable laws, rules and conventions, context and temptation inevitably lead to commercial distortions and entanglements that are not in the best interests of the population at large.

Until the attraction of diamonds to criminals and international predators is defused, there is unlikely to be lasting peace in Sierra Leone, or the resources required to sustain it. This paper will argue that peace in Sierra Leone will remain unsustainable until the economic gains to be derived from criminality and violence are squarely addressed. Some remedies to the economic problem are within the purview and capacity of the government of Sierra Leone. Many, however, are not. Concerted international attention to the economics of the Sierra Leone conflict will be required if the fragile peace of 1999 is to survive for any length of time.

Keen suggests that 'as with the mutation of viruses... war is turned against civilians in the pursuit of profits, [and] these civilians may be forced to resort to violence in order to survive. The impoverishment of particular geographical and ethnic groups may also precipitate the "spreading" of war to new areas as predatory groups seek new assets to appropriate'.[11] As the mutation of the war in Sierra Leone continued through the 1990s, so did the number and type of predators, each seeking to gain from one side of the conflict or another. This study will examine the role of Lebanese diamond dealers and traders, and connections between Sierra Leone's diamonds, the Lebanese civil war and Israel. It will review the economic benefits to neighbouring states (and neighbouring warlords) of diamond smuggling - Liberia in particular. It will examine the role and responsibilities of the Belgian government and the Diamond High Council, which represents the Belgian diamond industry. And it will describe the involvement of key international diamond mining and selling companies, from De Beers at the top, to penny stock promoters at the bottom. The study will also deal with less savoury elements of the diamond trade: organized crime, the international weapons trade and mercenaries.

2. WORLD DIAMOND RESERVES AND PRODUCTIONWORLD DIAMOND RESERVES AND PRODUCTION

2.1 Introduction2.1 Introduction

The diamond business is a massive enterprise. In 1998, the industry produced an estimated 115 million carats of rough diamonds with a market value of US $6.7 billion. At the end of the diamond chain, at the level of the consumer, this was converted into 67.1 million pieces of jewelry worth close to US $50 billion.

Diamonds are derived from two main sources. Primary deposits are those which occur in basic volcanic rock, known as kimberlite. Secondary deposits are those which occur in alluvial deposits of weathered kimberlite. Although kimberlite is found worldwide, little is diamondiferous. If it is large enough and sufficiently diamondiferous to be mineable, the term diamond or kimberlite 'pipe' is used (although technically, the term 'kimberlite pipe' is used whether the pipe is diamondiferous or not).

The mining of kimberlite pipes is an expensive and capital-intensive operation, involving tunneling underground for hundreds of feet in order to extract diamonds. Where there are large and productive kimberlite pipes, one will usually find large companies with extensive investment funding. Although there are many kimberlite pipes in the world, a large proportion of diamonds are still recovered from alluvial deposits. Alluvial diamond fields are created by the disintegration of volcanic rock (kimberlite) over a long period of time. The product of the disintegration, including diamonds, can be carried away by river systems and deposited over widely scattered areas, including the sea-bed. Alluvial mining involves the separating of rough diamonds from earth and gravel. This can be done by a single person working with a sieve and shovel, or by large dredges which can remove tons of earth and gravel quickly.

Gemstones, including diamonds, are weighed in carats. One carat is 0.20 grams. Individual stones vary in average size from 0.01 ct. (about 1 mm in size) to more than 0.7 ct. Prices vary according to quality - weight, shape, clarity, colour. A 1 ct. gem-quality rough stone could be worth as little as US $12, or as much as US $2000. A cut diamond of this size would be worth many times more than this once it reaches the retail market.

Prior to the discovery of diamonds in South Africa in 1867, there were only two significant places in the world where diamonds were known to exist. Significant mining of diamonds in India dates from antiquity, and Brazilian diamonds were discovered in 1725.[12] Since 1867 about 20 additional producing countries have been identified. These diamond producing countries and production estimates can be found in Table 1.

The impact on global production of the growing number of sources has been enormous, with world production levels rising from about 300,000 carats in 1870, to 3 million carats in 1920, to 42 million carats in 1970, to the present production of 115 million carats.

In recent years, Botswana and Russia have been competing for the position of leading world diamond producer (by value). In 1998, Botswana produced approximately US$ 1.6 billion worth of rough diamonds while Russia produced US $1.3 billion. South Africa is ranked 3rd in the world. In the same year Sierra Leone's official production equaled US $1.05 million.[13] Jwaneng, a low-cost pit mine in Botswana remains the world's richest diamond operation, producing 12.5 million carats annually, worth more than US $1 billion. In terms of pure volume Australia's output greatly surpasses all other countries by producing 40 million carats a year. However Australian diamonds are of lower quality and are smaller in size, and most are sold in Indian markets at relatively lower prices.

Table 1: Rough Diamonds: Estimated World Production by Type and Country
(thousands of carats)

COUNTRY	1995	1996	1997	1998
Gemstones	Gemstones			

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Angola	2600	2,220	1,110	2,400
Australia	18,300	18,897	18,100	18,400
Botswana	11,500	12,400	15,100	13,500
Brazil	676	200	300	300
Canada	Nil	Nil	Nil	278
CAR	400	350	400	330
China	230	230	230	230
DRC	4,000	3,600	3,300	13,000
Cote d'Ivoire	53	202	207	207
Ghana	126	142	664	640
Guinea	274	165	165	165
Liberia	60	60	60	60
Namibia	1,382	1,400	1,420	1,600
Russia	10,500	10,500	10,500	10,500
Sierra Leone	113	162	64	50
South Africa	5,070	4,280	4,380	4,100
Venezuela	125	99	158	100
Zimbabwe	114	300	321	40
Other	119	165	121	126
Total	**55,700**	**55,400**	**56,600**	**66,000**
Industrial	**Industrial**			
Angola	300	250	124	364
Australia	22,400	23,096	22,100	22,500
Botswana	5,300	5,000	5,000	5,000
Brazil	600	600	600	600
CAR	130	120	100	200
China	900	900	900	900
DRC	13,000	17,000	18,900	2,000
Cote d'Ivoire	22	100	100	100
Ghana	505	573	166	160
Guinea	91	40	40	40
Liberia	90	90	90	90
Russia	10,500	10,500	10,500	10,500
Sierra Leone	101	108	40	30
South Africa	5,880	5,670	5,790	6,200
Venezuela	66	73	90	150
Zimbabwe	90	137	100	30
Other	101	120	105	106
Total	**60,100**	**64,400**	**64,700**	**48,900**
GRAND TOTAL	**116,000**	**120,000**	**121,000**	**115,000**

Source: *1998 Annual Report*, United States Geological Survey, 'Mineral Industry Surveys – Gemstones', p. EE 17

2.2 An Important Note on Statistics2.2 An Important Note on Statistics

Table 1 is based on the United States Geological Survey (USGS), which is generally regarded as an authoritative source of information on diamond production statistics. Its statistics, however, are based mainly on production figures supplied by governments. In countries where there is significant theft or smuggling, government statistics are likely to represent as little as 60 per cent of actual production. For example it is estimated that theft in South Africa represents about seven per cent of total production. In Russia it may be as high as 40 per cent. Government officials in Sierra Leone estimate that in recent years as much as 85 per cent of the country's diamond production has been

stolen and is not, therefore, included in the USGS figures. In other words, the USGS figures for Sierra Leone are very low.

This is borne out by historical data. Until the advent of organized and government-supported crime in the 1970s, Sierra Leone traditionally exported several hundred thousand carats a year (See also Section 4, below). In 1998, the USGS figure for Sierra Leone was 80,000 carats. (The Government of Sierra Leone, in fact, recorded exports of only 8,500 carats.) If it is true that 85 per cent of the diamonds are smuggled out of the country, this would suggest an annual production total of at least 530,000 carats, a figure more in keeping with earlier trends. A figure like this, while only an estimate, is borne out by statistics on Liberia, where no government figures have been available for years. The USGS estimates annual Liberian production at 150,000 carats, a very generous amount according to most technical reports. The Belgian Diamond High Council alone, however, records 1998 imports from Liberia of 2.6 million carats and a total of over 28 million carats in the three preceding years.

The discrepancy in statistics is not a matter of clerical error. Rather it points to - in Liberia's case - a very great contradiction between known reserves and actual exports. The diamonds that are exported from Liberia originate elsewhere, a high proportion of them in Sierra Leone. The report will return to this very important point in detail in Sections 3.3 and 4.6 below.

2.3 The Future Production of Diamonds

2.3 The Future Production of Diamonds

Most existing diamond mines have a reasonably long life expectancy. Overall, approximately two-thirds of total world production is derived from just eight mines, located in Australia, Botswana, Russia and South Africa. Most of these have a remaining mine life of at least 30 years and some up to 100 years. It is estimated that the Botswana sources will produce for another 25 to 100 years, the Namibia sources for a minimum of 18 years and presently-mined sources in South Africa will be productive for another 10 to 30 years. There are some mines in Angola and Russia that are predicted to have a shorter productive life, some as short as five years, however others have a projected longevity of up to 40 years.[14]

The greatest potential for future diamond finds is in areas where past exploration has been hampered by inhospitable location and climate, as in Siberia and northern Canada, and in offshore locations which have been constrained by limits of technology. It is estimated that there are diamond reserves of 1.5 billion carats off the coasts of South Africa and Namibia, and De Beers has in recent years developed new technologies to harvest them. There are also estimated to be large diamond reserves off the northwest coast of Australia, in the Arctic Ocean, off the coast of the Russian Federation and off the north coast of Canada and the west coast of Africa. In Angola geologists have identified more than 300 new kimberlite pipes. The greatest future source of diamonds is likely to be beneath the ice cap in Antarctica, probably the last great terrestrial source of diamonds. For now, however, the technology and international agreements do not permit mining in the area.

One of the world's most productive diamond finds has taken place in the Northwest Territories of Canada. The Ekati Diamond Mine, Canada's first, started production and produced 278,000 carats in 1998. When Ekati is at full capacity it is expected to have an annual production of four million carats, it will account for four per cent of global diamond production by weight, and six per cent by value. By 2002, Canada's second mine, Diavik, located just south of the Ekati lease, will

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come on stream. The Diavik site consists of four kimberlite pipes of high-quality gem diamonds. Diavik feasibility studies envisage production of six to eight million carats a year for about 15 years, with a total production value for the life of the mine in the order of US $6 billion.

In Russia there is major exploration and mining throughout Siberia by Russian companies, De Beers, Archangel Diamond Corporation of Canada and the regional Geological Survey company, Arkgeo. In Guinea and Sierra Leone there appear to be substantial kimberlite pipes. In the case of Sierra Leone, the pipes have not been developed because of conflict in the country, and in Guinea, development is just commencing.

2.4 Sierra Leone and West African Diamonds2.4 Sierra Leone and West African Diamonds

The diamond reserves and production levels of Sierra Leone are impossible to estimate accurately. Reserve estimates vary widely. At one end are the implausibly high numbers used by junior mining companies to create shareholder interest and confidence. At the other are comments like one from De Beers suggesting that the alluvial fields are worked out and the kimberlite pipes are '... only as large as two tennis courts and even those are being mined at their roots'.[15] Somewhere between are estimates provided by professional groups such as the USGS, Natural Resources Canada and independent geologists.[16]

The other, and perhaps more important difficulty in generating accurate data for Sierra Leone, and West Africa generally, occurs as a consequence of inter-country smuggling. However, given these qualifications, certain things can be said.

In Sierra Leone the first diamond was found by members of the Sierra Leone Geological Department in Kono District in 1930 and significant production commenced in 1935. By 1937 Sierra Leone was mining one million carats annually, reaching a peak of two million carats in 1960. At that point Sierra Leone was producing one-third of the world's diamonds and diamonds largely supported the Sierra Leone government through taxes on diamond profits. Between 1952 and 1962 taxes paid to the Sierra Leone government averaged between 30 per cent and 60 per cent of profits and the profits were significant.[17]

From 1930 to 1998 approximately 55 million carats were mined (officially) in Sierra Leone. At an average price in 1996 dollars of US $270 per carat, the total value is close to US $15 billion. The first two kimberlite pipes were discovered in 1948 near Koidu on what is presently known as the Yengema Lease and in 1954 additional pipes were found in what has become known as the Tongo Lease. According to the noted geologist A.J.A. Janse, the once-rich Yengema and Tongo alluvial fields (not to be confused with kimberlite potential) are now largely depleted.[18] The war, the export statistics from Liberia, and the interest in Sierra Leone of several aggressive junior mining firms suggest that this comment may be premature.

The report will return to the question of Sierra Leone diamonds in greater detail in Section 4.

3. ORGANIZATION OF THE INDUSTRYORGANIZATION OF THE INDUSTRY

3.1 A Preliminary Roadmap 3.1 A Preliminary Roadmap

The international diamond trade is unique in the world of business. It is secretive, iconoclastic, exploitative, and in the words of an Antwerp banker, 'still pretty medieval'. The term 'medieval' is apt. An industry which each year sells 67.1 million pieces of diamond jewelry, worth US $49.4 billion, is largely controlled by a single company that sets the price and the market supply of 70 to 80 per cent of the world's entire rough diamond output.

This section of the report provides a brief overview of the major commercial and corporate interests involved in the diamond business: 'De Beers', Belgium and the Diamond High Council.

De Beers

'De Beers' and 'Oppenheimer' are names synonymous with the development and ownership of the mineral industries of South Africa since the middle of the 19th century. Two companies emerged from the South African diamond rush of the 1870s and 1880s - the Kimberley Central Mining Company and the De Beers Mining Company, named after the De Beers brothers, owners of the land where the rush began. In 1888 the two companies merged to form De Beers Consolidated Mines Limited. Over100 years later, the company still has its registered office in Stockdale Street, Kimberly, South Africa.

In the late 1920s, the diamond industry was in a catastrophic state with too many diamonds and too few buyers. Sir Ernest Oppenheimer, appointed Chairman of the Board of De Beers in 1929, reorganized the diamond industry, essentially by offering to buy all the diamonds on offer throughout the world, in order to support a stable price. The Oppenheimer family has maintained its relationship with De Beers for 70 years. Harry Oppenheimer, who succeeded his father, turned 91 in 1999. He was succeeded as Chairman by his son, Nicky.

De Beers is likely the only private company in existence that has operated as a 19th century mercantilist firm, passed unscathed through the heyday of Western anti-trust and combines legislation, and without significant organizational change managed to fit into the late 20th century global model before globalization 'happened', and before monopolies re-emerged as a semi-acceptable form of business practice.[19]

The Anglo American Corporation was formed in 1917, with Ernest Oppenheimer as chairman and managing director, in order to gain access to capital markets in the United States. For many years, cross directorships and shareholdings meant that De Beers and Anglo American essentially controlled one another. In 1998, however, Anglo American re-structured, and was operationally separated from De Beers. The purpose of the separation, according to De Beers, was to 'assemble all the diamond skills and expertise which have long been De Beers' special strength in one independent, dedicated and integrated company, led by a highly focused management team, free to devote its full attention to its core role – the discovery, mining and marketing of diamonds.'[20] With the re-structuring, De Beers held 40 per cent of Anglo American PLC, which was newly listed on stock exchanges in London in 1998. The Chairman of Anglo American Corporation of South

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Africa Limited (AAC), J. Ogilvie Thompson, remained Deputy Chairman of the De Beers Board of Directors.[21]

What is commonly referred to as 'De Beers' is organizationally two major companies. De Beers Consolidated Mines Limited (DBCM) is incorporated and has its headquarters in Kimberly, South Africa. De Beers Centenary AG (DECAG) is incorporated in, and operates from Lucerne, Switzerland.

De Beers Consolidated Mines Limited manages most activities in South Africa, including its mining operations, its marine company which mines offshore diamonds, its interests in the Central Selling Organization (see below) and companies which produce synthetic diamonds. As well, it controls all its investments in the Anglo American Corporation, holds a 10.9 per cent interest in the Swiss-based De Beers Centenary AG as well as other investments. De Beers Centenary AG manages all diamond operations in Botswana and Namibia, all diamond trading companies (including the Central Selling Organization) and a myriad of other investments.

De Beers mines or partners in mining the majority of the world's diamonds, it purchases by far the majority of all diamonds produced, and more or less sets the global price of rough diamonds on international markets. Probably its major role, and a role in which it has been extremely successful, is to maintain stable prices by manipulation of both the supply and demand for rough diamonds on world markets. This is done through its Central Selling Organization (CSO).

The CSO headquarters are in London, but it has buying offices around the world. The CSO sources diamonds from its own mines and it purchases from the 'outside market'. The outside market consists of diamonds produced by non-De Beers firms that are not contractually bound to sell to the CSO. The diamonds purchased by the CSO are in turn sold at 10 annual 'sights' (sales) to 160 'sightholders'. Sightholders are designated by De Beers and are presented with mixed 'parcels' of diamonds. The parcels are packages of combined rough gem quality and industrial diamonds, and may include stones from a combination of countries. Parcels are priced by De Beers and are bought by sightholders, sight unseen. Sightholders then take the diamonds to other cities where they are resorted and repackaged for onward sale, or for cutting and polishing.

Belgium and the Diamond High Council

If De Beers is the dominant name in the diamond business, its extended family resides in Antwerp, Belgium. Antwerp is undeniably the world centre for rough diamonds. More than half of the CSO sightholders reside in Antwerp. Antwerp is also the principal 'outside market' serving as a funnel for more than half of all the diamonds produced in the world. In Antwerp, transactions are settled in cash, even when they involve prices of six and seven figures. Diamond dealers often do not issue receipts; million-dollar deals are sealed on a handshake and entrance into the industry is almost impossible, except through family ties.

The formal trading of diamonds in Belgium is structured around the *Hoge Raad voor Diamant* (HRD), commonly known in the trade as the Diamond High Council or simply the HRD. The HRD is a non-profit organization established in 1973. It is the umbrella organization officially acknowledged as the representative and spokesperson for the overall Belgian diamond industry. The HRD maintains only one office outside of Belgium, in Toronto. The HRD groups four Belgian Diamond bourses (exchanges), the Federation of Belgian Diamond Bourses, professional diamond

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associations and two trade unions. The stated mission of the HRD is to maintain and to strengthen the position of Antwerp as the world centre for diamonds. The HRD achieves this by carrying out the following functions:

- it supports and defends the interests of the Belgian diamond trade and industry, both at home and abroad;
- it develops state-of-the-art techniques for grading and processing diamonds;
- it handles import and export formalities;
- it provides proof of authenticity for polished diamonds;
- it supervises and trains specialized employees.

The most important branches of the HRD are its Institute of Gemology, a Certificates Department, the Industry Department and Diamond Office.

By far the most important function of the HRD is to supervise the importation, valuation and export of diamonds and it does so at an annual turnover rate of approximately 500 million carats of industrial, gem and polished diamonds, valued at roughly US$ 20 billion.

For the purposes of this report, the most important branch of the HRD is the Diamond Office. The Diamond Office is responsible for the HRD's trade and evaluation aspects, and it also plays a unique role as the diamond customs agent of the Government of Belgium. The structure of the Belgian industry is discussed in greater detail in Section 3.3, below.

3.2 De Beers – A Diamond is Forever 3.2 De Beers – A Diamond is Forever

Managing Supply and Demand

De Beers dominates the diamond industry unequivocally. De Beers produces 50 per cent of the world's gem diamonds (by value), from its own mines in South Africa and in partnership with the governments of Botswana, Namibia and Tanzania. In addition, it purchases diamonds from 'outside markets' and in turn markets them through its CSO. The total of De Beers own mining output plus diamonds purchased from the 'outside market' results in De Beers selling each year, on average, 70 to 80 per cent of the world's diamond output.

De Beers acknowledges its monopolistic appearance,[22] but argues that its approach benefits everyone from the miner on the ground to the consumer who purchases diamond jewelry. 'Control' is necessary in the industry. Harry Oppenheimer explains:

> 'Whether this measure of control amounts to a monopoly I would not know, but if it does, it is certainly a monopoly of a most unusual kind. There is no one concerned with diamonds, whether as producer, dealer, cutter, jeweler or customer, who does not benefit from it. It protects not only the shareholders of diamond companies, but also the miners they employ and the communities that are dependent on their operations.'[23]

The current De Beers corporate position is similar:

> 'Price fluctuations accepted as normal in the case of most raw materials would undermine confidence in the value of a luxury product like diamonds. De Beers' policy is to maintain price stability by tailoring supplies to the cutting centres to meet prevailing demand while continuing to buy from producing nations and on the open market'.[24]

De Beers' 1998 Annual Report refers to the company's principles and interests, provisions which are aimed at maintaining its monopolistic position. Two of the core principles are:

- our striving for stability in the world-wide diamond industry for the benefit of all our stakeholders and our core partners;
- our consequent determination to remain the largest diamond producer in value terms and – in all respects – the leading diamond company in the world.[25]

De Beers maintains stability and its position in the international market through various mechanisms. The CSO directly dictates the price of diamonds for all sightholders, and indirectly influences price by periodically withholding or releasing diamonds on the market. In addition, De Beer's strategy includes efforts to own outright or to partner with 'juniors', in order to control the major diamond fields in the world.

The two major branches of De Beers, De Beers Consolidated Mines Limited (DCM) and De Beers Centenary AG, have extensive economic power and market reach. The following lists, while not by any means complete, provide insight into De Beers diversity and market reach. As of December 31, 1998, De Beers held 100 per cent ownership in the following subsidiary companies:

- eleven separate finance and investment companies incorporated in Luxembourg, Switzerland, the Isle of Man, Belgium, British Virgin Islands, Cayman Islands, Namibia and Netherlands;
- eight separate diamond trading companies incorporated in Switzerland, Bermuda, Botswana, Liberia, Namibia, Panama, Tanzania and the United Kingdom;
- three separate diamond manufacturing and processing companies (synthetic diamonds) incorporated in the Isle of Man, Ireland and Sweden;
- three separate manufacturing companies incorporated in Germany, Netherlands and the United Kingdom;
- four separate administrative companies incorporated in Bermuda, Canada and Ireland;
- one air charter company incorporated in the United Kingdom.

Additional listed investments, which are not formally subsidiaries of De Beers, include:

- a 26 per cent share in Minorco SA;
- Zambia Copper Investments Limited;
- AngloGold Limited.

Together these three investments have a market value of US $834 million. Unlisted investments of the De Beers group include:

- Sibeka Societé d'Entreprise et d'Investissements S.A (Belgium);
- Erongo Mining and Exploration Company (Pty.) Limited;
- Anglo Middle Eastern Holdings Limited;
- Antwerpse Diamantbank N.V. (Antwerp Diamond Bank);
- a 50 per cent share in Debswana Diamond Company Limited (Botswana Government Diamond Company);
- a 50 per cent share in Namdeb Diamond Corporation (Namibia Government Diamond Company).

Together, these six unlisted investments are valued by the De Beers Board of Directors at slightly over US $2.1 billion.

De Beers dominates the supply side in Botswana, South Africa, Angola and Namibia. As well, Task Holdings, an investment company controlled by the Oppenheimer family, controls 41 per cent of Archangel Diamond Corporation of Canada, which mines rich kimberlites in Russia and holds close to 50 per cent of the Russian mining company of Severalmaz. The discovery of rich diamond fields in the Canadian Northwest Territories persuaded De Beers to establish an office in Vancouver, Canada, and to partner with the Canadian Mountain Province Mining Company in order to exploit Canadian fields.

The rules of the game for De Beers partnerships are tough, as a De Beers official states: 'We want the sales from any mine to go through the CSO; we want to manage the operation and we want to have more than 50 per cent of the shareholding'.[26] Regarding De Beers's partnerships with the junior companies, one analyst says, 'The lion may lie down with the lamb, but the lamb is not going to get much sleep.[27]

Box 2. Playing Rough in the Diamond Business

David Gadd-Claxton does not mince his words when he speaks of De Beers: 'I highly respect them, and I hate them like f---ing poison.' Gadd-Claxton is mine manager for Canada's Southern Era Resources in South Africa and an ex-De Beers's employee.

When Southern Era's Chris Jennings discovered the M1 pipe in Marsfontein, the company thought it had hit the motherlode. But a group of South Africans claimed to be heirs to the property, saying they had never renounced the mineral rights. A court battle, followed, which at first Southern Era thought it could win.

Southern Era's chances dimmed, however, when De Beers stepped in and bought out the heirs, and Southern Era found itself dealing with the most powerful adversary in the diamond business. After a six-month fight Southern Era caved in and on June 1998 they agreed to give away a majority of the find to bring the dispute to an end, retaining 40 per cent of the mining rights. Part of the deal to end the dispute also gave De Beers the exclusive right to market all production.

In the end Gadd-Claxton is wistful, 'we'd do a joint venture with De Beers again,' he agrees, adding: 'We'd be wiser. We'd negotiate better.'

Toronto *Globe and Mail*, July 31, 1999

De Beers Central Selling Organization (CSO)

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The CSO originated as a result of the virtual collapse of the diamond market during the depression of the 1930s. In 1934 Sir Ernest Oppenheimer created the CSO to establish what De Beers refers to as a system of single-channel marketing. The system and the strategy is to support artificially high market prices - what De Beers calls 'price stability' - by tailoring supplies to the cutting centres to meet prevailing demand, while continuing to buy from all diamond producers and on the open market. The enduring success of this strategy rests on two main factors:

- contractual quota arrangements in which the main producers who sell through the CSO withhold temporarily from sale diamonds which are not in demand;
- De Beers' extensive financial resources which enable the CSO itself to hold a 'buffer' stock of diamonds until demand improves.

Most of the world's rough gem diamonds are sent to the London CSO where they are sorted into over 14,000 separate categories based on shape, quality, colour and size. In addition to London, the CSO operates sorting and valuing operations in Botswana, Namibia, South Africa and Switzerland. Once sorted, the diamonds are blended into selling combinations - 'parcels' - that are prepared for sale to the company's clients, the 'sightholders'. The parcels vary, including gem diamonds, 'melee' (mix) and 'boart'. Boart is intended for industrial use. 'Mix' are smaller stones, but they may have a high value as some dealers may be interested in a specific quality or stones of a certain colour.

De Beers sells to only 160 sightholders in the world. Diamond parcels are put together solely by De Beers; the price of parcels is set by De Beers; the 'sightholders' are chosen by De Beers; and the parcel price is non-negotiable. It is a rigorous business, and De Beers expels sightholders who refuse to purchase at the set price.

All sightholders are leading diamond cutters and polishers, or dealers chosen by De Beers. Ten 'sights' (sales) are held each year. The sights take place in London, Lucerne and Johannesburg. Sightholders apply for parcels in advance, and their individual requirements are matched as closely as possible from the available supply of diamonds.

In addition to defining buyers and setting prices at the microeconomic level, De Beers strongly affects the

Box 3. How Prices are Maintained

Next to the United States, the Asia-Pacific region is the largest retail market for cut and polished diamonds and diamond jewelry. However, with the disintegration of Asian economies in 1997, retail diamond sales fell by 18 per cent in a single year. De Beers responded by significantly reducing diamond sales through its CSO in the latter part of 1997 and throughout 1998, stockpiling diamonds in order to maintain the price levels of previous years. As a result, sales by the CSO during 1998 were US$3,345 million – a drop of 28 per cent on the previous year. De Beers then convinced other 'core sellers' which were contracted to the CSO to share the burden by agreeing to stockpile 26 per cent of their production, despite the short-term effect on revenue. Overall, De Beers was successful in reducing stocks of rough and polished diamonds by a value of US $1 billion and, in De Beers's terms, 'leaving the stock-to-sales ratios in the cutting centres at much healthier levels'. What this means for the consumer is artificially determined higher retail prices.

Source: De Beers *Annual Report*, 1998

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macroeconomic market price by manipulating the world supply of rough diamonds. It also influences markets through an extensive advertising strategy. Even though De Beers does not sell finished diamonds or diamond jewelry, the company has an annual advertising budget of US $200 million.

With an increasing number of operational diamond companies and potentially productive diamond mines throughout the world, De Beers has consistently formed new partnerships in order to maintain its control over the market and expand the range of CSO purchasing. For example:

- in December 1998 De Beers finalized a new sales contract with Almazy Rossii Sakha (Alrosa), the Russian conglomerate which is second only to De Beers in the production of diamonds. Alrosa produces 98 per cent of the total output of Russian rough diamonds and accounts for 28 per cent of CSO sales. Under the terms of the agreement, Alrosa will sell a minimum of US $550 million worth of diamonds a year through the CSO, out of a planned production of US $1.5 billion;
- in March 1999, De Beers signed a three-year deal with Broken Hill Properties (BHP) to purchase 35 per cent of the production from the Ekati mine in Canada's Northwest Territories. The Ekati mine is expected to be one of the most productive mines of the 21st century, representing about six per cent of the world's diamond supply by value.

For De Beers, such agreements mean that fewer diamonds are likely to reach markets that are not dominated by the CSO. There are, nevertheless, occasional industry revolts:

- In 1997 De Beers faced an unprecedented revolt as gem dealers and jewelry manufacturers protested the crushing effects of a strong US dollar and the disintegration of Asia-Pacific economies. The industry's main body accused De Beers of pricing stones in a way that could force them out of business. The World Federation of Diamond Bourses declared that: 'Pricing and marketing policies of De Beers resulted in unacceptably low profitability, which threatens the viability of diamantaires (diamond dealers) worldwide.'[28]
- In 1997 Argyle, Australia's largest diamond producer, stopped selling to the CSO after De Beers re-balanced prices away from smaller diamonds towards more expensive stones. Australia produces lower value gems and currently sells the majority through markets in India where there are approximately 180,000 diamond cutters;
- In July 1999, the U.S. jeweler, Tiffany & Company, signed a contract with Aber Resources Ltd. Aber, a Canadian 'junior', had 40 per cent of the Northwest Territories Diavik property, and Rio Tinto PLC had 60 per cent. The deal with Tiffany will see a 'substantial portion' of Aber's production sold directly to New York. This direct marketing relationship between a mining company and a retailer is unprecedented and is designed to get around De Beers and the CSO.[29]

De Beers and Sierra Leone

The present connection between De Beers and Sierra Leone is indirect. Until the 1980s, De Beers was directly involved in Sierra Leone, had approved concessions to mine diamonds offshore, and maintained an office in Freetown. The historical connection is discussed in greater detail in Section

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4.1, below. As late as 1994, however, De Beers still held concessions and rights for offshore mining in Sierra Leone.[30] And in 1997, the company had tentative plans to re-open a small purchasing office in Freetown. Because of hostilities in Sierra Leone, however, these plans were shelved.

De Beers questions the economic viability of pursuing diamonds in Sierra Leone. There have been recent (1999) overtures from the Government of Sierra Leone for De Beers to return, but at the time of writing, the company had apparently not reached a final decision, '...as the pricing structure of diamonds is such that it would not be cost efficient.'[31] De Beers also questions whether kimberlite resources in Sierra Leone are as rich as others believe.

There are several other ways in which De Beers is involved with Sierra Leone diamonds, however. De Beers maintains a diamond trading company in Liberia (Polestar Limited) and a buying office in Conakry, Guinea.[32] Both countries produce very few diamonds themselves, and Liberia is widely understood to be a 'transit' country for smuggled diamonds. Many of these diamonds are of Sierra Leonean origin, and others are reportedly of Russian and Angolan origin (See Section 4.6).

De Beers says that it does not purchase Sierra Leonean diamonds. Through its companies in several West African countries, however, and in its attempts to mop up supplies everywhere, it is virtually inconceivable that De Beers is not purchasing diamonds that have been smuggled out of Sierra Leone. In the past, De Beers staff have taken the position that diamonds cannot by identified by source: '...if you are sitting in Tel Aviv or Moscow or New York, whatever the potential for positive identification, you have not a clue where they come from. Just to be clear, if he (the diamond seller) says they are Scottish diamonds, you take his word for it...They could be diamonds from the moon.'[33] In correspondence with the United Nations Sanctions Committee on Angola, De Beers has recently taken a more nuanced position (see Section 7, below).

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staff have taken the position that diamonds cannot by identified by source: '...if you are sitting in Tel Aviv or Moscow or New York, whatever the potential for positive identification, you have not a clue where they come from. Just to be clear, if he (the diamond seller) says they are Scottish diamonds, you take his word for it...They could be diamonds from the moon.'[1] In correspondence with the United Nations Sanctions Committee on Angola, De Beers has recently taken a more nuanced position (see Section 7, below).**3.3 The Belgian Connection**

***Antwerp: A Diamond's Best Friend*[34]**

There are several historical reasons for Belgium's preeminence in the diamond industry, not least of them Belgium's colonial history and the role that Belgian mining companies have played in the Congo. At the beginning of the 20th Century, Amsterdam was the centre of the world diamond trade, but revisions in Dutch taxation laws between the two world wars made it less hospitable, and the majority of the traders gradually migrated to Antwerp. Antwerp already had a tradition for diamond craftsmanship, dating back to the 16th century. In 1930 the Antwerpsche Diamantkring - today the only rough diamond exchange in the world - already had 1,300 members. After World War II, Belgian authorities helped to rebuild the diamond industry, introducing strong incentives to revitalize the trade, and significantly loosening legislation and tax laws. As a result, Antwerp has thrived.

Today Antwerp annually processes more than half the world's consumption of rough, polished and industrial diamonds. It has the world's largest community of dealers, and more than half of all De Beers's sightholders live in Antwerp. The Antwerp diamond district consists of one square kilometer, encompassing three small streets, but this area alone has 1,500 registered diamond traders, wholesalers and retailers. Within the district there are also four diamond bourses where much of the diamond trading is carried out, and four banks that specialize in financing the diamond trade.

The diamond trade contributes significantly to the Belgian economy, and more significantly to the regional economy of Flanders, as illustrated in Table 2.

Table 2. The Diamond Trade and its Economic Impact in Belgium, 1998

World Production (Rough/Industrial)	115 million carats
Market Value	US $6.7 billion
Total Belgium diamond trade (imports plus exports)	525 million carats
Trade value through Belgium (imports plus exports)	US $20.06 billion
% of CSO sales to Antwerp sightholders	44%
World sales outside CSO	US $3 billion
Antwerp purchases of non-CSO diamonds	77%
Diamond contribution to Belgian GNP	1.5%
Diamonds as per cent of Belgian exports	7%
Diamonds as per cent of Flanders exports	12%
Taxes paid to Govt. of Belgium by diamond industry	US $8 million

Diamond-related employment (Belgium)	27,000

Sources: Rombouts, Luc 'Antwerp Facets' (Diamond High Council, Antwerp, April 1999); Diamond High Council Press Conference (Antwerp, March 1999); Diamond High Council, 1998 *Annual Report* , Antwerp 1999.

Role of the Diamond High Council (HRD)

Role of the Diamond High Council (HRD)

The formal organization of the Belgian diamond industry is structured around the *Hoge Raad voor Diamant* (HRD), or the Diamond High Council. In its 1998 Mission Statement, the HRD explains that its overall mission is to maintain and to strengthen the position of Antwerp as the world centre for diamonds. Two of the primary functions of the HRD are germane to a better understanding of the diamond trade:

- to support and defend the interests of the Belgian diamond trade and industry, both home and abroad;
- to handle import and export formalities for the Government of Belgium.[35]

Belgian Import and Export of Diamonds

Table 3 provides a statistical summary of the diamond trade through the HRD. Table 3 also shows the significance of the Belgian re-export trade in diamonds (both gem and industrial) and polished diamonds. Most notable, is the fact that while Belgium imported nearly 256 million carats of diamonds in 1998, it only exported 7.6 million carats of polished diamonds in the same year, and the import and export of rough diamonds (by volume) was roughly equal. Belgium does not have an extensive cutting and polishing industry. Its main business is the re-routing of diamonds. Belgium's most significant market for the export of rough diamonds is India, where over 180,000 diamond cutters are employed. In 1997 and 1998 Belgium re-exported 121 million carats and 149 million carats respectively to India. The re-export business is so significant that in1998 the HRD exported more rough diamonds than it imported (133 million carats imported and 166 million carats exported).[36]

Table 3. Statistical Survey - Belgian Imports and Exports of Diamonds

	1997		1998	
	(Millions of carats)	(millions of US$)	(millions of carats)	(millions of US$)
IMPORTS				
Polished Diamonds	6.5	4184.8	7.5	4247.4
Rough Diamonds	143.4	6774	133.7	5420.2
Industrial Diamonds	103	147.1	121.8	138.9
Total	252.9	11106	263	9806.5

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EXPORTS				
Polished Diamonds	7	5144.1	7.7	5026.5
Rough Diamonds	145.1	6273	166.1	5127.7
Industrial Diamonds	91.7	114.4	88.5	101.6
Total	243.9	11531.4	262.3	10255.9
Total Imports and Exports	**496.7**	**22637.4**	**525.4**	**20062.4**

Source: Diamond High Council, *1998 Annual Report,* Antwerp, 1999, p. 9.

Diamonds arriving in Belgium are channelled into a formal and legal structure built around the HRD's Diamond Office and supported by Belgian legislation. However, there are other markets that operate externally to the HRD and Belgian legislation. The various Antwerp markets can perhaps be referred to as the 'white', 'grey' and 'black' markets.

The White Market

The White Market

The 'white' market refers to the legal and formal purchase and sale of diamonds. It is basically a wholesale and importing and exporting market. Legally, diamonds can only be marketed, imported and exported by companies and dealers registered with the HRD Diamond Office, and only Belgian and Luxembourg-registered companies can become registered members of the HRD. A special arrangement exists between Luxembourg and Belgium, resulting from the establishment of the Belgium-Luxembourg Economic Union (BLEU) in 1921. Licensing documents for the import and export of diamonds are valid for both Belgian and Luxembourg customs authorities. Luxembourg follows Belgian customs regulations, and application forms for imports and exports are valid in both countries. The overall majority of companies and dealers are, however, registered in Antwerp and only a few large jewelers in Luxembourg import diamonds via Antwerp.

The largest single source of high quality gem diamonds are the Antwerp-based De Beers sightholders. In 1998, they purchased 28 million carats, valued at US $1.5 billion. Although a larger quantity of Australian diamonds was purchased, they are of a lesser quality and therefore have significantly lower value. Table 4 shows the imports, import sources and value of all rough diamonds processed by the HRD in 1997 and 1998.

Table 4. Antwerp Imports of Rough Diamonds

	1998 Jan-Dec		1997 Jan-Dec	
	Millions of Carats	**US$ Millions**	**Millions of Carats**	**US$ Millions**
UK (non-CSO)	11.3	732	10.4	711
CSO	28.2	1,465	36.8	2,159
Congo (DRC)	20.9	613	15.8	553
Israel	3.5	487	3.4	532

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Angola	1.6	349	1	273
Australia	44.1	280	40.2	267
Liberia	2.6	269	5.8	330
Central. Afr. Rep.	0.8	165	579	108
South Africa	0.6	155	367	122
USA	1.1	132	845	113
Guinea	0.6	116	533	109
Gambia	0.4	103	660	132
Sierra Leone	0.8	66	803	115
Switzerland	1.2	56	3.7	94

Source (Diamond High Council , Antwerp 1999) p. 11.

In addition to CSO purchases, diamonds come to Antwerp from major producers who have either no agreement or a partial marketing agreement with the CSO. An approximate estimate from this source is US $600 million annually (1998). This figure is likely to increase in coming years due to a rise in production from newly discovered mines.[37] Major producers may sell their diamond output directly through their own marketing offices in Belgium. Most major producers, such as Argyle (Australia), ENDIAMA (Angola), Ashton (Canada), Broken Hills Properties (Australia) and Rio Tinto (USA) have their own sales offices or representing agents and brokers who are members of one of the diamond exchanges. A few producers such as ENDIAMA, Trans Hex (Canada) and Rex Diamond Mining Corporation (Canada) also have their *de facto* headquarters in Antwerp.

The Grey Market

The Grey Market

The 'grey' or 'independent' or 'parallel' market in Antwerp consists of brokers, jewelers and retailers who are not directly linked to the HRD, are not members of the diamond exchanges and are not registered as importers or exporters of diamonds. It is a parallel market because diamonds are sold or bartered from one dealer to another, or from a manufacturer directly to the jewelry shop, often without invoices or paperwork. This market is 'grey' because it operates beyond the purview of the HRD. Producers such as Namco (Namibia), DiamondWorks (Canada), Southern Era (Canada) and MIBA (Government of DRC) sell most of their diamonds through independent dealers in Antwerp and some may supply directly to Belgian manufacturers, cutters and jewelers. The market operates outside the confines and therefore the monitoring of the HRD. The HRD takes the position that the quantity of diamonds exchanged in this 'grey' market is very small, but there are no statistics to verify the HRD position.[38]

In 1998, the grey market came to the attention of a Belgian Parliamentary Commission of Inquiry into Organized Crime. The Commission's report contains an extensive chapter on the diamond industry and suggests that the grey market is far less marginal than the diamond industry and the HRD would suggest.[39]

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The Commission Report estimated that 4,000 to 5,000 commercial diamond dealers and brokers are active in the grey market, apart from the 3,500 registered members of the four diamond exchanges in Antwerp. Membership in a diamond exchange is voluntary and provides the benefit and privileges that are inherent to being 'inside' the industry. The advantage of remaining 'outside' the industry is the lack of industry-led regulation or monitoring.

While operating on the 'outside' is not illegal, the Parliamentary Commission Report took the position that the grey or parallel market is extremely vulnerable to infiltration and use by organized criminal groups.[40] The Commission Report listed 30 cases related to the Antwerp diamond industry that were under judicial investigation at the time of its report. The cases involved fraud, forgery, tax evasion, fake bankruptcy, laundering, contraband and theft. Ten of the listed cases were categorized under the heading 'organized crime' and the 20 remaining cases were classified as 'organizational crime'.[41] The distinction appears to be that 'organizational crime' consists of criminal acts committed by criminal members of an otherwise legitimate business.

The Illicit Trade – The Black Market

The Illicit Trade – The Black Market

The distinction made here between the white, grey and black markets are, to a large extent, artificial – boundaries and a separation of sourcing and trading in diamonds cannot be drawn this easily. Because of the high level of secrecy inherent in the Antwerp diamond trade, and the fact that there are few paper trails outside the HRD, it is difficult to fully determine the extent of the illicit trade.

Smuggling in the Belgian context refers to diamonds which enter Belgium without being declared to customs officials, and which are not licensed for import by the Ministry of Economic Affairs and the HRD Diamond Office. Neither the Government of Belgium nor the HRD have estimates of the quantity or source of smuggled diamonds. In addition, there are few active policies aimed at controlling diamond smuggling, apart from standard declaration and checking procedures of the customs department and the HRD. (Belgium, however, is perhaps the only country to have - at least on paper - a monitoring system of imports and exports. In the Netherlands , for example, the procedures are even more cursory.)

It is known that most of the rough diamonds smuggled into Belgium are from Africa, and are likely to have been produced by artisanal diggers. These diamonds are sold from dealer to dealer, outside the purview of the HRD or the diamond exchanges. A number of smaller hotels in and around the area of Antwerp's Central Station are known trading places for illicit diamonds.[42] In some cases, if the seller has enough, diamonds may be presented directly to a manufacturer. The manufacturer will undertake the cutting and polishing process, and the diamonds will subsequently be sold on the open market or to one of the many jewelry shops in the diamond district, or abroad.

On a small scale, African couriers bring in rough diamonds, without declaring them to customs or the HRD, and selling them directly to Antwerp-based dealers. An African diamond courier describes the process:

> Smuggling is not risky and I have been doing it nearly my whole life. One just needs to have special contacts at home. My contacts will guarantee free passage at the airport at home and once you're on the plane the job is done. I am never checked for diamonds when I enter Belgium. To sell my diamonds I just go to one of the diamantaires in the Pelikaanstraat and

present myself at the counter with my batch of stones. The diamantaires are always friendly and take me to a room in the back and serve me something to drink. They even offer to arrange for a place for me to stay in Antwerp.[43]

The next step in the laundering process is not particularly expensive or risky for the diamantaire. As one writer puts it, 'A diamond becomes legal as soon as it is presented at a diamantaire's counter'.[44] A registered dealer and member of one of the diamond exchanges can simply mix illegally obtained diamonds with a parcel of already declared diamonds. This allows the diamantaire to both avoid taxes and launder the illicit diamonds.

The Real Source of Antwerp Diamonds

The Real Source of Antwerp Diamonds

One of the factors which eases larger scale diamond smuggling and inhibits the tracking of diamond movements is the manner in which the HRD documents the industry. The HRD records the origin of a diamond as the country from which the diamond was last exported. Certificates of origin are not in use, except in a cursory manner for Angola. Therefore, diamonds produced in Sierra Leone, say, may be officially imported and registered as originating in Liberia, Guinea, Israel or the UK, depending on their journey from one trading centre to another.

The real issue of the Belgian environment, as it pertains to Sierra Leone or any other diamond producing country, is the lack of interest and therefore the lack of information on the true source of the diamonds entering the country. The Belgian diamond industry - and apparently the Belgian government - are basically not interested in the source of diamonds or how they get to Belgium. They are concerned only that imported diamonds pass through a dealer who is registered with the HRD, or through the HRD itself.

Official data from both the HRD and the Government of Belgium mask this issue, but at the same time serve a useful service in pointing out the significance of the problem. The two following tables illustrate the problem:

Table 5. Diamond Production in West African Countries for Selected Years
(000 carats)

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998
Sierra Leone	78	243	347	158	255	213	270	104	8.5
Liberia	100	100	150	150	100	150	150	150	150
Guinea	127	97	153	167	381	365	205	205	205
Ghana	650	700	656	591	740	632	715	830	800
Ivory Coast	12	15	15	15	84	75	302	307	307

Sources: Data for Liberia, Guinea, Ghana, Cote d'Ivoire for the years 1994-1998 from: Ronald F. Balazik, 'Gemstones', *1998 Annual Review* (United States Geological Survey, August 1999) p. EE 17. Remaining data for the same countries is from various mineral industry reports from 1990 to 1994 published by the United States Geological Survey. Sierra Leone data is from: Government of Sierra Leone, Government Gold and Diamond Office, Freetown, Sierra Leone, 1999.

Table 6. Antwerp Imports of West African Diamonds
Selected Years (000 carats)

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998
Sierra Leone	331	534	831	344	526	455	566	803	770
Liberia	5,523	658	1,909	5,006	3,268	10,677	12,320	5,803	2,558
Guinea	287	374	526	1021	875	780	439	533	596
Ghana	597	675	689	526	498	643	608	531	n.a.
Ivory Coast	825	946	868	683	605	1614	2214	885	n.a.

Sources: Diamond High Council, *1998 Annual Report*, Antwerp 1999, p. 1, and additional information supplied directly by HRD.

Comparison of the two tables shows that the production figures for Ghana and the HRD import statistics from Ghana are similar, as might be expected. For all the other West African countries, there are startling discrepancies. For example:

- while the Government of Sierra Leone recorded exports of only 8,500 carats in 1998, the HRD records imports of 770,000 carats;

- while the estimates of Liberian diamond mining output are between 100,000 and 150,000 carats in Table 5 (and there are no estimates anywhere of a capacity exceeding 200,000 carats per annum[45]), the HRD records Liberian imports into Belgium of over 31 *million* carats between 1994 and 1998 - an average of over six million carats a year;[46]

- Ivory Coast, where the small diamond industry was essentially closed in the mid 1980s, exported an average of more than 1.5 million carats between 1995 and 1997.

Among other things, these figures suggest either massive international fraud, or massive bureaucratic incompetence[47]

Where Sierra Leone is concerned, the discrepancy between what the HRD says is imported from Sierra Leone and what Sierra Leone officially produces and exports may be an indication of what is illicitly mined and exported to Belgium. But this is only a *minimum* figure, as the data does not include diamonds which travel from Sierra Leone to India, Israel, Lebanon, New York and the De Beers CSO, *and then* to Belgium.

Belgian Import and Tax Legislation and Policy

Belgian Import and Tax Legislation and Policy

One of the main factors making Belgium, and particularly Antwerp, the world centre for diamonds is the laxity of tax and trade legislation. Antwerp attracts a large quantity of diamonds sold on the 'outside market', i.e. outside De Beers CSO. For the purposes of this study, this outside market is very important and it helps to explain the problems in the Belgian environment.

The import of diamonds to Belgium is free, in the sense that there are no tax or import duties applied at entry. However, all diamonds must be declared to customs upon entry or exit from the country, and importers must (theoretically) pay a value added tax of 21 per cent on the customs value. The customs value, however, is simply the value expressed on the supplier's invoice. Belgium has a unique system of VAT exemption and most dealers can benefit from this provision in the law.

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A dealer is not required to pay the VAT at the time of import, but can settle it through the HRD Diamond Office at a later date. The Diamond Office will advance the amount to Belgian customs and invoice the dealer at the end of each month. Most dealers travelling abroad carry bank guarantees covering the VAT in the countries they pass through, without actually paying it.[48] When rough diamonds are exported for sale, the import VAT is recovered by the dealer, who is then tax-free.

There has been increasing concern that the Belgian diamond industry pays very little tax. In 1998 an industry with a turnover of US $20.6 billion paid only US $8 million in taxes. This has led to a new 'fiscal plan', worked out between the HRD and the Belgian Direct Tax Authority, that will ostensibly result in a tax contribution by the diamond industry of 'a fair share of taxes'[49]. The new fiscal plan became effective on January 1, 1999, taxing the gross turnover margin of diamond companies. It is expected to significantly raise the amount of taxes paid by the industry.

Of greater interest where transparency and accountability are concerned, is the question of who actually monitors imports and exports on behalf of the government. Oddly, this role - the role of customs agent - is carried out by the HRD itself, the representative and lobbying institution for the Belgian diamond industry.

Upon entry into Belgium, sealed diamond parcels are sent by customs to the HRD Diamond Office, which acts as the internal clearance and customs bureau on behalf of the Government of Belgium. At the HRD Diamond Office, all diamonds entering or leaving the country are individually checked by ten diamond experts who are employees of the HRD, acting on behalf of the Licensing Department of the Ministry of Economic Affairs. Importers and exporters must provide invoices describing the exact weight and price of the diamond parcels and documents showing their company registration in Belgium or Luxembourg. Diamond Office experts are not civil servants. They are experts employed by the Diamond Office, sworn in by the Belgian Minister of Economic Affairs.[50] The only outside check on this process is that there are always a number of customs officers and representatives of the Ministry of Economic Affairs present at the Diamond Office to monitor the procedure.

The Diamond Office therefore plays a dual role: it provides a lobbying service on behalf of its clients in the diamond industry, *and* it acts as their watchdogs on behalf of government. To the outside observer, this looks like a major conflict of interest.

Difficulties with the process are legendary:

- diamonds imported from other countries of the European Union, need not be declared at the Belgian border, but need only to be checked by the HRD Diamond Office. Different valuing and controlling applications by EU members leads to additional problems. The Netherlands, for instance, applies a different weighing system, enabling importers to declare a certain amount of low quality rough diamonds and then alter it, before exporting, with high quality gems of the same weight. The diamonds may then be invoiced at a lower price than the real value;[51]

- in most cases the penalty for the fraud involved in inconsistencies between invoice and real value is minimal. The diamantaire risks a fine but will normally receive questionable diamond parcels back when a corrected invoice is received from the seller.

The historical reason given for having the HRD Diamond Office act as an agent for the government is that only the diamond industry has the expertise required to perform the government's task. However, in recent years there have been a number of judicial inquiries which have shown that the system violates almost any definition of neutrality, and is an invitation to corruption.

Cases of fraud in the Antwerp diamond and banking trade are legendary. In April 1999, for example, an expert of the HRD Diamond Office was arrested in connection with a million dollar import-export fraud involving the expert, a number of diamond exporting companies and a specialized diamond transport company. The expert overvalued diamond parcels, enabling a number of diamond companies to use a fraudulent invoicing system and then to launder illegally obtained diamonds with the 'licensed' documents.[52] Another case exposed two experts of the Diamond Office when customs officials double-checked a parcel inspected and sealed by the HRD Diamond Office, on its way to an unknown customer. The transaction was registered for a value of US$ 5 million, but the parcel contained only brick dust.[53] Fraudulent transactions like these allow diamond dealers to use legitimate documents for other purposes, such as unchecked diamond exports, VAT fraud or the laundering of illegally imported diamonds.

The Diamond Bourse
The Diamond Bourse

Box 4. Diamonds and Drugs:

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Of the twenty-one diamond exchanges (bourses) in the world, four are in Antwerp, including the only rough diamond bourse. The bourses are transaction centres where traders meet individually to present their diamonds and negotiate sales. The bourses are highly secured exchange buildings in the heavily guarded diamond district of Antwerp. Access to a bourse is allowed only to fee-paying members, and membership is restricted to individual dealers or companies registered in Belgium or Luxembourg. Candidate members have to be recommended to the Board of Directors and need support from a number of existing members. Non-members are only allowed to enter the transaction room of the bourse in the presence of accompanying members, and only then if they have approval from the Board of Directors.

A deal at a bourse is struck without formalities or paperwork. However, there exists a set of strict rules applied by the bourse. The buyer inspects a parcel of diamonds on offer and negotiates the price per carat with the seller. When a broker negotiates a transaction, the price stands for only one day - until the closure of the bourse. In the meantime, the parcel - a small envelope - is sealed and the negotiated price is written on it. When, or if the seller wants to renegotiate the broker's price, or when the buyer fails to pay within the one-day deadline, the parcel ('cachet') can be reopened, but only in the presence of a Transaction Room Committee of the bourse.[54]

Diamonds and Drugs:the Collapse of the Max Fischer Bank

In January 1997, the Max Fischer Bank, in the heart of the Antwerp diamond district, declared bankruptcy. A few months after the bankruptcy the Antwerp prosecutor opened an investigation, and in June 1997, three members of the bank staff were arrested and taken into custody.

The bankruptcy and subsequent judicial investigations created a near panic in the Antwerp diamond business. After the arrests, several diamond dealers' offices and the HRD Diamond Office were searched.

Investigations into the bankruptcy inadvertently led to the activities of Fouad Abbas. Abbas had been a crown witness in a Dutch narcotics investigation, and was accused of being the key supplier of marijuana to European and Canadian markets in a case that involved thousands of tons of drugs. Abbas confessed his own role under a witness-protection programme in the Netherlands, but Belgium nevertheless demanded his extradition, after he had moved to London. The Max Fischer Bank in Antwerp had been used to launder an estimated US $25 million of the proceeds of Abbas' criminal business. Abbas was not unknown to the Antwerp diamond business. He ran his operations through a diamond company by the name of TTS Diamonds and reportedly had mining interests in West Africa. Some of Mr. Abbas' partners, it was later revealed, were also active in arms trafficking. Iraq and UNITA in Angola were allegedly the recipients of the Abbas arms.

Systematic tax evasion and Belgium's policy of fiscal and administrative leniency for the diamond business were the combination that enabled Abbas to thrive for many years.

Source: Confidential interviews with Dutch television journalists who had documents related to Abbas companies. Also Chris de Stoop, *Ik ben Makelaar in Hasj*, Amsterdam, De Bezige Bij, 1998

Despite the extraordinary amounts of money changing hands and the potentially high risks involved, diamond dealers and their financiers rarely settle differences in legal courts. The exchange system has its own internal procedures and sanctions system based on hundreds of years of tradition.

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The obvious advantage for the diamond industry is the maintenance of complete confidentiality, a minimum amount of monitoring and paperwork, and exclusive control of the diamond market.

Diamond Banking

Diamond Banking

Like the rest of the diamond business in Antwerp, banking arrangements are opaque, and the small number of players have an immense amount of economic power. There is likely to be less transparency than in other banks in the world as these financial institutions have their own fiduciaries in Switzerland or Luxembourg, where banker's discretion is guaranteed by law. Ninety per cent of all diamond transactions in Antwerp are handled by two banks - the ABN Amro Bank and the Antwerpse Diamantbank. De Beers holds 12.8 per cent ownership in the Antwerpse Diamantbank through the Henfin Holding Company.

Traditionally, most trading or marketing companies in Antwerp have maintained a very low level of capitalization. It is not exceptional to find a diamond company with a capitalization of only US $30,000, but with an annual turnover of several million dollars. Consequently, short-term and rapid financing is critical to the business. Diamond traders depend on short-term financing in the millions of dollars for single transactions, enabling them to bridge the period between the time of their own purchases and payment by their clients.

The lack of transparency and questionable business practices of some of the diamond banks, and spectacular scandals like the Max Fischer Bank collapse, have led to increasing debate in Belgium on the nature of the diamond business and its relationship with organized crime.

The Underbelly of the Belgian Diamond Industry

The Underbelly of the Belgian Diamond Industry

Because of governmental and HRD laxity, Antwerp has, in recent years, become one of the key cities of the world for Russian organized crime.[55] One of the most spectacular public cases involved the embezzlement of US $180 million in gold and diamonds from the Russian State reserves.

Andrei Kozlenok and his company, Golden ADA, were at the centre of a transcontinental scandal, causing embarrassment to authorities in the USA and more so in Russia. Kozlenok's company was provided with gems from the Russian State Precious Metal Reserve, with the approval of high officials in Russian government circles. Instead of using the diamonds intended - as collateral for a commercial loan in the US - Kozlenok sold US $70 million worth of diamonds in Antwerp, with forged documents claiming the diamonds had originated in the DRC (Zaire). Kozlenok also had a company registered in Belgium, beyond the reach of both Russian and American authorities. For three years, Russia battled in California courts in order to bring Kozlenok to trial and recover the gems. In 1998, Russia authorities finally succeeded in extraditing Kozlenok from Greece.[56]

Kozlenok's name appeared again in a seemingly unrelated fraudulent incident. The fraud involved a million-dollar trade in fake invoices. Antwerp businessmen and local politicians (members of the Antwerp City Council) were among the accused. Several individuals were convicted on a number of charges, but the full nature of the fraudulent mechanism remains hidden. Some of the investigators and financial experts analyzing the case have suggested that large amounts of diamond profits or credits were at the heart of the fraud.[57]

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Conclusion
Conclusion

Antwerp is the most important 'final' marketing site for the bulk of the world's diamonds, including those of Sierra Leone. Unfortunately, the political, fiscal and law enforcement environments makes Antwerp a diamond smuggler's dream. Even in the most overt cases of questionable behaviour, little is done. Government officials informed the Project Team that while the Customs Department in Antwerp does report, on average, ten cases of fraud annually to the Ministry of Economic Affairs Diamond Monitoring Department, the majority of these cases are judged to be 'administrative errors' on transport documents and invoices. In most cases, the supplier or the recipient in Antwerp is simply contacted to produce corrected documents.[58] Such 'findings' obscure the magnitude and seriousness of institutionalized smuggling, diverting attention from a major international problem to small-time criminals.

The lack of official concern may stem from the overall economic importance of the diamond industry to the Belgian economy. The result, however - a lack of the legislative controls that are accepted as normal and necessary in other business environments and in other countries - is devastating for diamond producing countries like Sierra Leone. Contributing factors include:

- a serious apparent conflict of interest between the HRD's responsibility to it membership and its responsibilities to government for critical elements of supervision over that same membership;

- encouragement - through government and private sector lack of interest in the source of imported diamonds - of what appears to be either massive fraud or massive bureaucratic incompetence in diamond import statistics;

- encouragement of a secretive environment which permits corruption at high levels (such as the Max Fischer Bank collapse, cases of fraud within the HRD, and opportunities for organized crime).

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4. THE SIERRA LEONE DIAMONDS

4.1 Origins

Sierra Leone diamonds were discovered in Kono District in1930, when a small geological survey team led by N. R. Junner and his assistant, J. D. Pollet, picked up a crystal by the Gboraba stream. The team had been examining stream-bed gravels for heavy minerals; instead the crystal turned out to be a diamond. The next day, the team found another diamond at the same site. Their discovery was extraordinary. The Sierra Leone colony, Britain's first in West Africa, had been suffering from economic stagnation and depression for nearly a century because of its dire lack of resources. But their discovery, which was duly reported to the colonial authorities, elicited little interest until Junner brought it to the attention of the De Beers-controlled Consolidated African Selection Trust (CAST), based in the Gold Coast (now Ghana). A prospecting party from CAST arrived in the country in March 1931; that same month, the first hint of the widespread nature of diamond occurrences in Sierra Leone was received when Pollet found two more diamonds in the gravel of Kenja stream, near Pava, about 50 miles south of the original discovery.

Given the chaotic nature of Sierra Leone's diamond industry in the 1990s, it is easy to forget that all the country's diamond fields, estimated to cover an area of some 7,700 square miles in 1968, was officially under corporate control for over two decades. In 1935, the colonial authorities concluded an agreement with the Sierra Leone Selection Trust (SLST), a subsidiary of CAST, which gave the company exclusive mining and prospecting rights over the entire country for 99 years. In return, SLST was to pay income tax at the rate of 27 per cent (later increased to 45 per cent) on its profits, in addition to a small 'special development' fund, mainly for the Kono region.[59] This was not difficult to arrange, as Kono District had never been a commercially active region and Kono chiefs, who owned the land communally, appeared unconcerned and unable to grasp the dramatic impact that diamond mining would inevitably have.

Corporate control was relatively easy to establish as far as dealing with the local authorities was concerned; and in the four years after mining intensified (1948-1952), SLST paid over £3 million in taxes to government.[60] The threat to De Beers' control came not from local authorities, but from far more insidious and uncontrollable forces, forces so powerful that they eventually forced an end to the company's monopoly in 1956. By the early 1950s, a huge influx of illicit miners - attracted, no doubt, by internal SLST theft - had nearly overrun the company's holdings, By 1956, there were an estimated 75,000 illicit miners in Kono District, leading to smuggling on a vast scale, and causing a general breakdown of law and order.

The buyers and smugglers of illicitly mined diamonds at that time were mainly Madingo traders from neighbouring West African states, and Lebanese traders. The Lebanese had first arrived in Sierra Leone at the close of the 19th century. With the rise of the diamond industry, they soon emerged as major players on the illicit side because of their ability to raise significant capital, and because of their outside contacts. Initially, the smuggling route was from Freetown to Beirut and then to European markets. But with the tightening of security between Kono and Freetown in the early 1950s, Lebanese smugglers began moving their goods across the Mano river to Liberia. Antwerp, and then Israeli-based diamond merchants soon noticed the booming diamond trade in Monrovia,

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and many established offices there, rather than in Freetown where the De Beers' monopoly made it illegal to do so. De Beers itself was forced to set up a buying office in Monrovia in 1954 to keep as much of the trade under its control as possible. The impact of smuggling on the Kono mining areas was immensely destabilizing. According to Koskoff,

> Large combines of diggers emerged, now with more elaborate equipment, with financing from buyers in Monrovia or from local Lebanese. The illegal industry was taken over by toughs. Itinerant buyers were occasionally murdered by hard-pressed diggers. According to one source, by 1954 forty murders had already occurred in the diamond areas, including one case of a digger who had been disembowelled in search of a stone that he had been seen to swallow.[61]

This was the 'Great Diamond Rush'. John Cartwright has provided an insight into its socio-political and economic impacts on the country as a whole. At the time of the Rush, the total number of persons calculated by the Labour Department to be in wage employment was between 75,000 and 80,000. This meant that within a period of just three years 'as many men (75,000) left [their homes]...to search for diamonds as had left it over a half century to seek wage employment.'[62] This had a radical impact on the process of social mobilization. By 1955, the Director of Agriculture attributed a marked drop in rice production to the Rush, many of the young men having abandoned the rice fields for the more interesting and promising diamond mines. By the end of the 1950s, Sierra Leone - once a net exporter of rice - became a net importer.

The influx of these uncontrollable young men soon had the district verging on 'anarchy, with armed bands of as many as 400 to 500 men raiding SLST...areas, and on occasion doing battle with the police.'[63] A detachment of the Sierra Leone Police Force had been stationed in Kono in 1952, the first such posting outside of Freetown. But it was severely ill-prepared to deal with this unexpected problem. The force launched military-like campaigns with names like 'Operation Parasite' or 'Operation Stranger Drive,' targeting every unregistered non-Kono in the District, in an effort to curb the massive influx of illicit miners. Most of these efforts were dismal failures. It was estimated that in the first half of the 1950s, more than half of Sierra Leone's diamonds were being sold in Monrovia as 'Liberian' diamonds, the country having created fictive 'mines' in the jungles to account for this enormous production.[64]

The situation was highly problematic for De Beers, representing a crisis comparable only to the Second World War which forced the closure of its premiere mines in South Africa. De Beers resorted to the employment of private security.

4.2 The Beginning of Privatised Violence4.2 The Beginning of Privatised Violence

Most recent writing on private security firms and the 'Dogs of War' views them as a product of post-Cold War collapse among African states.[65] In Sierra Leone, however, private security is not a new phenomenon. More particularly, it initially had nothing to do with state collapse or the highly destructive rebel warfare that later marked the country. The first use of private security in Sierra Leone was in the 1950s, and was directly sanctioned by the head of De Beers, Sir Ernest Oppenheimer. Alarmed by the widespread theft in SLST's mining areas and the consequent massive

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smuggling operation, in 1953 Oppenheimer contracted a retired British counter-intelligence agent, Sir Percy Sillitoe, to organise an intelligence operation aimed at getting at the root of the smuggling. The operation later blossomed into the full-scale deployment of a private security force aimed at halting both the pilfering and smuggling. Sillitoe confirmed that smuggled Sierra Leone diamonds were travelling through Monrovia, where European and Israeli firms had established offices and were funding African smugglers. The diamonds moved then to Belgium and to the Soviet Union, which then badly needed industrial diamonds to retool its factories.[66] Sillitoe's army was known as the Diamond Protection Force (DPF), and it was led by white soldiers of fortune from Rhodesia and South Africa. An account of how the force operated is provided by Michael Harbottle, a former British army officer who took over command of the force after Sillitoe. Although they did not have firearms, the DPF used sophisticated technology, including light plane (and later helicopter) patrols, radio communications, floodlighting and booby traps. They even mined border crossings in an attempt to bring down illicit miners and smugglers. Illicit miners - known as 'san san boys' - and smugglers captured by the mercenaries were likely to be imprisoned (one could earn a year's hard labour for the mere possession of mining implements) but there were occasions when miners were shot to death.[67]

In 1956, Sillitoe hired a Liberian-based Lebanese adventurist, Fred Kamil, who later wrote about his adventures. Kamil had independently started a low-intensity warfare against smugglers after one cheated him when he was a businessman in Liberia. Kamil recruited a gang of armed toughs from the streets of Monrovia. The group launched a small-scale guerrilla war along the Liberian-Sierra Leonean border, ambushing diamond smugglers, overpowering them and stealing their goods. Sillitoe offered the outlawed Kamil an attractive deal: his undercover agents would supply the Lebanese with information about the exact movements of the smugglers; in return, Kamil would turn the diamonds over to De Beers and receive one-third of their value in cash. Kamil agreed, since this obviously meant Sierra Leone police protection. The risk became too high for the smugglers, and the colonial authorities in Freetown added a carrot: export taxes on diamonds were lowered, and De Beers increased the buying price. For a time, smuggling seemed to have been contained.[68]

But illicit mining continued. The colonial government, under more and more pressure from nationalist politicians (this was the period of decolonization), decided to act more radically to put the situation under control and to satisfy calls for legitimate indigenous participation in the booming diamond industry.

4.3 The End of Corporate Control and the Emergence of the 'Shadow State'4.3 The End of Corporate Control and the Emergence of the 'Shadow State'

By the 1950s, diamond mining, once confined to Kono District and Tongo Field in Kenema District, had spread to much of the Eastern Province and Bo District. Digging followed the route of the Sewa, a wide river flowing from Kono through Kenema to Bo District, and covered an area of 19,000 km^2, about one-quarter of the entire country. SLST operations were based in the most productive areas, mainly in Kono and Tongo Field. These areas were the hardest hit by the destabilising effects of illicit mining, but other parts of the country were affected. In Bo, a district which, unlike Kono, was relatively developed and urbanised, the issue of SLST control created divisive political controversy.

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In 1955, the colonial authorities concluded an agreement with SLST which scrapped its monopoly and confined its operations to Yengema (in Kono district) and Tongo Field, an area of about 450 square miles, in return for £1.6 million in compensation. In 1956, the authorities introduced the Alluvial Mining Scheme, whereby both mining and buying licenses were granted to indigenous miners. All mining areas were declared to be government property and the government appointed an inspector of mines who, after consulting local authorities, would issue one-year mining licenses to any Sierra Leonean (or a firm controlled by Sierra Leoneans) for a fee of £9. Each license area was to employ a maximum of 20 people. License holders had also to pay a fee of 4 shillings a week (slightly higher than that paid for the license itself) to local authorities (the chiefs) known as 'surface rent'. They might also be called upon to pay compensation for crops destroyed in the course of digging. Dealer licenses were to be issued at £25, but unlike the mining licenses, they were not restricted to Sierra Leoneans. Many of these licenses came to be held by Lebanese. The first mining licenses under the scheme were issued in Lubu chiefdom, Bo District, on 6 February 1956. Within a single month, 1,500 licenses had been issued.

For a time, the Alluvial Mining Scheme seemed to be a success. The diamond rush was put under control, mining areas were stabilized and De Beers' Diamond Corporation Sierra Leone (DCSL) opened buying offices in Bo and Kenema, in addition to the one they had in Freetown. Although legal sales of diamonds may have increased significantly, most of the licensed dealers - mainly Lebanese - continued to export illegally. Still, as one writer put it at the time, the scheme created an economic boom for the country as a whole: 'Markets were built and communications improved. Shopkeepers and craftsmen did good business. New houses and cars symbolized the new wealth earned in the diamond industry.'[69]

The Alluvial Diamond Scheme stabilized the diamond industry somewhat for about a decade. Sierra Leone gained its independence in 1961, but the party which took power, Milton Margai's Sierra Leone Peoples Party (SLPP), a gradualist and conservative political movement, had ruled in partnership with the British since 1952, and governed in much the same way as the British. By 1968, over 30 million carats of diamonds had been produced in Sierra Leone; the gems had generated about US $200 million for the country's economy, and provided about 70 per cent of the country's foreign exchange reserves. Nevertheless, it has been estimated that as much as half of the country's diamonds were still smuggled out, largely by Lebanese.[70] The challenge to this uneasy stability - and indeed to Sierra Leone's formal bureaucratic state - came from a political movement which ousted the SLPP at the close of the 1960s: the All Peoples Congress (APC), founded by Siaka Stevens, a former police constable and trade unionist.

Stevens broke away from the SLPP and founded the APC shortly after Sierra Leone's independence, claiming that the Margai-led party was overly conservative and elitist, and that it was still British-controlled. As Minister of Mines with oversight of the diamond industry during much of the turbulent 1950s, Stevens had been firmly on the side of corporate control of the important diamond resources. But now in opposition, he campaigned on a populist platform calling for a greater share of SLST's holdings for the 'common people.' His new party claimed to stand for a welfare state based on a socialist model in which all citizens, regardless of class, colour or creed, shall have equal opportunity and where there shall be no exploitation of man by man, tribe by tribe, or class by class. Stevens recognized early, in large part due to his trade union background and his intimate knowledge of miners, the potential support base among the huge army of illicit tributors and

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miners in the diamond regions. His party appealed to this group and promised greater protection for them, as mining of this nature - however illicit in the eyes of the authorities - represented 'the little man's only hope for wealth'.

Stevens' populist rhetoric clearly emboldened illicit miners and transformed their criminality into an ideological battle. With defence of their illicit activities by a major politician, miners began to regard SLST as a predator, and a hated foreign predator at that. Soon after Stevens became prime minister in 1968, illicit mining, once largely subdued, again became a serious menace for SLST, with outright hijackings of their gravel trucks by armed illicit miners, some of whom even dug up highways and airfields in the rapacious hunt for diamonds. SLST increased its defence force to 1,200 men, but to no avail.

The situation became so intolerable that by 1970, SLST abandoned all prospecting efforts, because anything it discovered was soon likely to be stolen. This played into Stevens' hands: the Prime Minister was eager to gain direct control over SLST's rich holdings, and he exploited SLST's frustrations to achieve his ambition. In addition, from his earliest years in office, he was linked to criminal or near-criminal elements. On November 3, 1969, SLST's monthly haul of diamonds, valued in Sierra Leone at US $3.4 million, was stolen at gunpoint as it was about to be flown out of the country at Hastings airport. The theft was professionally executed and the thieves were never caught. Attempts to prosecute a few suspects ran into serious difficulties: potential witnesses were spirited out of the country by the police, the judiciary was curiously disinterested, and the case was eventually dropped. It was rumoured in Freetown that Stevens and a Sierra Leonean-born Lebanese businessman Jamil Said Mohamed (well-known simply as Jamil) had masterminded the theft. Jamil's chief rival, another Lebanese named Hanneh Shamel, was expelled from the country for alleged links to the thieves; the stolen diamonds were allegedly sold in Europe for US $10 million and Jamil emerged as a major player in Sierra Leone's diamond industry.[71]

In 1971, Stevens announced the formation of the National Diamond Mining Company (NDMC) which effectively nationalized SLST. The new company took over 51 per cent of SLST's shares and SLST retained 49 per cent. The NDMC was to be run by a board of directors composed of 11 members, six nominees of the government and five of SLST, but in fact all important decisions were made by the Prime Minister. To ensure that he had a reliable front man in the new arrangement, Stevens arranged for Jamil - who in 1959 had been sentenced to six months in jail for unlawful possession of diamonds - to take over 12 per cent of the government's shares. SLST's diamond shipments dramatically declined soon after. With Stevens' active participation, Jamil's men were stealing and smuggling as much as they declared.[72] From a high of over two million carats in 1970, legitimate diamond exports dropped to 595,000 in 1980 and fell to only 48,000 carats in 1988.

During this period, De Beers attempted to manage the growing informal market by using its Monrovia purchasing office to purchase smuggled Sierra Leonean diamonds in dollars,[73] a practice which probably continued over the years. Stevens' underground economy, however, the 'Shadow State', was by now firmly in place. In 1984, SLST sold its remaining shares to the Precious Metals Mining Company (PMMC), a company controlled by Jamil, and in 1986, PMMC terminated its management of the NDMC on grounds that it was no longer viable. The timing was significant: Stevens retired in 1985, handing over power to Major-General Joseph Saidu Momoh.

4.4 The Failure of 'Reform'4.4 The Failure of 'Reform'

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Momoh came to power promising to wage war on 'profiteers, hoarders and smugglers,' precisely the types of forces upon which Stevens' 'shadow state' rested. Shortly after taking office, the new president set up the Government Gold and Diamond Office (GGDO) to replace the PMMC. The GGDO was to 'examine, sort, value, parcel, market and export gold diamonds', but its real function - in large part because the government was severely cash-strapped - was mainly the valuing of diamonds and gold for export, so that taxes and duties could be levied. The GGDO was to receive one per cent of the value of each diamond submitted, and the government two per cent. A firm of international consultants, Diamond Counsellor International, was contracted by the government to fly to Freetown at least five times a year to audit and 'advise' the GGDO.

With the collapse of the NDMC, formal sector diamond mining became less and less important, and wage-earning virtually ceased. Where once wage-earning miners at least had been members of the United Mineworkers Union, the actual mining - even where legal - was now managed on a tributor basis, with payment based on a percentage of whatever was found. While formal sector mineworkers in rutile, gold and other minerals were members of, and represented by the Union - even through much of the 1990s - there was not a single diamond miner in the union at the end of 1999 (see also Section 6, below).

Momoh's 'New Order' began to show early signs of cracking, however. For one thing, his government was dominated by leftovers of Stevens' discredited regime. The GGDO's first chairman, for example, Joe Amara Bangalie (who doubled as minister of Finance, Economic Planning and Development), was a long-time Stevens' minister, with a reputation for extravagant corruption. Not surprisingly, Bangalie soon brought Jamil back as key player in the GGDO. In January 1986, Bangalie announced that the new GGDO had accepted a loan of 100 million leones (about US $25 million) from Jamil to help run it. The diamond office was now to rely on the 'professional competence' of the Lebanese mogul for its operation.[74]

4.5 Lebanon, Israel and the Arrival of International Organized Crime4.5 Lebanon, Israel and the Arrival of International Organized Crime

Up to the early 1970s, the informal diamond industry was dominated by two Lebanese communities - Maronite Christians and Shi'ite Muslims. Once Stevens had begun to sideline De Beers, however, the Lebanese became increasingly involved on the formal side, or what was left of it. From the late 1970s to the early 1990s, aspects of Lebanon's civil war were played out in Sierra Leone. Because all Lebanese militia needed financial assistance, Sierra Leone's diamonds came into play as a kind of donor base or informal tax on behalf of one faction or the other. This was of great interest to Israel, not least because part of the Sierra Leonean Shi'ite community actively supported the Amal faction, which on the one hand fought against Israel's greatest enemy, Hezbollah, and on the other was Syria's main ally against Israel. It could not have been lost on Israel that the leader of Amal, Nabih Berri, had been born in Sierra Leone and was a boyhood friend of Jamil, the most influential man in the country's diamond business.

It was largely through Berri that Iran became interested in Sierra Leone, building a large cultural centre in Freetown and making the country its main base in West Africa, to the further discomfort of Israel, which had been trying unsuccessfully to restore ties with Sierra Leone, broken

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during the Arab-Israeli war of 1967. In a dramatic move, Jamil persuaded Momoh to invite the Palestinian leader Yasser Arafat for a state visit to Freetown in 1986. In Freetown, Arafat offered several million dollars to Momoh in exchange for a training base for his PLO fighters, an offer which Momoh, alarmed by aides to the danger, turned down.[75] It was the beginning of the end of Jamil's power in Sierra Leone. Lobbyists for Israel began actively to prod Momoh towards stronger ties with Israel and to end Lebanese dominance. In 1987, President Momoh announced that he had foiled a coup plot involving Jamil, his own Vice-President Francis Minah (a close associate of Jamil) and a few lower ranking soldiers and police. Minah was tried for treason and hanged. Jamil, who was out of the country at the time, remained in self-exile for the duration of Momoh's tempestuous regime.

The foiled 'coup' allowed Momoh to create his own partnerships, and Israel, long anxious to get the Lebanese away from Sierra Leone's diamond wealth, came in handy. One of the first to arrive was the Russian-born Shaptai Kalmanovitch and his Israeli-based enterprise, the LIAT construction and Finance Company.[76] LIAT's assets did not amount to much. Most of its contracts were with government, including a low-cost housing scheme in Freetown which never got started. Kalmanovitch's main interest was diamonds, and perhaps drugs. Among other things, Kalmanovitch set up a diamond buying office in Freetown. At first, the partnership appeared to be beneficial for the diamond industry, and exports increased by 280 per cent in late 1987. Illegal production and exports however, did not decrease accordingly, and it was discovered that Kalmanovitch was using Sierra Leone to circumvent the weapons, diamonds and gold embargoes on South Africa. Kalmanovitch was also thought to have connections to the Israeli intelligence apparatus and to have played an advisory role in Israeli politics.[77]

While in Sierra Leone, Kalmanovitch brought in other money launderers, drug traffickers and arms dealers, all scrambling to gain access to diamonds. In 1986, Marat Balagula, considered the 'Godfather' of Russian mafia in Brooklyn, N.Y., found a safe haven in Sierra Leone and was known to be operating with Kalmanovitch. Balagula was considered one of the initiators of the Antwerp operations of the Russian Mafia. He and Kalmanovitch became involved briefly in the importation to Sierra Leone of gasoline, in a deal reportedly backed by a fugitive American businessman, Marc Rich, and guaranteed by the Luccheses, an old-time American crime family.[78]

Two others, Boris Nayfeld and Rachmiel 'Mike' Brandwain, both active in the Antwerp underground, met with Kalmanovitch and Balagula in Freetown in 1987. Brandwain at that time ran a small electronics store near the diamond district of Antwerp and was involved in tax-free export transactions with Eastern Europe. Before his trip to Sierra Leone, he had been released on bail for a gold smuggling deal between Luxembourg and London. He was also involved in M&S International, an intercontinental brokering and wholesale business allegedly involved in laundering and trafficking activities, including heroin trafficking and diamond smuggling. M&S maintained its headquarters in Belgium until the mid-1980s. Investigations of Brandwain's operations are still continuing.[79] Brandwain's part in the story ended when he was shot to death in a parking lot in the centre of Antwerp, near the diamond district where he kept his headquarters.

Shortly after the Sierra Leone meeting, Kalmanovitch was arrested in London in 1987 on an American warrant. He stood trial in a case involving forged cheques and was released on bail six months later. Kalmanovitch was reportedly expelled later from the South African 'homeland' of Bophutatswana and arrested in Israel, where he stood trial as a spy for the Soviet Union. He was released in 1993 and is currently thought to be living in the Baltic region.

The fourth person at the Sierra Leone meeting, Boris Nayfeld, was released in 1998 from an American prison where he spent four years for his involvement in heroin trafficking between Thailand and New York. Prior to his arrest, Nayfeld had been living in Antwerp.[80] Balagula remains imprisoned in the U.S. for credit card fraud and for the evasion of US $85 million in taxes on the sale of almost a billion gallons of fuel sold between 1983 and 1988.[81]

A more credible and better organized Israeli company appeared in Sierra Leone soon after Kalmanovitch's arrest. The N.R. SCIPA Group, owned by Nir Guaz (known as 'The Skipper'), set up diamond buying offices in Freetown and Kenema, offering vastly improved prices for diamonds and in the process further marginalizing the capricious Lebanese dealers. SCIPA continued a LIAT enterprise, importing rice and machinery and selling it at low prices. A loan from SCIPA also helped Momoh settle some of the country's outstanding arrears with international donors. The IMF was so impressed with Momoh's apparent reforms, including further efforts to cut Lebanese interests out of the diamond business, that it offered half a billion dollars in assistance to the country in 1990. The relationship with SCIPA was a rocky one, however, with the company allegedly financing both legal and illegal diamond exports.[82] Despite considerable mining activity, the company exported only US $6 million worth of diamonds in 1989, reportedly far below SCIPA's actual performance and considered to be something less than two per cent of national production.[83]

By 1991, The Skipper was gone, and Momoh was desperately seeking new foreign firms to generate revenues in a climate of massive corruption and economic free-fall. Joint ventures proliferated, most of them leading nowhere. The RUF war began that year, with rebels attempting to cut Momoh off from the Kono diamond fields. In April 1992, he was overthrown in a military coup.

Led by a 27-year old army Captain, Valentine Strasser, The National Provisional Ruling Council (NPRC) came to power on a promise to end corruption. As Reno puts it, however, the real news in Strasser's ascension to power lay not in his commitment to reform.

> Instead, he and his associates concentrated on conquering what they believed their control of State House entitled them to. As the inherited technocrats from the old regime issued promises to the IMF, Strasser's troops were already mining diamonds in Kono in exchange for weapons from Belgium and Romania... Unlike Momoh and his associates, these coup leaders had been raised in Freetown's slums... As before, [however],the leader [engaged] in private dealings to achieve [his] control. In Strasser's case, this allegedly involved the private export of 435 carats of diamonds to Sweden in 1993.[84]

4.6 The Liberian Connection4.6 The Liberian Connection

Liberia's dealings in stolen Sierra Leone diamonds have been a major concern to successive Sierra Leone governments since the great diamond rush of the 1950s triggered massive smuggling of the country's gems through Monrovia. Monrovia's attraction to smugglers include its porous borders, the US dollar - which was legal tender in Liberia - and the relatively higher, untaxed prices offered by dealers who established offices there in order to buy smuggled Sierra Leone diamonds. In the 1950s, it was estimated that 20 per cent of all stones reaching the world's diamond markets were smuggled from Sierra Leone.[85] Liberia itself has relatively negligible diamond potential, and by 1985 prospectors and diamond experts had all but given up on future investments. Where diamonds were

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concerned, Liberia had become little more than a fencing nation, creating fictive mines as cover for the immense laundering of diamonds smuggled from other nations, mainly Sierra Leone.

What is different and more sinister today is the active involvement of official Liberian interests in Sierra Leone's brutal war - for the purpose of pillage rather than politics. Initially, Charles Taylor backed the RUF in an effort to destabilize the Momoh regime, which had allowed ECOMOG to use Freetown as a staging base for its peacekeeping efforts in Liberia. Since launching his military campaign to seize power in 1989, however, Taylor has operated a rapacious and sometimes criminal national enterprise, looting Liberia's forest resources (mainly timber and rubber) with the active involvement of foreign companies and criminal elements considerably more dangerous than those engaged by Joseph Momoh. Diamonds have played an active role both in financing Taylor's own expansionist enterprise, and in bringing Sierra Leone to its knees.

In 1988, before Liberia erupted, the country exported US $8.4 million worth of diamonds, including a great many smuggled Sierra Leonean diamonds. In 1995, when Liberia lay in ruins and economic activity was almost non-existent, it exported US $500 million worth of diamonds, according to HRD statistics. This is more or less supported by IMF trade returns which show estimates of Belgian imports from Liberia at US $309 million in 1994 and $371 million in 1995.[86] A large proportion of these are rumoured to have originated in UNITA-held Angolan territory (Taylor has maintained close links with UNITA leader Jonas Savimbi), and certainly a very high proportion originated in Sierra Leone.[87] There is also rumoured to have been Russian dumping of industrial diamonds in the Monrovia market during the period.

In February 1999, the London *Times* reported that the UN and 'western intelligence agencies' were investigating the probability that an international criminal consortium of diamond dealers and cocaine traffickers were behind the attempt by Taylor to seize Sierra Leone's diamond fields through their RUF proxy. The paper named Col. Fred Rindle, a South African 'neo-Nazi' and a former spokesperson for the far-right South African *Afrikaner Weerstrandsbeweging* (AWB), and Nico Shefer, an Ecuadorian who was once in business with Colombian drug baron, Pablo Escobar, the Colombian cocaine lord. These two, the paper said, were the main figures in the consortium behind the RUF, reinforcing the rebels with 300 Ukranian mercenaries and hundreds of soldiers from Burkina Faso. Quoting an intelligence source, the paper said 'The interests of Taylor and his crew are clearly not political. They are after Sierra Leone's diamonds. They want to establish a puppet regime and then run the country as a criminal exercise.'[88]

British newspaper accounts in January 1999 reported that late the previous year the RUF had contracted two British companies operating 'ageing' Boeing aircraft to transport AK 47 rifles and 60 mm. portable mortars to rebel-held territory in eastern Sierra Leone. The 40-ton consignment of arms, from Brataslava in Slovakia, was undoubtedly acquired with diamond resources. The arms were crucial in the RUF's successful and highly destructive attack on Freetown, in January 1999.[89] Earlier reports spoke of helicopter flights from Liberia around the northern town of Makeni, then under rebel control. The helicopters reportedly ferried tons of light arms and ammunition to the rebels.[90] A Ukranian 'businessman' based in Liberia, Leonid Minin, was reported to trade in timber, arms and diamonds.[91] He reportedly used a far less expensive method of getting arms to the RUF. Minin, who also owned a trucking firm, had arms driven from Liberia into Kailahun, the RUF's main base, using the derelict railway line as a track and the thick forest as cover.[92] Of greater concern are more recent reports that parts of Sierra Leone, such as the extremely fertile Kailahun District

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bordering Liberia - under RUF control - had become sites for opium poppies and coca plants, and that the crops are going over the border to Liberia for processing and export.[93]

In January 1999, the West African ECOMOG force apprehended an Israeli named Yair Klein attempting to sell helicopter spare parts to the Freetown authorities just after the devastating attack by the RUF on the capital. Klein is a former Israeli military officer. He was (at the time of writing this report) facing trial in a Freetown court, accused of spying for the rebels, and supplying them with arms through Liberian networks directly linked to the Liberian President. Klein had been involved in the training of Taylor's elite fighters and before that, through his company, Spearhead Inc., he worked in Colombia. He is still wanted by Colombian authorities for providing 'instruction and training in terrorist activities' to paramilitary and vigilante groups in Colombia's Magdalena valley region between 1987 and 1989, according to the warrant issued by Colombian judicial authorities for his arrest in February 1994. The trainees later joined the Medellin drug cartel.[94] Freetown authorities say that Klein provided them with information about the RUF's drug and arms trade, implicating the Liberian president. Curiously, the same informant claimed that Israel has been quietly putting pressure on the authorities to have Klein, a former senior member of the Israeli reserve force, released.[95]

Taylor's support for the RUF rebel war has been extensively discussed by the media, scholars and politicians.[96] Less well discussed is the possibility that Taylor may now be supporting a 'rebel peace' for the same reasons that he supported the war. Taylor may have noticed that with the escalation of the conflict, much of his potential income was being spent to keep the fractious RUF together, to pay Liberia-based South African trainers, and to buy more arms and ammunition. This may be why he pressured the RUF to sign the July 1999 peace accord in Lomé.[97] There, the RUF successfully insisted - on pain of restarting its terror campaign - that its leader, Foday Sankoh, be placed in charge of the exploitation and sale of Sierra Leone's diamonds in exchange for 'peace'. The appointment of Sankoh as chairman of a quickly-forged 'Commission for the Management of Strategic Resources, National Reconstruction and Development' (CMRRD), to control the exploitation and management of diamonds merely recognized what was already a matter of fact: the RUF was controlling all the major diamond mining areas, including Kono district and Tongo Field.

That the RUF would be so fixated on the country's diamonds is hardly surprising, even discounting the extraordinary accessibility of the gems: the group itself is dominated by many former illicit diamond miners. The RUF's main battle commander, 'General' Sam Bockarie (a.k.a. Maskita), was reportedly a san san boy (illicit dimaond miner) in Kono before becoming a professional disco dancer and hair-dresser in Liberia, and later in the Ivory Coast. He was recruited in Abidjan, the Ivorian capital, first by Taylor's National Patriotic Front of Liberia (NPFL) and then by the RUF. He now reportedly owns substantial property in Monrovia, including a house and a night club, and is said to have direct access to Taylor's Executive Mansion whenever he visits.[98]

In conclusion, there is little doubt that Liberia has become a major centre for massive diamond-related criminal activity, with connections to smuggling and theft throughout Africa and considerably further afield. In return for weapons, it has provided the RUF with an outlet for diamonds, and has done the same for other diamond producing countries, fuelling war and providing a safe haven for organized crime.

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5. THE 'JUNIORS'THE 'JUNIORS'

Despite the business success and the overwhelming influence of the De Beers and Antwerp cartels, there remains an element of anarchy in the industry. The anarchic element is provided by the 'juniors', small prospecting and mining companies which work on the edge of the industry, discovering diamond fields, generating funds on international stock markets, sometimes mining diamonds but more often than not eventually selling out to larger companies if they are successful.

Joseph Momoh's search for new investors in the early 1990s was carried forward by the new NPRC military government. With De Beers out of the picture and unwilling to return, and with the Israeli experience behind them, the government now began to receive overtures from junior mining firms. This report deals primarily with three 'juniors' with the greatest interest in Sierra Leone during the 1990s, interests that have at times extended far beyond the mining of diamonds.

5.1 The Canadian Connection5.1 The Canadian Connection

It is not a coincidence that so many of the world's mining companies are incorporated in Canada and listed on Canadian stock exchanges. A combination of Canadian tax provisions, the method of operation of the Canadian exchanges and Canada's own resource history have encouraged many junior exploration and mining companies to operate from Canada. For a very long time Canada has been the premier country of the world for the venture capital it supplies to small mining companies.

Part of this is explained by Canadian history. Canada has largely developed from extractive industries and has an abundance and variety of mineral resources. Consequently, Canada has high levels of expertise in mining, a large number of exceptional mining geologists and perhaps more important, an abundance of skilled penny stock promoters - 'the bottom feeders of the mining business.'[95] The country also has a population of investors with a penchant for penny stocks. It is in this environment that Canadian stock exchanges - particularly the Vancouver and Calgary exchanges (recently merged as the Canadian Venture Exchange) - became 'mining exchanges' or 'wildcat exchanges'. Mining is a risky, tough business, and the probability of striking it rich is slim. Only one in 10,000 exploration companies will find and bring a mine into production. Because of the high risk of failure and the low level of capitalization by most mining companies, Canadian stock exchanges have traditionally been easier to access, with lax disclosure requirements and lower capitalization requirements than exchanges in many other countries.

This explains why so many non Canadian firms, including some that have been involved in Sierra Leone, are traded on Canadian stock exchanges and have their nominal headquarters in Canada. A more detailed discussion of this phenomenon is contained in Annex 1.

5.2 Rex Diamond Mining Corporation5.2 Rex Diamond Mining Corporation

Rex was established under the Business Corporations Act of Ontario (Canada) on September 14, 1995 through the amalgamation of Kimberlex Resources Ltd. and Speer Darrow Management Inc. Rex is formally a Canadian company registered on the Toronto Stock Exchange and its registered headquarters is in Toronto, Canada. The Toronto office is a facade, as the Project Team discovered after months of phone calls and then a visit to the premises. There it was discovered that the 'office'

was little more than an answering machine and that the real headquarters are in Antwerp where its President and CEO resides, and where management decisions are made.[96]

Other than raising Canadian funds on the Toronto Stock Exchange (TSE), the strongest connection Rex has to Canada is the presence of three Canadians on the Rex Board of Directors, including the Hon. Robert P. Kaplan P.C., Q.C., former Solicitor General of Canada.[97]

Rex is headed by Serge Muller, the President, CEO and largest single stockholder. Muller has been engaged in the diamond business since joining his family company, S. Muller and Sons Diamonds NV, 20 years ago. Muller is a member of the Diamond Bourse in Antwerp and represented family company sightholders of De Beers from 1982-1994, during which time he was responsible for rough diamond purchases. He has also been involved in the diamond business in South Africa for more than 15 years, initially as a purchaser of rough diamonds and operating cutting plants, and then in connection with the acquisition and development of the Bellsbank and Rex mines, now properties of Rex in South Africa. Muller has had a long history and involvement with Sierra Leone, originally providing financing to the National Diamond Mining Company (NDMC) secured by their diamond production. In 1989 the Government of Sierra Leone entrusted the NDMC itself to Muller and Sons, but official diamond exports plummeted from 141,800 carats in 1987/88 to 4,800 carats in 1988/89. In May 1992, the new military government announced that all output from the NDMC would be sold at public tender.[98]

Rex has extensive holdings and participates in virtually all aspects of diamonds, from exploration through to selling its own uniquely branded diamonds on the Internet. It is a vertically-integrated company with extensive diamond exploration in Mauritania, diamond concessions in Sierra Leone, two diamond producing mines in South Africa and diamond cutting, polishing and marketing enterprises in Antwerp. The company also owns a diamond sorting and marketing operation in Antwerp. All Rex activities are operated as subsidiaries of their Corporate Head Office in Toronto. Rex subsidiaries include the following:

Table 7. Subsidiaries of Rex Diamond Mining Corporation

Name	Jurisdiction of Incorporation	Ownership %
Rex Mining Company NV	Belgium	100%
Rex Diamond Company NV	Belgium	100%
Rex Diamonds (Barbados), Inc	Barbados	100%
Bellsbank Consolidated Diamond Mine (Pty.) Ltd.	South Africa	100%
Rex Mining Corporation Ltd.	South Africa	100%
Loxton Exploration (Pty.) Ltd.	South Africa	100%
Rex Diamond Corporation (Pty.) Ltd.	South Africa	100%
Rex Exploration (Pty.) Ltd.	South Africa	50%

Source: *Annual Information Form for the Year ended March 31, 1999* (SEDAR: System for Electronic Document Analysis and Retrieval, www.sedar.com/homepage.htm) August 18, 1999.[99]

Of the Rex holdings, the most important for the purpose of this analysis is Rex Mining NV. Rex Mining NV is incorporated under the laws of Belgium and is centred in Belgium. Rex Mining NV was incorporated on November 29, 1990 under the name of Coast to Coast Trading NV, and changed its name to Rex Mining Company NV effective November 3, 1993. Rex Mining NV is licensed to

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trade in diamonds in Belgium, and holds the mining leases in Sierra Leone. Rex Mining NV also operates a diamond sorting, cutting and marketing operation in Antwerp. The concessions held in Sierra Leone are commonly referred to as the Tongo Field and Zimmi (see Annex 2 for more details).

The Tongo Field property consists of approximately 65 square kilometres and is located in Kenema District. The present lease expires on February 28, 2019. The Rex property has been previously mined for alluvial diamonds, but Rex reports that it has discovered four kimberlite dike zones on the property. The Zimmi Property consists of approximately 54 square kilometres and is located in Pujehun District. The lease on this property expires on February 28, 2019. The Zimmi property is also an alluvial property, which was developed for mining during the mid-1980s. The property was abandoned before commencement of full-scale mining because of civil unrest. Rex company geological reports, based upon sampling programmes carried out on the property, indicate that the property contains deposits of large stones of high quality. Rex believes that the Zimmi property has the potential to produce alluvial diamonds at surface and that high-grade paleo channels, and other geophysical features indicate the possibility of kimberlite dikes.

Rex says that it maintains close contact with high level personnel within both the Government of Sierra Leone and the RUF. Still, there remains some dispute at the end of 1999 over whether Rex still holds or will hold in the future their Zimmi and Tongo Fields concessions. Rex argues that their leases have been paid and they are in possession of a letter from the Director of Mines of the Government of Sierra Leone ensuring their leases still hold. Serge Muller had the following to say on this issue:

> For the third time in a year reassurances were given by both Government and RUF officials as to the strong and lasting friendship of Rex in Sierra Leone. Further to the Lomé Agreement (13 July 1999) the Parliament of Sierra Leone passed a Law on 23 July 1999 to clarify the mandate of the Commission for the Management of Strategic Resources. Clause 10 (4) clarifies the issue of the review of the mining concessions as follows: The Commission shall declare void any concession or mining lease in gold and diamond in existence immediately before 21 July 1999 if such concession or mining lease is found to have been obtained by fraud or tainted with illegality or as being contrary to public policy or the general public interest. We have again received confirmation from all parties, Government and RUF that the Rex leases are in good standing. [100]

In his Chairman's Letter in the Rex *1998 Annual Report*, Muller reiterates that 'the Ministry of Mineral Resources formally reconfirmed both titles to Rex's major assets in Sierra Leone, the Tongo Fields and Zimmi on August 18th of this year (1999).'[101] This letter, however, predates Lomé.

Ben Holemans, Rex's Chief Financial Officer and Secretary and member of Rex Board of Directors, also attempts to boost stockholder confidence, saying that, 'Serge has been active in Sierra Leone for more than 10 years and has close friends in all political factions of both Government and the RUF. Throughout the difficult times Serge has maintained open channels with the government and with the RUF while not interfering in the local politics.'[102]

Despite Muller's claim and Holemans' confidence, the RUF begs to differ. Foday Sankoh, it seems, watches the Internet, and personally requested the Sierra Leone National, Independent, Neutral Journalist Association (NINJA) to carry his rebuttal:

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> No one from the RUF has ever spoken to any Rex Diamond official to reassure them of any such information as they issued yesterday. It is important that every single mining lease ever granted in Sierra Leone be thoroughly examined by professionals. The RUF is not yet in a position to know if the Rex Leases are tainted with illegality until the RUF gets a professional analysis of these Leases. No member of the RUF has ever been given a copy of any such lease so we may certainly not have reassured Rex Diamond Mining Company.[103]

There is perhaps some reason for Sankoh's ambivalence about Rex. In 1998, Sierra Leone lost its only combat helicopter - a serious problem as the Soviet-built gunship had been the government's most effective weapon against the RUF. Zeev Morgenstern, Rex's Managing Director, and Muller came to the government's aid by making an arrangement to supply the government with engines, parts and ammunition worth a value of US $3.8 million. The deal went sour as a result of defective parts supplied from Russia. Reporting in October 1999 on the activities of the two Rex executives, the *Washington Post* stated that during interviews Morgenstern and Muller both said, '...the arms deals were unrelated to Rex's mining activities'. [104]

5.3 AmCan Minerals Limited.3 AmCan Minerals Limited

AmCan Minerals Limited is incorporated in Canada, listed on the Canadian Venture Exchange, and maintains its headquarters in Toronto. AmCan was founded in 1989, and its present principals acquired the company in 1993. Since 1993 AmCan has acquired diamond and gold concessions in Sierra Leone and Angola. In an undated AmCan document entitled, 'The AmCan Diamond and Gold Project - Sierra Leone', the company optimistically predicted that it would annually mine and sell 114,000 carats of diamonds at a value of US $200 per carat, for an annual revenue of US$ 22.8 million. After all costs were deducted, AmCan predicted an annual post-tax profit of Cdn.$7.48 million, a level that would continue into the future.

Based on their positive evaluation of the Sierra Leone diamond potential, the company placed four million new shares on the market at 25 cents apiece in order to raise $1 million for its Sierra Leone operations. While AmCan's pronouncements had the desired affect - raising badly needed funds from the public - it did not result in the mining of diamonds. AmCan commenced preliminary operations on their high terrace diamond deposits and anticipated that full production levels would commence in the fall of 1996. However, with the conflict in Sierra Leone, all production activity ceased, and in mid-1997 AmCan withdrew its staff and moved to protect its equipment and its property.

Between 1995 and 1999, AmCan generated total income of Cdn.$446,999 and had losses every year during the period, finally ending up with a 1999 accumulated deficit of more than Cdn.$7 million. Over five years its total proceeds from diamond sales were approximately Cdn.$171,000. The annual losses per share of between one and five cents is significant when one considers that AmCan stock was selling for only six cents a share in October 1999. The Sierra Leone and Canadian governments cannot be optimistic about collecting taxes from AmCan. The company presently has a loss carry-forward of over Cdn.$3.4 million to write off against future company income.[105]

For several years, AmCan attempted to operate exclusively in Sierra Leone, however during 1999 it obtained five diamond concessions in Angola. In Sierra Leone, AmCan has an explorations license for diamonds in Kono District's alluvial fields as well as one kimberlite pipe with its

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surrounding dikes. Two of the blocks held by AmCan are immediately northeast and contiguous with the Koidu kimberlite project that is controlled by Vancouver-headquartered DiamondWorks (see below). Through its subsidiaries, AmCan also holds concessions on 12 river lots on the Sewa River and three 144-acre lots on the Old River Terraces immediately southwest of the Koidu Kimberlite Project. AmCan presently holds an exploration license in Kono District, rights to areas surrounding a kimberlite pipe covering a distance of 27 miles, the widest point of which is eight metres. AmCan also holds a 90% interest in a 50 square kilometre gold property on the Pampana River in Tonkalili District.(See Annex 2 for more details on AmCan concession rights)

AmCan gained the Sierra Leone properties by acquiring already existing companies and by forming of one new company:

- In 1994 AmCan formed AmCan Minerals (SL), in which it holds 90% interest. AmCan (SL) Limited holds interests in 17 parcels of properties and 22 properties;

- In 1996 AmCan moved to acquire the privately held ArmSec International (SL), which brought with it diamond-bearing properties in Sierra Leone and Liberia, and a large quantity of specialized mining equipment. Along with the 100 per cent purchase of ArmSec International (SL), AmCan appointed its owner and CEO, Michau Huisamen to its Board of Directors and to the position of Managing Director of AmCan. AmCan states that 'Huisamen has an extensive background in the diamond mining and security industry in South and West Africa.'[106]

With the purchase of ArmSec International (SL) and the appointment of the owner to its Board of Directors, AmCan adds to its knowledge of security issues. One of AmCan's long-serving Board members is Edwin D. Sanford, who also holds the position of Vice President for Africa Operations. Sanford is a retired Lieutenant Colonel of the Canadian Armed Forces and is responsible for the operation of the Sierra Leone diamond properties. AmCan states that Sanford, throughout his 35 year international military career was '...specialized in security at every level including the most top secret areas as an advisor to both the Canadian Armed Forces and the Government of Canada.'[107]

Until its purchase by AmCan, ArmSec International (SL) was a subsidiary of the South Africa-based ArmSec International, which Michau Huisamen owned. AmCan Toronto informed the Project Team that ArmSec International (SL) is purely a mining company and has nothing to do with arms or security. Asked if Huisamen, their newly appointed Board Member, still owned or had interests in the parent company of ArmSec International, AmCan Toronto said that it did not know. AmCan also said that it did not know what kind of business ArmSec International was involved in.[108]

AmCan has strong connections on the ground in Sierra Leone. David Quee is AmCan's lawyer and personal representative in Freetown. Quee also is Chairman of the Sierra Leone Government Gold and Diamond Office (GGDO). The GGDO is the government office responsible for monitoring the diamond industry, valuing Sierra Leone diamonds and levying the government tax on diamonds. Quee is also a senior member of the political party in power (SLPP) and was President Kabbah's First Interior Minister. When interviewed by the project team in Freetown, Quee said he did not believe that his appointments with both AmCan and the GGDO constituted a conflict of

interest.[109] Like all the diamond companies attempting to operate in Sierra Leone, AmCan believes that its existing concessions remain valid and are fully paid for.

5.4 DiamondWorks and Branch Energy .4 DiamondWorks and Branch Energy

'All rising to a great place is by a winding stair' - Sir Francis Bacon

The quotation from Francis Bacon - which opens DiamondWorks' 1998 Annual Report - aptly describes the short history of the company. It has indeed been a 'winding stair' but it is yet to be determined whether the 'great place' will be discovered. On the way up the winding stair the company has been touched by international intrigue, and much of its activity has been shrouded in mystery. It has had its Angolan mines closed and staff killed by bandits, and it has been shut out of Sierra Leone because of military conflict. Correctly or incorrectly, DiamondWorks and its subsidiary, Branch Energy Ltd., have been linked with at least two international mercenary/security groups, two attempted coups, and many of the most important international mercenary and mining personalities of recent years.

DiamondWorks is incorporated in Canada and listed on the Toronto Stock Exchange with 'headquarters' in Vancouver. But like many other 'Canadian' junior mining firms whose real centre is elsewhere, DiamondWorks' management is centred in London, and its operational headquarters are in Johannesburg.[110]

Early Days – The Inception of DiamondWorks

The DiamondWorks story begins with the Carson Gold Corporation. In the early 1990s Carson became one of the most active worldwide junior explorers. One of Carson's first ventures was to place a Yukon placer property into production. Little gold was actually mined, and Carson subsequently re-emerged as 50 per cent owner of a commercial fruit and ornamental nursery enterprise. Carson's most important supporter at the time was Robert Friedland, a flamboyant penny stock gold mine promoter.

In early 1993 the company arranged a large private placement of shares, the bulk of which were purchased by Vengold Inc., a company owned by Friedland. Vengold thus became a major shareholder of Carson, and Robert Friedland's brother, Eric, assumed the position of Chairman and CEO. The arrival of the Friedlands brought Carson into the spotlight and the value of the company's shares quadrupled. The Friedlands started expanding. They purchased gold properties in Venezuela, gold and copper properties in the Philippines and then made a bid for properties in China. In the spring of 1995, Carson surprised the market with two major deals. In the first, Carson announced its intention to acquire China Diamond Corporation, offering 25 million shares of Carson stock for the company. That was followed by a move to acquire Branch Energy Ltd., a private company registered on the Isle of Man. Friedland offered 33 million Carson shares for the Branch Energy purchase.

The China deal ultimately fell through, but the acquisition of Branch Energy Ltd. proceeded and Carson was now in the diamond business, as Branch Energy Ltd. held significant interests in a number of diamond properties in Angola and Sierra Leone. Important organizational changes took place throughout 1996 and in October of that year, Carson Gold became DiamondWorks, complete

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with its new fully-owned subsidiary, Branch Energy Ltd. Eric Friedland became the first President and CEO. By this time, the Company had written off most of its Venezuela and Philippine projects and sold its interest in China. From this period on, DiamondWorks was exclusively a diamond explorer.[111]

Branch Energy Ltd. is registered and incorporated in the Isle of Man, where public disclosure rules make basic information difficult to obtain. DiamondWorks documents and publications contain little information on its subsidiary. The only public and accessible information on Branch Energy Ltd. is that it holds interests in a number of African diamond concessions, principally in Angola and Sierra Leone, that it was first established in 1994, and that its present Director is Bruce Walsham, who is also President and CEO of DiamondWorks. Branch Energy's contact numbers, office address and mailing address are in Johannesburg, South Africa. Branch Energy Ltd. itself owns two subsidiaries. One is Branch Minerals and the other Branch Energy (Uganda). Michael Grunberg, a Director of DiamondWorks is listed as the contact person for Branch Minerals and Branch Energy (Uganda). Company documentation stresses that these two companies are not subsidiaries of Branch Energy's parent company, DiamondWorks.[112]

Complications in Sierra Leone

DiamondWorks and Branch Energy have become the subject of much speculation and interest because of their apparent but much-denied connections with two major international security firms, Executive Outcomes and Sandline. In 1995, The Government of Sierra Leone, backed onto the Freetown peninsula by the RUF and facing certain defeat, engaged the services of Executive Outcomes (EO) to help in its defence. With 200 imported soldiers, air support, and sophisticated communications equipment, EO pushed the RUF back from Freetown within a week, and within another month had cleared the major diamond areas of Kono as well.

DiamondWorks has been criticized for its non-mining activities in Sierra Leone. The company has responded by posting a section on its web site entitled, 'Setting The Record Straight'. The company periodically issues a 'Statement & Media Advisory', meant to correct comments by researchers and the media. The efforts do not usually help, focusing more on 'what is not the case' than what is. A few examples:[113]

- At no time has Branch Energy Ltd. bought, or otherwise obtained, mining concessions in Sierra Leone, Angola, or elsewhere from Executive Outcome or any of its related companies;

- There is no relationship, corporate or otherwise, between DiamondWorks and Executive Outcomes or Sandline International. Furthermore, there is no relationship, corporate or otherwise, between Branch Energy Ltd. and Executive Outcomes or Sandline International. Executive Outcomes does not have an interest in Branch Energy Ltd.'s diamond concessions in Sierra Leone, or elsewhere;

Box 5. Crooks

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- Neither DiamondWorks nor Branch Energy Ltd. has ever contracted with Executive Outcomes;

- Tony Buckingham introduced the services of Executive Outcomes to the Governments of Angola and Sierra Leone, but neither he nor any companies he is associated with, including Branch Energy Ltd., paid for, or otherwise sponsored, the provision of these activities.

Which events are cause, and which are effect is unclear, as are various corporate links and connections. Regardless of the DiamondWorks denials, a few events and relationships are, however, verifiable:[114]

- There is a strong connection between Tony Buckingham and Eeben Barlow, who at the time operated Executive Outcomes. As Barlow expressed it, 'We are very good friends. I've known Buckingham since 1993, and we share similar interests, we share similar views on many, many things, and we get along very well. So we're very good friends.' After the Executive Outcomes operation in Sierra Leone, Barlow became a shareholder in DiamondWorks;*

During the 1990s, Roger Crooks was known as a 'kingmaker' with a large amount of economic and political influence. An American millionaire and long-time Sierra Leone resident, he was also manager of the Mammy Yoko Hotel, and part-owner along with Texan Oscar Wyatt, founder of Coastal Corporation. Wyatt had built Coastal into a $12 billion energy company, with interests in natural gas, coal, oil refineries, making international business arrangements with heads of government including Muammar Qaddafi and Saddam Hussein. When the Mammy Yoko came under deadly RUF attack in 1998, Crooks phoned Wyatt, strings were pulled, and the 22nd Marine Expeditionary Unit was dispatched from the USS *Kearsarge* to rescue trapped civilians.

There was more to Roger Crooks, however, than the hotel business. Quoting confidential police documents, the London *Sunday Times* revealed that Crooks had been involved in an attempt to sell 2,000 kgs of C4 explosives, Browning machine guns, mines and rocket launchers to contacts in Northern Ireland via Sierra Leone. Crooks also, according to the Times, owned extensive diamond and mining interests in Sierra Leone. It was Crooks who apparently leased the military helicopter used by Sandline to help Nigerian troops during the fight for Freetown.

According to Scotland Yard, 'Roger said that we would not have problem getting the arms from Sierra Leone as he had all the right contacts, in fact he even had a diplomatic passport for that country (Sierra Leone)'. Crooks was issued a Sierra Leone diplomatic passport in 1991 on the authorization of then President Joseph Momoh. The reason was to 'enable the holder (Mr. Crooks) to travel to the Islamic Republic of Iran on behalf of the Government of Sierra Leone'. The diplomatic passport was revoked in 1998, two days after the *Sunday Times* article appeared.

References: David Leppard and Marie Colvin, 'Diplomat Linked to Gunrunner', *The Sunday Times*, May 24, 1998; Christopher Palmeri, 'Deconstructing Oscar', *Forbes Magazine*, Oct. 19, 1998; Will Scully, *Once a Pilgrim*, Headline, London, 1998; Press Release, Office of the President of Sierra Leone, 26 May, 1998

* Buckingham and EO had collaborated on an earlier operation in Angola, and there would be future controversial connections between them and Sandline in Papua New Guinea in 1998. Although DiamondWorks has denied that Barlow was ever a shareholder, Barlow told the CBC program *Fifth Estate,*

- One month after Executive Outcomes took control of the diamond area of Sierra Branch Energy secured a 25 year lease on diamond concessions in Sierra Leone. At the time, Tony Buckingham was a principal of Branch Energy Ltd.;

- Michael Grunberg, then a Director of Branch Energy, Ltd. and now a Director of DiamondWorks, travelled to Canada to seek international financing to develop the Sierra Leone diamond mines. 'We started discussions with the Friedlands, and we developed a relationship, which resulted in the integration of our diamond assets in Angola and Sierra Leone into one of their companies';

- Grunberg and Buckingham joined Branch Energy Ltd. and Carson Gold together, renaming the latter 'DiamondWorks'. Both Grunberg and Buckingham were then appointed as members of DiamondWorks' Board, with Buckingham the single largest stockholder, controlling approximately one-third of the total shares;

- Lifeguard, a security company established by Executive Outcomes and staffed by Executive Outcomes soldiers, continued to provide security for DiamondWorks properties after EO pulled out of Sierra Leone;

- Executive Outcomes owned Ibis Air and used it to transport its mercenaries. Tony Buckingham at one point agreed to be CEO of Ibis Air, but later turned down the job. Ibis Air operated out of the same office as the Buckingham companies. One of Buckingham's partners, Simon Mann, served for a time as Chairman of Ibis Air and owned 50,000 shares in DiamondWorks;

- Tony Buckingham introduced Executive Outcomes to the Government of Sierra Leone, helped in negotiating the EO contract and acted as intermediary between the President of Sierra Leone and Executive Outcomes;

- Reginald Glover, a senior Sierra Leone Cabinet Minister, states that he was ordered to turn over diamond concessions to Buckingham and his company, 'I, as Minister of Mines, was never consulted. In fact, I was directed that these mercenaries – Executive Outcomes – are coming in to help the government fight the war against the rebels and, as such, the mines more or less to be mortgaged for peace.'

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aired Feb. 4, 1997, that he was.

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In November 1997 Peter Penfold, Britain's High Commissioner to Sierra Leone met in Guinea with Rupert Bowen who was the DiamondWorks country manager in Sierra Leone. Their discussion about the security of Sierra Leone took place during the AFRC interregnum, during which the democratically elected government of Tejan Kabbah was also in exile in Conakry. Bowen allegedly discussed a plan for the British security firm, Sandline International to ship arms to Sierra Leone. Bowen, an ex-British Army officer, was then seconded from DiamondWorks to Sandline for their Sierra Leone operation, with the blessing of the CEO of DiamondWorks. Walsham stated: 'I was very happy for Rupert in his capacity of having all the contacts, all the background in West Africa to undertake that at Sandline's request'.

Box 6. Rakesh Saxena and Financial Wizardry,

At the time of writing, Rakesh Saxena remained under house arrest in Vancouver, three years after being arrested by the RCMP. He awaited a Canadian decision on extradition to Thailand where he was accused of defrauding the Bangkok Bank of Commerce of C$88 million. When he was arrested, he had a suitcase stuffed with Swiss francs. At one point he was bailed out of jail, but he was re-arrested when the court found he had violated bail by attempting to obtain a false Yugoslav passport. Apart from the Thailand fraud he was involved in 18 other civil suits in Canada at the time this report was written. On July 9, 1999 two companies on the Vancouver Stock Exchange, Global Explorations Corporation and Quadrant Financial Corporation, were delisted. The reason: their connection to Rakesh Saxena, who had a controlling interest in both companies. Saxena purchased the shares while he was under-house arrest in June 1999.

Saxena got Global Explorations into the diamond business by bringing them extensive diamond concessions which he acquired through a deal with the President of Sierra Leone when the country was under siege by rebels. Saxena was representing Blackstone Capital Corporation, registered in Belize. As part of the deal, Saxena was allegedly granted by the Government of Sierra Leone, 'the right for the Grantee's (Saxena's) internal security force to bear and use arms and an agreement regarding rules of engagement for such internal security force to be made with the Solicitor-General and Inspector General of Police.' In return for these favours Saxena was to provide the Government of Sierra Leone US$10 million.

Sources: *Financial Post*, July 23, 1999, Toronto *Globe and Mail* July 17, 1999, Ottawa *Citizen*, Oct. 23, 1999; undated Memorandum of Understanding between the Government of Sierra Leone and Blackstone Capital Corporation.

Buckingham never denied his involvement in the Sandline arms deal, but the CEO of DiamondWorks stated that Buckingham was doing it as a 'private citizen' and not as a Director of the company;

Rakesh Saxena (see Box 6) appears to have been the middleman in the Sandline arms deal, handling the funds for Sandline. However, when Saxena was jailed in Canada, the flow of funds stopped. Grunberg flew to Canada and met with Saxena in jail. With no apparent hope of finding the rest of the funds, Grunberg contacted retired Canadian Brigadier General Ian Douglas in Ontario for help. Grunberg made it clear to Douglas that he was in Canada to try and get funds for a counter-coup attempt in Sierra Leone. Douglas has been quoted as saying,

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'I was flabbergasted at the time. I said, you're here to do what?' Douglas told Grunberg there was nothing he could do to get Saxena out of jail, and informed officials at the Canadian Department of Foreign Affairs about the meeting;

- Grunberg had the following to say regarding the Sandline arms deal. 'It is important that I again clarify on behalf of Sandline that the consignment of small arms, which had been ordered by President Kabbah against an End User Certificate personally signed by him, was delivered to Sierra Leone with the co-operation of ECOMOG. In fact, the Nigerian commanders of ECOMOG helped Sandline organize the necessary flight plan clearances and en-route refueling stops for the shipment. On arrival the consignment was delivered as planned to ECOMOG for safekeeping and subsequent issue. Furthermore, two official UK government inquiries (the Legg Report and the Foreign Affairs Committee Report) have confirmed that Sandline had a degree of approval from the British High Commissioner and was entitled to believe that it had the approval of Her Majesty's Government to deliver the consignment. In addition, the UN's own legal adviser issued an opinion stating that the delivery was not a breach of sanctions.'

- Bruce Walsham, CEO of DiamondWorks, shares the same office with Sandline, and two of his Board members were involved in the Sandline deal, but he insists that at no time did he know about the activity (see Box 7).

By mid-1998 DiamondWorks was in serious financial difficulty. Their difficulties intensified and reached a peak at the end of 1999. In anticipation of mining in Sierra Leone, DiamondWorks had raised Cdn. $17 million on Canadian markets. This was spent on an acquisition programme, the development of plant and earth moving fleet, and a bulk-sampling programme. Many of these expenditures were destined for its Koidu property in Sierra Leone. In May 1997, the company had just commenced bulk sampling at its Koidu property when the AFRC coup occurred. DiamondWorks was forced to shut down and evacuate the country a short time later, with heavy losses. The company estimated that in 1997, during the period of suspended operations, maintenance and security costs amounted to US $3.2 million, and in 1998 the costs were $2.5 million.[115]

During 1997 and early 1998 DiamondWorks had also commenced diamond production at their Angolan properties. In November 1998, however, the company was forced to suspend activities at its Yetwene and Luo properties because of an armed attack on the Yetwene camp. During the attack eight mining staff were killed, including the mine manager, and eight staff were abducted.

The company's 1998 Annual Report stated the financial situation:

> As at November 30, 1998 DiamondWorks had cash and cash equivalents of approximately US$0.9 million, a working capital deficiency of approximately US$11.3 million and long term debt of US $5.0 million.

Box 7. Interview with DiamondWorks'

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> The Company presently does not have sufficient financial resources to maintain current operations or to undertake all of its currently planned exploration and development programs and capital equipment purchases during the forthcoming year. In addition, the Company is dependent on obtaining new financing for the future development of its properties and for acquisition and development costs of new project opportunities. There is no assurance that such financing will be available when required by or under terms favorable to the Company'[116].

Bruce Walsham

Victor Malarek: I guess what I have a problem with, when I look back at all of the activities of Tony Buckingham, all the people he spoke to, when I look at Michael Grunberg flying to Vancouver, meeting with the main bag man, Saxena – you know these men, it's a small Board, and they don't tell you anything?

Bruce Walsham: Well, they never told DiamondWorks that in any detail at all. They said that there were moves afoot to re-establish Kabbah.

Victor Malarek: Boy, if somebody said to me, There are moves afoot to re-establish Kabbah, I'd say, What are they? What are they? Let me in.

Bruce Walsham: Well, sure, I mean, you would do that naturally. But the fact.....

Victor Malarek: Did you?

Bruce Walsham: No, I didn't

Victor Malarek: Was that a way of saying, do what you've got to do, guys, but don't tell me because we don't want to know.

Bruce Walsham: Well, to a degree. I mean, the fact is that our job was to keep production going, keep maintenance of our position. It's a commercial world.

Victor Malarek: So, it's all a coincidence. DiamondWorks and Sandline share an office, two of your Board members work with Sandline, and your Country Manager is seconded to Sandline.

Bruce Walsham: Yeah, I think it's a coincidence. It is a coincidence because we happen to have interests in Sierra Leone.

Victor Malarek: I've got to say it's a hell of a coincidence.

Source: Transcript of CBC *Fifth Estate* TV program, Nov. 3, 1998, pp. 12-13.

In addition, by the end of 1998 DiamondWorks had an accumulated deficit of US $72 million, and by September 1998, the value of their shares on the Toronto Stock Exchange fell to 72¢ a share, down from a 52 week high of Cdn.$2.15. A year later, shares were selling at 21¢ a share. Collapse, however, was averted. A restructuring of the company and new infusions of cash from South Africa, along with the departure of Tony Buckingham and other controversial figures from high-profile positions, appeared to give the company a new lease on life. By mid December 1999, however, with the stock trading at under 4¢ a share, there was a further restructuring, which included the departures of Bruce Walsham and Michael Grunberg. News reports suggested that DiamondWorks was close to the bottom of its winding stair.

Like Rex and AmCan, DiamondWorks mined very few diamonds in Sierra Leone. In addition to its financial travails, its political future at the end of 1999 was also uncertain. It cannot be lost upon Foday Sankoh that DiamondWorks was intimately involved in more than one major effort to crush the RUF rebellion.

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5.5 Conclusions: Mining the Stock Market, and Concessions for Protection5.5 Conclusions: Mining the Stock Market, and Concessions for Protection

The nationalization of SLST/De Beers by the government of Siaka Stevens was followed by the parallel slide of both the country and the diamond industry into deep corruption and anarchy. Stung by organized crime, and having played most of the Lebanese and Israeli cards, the post-Momoh NPRC military government - despite its own predations - needed new international mining assistance and expertise. The only place left to turn was to the 'juniors'. A revised and more attractive investment framework sweetened the pot, and they came.

Despite the prominence of Rex, AmCan and DiamondWorks in Sierra Leone, none have yet mined many diamonds - war being the major constraint. All, however, have successfully and extensively mined the Canadian stock market, and more than one has become engaged in business transactions that extend well beyond both diamonds and the stock market.

The juniors arrived in Sierra Leone when the formal instruments of the state had all but disappeared, notably law, order, probity and justice. They also arrived in the midst of a brutal rebel war which had at its epicentre the same thing that brought them to the country - diamonds. Lawlessness, however, was not new. The government of Sierra Leone had - from the 1950s - given up pretending that it could police the diamond areas. From the days of the SLST Diamond Protection Force, it had encouraged and even required foreign investors to make their own security arrangements. This goes a long way to explaining why junior companies in Sierra Leone appear to have such an intimate relationship with private security firms.

There is a distinction to be made, however, between the need to hire a private security firm in order to police a diamond operation (or a shopping mall for that matter), and the provision of troops and weapons in support of a faction in a civil war. It can be said that regardless of their purpose, the involvement of Executive Outcomes in Sierra Leone was in a good cause. EO successfully protected a government (albeit a military government that had taken power in a coup) against a brutal and illegitimate rebel force. EO was certainly cheered in the streets of Freetown for its efforts. It can also be said that the provision, or the attempted provision of weapons to the democratically elected government of Tejan Kabbah - a UN arms embargo notwithstanding - made sense and was in support of a good cause.

The problem is not so much the individual episodes, but the bigger picture which they help to form - of a world in which beleaguered governments find little formal international protection against internal predators, and are forced into Faustian bargains in order to survive. Despite much ingenuous intellectual disapprobation, private security firms thrive. As Guy Arnold puts it,

> The emergence into the public eye of mercenary organizations or companies - Executive Outcomes of South Africa or the British organization Sandline, for example - suggests both a new public acceptance of the role that mercenaries are expected to play and an increasingly brash certainty on the part of the mercenary community that its services are needed and that its members will continue to be lucratively employed round the world.[117]

In the absence of a governmental capacity for self-protection, and in the absence of effective mechanisms for international protection, private security firms and mercenaries - despite the

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international uproar around EO and Sandline - may well have a profitable future. Closely connected to mining interests (as in Sierra Leone, Angola, Papua New Guinea, DRC and elsewhere), the phenomenon, however, is more than just a convenient way to let the international community 'off the hook'. It begins to look like a protection racket, with the payment for assistance made in future mineral concessions: 'concessions for protection', as Arnold puts it.

It is by no means clear yet whether junior mining companies have the capacity to undertake serious mining ventures in Sierra Leone. Only time and peace will tell. On the security issue, however, a peace agreement is only one step in a long process to provide real security in the diamond areas. An important next step will the demobilization of fighters and a return to the rule of law under government authority. Before this can be achieved, however, there may be a lengthy interregnum required for UN peacekeeping forces.

While it may be legitimate to expect mining companies to provide *security* at their sites, it is not reasonable to expect them to do more. Nor should they offer to do so. In the long run, the overall security of the country, including the diamond areas, must be provided by the Government of Sierra Leone. International support in making this possible is an urgent priority.

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6. LOCAL PLAYERS

Although the scene on the ground in Sierra Leone has changed in many ways over the past decade, some aspects have not. In many parts of the country there are minor players for whom the diamond business is a matter of subsistence and survival. They are found mainly in the diamond mining areas, and particularly in the more stable Bo and Kenema Districts. Mostly they are small-time indigenous Sierra Leonean dealers (a few licensed), age-old *Maraka* (travellers from Guinea, Senegal, Gambia, Mali and some from as far as Angola), traders (many registering as ECOWAS citizens) and small-time Lebanese dealers.

The 1994 Mines and Minerals Act restricted miners' and agents' licenses to Sierra Leonean nationals, and banned non-nationals from travelling to actual mining areas (they were restricted to towns like Bo and Kenema or the capital Freetown). However, many of these non indigenes, both Lebanese and ECOWAS citizens, have acquired Sierra Leonean passports, and can therefore own mining licenses and travel freely. An additional problem for locals is that the banks, continuing a discredited colonial practice, still decline loans to indigenous players, claiming that the Lebanese, with their already significant assets, are more credit-worthy. Also, both Lebanese and many ECOWAS citizens have extensive overseas contacts, as well as established smuggling routes. (The *Marakas* or *Djullahs*, as they are called, already had extensive trading routes through many West African states even before the diamond rush.) These are advantages that smaller Sierra Leonean players do not have.

Interviews conducted by the Project Team in Bo among these three groups brought out in bold relief some of the problems and differences, but there were areas where all agreed. The most important had to do with the many bribes and 'dashes' they are required to pay to Ministry of Mineral Resources officials in order to acquire licenses. In their perception, the GGDO is corrupt, and is in any case not playing a useful role. The GGDO's main offices, once housed at the Bank of Sierra Leone, were burnt down by rebels in January 1999, and at the time of writing, this important institution was being operated in a run-down area of Freetown from an office that doubled as a private law firm.

All of this provides little incentive for legal exporting. In any case, there is currently no legal exporter in Bo, and the Freetown-based Lebanese exporter who flies in occasionally deals mostly with other Lebanese. Sierra Leonean and *Maraka* traders - who distrust the Bo-based Lebanese intensely - have to either travel with their diamonds to Freetown, or smuggle them out of the country. Given local perceptions of corruption in official channels and the need to pay bribes, the smuggling option makes sense in several ways: the economic return is higher and faster; payment in Liberia is in US dollars; and there is no paper trail. Needless to say, the risk of being caught is very low.

The war may have contributed to these problems. The war has caused a massive influx from rural areas, and Bo has grown from a pre-war population of just over 35,000 to nearly 400,000. Former diamond mining villagers living in Bo now have a better awareness about 'money affairs', as one of them, Patrick Sannoh, puts it. This means that profit margins for legitimate dealers may now be considerably lower than before, and it may be that they too will start looking elsewhere to sell their diamonds, away from the eyes of the GGDO.

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It is important to note that unlike the operations of SLST (and later the NDMC), diamond mining today is largely informal and unsystematic. There is no valuation of deposits, and although successive government acts have emphasized the need for miners to refill pits dug in the course of mining, this is rarely done. This poses serious environmental problems, so much so that some local authorities - particularly those in Pujehun District (where prospectors claim there are extremely rich deposits of diamonds) - have been reluctant to allow serious mining activities to take place in their jurisdictions. All land (which in Sierra Leone cannot be sold, only leased) is controlled by chiefs and prominent families, and these have always had a stake in mining. Prospective miners must pay 'surface rent' to them before they are granted the leases and, in the period before the breakdown of law and order, they had to pay compensation to the landowners for crops they destroyed or for desecrating sacred places in the course of their mining.

At this level, mining is still based on a 'tributor/supporter' system rather than wage labour.[118] The miners, known as tributors, are recruited by a license holder who provides them with food and equips them with the simple tools needed for alluvial mining (picks, shovels, hand-made sieves and in some cases small drainage machines). In return, miners sell their finds to the license holder at prices that are vastly lower than what pertains on the 'open market'. Most miners, in fact, are also farmers or artisans; they simply change functions according to the season. Although their work is very important - indeed it is central to the rural economy and to the dynamics of the smuggling regime - successive governments have tended to neglect or take them for granted. A recent attempt to 'secure and monitor the legitimate exploitation of Sierra Leone's gold and diamonds' - the Commission for Management of Strategic Resources, National Reconstruction and Development' which resulted from the July 1999 Lomé accord - says nothing about the miners or, for that matter, the local authorities. Both are crucial factors to the success of any legitimate exploitation effort - for the reasons stated above, and for another reason which is a peculiar product of the war: the Kamajors.

Many Kamajors - a civil defense militia based on traditional hunting societies - are also miners. In Project Team interviews in Bo with a number of them, it was revealed that many had joined the civil defense group (like the diamond mining industry, an almost exclusively male affair) as a kind of survivalist strategy in order to gain 'corporate' security, as they continue their mining activities. The greatest danger has been the depredations of RUF rebels, who made diamond mining areas their chief target. According to Deputy Defense Minister Hinga Norman, who is also the Grand Patron of the Kamajors, over 80 per cent of the young men in Bo district have been 'initiated' into the movement. Not surprisingly, the Kamajors have made 'regulating' the mining regime in their areas a priority security issue. Informants in Bo told the Project Team that the Kamajors have been issuing mining 'permits' of their own, regardless of government licenses, and that non-natives of the district are discriminated against in the process.[119] The Kamajors (a largely Mende group) believe that the war is the work of northerners (Temnes and Limbas) who aim to destroy the resource-rich Mende-dominated southern and eastern parts of Sierra Leone. They point to the fact that both the leader of the RUF (Foday Sankoh, a Temne) and the AFRC (Johnny Paul Koroma, a Limba) are from the north. Some northerners claimed in interviews that they have been routinely harassed, and that there are areas where they virtually cannot mine. The Kamajors in turn deny this, and claim that where there have been cases of harassment, they were merely trying to control the movement of 'unknown persons' who may well be rebels. Most were emphatic that a Foday Sankoh-controlled

Commission would not be allowed to administer the diamond mining areas in the south without a fight.

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7. OTHER ISSUES

7.1 Diamond Identification

There has been a long-standing problem in identifying cut or rough diamonds by their geographic origin. If diamonds could be reliably identified by source, this could become an effective tool in curbing the excesses of the illicit trade. For example, there is absolutely no doubt - as documented elsewhere in this report - that Liberia has become an entrepot for millions of carats of diamonds smuggled from a variety of countries - Sierra Leone, Angola, Russia and elsewhere. A reliable diamond identification technology would demonstrate not only that the bulk of Liberia's exports are not of Liberian origin, it could identify the real source, information of great interest to law enforcement agencies.

The issue of source identification is not new. Van der Laan reports a 1952 incident: a Gambian in transit from Sierra Leone to Beirut was arrested at Banjul (then Bathurst) airport for the unlawful possession of 1,319 diamonds. The diamonds were confiscated in favour of the Sierra Leone Government, based on an analysis by J. Pollett, a geologist who informed the judge that, 'the stones were all characteristic of diamonds mined in Sierra Leone'.[120]

Using the 'characteristics' technique, it is generally accepted that polished diamonds cannot be identified by source, so the identification issue applies only to rough stones. Once they are mixed, however, even this form of identification becomes difficult.

In January 1999 De Beers wrote to the United Nations Angola Sanctions Committee saying: 'It is difficult to be confident of the origin of a diamond once it has left the place where it has been extracted. When a rough diamond has been polished, then the difficulty of identification becomes an impossibility.' De Beers advice to the United Nations was that the international smuggling should be regulated by limiting the trade to recognized firms and by tightening border controls around Angola.[121] De Beers has also produced a document on the 'sources of rough diamond production and their individual characteristics' which states that:

- experts from De Beers and elsewhere can be reasonably sure of the origin of diamonds from a primary source or a broad alluvial area if they see a parcel of original 'run-of-mine' goods or a decent sized parcel (say several hundred carats) of specific types of rough gem diamonds;

- in the case of alluvial diamonds, the situation is complicated by the fact that some diamondiferous rivers cross national borders. For example, diamonds that have their origins in Angola have been transported by ancient alluvial flood plains or river courses into what is now the Democratic Republic of Congo, so the same types of diamonds can be found on both sides of the border;

- there are cases where an expert could be reasonably sure of the geographical origins of quite small parcels of diamonds, even individual diamonds, for example with some kinds of Russian crystals, some of the characteristic Australian goods, or the 'frosted' gems from Angola/Congo; however, in general it will be much more difficult to tell the origin of rough

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gem diamonds when they are not run-of-mine, when there are only individual stones or small parcels available, or when diamonds from different sources have been mixed together;

- it is generally accepted that a single rough diamond cannot be identified with certainty, as having come from a particular source, certainly not to the level of evidence required for a court of law. There are occasional exceptions, i.e. some large and famous polished and rough stones with a known history.

- when a rough diamond has been polished, identification becomes impossible. During the polishing process, diamonds lose the natural features by which they could be identified.[122]

A recent technological breakthrough, however, may provide a partial solution to the diamond identification problem. The Royal Canadian Mounted Police (RCMP) are actively pursuing the development of diamond 'fingerprinting' at their Central Forensic Laboratory in Ottawa. The RCMP believes that its technology is ideally suited to rough diamonds, but that the potential also exists for the identification and fingerprinting of polished diamonds.

Diamonds are typically thought of as pure carbon. However, even the best quality diamonds will have trace amounts of over 50 different impurities. Research indicates that by using diamond fingerprinting technology to compare the relative amounts of these impurities, the origin of diamonds can be determined. Laser ablation inductively coupled plasma mass spectrometry (LAICPMS) is used to analyze the trace impurity elements. The laser vaporizes a very small amount of material from the surface of the stone, leaving little or no visible damage. The mass spectrometer is then used to identify the impurity elements. Relative quantities of each element are determined and then compared to standards held in a data base.[123]

According to the RCMP, the technology is developed and workable. However, in order for the fingerprinting process to be practically applied, a reliable data base must be created. This means that diamond samples from different mines and different countries must be 'fingerprinted'. Once that is accomplished, any rough diamonds on the market could be tested and matched against specific mine and country characteristics existing in the data base.

The RCMP stresses that it has yet to clearly identify the limitations and capabilities of the system through actual use.[124] Certainly the development of fingerprinting technology is one thing; the acceptance and universal application of the methodology is another. The potential difficulties in applying the technology are reduced, however, by the fact that the bulk of the rough diamond trade is centralized in only two organizations and two locations, the HRD in Antwerp, and the De Beers' CSO in London.

7.2 Certificates of Origin

UN Security Council Resolution 1173 (1998) of June 12, 1998 states that 'all States shall take the necessary measures...to prohibit the direct or indirect import from Angola to their territory of all diamonds that are not controlled through the Certificate of Origin regime of the [Government of Angola]. More recently, US Congressman Tony Hall introduced a bill to provide for the disclosure of source of gem-quality diamonds and gem-quality diamond products imported into, and sold in the

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United States. If the bill is passed, it will require such diamonds and diamond products 'to be accompanied by a certificate stating the English name... of the country in which the diamonds were mined.'[125] Violations would attract a fine of up to US$5000, and attempts to defraud would be subject to more serious penalties.

The UN Security Council focuses on the supply side, while Congressman Hall focuses on the demand side, observing that Americans buy 65 per cent of the gem-quality diamonds sold worldwide, 'making us a force the market must reckon with. Insisting that our consumers are informed of the original source of diamonds sold to them will send a wake-up call to the diamond industry. It will encourage countries and businesses in Africa to use their influence to end the wars that wreak so much havoc on that continent before those wars give diamonds a bad name.'[126]

These initiatives are highly commendable, and are supported by the authors of this report. They are not without problems, however. Legally mined and exported diamonds from one country are mixed with those of others almost immediately upon arrival at the CSO or in Antwerp. With the best will and the best regulatory system in the world, tagging and tracking each gem-quality diamond - of which there are dozens, if not hundreds of millions each year - would be a task of enormous proportions. Tracking *illegally* mined diamonds that are mixed in countries such as Liberia would be a more daunting task still. Liberia could well provide official certificates of domestic origin which, under current circumstances, would be absolutely worthless. This report has demonstrated that the manipulation of statistics on countries of origin is rampant throughout the industry, extending the problem far beyond problem countries like Liberia.

This report takes a more pointed short-term approach to the issue of origin, recommending that the large volumes of diamonds said to originate in countries that have small or non-existent industries should be banned outright on world markets. We make this recommendation with special reference to Liberia and Ivory Coast, but it could be extended to the non-diamondiferous countries bordering Angola that have also done well from diamond exports. Over the longer term, the concept could be elaborated further, limiting exports from any country to an approximation of its annual mining potential, a figure that could be derived from new geological surveys. Ultimately, in order to be useful, certificates of origin would have to be approved by an international verification body with full access to information about a country's mineral resources, its mining capacity and the probity of its diamond industry as a whole.

8. RECOMMENDATIONS

The places you can sell uncut diamonds are pretty limited. It should not be beyond our wit to devise an international regime in cooperation with the diamond trade that cuts off the flow of diamonds from those who use them to buy arms and fuel conflicts.
- Robin Cook, British Foreign Minister

In writing this report, The Project Team understood that any recommendations for solutions to Sierra Leone's terrible and complex problems had to be pragmatic enough for them to have at least a reasonable chance of success. In other words, they should be realistic. Some of what follows is optimistic, but where Sierra Leone diamonds are concerned, business as usual is *not* realistic.

No single recommendation on its own will solve the problems of Sierra Leone's diamond industry, and most of the recommendations that follow are part of a comprehensive set of changes that need to be addressed together. In fact taken together, the recommendations have major policy implications not only for governments and international organizations, but for civil society organizations in Sierra Leone and abroad, for private sector firms and for individual consumers.

In addition to national and international dimensions, there are important regional dimensions to the diamond trade and the conflict in Sierra Leone. There will be no lasting results to peacekeeping, peace-building and reconstruction unless all three dimensions are addressed.

The recommendations fall under seven broad headings. The first and second sets have to do with the environment in Sierra Leone. The third and fourth sets deal with De Beers and with the diamond environment in Belgium. The fifth set has to do with neighboring states, particularly Liberia. One recommendation deals with the concept of a consumer campaign - possibly a necessary precursor to change elsewhere.

The general thrust of the recommendations aims at improved human and economic security, a sustainable peace, and at changing the economics of the diamond trade. If smuggling can be made more difficult, and if legal mining, investing and trading can be made more attractive, the potential for change can be turned into reality.

1 Framework for the Recommendations

1.1_ A Permanent Independent International Diamond Standards Commission should be created under United Nations auspices in order to establish and monitor codes of conduct on governmental and corporate responsibility in the global diamond industry. It should draw members from intergovernmental institutions such as the Commonwealth and the OAU, from the diamond industry, from international law enforcement agencies and from international civil society organizations

1.2_ In addition to the diamond-specific recommendations in this report, the development of sustainable peace in Sierra Leone will require major investment by the government of Sierra Leone and by donors in long-term basic human development and the creation of democratic institutions. Diamond-specific initiatives must be integrated into wider programmes aimed at

building fundamental human security and democracy, involving parliamentarians, journalists, teachers and a broad cross-section of civil society.

2 Recommendations for Action in Sierra Leone

2.1 Establishment of the rule of law and human security throughout the country is of primary and urgent importance for a return to peace, and for appropriate exploitation of the country's mineral resources. In the short- and medium-term, donor agencies, friendly governments, the UN Peacekeeping Force and ECOMOG must facilitate the disarmament and demobilization of extra-governmental forces. Force must be used in a timely fashion to halt a resurgence of conflict.

2.2 Special long-term UN security forces must be deployed in all major diamond areas.

2.3 Attention should also be given by the UN Peacekeeping force to blocking or destabilizing major smuggling routes from Sierra Leone into neighbouring countries.

2.4 Donors should actively support current British government efforts to rebuild Sierra Leone's army and police force. A professional diamond unit should be created with the ability to anticipate and counteract criminal activities. This reform should place human rights law and international humanitarian law at the centre of its efforts to create a credible non-partisan army.

2.5 The Government of Sierra Leone must ensure full transparency, high standards and rigorous probity in the implementation of its diamond purchasing, valuation and oversight activities. Corruption and conflicts of interest must be dealt with quickly and decisively. There is an important role to be played in this effort by Sierra Leonean civil society. Assistance in reviewing current systems and developing an enforceable code of conduct should be sought from appropriate donor agencies.

2.6 Systems must be developed in Sierra Leone for the payment of fair prices to legitimate small miners. The banking system must be able to provide adequate and timely funding to finance such purchases. Schemes which actively promote participation in small-scale artisanal mining by Sierra Leoneans, and which actively discourage the participation of non-citizens should be given top priority.

2.7 Effective and honest monitoring and inspection systems must be established throughout the mining and trading system. External assistance should be sought in developing these. Competent UN inspectors should be posted at different points in the system.

2.8 In creating incentives for foreign investment in larger-scale mining operations, the Government of Sierra Leone should raise its standards for investors, insisting on a minimum per annum exploration budget and/or minimum levels of market capitalization and/or assets.

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Full corporate transparency must also be provided. Assistance in developing such standards should be sought from international securities commissions.

2.9 While it is reasonable to expect mining firms to provide security within their immediate areas of operation, under no circumstances should they be provided with concessions in return for larger security or military operations, or in return for the supply of weapons.

3 De Beers

De Beers is part of the problem. In its efforts to control as much of the international diamond market as possible, it is no doubt purchasing diamonds from a wide variety of dubious sources, either wittingly or unwittingly. The breadth of its control, however, is also its major strength, and is part of the solution to the problem. If De Beers were to take a greater interest in countries like Sierra Leone, and if it were to stop purchasing large amounts of diamonds from countries with a negligible production base, much could be done to end the current high levels of theft and smuggling.

3.1 As a matter or urgency, more rigorous oversight on the issue of origin must be instituted by the CSO.

3.2 Strong efforts should be made by the Government of Sierra Leone, international bodies such as the United Nations and the World Bank, and concerned governments, to persuade De Beers to return to Sierra Leone. At a minimum, De Beers should be persuaded to open a purchasing office in Freetown and should be given every incentive to do so.

3.3 Strong efforts should be made by the same international community to persuade De Beers to halt the purchase of all diamonds originating in Liberia and Ivory Coast until clear international guidelines have been developed for proving that any diamonds sold in these countries are genuinely of local origin. De Beers and all other foreign firms should be encouraged to close their purchasing offices in these two countries.

4 Belgium

The structure of the Belgian diamond industry may have served useful purposes when the industry was smaller. Today, however, it looks irresponsible, secretive and seriously under-regulated. It has a demonstrated attraction for new forms of organized crime, and is complicit in fueling African wars. The following recommendations are made to the Diamond High Council and the Government of Belgium, but they are also made to the European Union, and to other governments and institutions in Europe and Belgium with the potential to influence the outcome of events.

4.1 The Government of Belgium must take full and direct responsibility for oversight of the Belgian diamond industry. This includes taking direct responsibility for customs, valuation and statistical procedures.

4.2 The conflict of interest posed by the government's current customs-related arrangements with the HRD should be terminated.

4.3 A high-level commission of enquiry should be instituted into the Belgian diamond industry as a whole, with particular reference to its lack of transparency and questionable paper work, and its possible infiltration by organized criminal elements. Such an enquiry, while of primary interest to Belgian authorities, has implications that extend far beyond Belgium. The Belgian Government should invite representatives of international bodies and/or other governments to participate in the enquiry.

4.4 The HRD and/or the Government of Belgium should immediately prohibit the processing of all diamonds that are said to be of Liberian and Ivory Coast origin.

4.5 As a matter or urgency, more rigorous oversight on the issue of origin must be instituted by the HRD and the Government of Belgium.

4.6 The Government of Belgium and the HRD should, as a matter of urgency, investigate the diamond 'fingerprinting' technology being developed by the Royal Canadian Mounted Police. The sooner this technology is in widespread use, the easier questions of identification will become.

Note: There is concern in Belgium that tougher controls would drive the diamond industry away to countries such as Israel, where oversight may be equally lax. This is not a good enough reason to ignore the Belgian problem, but it *is* a reason for rigorous international investigation of other diamond trading centres (see Recommendation 8).

5 Liberia and Ivory Coast

Liberia has become a major criminal entrepot for diamonds, guns, money laundering, terror and other forms of organized crime. The astoundingly high levels of its diamond exports bear no relationship to its own limited resource base. By accepting Liberian exports as legitimate, the international diamond industry actively colludes in crimes committed or permitted by the Liberian government.

5.1 The United Nations Security Council should place a full embargo on the purchase of any diamonds originating in, or said to originate in Liberia until a full and objective international review can be carried out of the country's legitimate resource base, and until exports fall into line with that resource base.

5.2 The United Nations Security Council should place a full embargo on the purchase of any diamonds said to originate in Ivory Coast until a full review can be carried out of the country's legitimate resource base, and until exports fall into line with that resource base. Consideration should be given to imposing the same restrictions on Guinean diamonds.

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6 Canada

As 'home' to a high proportion of the world's junior mining companies, Canada has a particular responsibility to ensure good corporate citizenship abroad. New standards and codes of conduct have been implemented by some companies and provincial securities commissions in recent years, but these are directed largely at matters of financial transparency, professional competence and issues dealing with capitalization. Some deal with environmental issues. They do not, however, deal with issues of corporate behavior in war zones or with issues such as contravention of the International Convention Against the Recruitment, Use, Financing and Training of Mercenaries.[127]

6.1 All Canadian securities commissions should initiate discussion among their members about issues relating to corporate conduct in war zones, with special reference to direct or arm's length trade in weapons and materiel, involvement with individuals and companies recruited abroad to engage in hostilities in a third country, or the arrangement of mining concessions in return for protection of any sort. Guidelines dealing with such issues should be created or added to existing codes.[128]

6.2 The Royal Canadian Mounted Police should be encouraged and supported in its development of diamond 'fingerprinting'. Efforts should be made to develop systems for adopting the technology as a matter of course in diamond producing countries and in major trading centres around the world, including the CSO and Antwerp.

7 A Consumer Campaign

Like diamonds, the Atlantic slave trade essentially served non-African markets. And like the diamond trade, the impact of slavery was devastating for many West African countries: it spawned predatory bandit groups acting like the RUF, UNITA and the NPFL, and mercenary regimes based entirely on violence and slave raiding. These regimes and bandit groups were sustained and motivated by the slave trade - by the arms and other resources they received for selling captive human beings to Europeans. With the end of the Atlantic slave trade, however, they collapsed or were swept aside in short order. The abolition of the slave trade was significantly influenced by a consumer campaign in Britain, aimed at the products of slave labour - mainly sugar from the Caribbean. The political and commercial damage to the slave trade of such campaigns was as much responsible for abolition as the humanitarian imperative.

At the bottom of the UNDP Human Development Index and wracked by almost a decade of war, Sierra Leone could not possibly be in worse condition today than if it never had any diamonds. Diamonds have, in fact, been a curse, not a blessing. This does not have to be the case, but concerted action on all the recommendations above will be necessary just to *start* making a difference. The recommendations will not be easy to implement, nor will they be cost-free. The easiest thing for the major actors - De Beers, the HRD, the Governments of Belgium and Sierra Leone, the UN Security Council - will be to do as little as possible.

One way of drawing greater attention to the urgency of the matter and of gaining broader support for change, would be a consumer campaign, One has already been started in Europe* and it would not be difficult to expand it. Imagine:

- Diamonds are *not* a girl's best friend - witness the brutalized little girl (pictured on the cover of this report) with no hands;
- 'The millennium gift she'll never forget' - ditto;
- For some people, diamonds are more 'forever' than for others - witness 75,000 violent deaths in Sierra Leone;
- Diamonds are a guerilla's best friend - witness Sierra Leone's coups, rampaging criminals, etc etc

Sixty million individual pieces of diamond jewelry are sold every year, indicating a sizeable target audience.

The Project Team understands that an effective consumer campaign could inflict damage on an industry which is important to developing economies and to poor people working in the diamond industries of other countries such as Namibia, South Africa, India and Botswana. Those considering the possibility of initiating or joining a campaign, therefore, would have to consider how many lives in countries like Sierra Leone, Angola and the Congo these jobs are worth. Speaking in November 1999, Nicky Oppenheimer said,

> Damage to the diamond market will not on its own deprive the warlords of their treasuries, but it will kill prosperity and encourage poverty in other well regulated African countries and in the cutting centres of India and around the world... Indeed, damage the market and you undermine orderly mining regimes and ensure instead that there will be more Angolas, more Congos, more Sierra Leones. It could ensure that there will be no more Botswanas, South Africas or Namibias.[129]

Diamond analyst Martin Rapaport, while critical of the UN, Global Witness and what he sees as hypocritical politicians and bureaucrats, fears a consumer campaign, but understands that it could hurt. 'The bottom line,' he says, 'is that the diamond industry does not need or want conflict with government or NGOs. It is in our economic interest to cooperate and find reasonable and responsible ways to deal with war diamonds.' He says that 'from a humanitarian and moral perspective, our industry must do everything it reasonably can to ensure that diamond money is not used to fuel conflict... As an industry we must take responsibility for our actions and develop trade-wide practices that we believe are correct and moral.'[130] Nelson Mandela has said the same thing: 'We would be concerned that an international campaign... does not damage this vital industry. Rather than boycotts

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* By the NGO, Global Witness - URL: www.oneworld.org/globalwitness

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being instituted, it is preferable that through our own initiatives the industry takes a progressive stance on human rights issues.'[131]

The word 'boycott' is increasingly being used within the diamond industry. This report does not use the word. The point of a *campaign* would be to create greater interest among the public, public institutions and within the diamond industry in doing exactly what Mr. Mandela suggests. In fact an informal campaign appears to be well under way, and this report takes its place as part of it. Where people's lives are concerned - as they are in Sierra Leone - time is of the essence. In the absence of clear and meaningful movement, the point of a campaign would be to help the industry 'take responsibility for its actions' - not damaging it, but improving it.

8 Further Study

This report has not dealt with the problems of Angolan or Congolese diamonds and their relationship to other countries in the region. Angola's problems - which are similar to those of Sierra Leone - were under consideration by a United Nations panel of experts when this report was being finalized. Recommendations emerging from that panel will no doubt need to be considered in relation to what has been recommended here.

This report has also not addressed the diamond trade in other parts of the world, most notably in Russia, Ukraine, New York, Israel and India. Further solutions to some of the problems identified here might follow additional research into these and other trading, cutting and polishing centres.

ANNEX 1

A NOTE ON CANADIAN JUNIOR MINING COMPANIES[32]

It is not a coincidence that so many junior mining companies incorporate themselves in Canada and are listed on Canadian stock exchanges. A combination of Canadian tax provisions, the operation of the Canadian stock exchanges and Canada's own resource history has made Canada the premier country for mining company venture capital.

Part of this is explained by history. With an abundance and variety of mineral resources, much of Canada's development has been based on extractive industries. Consequently, Canada has high levels of expertise in mining, a large number of exceptional mining geologists, and an abundance of skilled penny stock promoters, sometimes called 'the bottom feeders of the mining business.'[133] The country also has a population with a penchant for penny stocks. Mining is a risky business and the probability of striking it rich is slim. Only one in 10,000 exploration companies will find and bring a mine into production. Because of the high risk, and the low level of capitalization by most mining companies, Canadian Stock Exchanges have traditionally been easier to access because of less restrictive disclosure requirements and lower capitalization requirements than exchanges in many other countries. The Vancouver and Calgary exchanges (merged in November1999 as part of a new Canadian Venture Exchange) were long known as mining exchanges, and sometimes as 'wildcat' exchanges.

This helps to explain why so many non-Canadian junior mining firms are 'officially' located in Canada, with listings on Canadian exchanges. During 1996, the amount raised to finance the domestic and foreign projects of Canadian mining companies - C $7 billion (almost US$5 billion) - was an all-time record. Of this, C $5.5 billion was in the form of equity and C $1.3 billion was in the form of debt. The amount of equity financing for mining during 1996 accounted for about one quarter of all Canadian-dollar equity issues raised in Canada. In the case of debt, however, mining accounted for less than five per cent. In 1996, more Canadian-dollar and foreign-currency equity financing was raised for the mining industry than for any other industry. In fact, the Canadian financial services sector appears to have raised more equity capital for the mineral industry than was raised in Australia, the United States and South Africa combined.[134]

In 1996, more than 39 billion shares of all types of companies were traded on Canadian exchanges, with a value of C$369 billion. At the end of 1996, there were about 1400 mining companies listed on Canadian stock exchanges. More than 800 companies were listed on the Vancouver Stock Exchange (VSE), about 300 on the Toronto Stock Exchange and the remainder were listed on the Alberta Stock Exchange (ASE) and the Montreal Exchange (ME). Mining companies accounted for more than half of the companies listed on the VSE. In addition to the four stock exchanges, Canada also had a negotiated dealer market, the Canadian Dealing Network, that provided a market for the shares of unlisted mining companies. There were more than 150 mining companies trading on the Canadian Dealing Network (also merged mainly with the Canadian Venture Exchange in November and December, 1999).[135]

Another characteristic of Canadian markets over the past decade has been the increasing number of foreign-based mining companies listed on Canadian exchanges. During 1996 at least eight mining companies with headquarters located outside of Canada were listed on the TSE alone. The increase in foreign listings is attributable, in part, to the large pool of capital available in Canada, to the liquidity made available to investors by Canadian stock exchanges, and to the visibility given to mining companies by Canadian mining analysts.

Over the years, there have been various Canadian mining scandals. In virtually all of Canada's mining scams, the final 'blame' has been laid on stock promoters and the 'flexibility' of the stock exchanges. The Bre-X scandal was perhaps the worst: a phoney gold mine in Indonesia was capitalized to the tune of C$6 billion before its sudden and well-deserved crash in 1997. The fallout from Bre-X was significant. The remarkable bull market that propelled penny stocks into the big leagues ended. In 1997, 30 per cent of Canada's biggest stock market losers were junior mining companies. The TSE's gold and precious metals subindex, which lists the sector's 'best' performers, dropped almost 40 per cent in the same year, the worst showing among all fourteen of the TSE's subgroups. By contrast, the TSE's financial services subindex, which includes the nation's largest major banks and brokerages, was up nearly 52 per cent.[136] For the juniors, the 'market dried up.'[137]

In addition to the past attractiveness of Canadian exchanges, there are a number of tax regulations that facilitate Canadian investment abroad, some of which apply specifically to the mining industry:

- Canadian tax law allows the deductibility of interest incurred by borrowing, whether in Canada or offshore, for investment in foreign subsidiaries, while intercorporate dividends are exempt from Canadian income tax.;

- Profits generated by subsidiaries operating in a country with which Canada has a tax treaty can be repatriated free of Canadian income tax;

- Canadian companies that invest directly in foreign mining projects and incur exploration and development expenses can deduct, under certain conditions, deduct up to 100 per cent of these expenses.

- Canadian tax regulations allow the pooling of exploration and development expenses, rather than requiring property-by-property or country-by country accounting. As a result, proceeds from the sale of foreign resource properties can be sheltered against Canadian tax by the total amount of unclaimed foreign exploration and development expenses.

A positive outcome of Bre-X scandal was a tightening up of Canadian exchanges, with changes that could make life more difficult for unethical junior mining companies. The merger of the Calgary and Vancouver exchanges brings the industry under tighter scrutiny than before. The TSE is drafting new regulations which are part of the restructuring. Proposed changes include the following:

- Resource companies trading on the TSE will be expected to boost minimum exploration or development budgets by $100,000, to $350,000, and record sales of at least $3 million, up from $1 million;

- Companies will be bound by stricter disclosure requirements, as recommended in 1999 by a Mining Standards Task Force;

- Companies also must now have a minimum market capitalization of $3 million, with publicly floated shares valued at at least $2 million. They must also be in control of assets worth a minimum of $3 million, up from $2 million, and have revenues of at least $3 million, up from $1 million;

Companies that do not conform to the new requirements will be given 120 days to do so, and the market will be given 30 days notice of pending suspensions.[138]

ANNEX 2

DIAMOND PROPERTIES HELD IN SIERRA LEONE BY INTERNATIONAL MINING COMPANIES

(Mid 1999)

AMCAN MINERALS LIMITED

River Lots: The company has 12 river lots on the Sewa River (alluvial).

Old River Terraces: AmCan has three 144-acre lots in this main alluvial diamond fairway. The lots are numbered 106, 107 and 108 and are immediately southwest of the Koidu Kimberlite project.

Hard Rock Kimberlite Dykes: AmCan holds an exploration license (No. Expl. 4 1998) for blocks 51 and 51A, along with kimberlite pipe No. 3 and all surrounding dykes. Blocks 51 and 51A are immediately northeast and contiguous with the Koidu Kimberlite Project, which is controlled by DiamondWorks. The total land area covers an area of approximately 20.7 square kilometres and is in Kono District. The surrounding dykes cover a distance of 27 miles in length, the widest of which is eight metres. The license was granted by the Ministry of Mineral Resources of Sierra Leone in 1996.

AmCan, through its subsidiary Sierra Gold Limited also holds a 90 per cent interest in a 30 sq. mile gold property on the Pampana River in the Tonkalili District of central Sierra Leone. The property is situated in the middle of the Sula Mountain Archean Greenstone Belt. In 1998, the exploration license for the property was renewed by the Government of Sierra Leone for a period of three years.

REX DIAMOND MINING CORPORATION

REX DIAMOND MINING CORPORATION

The Ministry of Mineral Resources of Sierra Leone reconfirmed title of Rex's diamond concessions on August 18, 1999. Rex titles are in Tongo Field and Zimmi Fields.

Tongo Field: The Tongo Field property comprises approximately 65 square kilometers, located in Kenema District and was originally granted to REX by the Government of Sierra Leone on 15 March 1994. The mining rights are held by Rex NV pursuant to lease ML 10/94, and expires on February 28, 2019. The Rex property has been previously mined for alluvial diamonds. Four Kimberlite dyke zones have been discovered on the property.

Zimmi: The Zimmi Property consists of approximately 54 square kilometers located in Pujehun District. The property is held pursuant to lease ML 9/94, which expires February 28, 2019. The Zimmi property is an alluvial diamond property, which was developed for mining during the mid-1980s. The property was abandoned before commencement of full-scale mining because of civil unrest. Company geological reports based upon sampling programs carried out on the property indicate that the property contains deposits of large stones of high quality. Rex believes that the

Zimmi property has the potential to produce alluvial diamonds at surface and that high-grade paleo channels and other geophysical features indicate the possibility of kimberlite.

DIAMONDWORKS LTD.

Koidu Property: DiamondWorks has a 25-year renewable mining lease which grants the company the exclusive right to carry out exploration and mining activities in respect of diamonds, gold and associated minerals in an area of approximately four square kilometres in the Kono District know as the Koidu Property.

Area 7 Property: DiamondWorks has a 3-year prospecting license that covers an area of approximately 93 hectares in the Kono District known as Area 7.

Matemu Property: DiamondWorks has a 3-year prospecting license for kimberlite diamonds covering an area of approximately 68 square kilometres in southeastern Sierra Leone. DiamondWorks is required by the Government of Sierra Leone to spend US$ 340,000 on exploration on the property during the first two years of the license.

Sources: Company Annual Reports and submissions to the Ontario Securities Commissions (www.sedar.com)

ANNEX 3

LIST OF INDIVIDUALS INTERVIEWED

SIERRA LEONE

Government

- Desmond Luke, Chief Justice
- Dr. Sama Banya, Sierra Leone Minister of Foreign Affairs and International Cooperation (interviewed in Canada)
- Mohamed Swaray Deen, Minister of Mineral Resources
- Julius Spencer, Minister of Information, Broadcasting and Culture
- Hinga Norman, Deputy Minister of Defence
- David Quee, Chairman, Government Gold and Diamond Office (GGDO)
- Osman Kamara, Deputy Mineral Resources Director
- A. Yumkella, Deputy Minister of Mines
- Femi Kamara, Mines Engineer
- Andrew Keilli, Senior Mines Engineer
- Arnold Mason, Geologist, Mineral Resources Ministry
- Lamin Massaquoi, Senior Geologist, Mineral Resources Ministry

Other

- Alfred Akibo-Betts, businessman, former Minister of Fisheries and former Mayor of Freetown
- Amadu Amara, Chief Clerk, Kamajor 19th battalion, Bo
- Simon Arthy, Regional Coordinator for the EC Resettlement Program (ECSLP), Bo
- Mohammed Hassan Barrie, President, United Mineworkers Union
- Steven Crossman, Deputy High Commissioner for Great Britain
- Pios Foray, editor, *Democrat*
- Francis Fortune, Conciliation Resources, Bo
- Martin Kallon, senior Kamajor intelligence officer, Bo
- John Kanagbo, diamond dealer, Bo
- Francis Kpullum, diamond dealer, Bo
- Kingsley Lington, editor, *Concord Times*
- Rodney Michaels, diamond dealer, Bo
- Phillip Neville, editor, *Standard Times*
- Patrick Sannoh, ex-miner, Bo

And many other persons, mainly illicit miners and dealers who asked not to be named.

CANADA
CANADA
Government
Government

- David Angel, First Secretary, Political Affairs, Permanent Mission of Canada to the UN
- D.J. Ballantyne, Central Forensic Laboratory, Royal Canadian Mounted Police, Ottawa
- Sgt. Ray Halwas, NCO in Charge, "G" Division Diamond Project, Yellowknife, NT
- T.S.E. Jones, Eastern and Southern Africa Division (GAA), Department of Foreign Affairs and International Trade
- Gerry Olson, Office of the Privy Council, Ottawa
- Douglas Paget, Chief of Special Projects, Mineral Resources/Natural Resources and Environment Department of Indian Affairs and Northern Development

Private Sector
Private Sector

- J.S. Austin, President and CEO, Aston Mining of Canada Inc., Vancouver B.C.
- Terry Buckham, Diamond High Council (HRD), Toronto, Ontario
- George F.H. Burne, President & CEO, De Beers Canada Corporation, Vancouver
- Tom Beardmore-Gray, Senior Vice-President, De Beers Canada Corporation, Vancouver
- Alan McCaffrey, Vice-President for Public Relations, AMCAN Minerals, Ltd., Toronto
- Peter Meredith, Chief Financial Officer, DiamondWorks Ltd., Vancouver
- E.J. Oosterhuis, Investor Relations, CEF, Toronto
- Adolf Petancic, Investor Relations, Dentonia Resources Ltd., Vancouver, B.C.
- Bill Trenaman, Vice-President, DiamondWorks, Ltd., Vancouver, B.C.

Other
Other

- John Leigh, High Commissioner of Sierra Leone to Canada and Ambassador to the United States
- Prof. Bonnie Campbell, Université du Québec à Montréal
- Gen. Ian Douglas (Ret.), Independent Consultant, Kanata, Ontario
- Howard Goldenpaul, Producer, CBC *Fifth Estate* television program, Toronto
- Joan Kuyek, National Coordinator, MiningWatch Canada, Ottawa
- Professor A.A. Levinson, Department of Geology and Geophysics, University of Calgary

UNITED KINGDOM
UNITED KINGDOM

- T.W.H. Capon, Executive Director of Central Selling Organization and Member Board of Directors, De Beers
- Kaspar Fithen, Oxford Analytica, Oxford
- Charmian Gooch, Director, Global Witness, London

- David Lord, Conciliation Resources, London
- Alex Yearsley, Global Witness, London

BELGIUM

BELGIUM

- Frieda Coosemans, Head of Diamonds Department, Ministry of Economic Affairs, Government of Belgium

A number of interviews took place with individuals who preferred to remain anonymous. They included officials in:

- The Ministry of Justice
- The Senate Commission on Organized Crime
- The Belgian Administration for Development Aid

Others

- Belgian Investigative Journalists
- Diamond Dealers and Traders
- Diamond Couriers and Smugglers
- Officials of the Diamond High Council (HRD) (Diamond Office and the Gemological Institute

UNITED STATES

UNITED STATES

- E.J. Hogendoorn, Human Rights Watch, Washington, D.C.
- Professor Herb Howe, Georgetown University, Washington, DC
- Danny Kennedy, Project Underground, California
- Prof. William Reno, Northwestern University, Michigan
- Jim Rupert, *Washington Post*, Washington, DC
- Rachel Stohl, Center for Defence Information, Washington D.C.

GHANA

GHANA

- Yao Graham, Third World Network (Africa Secretariat), Accra, Ghana
- David Tam-Baryoh, West African Media Watch, former editor of *Punch* (Freetown)

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NOTES

1. Gordon, Christine, 'Rebels' Best Friend', BBC *Focus On Africa* magazine, October-December 1999
2. See, for example, Paul Richards, 'Rambo and war in Africa', *Crosslines*, April-May 1995; and Paul Richards, *Fighting for the Rainforest: War, Youth and Resources in Sierra Leone*, International African Institute & James Currey, Oxford, 1996
3. See, for example, Ibrahim Abdullah, 'Bush Path to Destruction: The Origin and Character of the Revolutionary United Front'; Yusuf Bangura, 'Understanding the Political and Cultural Dynamics of the Sierra Leone War: A Critique of Paul Richards' *Fighting for the Rainforest*'; and I. Abdullah *et al.*, 'Lumpen Youth Culture and Political Violence: Sierra Leoneans Debate the RUF and the Civil War' in *Africa Development*, Vol. XXII, Nos. 3/4, 1997
4. Keen David, 'War as a Source of Losses and Gains', Queen Elizabeth House, Oxford, July 1995
5. See Robert Kaplan's 'The Coming Anarchy', *The Atlantic Monthly*, February 1994 and *The Ends of the Earth*, Random House, New York, 1996
6. 'Jump-starting the economy' is almost as common an expression as 'strengthening civil society'. The *DAC Guidelines on Conflict, Peace and Development Co-operation* observe that 'The need to preserve peace and stability, rehabilitate essential infrastructure, reform public institutions, jump-start the economy, and create employment opportunities places heavy demands on budgetary resources' (1997, 53). The World Bank's first priority in an integrated package of reconstruction assistance is to 'jump-start the economy through investment in key productive sectors' *(Framework for World Bank Involvement in Post-Conflict Reconstruction*, 1997, iii).
7. McNish, Jacquie, *The Big Score: Robert Friedland, Inco and the Voisey's Bay Hustle*, Doubleday Canada, Toronto, 1998, pg. 330.
8. Reno, William, 'Commercial Agendas in Civil Wars', mimeo, undated (ca. 1999). See also Christopher Clapham (ed.) *African Guerillas*, James Currey, Oxford, 1998; and Jean-François Bayart, Stephen Ellis and Béatric Hibou, *The Criminalization of the State in Africa*, International African Institute and James Currey, Oxford, 1999
9. *ibid*
10. Friedman, Milton, 'Social Purpose of Business is to Increase its Profits', *New York Times Magazine*, Sept. 13, 1970.
11. Keen, *op cit*
12. Levinson, A., Gurney, J., Kirkley, M., 'Diamond Sources and production: Past, Present and Future', *Gems and Gemology*, Vol. 28, No. 4, Winter, 1992, p. 236
13. There are major difficulties in the comparability of diamond statistics, which will be discussed later in this report. However, at this point, an example is useful. For 1998 two separate sources give the diamond output of Sierra Leone as 500,000 carats (Terraconsult Consulting) and 104,000 carats (United States Geological Survey, Department of the Interior).
14. James Picton, 'African Diamond Production in the 21st Century'. Paper presented at the Gemological Institute of America International Gemological Symposium, (June 21-24 1999, San Diego, California). Also see; James Petra, 'Standard Equities' Analyses of World Diamond Production (1997)', in Luc Rombouts, 'The Mining and Exploration Scene', *Mining Journal* Vol. 331 No. 8505 (London November 6, 1998) p. 5. Also useful is Alfred Levinson, John Gurney, Melissa Kirkley, 'Diamond Sources and Production: Past, Present, and Future' in *Gems & Gemology* Vol. 28 No. 4, Winter 1992) pp. 234-252.
15. Interview with De Beers Canada, Vancouver on July 21, 1999

16. Most general statistics about diamond resources in this report are taken from the United States Geological Survey. USGS data is used because of its breadth and comparability even though, as noted elsewhere in this report and according to personal conversations with A.A. Levinson, a Canadian geologist, USGS data, especially for West African countries, 'are likely to be very, very wrong' (personal communication).
17. Van der Laan, H.L., *The Sierra Leone Diamonds: An Economic Study Covering the Years 1952-1961* (London, Oxford University Press 1965) P. 60.
18. Much of this section relies on an article by A.J.A. Janse, 'A History of Diamond Sources in Africa', *Gems & Gemology* (Vol. 32, No. 1, Spring 1996) pp. 2-30.
19. There are some costs of being labeled a monopoly. For example, De Beers cannot operate offices in the United States as its market structure would violate American anti-trust legislation. However, this is a small cost as De Beers has American companies that effectively represent their interests. Canadian combines legislation is more flexible. De Beers has an office in Vancouver, British Columbia.
20. De Beers, *A Diamond is Forever-1998 Annual Report*, p. 5.
21. For two detailed but quite different histories of the De Beers-Anglo American conglomorate see David Pallister, Sarah Stewart and Ian Lepper, *South Africa Inc.: The Oppenheimer Empire,* Yale University Press, New Haven and London 1987; and Duncan Innes, *Anglo America and the Rise of Modern South Africa,* Heinemann, London, 1984
22. Economic purists may not agree with the idea that De Beers is 'monopolistic'. In the economic sense of market structures, pure monopoly refers to a market structure characterized by one seller and many buyers. De Beers also does not fit the definition of 'oligopoly' - a structure characterized by few sellers and many buyers. The market structure that De Beers has created is unique, and does not fit traditional economic categories. A firm that produces 50 per cent of world output, and controls the sale of 70-80 per cent of world output to a specially chosen group of 160 people, at prices it alone determines, exerts a massive amount of power over the market place and certainly has monopolistic characteristics.
23. Oppenheimer, Harry, 'De Beers and the Diamond Industry', January 1998, p. 31.
24. De Beers, 'De Beers and the Diamond Industry', January 1998, p. 14
25. De Beers, *1998 Annual Report*, p. 3.
26. Brenden Ryan quoting De Beers geology manager Roy Edwards in: 'Attracting Mining Minnows: Getting Into Bed with De Beers...who Gets the Best Night's Rest?' (http:www.edata.co.za/debeers/fm6.html) p.3
27. Ryan, *op cit*, p. 3.
28. Atkinson, Dan, 'De Beers Faces World Revolt', in *Electronic Mail &Guardian*, Johannesburg, South Africa, September 30, 1997, p.1 (www.mg.coza/mg/news/97sep2/30sep-diamonds)
29. Kennedy, Peter, 'Tiffany Snags Aber Stake' in the *Globe and Mail*, July 20 1999.
30. It is unclear whether De Beers still holds offshore concessions in Sierra Leone.
31. T.W.H. Capon, Member of De Beers Board of Directors and an Executive Director of the Central Selling Organization, Interview, London, July 16, 1999.
32. De Beers, *1998 Annual Report*, p. 103
33. A De Beers's official quoted in *A Rough Trade: The Role of Companies and Governments in the Angola Conflict*, Global Witness, London, 1999, p. 6.
34. Title of Public Relations Brochure published by the Diamond High Council (Hoge Raad Voor Diamant Vzw), 1999.
35. Diamond High Council, *1998 Annual Report* , Antwerp 1999, p. 5
36. *ibid.* p. 11
37. Luc Rombouts, 'Antwerp the World's Marketplace for Diamond Producers' in *Antwerp Facets* (Diamond

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High Council, April 1999) #31, pp. 10-11.

38. Conversation with Diamond High Council spokesperson, September 2, 1999.
39. Sénat de Belgique, Session de 1998-1999, 8 Décembre 1998. Commission Parlementaire chargée d'enquêter sur la Criminalité Organisée en Belgique. Rapport Final fait par MM. Coverliers et Desmedt. (Chapter IV of the Report of the Parliamentary Commission of Inquiry into Crime includes 30 pages on the Diamond Industry.)
40. *ibid.* pp. 249-252
41. *ibid.* pp. 249-252
42. Interview with Antwerp police official.
43. Confidential interview with African diamond courier. Antwerp, September 24, 1999.
44. The quotation is from a novel by a Belgian novelist,. Jef Geeraerts: *Diamant* (Meulenhoff/Manteau, Amsterdam/Antwerpen) 1981.
45. The project team was informed by a Canadian geologist specializing in the collection and analysis of diamond statistics that even the 200,000 carats listed as being produced in Liberia was a gross exaggeration. Personal communications with A.A. Levinson, University of Calgary.
46. Repeated written requests from the Project Team to the HRD in Toronto and Antwerp for information on the discrepancy between Liberian export figures and Belgian import figures remained unanswered.
47. For additional data and information regarding this issue, see the *Economist* Economic Intelligence Unit, *Country Reports for Sierra Leone, Liberia, Guinea* (London) for any of the years from 1993 to the present. Additional sources are: *Minerals Yearbook* (U.S. Department of the Interior – Geological Survey, Washington D.C). For a historical view from antiquity to 1996 see: A.J.A. Janse, 'A History of Diamond Sources in Africa: Part II' in *Gems & Gemology*, Volume 32 No. 1, 1992, pp. 2-31. Additional historical data can be found in: *Canada Minerals Yearbook* (Minerals and Metal Sector-Natural Resources Canada) and Alfred A. Levinson, John J. Gurney, Melissa B. Kirkley, 'Diamond Sources and Production: Past, Present, and Future' in *Gems & Gemology*, Volume 28 No 4, 1992, pp. 234-254
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50. Arrêté ministériel réglant les modalités de l'épreuve d'aptitude des experts chargés de constater le poids, la valeur et la qualification des diamants a l'importation et à l'exportation. *Moniteur Belge*, (The Belgian Government Gazette), 23 March 1990.
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55. Allain Lallemand, De Organizatsiya: *De Russische Maffia van Antwerpen tot Brooklyn.* Berchem/Antwerpen, EPO, 1996, P. 308. (Originally published under the title: *L'organizatsiya: la mafia russe a l'assaut du monde* (Paris, Editions Calmann-Levy, October 1996). Also, personal conversations were held with Lallemand in Brussels in April and June 1999.

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109. Interview with David Quee, Government of Sierra Leone Gold and Diamond Office, August, 1999.
110. Interview with senior DiamondWorks personnel, Vancouver, July 21, 1999
111. Much of the information on Carson Gold and its transformation into DiamondWorks comes from: Will Purcell, 'A Rocky Past, A Hopeful Future'
(**www.siliconinvester.com/stocktalk/msg.gsp?msgid=10955815**) August 14, 1999.
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113. The examples are taken from, 'Statement & Media Advisory', DiamondWorks,
www.diamondworks.com/sBackground.asp) June 10, 1999
114. The references for this section include: Press Releases issued by DiamondWorks, particularly 'Statement & Media Advisory' (May 13, 1998) and 'Setting the Record Straight' (no date). An e-mail from Michael Grunberg to David Pratt, Canadian Member of Parliament, May 26, 1999. Written transcripts of the CBC *Fifth Estate* programs of Feb. 4, 1997 and Nov. 3, 1998. 'Resources, Primary Industry and Conflict in Sierra Leone' (Conciliation Resources, London) 1997. Christine Gordon, 'Dust Begins to Settle in Sierra Leone' (Diamond International, November/December 1995). 'Sierra Leone Project, Situation Analysis, May 1997' (International Crisis Group, London) June 1, 1997. Personal interviews were with senior officials of DiamondWorks in Vancouver, AmCan Mining in Toronto, De Beers in Vancouver and London as well as with Brigadier General (Ret'd) Ian Douglas in Kanata, Ontario.
115. DiamondWorks, Ltd., *1998 Annual Report*, p. 16
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118. For more on the system, see Alfred Zack-Williams, *Tributors, Supporters and Merchant Capital: Mining and Underdevelopment in Sierra Leone*, Ashgate, Aldershot, 1994
119. For example a company with South African connections, Igoli Mining, has recently begun operations in the Pujehun area. Security is being provided by Kamajors, with weapons reportedly purchased from ECOMOG.
120. Van der Laan, *op cit*, pp. 6-7
121. Letter from De Beers Managing Director Gary Ralfe to the United Nations Sanctions Committee, January 13, 1999, *Angola Unravels: The Rise and Fall of the Lusaka Peace Process*, Human Rights Watch, Washington, September 1999, pp. 138-139.
122. De Beers, 'Introduction to the Sources of Rough Diamond Production and their Individual Characteristics', London, June 1999, quoted in *Angola Unravels: The Rise and Fall of the Lusaka Peace Process*, Human Rights Watch, Washington, September 1999, pp. 139-140.
123. Project Team discussions and communications with: D.J. Ballantyne, Chemistry Section – Central Forensic Laboratory (RCMP) and Sgt. Ray Halwas, NCO in Charge, 'G' Division Diamond Project (RCMP)
124. Communication from Sgt. Ray Halwas, NCO in Charge, 'G' Division Diamond Project (RCMP) October 20, 1999.
125. 'Consumer Access to a Responsible Accounting of Trade Act of 2000 (Introduced in the House)', 106th Congress, House of Representatives, Nov. 1, 1999
126. 'Floor Statement of U.S. Rep. Tony P. Hall', US House of Representatives, Nov. 1, 1999
127. This Convention was passed by the United Nations General Assembly after ten years of debate and negotiation in 1989. It was to enter into force one month after it had been ratified by 22 states. By the end of

1997, it had been ratified by only seven.

128. This is a complex issue, made more difficult by the fact that as many as one third of 'Canadian' mining companies are based outside Canada. One way of looking at it has to do with shareholder protection. Mining firms are expected to apply due diligence to technical matters in the interest of their shareholders. Lack of diligence in political, military and ethical matters overseas can place shareholder investment at risk. The Alliance of Manufacturers and Exporters Canada makes a reasonable start at such issues with its 'Good Corporate Conduct Abroad'. The issue, however, is not codes, but how to give them teeth.

129. Oppenheimer, Nicky, 'Diamonds Working for Africa', Speech to the Commonwealth Business Forum, Johannesburg, Nov. 11, 1999

130. Rapaport, Martin, 'Blood Money', Nov. 11, 1999, Diamond Net, URL: www.diamonds.net/news

131. *IRIN Newsbriefs*, UN Office for the Coordination of Humanitarian Affairs, 17 November, 1999

132. This section draws on the research of Bonnie Campbell. In particular see, Bonnie Campbell, 'Canadian Mining Interests and Human Rights in Africa in the Context of Globalization', Occasional Papers, International Centre for Human Rights and Democratic Development, Montreal, January 1999.

133. Francis, *op cit*

134. Campbell, *op cit*, p. 11.

135. *ibid*

136. Hutchinson, Brian, *Fools Gold: The Making of a Global Market Fraud*, Alfred A. Knopf Canada, Toronto, 1998, p. 250

137. Interview with Peter Meredith, Chief Financial Officer of DiamondWorks, Vancouver, July 21, 1999.

138. 'TSE Introduces Stricter Listing Requirements', *Northern Miner*, Vol. 85, #33, October 11-17 1999, p.5.

FACT 93

In the press release, *Sierra Leone Rebels Forcefully Recruit Child Soldiers*, dated 31 May 2000, Human Rights Watch stated or noted:

(a) the RUF of Sierra Leone was forcing children, including demobilized child soldiers, to join its ranks and engage in combat (p. 1, ERN 00010945);

(b) many other children had been abducted by the RUF in recent weeks to carry military equipment and looted goods, and female abductees were regularly raped (p. 1, ERN 00010945);

(c) the RUF had a long history of using child soldiers (p. 1, ERN 00010945);

(d) the executive director of the Africa Division of Human Rights Watch called on all parties to the conflict in Sierra Leone to immediately stop the use of child soldiers and to release all abducted children and people under the age of eighteen (p. 1, ERN 00010945);

(e) a 17-year old told Human Rights Watch that he estimated that the RUF took at least fifty children out of a camp for demobilised RUF child soldiers in Makeni through the use of threats, false promises, and false rumors (p. 1, ERN 00010945);

(f) RUF forces abducted children to carry loads of looted goods and military equipment, and abducted girls for the purpose of rape (p. 2, ERN 00010946);

(g) rape of captured women and girls by the RUF was routine (p. 2, ERN 00010946).

a.	Exh. 1.069	ERN 00010945-00010946	Human Rights Watch Press Release, "Sierra Leone Rebels Forcefully Recruit Child Soldiers," 31 May 2000.

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Sierra Leone Rebels Forcefully Recruit Child Soldiers

RUF Targets Children for Fighting, Forced Labor, and Sexual Exploitation

(Freetown, Sierra Leone, May 31, 2000)—The rebel Revolutionary United Front (RUF) of Sierra Leone is forcing children, including demobilized child soldiers, to join its ranks and engage in combat, Human Rights Watch said today. The rights group has documented abductions of children as recently as early May.

"The RUF has forced many children to join its ranks in recent weeks, placing them on the front lines of combat," said Peter Takirambudde, executive director of the Africa Division of Human Rights Watch. "For child soldiers, the crisis in Sierra Leone is far from over." He called on all parties to the conflict in Sierra Leone to immediately stop the use of child soldiers and to release all abducted children and people under the age of eighteen.

Since taking United Nations peacekeepers hostage in early May, the RUF has forced many children, included demobilized RUF child soldiers who had laid down their arms, to join its ranks. Many other children have been abducted by the RUF in recent weeks to carry military equipment and looted goods, and female abductees are regularly raped. The RUF has a long history of using child soldiers.

Seventeen-year-old "Abubakar" (not his real name) told Human Rights Watch that he had gone to a camp for demobilized RUF child soldiers in Makeni in March 2000 after fighting as a child soldier in the RUF for four years. He described how the RUF regularly came to the demobilization camp to pressure children to return to the RUF, telling the children that they would be sold when they left the camp, or stating that the RUF had located their families and would help them reunite. On at least one occasion, RUF fighters came to the camp and told the children that the RUF would kill everyone in the camp if they did not rejoin the rebel army. Abubakar estimated that the RUF took at least fifty children out of the camp through the use of threats, false promises, and false rumors.

When fighting broke out in early May, Abubakar was forced to rejoin the RUF when he was abducted while walking near the demobilization camp in Makeni. "It was not my wish to go fight, it was because they captured me and forced me," he told Human Rights Watch, "There was no use in arguing with them, because in the RUF if you argue with any commander they will kill you." Abubakar took part in recent fighting in Lunsar, Rogberi Junction, and Waterloo. He and others were often forced to commit abuses. In Rogberi Junction, their commander ordered them to burn down the entire town after a counterattack on the RUF by government helicopters. RUF commanders also used looted U.N. vehicles to move looted civilian properties back to RUF bases. Abubakar finally managed to sneak away from the RUF and return to the demobilization camp, which was evacuated to Freetown soon after. On their way to Freetown, the large group of demobilized child combatants was harassed by the pro-government Kamajor militia as well as by the Sierra Leone Army (SLA), who beat them. Abubakar said the Kamajors got angry with the children for showing them demobilization documents, saying that the children were provoking them because it was known that Kamajors were not educated and could not read.

Fifteen-year-old "Foday" (not his real name) was abducted by RUF when he was eight years old and had gone to the Makeni demobilization camp after the Lomé peace accord. He told Human Rights Watch further details of the evacuation of the Makeni demobilized child soldier camp on May 23. He also said that RUF commanders regularly came to the camp to threaten and scare former child combatants into rejoining the RUF, and explained that the camp was evacuated early in the morning of May 23 because of fear that the RUF would attempt a mass abduction. On their way to Freetown, the eighty-six former child soldiers who left the camp were stopped by RUF and stripped of their possessions: Foday lost a new watch, his clothes, a radio, and some money. The RUF then forced Foday to join them to carry looted goods back to an RUF camp located twenty-seven miles away. He later managed to escape from the RUF, but was then harassed and beaten by Kamajors, who took away his remaining possessions and threatened to kill him until a commander intervened and stopped the abuse.

RUF forces have also abducted children to carry loads of looted goods and military equipment for them, and have abducted girls for the purpose of rape. Fifteen-year-old "Musa" (not his real name) was abducted from Port Loko during an RUF attack in mid-May, and forced to carry a heavy bag of salt for four days. He told Human Rights Watch that the rebels shot and killed his brother, twenty-year-old Lamina K., after Lamina complained that his load was too heavy. Musa showed Human Rights Watch a large bump on his head which he had sustained when he was beat by the RUF with rifle butts.

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Rape of captured women and girls is routine. Twenty-year-old "Miriam" (not her real name), still nursing her five-month-old baby, was raped in front of her husband almost as soon as they were captured near Masiaka on May 21. She told Human Rights Watch that she was raped almost continuously by seven RUF fighters, including some as young as fourteen, over the next three days. Some of the girls raped after capture are very young. "Malikah," who told Human Rights Watch that she was ten but looked much younger, told Human Rights Watch that she was raped by an RUF rebel after being captured, and watched her twenty-year-old sister Mawa Kamara die after RUF rebels amputated both her hands and one foot.

"Children face some of the gravest abuses in this war at the hands of the RUF," said Takirambudde. "The RUF specifically targets children for recruitment as child soldiers, forced labor, and sexual exploitation."

Human Rights Watch
Africa Division

[redacted]

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FACT 94

In its press release, *New Testimony of Rape Committed by Sierra Leone Rebels – RUF fighters rape women and children in Makeni and others towns*, dated 5 June 2000, Human Rights Watch:

(a) accused rebels from the Revolutionary United Front (RUF) of Sierra Leone of committing numerous rapes against women and girls in the RUF controlled town of Makeni and at least three other towns briefly under RUF control during military operations in May. HRW interviewed women from Makeni, Port Loko, Lunsar, and Yelibuya Peninsula who gave detailed accounts of rape, including a significant number of cases of gang rape and rape of young children as young as ten (p. 1, ERN 00010943);

(b) reported that eyewitnesses and survivors who had fled RUF-controlled areas had provided detailed accounts of widespread looting, rape, abduction, killings and mutilations by RUF forces in recent weeks (p. 1, ERN 00010943);

(c) called upon the members of the U.N. Security Council to provide UNAMSIL with the mandate and the means to protect civilians in Sierra Leone from atrocities (p. 2, ERN 00010944);

a.	Exh. 1.068	ERN 00010943-00010944	Human Rights Watch Press Release, "New Testimony of Rape Committed by Sierra Leone Rebels," 5 June 2000.

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HUMAN RIGHTS WATCH

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New Testimony of Rape Committed by Sierra Leone Rebels

RUF fighters rape women and children in Makeni and other towns

(Freetown, Sierra Leone, June 5, 2000)—Human Rights Watch today accused rebels from the Revolutionary United Front (RUF) of Sierra Leone of committing numerous rapes against women and girls in the RUF controlled town of Makeni and at least three other towns briefly under RUF control during military operations in May. The rights group has interviewed women from Makeni, Port Loko, Lunsar, and the Yelibuya Peninsula who gave detailed accounts of rape, including a significant number of cases of gang rape and rape of young children as young as ten. In many cases victims were taken to rebel bases or command centers and raped there, suggesting that this is sanctioned behavior.

"Our research has uncovered a disturbing number of cases of rape by RUF fighters in the town of Makeni and other areas under their control," said Peter Takirambudde, Executive Director of the Africa Division of Human Rights Watch. "Women in RUF-controlled areas are at constant risk of being abducted and raped. Once again this underlines the need for the protection of civilians to be the first priority of international and government troops in Sierra Leone."

In early May, the RUF took more than 500 U.N. peacekeepers hostage and restarted offensive action against the Sierra Leone government. Eyewitnesses and survivors who have fled RUF-controlled areas have provided detailed accounts of widespread looting, rape, abduction, killings and mutilations by RUF forces in recent weeks (See HRW release, "Fresh Reports of RUF Terror Tactics"). Human Rights Watch has interviewed more than one dozen women who were themselves raped by RUF fighters since early May.

Late in the night of Monday, May 22, a large group of RUF fighters came to the house of twenty-one-year-old "Myriam" (not her real name) in Makeni. The RUF fighters ordered Myriam and a second woman, "Asiatu," aged twenty-two, who had given birth just five days before into the living room of the compound. The rebels then ordered "Fatou," the second wife of Myriam's husband, to hold up a light and illuminate the room. A group of between ten and twelve rebels proceeded to gang-rape Myriam and Asiatu. "We were laid [on the floor] in the parlor and raped by one after the other," Myriam told Human Rights Watch, still in great pain from the gang rape. "It lasted a long time, one after the other. When one finished, the other one goes."

Her account was confirmed by her fellow wife, Fatou, who told Human Rights Watch: "They got hold of my mate [fellow wife] and another woman who had just given birth five days before. They raped them in the house. They undressed my mate and the new mother, then laid them in the parlor and twelve rebels raped them. They instructed me to take a lamp to light the parlor, saying 'Let everyone come and witness.'"

"Malikah," aged twenty, was detained by RUF rebels in Makeni on May 20, while trying to flee fighting. She was taken to an RUF base known as "Arab compound," and raped by an RUF rebel going by the name of "Tongo Trouble."

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"Madina," a seventeen-year-old student, told Human Rights Watch that RUF rebels came to her family home around May 9. Madina and her sister hid under the bed, but were found by RUF rebels who exclaimed, "Oh, these are young girls, they are good to go," and took them to an RUF house. The next morning, she was raped by an RUF fighter going by the name of "Blood." "I mentioned to him that I was on my period. He said he didn't want to know, that he wanted to rape me and if I refused him he would kill me. He forced me, he took off my skirts and raped me once." Later that afternoon, a second rebel came and raped Madina again. Her fifteen-year-old sister also was violently raped, according to Madina. Madina saw a very young girl whom she knew to be about ten years old brought to the compound and sexually abused: "There was no chance to talk to her. She was all bloody when they raped her, and she was crying. She was crying that they wounded her. She was so small that she was crawling along the ground from the pain, she could not even walk."

"Marie," a twenty-eight-year-old market trader, was detained by a group of six rebels who came to her Makeni home during fighting on the evening of May 18. She was taken to Hotel Gheboh, an RUF base, where two RUF rebels took her into a room and raped her: "They told me to lay down. I did not have the courage to talk back to them, I only obeyed them because I was fearful. Then the first one raped me, then the second one did it. I don't even know how many times I was raped [by these two men]." Marie managed to escape at about midnight, five hours after being brought to the hotel, when she told the men she had to use the toilet and ran away.

Fifty-year-old "Kariatu" told Human Rights Watch that she and her eighteen-year-old daughter were raped when RUF fighters attacked Yelibuya peninsula in early May and engaged in widespread looting. "The rebels raped me and my daughter. Four of them used [raped] me, and six others took my daughter just a few yards away and raped her too." The rebels took Kariatu's daughter with them, and she has been unable to find her daughter to date. "Asatu" aged twenty, was captured and kept by RUF rebels in Yelibuya peninsula for three days in early May. She was raped in her home by three rebels while other rebels looted her home: "I was raped, it was violent. The rebels told me to lay down. I told them I did not want to do this, but they ignored me. They were with guns so I could not stop it."

Human Rights Watch called upon the members of the U.N. Security Council to provide UNAMSIL, the U.N. mission in Sierra Leone, with the mandate and means to protect civilians in Sierra Leone from atrocities. The group also called on the Security Council to instruct UNAMSIL to begin investigating current and past abuses against civilians by the RUF and other forces, for the specific purpose of using this material for prosecutions of those alleged to be responsible for gross violations of human rights and the laws of war, and to move rapidly to establish a criminal tribunal to try war criminals in Sierra Leone.

Human Rights Watch
Africa Division

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In *Sierra Leone: Rape and other forms of sexual violence against girls and women*, dated 29 June 2000, Amnesty International stated or noted that:

(a) Rape, sexual slavery and other forms of sexual violence against girls and women by rebel forces had been systematic and widespread (p. 1).

(b) Almost all the thousands of girls and women who have been abducted by rebel forces had been raped and forced into sexual slavery (pp. 1-2).

(c) In some cases, girls and women had been forced to become the sexual partner or "wife" of a single combatant. In other cases, they were abused by several combatants (p. 2).

(d) After rebel forces attacked Freetown on 6 January 1999, many residents reported group rapes of groups of girls and women by members of the AFRC and RUF, including in public places such as Kroo Town Road in the centre of Freetown and Kissy to the east. A high incidence of rape was also reported at the Clay Factory internally displaced people's camp in Freetown (p. 2).

(e) Girls who were not selected to be the "wife" of a rebel commander were repeatedly raped by countless other rebel combatants (p. 2).

(f) More than 4,000 children were reported missing after the rebel incursion into Freetown in January 1999 (p. 3).

(g) In spite of the Lomé Agreement of 7 July 1999 that provided for the release of all captured civilians, 2,000 children who were believed to have been abducted remained missing at the beginning of the year [2000] (p. 3).

(h) Following the signing of the Lomé July 1999 peace agreement between the government of Sierra Leone and the RUF, the scale of human rights abuses against civilians declined significantly. From October 1999, however, the previous pattern of human rights abuses again emerged. Rebel forces who had yet to disarm and demobilised continued to abduct, rape and sexually abuse large numbers of girls and women (p. 3).

(i) In the area of Masiaka in mid-May 2000, rebel forces raped and abducted girls and women (p. 4).

(j) All combatants in Sierra Leone, both rebel and government-allied forces, must be explicitly instructed by those who exercise chain-of-command control to respect international humanitarian law and to end rape and other forms of sexual violence immediately (p. 5).

(k) The leaders of the RUF must take all measures to protect girls and women from rape and other forms of sexual violence, including by instructing all RUF combatants to respect international humanitarian law and to end rape and other forms of sexual violence immediately (p. 8).

(l) The leaders of the RUF must order the immediate release of all girls, women and other captured civilians who remain held and ensure that no further abductions are carried out (p. 8).

a.	Exh. 1.169	n/a	Amnesty International, "Sierra Leone: Rape and other forms of Sexual Violence Against Girls and Women," 29 June 2000, AFR 51/35/00.

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SIERRA LEONE

Rape and other forms of sexual violence against girls and women

Mariatu (*not her real name*), now aged 16 years, was abducted from the village of Mamamah, some 40 kilometres from Freetown, as rebel forces retreated from the capital in January 1999. Both her parents were killed by rebel forces when they attacked the village. Mariatu was repeatedly gang-raped by a number of rebels. If she attempted to resist rape she was denied food and beaten. She was forced to accompany rebel forces first to Lunsar and then to Makeni, in Northern Province, and was eventually forced to become the "wife" of one of the rebels. Many other girls were held in the same situation. When she became pregnant, she was taken back to her family and abandoned. In May 2000, shortly after her release, her village was again attacked by rebel forces and she was forced to flee with her grandmother. She walked to Waterloo and then to an internally displaced people's camp to the east of Freetown. She is now six months' pregnant.

Rape and other forms of sexual violence during the internal armed conflict

Abduction, rape and sexual slavery of girls and women have been among the most abhorrent and distressing features of the nine-year internal armed conflict in Sierra Leone.[1] Rape and other forms of sexual violence committed by government officials or by armed opposition groups are acts of torture. Sexual slavery refers to situations where girls and women are forced into "marriage", domestic servitude or other forced labour that ultimately involves forced sexual activity, including rape by their captors.

Rape, sexual slavery and other forms of sexual violence against girls and women by rebel forces have been systematic and widespread. Sexual violence has been directed at women of all ages, often including very young girls. Almost all the thousands of girls and women who have been abducted by rebel forces have been raped and forced into sexual

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[1]For further information, see previous documents published by Amnesty International, in particular, *Sierra Leone: Civilians face real and immediate threat to their fundamental human rights* (AI Index: AFR 51/06/00), 10 May 2000, *Sierra Leone: Escalating human rights abuses against civilians* (AFR 51/13/99), 30 November 1999, *Sierra Leone: Recommendations to the international contact group on Sierra Leone, New York, 19 April 1999* (AI Index: 51/05/99), 19 April 1999, and *Sierra Leone: 1998 - a year of atrocities against civilians* (AI Index: AFR 51/22/98), November 1998.

slavery. Studies by the United Nations Children's Fund (UNICEF) have shown that 75 per cent of abducted girls and young women have been sexually abused; other estimates put the figure at 90 per cent. In some cases girls and women have been forced to become the sexual partner or "wife" of a single combatant. In other cases they have been abused by several combatants.

Beyond the brutality and trauma of rape itself, which often causes life-long psychological damage to the victim, sexual assault can result in serious physical injury, forced pregnancy, disease and even death. All victims of rape and other forms of sexual violence suffer psychological trauma and almost all have required medical treatment for physical injuries inflicted during their ordeal. Many of the girls and women abducted and raped by rebel forces have become pregnant and have given birth.

Often victims of rape have suffered further brutality, including by having objects inserted into their vagina. A 14-year-old girl was stabbed in the vagina with a knife because she had refused to have sex with the rebel combatant who abducted her. Another woman had small pieces of burning firewood put into her vagina. One 16-year-old girl was so badly injured after repeated rape that, following her escape, she required a hysterectomy. Beatings have been common and most victims who have subsequently been released have bruising. Most have contracted sexually transmitted diseases and a high number are suspected of having contracted HIV/AIDS. Deaths of victims of rape as a result of AIDS have been reported. Those who have spent months or years in the bush after being captured by rebel forces also suffer from tuberculosis, malnutrition, malaria, skin and intestinal infections and respiratory diseases.

The terror wreaked by rebel forces on civilians has also included men being forced to rape members of their own family under threat of being mutilated by having their hands or arms cut off. Girls and women have been raped in front of their husbands and other members of their families.

After rebel forces, the majority of them members of the Armed Forces Revolutionary Council (AFRC) but also including members of the Revolutionary United Front (RUF), attacked the capital, Freetown, on 6 January 1999 many residents reported the rape of groups of girls and women, including in public places such as Kroo Town Road in the centre of Freetown and Kissy to the east. A high incidence of rape was also reported at the Clay Factory internally displaced people's camp in Freetown. A policeman in Kingtom witnessed the rape of his three daughters before they were abducted by rebel forces. An 11-year-old girl abducted from Freetown in January 1999 was among 40 civilian captives freed in August 1999 in the Occra Hills region, 60 kilometres east of Freetown. She described being dragged from her home and then joined by scores of other girls as rebel forces went from house to house. Girls who were not selected to be the "wife" of a rebel commander were repeatedly raped by countless other rebel combatants.

Girls and women were rounded up in different areas of the city and forced to report nightly to rebel combatants. On 8 January 1999 in the Cline Town area in the east of Freetown a rebel commander ordered that all girls who were virgins report for a physical examination by a woman colleague. Those confirmed to be virgins, mostly aged between 12 and 15 years, were ordered to report each night to the rebel commander and other combatants who raped or otherwise sexually assaulted them. Some of the girls were subsequently abducted when rebel forces were forced to retreat from Freetown. As in the case of rape, forcibly subjecting girls and women to so-called "virginity tests" amounts to torture or cruel, inhuman and degrading treatment and is specifically prohibited by international humanitarian law.

More than 4,000 children were reported missing after the rebel incursion into Freetown in January 1999. Although Article XXI of the peace agreement signed by the government of Sierra Leone and the RUF on 7 July 1999 in Lomé, Togo, provided for the release of all captured civilians, some 2,000 children who were believed to have been abducted remained missing at the beginning of the year; 60 per cent of them were girls. UNICEF, the human rights section of the United Nations (UN) peace-keeping operation in Sierra Leone and child protection agencies which are trying to secure the release of civilians held by rebel forces have found it particularly difficult to obtain the release of girls and young women.

Girls and women abducted by rebel forces have been raped as a matter of course: many were threatened that they would be killed if they tried to resist rape. One rape victim quoted the combatant who abducted her as saying: "You don't understand. This is the reason we go and capture you people. If you don't sleep with me today, I'll kill you."

The human rights crisis continues

Following the signing in July 1999 of the peace agreement between the government of Sierra Leone and the RUF, the scale of human rights abuses against civilians, including rape and other forms of sexual violence, declined significantly. From October 1999, however, the previous pattern of human rights abuses again emerged. Rebel forces who had yet to disarm and demobilize continued to abduct, rape and sexually abuse large numbers of girls and women. On 1 February 2000 the human rights section of the UN Mission in Sierra Leone (UNAMSIL), which had visited Port Loko and Kabala in Northern Province, reported that harassment and abduction of civilians, rape and other forms of sexual violence, looting of villages and burning of houses were occurring almost daily in the area around Port Loko. In both Port Loko and Kabala, most girls and women who had been abducted by rebel forces and who had subsequently arrived in internally displaced people's camps had suffered rape and other forms of sexual violence. These abuses were perpetrated by rebel forces of the RUF, the AFRC and former soldiers of the Sierra Leone Army. According to health care workers, pregnancies resulting from rape were so frequent that they "could not be counted". They also reported that

girls and women often feel forced to marry their abductors or to live as their "wives" because they fear the social stigma attached to rape and resulting pregnancies.

At the beginning of May 2000, Sierra Leone was thrown into further crisis after rebel forces captured some 500 UNAMSIL peace-keeping troops. Hostilities between rebel forces and government forces, including the Sierra Leone Army, Civil Defence Forces (CDF) and the AFRC, now allied to the government, resumed. Renewed insecurity and fighting have further aggravated the incidence of rape.

In the area around Masiaka in mid-May 2000 rebel forces raped and abducted girls and women. Among the victims was a woman aged in her twenties, with a five-month old baby, who was abducted after rebel forces took control of Masiaka. At the time of her abduction, she was stripped and raped by seven combatants. Taken to a rebel camp, she was repeatedly raped by several rebel combatants and was forced to carry supplies, cook and cut wood.

Many cases of rape - including gang-rape and rape of very young girls - have also been reported from Makeni, which remains under the control of rebel forces, and other towns, such as Lunsar, where government-allied forces have regained control but which has subsequently been retaken by rebel forces. Among those reported to have been raped in Makeni was a 14-year-old schoolgirl who was raped by rebel combatants in front her parents at their home in Makeni on 1 May 2000. The following day, 2 May 2000, two women were reported to have been raped as their home in Makeni was looted. In the village of Mayaki in Kambia District, rebel forces were reported to have raped several women on 24 May 2000 when they attacked the village and killed livestock. Girls and women in those areas of the country still controlled by rebel forces continue to face the threat of rape and abduction.

During June 2000 an Amnesty International delegation in Sierra Leone met a number of women who had been raped in Northern Province during the preceding weeks.

> *"It was the last Friday in May when we were trying to escape. My sister was running with her baby when the RUF caught us. The baby was placed elsewhere. Then the RUF raped my sister. My husband wanted to take the baby but he was caught and mercilessly beaten, and he collapsed. I managed to take the baby. My husband was later killed. My sister died later the same day."*
> A woman aged 19 years from Magburaka, close to Makeni, who was attacked on 26 May 2000.

> *"We fled to a village called Makoth; we hid ourselves in the bush together with our children. We were later surrounded by the RUF who grabbed my husband and tied his hands behind his back. They asked him to choose who will die; the choice was between me and him. He asked them to spare my life. They then tied him to a tree and they tried to cut his throat; this was difficult to do with their*

knife, so they shot him. I'm still breast-feeding but five RUF rebels raped me. I'm still bleeding."
A woman aged 29 years who fled Makeni on 30 May 2000.

"The RUF rebels dressed in UNAMSIL uniforms entered our house. I was very happy that we had been liberated, not knowing that they were rebels. They asked me to have intercourse with them; when I refused they hit me on my sides with their guns. My children managed to escape. Three of them raped me; the fourth one ordered them to stop what they were doing. After the rape, they looted my house. I escaped naked looking for a hiding place."
A woman aged 45 years who was attacked by RUF forces at her home in Lunsar.

Preventing rape and other forms of sexual violence

All combatants in Sierra Leone, both rebel and government-allied forces, must be explicitly instructed by those who exercise chain-of-command control to respect international humanitarian law and to end rape and other forms of sexual violence immediately. All reports of rape and others forms of sexual violence must be investigated and those suspected of committing these offences prosecuted. Any combatant suspected of committing rape or other forms of sexual violence must be immediately removed from active service and from situations where such abuses might recur.

The UNAMSIL peace-keeping force has a mandate to protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment. UNAMSIL must, however, have a clearer mandate to protect the human rights of all civilians at all times, including girls and women at risk of abduction, rape and other forms of sexual violence by rebel forces, by taking a more determined and active approach to protecting civilians. This would include extending, as far as is possible, the area of deployment of UNAMSIL troops, particularly in those areas of Northern Province where abuses against civilians are continuing, and making every effort to defend civilians from attacks by rebel forces.

Bringing those responsible for human rights abuses to justice

It is now generally accepted that, under customary international law, rape committed by government officials or armed opposition groups during armed conflict - whether international or non-international - constitutes torture. Rape and other forms of sexual violence by combatants in the conduct of both types of armed conflict are now recognized as war crimes, most recently in the Rome Statute of the International Criminal Court which Sierra Leone signed on 17 October 1998 and intends to ratify shortly. When rape is committed on a systematic basis or a large scale, or, as confirmed in the Rome Statute, when it is committed

from their "husbands", would most likely not feel free to express their wish to return to their original families".

The current crisis in Sierra Leone has disrupted the process of disarmament, demobilization and reintegration of former combatants. When it resumes, effective provision needs to be made for those girls and women, many of whom are pregnant or have young children, to leave former combatants, if they wish. This would require: firstly, the opportunity to indicate privately to UN personnel their desire to leave the men who abducted and sexually abused them; secondly, support to enable them to receive all necessary medical and psycho-social care; and thirdly, support either to return to their families where this is possible or to re-establish their lives together with their children.

Urgent and sustained assistance from the international community is needed to address the needs of girls and women who have been victims of rape and other forms of sexual violence. In April 2000 the United States Ambassador to Sierra Leone, Joseph H. Melrose Jr., said that: "Child and women abductees and victims of gender violence are far too numerous, and we do not yet even have a clear picture as to how many there really are. What is clear is that these victims and their injuries, both physical and psychological, must not be ignored. If these injuries do not heal, they will have implications for future generations of Sierra Leoneans and the success of the peace process".

Amnesty International's recommendations

Recommendations to leaders of the RUF:

- take all measures to protect girls and women from rape and other forms of sexual violence, including by instructing all RUF combatants to respect international humanitarian law and to end rape and other forms of sexual violence immediately;
- state publicly that rape in the conduct of armed conflict constitutes a war crime and may constitute a crime against humanity under defined circumstances;
- immediately remove any combatant suspected of committing rape or other forms of sexual violence from situations where such abuses might recur;
- order the immediate release of all girls, women and other captured civilians who remain held and ensure that no further abductions are carried out.

Recommendations to the Sierra Leone government and leaders of the Sierra Leone Army, the Armed Forces Revolutionary Council (AFRC) and Civil Defence Forces (CDF):

- instruct all combatants fighting with government-allied forces not to commit rape and other forms of sexual violence;
- reaffirm that rape in the conduct of armed conflict constitutes a war crime and may constitute a crime against humanity under defined circumstances;

SIERRA LEONE

Rape and other forms of sexual violence against girls and women

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girls and women often feel forced to marry their abductors or to live as their "wives" because they fear the social stigma attached to rape and resulting pregnancies.

At the beginning of May 2000, Sierra Leone was thrown into further crisis after rebel forces captured some 500 UNAMSIL peace-keeping troops. Hostilities between rebel forces and government forces, including the Sierra Leone Army, Civil Defence Forces (CDF) and the AFRC, now allied to the government, resumed. Renewed insecurity and fighting have further aggravated the incidence of rape.

In the area around Masiaka in mid-May 2000 rebel forces raped and abducted girls and women. Among the victims was a woman aged in her twenties, with a five-month old baby, who was abducted after rebel forces took control of Masiaka. At the time of her abduction, she was stripped and raped by seven combatants. Taken to a rebel camp, she was repeatedly raped by several rebel combatants and was forced to carry supplies, cook and cut wood.

Many cases of rape - including gang-rape and rape of very young girls - have also been reported from Makeni, which remains under the control of rebel forces, and other towns, such as Lunsar, where government-allied forces have regained control but which has subsequently been retaken by rebel forces. Among those reported to have been raped in Makeni was a 14-year-old schoolgirl who was raped by rebel combatants in front her parents at their home in Makeni on 1 May 2000. The following day, 2 May 2000, two women were reported to have been raped as their home in Makeni was looted. In the village of Mayaki in Kambia District, rebel forces were reported to have raped several women on 24 May 2000 when they attacked the village and killed livestock. Girls and women in those areas of the country still controlled by rebel forces continue to face the threat of rape and abduction.

During June 2000 an Amnesty International delegation in Sierra Leone met a number of women who had been raped in Northern Province during the preceding weeks.

> *"It was the last Friday in May when we were trying to escape. My sister was running with her baby when the RUF caught us. The baby was placed elsewhere. Then the RUF raped my sister. My husband wanted to take the baby but he was caught and mercilessly beaten, and he collapsed. I managed to take the baby. My husband was later killed. My sister died later the same day."*
> A woman aged 19 years from Magburaka, close to Makeni, who was attacked on 26 May 2000.

> *"We fled to a village called Makoth; we hid ourselves in the bush together with our children. We were later surrounded by the RUF who grabbed my husband and tied his hands behind his back. They asked him to choose who will die; the choice was between me and him. He asked them to spare my life. They then tied him to a tree and they tried to cut his throat; this was difficult to do with their*

knife, so they shot him. I'm still breast-feeding but five RUF rebels raped me. I'm still bleeding."
A woman aged 29 years who fled Makeni on 30 May 2000.

"The RUF rebels dressed in UNAMSIL uniforms entered our house. I was very happy that we had been liberated, not knowing that they were rebels. They asked me to have intercourse with them; when I refused they hit me on my sides with their guns. My children managed to escape. Three of them raped me; the fourth one ordered them to stop what they were doing. After the rape, they looted my house. I escaped naked looking for a hiding place."
A woman aged 45 years who was attacked by RUF forces at her home in Lunsar.

Preventing rape and other forms of sexual violence

All combatants in Sierra Leone, both rebel and government-allied forces, must be explicitly instructed by those who exercise chain-of-command control to respect international humanitarian law and to end rape and other forms of sexual violence immediately. All reports of rape and others forms of sexual violence must be investigated and those suspected of committing these offences prosecuted. Any combatant suspected of committing rape or other forms of sexual violence must be immediately removed from active service and from situations where such abuses might recur.

The UNAMSIL peace-keeping force has a mandate to protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment. UNAMSIL must, however, have a clearer mandate to protect the human rights of all civilians at all times, including girls and women at risk of abduction, rape and other forms of sexual violence by rebel forces, by taking a more determined and active approach to protecting civilians. This would include extending, as far as is possible, the area of deployment of UNAMSIL troops, particularly in those areas of Northern Province where abuses against civilians are continuing, and making every effort to defend civilians from attacks by rebel forces.

Bringing those responsible for human rights abuses to justice

It is now generally accepted that, under customary international law, rape committed by government officials or armed opposition groups during armed conflict - whether international or non-international - constitutes torture. Rape and other forms of sexual violence by combatants in the conduct of both types of armed conflict are now recognized as war crimes, most recently in the Rome Statute of the International Criminal Court which Sierra Leone signed on 17 October 1998 and intends to ratify shortly. When rape is committed on a systematic basis or a large scale, or, as confirmed in the Rome Statute, when it is committed

as part of a widespread or systematic attack directed against any civilian population, it is a crime against humanity. As such, it is subject to universal jurisdiction.

As well as violating international humanitarian law, notably common Article 3 of the Geneva Conventions of 1949, rape is a crime under Sierra Leone national legislation: the 1960 Protection of Girls and Women Act and also the 1960 Prevention of Cruelty to Children Act.

Abuses of the human rights of women in situations of armed conflict are contrary to the fundamental principles of international human rights and humanitarian law. All abuses of this kind, including rape and sexual slavery, require a particularly effective response. In Sierra Leone the systematic way in which rape and other forms of sexual violence have been used, and committed so extensively with impunity, indicates a deliberate strategy to use rape and other forms of sexual violence against women and girls as a weapon of war and to instil terror.

The impunity enjoyed by perpetrators of human rights abuses throughout the internal armed conflict was further entrenched by the peace agreement signed in July 1999 which provided a blanket amnesty for all acts undertaken in pursuit of the conflict. This therefore included the gross human rights abuses which have characterized the conflict, including systematic sexual violence against girls and women.[2] Amnesty International believes that the amnesty in the peace agreement violates fundamental human rights principles by providing impunity to the perpetrators of gross human rights abuses and provides no deterrent against further abuses.

The UN added a disclaimer to the peace agreement that it did not recognize the amnesty as applying to crimes of genocide, crimes against humanity, war crimes and other serious violations of human rights and humanitarian law. There can be no amnesty for serious breaches of international humanitarian law and for human rights abuses which may amount to crimes against humanity. The duty to prosecute or extradite people responsible for crimes against humanity and grave violations of human rights, such as extrajudicial execution, forced disappearance, torture and violence against women, means that national amnesties and pardons which prevent the emergence of the truth and accountability for such violations are inconsistent with the duty to bring to justice those responsible for such violations and the rights of victims to justice.

Furthermore, human rights abuses committed since the signing of the peace agreement are not covered by the amnesty. Those rebel combatants who are responsible for continuing

[2]For further information, see previous documents published by Amnesty International, including *Sierra Leone: Real and credible justice is needed* (AI Index: AFR 51/45/00), 22 June 2000, *Sierra Leone: Human rights violators must be brought to justice* (AI Index: AFR 51/11/00), 17 May 2000, *Sierra Leone: the Security Council should clarify the United Nations' position on impunity* (AI Index: AFR 51/10/99), 4 August 1999, *Sierra Leone: a peace agreement but no justice* (AI Index: AFR 51/07/99), 9 July 1999.

abuses, including abduction and rape of girls and women, must be identified and brought to justice.

Assistance for the victims of rape and other forms of sexual violence

The psycho-social consequences of the systematic campaign of rape and other forms of sexual violence in Sierra Leone are great and need to be addressed urgently. A non-governmental humanitarian organization, *Médecins Sans Frontières* (MSF), working in Sierra Leone identified in January 2000 that the psycho-social and mental health consequences of conflict on civilians are all too often neglected.[3]

Following the incursion by rebel forces into Freetown in January 1999, a non-governmental organization, the Forum for African Women Educationalists (FAWE) - Sierra Leone Chapter, with support from other national and international agencies, developed a program to help victims of rape and other forms of sexual violence by providing medical care and counselling. Between March 1999 and February 2000, more than 2,000 girls and women who had been abducted, mostly from Freetown and the Western Area, were treated; more than 1,900 had been raped. Most had sexually transmitted diseases and many were pregnant; 80 per cent of those pregnant were aged between 14 and 18 years. FAWE has also opened a centre for women and girls who have had babies as a result of rape and provides training in skills such as tailoring, tie-dying and soap-making to enable them to make a living. In March 2000 there were more than 100 girls and women with babies and small children at the centre in Freetown.

Much more, however, needs to be done to assist the victims of rape and other forms of sexual violence. Outside Freetown, little or no help is available.

Following the signing of the peace agreement, a process of disarmament, demobilization and reintegration was to begin. It suffered serious delays, however, and only half of an estimated 45,000 combatants had been disarmed and demobilized by April 2000. When an Amnesty International delegation visited Sierra Leone in March 2000, it identified that the process of disarmament, demobilization and reintegration of former combatants appeared often not to provide any real opportunity to those girls and women who had been abducted by rebel forces and forced to become their sexual partners to free themselves from former combatants when they reported for disarmament and demobilization. The Fourth Report of the UN Secretary-General on UNAMSIL[4] of 19 May 2000 recognized "the need to protect dependants of ex-combatants, the majority of whom are women and children" and that "the majority of "wives" of the combatants are in fact abductees and, if not interviewed separately

[3] *Assessing Trauma in Sierra Leone*, Médecins Sans Frontières (Holland), 11 January 2000.

[4] S/2000/455

from their "husbands", would most likely not feel free to express their wish to return to their original families".

The current crisis in Sierra Leone has disrupted the process of disarmament, demobilization and reintegration of former combatants. When it resumes, effective provision needs to be made for those girls and women, many of whom are pregnant or have young children, to leave former combatants, if they wish. This would require: firstly, the opportunity to indicate privately to UN personnel their desire to leave the men who abducted and sexually abused them; secondly, support to enable them to receive all necessary medical and psycho-social care; and thirdly, support either to return to their families where this is possible or to re-establish their lives together with their children.

Urgent and sustained assistance from the international community is needed to address the needs of girls and women who have been victims of rape and other forms of sexual violence. In April 2000 the United States Ambassador to Sierra Leone, Joseph H. Melrose Jr., said that: "Child and women abductees and victims of gender violence are far too numerous, and we do not yet even have a clear picture as to how many there really are. What is clear is that these victims and their injuries, both physical and psychological, must not be ignored. If these injuries do not heal, they will have implications for future generations of Sierra Leoneans and the success of the peace process".

Amnesty International's recommendations

Recommendations to leaders of the RUF:

- take all measures to protect girls and women from rape and other forms of sexual violence, including by instructing all RUF combatants to respect international humanitarian law and to end rape and other forms of sexual violence immediately;
- state publicly that rape in the conduct of armed conflict constitutes a war crime and may constitute a crime against humanity under defined circumstances;
- immediately remove any combatant suspected of committing rape or other forms of sexual violence from situations where such abuses might recur;
- order the immediate release of all girls, women and other captured civilians who remain held and ensure that no further abductions are carried out.

Recommendations to the Sierra Leone government and leaders of the Sierra Leone Army, the Armed Forces Revolutionary Council (AFRC) and Civil Defence Forces (CDF):

- instruct all combatants fighting with government-allied forces not to commit rape and other forms of sexual violence;
- reaffirm that rape in the conduct of armed conflict constitutes a war crime and may constitute a crime against humanity under defined circumstances;

- state publicly that anyone who commits such a crime will be brought to justice;
- investigate all reports of rape and other forms of sexual violence by those combatants under their control and prosecute those alleged to have committed these offences;
- immediately remove from active service anyone suspected of committing rape or other forms of sexual violence.

Recommendations to the United Nations Mission in Sierra Leone (UNAMSIL):

- ensure that UN peace-keepers fulfil their mandate to protect civilians from physical violence, including girls and women at risk of abduction, rape and other forms of sexual violence, by encouraging a more active and determined approach to protecting civilians and by providing all necessary training and logistical support;
- ensure that all troops deployed by UNAMSIL are fully trained in international human rights and humanitarian law and that expertise in violence against women, including gender-based crimes, is provided within UNAMSIL;
- ensure that cases of rape and other forms of sexual violence continue to be monitored and recorded by the UNAMSIL human rights section with a view to the investigation and prosecution of those alleged to be responsible;
- during the demobilization and disarmament process, provide the necessary conditions to enable those girls and women forced to become the sexual partners of rebel forces to leave demobilized combatants, if they wish to do so.

Recommendations to the international community:

- continue to publicly condemn rape and other forms of sexual violence and apply sustained pressure on those in control of combatants to end these abuses;
- ensure the provision of sustained and adequate assistance to the victims of rape and other forms of sexual violence, including by supporting those organizations which are providing medical and psycho-social care and programs to rehabilitate the victims and assist them in returning to their families and communities;
- ensure that all reports of rape and other forms of sexual violence are fully investigated by the appropriate authorities in order to identify those responsible and bring them to justice; this should include providing assistance to the government of Sierra Leone in restructuring and training the police force and establishing a competent, impartial and independent judiciary with the necessary resources to function effectively and fairly, and ensuring that appropriate training is provided to prosecutors, judges and other officials in handling cases involving rape and other forms of sexual violence in armed conflict;
- ensure that all training provided to the new Sierra Leone Army and the police force includes training in international human rights and humanitarian law and that those dealing with women who are victims of violence, including sexual violence, have expertise in violence against women, including gender-based crimes;

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- in the event of a review of the peace agreement concluded in Lomé in July 1999, ensure that the specific needs of victims of rape and other forms of sexual violence during the internal armed conflict and their right to redress are fully taken into account.

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In its report, *Sexual Violence within the Sierra Leone Conflict*, dated 26 February 2001, Human Rights Watch stated or noted that:

(a) Throughout the nine year Sierra Leonean conflict, there had been widespread and systematic sexual violence against women and girls, including individual and gang rape, sexual assault with objects such as firewood, umbrellas and sticks, and sexual slavery. In thousands of cases, sexual violence was followed by the abduction of women and girls and forced bondage to male combatants in slavery-like conditions often accompanied by forced labor. The rebel factions used sexual violence to terrorize, humiliate, punish, and ultimately control the civilian population into submission (p. 1).

(b) While members of the RUF and AFRC had been the most common perpetrators, members of the civil defence forces and the Sierra Leonean Army had also been implicated (p. 1).

(c) Sexual violence within the Sierra Leonean conflict was not only a war crime, but – given its widespread and systematic nature – was also a crime against humanity (p. 2).

(d) Rebels (RUF, AFRC, and West Side Boys) had perpetrated systematic, organized and widespread sexual violence against girls and women since the Sierra Leonean civil war began in 1991 (p. 2).

(e) The RUF had made occasional efforts to declare rape a crime within areas under their control, and to discipline combatants accused of "breaking the law". Human Rights Watch documented numerous cases of combatants being publicly executed after summary trials in which they had been "convicted" of rape. Human Rights Watch condemned such extra-judicial and summary proceedings and executions. These efforts failed to deter the perpetration of sexual violence (p. 2).

a.	Exh. 1.177	n/a	Human Rights Watch, "Sexual Violence within the Sierra Leone Conflict," 26 February 2001, available at http://www.hrw.org.

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Sexual Violence within the Sierra Leone Conflict

(New York, 26 February 2001) Throughout the nine year Sierra Leonean conflict there has been widespread and systematic sexual violence against women and girls including individual and gang rape, sexual assault with objects such as firewood, umbrellas and sticks, and sexual slavery. In thousands of cases, sexual violence has been followed by the abduction of women and girls and forced bondage to male combatants in slavery-like conditions often accompanied by forced labor. These sexual crimes are most often characterized by extraordinary brutality and are frequently preceded or followed by violent acts against other family members. The rebel factions use sexual violence as a weapon to terrorize, humiliate, punish and ultimately control the civilian population into submission.

Human Rights Watch has documented cases of fathers being forced to watch the rape of their daughters, middle aged women being raped by boys as young as eleven, women being raped in public places, and girls being raped during sacred coming-of-age rituals.

The perpetration of sexual violence is often marked by the systematic breaking of taboos and undermining of cultural values. For example, Human Rights Watch has documented cases of fathers being forced to watch the rape of their daughters, middle aged women being raped by boys as young as eleven, women being raped in public places, and girls being raped during sacred coming-of-age rituals. As in other countries, the abuse of women in the Sierra Leonean conflict is rooted in the persistent human rights violations that push women into a lower status with limited rights in all spheres of their lives, from home to work.

Related Material

Sierra Leone: A Call for Justice
Photographs 2000

Sierra Leone focus page

The violence has affected thousands of girls and women of all ages. While members of the Revolutionary United Front (RUF) and Armed Forces Revolutionary Council (AFRC; the renegade members of the Sierra Leonean Army who led the 1997 coup, now sometimes also known as the West Side Boys) have been the most common perpetrators, members of the civil defense forces - the biggest and most powerful of which is the Kamajors - and the loyal Sierra Leonean Army have also been implicated.

Following the l999 Lomé Peace Accord, there was a marked decrease in most human rights violations - except sexual violence, which continued unabated. From the signing in July 1999 to the May 2000 collapse of the accord, Human Rights Watch documented some one hundred cases of rape by rebel forces. Since the collapse of the peace agreement in May 2000, Human Rights Watch has received consistent reports of rape by RUF rebels and AFRC soldiers, and to a lesser extent by Kamajor militias.

There are no official statistics on the numbers of girls and women who have suffered sexual violence during the war. This is due both to under-reporting because of cultural factors, fear of retaliation, and lack of faith in the criminal justice system, and to a lack of resources devoted to the problem on the part of the relevant government ministries. While it is common that women know the perpetrators of these violations, very few have dared to bring charges, for fear of reprisals against them and their families. However, those girls who have either been released or managed to escape rebel captivity indicate that the overwhelming majority are sexually abused. According to one 1999 study, there were 1862 female victims of sexual abuse seen for medical treatment and counseling in one program treating victims raped and/or abducted during the January 1999 offensive against the capital Freetown. Of these, according to information received from Médecins Sans Frontières (MSF) in March 2000, 55 percent reported having been gang raped and 200 had become pregnant.

Since April 1999, the Human Rights Watch office in Freetown has done extensive research on sexual violence and taken hundreds of testimonies of victims throughout the rebel war and from all areas of the country.

International Law

Sexual violence within the Sierra Leonean conflict is not only a war crime, but - given its widespread and systematic nature - is also a crime against humanity. Rape and other forms of sexual violence also constitute torture when they are intentionally inflicted on a victim by an official or with official instigation, consent or tolerance for purposes such as intimidation, punishment, or eliciting information. Grave breaches of the laws of war, torture, and crimes against humanity are crimes of universal jurisdiction: any nation may prosecute the perpetrators, regardless of their nationality, the nationality of victims or of where the crime took place. However, it is not necessary to find that rape and sexual violence take place systematically or on a wide scale in order to prosecute the perpetrators under national law. Just as a single case of murder of a civilian can be prosecuted, so too can a single rape.

Victims interviewed by Human Rights Watch indicate that the violence is often premeditated and organized, suggesting command responsibility on the part of the military hierarchy. That is to say, officers have either authorized or ordered these abuses, or they knew or should have known that they were taking place, and took no measures to control their subordinates. An individual found to have command responsibility for the crime committed by a subordinate is deemed responsible at least of the same crime as the subordinate, that is, if the officer stood by while the subordinate committed rape, the officer is also responsible for rape.

Perpetrators

Rebel Forces

The rebels (at different times the RUF, AFRC, and West Side Boys) have perpetrated systematic, organized and widespread sexual violence against girls and women since the Sierra Leonean civil war began in 1991. Most of the rapes documented by Human Rights Watch occurred during attacks against a hamlet, village or town. During the course of the attack, the victims were most often abducted and forced to become sexual partners or "wives" to their rebel captors. Once captured, victims often described trying to attach themselves to one rebel so as to avoid gang rape, be given a degree of protection and be subjected to less hardship. They often become pregnant, had children and remained with the rebels for years. Some received military training, were given drugs and later themselves became perpetrators of serious abuses. Human Rights Watch has documented several cases of female rebels being involved in 'finding' and later abducting young girls to be later raped by their commanding officers.

The RUF has made occasional efforts to declare rape a crime within areas under their control, and discipline combatants accused of 'breaking the law.' Human Rights Watch has documented numerous cases of combatants being publicly executed after summary trials in which they have been "convicted" of rape. Human Rights Watch condemns such extra-judicial and summary proceedings and executions. These efforts have in any event failed to deter the perpetration of sexual violence by rebel soldiers in practice.

Civil Defense Forces

Rape has until recently been very uncommon among the CDF forces, the largest of which is the Kamajors, primarily because of the belief that power and potency as a warrior is dependent upon sexual abstinence. In the last few years the Kamajors have been moved away from their native areas and traditional chiefs, and given more responsibility in national security. Once separated from the influence of the paramount and regional chiefs, they have become increasingly undisciplined and the cases of rape have become more common. Human Rights Watch has also documented one case of the sexual torture to death of a female RUF commander by a senior Kamajor leader.

ECOMOG and UNAMSIL

Human Rights Watch has not documented any cases of rape by soldiers serving under ECOMOG, the Economic Community of West African States peace keeping force., or under UNAMSIL, the U.N. Mission in Sierra Leone. The UNAMSIL human rights section provides basic training in international humanitarian law to the officers of all units serving in the mission.

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Consequences of Sexual Violence

The victims of sexual violence can suffer severe health consequences. Human Rights Watch has interviewed two women who suffered a prolapsed uterus following rape, as well as several cases of serious injury among women who have had objects inserted into their vaginas. The incidence of sexually transmitted diseases is very high among the victims of sexual violence. The incidence of HIV/AIDS in rape victims is currently unknown but of great concern given rising rates of infection generally. There are effectively no programs available to test for infection. Girls as young as twelve have fallen pregnant as a result of rape.

According to health practitioners, victims of sexual violence often suffer anxiety and depression which lasts for years. Sierra Leonean society attaches a strong stigma to rape, and women are commonly blamed for having been raped or sexually assaulted. Many women who had been abducted interviewed by Human Rights Watch told how they stayed with the rebels for fear of being rejected by their family. This was particularly the case for those who had become pregnant and later had a child.

Care for Victims

Until the rebel offensive against the capital Freetown there were no statistics kept and no programs - either governmental or nongovernmental - specifically designed to treat the victims of sexual assault. The January l999 offensive, in which thousands of girls and women were raped and later abducted by rebel forces, provoked a response on the part of such organizations as Médecins Sans Frontières, Forum for African Women Educationalists (FAWE), Cooperazione Internazionale (COOPI), and UNICEF.

During 1999, a task force on sexual violence was set up, and several counseling centers and a network of medical practitioners to treat the victims was established. MSF embarked on a program to train trauma counselors and COOPI opened a home in Freetown for abducted girls who had become pregnant. The services within the provinces, however, remain sorely lacking. The only existing program outside of Freetown is run by the International Rescue Committee (IRC) and treats victims living around the provincial headquarters of Bo and Kenema.

Protection of Civilians in Sierra Leone Today

The U.N. and its member states have failed to demonstrate the commitment to the implementation of the Lomé peace accord that is implied by the U.N.'s acceptance of the position of "moral guarantor" of the agreement. It took three-and-a-half months after the signing of the Lomé accord for the Security Council to adopt a resolution creating a peacekeeping force, and further months for the soldiers authorized under that resolution actually to arrive in Sierra Leone; only after the crisis caused by the RUF taking U.N. soldiers hostage in May did UNAMSIL's military contingent reach the level of 11,100 authorized in February. Moreover, the mandate granted to the peacekeeping force was too limited for the conditions facing it, while the troops that have been deployed have failed to implement even that limited mandate. When UNAMSIL forces have come under RUF attack since the resumption of hostilities, they have frequently chosen to make an immediate retreat rather than attempting to maintain their positions. UNAMSIL and government forces, including the loyal Sierra Leonean Army and the Sierra Leone Police, are in control of less than half of the country

In particular, very little effort has been made by the Sierra Leonean Army, Sierra Leonean Police and UNAMSIL to protect women and girls from attack by rebel groups. For example, in the months following the signing of the Lomé accord, Human Rights Watch documented scores of abductions and rapes of girls and women by AFRC and RUF rebels within villages around the western towns of Masiaka and Port Loko. The attacks occurred within the context of food raids and against public transport vehicles along a major highway. While the rebel activities were well known by UNAMSIL, ECOMOG (prior to their withdrawal), Sierra Leonean Police and the Sierra Leonean Army, there was no effort to arrest and prosecute the perpetrators. Several women were in fact abducted less than a mile from UNAMSIL and SLA checkpoints.

The UNAMSIL human rights section is currently providing human rights education to Sierra Leonean Police units. The British army is training 3,000 members of the Sierra Leonean Army, and includes education on the laws of armed conflict and child protection within their training curriculum. There is, however, no specific training to any military or police force with regard to women's rights, including women's rights to equality and bodily integrity.

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Impunity

Article IX of the Lomé Accord required the government of Sierra Leone to "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 date of the signing of the accord. The special representative of the U.N. secretary-general attached a reservation to the Lomé Accord stating that the U.N. interpreted Article IX not to apply to "international crimes of genocide, crimes against humanity, war crimes, and other serious violations of international humanitarian law." All states have a duty to prosecute the perpetrators of serious violations of human rights and international humanitarian law, including sexual violence. Human Rights Watch does not believe that, even under the terms of the Lomé amnesty as currently in force under Sierra Leonean law, rape and sexual violence should be considered as being "in pursuit of the objectives" of any of the parties to the conflict.

Recommendations

Human Rights Watch urges all Sierra Leonean authorities and UNAMSIL to take steps to protect women from sexual violence, address the legal and other needs of victims, and bring perpetrators to justice. In particular, Human Rights Watch urges UNAMSIL to ensure that its monitoring of human rights abuses includes reporting on current incidents of rape and sexual assault against women and abduction of women for forced labor by rebel or pro-government forces, or by soldiers serving with the UNAMSIL peacekeeping forces. UNAMSIL should work with the Sierra Leonean government to put in place disciplinary and other procedures to prevent violations of international humanitarian law and other abuses, including sexual violence, by pro-government forces including the Sierra Leonean Army and the Civil Defense Forces.

Given the widespread nature of sexual abuse within the Sierra Leonean conflict, Human Rights Watch urges UNAMSIL, and the Commonwealth training teams involved in training UNAMSIL peacekeepers, the Sierra Leonean Army and Police, to include classes within their training to address women's rights, including women's rights to equality and bodily integrity, with special emphasis on sexual assault.

The Sierra Leonean Ministry of Health and international humanitarian organizations should make every effort to address health issues for women resulting from sexual violence. To the degree possible, programs for rape survivors should be integrated into broader programs to ensure that rape survivors are not further stigmatized.

Human Rights Watch has called for the establishment of an internationally-supported tribunal to bring to justice the perpetrators of war crimes and other abuses in Sierra Leone. Any such tribunal, or trials under Sierra Leonean law, should recognize and prosecute rape, sexual slavery and sexual mutilation, where appropriate, as crimes against humanity or war crimes. All investigations should be done in a manner that has as a priority minimizing secondary trauma to the victim and assuring her physical and psychological well-being. The investigations should be done by investigators with gender and sexual assault expertise and training.

FACT 97

In *Rebel Abuses Against Sierra Leonean Refugees returning from Guinea*, dated 3 April 2001, Human Rights Watch related the stores of various atrocities (killings, rapes) committed by the rebels against civilians returning from Guinea.

a.	Exh. 1.155	n/a	Human Rights Watch, "Rebel Abuses Against Sierra Leonean Refugees Returning from Guinea," 3 April 2001, available at http://www.hrw.org.

HUMAN RIGHTS WATCH

Rebel Abuses Against Sierra Leonean Refugees Returning from Guinea

Human Rights Watch Testimonies

(Freetown, Sierra Leone, April 3, 2001) -- Thirty year old Mani, who suffers from a speech impediment, had traveled from Katkama camp in Guinea to Soardu camp, closer to the border, in search of food. In late February he decided to leave Guinea and crossed into Sierra Leone's Kono District. He encountered the rebels in the town of Gbamandu and described what happened:

"I traveled with six other men and three women when we met a large group of rebels. They accused us of supporting Tejan Kabbah from Guinea. Many of them then took the three women into the forest. The women had their clothes on. We were pleading to be released. Five came up to me and said that I was useless to them, because I am not well. They tied my ankles to my hands and started hitting me with their guns and boots. It all took a long time and my head was spinning, but I can remember seeing the women again coming back from the forest with the rebels. They were naked and their eyes were red and running, and I saw that they had some scratches on their bodies. They then left with the others and left me behind, unable to move. After lying there for three days, my relatives found me. They put me on a wheelbarrow and brought me here. I still can't walk because of the beating."

Sixty-seven year old Kumba left Nyaedou camp with her eldest son Sahr and crossed into Markor, Kono district late February 2001. She was beaten and they arrested her eldest son, whom she hasn't seen since. She explained:

"We met them [the rebels] at a checkpoint. They took our luggage and they told me that they would beat me, because old people tell their children not to cross the border. They pushed me to the ground and hit me three times on my back with the butt of a gun. My son Sahr ran up to me and tried to stop them. They immediately arrested him and tied his hands to his feet. They told him that they would deal with him later. I managed to get up and I fled into the bush. The last thing I saw was that two of them lifted Sahr by the arms and carried him away. I haven't seen him since."

Fatmata, thirty-seven, fled Nongoa camp in the Parrot's Beak region of Guinea with her husband and baby shortly after the camp was attacked on March 9. At Manowa in Kailahun, Sierra Leone, the RUF detained a large group of some sixty returnees. The rebels then targeted her ailing husband. Fatmata described what happened:

"My husband was very sick when we crossed the border into Kailahun. His eyes and fingernails were yellow. All of us were told to sit on the ground and wait, while armed rebels were all around us. Four rebels then came up to my husband and told him to stand up and run. He stood up, but they knew that he could not run. Then they started beating and kicking him and said that they would continue for as long as he would not obey their orders. One of them was in his late twenties. The other three boys were very young, around seventeen. It did not take long. He bled from his nose and mouth and did not move anymore. They said that if one of us would touch his body, that person would be dealt with in the same way. None of us said a word.

We were kept there the rest of the day and the following night. Nobody moved. We received some water but no food. Then the next morning, they let all of us go. I left my husband's body behind, which had been lying there all that time."

Due to food shortages in the refugee camps, thirty-year-old Princess and her family decided in mid-January to leave Nyaedou camp and travel back to Sierra Leone. After stopping over in the Koloma camp in the Parrot's Beak, they crossed into Kailahun district. After being stopped by the RUF, she was selected with five other women of the same age, taken into the bush and gang raped by five rebels. After one week, they were allowed to pass through. She narrated her ordeal:

"We had traveled from Nyaedou camp to a few other camps in Guinea to flee from rebel attacks and to find food. Finally we left Kolomba camp mid January and crossed the border into Gelema, Kailahun. The same day we met armed rebels there, some ten in number. We were with around thirty people, including my husband and two sons. Rebels took our property right away, then they walked up to me and told me to come. They pointed out five other women. They said that they were not going to kill us, but that they were going to use us until they would be satisfied. They also said that they wanted peace, but that they would not let us go for nothing. Then all six of us were taken deep into the forest by five of them, while our husbands stayed in Gelema town. They said that we would not escape, since our relatives were still in Gelema town. Then deeper into the forest, all of them raped me, one after the other, it did not take long. When they were finished with me, they told me to go. I found my way back to town and found my husband and youngest son, but I was told that my ten-year old son Vandy was missing. I haven't seen him since. I met the other women in town later that evening. The only thing they said is that they [the rebels] had done the same to them as they had done to me. The rebels did not allow us to leave, but they gave us water and cassava to eat, and left us alone. There were no commanders among them in Gelema town. After one week we were allowed to pass through. But my son was still missing."

Thirty-five year old Sia who had been staying in Katkama camp, north of Gueckedou, in Guinea, was abducted and raped by RUF rebels after crossing the border at the end of December 2000. She was taken to Koidu town together with some twenty-five returnees, while her husband was forced to stay behind with other rebels. She described her ordeal:

"We were with some thirty refugees in our group. All of us were arrested by armed rebels at Kamanjendoh, after they had taken most of our belongings. Some three days later we were taken to another village. There they separated the married men from the women and the unmarried young men. I was in a group of sixteen women and some ten young men. Our husbands were forced to stay behind with other rebels. We were told that we had to join them to become their wives, that we would leave for Koidu. While we were taken away, my son was crying for his father, I was the only woman carrying children. We had traveled for a few days when we arrived in Koidu, this was early January. There the men were taken away somewhere else while the women were put into a big house. After a few days, some men came in with clothes and cooking materials. The man who gave me the items was callied Sorie. He told me that I would be his wife. The next day he took me and my children to his house, where he raped me the same day. I had no choice since I was afraid for my children, but he treated them well. After two days, nine of the women of my group came by at night and told me to join them. The other six stayed behind because they were too afraid to escape. We managed to leave Koidu and traveled through the bush until we reached Kenema. On the way, the other women told me that they were not raped but beaten since they refused. They were older than me. My children and me are here now, but I am worried about my husband."

Fifty-year-old Kumba left Katkama camp on December lo. She traveled with her husband and four children for several days through Kono district in Sierra Leone, until they met a group of rebels in Tongoma town. She described what happened to her twenty-five year-old son Sahr:

"The rebels were many in Tongoma, they carried guns and wore combat trousers. They took our shoes and clothes, some of us were stripped down to our underwear. Then they surrounded my eldest son, Sahr Allieu, and told him that they were going to train him how to fight. Sahr told them that he would refuse to be trained. They argued for a short while, and then one of the rebels shot him from behind in the head. The rebels around him scattered and my family and I went up to Sahr in distress. He was dead. The bullet came out in the front. We stayed there to bury my son, but most refugees were allowed to pass through after their belongings were taken away. While burying Sahr, the rebels dropped the body of another man next to Sahr's body. We had to bury that man as well. His name was Tamba [also a refugee]. I knew him because he was the son of an old lady I knew from Kono. Besides Sahr and Tamba, I saw two more dead bodies that day in Tongoma town."

Twenty-nine year old Njama left Katkama camp in Guinea and crossed into Kono with her husband and two children at the end of November 2000. In early December, they arrived at Kamanjendoh, where the returnees of their group were detained and the young men and women separated from the elderly. Njama's husband refused to be separated, she described what happened:

"At Kamanjendoh, all of us were put in a house where the rebels selected the young men and the young women. The two groups were separated by a mat. They told the young men in our group that they would be trained. They then choose the women they preferred who would cook for them. We, the women who came with a husband, were told to forget about them, because we were with them [the rebels] now. My husband became upset when they separated us. He told them that he was legally married to me and that nobody would stop him from being together with me. I could hear them arguing. My husband was angry with them for doing this to us. The next morning, early, I just heard one gunshot. Some refugees who had been washing at the river ran up to me and told me that they had killed my husband. I went to the back of the house to where the sound came from. He was there, they had shot him in the chest because he had argued with them. They warned me not to cry for I would be killed too. My husband's name was Kai Sam, he was in his thirties. One rebel felt sorry for me. He was also a Kono by tribe, just like me. My husband was also a Kono. He wrote me a letter to help me pass through the other checkpoints. A few days later, I sent my children into the bush to fetch water. They understood, and I followed soon after. I arrived here in this camp [in Freetown] at the end of February."

Finda, twenty-five years, left Baladu camp, north of Gueckedou, with her three children at the end of January. She was arrested with over twenty other refugees at Jagbwema, Kono district. She described:

"They [the rebels] were ten in number. They took our luggage from us and split the group in two. Five young boys from the group were separated and the rebels said they were going to mine. Two of the boys were around twenty years, the other three were somewhere between twelve and sixteen. I don't know what happened to them. That night they [the rebels] discussed what to do with the rest of the group. We could hear them talking about the message they had sent to 'Burkina Faso', which is a base just behind Gandorhun (Kono). The message was about whether they should take us along or release us. Than we heard that more troops were on their way. That made us so afraid that we planned to escape. That same night, many of us managed to get out through the bushes."

Bintu, twenty-seven years, fled Masakondou camp, with many other refugees. In early February on their way to Sierra Leone, they were stopped by RUF rebels at the border town of Dangadu. Bintu described how she was raped by two RUF rebels.

"We came in by truck, some forty of us. We met the rebels at Dangadu, which is at the border with Kono but still in Guinea. There we had to offload. Most refugees had to strip naked and we were searched. They took most of our property, even the clothes of my children I was carrying. Then two of them came up to me and held me. I resisted and pointed at my husband, telling them I was married. They went up to him and tied him up. Then they took me off the road far into the bush. I was carrying my seven months old baby on my back. Inside the bush, they took the baby of my back and pushed me to the ground. They said that they would deal with the refugees today. Then they raped me in turns. It lasted for a couple of hours, after that, they let me go. I picked up my baby and went back to the road where I met my husband. Everyone else was gone, I don't know where to. We left for Koquima, which is some 50 miles from Dangadu. It took us 15 days to reach the hospital in Koquima. I was in pain so we could only travel for a few miles per day."

Twenty-nine year old Sia left Baladu camp on the December 6. The next day, she crossed through Koardu, into Kono with her family, where they encountered a large group of RUF rebels. She described what happened then:

"All our bags were searched. They took property from us, and told the men not to move. Then they took us, some thirty women, away under gunpoint to the village of Koardu. Once there, one of them called me into the bush. He told me to come with him to collect my belongings, which would be returned to me. When I was close to him, he grabbed me by force and took me into the forest. If I would scream he said he would kill me. He raped me once, then I was let go. When I arrived at the village again, the other women had left already, but I managed to join them further down the road. My children were with them. None of us decided to go back to where we had left our husbands. We had no choice but to move on. On the way, we talked about what had happened to us. A number of women spoke about being raped, just like what they did to me. I can't exactly tell how many but it was more than five. Others complained about the loss of their belongings. All of us went to Koidu, which was a two-day-walk. My father, who lives in Koidu, took me to Freetown to get a medical check-up. I was treated in Connaught hospital. My husband is still missing."

Kadiatu, thirty-two-years, left Kissidougou town in Guinea in early January. She crossed the border into Koinadugu district with some thirty refugees. On their way to Kabala, they met rebels who screened the returnees; looking for Guineans and weapons. Kadiatu and at least one other woman from their group were screened separately from the others and gang-raped. She narrated her ordeal:

"All of us arrived at Dankawali checkpoint where rebels told us to stand in line. They were checking whether there were any Guineans among us. They checked our properties and took whatever they could use. They occupied an old school building and asked the women in, one by one. A woman name Fati was called in before me. It took a long time before she came out. Then it was my turn. There were five men inside the room. One of them lifted up my skirt to see whether they liked my thighs. They found my legs smooth. They said that they needed me to have a good time, and ripped my clothes of. The first one who was called, 'Hold Me Cap', raped me three times while he was asking all kinds of questions about Guinea. He told me not to worry since they [the rebels] would retaliate. Then the second raped me twice. He was called 'Lebanese'.I started to feel pain so I offered the third one the little money I had left so he would stop after one time. The fourth man asked me what tribe I was. He then said that he would use me only once since he had a good friend who was a Temne by tribe, just like me. By the time the last one used me, I was dizzy and in a lot of

pain. I hardly reacted anymore and I think he noticed because he did it slow to me and got up after a few minutes and left. I was released but could barely walk. All of us were released the same day and were told to move on. In the next village, Fati was complaining about pain in her abdomen. Then of course I knew. There was no chance to hide it from each other. I have a painful infection ever since during that day."

Related Material

No "Safe Passage" Through Rebel-Held Sierra Leone
Press Release, April 3, 2001

Sierra Leone: A Call for Justice
Image, April 3, 2001

Guinean Forces Kill, Wound Civilians in Sierra Leone
Press Release, February 28, 2001

From: http://hrw.org/english/docs/2001/04/03/sierra2977.htm

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FACT 98

In *Taylor-made: The Pivotal Role of Liberia's Forests and Flag of Convenience in Regional Conflict*, dated September 2001, Global Witness stated or noted that:

(a) The UN Security Council should immediately impose a total embargo on the exportation and transportation of Liberian timber, and its importation into other countries. Such an embargo should remain in place until it can be demonstrated that the trade does not contribute to the RUF in Sierra Leone and armed militias in Liberia, and that it is carried out in a transparent manner (p. 1).

(b) Liberia was continuing to provide refuge to Sam "Mosquito" Bockarie, who, as of June 2001, was dividing his time between Liberia and Normo Farma, Golahun Tonkia, Sierra Leone (p. 4).

(c) The Liberian maritime programme was cited by the UN Panel of Experts on Sierra Leone as playing a role in facilitating the trade in "conflict diamonds" from Sierra Leone (p. 4).

(d) The Liberian logging industry was also cited by the UN Panel of Experts on Sierra Leone as heavily involved, both directly and indirectly, in the support of the RUF (p. 6).

(e) Several individuals cited in the "List of Persons Affected by Resolution 1343 (2001) on Liberia" travel-ban had acquired Sierra Leonean passports, thus allowing them to surpass the UN restrictions (p. 6).

(f) The twenty original members of the RUF, called the "RUF Vanguard" were, as of 19th June 2001, in Liberia. Original members of the RUF, called the "Special Forces" were also in Liberia fighting in Lofa County (p. 6).

(g) Sierra Leonean civilians had been forcibly removed from Sierra Leone and taken to Liberia. Furthermore, Sierra Leonean refugee males over the age of 14 were being forcibly recruited into the ATU and the AFL in May 2001 (p. 6).

(h) Reports showed RUF rebels were "sent into Lofa County to beef-up Liberian Government defenses" (p. 12).

(i) Liberia had begun illicit logging operations in Sierra Leone, reputedly with the cooperation of the RUF, who were also fighting in Lofa County (p. 12).

(j) According to eyewitnesses, Sierra Leonean refugees in Liberia were being forcibly enlisted or bribed into becoming combatants, and the evidence gathered showed that this was done with cooperation between the RUF and the Liberian government (p. 13).

(k) Global Witness had evidence substantiating previous reports about Gaddafi training the RUF that showed in 2000, several Sierra Leoneans were taken to Libya from other countries including Nigeria, Côte d'Ivoire, and Guinea. While in Libya, they were reportedly given military training and subsequently ear-marked to become RUF combatants upon their arrival in Liberia (p. 14).

(l) The RUF was largely able to continue its activities because of its support from the Liberian government (p. 14).

a.	Exh. 1.402	n/a	Global Witness, "Taylor-made: The Pivotal Role of Liberia's Forest and Flag of Convenience in Regional Conflict," September 2001, available at http://www.globalwitness.org.

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Recommendations

The UN Security Council should:

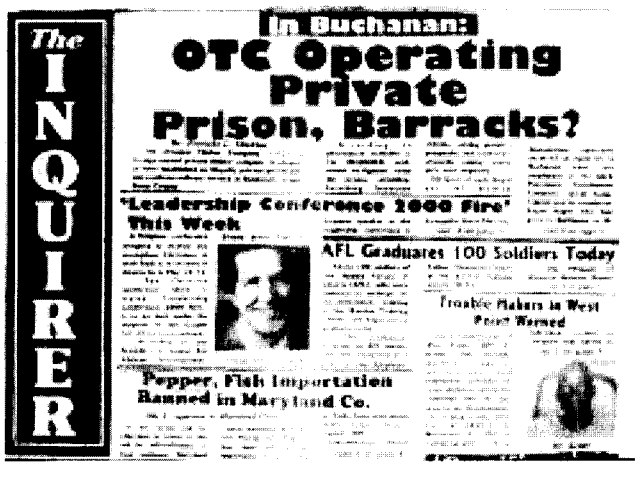
- Immediately impose a total embargo on the exportation and transportation of Liberian timber, and its importation into other countries. Such an embargo should remain in place until it can be demonstrated that the trade does not contribute to the Revolutionary United Front (RUF) in Sierra Leone and armed militias in Liberia, and that it is carried out in a transparent manner (as referred to in para 49 of the *Report of the Panel of Experts appointed pursuant to UN Security Council Resolution 1306 (2000) paragraph 19 in relation to Sierra Leone*).
- Conduct further investigations into the Liberian timber industry, particularly the Oriental Timber Company (OTC), to enable the United Nations Security Council (UNSC) and other members of the international community to gain a comprehensive understanding of the role of this industry in Charles Taylor's presidency and the conflict in Sierra Leone and, increasingly, Lofa County in Northern Liberia.
- Conduct detailed investigations into any other Liberian industries that may contribute to violence and human rights violations in West Africa.
- Impose sanctions on the Liberian shipping register, as this revenue is used directly by the Executive Mansion (i.e. under Taylor's personal control) for extra-governmental purposes that do not benefit the state and prolongs regional insecurity.

The International Community should:

- Increase humanitarian aid to Liberia, channelled through UN agencies and NGOs. Due to aid restrictions, agencies such as the World Food Programme have to allocate lower rations to, for example, Internally Displaced Persons in Liberia than to their counterparts in Sierra Leone. The sanctions should target the government, not the ordinary citizens of Liberia or the victims of regional conflict.
- Put pressure on Guinea's President Conté to bring an end to his support for cross-border attacks into Liberia (*see Chapter 10. Factors of destabilisation in the region page 27*)

The Government of Liberia should ensure that:

- The country's timber industry is run according to best international standards of sustainable forest management, and to ensure that all timber revenues due to the state are directed to the Central Bank of Liberia, and not to the Executive Mansion.
- The timber industry benefits the lives of the Liberian population, rather than contributing to their poverty and oppression.
- Timber companies operating in Liberia do so according to the law, that they do not employ armed militias and do not engage in any activities which contribute to conflict and human rights abuses.


The INQUIRER

In Buchanan:
OTC Operating Private Prison, Barracks?

'Leadership Conference 2000 Fire' This Week

AFL Graduates 100 Soldiers Today

Trouble Makers in West Coast Warned

Pepper, Fish Importation Banned in Maryland Co.

Liberian newspaper documenting the logging company OTC's militias alleged human rights abuses; May 2000.

Preface

Through the imposition of targeted sanctions, the international community has demonstrated its concern over the threat Liberia poses to regional security. Despite recent overtures, this threat is still real: Liberia continues to support the rebels of the Revolutionary United Front, and continues to import armaments in contravention of the sanctions.

Liberia's timber and shipping register are two key sources of revenue for the Taylor regime, which is engaged in these activities. In 2000, the timber trade alone generated minimum profits of US$100 million which did not benefit the state. It is highly unlikely that, without the lucrative revenues from these sources, Taylor could sustain his programme of regional destabilisation.

Timber related jobs in Liberia are few, seasonal and insecure, other than those provided to expatriates. Similarly, the maritime programme offers few jobs to Liberians who have very little contact with what is effectively a device to give foreign shipping companies a haven from taxes and other responsibilities.

Economic sanctions focused on these two sources of income would seriously restrict the regime's capacity to sponsor war in the region. Furthermore, such sanctions would hurt the warlord elite and a greedy industry far more than most Liberians, who live in abject poverty in a land with virtually no infrastructure. The continuation of current logging practices would be severely detrimental for the Liberian people.

armed militias. French and Chinese opposition cite both the negative effects sanctions will have on the Liberian people, and that there is insufficient evidence linking the logging industry to military funding and the arms trade. However, most Liberian independent press and ordinary citizens interviewed by Global Witness regard sanctions as essential in protecting Liberia's forest resources. Furthermore, the attitude of ordinary Liberians is that, for them, the situation is as about as bad as it could get. Sanctions will hurt the elite, not the average citizen.

- Charles Taylor is still using RUF forces in Lofa County, and is forcibly recruiting men and boys over the age of fourteen. Liberia continues to provide refuge to the notorious Sam 'Mosquito' Bockarie, who, as of June 2001, divides his time between Liberia and Normo Farma, Golahun Tonkia, Sierra Leone. This report also provides proof that named RUF personnel were trained in Libya, before being returned to Liberia as refugees.
- Liberia's forests are being destroyed at an unsustainable rate, which promises long-term negative implications for the country's future. OTC's General Manager, Joseph Wong, has said privately that he expects the company to leave Liberia within three to five years. Given that OTC control approximately 43% of Liberia's forests, this one company will be responsible for the commercial extinction of just under half of this valuable resource. As the record of several of the other big loggers is little better than that of OTC, the future is bleak.
- Little has been heard internationally of conditions in Liberia's forests, or of the views of ordinary Liberians. The section entitled *The plunder of Liberia's rainforest – a Liberian perspective (pages 19-20)* was received from an anonymous author in Liberia. The facts are verifiable and the opinions are those of an informed Liberian.
- Charles Taylor's government is amassing considerable wealth from the Liberian maritime programme. While there is little evidence showing that this revenue is benefiting the Liberian people, it is a vital pillar of economic security to a regime which is using much of its funds to destabilise neighbouring countries. This industry is also cited in the UN Panel of Experts on Sierra Leone as playing a role in facilitating the trade in 'conflict diamonds' from Sierra Leone *(see Part Two: The role of the Liberian shipping register, pages 29-36)*.

Left: **Logging truck belonging to the Oriental Timber Company (OTC), implicated in numerous human rights abuses and arms trafficking; July 2001**

Below: **Ghost town. Buchanan City, one of Liberia's main port towns, showing lack of investment and devastated infrastructure; July 2001**

An argument for sanctions on Liberian timber – the Liberian perspective

[Note: the contents of this section were received by fax from Liberia, from an anonymous source. It has been included in this report unedited.]

"President Taylor has confirmed publicly that the logging industry provides his government with more income than all the other revenue sources combined. Independent observers agree that logging provides Taylor with substantial revenue. Calculations based on limited export data available to us suggest that the government could be receiving well over US$60 million annually from logging. However, one sore point of contention is whether the generated revenue is being used to better the living conditions of the Liberian people, especially the rural people who are the traditional custodians of the forest and whose livelihood depend almost entirely on the forest.

Everyone, except Taylor and his associates, believes that this is not the case. Contrary to Taylor's continual denial that he is more concerned with amassing a personal fortune and building a military, whose conduct over the years is marred by gross disregard for the rule of law, there is overwhelming evidence suggesting he is doing just that.

The unsustainable exploitation of Liberia's rainforest is now a major concern for environmentalist both within and outside Liberia, but for most Liberians, their concerns now go beyond the environment and sustaining a livelihood, but incorporate human rights abuses, the institutionalisation of lawlessness, corruption in government, and the entrenchment of a government that has proven beyond all reasonable doubt to be inefficient and insensitive to their wishes and aspirations.

However, the above concerns pale alongside fears, expressed by a cross section of the Liberian citizenry, regarding the level of sub-regional insecurity that could result from Taylor's military adventurism being funded largely by the logging industry. There is a consensus that the issues of forests destruction and all the associated ecological implications and the unequal distribution of revenue from logging, should not be allowed to divert attention from the more complex and explosive issue of President Taylor expending that revenue to build a military with the sole objective of entrenching his despotic and tyrannical regime. The potentials for igniting a conflict and plunging the sub-region into complete chaos and anarchy is too obvious for anyone to overlook.

The UNSC must consider our call for a moratorium on Liberian timber and respond positively to send a clear signal to Taylor that his military adventurism will no longer be tolerated; this would be the single most decisive blow to Taylor's evil ambitions. Temporary job losses and economic hardship is a small price to pay for sub-regional peace and security. Already, when questioned about economic difficulties that could result from such actions, most Liberians simply ask "how much more difficult can life get?" or "what benefits are we getting anyway?"

These questions are a clear manifestation of the people's."



2 Infringements against UNSC Resolution 1343 (2001)

THE FOLLOWING is a list of violations committed by the Liberian government against UNSC Resolution 1343 (2001), adopted by the Security Council on 7th March 2001. It should be noted that Global Witness has obtained accurate and verifiable data that substantiates the information listed below. This data has also shown that the Liberian government has effected several grave violations of the Universal Declaration of Human Rights adopted on 10th December 1948 *(see Violations Against Non-Combatants page 13).*

In SECTION B, PARAGRAPH 2, SUBPARAGRAPH (a), it is written that the Government of Liberia must "expel all RUF members from Liberia, including such individuals as are listed by the Committee established by paragraph 14 below, and prohibit all RUF activities on its territory, provided that nothing in this paragraph shall oblige Liberia to expel its own nationals from its territory".

- Several individuals sited in the "List of Persons Affected by Resolution 1343 (2001) on Liberia" travel-ban have acquired Sierra Leonean passports thus allowing them to surpass said UN restrictions *(see Infringements on the Travel-Ban page 12).*
- The twenty original members of the RUF, called the "RUF VANGUARD" were, as of 19th June 2001, in Liberia. Original members of the RUF, called the "SPECIAL FORCES" are also in Liberia, fighting in Lofa County for President Charles Taylor *(see Infringements on the Travel-Ban page 12).*

In SECTION B, PARAGRAPH 2, SUBPARAGRAPH (d), it is written that the Government of Liberia must "freeze funds or financial resources made available by its nationals or within its territory directly or indirectly for the benefit of the RUF or entities owned or controlled directly or indirectly by the RUF".

- The Liberian logging industry is heavily involved, both directly and indirectly, in the support of the RUF. This was documented in the December 2000 *Report of the Panel of Experts appointed Pursuant to UN Security Council Resolution 1306 (2000), Paragraph 19 in Relation to Sierra Leone* and remains true today. As outlined both in this section and in *Chapter 3. Links between logging, the arms trade and regional conflict page 7).*

In SECTION B, PARAGRAPH 2, SUBPARAGRAPH (c), it is written that the Government of Liberia must "ground all Liberia-registered aircraft operation within its jurisdiction until it updates its register of aircraft pursuant to Annex VII to the Chicago Convention on International Civil Aviation of 1944 and provides to the Council the updated information concerning the registration and ownership of each aircraft registered in Liberia".

- On 9th June 2001, a Liberia World Airlines (LWA) aircraft, EL-AJO, allegedly involved in illegal arms trade in both 1995 and 1996, was spotted at Ostend airport in Belgium. The LWA that was originally on the craft has been painted over. Below is a picture of EL-AJO in 2000 on its way to Croatia and a picture of the aircraft on in June 2001 in Belgium.

In SECTION B, PARAGRAPH 3, SUBPARAGRAPH (b), it is written that the Government of Liberia must "release all abductees"

- Civilians have been forcibly removed from Sierra Leone and taken to Liberia, thus *adding* to the amount of abductees currently in Liberia. Furthermore, Sierra Leonean refugee males over the age of 14 were being forcibly recruited into the ATU and the AFL in May 2001 *(see Violations Against Non-Combatants page 13)*

In SECTION B, PARAGRAPH 4, it is written that "all States in the region take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any action that might contribute to further destabilization of the situation on the borders of Guinea, Liberia and Sierra Leone"

- The Government of Liberia has been coordinating the presence of both RUF and it's own forces to be in Lofa County *(see Infringements on the Travel-Ban page 12)* The Government of Guinea is also strengthening its military presence in the border region.

In SECTION B, PARAGRAPH 5, it is written that "all States shall take the necessary measures to prevent the sale or supply to Liberia, by their nationals or from their territories or using their flag vessels or aircraft, or arms and related materiel of all types; including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territories".

- On 10th May 2001, a general cargo vessel called the Abu 1 and owned by Belize-registered Alpha Paramount, arrived at Harper Port and unloaded a cargo of weaponry. This was collected on the same day by an helicopter belonging to the Anti-Terrorist Unit (ATU) *(see Chapter 3. Links between logging, the arms trade and regional conflict, page 7).*

Below top: **Liberian aircraft EL-AJO of Liberia World Airlines (LWA) landing in Zagreb, Croatia; 18th June 2000. Note LWA livery.**

Bottom: **Sanctions busting. Same aircraft with livery painted out, Ostend; 9th June 2001**



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6 Liberia and the RUF – past and present links

THE SUPPORT LINKS that run from Liberia to the RUF have not been severed – neither before or after the sanctions of 7th March 2001. Violations of the sanctions have been plentiful and the lines between the two parties – as well as traditional boundaries between Liberia and its neighbours – have continued to fade. Liberia has now begun illicit logging operations in Sierra Leone,[33] reputedly with the cooperation of the RUF, who are also fighting in Lofa County. Reports have shown that RUF rebels were "sent into Lofa County to beef-up Liberian government defenses."[34] Although there are several changes taking place in respect to President Charles Taylor's connection with the RUF since the 7th May 2001 sanctions, significant links remain.

Infringements on the travel-ban

Individuals cited in The List of Persons Affected by the Measures Contained in Paragraph 7 of UNSC Resolution 1343 (2001)* on the subject of travel restrictions have, as of 19th June 2001, acquired Sierra Leonean passports, making it easier for them to circumvent current restrictions placed upon them by the ban.[35] Several of these individuals are people who are directly linked to President Charles Taylor and to the RUF:

1. **Samuel Bockarie** (*alias* **Mosquito**), whose whereabouts have been indeterminate, now possesses a Sierra Leonean passport. He divides his time between Liberia and Normo Farma, Golahun Forkia, in Sierra Leone (see "RUF Vanguard" location list below). He is now an Anti-Terrorist Unit (ATU) senior member.
2. **Brig General Abu** – ATU Deputy Commander.
3. **Mr Akkram Basma** – Africa Motors, Monrovia, Liberia.
4. **Hassan Basma** – Businessman at Kissy Road/Sani Abacha Street.
5. **Jamal Basma** – in Freetown.
6. **Samuel Gibson** – Adviser to President Charles Taylor.
7. **Mr Keikula B Kpoto** – President Pro-Tempore of the Liberian Senate.

Sierra Leoneans have also assisted more people on the Liberia Restricted Persons List to get Sierra Leonean passports. Some of these applications are allegedly coming from the United States or the United Kingdom.

Furthermore, several of the 20 original members of the RUF, called the "RUF Vanguard" are currently in Liberia. Their names and their locations as of 19th June 2001 were:

Members of the RUF Vanguard based in Liberia
(ORIGINAL MEMBERS OF THE RUF)

1.	**Philip Palmer**	Mattru Jong
2.	**Augustine Koroma**	Jimmy Bagbo [sic]
3.	**Momo Kpaka**	Gorahun, Koya Chiefdom, Kenema District
4.	**O K George**	Bo, Kakua Chiefdom
5.	**Alex Koroma**	Polchun, Nongowa Chiefdom
6.	**Siafa Massaquoi**	Nomo Farma, Kenema District
7.	**Mohamed Njoboi**	Nomo Farma, Kenema District
8.	**Moris Kallon**	Pujehun District
9.	**Denis Mingo** (*alias* **Superman**) (rumoured killed in action)	Pujehun District
10.	**C O Browne**	Liberian/Sierra Leonean
11.	**C O Fattu Browne**	Liberian/Sierra Leonean
12.	**Issa Sesay** (Presently in Sierra Leone)	Northern Province, Sierra Leone
13.	**Sam Bockarie** (*alias* **Mosquito**)	Gbandilo, Kailahun District
14.	**Isatu Kallon**	Kailahun District
15.	**James Jalloh**	Kailahun District
16.	**Fayia Musa**	Kailahun District
17.	**Mike Lamin**	Kailahun District
18.	**C O Lawrence**	Kailahun District
19.	**C O Allysious**	Pujehun District
20.	**C O Kargbo**	Northern Province

Original Liberian members of the RUF, called the "SPECIAL FORCES" have "returned to Liberia and are now fighting for Charles Taylor in Lofa County". They are also referred to as "special forces from Liberia who entered Sierra Leone to fight for Foday Sankoh in Kailahun district." Their names are :

Sam G Tuah	**James Canway**
Thomas Randott	**Sattu Major**
Jr Nyinatti	**Rebel Fast**
Tamba Joseph	**Jah Brother**
American York	**Big Daddy Cool**
Sadam Hussein	**Cooper Kollie**
C O Barrow	**Tamba**
Jehungbe	**Auscal Blesso**
John Piwweh	**Togba Njuah**
Charles Timba	**C O Dane**
Edward Wah	**Anothony Flomo**

* Referred to in the remainder of this document as "The Liberia Restricted Persons List"

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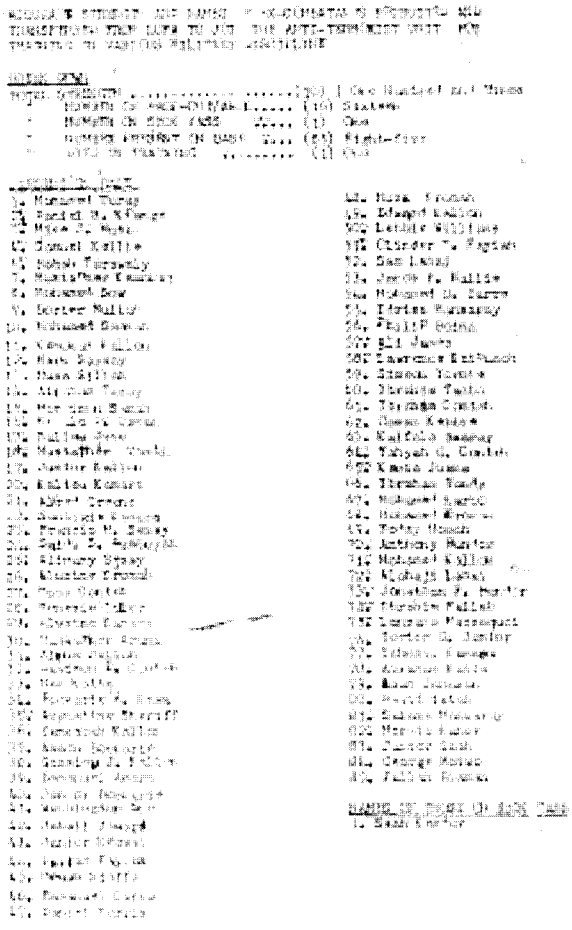


Further lists exist illustrating the connections between the RUF rebels of Sierra Leone and President Charles Taylor's personal security force, the Anti-Terrorist Unit (ATU). One such list, from January 2000, is shown above.

Violations against non-combatants

Fighting in Lofa County has reportedly increased and the international media is facing access-restrictions to this region. Some suspect that these restrictions are put in place by the Liberian government so that dubious activities of Liberian security forces and the RUF can be covered up. Conflict in the region has forced Sierra Leonean refugees and Liberian civilians to escape Lofa, Grand Cape Mount and Bomi counties.[36] Furthermore, as of May / June 2001 Sierra Leoneans living in Liberia, whether refugees or not, are "continuously being harassed by the Security. They are accused of being dissidents. Other countries that are harassed include Guinea, Nigeria and the Gambia. Some have been tortured and, possibly killed."[37]

According to eye-witnesses, Sierra Leonean refugees in Liberia are being forcibly enlisted or bribed into becoming combatants. Evidence gathered shows that this is done with cooperation between the RUF and the Liberian government. In a document detailing events at the VOA-I refugee camp, Samuel Bockarie (alias "Mosquito") is quoted as the person who was heading the enlisting campaign[38]. He was allegedly told by the "Liberian government to recruit man power for Military service". Others named in this activity are Bernard Freeman, a former combatant who "always hosts the clandestine meetings," and Mustapha Kallon, a former RUF combatant who is also Chief of Security at the VOA-I. In one incident on 7th October 2000, Bockarie entered the camp with two body guards that were from the Special Operations Division of the Liberian Police (SOD). One informant described how he met them in a meeting with Mosquito. The refugees, facing preacarious conditions, are faced with increased pressures of insecurity: a factor that is played upon by those recruiting. In the same incident of 7th October 2000, refugees were presented with six bags of rice and money for the families of enlisted refugees that were to be taken to the warfront. The VOA-I Chairman and his Secretary hesitated from taking part in the meeting and eventually withdrew. General Mosquito returned to the camp at 10:00 pm on the same day with a jeep and truck. Eleven refugees subsequently boarded the vehicle. It is highly likely that more were taken at a time when the informant was not present.

The document also highlights that Guinean refugees are subject to similar ill-treatment.

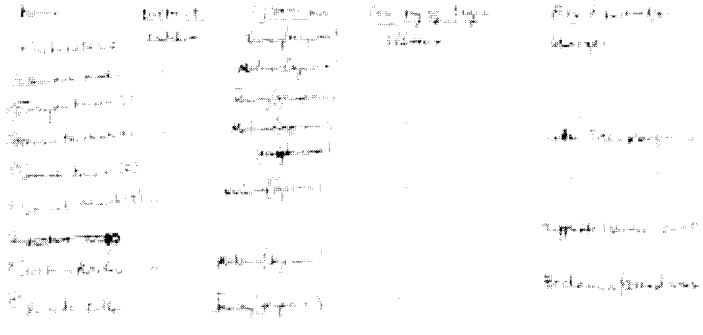
Many refugees are faced with the problem of not having proper identification and several non-combatants are reportedly being purposefully misidentified by Liberian authorities. For example, there have been several arrests of 'Kamajors' in Lofa County, in reality innocent Sierra Leonean refugees or Liberian citizens.

One report details the procedures of these arrests as well as a specific case of false identification: "several Sierra Leonean residents and refugees living in Bong County, Grand Cape Mount County and Montserrado County have been captured – some taken to the notorious ATU Camp for torturing and possible death. The BBC also reported of a captured Kamajor who was presented to the Press in Monrovia for confession. My sources told me that he was a non-registered refugee."[39]

It is important to note that the recent move by the Liberian government to register Sierra Leonean refugees, which does not include UNHCR-registered refugees, begs the question as to what Liberian immigration did with the refugees' initial registration. Worry has been expressed that this registration procedure is a move to arrest further so-called Kamajors who in fact are innocent in an attempt to show the international community that steps are being taken towards reform.

Sierra Leoneans are also being abducted from Sierra Leone itself. The following is a list of women who were kidnapped from their homes in Sierra Leone and taken to Liberia. The list details their town of origin and their current location.

List of women abducted from Sierra Leone and taken to Liberia; June 2001



SIERRA LEONEANS EVACUATED FROM LIBYA.

	NAME	PLACE OF ORIGIN	ADDRESS IN LIBYA	PURPOSE OF VISIT	DURATION	PASSPORT No.	OCCUPATION
1.	[redacted]	Binti, Kailahun District	Gugi, Tripoli	To find better leaving	21 Months	-	-
2.		Kamda, Bombali Dist.	Tripoli	To work	2 Months		Unemployed
3.		Kamakwei, Bombali Dist.	Shaglyah, Tripoli	"	15 "		Painter
4.		Kolindu, Kailahun Dist.	Khalrglah, Trip.	"	17 "		Welder
5.		Kandra, Bombali Dist.	Rejection Camp	Transit to Europe	5 "		Tailor
6.		Mambolo, Kambia Dist.	Fellà, Tripoli	"	12 "		Car Washer
7.		Mambolo, Kambia Dist.	Fella, Trip.	"	3 "		Unemployed
8.		Santher, Kambia Dist.	Gasa, Trip.	To work	12 "		Farm Labourer
9.		Lunsar, Portloko Dist.	Fellà, Trip.	"	- "		-
10.		Bundu, Kailahun Dist.	Tarmasa, Trip.	Transit to Europe	24 "		Construction
11.		Portloko West 1	Farmaya, Trip.	Asilum seeker	15 "		Welder
12.		Binti, Divia Chiefdom	Surimshour, Trip.	Green pastures	20 "		Mechanic
13.		Kpetewa Town	Farmaya, Trip	"	16 "		Tiler
14.		Kamda, Bombali Dist.	Fella, Trip.	"	16 "		Unemployed
15.		Mokema, Kono Dist.	Zamba, Trip.	"	5 "		Tailor
16.		Tawia, Kambia Dist.	Zar, Trip.	"	- "		-
17.		Masoni, Bonthali Dist.	Rejection, Trip.	"	5 "		Marine Steward
18.		Pujehun Town	A'agma University	Studying	24 "		Student
19.		Makeni, Bombali Dist	Airport Road	To work	12 "		-
20.		Mongor, Kenema Dist.	Zantia, Trip.	Transit to Spain	- "		-
21.		Tombo Limba, Kambia Dist.	Ghasa, Trip.	Hiding	24 "		Farmer
22.		Mokona, Kambia Dist.	Zinata, Trip.	"	5 "		Construction
23.		Kambia Western Rural Dist.	Salam Benghazi	To work	11 "		Builder
24.		Koidu, Kono Dist.	Zanzu, Trip.	Transit to Europe	5 "		Unemployed
25.		Yonibana, Bombali Dist.	Stagadir, Trip.	To work	6 "		-
26.		Kambia Town	Azzi, Trip.	"	5 years		Mechanic
27.		Kenema Town	Gargarat, Trip.	Transit to Europe	- "		-
28.		Kenema Town	Tarmarga, Trip.	"	13 Months		Interior Decorator
29.		Manowa, Kailahun Dist.	Fela, Trip.	Hiding	5 "		Builder
30.		Ubendu, Bombali Dist.	Ghasma, Trip.	Missionary	4 "		-
31.		Freetown	Fella, Trip.	Transit to Europe	11 "		Plumber
32.		Bonna, Bo Dist.	Benghazi, Trip.	To work	24 "		Electrician
33.		Magburaka, Tonkolili Dist.	Rejection, Camp.	Transit to Europe	6 weeks		Unemployed
34.		Freetown	Zegante, Trip.	"	5 Months		Tailor
35.		Freetown	" "	To work	18 "		Fibre Worker
36.		Kenema	" "	"	18 "		Auto Electrician

In May 2001, according to eye-witnesses, Sierra Leonean refugees were being forcibly recruited by President Charles Taylor's Anti-Terrorist Unit (ATU) and the Armed Forces of Liberia at the Bridge between Lofa and Bonga counties (St. Paulsville). The ATU were on one side, and the AFL were on the other. Both separated the women from men as they arrived and then recruited males over the age of 14. Close to this bridge, 15 and 16 year old boys were being trained by these forces. According to Global Witness sources, this forced recruitment was increasing.

Liberia's international links

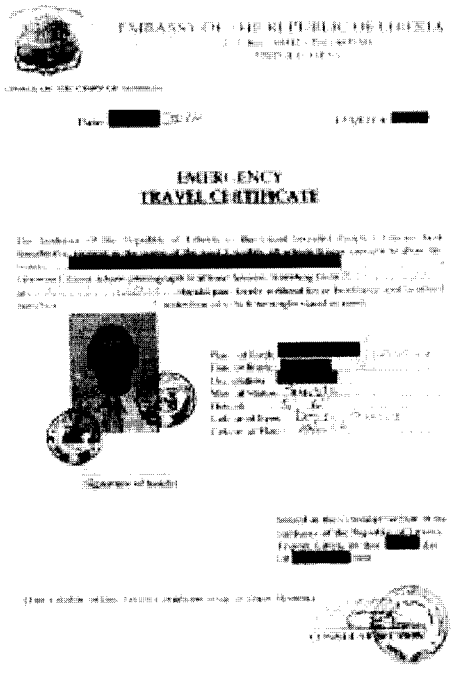
It is important to note that the above violations exist partly because of Liberia's links to countries sympathetic to President Charles Taylor's government. Previous reports about Gaddafi training the RUF are substantiated by evidence obtained by Global Witness. In 2000 several Sierra Leoneans were taken to Libya from other countries including Nigeria, Côte d'Ivoire, and Guinea. All of those listed as going were either holding low positions or were unemployed and stayed anywhere from two months to 27 months in Libya. They left because Libya came to the decision that they would be deported, at which point Liberia stepped in, took them over to Liberia and gave them Liberian citizenship. While in Libya, they were reportedly given military training and subsequently ear-marked to become RUF combatants upon their arrival in Liberia. Several of them applied to return back to Sierra Leone.

This type of link to a country outside of its immediate vicinity is not new to Liberia. In a press release by the Embassy of Sierra Leone, dated 25th February 1999, it was documented that President Charles Taylor had ties with "Nico Shafer, a Columbian cocaine kingpin, formerly associated with the late Pablo Escobar of Cali, Columbia and Col Fred Rundle ... a former South African army officer who openly trains Liberians, Burkina Faso and abducted Sierra Leoneans in Liberian military camps".[40]

The RUF is largely able to continue its actvities because of its support from the Liberian government. The Liberian government is able to fund the RUF mainly because of the monetary value of the timber which it exports.

Above: **List of Sierra Leoneans allegedly given military training in Libya to fight for the RUF in Liberia; 2000**

Below: **Travel document of one of the deportees en route to Liberia; 2000**



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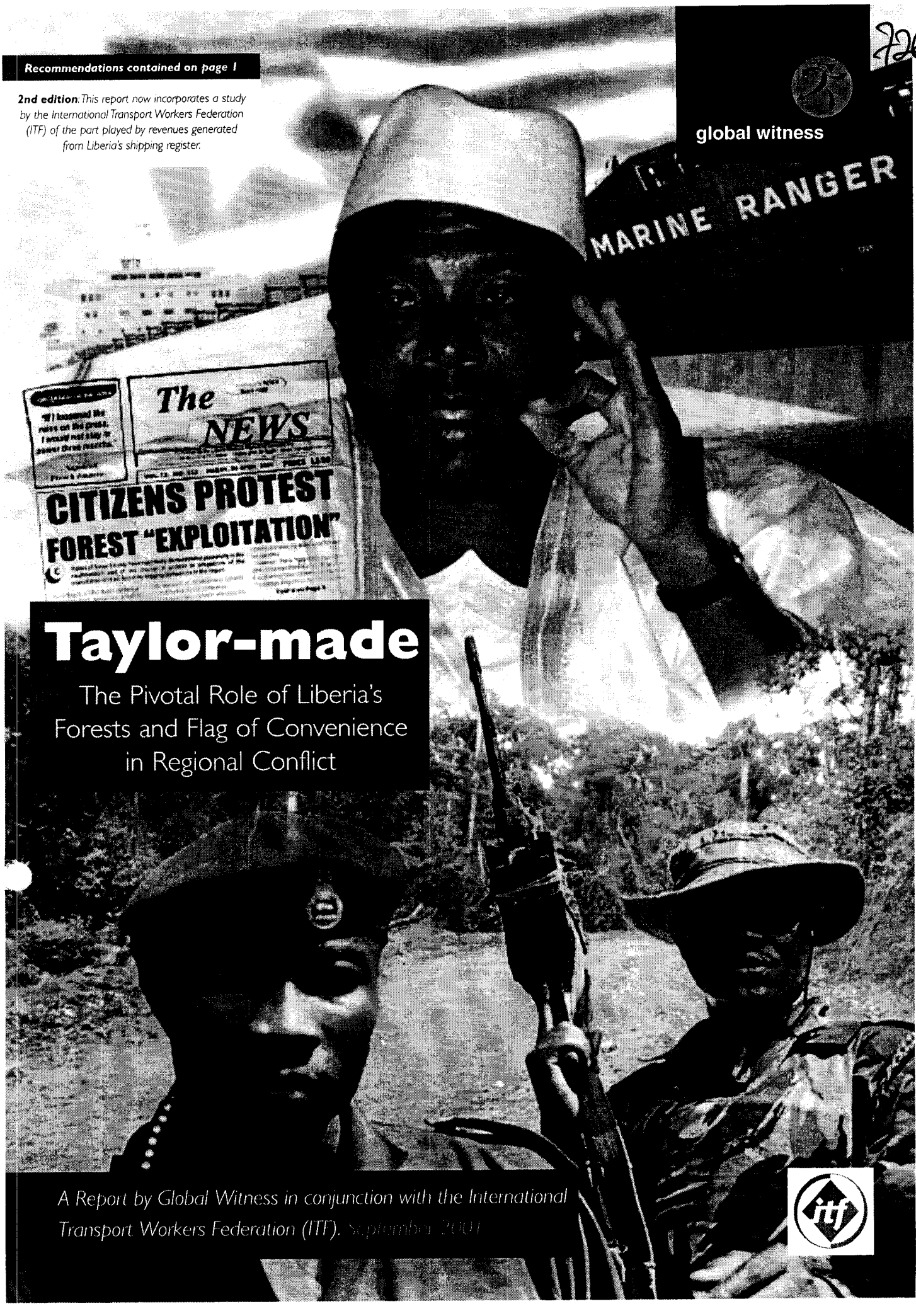
Recommendations contained on page 1

2nd edition: *This report now incorporates a study by the International Transport Workers Federation (ITF) of the part played by revenues generated from Liberia's shipping register.*

global witness



Taylor-made

The Pivotal Role of Liberia's Forests and Flag of Convenience in Regional Conflict

A Report by Global Witness in conjunction with the International Transport Workers Federation (ITF). September 2001

itf

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Recommendations

The UN Security Council should:

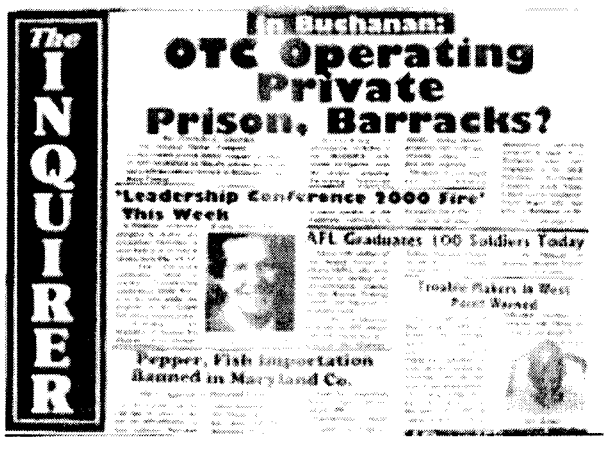
- Immediately impose a total embargo on the exportation and transportation of Liberian timber, and its importation into other countries. Such an embargo should remain in place until it can be demonstrated that the trade does not contribute to the Revolutionary United Front (RUF) in Sierra Leone and armed militias in Liberia, and that it is carried out in a transparent manner (as referred to in para 49 of the *Report of the Panel of Experts appointed pursuant to UN Security Council Resolution 1306 (2000) paragraph 19 in relation to Sierra Leone*).
- Conduct further investigations into the Liberian timber industry, particularly the Oriental Timber Company (OTC), to enable the United Nations Security Council (UNSC) and other members of the international community to gain a comprehensive understanding of the role of this industry in Charles Taylor's presidency and the conflict in Sierra Leone and, increasingly, Lofa County in Northern Liberia.
- Conduct detailed investigations into any other Liberian industries that may contribute to violence and human rights violations in West Africa.
- Impose sanctions on the Liberian shipping register, as this revenue is used directly by the Executive Mansion (i.e. under Taylor's personal control) for extra-governmental purposes that do not benefit the state and prolongs regional insecurity.

The International Community should:

- Increase humanitarian aid to Liberia, channelled through UN agencies and NGOs. Due to aid restrictions, agencies such as the World Food Programme have to allocate lower rations to, for example, Internally Displaced Persons in Liberia than to their counterparts in Sierra Leone. The sanctions should target the government, not the ordinary citizens of Liberia or the victims of regional conflict.
- Put pressure on Guinea's President Conté to bring an end to his support for cross-border attacks into Liberia (*see Chapter 10. Factors of destabilisation in the region – page 27*)

The Government of Liberia should ensure that:

- The country's timber industry is run according to best international standards of sustainable forest management, and to ensure that all timber revenues due to the state are directed to the Central Bank of Liberia, and not to the Executive Mansion.
- The timber industry benefits the lives of the Liberian population, rather than contributing to their poverty and oppression.
- Timber companies operating in Liberia do so according to the law, that they do not employ armed militias and do not engage in any activities which contribute to conflict and human rights abuses.


The INQUIRER

Fm Buchanan: OTC Operating Private Prison, Barracks?

"Leadership Conference 2000 Fire" This Week

AFL Graduates 100 Soldiers Today

Trouble Makers in West Point Warned

Pepper, Fish Importation Banned in Maryland Co.

Liberian newspaper documenting the logging company OTC's militias alleged human rights abuses; May 2000.

Preface

Through the imposition of targeted sanctions, the international community has demonstrated its concern over the threat Liberia poses to regional security. Despite recent overtures, this threat is still real: Liberia continues to support the rebels of the Revolutionary United Front, and continues to import armaments in contravention of the sanctions.

Liberia's timber and shipping register are two key sources of revenue for the Taylor regime, which is engaged in these activities. In 2000, the timber trade alone generated minimum profits of US$100 million which did not benefit the state. It is highly unlikely that, without the lucrative revenues from these sources, Taylor could sustain his programme of regional destabilisation.

Timber related jobs in Liberia are few, seasonal and insecure, other than those provided to expatriates. Similarly, the maritime programme offers few jobs to Liberians who have very little contact with what is effectively a device to give foreign shipping companies a haven from taxes and other responsibilities.

Economic sanctions focused on these two sources of income would seriously restrict the regime's capacity to sponsor war in the region. Furthermore, such sanctions would hurt the warlord elite and a greedy industry far more than most Liberians, who live in abject poverty in a land with virtually no infrastructure. The continuation of current logging practices would be severely detrimental for the Liberian people.

This report, by Global Witness in conjunction with the International Transport Workers Federation (ITF), is divided into two parts. Part One, focusing on the role of the Liberian logging industry, is by Global Witness and Part Two, focusing on the role of Liberia's shipping register, is by the ITF.

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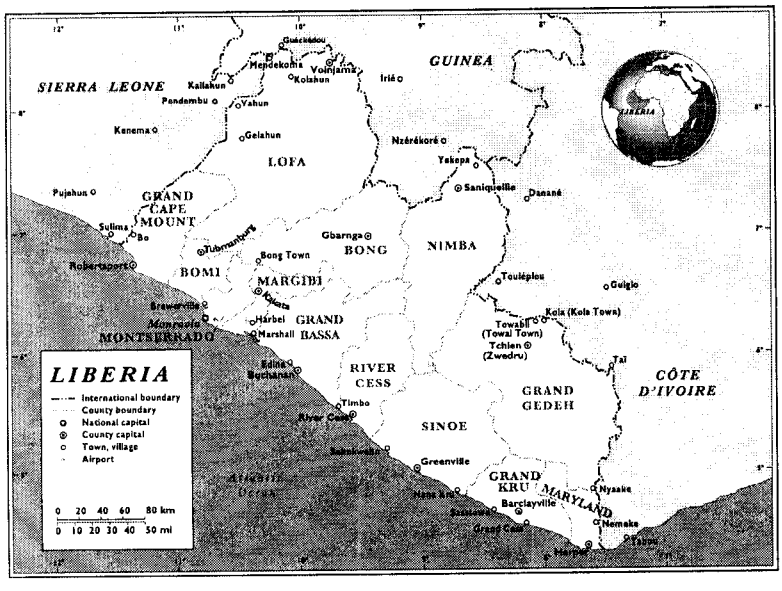

List of acronyms

AFL	Armed Forces of Liberia
ATU	Anti-Terrorist Unit (Liberia)
BIVAC	Bureau of Inspection for Verification Assessment and Certification
CDF	Civil Defense Forces (Sierra Leone)
DDR	Disarmament, Demobilisation and Reintegration Programme (Sierra Leone)
FDA	Forest Development Authority (Liberia)
GOL	Government of Liberia
LURD	Liberians United for Reconciliation and Democracy
ULIMO-K	United Liberation Movement for Democracy in Liberia (under Alhaji Kromah)
ULIMO-J	United Liberation Movement for Democracy in Liberia (under Roosevelt Johnson)
RUF	Revolutionary United Front (Sierra Leone)
SOD	Special Operations Division (of the Liberian Police)
SSS	Special Security Services (Liberia)
NPFL	National Patriotic Front of Liberia
UNAMSIL	United Nations Mission in Sierra Leone

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Executive summary

THIS REPORT documents the increasingly important role played by the Liberian timber industry and shipping register in fuelling regional insecurity. The timber industry is used, by the Liberian government, to traffic arms while also being Sierra Leone's Revolutionary United Front's (RUF) main source of income. Revenues derived from the timber industry and shipping register also fund President Charles Taylor's notorious security forces, implicated in numerous human rights abuses. For this reason, Liberia's shipping register and ability to partake in the international timber trade means that it can also continue to prolong regional conflict and insecurity within its own borders. It is important to note that although the sanctions outlined in *United Nations Security Council Resolution 1343 (2001) on Liberia** are taking effect, ties between the Liberian government and the RUF remain both strong and active. It is also important to note that the importance of the timber industry and shipping register has increased dramatically as trade in diamonds has now been formally restricted.

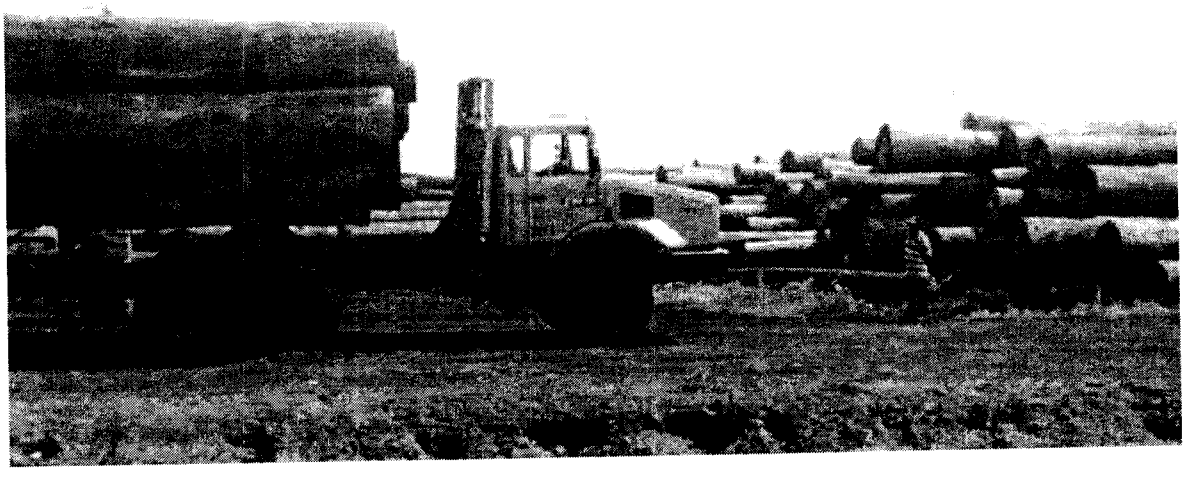
- Charles Taylor is still actively seeking arms supplies in contravention of UNSC Resolution 1343 (2001) on Liberia. In May he approached Libya, and Libyan arms are believed to have entered by air via Burkina Faso. With increased surveillance of air routes, arms shipments by sea are on the increase (*see Chapter 3. Links between logging, the arms trade and regional conflict – page 7*).
- At least 7 out of the 25 logging companies recorded in the Forest Development Authority's (FDA) annual and semi-annual reports have direct links with either arms supply or the funding and provision of armed militias for Taylor's military use.
- OTC and Maryland Wood Processing Industries (MWPI) both control ports where arms have entered Liberia.
- OTC, the Royal Timber Company (RTC), Liberian Wood Management Company (LWMC), United Logging Co. (ULC), FAPCO, Salami Molawi Incorporated (SMI) and Inland Logging Co. (ILC) all maintain private armed militias, and those of the RTC and ULC have made their militias available for patrols on the Sierra Leonean border. In addition, some members of these militias regularly intimidate villagers and take the law into their own hands, including illegal detention and physical abuse.

* Referred to in the remainder of this document as UNSC Resolution 1343 (2001)

How sanctions – or no sanctions – would affect the Liberian people

Little revenue derived from the Liberian logging industry and from the Liberian shipping register benefit the Liberian people. Were sanctions to be placed on the shipping register – very few Liberian jobs would be affected, while jobs held within the logging industry, an estimated 8,000, are seasonal, insecure, and in large percentage held by non-Liberians. In 5-10 years, at current logging practices, Liberia is likely to be completely commercially logged out. At this time there will be no jobs and no possibility of timber revenue for the Liberian people. The years leading up to this would be years where regional insecurity would have a steady source of revenue, where the people would continue to suffer intimidation by logging company militias, and where the illicit arms trade would be permitted to continue.

- Several people subject to the travel ban under UNSC Resolution 1343 (2001) are involved in the timber industry. These include: Gus Kouwenhoven, Demetrius Robert Taylor, Talal El Ndine, Mohammed Salami, Austin Clarke, Gabrielle Doe, Victor Haikal, Maurice and Oscar Cooper. The fact the UNSC are concerned about these individuals means, de facto, that there must be concerns over their business interests.
- In 2000 Liberia's timber production of 934,000m³ was worth a *minimum* US$187 million at world market prices (an average of US$200 per m³ in 2000[1]), with exports worth just under US$130 million. During the same period the Liberian government declared timber revenues of US$6.7 million.[2] Given that reasonable production costs are approximately US$86 per m³,[3,4] this means that a minimum of US$100 million was available to the logging companies after all their production costs and taxes had been paid. This money is available to fill their profit margin, and to pay off their political and military patrons. These figures only take into account the timber production that Global Witness knows about, both official figures and export under declarations, they do not take into account the undoubted undeclared timber flows that exit through Côte d'Ivoire and elsewhere that have escaped detailed scrutiny.
- Opposition to timber sanctions has come from both France and China, the two greatest importers of Liberian timber, and from the Liberian government. In 2000 France and China imported a minimum of 167,779m³ and 290,409m³ of Liberian timber respectively,[5] approximately 71% of total exports and worth US$91.5 million. In both cases, the prime exporting companies are linked to arms trafficking and use of



armed militias. French and Chinese opposition cite both the negative effects sanctions will have on the Liberian people, and that there is insufficient evidence linking the logging industry to military funding and the arms trade. However, most Liberian independent press and ordinary citizens interviewed by Global Witness regard sanctions as essential in protecting Liberia's forest resources. Furthermore, the attitude of ordinary Liberians is that, for them, the situation is as about as bad as it could get. Sanctions will hurt the elite, not the average citizen.

- Charles Taylor is still using RUF forces in Lofa County, and is forcibly recruiting men and boys over the age of fourteen. Liberia continues to provide refuge to the notorious Sam 'Mosquito' Bockarie, who, as of June 2001, divides his time between Liberia and Normo Farma, Golahun Tonkia, Sierra Leone. This report also provides proof that named RUF personnel were trained in Libya, before being returned to Liberia as refugees.
- Liberia's forests are being destroyed at an unsustainable rate, which promises long-term negative implications for the country's future. OTC's General Manager, Joseph Wong, has said privately that he expects the company to leave Liberia within three to five years. Given that OTC control approximately 43% of Liberia's forests, this one company will be responsible for the commercial extinction of just under half of this valuable resource. As the record of several of the other big loggers is little better than that of OTC, the future is bleak.
- Little has been heard internationally of conditions in Liberia's forests, or of the views of ordinary Liberians. The section entitled *The plunder of Liberia's rainforest – a Liberian perspecive (pages 19-20)* was received from an anonymous author in Liberia. The facts are verifiable and the opinions are those of an informed Liberian.
- Charles Taylor's government is amassing considerable wealth from the Liberian maritime programme. While there is little evidence showing that this revenue is benefiting the Liberian people, it is a vital pillar of economic security to a regime which is using much of its funds to destabilise neighbouring countries. This industry is also cited in the UN Panel of Experts on Sierra Leone as playing a role in facilitating the trade in 'conflict diamonds' from Sierra Leone *(see Part Two: The role of the Liberian shipping register, pages 29-36)*.

Left: **Logging truck belonging to the Oriental Timber Company (OTC), implicated in numerous human rights abuses and arms trafficking; July 2001**

Below: **Ghost town. Buchanan City, one of Liberia's main port towns, showing lack of investment and devastated infrastructure; July 2001**

An argument for sanctions on Liberian timber – the Liberian perspective

[Note: the contents of this section were received by fax from Liberia, from an anonymous source. It has been included in this report unedited.]

"President Taylor has confirmed publicly that the logging industry provides his government with more income than all the other revenue sources combined. Independent observers agree that logging provides Taylor with substantial revenue. Calculations based on limited export data available to us suggest that the government could be receiving well over US$60 million annually from logging. However, one sore point of contention is whether the generated revenue is being used to better the living conditions of the Liberian people, especially the rural people who are the traditional custodians of the forest and whose livelihood depend almost entirely on the forest.

Everyone, except Taylor and his associates, believes that this is not the case. Contrary to Taylor's continual denial that he is more concerned with amassing a personal fortune and building a military, whose conduct over the years is marred by gross disregard for the rule of law, there is overwhelming evidence suggesting he is doing just that.

The unsustainable exploitation of Liberia's rainforest is now a major concern for environmentalist both within and outside Liberia, but for most Liberians, their concerns now go beyond the environment and sustaining a livelihood, but incorporate human rights abuses, the institutionalisation of lawlessness, corruption in government, and the entrenchment of a government that has proven beyond all reasonable doubt to be inefficient and insensitive to their wishes and aspirations.

However, the above concerns pale alongside fears, expressed by a cross section of the Liberian citizenry, regarding the level of sub-regional insecurity that could result from Taylor's military adventurism being funded largely by the logging industry. There is a consensus that the issues of forests destruction and all the associated ecological implications and the unequal distribution of revenue from logging, should not be allowed to divert attention from the more complex and explosive issue of President Taylor expending that revenue to build a military with the sole objective of entrenching his despotic and tyrannical regime. The potentials for igniting a conflict and plunging the sub-region into complete chaos and anarchy is too obvious for anyone to overlook.

The UNSC must consider our call for a moratorium on Liberian timber and respond positively to send a clear signal to Taylor that his military adventurism will no longer be tolerated; this would be the single most decisive blow to Taylor's evil ambitions. Temporary job losses and economic hardship is a small price to pay for sub-regional peace and security. Already, when questioned about economic difficulties that could result from such actions, most Liberians simply ask "how much more difficult can life get?" or "what benefits are we getting anyway?"

These questions are a clear manifestation of the people's."



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1 Introduction

IN 2001 SIERRA LEONE was declared the least developed nation by the UN, ranked at 174 in the UN Human Development Index. Its population has an average life expectancy of 25.9 years.[6] This, in large part, is due to the stampede by various elites and factions over the past two decades for a slice the country's resources, primarily diamonds, at the expense of the rights and the livelihoods of the population. The extreme violence during the 1990's sponsored by Liberia's President, Charles Taylor, finished the job. With the imposition of targeted sanctions on Liberia, and the presence in Sierra Leone of the largest UN intervention since Cambodia, there seems to be a real chance for peace. But there is overwhelming evidence that the Liberian-backed RUF are still operational, nurtured by Taylor and his primary funders – Liberia's logging companies and shipping register. While the logging industry poses a threat to the future of Liberian forests, both pose a critical risk to national and regional security.

In December 2000, the *Report of the Panel of Experts appointed pursuant to UN Security Council Resolution 1306 (2000) paragraph 19 in relation to Sierra Leone* highlighted the active role of the Liberian timber industry in regional insecurity and thus the importance of considering an embargo on Liberian timber exports.

The imposition of UN sanctions on Liberia's diamond trade has ensured that Charles Taylor is completely dependent upon the two remaining major sources of revenue: the logging industry and the Liberian ship registry, currently run by the US-based Liberian International Shipping and Corporate Register (LISCR). The UN Expert Panel on Sierra Leone referred to the importance of the timber industry both as a revenue generator for Charles Taylor, and because of its links to the arms trade. However, UNSC Resolution 1343 (2001) adopted on 7th March 2001 excludes restrictions on Liberian timber exports, despite clear signals that income generated from this industry fuels the instability seen in large parts of West Africa. Global Witness believes that the exclusion of timber exports from the sanctions compromises efforts to remove sources of income to destabilising forces in the region. The objection by France and China, the two largest importers of Liberian timber, to the imposition of timber sanctions was apparently based on the lack of information relating to the links between the logging industry and the arms trade, and to the negative effects such sanctions would have on the Liberian people.

The first section of this report will therefore focus on these links, demonstrating that elements within the Liberian timber industry not only fund the arms trade, but are actually engaged in it. Furthermore, the report will demonstrate that because of the sanctions Charles Taylor has been forced to turn to other forms of revenue generation. As revenue from the ship registry is relatively static, Taylor has had little choice but to escalate logging revenues, and confirmed it in his World Population Day message stating that his government "relies heavily on the forest which accounts for more than half of the gross national product" and concluded that "for never in our nation history have we been faced with so much pressure on our environment particularly the forest resources".[7] This increased dependency on the logging industry since the imposition of sanctions not only allows him to maintain his corrupt and oppressive regime, but is resulting in the destruction of Liberia's forests at an alarming rate, which will almost certainly result in the commercial and environmental liquidation of this valuable natural resource.

That Taylor faces attacks by Guinean-backed rebels is not in doubt, and in the face of such aggression most sovereign nations would have the right to resort to military means to defend themselves. It was Guinea, after all, that initiated the attacks. But Taylor's sponsoring of the Sierra Leoneans of the RUF to wage not only this war, but the war on Sierra Leone, coupled with forcible conscription of males over the age of 14 in Lofa County,[8] undermines his case for the lifting of arms sanctions and for the credibility or justice of his cause.

Timber production in 2000 was 934,000m^3, with a world market value of over US$187 million, with 645,000m^3 being exported. The sum received by the Central Bank of Liberia during the same period was just US$6.7 million: an average of US$7 per m^3. Annual timber production in 1998 was 157,000m^3, by 1999 it had doubled to just over 335,000m^3,[5] and by 2000 it had almost tripled. Minimum production in the first five months of 2001 was up by 30% of the 2000 figure.[9] These figures amply demonstrate Taylor's reliance on timber, and the threat that this creates.

The implications are severe. When Liberia one day regains true stability, it's treasury and it's people will be deprived of a valuable economic resource. In addition, the negative ecological and economic impacts that result from deforestation: floods, droughts and seasonal climatic changes could well create havoc for the majority of the population that depend on agriculture to survive.

In short, the extra pressure placed upon the forests by the omission of sanctions on the timber industry not only undermines the efficacy of the current sanctions regime, but will have long-term impacts on the country. This will exacerbate the hardship of the average Liberian citizen and, eventually, will become an additional burden for the aid community.

Arguments against the imposition of timber sanctions have, in the main, come from the timber industry and the main importers of Liberian timber. Arguments for sanctions have come from governments wishing to end regional conflict, and from local and international civil society, who are attempting to break the vicious cycle underway in Taylor's Liberia and to avoid wholesale liquidation of Liberia's resources.

The timber industry provides Charles Taylor with an opportunity to develop a long-term sustainable revenue source with which he could help to rebuild Liberia's shattered infrastructure. This would require him to give up the vast state revenues that go directly to the Executive Mansion, and to assume the responsibilities of a statesman towards his people, rather than that of a warlord using the country as a private enterprise regardless of the cost to the people and state. If he chooses statesmanship, then Liberia could attract foreign aid, such as the €140 million of EC aid which is held up by negotiations around Articles 96 and 97 of the Cotonou Agreement,* which relate to corruption and human rights concerns.

Liberia's maritime programme has been cited in the December 2000 Report of the UN panel of Experts on Sierra Leone as facilitating the flow of arms to guerrillas in Sierra Leone and linked to the illicit trade in diamonds. The Liberian shipping register makes Liberia, in theory, the world's second largest maritime nation. The reality is that the Liberian flag has been rented out to foreign ship owners who want to escape the regulations and taxes of their own countries. Revenue from the register provides President Charles Taylor's government with at least one third of its entire revenue from legitimate sources. Yet there is little evidence that this revenue provides much benefit to the Liberian people. What it does do is provide a key pillar of financial security to a regime which is using much of its funds to destabilise neighbouring countries.

Sanctions are necessary to deprive the Liberian government of the funds they need to purchase arms and to maintain a regime that refuses the population the freedom of expression that would allow them to truly express their support, or lack of it, for Taylor's government. They are essential to prevent the haemorrhaging of timber from Liberia, which provides little or no benefit to the country.

* This agreement between the ACP states and the EU will provide €25 billion in EU funding between 2000-2007. Only articles 96 & 97 of the Cotonou Agreement can prevent EU funds being granted, when it can be demonstrated that the recipient government is failing to address human rights and corruption issues.

2 Infringements against UNSC Resolution 1343 (2001)

THE FOLLOWING is a list of violations committed by the Liberian government against UNSC Resolution 1343 (2001), adopted by the Security Council on 7th March 2001. It should be noted that Global Witness has obtained accurate and verifiable data that substantiates the information listed below. This data has also shown that the Liberian government has effected several grave violations of the Universal Declaration of Human Rights adopted on 10th December 1948 *(see Violations Against Non-Combatants – page 13)*.

In SECTION B, PARAGRAPH 2, SUBPARAGRAPH (a), it is written that the Government of Liberia must "expel all RUF members from Liberia, including such individuals as are listed by the Committee established by paragraph 14 below, and prohibit all RUF activities on its territory, provided that nothing in this paragraph shall oblige Liberia to expel its own nationals from its territory".

- Several individuals sited in the "List of Persons Affected by Resolution 1343 (2001) on Liberia" travel-ban have acquired Sierra Leonean passports thus allowing them to surpass said UN restrictions *(see Infringements on the Travel-Ban – page 12)*.
- The twenty original members of the RUF, called the "RUF VANGUARD" were, as of 19th June 2001, in Liberia. Original members of the RUF, called the "SPECIAL FORCES" are also in Liberia, fighting in Lofa County for President Charles Taylor *(see Infringements on the Travel-Ban – page 12)*.

In SECTION B, PARAGRAPH 2, SUBPARAGRAPH (d), it is written that the Government of Liberia must "freeze funds or financial resources made available by its nationals or within its territory directly or indirectly for the benefit of the RUF or entities owned or controlled directly or indirectly by the RUF".

- The Liberian logging industry is heavily involved, both directly and indirectly, in the support of the RUF. This was documented in the December 2000 *Report of the Panel of Experts appointed Pursuant to UN Security Council Resolution 1306 (2000), Paragraph 19 in Relation to Sierra Leone* and remains true today. As outlined both in this section and in *Chapter 3. Links between logging, the arms trade and regional conflict – page 7)*.

In SECTION B, PARAGRAPH 2, SUBPARAGRAPH (c), it is written that the Government of Liberia must "ground all Liberia-registered aircraft operation within its jurisdiction until it updates its register of aircraft pursuant to Annex VII to the Chicago Convention on International Civil Aviation of 1944 and provides to the Council the updated information concerning the registration and ownership of each aircraft registered in Liberia".

- On 9th June 2001, a Liberia World Airlines (LWA) aircraft, EL-AJO, allegedly involved in illegal arms trade in both 1995 and 1996, was spotted at Ostend airport in Belgium. The LWA that was originally on the craft has been painted over. Below is a picture of EL-AJO in 2000 on its way to Croatia and a picture of the aircraft on in June 2001 in Belgium.

In SECTION B, PARAGRAPH 3, SUBPARAGRAPH (b), it is written that the Government of Liberia must "release all abductees"

- Civilians have been forcibly removed from Sierra Leone and taken to Liberia, thus *adding* to the amount of abductees currently in Liberia. Furthermore, Sierra Leonean refugee males over the age of 14 were being forcibly recruited into the ATU and the AFL in May 2001 *(see Violations Against Non-Combatants – page 13)*

In SECTION B, PARAGRAPH 4, it is written that "all States in the region take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any action that might contribute to further destabilization of the situation on the borders of Guinea, Liberia and Sierra Leone"

- The Government of Liberia has been coordinating the presence of both RUF and it's own forces to be in Lofa County *(see Infringements on the Travel-Ban – page 12)* The Government of Guinea is also strengthening its military presence in the border region.

In SECTION B, PARAGRAPH 5, it is written that "all States shall take the necessary measures to prevent the sale or supply to Liberia, by their nationals or from their territories or using their flag vessels or aircraft, or arms and related materiel of all types; including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territories".

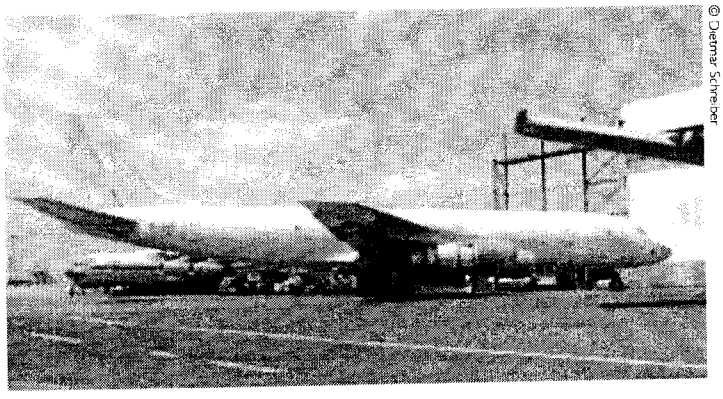
- On 10th May 2001, a general cargo vessel called the Abu 1 and owned by Belize-registered Alpha Paramount, arrived at Harper Port and unloaded a cargo of weaponry. This was collected on the same day by an helicopter belonging to the Anti-Terrorist Unit (ATU) *(see Chapter 3. Links between logging, the arms trade and regional conflict, page 7)*.

Below top: **Liberian aircraft EL-AJO of Liberia World Airlines (LWA) landing in Zagreb, Croatia; 18th June 2000. Note LWA livery.**

Bottom: **Sanctions busting. Same aircraft with livery painted out, Ostend; 9th June 2001**



© Tomislav Muric



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Part One: The role of the Liberian timber industry

3 Links between logging, the arms trade and regional conflict

CHARLES TAYLOR'S ability to use Liberia's natural resources for his own means has been enhanced by the Strategic Commodities Act, which was introduced suddenly to the Liberian Congress in late 1999 at the behest of the Executive Mansion. Despite strong opposition, it was passed into law in February 2000 without a full and fair vote.

In Section three, the Act states that "the President of the Republic of Liberia is hereby granted the sole power to execute, negotiate and conclude all commercial contracts or agreements with any foreign or domestic investor for the exploitation of the strategic commodities of the Republic of Liberia. Such commercial agreement shall become effective and binding upon the Republic as would any treaty to which the Republic is a party, upon the sole signature and approval of the President of the Republic of Liberia."

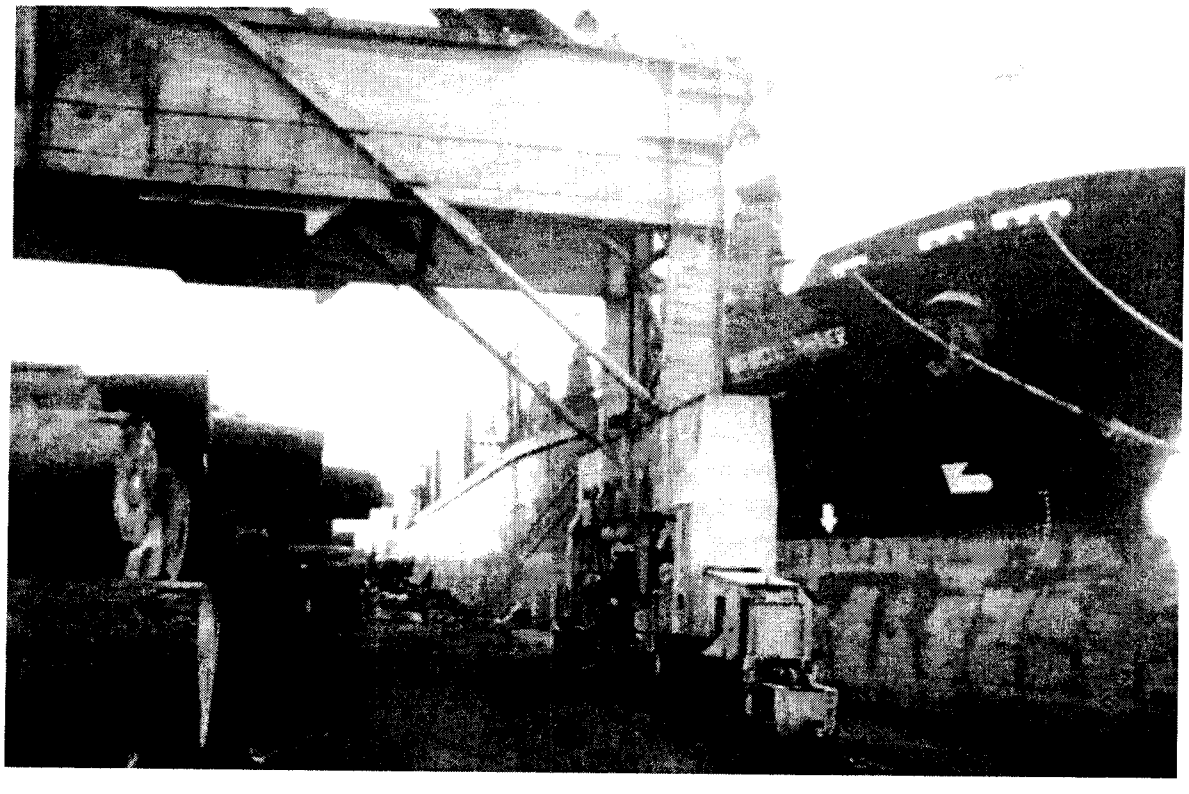
Thus, this act effectively places all of Liberia's resources under the sole control of President Charles Taylor. This in turn enables him to purchase the arms and to fund the supporters he needs to destabilise the region and to gain control of resources across his borders.

In the recent past much of Charles Taylor's arms supplies arrived by air from Libya, via Burkina Faso, The Gambia, and Eastern Europe,[10] but with an increasingly difficult domestic political climate in Burkina Faso, and more vigilant international surveillance of Liberia's air traffic, arms imports by sea appear to be on the increase.[11] These arms arrive on some of the same ships that subsequently export logs. According to sources in Liberia, Taylor tried to obtain arms from Libya in mid May 2001. According to these sources, he hoped to acquire several thousand AK47 assault rifles, a substantial consignment of ammunition, and an unknown quantity of RPG-7 rocket-propelled grenades. It is not known whether or not Libya agreed to supply these weapons.[12]

Global Witness research and investigations have found that in the past year, there have been several suspicious incidents in the ports of Liberia and Côte d'Ivoire where a strong link between the Liberian logging industry and the shipment of armaments was vital for the implementation of the activities. These are listed below:

- After the imposition of the 7th May sanctions, on 10th May 2001 the *Abu 1*, a general cargo vessel owned by Belize-registered Alpha Paramount, arrived at Harper Port from Dakar, Senegal and unloaded a cargo of armaments: these armaments were collected the same day by the Anti-Terrorist Unit's (ATU) helicopter.[13] During unloading a crewman was killed by snapped cable, and talk of the incident pervaded the town. The ship subsequently loaded with logs from MWPI, the logging company which also controls Harper Port, through its representative Hussein Fawaz. One of

The Antarctic Mariner loading logs in July 2001. Prior to this, it unloaded a mysterious cargo amid tightened security.



Logging industry individuals subject to the UN travel ban

In addition to the above, the following individuals who are subject to the travel ban under UN Resolution 1343 (2001) have interests in the logging industry.

Gus Kouwenhoven
Chairman of OTC, Managing Director of RTC and Board Member of the Forest Development Authority (FDA).

Demetrius Robert Taylor
Charles Taylor's brother and Managing Director of the FDA.

Talal El Ndine
Board member of the FDA, and RUF paymaster.

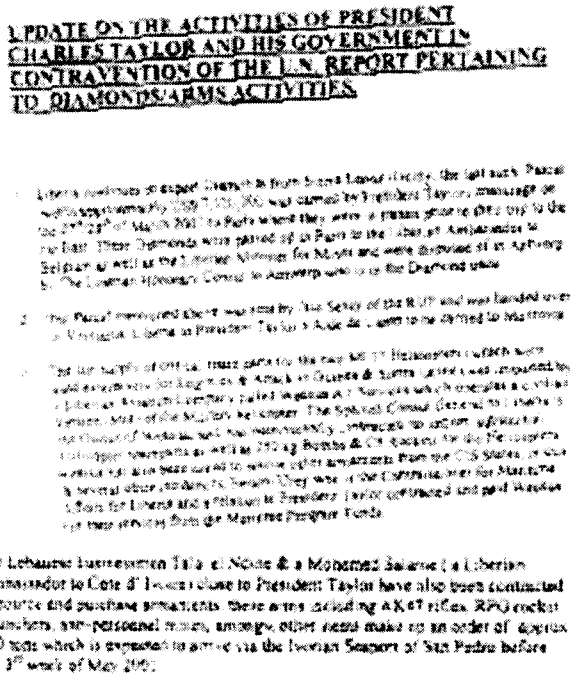
Maurice and Oscar Cooper
Joint owners of the Inland Logging Company.

Mohammed Salami
Owns Salami Molawi International logging company.

Austin Clarke
Deputy Minister of Defense Operations and owner of the LASTA logging company.

Gabrielle Doe
Adviser to Charles Taylor and connected to Cavalla Timber Company and NACA Logging Company Inc.

Victor Haikal
Karel Logging Corporation.



UPDATE ON THE ACTIVITIES OF PRESIDENT CHARLES TAYLOR AND HIS GOVERNMENT IN CONTRAVENTION OF THE U.N. REPORT PERTAINING TO DIAMONDS/ARMS ACTIVITIES.

Two Lebanese businessmen Talal el Ndine & a Mohamed Salame (a Liberian Ambassador to Cote d' Ivoire close to President Taylor have also been contracted to source and purchase armaments. These arms including AK 47 rifles, RPG rocket launchers, semi-personnel mines, amongst other items make up an order of approx 180 tons which is expected to arrive via the Ivorian Seaport of San Pedro before the 3rd week of May 2001.

These are facts that should be brought to the attention of the United Nations Security Council urgently.

14th April 2001

Above: **Anonymous document received by Global Witness in April 2001 detailing a forthcoming arms shipment scheduled for May. Talal el Ndine and Mohamed Samali, both in the logging industry, are cited as the individuals "contracted to source and purchase armaments".**

the main importers of Liberian timber into France, Bordeaux-based ETS F. Jammes SA, is a major purchaser of MWPI timber.

- Prior to this, on 5th April 2001, the *MV Senorita*, owned by OTC's associate company Global Star, arrived in the port of Buchanan amid tightened security, indicating possible dubious activity. Armed men of the OTC militia patrolled the port and the Loop (the former Lamco / Liminco estate in Buchanan) which hosts the company's executives, headquarters, workshop, warehouses, etc. The reason given for the extra security measure was an expected visit of Charles Taylor; however, he did not arrive as speculated.
- In early July 2001, the *Antarctic Mariner* arrived at Buchanan having left China via Singapore, and was unloaded amidst heightened security, mostly at night, by armed troops and OTC personnel, rather than by the usual stevedores. It is not known what was unloaded but numerous wooden crates were among the cargo. At the time of writing the cargo was stored in warehouses at Buchanan for transport onward. The vessel was then loaded with over 30,000m³ of OTC's logs, an enormous cargo, for shipment to China.[14]
- In 2000 a vessel arrived in Freetown Sierra Leone and mistakenly tried to deliver a container, but was halted when Charles Taylor contacted the Sierra Leonean government stating that the contents of the container was destined for his wife, as a birthday gift. Honouring international norms the container was allowed to proceed to Liberia unopened. However, a Sierra Leonean present when the container was unloaded confirmed that it contained hi-tech armaments.[15]
- In early 2001 Global Witness received (unverified) information that an arms shipment was due to arrive at San Pedro Port, Côte d'Ivoire.[16] It is not known whether such a shipment took place, but there are reasons to regard San Pedro as an ideal import point. It is a major timber exporting point for Ivoirian, Liberian and Guinean timber, and the traffic on the roads between San Pedro and the Liberian border is dominated by timber trucks, many of which cross into Liberia at Toulepleu and Logatuo. Therefore, arms imports could reach Liberian soil within a day of arrival at San Pedro, carried by timber or other trucks.

In addition to the above, it is widely known in Liberia that OTC's Buchanan operation is regularly used to import arms. Of course, to prove this is difficult as the sources would be in extreme physical danger if their identities were known. However, the involvement of the Ukrainian Mafia in both arms trafficking and the timber industry is well documented.

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The Russian Mafia and the links between timber and arms – a case study



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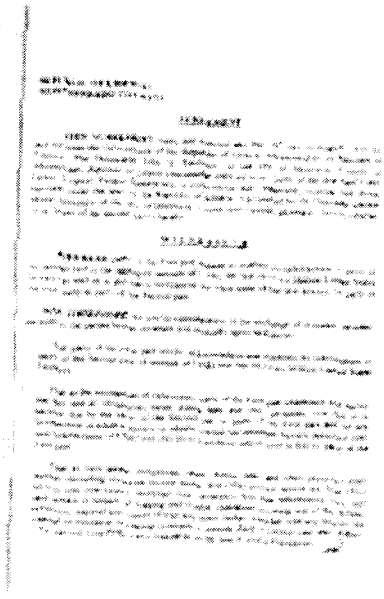


As with much resource extraction in conflict and post conflict areas, the tropical timber trade has been the focus of criminal gangs. The Italian, Corsican and Russian Mafia have all allegedly been connected with the timber industry in West and Central Africa.

In June 2001 Leonid Minin, an Israeli citizen of Ukranian origin, reputed head of the Ukrainian Mafia was charged by the Italian authorities with illegal arms trafficking. This followed the imposition of a two-year sentence for drugs possession following his arrest in the Hotel Europa near Milan in August 2000, when he was found to be in possession of cocaine.[17] Documents that came to light when he was arrested provide an amazing insight into Minin's multifarious business deals.

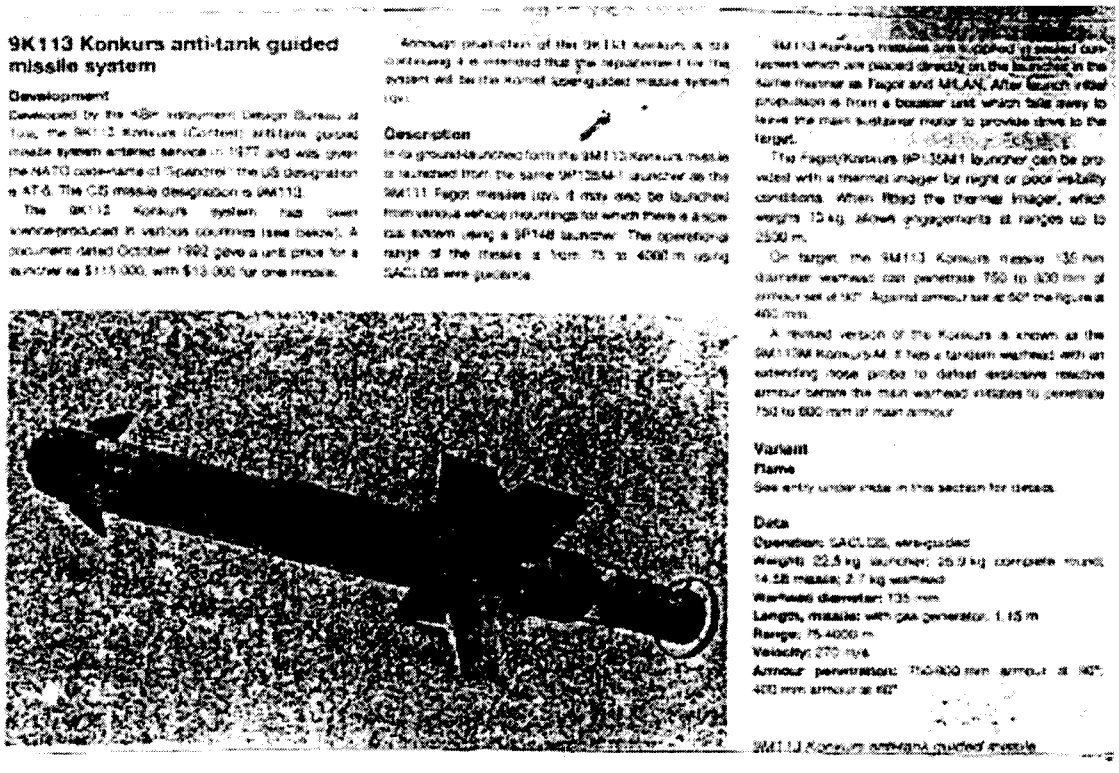
Amongst a wide variety of speculative business interests, Minin is believed to be a central figure in the trafficking of arms to West Africa, and to Liberia in particular. Crucially he was/is chairman of Liberian-based Exotic Tropical Timber Enterprise (ETTE). Minin's documented links with the arms industry, the Liberian timber industry and the movements of actors in both these fields conclusively demonstrate the links between timber and arms. This company is one of the three named by the UN Expert Panel on Sierra Leone as being involved in the acquisition of "a large amount of unrecorded extra-budgetary income to President Taylor for unspecified purposes".

One of Minin's correspondents was Erkki Tammivuori of Met AS and Met Corp, a company involved in numerous arms deals with offices in Lausanne and Istanbul respectively. Correspondence in Global Witness' possession refers to negotiations to sell a Ukrainian aircraft carrier to the Turkish navy[18] and to missiles (possibly Konkurs anti-tank) for US$8,000 each.[19] It appears that Tammivuori was entering into a consultancy with Minin's Limad company, according to an agreement dated 27th June 1999[20] (although Global Witness' copy is unsigned). The agreement seems to have centred around the supply of various goods from the Ukraine, although arms are not mentioned. However a blank 'Exclusive Frame Consultancy Agreement' of Karor Trading SA, another Tammivuori company, states that "[the]

Above: **Leonid Minin, purported head of the Ukrainian Mafia, photographed by the police upon his arrest in Italy in 2000.**

Above right: **Contract from August 1999 between Minin-owned logging company ETTE and the Liberian government, whereby the government agrees to provide ETTE with US$2 million. The reason for payment is not stated.**

Below: **Document detailing aspects of an anti-tank guided missile system, found among Minin's posessions upon his arrest.**



9K113 Konkurs anti-tank guided missile system

Development

Description

Variant

Flame

Data

Consultant undertakes to act as advisor to Contractor in its contracts with construction and other companies...both in the defence as well as in the civilian sector..."[21]

Tammivuori spent ten days with Minin in Liberia and Ibiza some time in the first half of 1999.[22] This joint visit between two known arms traders, one of whom also ran a timber company, demonstrates the integral links between these two industries in Liberia.

ETTE is still in existence despite Minin's arrest, but appears at this stage to be dormant. It sold some or all of its capital assets to the Spanish-owned Forum Liberia Corporation on 24th November 1999 for US$5 million. US$1.5 million of the purchase price was to be supplied as fresh-cut logs to Buchanan Port during 2000, and various instalments of this timber was indeed delivered by Forum Liberia to ETTE.

Another agreement was signed on 20th August 1999 by Minin and John Bestman, the Minister of Finance, Government of Liberia. This document confirms that the government are indebted to ETTE to the tune of US$2 million – it does not state what services Minin rendered that cost US$2 million. The debt was to be repaid by exempting ETTE from all due taxes related to its timber operations until the debt had been repaid. So, in two agreements, Minin received US$1.5 million worth of timber and the wherewithal to avoid any taxes relating to it.

Minin's Swiss-based company, Limad AG, also brokered a US$2.5 million (15,000m^3) timber deal between the Liberian Cooper brothers (who run the Inland Logging Company, and the China National Aero-Technology Import & Export Corporation (CATIC).[23] Limad was also in negotiations with the China Aerospace Science and Technology Corporation (CASC) regarding an aerospace deal, notably the sale of Russian manufactured SS18 intercontinental ballistic missiles to China.[24] Limad Beijing stated that although CASC "...expressed their interest in the technology of liquid-based rocket engines. However, since this matter may have grave responsibility, nobody dare (sic) to have the final say".[25]

Personal payments to the Taylor clan

Obviously, details of direct payments to the Taylor family are hard to document, but the Minin documents contain two direct references to such payments.

In a fax to Leonid Minin on 17th May 2000 Minin's company representative in Monrovia stated that he had offered to purchase two trucks for Bob Taylor (Robert Taylor, Charles' brother, who is head of the FDA) "...in exchange for 100% discount of the taxes on the teak and the permission to operate the forest and a new good relationship in general".[26] It is not clear whether these trucks were in fact purchased as the relationship between ETTE and Robert Taylor appeared to be in some trouble at around this time.[27]

Another document faxed from Minin's company, Limad AG, on 10th March 2000 details "Expenses Liberia". The second to last item is listed simply as "15,000.00 [US$] Taylor".

In early 2000 Minin also brokered an arms deal between former Russian test pilot Valery Cherny's Moscow-based company Aviatrend, and then President Robert Guei of Côte d'Ivoire, which included 10,500 AK47 assault rifles, RPG-26 rocket launchers, sniper rifles and over 8 million rounds of assorted ammunition.[28]

4 Logging company militias & military control of concession areas

GLOBAL WITNESS research and investigations have found that taxes from the logging industry are deposited directly into the Executive Mansion Special Projects Accounts, which is administered by Taylor. Also a US$0.25 and US$1.00 sale tax placed on a gallon of gasoline and a bag of rice respectively go directly to the Executive Mansion. These revenues, especially the timber revenue, have enabled Taylor to maintain largely inefficient but brutal military and paramilitary units including the Anti-Terrorist Unit (ATU) and the Special Operation Division (SOD). Both of these units have been directly involved in various human rights abuses, including intimidation of opposition leaders and journalists, illegal detention of private citizens at the notorious Gbartala Base (Bong County) without charge and extra-judicial killings. These human rights abuses have been documented by local and international human rights organizations, notably the Catholic Justice and Peace Commission (Liberia) and Amnesty International (UK).

In addition to the links between various logging companies and arms trafficking, some logging companies recruit and arm ex-combatants, mostly from the rank of Taylor's defunct National Patriotic Front of Liberia (NPFL), to build up private militias: some of these units are involved in military operations. OTC for instance hired Roland Duo, a notorious former general of the NPFL and now Chief of Security at the Freeport of Monrovia, as its chief of security.[29] He lives in Monrovia but maintains a residence in the OTC Lamco/ Liminco estate in Buchanan. Other companies who operate armed militias include RTC, LWMC, ULC, FAPCO, SMI and ILC.

In Lower Lofa, Bomi and Grand Cape Mount counties the LWMC, ULC, FAPCO and RTC companies' militias are mostly comprised of ex-combatants. The largest concentration of the Armed Forces of Liberia (AFL) men in the region are based at the main ULC camp, known as 'ULC'. Personnel from the ULC private militia confirmed local reports that occasionally men from their unit are sent on "special assignments" with the 6th Battalion of the AFL. On 15th April 2001 men from the ULC militia and AFL officers travelling on a ULC truck to the border with Sierra Leone had an accident in which the ULC driver (known as Bukasa) and six officers of the AFL (including a Captain Dolo) lost their lives. It is not clear what their mission on the Sierra Leone border was, but this mission is indicative that Taylor's military are still involved in the insecurity there. RTC men in the Bomi Wood Camp (the RTC main camp) explain that they are officers of the AFL on assignment with the company, to provide security. Locals in Kumgbor, Bomi Wood Camp and ULC Camp itself claimed that the companies' securities forces constantly harass and intimidate them.

In one high profile incident in May 2000, two employees (Foday Sannoh and Logan Nagbe) of John T. Richardson's (an associate to President Charles Taylor) JALK petroleum distribution company, were arrested and incarcerated by OTC militiamen in the OTC's private prison in Buchanan[30]. In spite of his closeness to Taylor, attempts to get the local police involved in securing the release of his employees were unsuccessful. They were only released after the Justice Ministry "appealed to the OTC to release his workers". The case was never prosecuted.

All of these examples demonstrate the negative consequences of the present militarization of the timber industry in Liberia.

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5 The case for sanctions

THE SANCTIONS against Liberia are already working, as peace is gradually coming to Sierra Leone. Around 2500 RUF troops have disarmed, thereby making way for around 5000 (pro-government) CDF soldiers to disarm also, under the Disarmament, Demobilisation and Reintegration (DDR) process. This process is scheduled to be completed by the end of November 2001, although some delays are possible.[31] However, most diplomatic observers agree that the process is extremely fragile, and it is highly likely that the RUF's best commanders and arms are still in Liberia.[32] The reason the RUF are actively disarming is that they have seen their main patron, Charles Taylor, being increasingly weakened and isolated by sanctions: in addition, these forces are tired after years of fighting which has gained them nothing.

Although it can be argued that a sovereign government has the right to exploit the natural resources under its control, this argument does not apply to the current situation in Liberia, where the resources are being exploited contrary to Liberian law for the benefit of the elite, not the State or the population.

Many have cited that the loss of jobs and revenues, especially to rural Liberians, would be unbearable were Liberian timber exports to cease. Holding up rural Liberians as a human shield against sanctions is a tactic to avoid taking action. Although the effects on the economy and the loss of jobs will undoubtedly be a temporary set-back, it is far worse to destroy Liberia's forest resources for the benefit of President Charles Taylor, his inner sanctum and the foreign companies investing nothing sustainable in Liberia.

Timber sanctions can be enforced through internationally protected, independent observers at the six major points of departure for Liberian timber: the ports of Buchanan, Monrovia, Greenville and Harper, and the land routes to Côte d'Ivoire. Through monitoring and information campaigns, France and other European countries must be encouraged into complying and not purchasing Liberian timber smuggled via Côte d'Ivoire. If companies like OTC find profits are too low or they cannot pay their bills, and international pressure is too great, they will abandon Liberia as fast as they arrived.

In its recent announcement that it will cease to purchase timber from companies cited in the UN Expert Panel's report, following NGO pressure, Danish multi-national DLH Nordisk raised the issue of the 100,000 timber related jobs at risk in Liberia. Apart from its failure to demonstrate the veracity of this figure which is grossly exaggerated, DLH has not appreciated the criminal links of some Liberian timber companies, the fact that many of these workers endure appalling conditions; that villagers are intimidated by the armed militias hired by logging companies; that villagers' lands have been bulldozed to make way for logging roads and that logging at the current rate in the existing anarchic climate will liquidate the resource, removing forever the employment opportunities that can be afforded by a sustainably managed timber trade.

> ***"OTC machines putting a road through: many bulldozers and trucks came, people were scared. There were trucks passing through which were very heavy with logged trees damaging the roads for local people – nobody does anything, as they were scared.***
>
> ***Every day trees fall down and block the roads – roads are just bulldozed through by OTC people – they scare the villagers – nobody does anything"***
>
> *Villager in OTC concession; July 2001*

OTC logging truck en route to Buchanan; 2001



6 Liberia and the RUF – past and present links

THE SUPPORT LINKS that run from Liberia to the RUF have not been severed – neither before or after the sanctions of 7th March 2001. Violations of the sanctions have been plentiful and the lines between the two parties – as well as traditional boundaries between Liberia and its neighbours – have continued to fade. Liberia has now begun illicit logging operations in Sierra Leone,[33] reputedly with the cooperation of the RUF, who are also fighting in Lofa County. Reports have shown that RUF rebels were "sent into Lofa County to beef-up Liberian government defenses."[34] Although there are several changes taking place in respect to President Charles Taylor's connection with the RUF since the 7th May 2001 sanctions, significant links remain.

Infringements on the travel-ban

Individuals cited in The List of Persons Affected by the Measures Contained in Paragraph 7 of UNSC Resolution 1343 (2001)* on the subject of travel restrictions have, as of 19th June 2001, acquired Sierra Leonean passports, making it easier for them to circumvent current restrictions placed upon them by the ban.[35] Several of these individuals are people who are directly linked to President Charles Taylor and to the RUF:

1. **Samuel Bockarie** (*alias* **Mosquito**), whose whereabouts have been indeterminate, now possesses a Sierra Leonean passport. He divides his time between Liberia and Normo Farma, Golahun Forkia, in Sierra Leone (see "RUF Vanguard" location list below). He is now an Anti-Terrorist Unit (ATU) senior member.
2. **Brig General Abu** – ATU Deputy Commander.
3. **Mr Akkram Basma** – Africa Motors, Monrovia, Liberia.
4. **Hassan Basma** – Businessman at Kissy Road/Sani Abacha Street.
5. **Jamal Basma** – in Freetown.
6. **Samuel Gibson** – Adviser to President Charles Taylor.
7. **Mr Keikula B Kpoto** – President Pro-Tempore of the Liberian Senate.

Sierra Leoneans have also assisted more people on the Liberia Restricted Persons List to get Sierra Leonean passports. Some of these applications are allegedly coming from the United States or the United Kingdom.

Furthermore, several of the 20 original members of the RUF, called the "RUF Vanguard" are currently in Liberia. Their names and their locations as of 19th June 2001 were:

Members of the RUF Vanguard based in Liberia
(ORIGINAL MEMBERS OF THE RUF)

1.	**Philip Palmer**	Matru Jong
2.	**Augustine Koroma**	Jimmy Bagbo [sic]
3.	**Momo Kpaka**	Gorahun, Koya Chiefdom, Kenema District
4.	**O K George**	Bo, Kakua Chiefdom
5.	**Alex Koroma**	Polehun, Nongowa Chiefdom
6.	**Siafa Massaquoi**	Nomo Farma, Kenema District
7.	**Mohamed Njoboi**	Nomo Farma, Kenema District
8.	**Moris Kallon**	Pujehun District
9.	**Denis Mingo** (*alias* **Superman**) (rumoured killed in action)	Pujehun District
10.	**C O Browne**	Liberian/Sierra Leonean
11.	**C O Fattu Browne**	Liberian/Sierra Leonean
12.	**Issa Sesay** (Presently in Sierra Leone)	Northern Province, Sierra Leone
13.	**Sam Bockarie** (*alias* **Mosquito**)	Gbandilo, Kailahun District
14.	**Isatu Kallon**	Kailahun District
15.	**James Jalloh**	Kailahun District
16.	**Fayia Musa**	Kailahun District
17.	**Mike Lamin**	Kailahun District
18.	**C O Lawrence**	Kailahun District
19.	**C O Allysious**	Pujehun District
20.	**C O Kargbo**	Northern Province

Original Liberian members of the RUF, called the "SPECIAL FORCES" have "returned to Liberia and are now fighting for Charles Taylor in Lofa County". They are also referred to as "special forces from Liberia who entered Sierra Leone to fight for Foday Sankoh in Kailahun district." Their names are :

Sam G Tuah	**James Canway**
Thomas Randott	**Sattu Major**
Jr Nyinatti	**Rebel Fast**
Tamba Joseph	**Jah Brother**
American York	**Big Daddy Cool**
Sadam Hussein	**Cooper Kollie**
C O Barrow	**Tamba**
Jehungbe	**Auscal Blesso**
John Piwweh	**Togba Njuah**
Charles Timba	**C O Dane**
Edward Wah	**Anothony Flomo**

* Referred to in the remainder of this document as "The Liberia Restricted Persons List"

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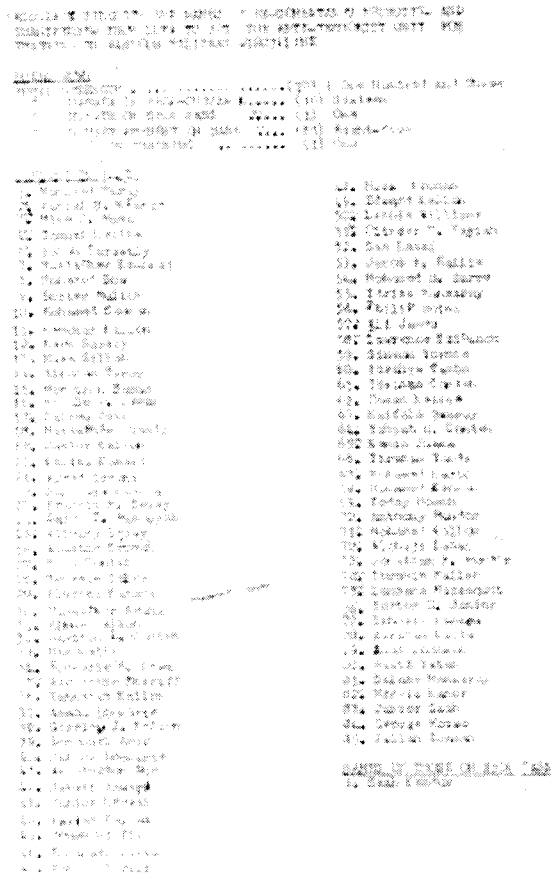


Further lists exist illustrating the connections between the RUF rebels of Sierra Leone and President Charles Taylor's personal security force, the Anti-Terrorist Unit (ATU). One such list, from January 2000, is shown above.

Violations against non-combatants

Fighting in Lofa County has reportedly increased and the international media is facing access-restrictions to this region. Some suspect that these restrictions are put in place by the Liberian government so that dubious activities of Liberian security forces and the RUF can be covered up. Conflict in the region has forced Sierra Leonean refugees and Liberian civilians to escape Lofa, Grand Cape Mount and Bomi counties.[36] Furthermore, as of May / June 2001 Sierra Leoneans living in Liberia, whether refugees or not, are "continuously being harassed by the Security. They are accused of being dissidents. Other countries that are harassed include Guinea, Nigeria and the Gambia. Some have been tortured and, possibly killed."[37]

According to eye-witnesses, Sierra Leonean refugees in Liberia are being forcibly enlisted or bribed into becoming combatants. Evidence gathered shows that this is done with cooperation between the RUF and the Liberian government. In a document detailing events at the VOA-I refugee camp, Samuel Bockarie (alias "Mosquito") is quoted as the person who was heading the enlisting campaign[38]. He was allegedly told by the "Liberian government to recruit man power for Military service". Others named in this activity are Bernard Freeman, a former combatant who "always hosts the clandestine meetings," and Mustapha Kallon, a former RUF combatant who is also Chief of Security at the VOA-I. In one incident on 7th October 2000, Bockarie entered the camp with two body guards that were from the Special Operations Division of the Liberian Police (SOD). One informant described how he met them in a meeting with Mosquito. The refugees, facing precacarious conditions, are faced with increased pressures of insecurity: a factor that is played upon by those recruiting. In the same incident of 7th October 2000, refugees were presented with six bags of rice and money for the families of enlisted refugees that were to be taken to the warfront. The VOA-I Chairman and his Secretary hesitated from taking part in the meeting and eventually withdrew. General Mosquito returned to the camp at 10:00 pm on the same day with a jeep and truck. Eleven refugees subsequently boarded the vehicle. It is highly likely that more were taken at a time when the informant was not present.

The document also highlights that Guinean refugees are subject to similar ill-treatment.

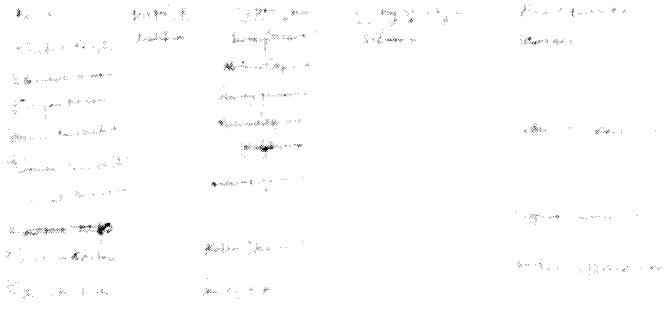
Many refugees are faced with the problem of not having proper identification and several non-combatants are reportedly being purposefully misidentified by Liberian authorities. For example, there have been several arrests of 'Kamajors' in Lofa County, in reality innocent Sierra Leonean refugees or Liberian citizens.

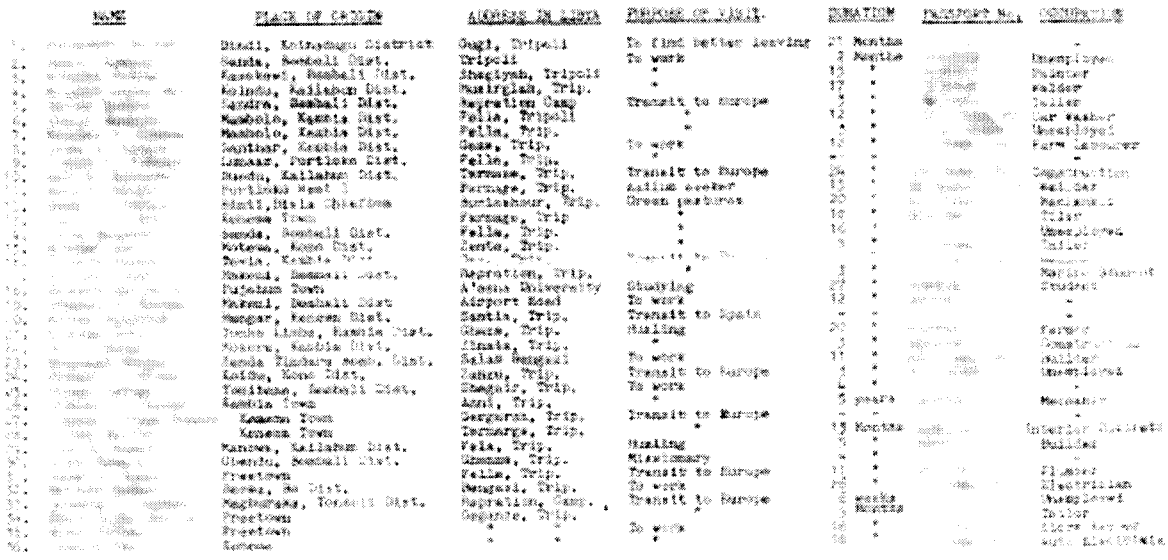
One report details the procedures of these arrests as well as a specific case of false identification: "several Sierra Leonean residents and refugees living in Bong County, Grand Cape Mount County and Montserrado County have been captured – some taken to the notorious ATU Camp for torturing and possible death. The BBC also reported of a captured Kamajor who was presented to the Press in Monrovia for confession. My sources told me that he was a non-registered refugee."[39]

It is important to note that the recent move by the Liberian government to register Sierra Leonean refugees, which does not include UNHCR-registered refugees, begs the question as to what Liberian immigration did with the refugees' initial registration. Worry has been expressed that this registration procedure is a move to arrest further so-called Kamajors who in fact are innocent in an attempt to show the international community that steps are being taken towards reform.

Sierra Leoneans are also being abducted from Sierra Leone itself. The following is a list of women who were kidnapped from their homes in Sierra Leone and taken to Liberia. The list details their town of origin and their current location.

List of women abducted from Sierra Leone and taken to Liberia; June 2001





In May 2001, according to eye-witnesses, Sierra Leonean refugees were being forcibly recruited by President Charles Taylor's Anti-Terrorist Unit (ATU) and the Armed Forces of Liberia at the Bridge between Lofa and Bonga counties (St. Paulsville). The ATU were on one side, and the AFL were on the other. Both separated the women from men as they arrived and then recruited males over the age of 14. Close to this bridge, 15 and 16 year old boys were being trained by these forces. According to Global Witness sources, this forced recruitment was increasing.

Liberia's international links

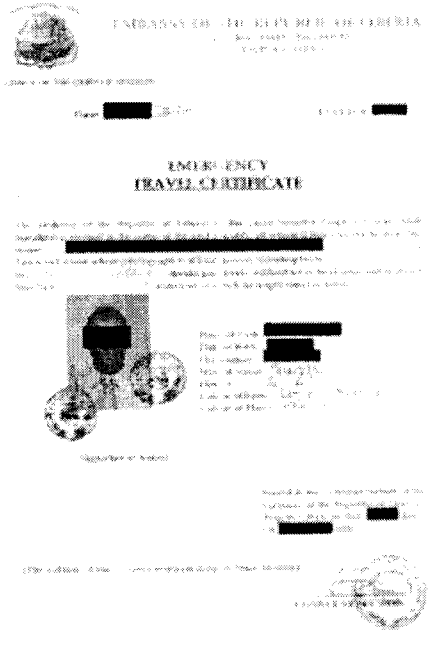
It is important to note that the above violations exist partly because of Liberia's links to countries sympathetic to President Charles Taylor's government. Previous reports about Gaddafi training the RUF are substantiated by evidence obtained by Global Witness. In 2000 several Sierra Leoneans were taken to Libya from other countries including Nigeria, Côte d'Ivoire, and Guinea. All of those listed as going were either holding low positions or were unemployed and stayed anywhere from two months to 27 months in Libya. They left because Libya came to the decision that they would be deported, at which point Liberia stepped in, took them over to Liberia and gave them Liberian citizenship. While in Libya, they were reportedly given military training and subsequently ear-marked to become RUF combatants upon their arrival in Liberia. Several of them applied to return back to Sierra Leone.

This type of link to a country outside of its immediate vicinity is not new to Liberia. In a press release by the Embassy of Sierra Leone, dated 25th February 1999, it was documented that President Charles Taylor had ties with "Nico Shafer, a Columbian cocaine kingpin, formerly associated with the late Pablo Escobar of Cali, Columbia and Col Fred Rundle ... a former South African army officer who openly trains Liberians, Burkina Faso and abducted Sierra Leoneans in Liberian military camps".[40]

The RUF is largely able to continue its actvities because of its support from the Liberian government. The Liberian government is able to fund the RUF mainly because of the monetary value of the timber which it exports.

Above: **List of Sierra Leoneans allegedly given military training in Libya to fight for the RUF in Liberia; 2000**

Below: **Travel document of one of the deportees en route to Liberia; 2000**



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7 The real value of Liberia's forestry sector

THE OFFICIAL FIGURES pertaining to Liberia's timber production, exports and revenue generation comprise those produced by the FDA in their annual and semi-annual reports, the annual reports of the Ministry of Finance and the Central Bank of Liberia and from international trade statistics. The following analysis has drawn on all of these sources. However, the FDA 2000 Annual Report has not yet been published – it should have been available in the first quarter of 2001 – which means that total figures are not available at a time when they most deserve scrutiny. Figures for 2001 are drawn from import data and documentation by Global Witness *(see table below)*.

The Ministry of Finance annual report for 2000 states that timber production was 802,249m³, and that this generated US$6.6 million for the budget. The Central Bank of Liberia in its report for 2000 records production of 934,006m³, and states that this contributed 'about' $6.7 million. Thus the two relevant organs of the state record similar revenues, but display a 132,000m³ discrepancy in production. These two institutions use differing methods to arrive at their figures. The Central Bank reviews the paperwork of each logging company's production; the Ministry of Finance derives its data from Bureau of Inspection for Verification Assessment and Certification (BIVAC), the government's tax collecting agency. It seems likely that the higher production figure is more accurate as it was based on actual paperwork.

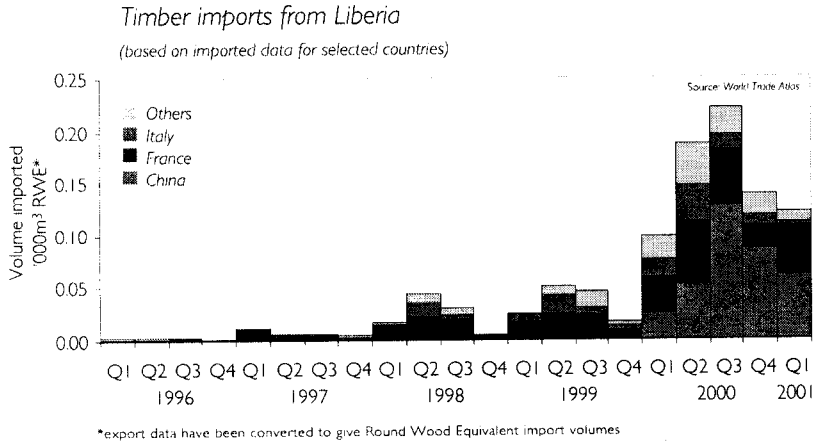
A reasonable minimum estimate of available timber revenue can be arrived by subtracting the average timber production cost from the world market value of the timber; typically about US$200 per m³. If timber production costs are on average US$86 per m³,[34] then, once sold, there is US$114 per m³ remaining both to provide profits for the logging companies and to provide Charles Taylor with the revenues he needs to support his lifestyle, patronage system and armed support. In 2000 this remaining sum is likely to have totalled US$106 million, or approximately US$100 million after the US$6.6 million in taxes had been paid. However, this is not the whole story. There are numerous methods of executing timber fraud, some of which are indicated below:

- In the first six months of 2000 Liberia log exports to Europe were under-declared by 75,327m³. *Value US$8.6 million (at US$114/m³).*
- OTC processes logs in its sawmill, but does not declare any sawn production. *Value unknown.*
- There are numerous reports of undeclared exports via Côte d'Ivoire. Global Witness photographed Liberian logs at San Pedro port, although log exports are illegal from Côte d'Ivoire. [Log exports from Côte d'Ivoire were more or less zero in 1998, 10,000m³ in 1999 and 20,000m³ in 2000;[5] the FDA indicate 36,000m³ were exported from Liberia to Côte d'Ivoire (primarily overland) in the first half of 2000]. *Value unknown.*

Furthermore, on 1st July 2000 the Liberian government issued Executive Order No. 4, "restricting the Ministry of Finance to the collection of 50% of all Land Rental Fees and 98% of all stumpage fees", and mandating the FDA to "collect the balance, 50% and 2% respectively for the support and maintenance of the Forest land of Liberia" (replanting).[41] However, the FDA did not receive this money. In early July 2001 the President of the Timber Association, a timber trade body, stated that "...we see nothing being done by the FDA in the area of reforestation."[42] The Deputy Managing Director of the FDA, Wayne Bryant, admitted that reforestation fees were being redirected. At the same meeting he also refused to comment on whether reserve forests were being misused, stating that "it is too political."

Thus in 2000 there was a minimum of US$108 million available to Liberia's elite. In addition, many of the logging company militias' salaries would come from timber production costs. Given that these militias engage in military operations, this is additional support for Taylor's military aims. Furthermore, the IMF noted that 80% of the National Budget is used by the Executive Mansion for expenses authorised directly by the president.[43]

Note the downward trend at the end of each year reflects the wet season when logging slows down.



*export data have been converted to give Round Wood Equivalent import volumes



Logs aboard the BBC Australia, unloading Liberian logs for F. Jammes in Bassens, Bordeaux; March 2001.

Exports compared with imports (m^3)

Note: Export figures are Liberia's declared exports; Import figures are those recorded by importing countries. There are large discrepancies between the two.

	1999		2000 (first 6 months only)		2000 (12 months)
	Exports	*Imports*	*Exports*	*Imports*	*Imports*
China	14,762		144,419	77,318	290,409
Indonesia	11,988		6,784	9,391	13,401
Turkey	28,620	2,632	11,316	2,469	3,998
Belgium			1,115	0	2,083
France	70,411	74,813	56,300	92,540	167,779
Germany	5,155	6,189	7,690	9,284	12,364
Greece	1,420	2,204	9,333	13,837	23,513
Italy	36,408	35,756	29,052	52,512	78,800
Netherlands	1,301	1,274	6,324	10,517	21,677
Portugal	5,978	8,847	2,682	7,719	13,171
Spain	6,267	7,487	9,029	8,375	15,238
UK			1,336	1,899	3,108
Subtotal	*182,310*	*139,201*	*285,380*	*285,861*	*645,541*
India			6,485		
Korea			11,584		
Thailand	3,069		2,951		
Tunisia			1,504		
Senegal			1,294		
Libya	2,935				
Côte d'Ivoire	1,101		35,843		
Gambia	526				
Total	*189,941*	*139,201*	*345,041*	*285,861*	*645,541*

Sources

Exports 1999: *FDA Annual Report (January-December 2000)*
Exports H1 2000: *FDA Semi-annual Report (January-June 2000)*
Imports: *World Trade Atlas*

Note: There will be a time lag between the exporting of cargo from Liberia and its subsequent importation. Source data from neither the Forestry Development Authority nor the Central Bank of Liberia provide monthly export quantities. Roughly three quarters of annual production takes place during the first six months of each year. Consequently, it may be reasonable to assume that the great majority of timber produced for export in a given year will be received by the importing country during the same calendar year.

Some buyers of Liberian timber in 2001[11]

Please note, this list is far from exhaustive.

Buyer	*Supplier*	*Log supplier arms links?*
Global Star (Asia) Trading Ltd *c/o Natura Holdings* *27-15 International Plaza* *10 Anson Road, Singapore*	**OTC**	¬
DLH Nordisk A/S	**MWPI**	¬
Skagensgade 66 *DK-2630 Taastrup* *Denmark*	**OTC**	¬
Timber Trade Service *Italy*	**OTC**	¬
Messrs. Bonomi Prefabbricati ILL Sri *Via San Vigilio 81* *38088 Spiazzo (TN) Italy*	**OTC**	¬
HBT Holzhandel GMBH *Germany*	**OTC**	¬
TREEMEX *Niederfeldweg* *D-32361 Preussisch Oldendorf* *Germany*	**OTC**	¬
SIBA *Rocade Fann Bel Air* *BP 2470 Dakar, Senegal*	**OTC**	¬
TECNOALP *Italy*	**OTC**	¬
General Wood Ltd *c/o Cofid* *6 Albemarle Street* *Piccadilly* *London W1X 3HF*	**OTC**	¬
Simla Trade *India*	**OTC**	¬
Sumas Trading PTE Ltd	**RTC**	¬
World Best Trading *PO Box 4838* *Deira* *Dubai UAE*	**OTC**	¬

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8 The roles of France and China

OF ALL COUNTRIES, France and China have the largest financial interests in Liberia's timber sector. France and China led the effort to remove timber from the proposed sanctions on Liberia in early 2001.

The reasons given were:

China: The "humanitarian impact of sanctions on Liberian people. Of course we also import timber from Liberia, but that is not our concern; we just want to find a proper balance between humanitarian issues and the possible link between natural resources and arms".[44]

France: The lack of a link between timber and arms, but: "Nous sommes complètement ouverts à imposer des sanctions sur le bois et le chaoutchou si le lien avec les armes soit établi". *("We are completely open to imposing sanctions on timber (and rubber) if the link with arms is proved").*[45]

France enjoys extensive trade in West Africa and may be unwilling to be perceived as a threat by African governments. Furthermore, as the recent 'Angolagate'[46] scandal exemplifies, several senior French politicians and their close business contacts are implicated in African resource and arms-based corruption deals. It is highly likely that further research can draw some links between what has happened in Angola, and what has happened in Liberia.

The trade argument is probably also true of China. Whilst China undoubtedly values Liberian logs, it is also likely that they are keen to woo Taylor away from his close alliance with Taiwan.

Historically, France has been a major importer of Liberian timber regardless of the supplier. In 1991, for example, during the war when the NPLF was in control of nearly all of Liberia's territory and controlled nearly all its timber exports, France imported 94,400 m^3 of round logs from Liberia,[47] worth approximately US$19 million at current prices.

The 1999 FDA Annual Report states that France imported over 70,000 m^3 of Liberian round logs, or 37% of Liberia's official 1999 timber exports. Although this percentage was reduced to 26% in 2000, the volume increased by around 150% to just under 168,000m^3. France's imports therefore contributed a minimum of US$19 million to the 'parallel' timber budget. Some French distributors have friends in high places. For example, in March 2001 Pinault, a company that bears the name of one of France's richest men, said it had never heard of RTC,[48] but had RTC logs in its Nantes Yard – an interesting inconsistency.

France imports further Liberian timber that is taken by road to south-west Côte d'Ivoire for milling and export. No reliable figures are available on the volumes or value of this timber, however the FDA Semi-Annual Report for 2000 reported exporting 35,000m^3 by land to Côte d'Ivoire. Furthermore, France's shipping industry is a major player in log and timber imports from West Africa. For example, Bolloré and Delmas are a major shipper from Côte d'Ivoire.

China declared imports of just over 290,000m^3 of logs from Liberia in 2000, therefore contributing a minimum of US$33 million to the parallel timber budget. However, the FDA Semi-Annual Report for the first half of 2000 puts China's round log imports at 144,400m^3, against China's declared imports of 77,000m^3, a 100% discrepancy. Although some of this discrepancy could be explained by exports in the second six months of the year, it is likely that China is under-reporting imports.

In conclusion, by blocking timber sanctions France and China have protected their tropical timber imports from Liberia, permitting companies like OTC and RTC to continue their human rights and environmental abuses, to import arms, and to support implicitly and financially Taylor's regional war and abuses of the economy, state and people.

RTC logs in La Pallice, France; March 2001

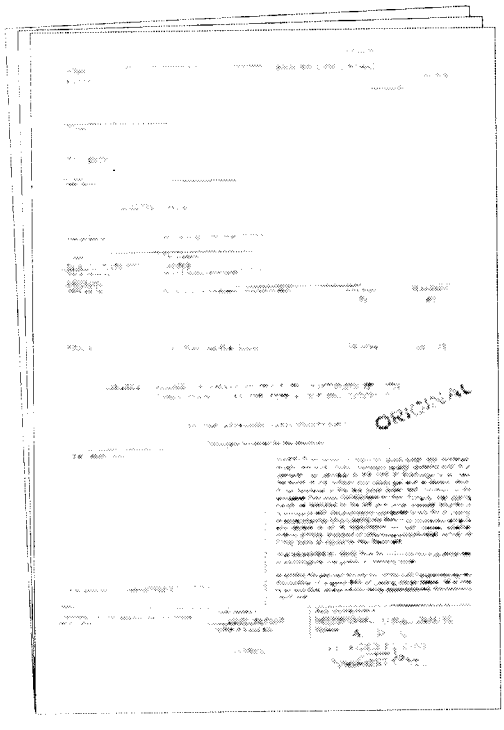




The following table details recent shipping activity. It is evident from this information that OTC, directly linked to the sustenance of the RUF and arms shipments, is the main supplier of Liberian timber to the international community.

Above: **Logs in French company Pinault's depot in Nantes, supplied by the Inland Logging Company (ILC), whose private militia is implicated in several human rights abuses; March 2001.**

Below: **Document detailing logs exported from NPFL-held territory for French logger Rougier at height of civil war in 1992.**



Ships plying the Liberian log trade in 2001

Vessel Name	Destination / Ports	Supplier	Buyer
Abu 1		OTC	
Liski	Amsterdam	OTC	DLH
Geortina	Derince, Italy	OTC	Theodor
Calypso "N"	Penglai & Chiwan, China	OTC	Global Star
Antarctic Mariner	Penglai & Chiwan, China	OTC	Global Star
Baru II	Salerno, Italy & Dakar, Senegal	OTC	DLH & SIBA
Atlas Sea	Penglai & Chiwan, China	OTC	Global Star
Thelita	Ravena, Italy		
Abou 1	Dakar, Senegal		
Kamilla	Sete, France		
Aris		OTC	
Zini	Ancona, Italy	OTC	TTS
Geortina	Kalamaki, Greece	OTC	DLH
Broadgate	Penglai & Chiwan, China	OTC	Global Star
Abou 1	Dakar, Senegal		
CEC Hunter	Sete, France		
Dutch Sea	Sete, France		
BBC Australia	Sete, France		
Louise	Sete, France		
Aron	Ravena, Italy		
SpringWood	Penglai & Chiwan, China	OTC	Global Star
Geortina	Derince	OTC	DLH
Anna Maria	Vasto / Ancona, Italy	OTC	DLH
Anna Maria	Vasto / Ancona, Italy	OTC	TTS
Achilles	Penglai & Chiwan, China	OTC	Global Star
ZINI	Ancona, Italy	OTC	TTS
Jedi Knight	Penglai & Chiwan, China	OTC	Global Star
Aron	Sete, France	OTC	DLH
Melte B	Sete, France		
Sernorita	Penglai & Chiwan, China	OTC	Global Star
ZINI	Ancona, Italy	OTC	TTS
ZINI	Ancona, Italy	OTC	Bonomi
ZINI	Greece	OTC	DLH
Atlantic Mercado	Sete, France	MWPI	DLH
Atlantic Mercado	Italy	FAPCO, RTC, ULC	DLH
Samsun Earnest	Penglai & Chiwan, China	OTC	Global Star
CEC Blue	Vasto & Ravena, Italy	MWPI	
African Trader	Nordenham, Germany	OTC	HBT
African Trader	Sfax, Tunisia	OTC, RTC, MGC, Tutex	DLH
Socofl Lake	La Pallice, France	OTC	HBT
Socofl Lake	Nordenham, Germany	OTC	Treemex
Socofl Lake	Nordenham, Germany	OTC	HBT
Socofl Lake	UK (Via Nordenham, Germany)	OTC	DLH
Arktis Crystal	Dakar, Senegal	OTC	SIBA
Express	Bordeaux, France	MWPI	
Rony	Ancona & Mon Falcone, Italy	OTC	
CEC Pride	Segunto, Spain	MWPI	
Posen	Hull, UK & Villa Garcia, Spain	MWPI	
Corn Racer	Penglai / Chiwan, China	OTC	Global Star
Panormos Pride	Penglai / Chiwan, China & Indonesia	OTC	Global Star
Geortina	Lefkandi, Greece	OTC	HBT
Geortina	Lefkandi, Greece	OTC	Theodor
Altis	Kemaman, Malaysia	RTC	Sumas Trading Pte
Georgios	Nordenham & La Pallice, France	HBT	
Georgios	Nordenham, Germany		Treemex
Abu 1	Dakar, Senegal	OTC	SIBA
Shi Koku Pride	Mangaiore	OTC	World Best Trading
Shi Koku Pride	India	OTC	SIMLA Trade
Liski	Sete, France	OTC	DLH
Antartic Mariner	Penglai & China Port, China	OTC	Global Star



The plunder of Liberia's rainforest – a Liberian's perspective

[The following section has been shortened but is otherwise unaltered from the original received from Liberia]

"Dear Sir/madam:

I have followed with interest your activities, reference the reckless and unsustainable forest exploitation by logging companies in Liberia and the misappropriation of national revenue, from the industry, for the benefit of an elite few. It is worth mentioning here that I find them not only crucial to the ongoing national and international efforts to protect the last remaining significant forest block in West Africa, and also one of the world's critical biodiversity hotspots, but detailed and extremely exhaustive.

Attached, are findings of a personal investigation of the industry, which forms the basis for the recommendations I have advanced in this letter. I also hope you will find some of the points, most of which you might already be aware of, useful in the preparation of future reports on Liberia.

Considering the fact that I can not publish this article locally, due to safety and security concerns - not only for myself, but also my immediate family members and associates, the omission of my name should not in any way deter you from using the materials. The information provided have been deliberately void of sweeping allegations to enable you verify or cross check incidents highlighted with other sources inside Liberia. This I believe would nullify any suggestion, that this paper is simply the "ranting of another Taylor hater".

Grateful if you could consider the below recommendations when preparing future reports on Liberia:

1. A UNSC endorsed and enforced moratorium on Liberian timber until a full-scale investigation of the logging industry can be conducted to prove or disprove that Taylor is using timber revenue to fund destabilizing military activities in the sub-region;
2. An independent environmental impact assessment to a certain the level of threat and damage to the Liberian rainforest;
3. The GOL be pressured to lift its 'siege' on information about the logging industry to enable independent observers gather information without fear of being intimidated, harassed or targeted;
4. The GOL to address the continued illegal importation of arms by the OTC and other logging companies, into the country, in violation of the UN arms embargo and advise the UNSC accordingly. This would enable the UNSC to take appropriate measures to discourage future violations of the arms embargo on Liberia. The GOL should also address the proliferation of militias organized by logging companies and prosecute those that have been involved in organizing illegal militias and importing arms for their private use;
5. Allegations against logging companies be investigated by an independent environmental and human rights organization and cases involving murder be prosecuted in a competent court of law; and
6. Aggrieved communities and individuals be compensated by the guilty logging companies for damages done to communal and private properties, including bulldozing through communal forests, farms, lost of lives in road accidents, etc.

The moratorium would remain in effect until all the conditions listed above are met in their entirety.

Kindly accept my congratulations and best wishes for the success of your campaign.

Sincerely yours..."

Liberia's forest estate

Liberia's forest is under intense pressure primarily from logging companies. Almost every national forest reserve or proposed national park has been granted as concessions to logging companies. Logging companies are also encroaching upon the few national forest reserves not granted as concessions. Logging operations have reached an unprecedented proportion, with about 60% of the country's rainforest now severely degraded. The country's bio-diversity is also threatened because deforestation has effectively separated the northern and south-eastern portions of the forest.

The government of Liberia and regional stability

Despite Liberian government denials, the Panel of Experts, however, "found unequivocal and overwhelming evidence that Liberia has been actively supporting the RUF at all levels, in providing training, weapons and related *matériel*, logistical support, a staging ground for attacks and a safe haven for retreat and recuperation."[49] The report also stated that "Roads built and maintained for timber extraction are also conveniently used for weapons movement within Liberia, and for the onward shipment of weapons to Sierra Leone."[50] And that "the principals in Liberia's timber industry are involved in a variety of illicit activities, and large amounts of the proceeds are used to pay for extra-budgetary activities, including the acquisition of weapons."[51]

Logging – a source of conflict in Liberia

The rainforest in Liberia is under intense pressure from mostly unregulated logging activities by logging companies. These companies who are the single most destructive force and agents of deforestation in Liberia are also guilty of wide spread abuses against locals and residents of indigenous communities. Evidence of houses and farms (cash crops) being destroyed, traditional and sacred forests being desecrated, large tracts of forest being cleared and with it medicinal herbs, etc abound.

Logging companies, in Liberia, show no respect for traditional and cultural practices and beliefs in areas where they operate. From logging in communal forest reserves, where tribes conduct "Traditional Schools" for the youths to felling trees of cultural significance, the disappearance of medicinal herbs and trees with curative values are issues of concern to the rural communities. Some communities complain of loggers violating their tradition by invading scared [sacred] sites, thereby bringing their cultural practices and beliefs into ridicule.

In Kokoyah district, Bong County, residents filed a complaint against the ETTE for logging in their scared [sacred] forest at a time when their "Traditional School" was in session, a complaint also made by residents of Bopolu district, Lower Lofa (now Gbarpolu County) against companies operating in the region. None of these complaints were investigated by local government officials, let alone prosecuted.

Also, the torture of 10 villagers, by OTC militiamen in Rivercess County,[52] is one of the most recent cases. To date the culprits have not been apprehended nor prosecuted.

There are several other cases, mostly unreported incidents of harassment and intimidation of locals, environmentalist investigating logging operations, outspoken critics of logging companies, etc. These incidents serve to discourage investigation of the industry and silence environmentalist who are aware of the misconduct of logging companies - but only speak in private of the pending ecological calamity.

The militarization of the logging industry

Not only does logging companies wield considerable political and economic sway over top government officials, their continued recruitment and arming of notorious ex-combatants, is not only illegal, but has become a major cause of concern for ordinary Liberians. The OTC, RTC, SMI, ILC, and other logging companies have recruited and armed hundreds of ex-combatants to serve in their militias. These militias mount illegal checkpoints and extort money and food items from locals. They are also constantly engaged in running gun battles over disputed concession boundaries.



Left page: **OTC's concession, an indicator of what awaits Liberia's forests in 5-10 years if current logging practices continue.**

Right: **Tractor belonging to OTC, Buchanan; July 2001**

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9 The logging companies

The global timber market and Taylor

The worldwide tropical timber industry traditionally approaches leaders of countries with large forest resources and weak institutions. Abiding by "local business practices", it negotiates deals to extract raw materials as cheaply as possible. This mode of doing business suits the warlord economy extremely well. Predatory transnational companies have no allegiance to a given country, nor do they abide by local laws and regulations unless obliged by their hosts. Their ability to operate relies on direct deals with the ruling elite and the continued demand for their end products: plywood, chipboard and hardwoods, in this case by consumers unconcerned with, or ignorant of, the source of their goods. In this way the global market for logs and wood products plays into the hands of warlord leaders like Taylor. Taylor is responding to market opportunities; he is not creating them.

Oriental Timber Company (OTC)

c/o Natura Holdings PTE Ltd, 27-15 International Plaza, 10 Anson Road, Singapore 079903. Tel: 65-2250030; Fax: 65-2225968.

OTC, also known also as 'Old Taylor's Children' or 'Only Taylor Chops', remains the most notorious logging company in the country. The company's militiamen bear arms including assault rifles and machine guns. The expatriate trailer drivers carry AK-47 rifles in their trucks at all times. The company imports arms into Liberia for use by its militia, however, it is widely believed that some of these arms are brought in for the government.[23]

There have been numerous rumours as to how much money OTC paid to Charles Taylor to obtain its concession. One reliable source stated that sometime between August and October 1999 the Ministry of Finance received a letter from Charles Taylor ordering them to sign a paper confirming receipt of US$3 million from OTC. This caused major problems for the Ministry as they had not recieved a cent of this money, it presumably having gone directly to the Executive Mansion. Other sources suggest that as much as US$5 million was paid.

What is known is that on 28th July 1999, a standard Liberian forestry concession agreement was signed between Gus Kouwenhoven of the Liberian Forest Development Company (LFDC) and the Government of Liberia to log the largest concession in Liberia's history, 1.24 million hectares, made up of pre-existing concessions in the south-east forest block that Kouwenhoven "acquired" during the war. To be legally valid, a concession agreement needs to be ratified by the Liberian Congress, which never happened in this case. Beginning in October 1999 the LFDC, then calling itself the Liberian-Malaysian Timber Company (LMTC), began a stated investment of US$100 million in logging equipment and operations, renovations of Buchanan port and road building. Soon thereafter the LFDC/LMTC began operating under the name Oriental Timber Company, which it still uses today. Following complaints by OTC that its initial 1.24 million hectares did not contain enough high quality timber, in early 2000 further areas in upper Grand Gedeh County were seized and added to OTC's concession, bringing OTC's total holdings to approximately 1.6 million ha. According to official FDA figures, this represents about 42% of Liberia's total productive forests.

OTC is linked to Hong Kong-based Global Star holdings, which is the main buyer of its production, and operator of many of the ships which transport it. It is also possibly linked to the Indonesian Djan Djanti Corporation, with offices in Singapore and Hong Kong and major processing installations in Indonesia and China. The frequent changes in name and the multiple offices in different cities in South-East Asia help to obscure the source of the investment, the producer and destination(s) of the wood and tax liabilities.

> ***"Many roads heading into the bush, yellow machines going into the forests for operations, the drivers and workmen never talk to us (villagers). They spent four months in the bush, using many machines. Only a few boys from the village were employed in their (OTC) work for a short time. The loggers' machines ruined the roads, and crucially a bridge, for the villagers – there was no way to pass. When confronted, drivers said to villagers that they should go complain to President Taylor or OTC. As the locals were scared, they sent a letter to the local superintendent, but received no reply. Superintendent never came to inspect the damage to the village and its roads, and never sent anybody to clear up the mess made in the rainy season.***
>
> ***The ground now wasted, and there is nothing left for the villagers in the bush – our roots have gone..."***
>
> *Second villager in OTC concession; July 2001*



OTC logging road, Gebia Town; July 2001

OTC's background and links

Those purchasing logs from the OTC are asked to pay Singapore-based Natura Holdings, a company with a dubious history. It was established under another name in 1988 yet its returns for the period to February 2000 state that it had never traded. On 30th March 2000, Dennis Myles Coe (American, Company Director with address in Singapore) and Widyanty Bte Mohd Yusope (Singaporean, Company Director) took over as the only Directors while the company was taken over by British Virgin Islands-based Extra Mile Investments. The following is information on Natura Holdings including a list of people involved, a chronology of the company's history, and questions that should be considered as to the nature of the company.

Chronology of the Natura Holdings

23th November 1988 The company was formed (number 04270/1988-K also expressed as 198804270) as importers of rice, fruit and canned goods. The formation agents were: Ng Aik Soon (Management Consultant) and Peh Thong Leong (Merchant) both based in Singapore. Ng Aik Soon was appointed Manager. The authorised capital for the company was $1,000,000 of which 2 shares were issued and held by promoters

14th July 1989 Chareon Laothamatas and Amnuay Oerareemitr (both Thai Citizens described as merchants) subscribed for one share each and became Directors. The company was then owned and controlled by the four directors

7th August 1990 The issued share capital was increased from $4 to $10,000 as each shareholder put in $2,499

26th August 1995 Soon, Leong, Laothamatis and Oerareemitr were removed from their roles as Directors and Heng Hang Seng and Heng Hui Kheng were appointed in their place. Both were Singaporean. Ng Aik Soon was also removed as Manager: no one was appointed in his place. On the same day, share capital was acquired with 9,999 shares by Heng Hui Kheng and one share by Heng Hang Seng. The Registered office moved from 101 Thomson Road, 23-05 United Square Singapore 307591 to 112 Robinson Road, 12-00, DBS Finance Building in Singapore. The company claimed exemption, as a small company, from filing accounts

13th August 1998 The company's objectives were changed to investment and property

24th July 1998 The name was changed to Pennywise Investment PTE LTD

30th March 2000 Dennis Myles Coe and Widyanty Bte Mohd Yusope took over as the only Directors of the company. On the same date, the whole of the share capital was acquired by Extra Mile Investments Limited of the British Virgin Islands, the registered office moved to 10 Anson Road. For the first time accounts were filed for the period to 29th February 2000. These stated that the company had never traded but that $10,000 for shares had been spent

7th April 2000 An Indonesian by the name of Rubyanto Argonadi Hamidjojo joined the board. He is described as a Company Director and resigns on 30th June 2000

12th May 2000 The authorized share capital was increased to $10,000,000 consisting of 10,000,000 shares of $1 each. On the same day, Extra Mile subscribes $6,270,000 for 6,270,000 new shares bringing its holding to 6,280,000 shares. The corporate representative of Extra Mile was Ho Kui Hing

3th May 2000 The company became known as Natura Holdings PTE LTD

27th July 2000 The company raised a US$10,000,000 facility from Fleet National Bank of Singapore and granted a charge in favour of the bank as security. Accordingly the company should or did have funding available to it by way of the subscription for shares of some $6,270,000 and the credit facility of US$10,000,000

NB: Unless expressed to be US$, all currency is assumed to be Singaporean Dollars

Natura Holdings Pte Ltd

Formerly Pennywise Investment Pte Ltd

Originally Asthai (Singapore) Pte Ltd

Dramatis personae

Ng Aik Soon
Promoter and Manager

Peh Thong Leong
Promoter

Chareon Laothamatas
Thai trader

Amnuay Oerareemitr
Thai trader

Heng Hang Seng
acquired the company

Heng Hui Kheng
acquired the company

Dennis Myles Coe
American, present Director

Widyanty Bte Mohd Yusope
present Director

Extra Mile Investments Limited
holding company based in the British Virgin Islands

Rubyanto Argonadi Hamidjojo
recent short term Director

Ho Kui Hing
representative of Extra Mile

Fleet National Bank
provider of US$10million facility

The following issues need to be addressed with regard to the nature and operations of Natura Holdings:

- The company, which has existed since 1988, states that it has never traded. The only existing documented activity being change of ownership, directorship and the proposed business of the company
- In 1995, two new directors were put in place when they decide to invest in the company. Again, nothing happened until 2000 other than a change of name and the proposed business of the company
- The reasons for Mr. Coe and his colleague to buy such a company when they could have formed one as cheaply and without the need for due diligence – i.e. the need to obtain the warranties, indemnities and audits that go with taking over an existing entity, raise suspicions as to their objectives
- It is evident that Mr. Coe has influence that permits him to acquire the US$10 million facility which would no doubt require a track record and additional security

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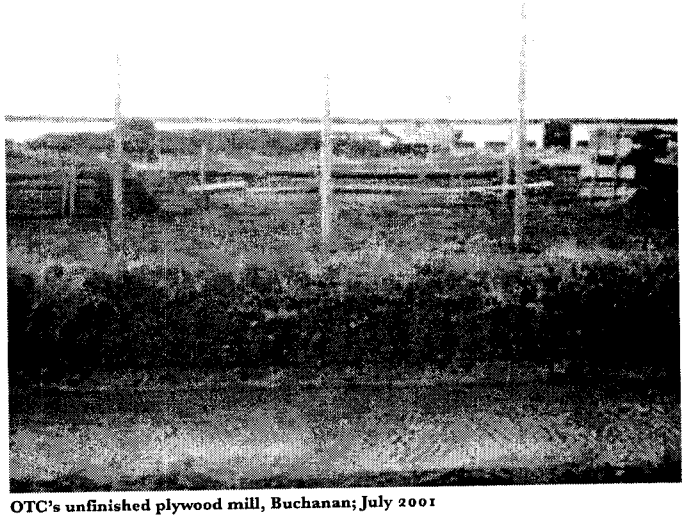
OTC's President, Gus Kouwenhoven, is a controversial figure in Liberia. He is one of the people targeted by the UN travel ban and is, according to the *Report of the Panel of Experts appointed pursuant to UN Security Council Resolution 1306 (2000) paragraph 19 in relation to Sierra Leone*, "responsible for the logistical aspects of many of the arms deals [with the RUF]. Through his interests in a Malaysian timber project in Liberia, he organises the transfer of weaponry from Monrovia into Sierra Leone. Roads built and maintained for timber extraction are also conveniently used for weapons movement within Liberia, and for the onward shipment of weapons to Sierra Leone"[53]. This has been confirmed by scores of eye witnesses in the port of Buchanan and along roads leading to Lofa County, as well as by people involved in Monrovia.

His shady business dealings go back a long time – from former President Samuel Doe, to the interim governments and warlords of the 1990s and now Taylor. In his country of origin, the Netherlands, Gus Kouwenhoven was one of the suspects in the 'Tass'- an investigation on organised crime and large-scale drugs trafficking. The gang he was involved in, also consisting of some of his employees at his Hotel Africa and a Dutchman acting as the Honourary Consul of Côte d'Ivoire to Liberia, allegedly smuggled over a hundred tons of hashish from Monrovia[54].

Gus Kouwenhoven operated his former logging company, TIMCO, behind NPFL lines during the Liberian civil war, using the port of Buchanan for export. When then rebel leader Charles Taylor arrived in Monrovia their ties were strengthened and he accompanied Taylor on most of his campaign trips during the election period.* As stated earlier, Gus also operates the Royal Timber Corporation (RTC) in the northwest of Liberia, strategically located on the border with Sierra Leone. Presently men are being drawn from the rank of the OTC militia to fight in Lofa, while those unwilling to fight abandon their jobs ahead of conscription.

OTC has eight operational camps spread out in Grand Bassa, Rivercess, Grand Gedeh, Sinoe and Nimba counties, and have constructed several dozens of roads crisscrossing the forests in the south-east to connect their camps, completely without impact studies, consultations, or compensation for damage to property or life. Each camp maintains its own database of log production; Km 85 has three computers while CD has two computers. A network of High Frequency Radios, manned by radio operators throughout the day, links all the camps and HQ in Buchanan and closely monitors logistics and personnel movements. The HQ in Buchanan is kept informed of all operations, activities and emergencies in the camp.

One observer on the road from Buchanan to Km 85 (about 1hr 45mins. drive), counted 37 trailers† en route to Buchanan to deliver logs. An average of 105 (+/-7) trailers deliver logs to Buchanan daily between the hours of 07:00 to 19:00 daily. Logs from the other camps are delivered to Km 85 where they are sorted (scaled) and then transported to Buchanan.



OTC's unfinished plywood mill, Buchanan; July 2001

Some OTC letterheads bear Gus' villa address at Hotel Africa (Villa # 1), where the RTC offices are also located. The OTC General Manager Joseph Wong lives in the same compound (River View) as the Representative of the United Nations Secretary General and other top United Nations officials in Monrovia.

For its first year of operation, OTC imported "skilled" labour from Indonesia (600-800 workers). Due to health problems, however, most Asian labourers were subsequently sent home but a significant number of them remain, driving trailers and bulldozers and occupying the managerial positions in the field and at the port of Buchanan. Although there was no training as promised and publicised, Liberians now constitute the majority of the OTC casual workers but a lesser percentage of its skilled workforce. OTC maintains armed guards to keep everyone else out of its logging sites and the port of Buchanan. FDA officials complain that they are required to provide the necessary hammer marks and approvals off-site without ever inspecting OTC's logging operations.

The extent and impact of OTC logging operations

In its first year of operations, OTC began with the capacity to log up to 80,000 m^3 per month, a target it met most months of the 1999-2000 dry season when it logged in Grand Bassa, River Cess and Grand Gedeh Counties (confirmed in the 2000 FDA Semi-Annual Report). In the 2000-2001 dry season, based upon the number of trucks operating, the number of logging sites, and the distances between logging sites, the main loading station (kilometre 85 from Buchanan) and the port, OTC's theoretical logging capacity is just in excess 100,000m^3 per month. Assuming OTC is removing all marketable trees when it logs an area, this felling rate would consume up to 5000-10,000 hectares of undisturbed forest per month. Given the size of OTC's total concession, this rate of logging is within FDA regulations (a concessionaire must not log in more than 4% of its concession in a year).

However OTC has not respected FDA regulations for preparing forest inventories and management

* To fully understand Gus Kouwenhoven and President Charles Taylor's relationship, one also has to investigate their dealings during the Liberian crisis, including Gus Kouwenhoven's role in the trade of timber for arms, which provided the NPFL bulk of its military hardware.

† Each trailer carries about 8pcs of logs, some as much as 10pcs, while few carry two or three extra large pieces. The average volume per trailer can be estimated at a minimum of 24,000m^3.



Gus Kouwenhoven, executive in both OTC and RTC, making promises he hasn't kept, Buchanan; 1999

OTC providing employment?

At the launching of the OTC in 1999, Gus Kouwenhoven (on video available at request) announced that his company would employ at least 4,000 Liberians by the year 2000 and that electricity would be restored to Buchanan by the end of the year. He also promised that the OTC would build a plywood factory that would employ hundreds of Liberians and construct durable bridges since they would be in the country for at least 20 years.

Few of these promises have so far been fulfilled. The plywood factory is still under construction and jobs promised to locals have come in the form of casual labour. Indonesian and Malaysian trailer drivers brought into the country since 1999 to 'train' locals are still actively driving while few Liberians have been hired. Other Indonesians and Malaysians work as spotters and overseers in the bush camps. Liberian staff rarely have a written contractual agreement with the company's management and few are on full time employment. The company hires and fires without any regard for labour laws. Those working in harazdous jobs have no insurance and so far no relative of those that have died in operation has received any form of compensation. In early May, OTC recruited about 200 people (some as young as 13 years old) in the port and in other bush camps.

Not only OTC made fabulous promises when it arrived, most logging companies did on their creation or when they moved to new areas. This situation led to a wave of protests across the country in April 2001. Citizens of Sinoe County conducted a public meeting to petition the government to return some of the revenue generated from logging in the county to self-help development initiatives and to protest the wave of harassment by logging companies' militiamen. After the Sinoe gathering, the protest spread throughout the south-east. Following these protests a crackdown ensued; local government officials who expressed sympathy with the citizens were dismissed and replaced and individual critics silenced.[55]

In March 2001, journalists at the local *Radio Atlantic* FM station in Buchanan (Grand Bassa County) were ordered by OTC executives to retract a news item about a fatal road accident involving an OTC trailer and a vehicle carrying an American missionary to the south-east. When the station manager refused, armed men from the OTC stormed the station and disrupted the evening news bulletin. Despite several complaints to the local police and the County Superintendent Mrs. Ellen Janjay Natt, the culprits were never arrested.

These incidents have been documented both by local and foreign environmentalists and journalists.[56]

plans, nor has it adhered to its reporting obligations as specified in its (invalid) concession agreement. It has operated in flagrant violation of the FDA and its contractual regulations concerning environmental impacts of its roads and extraction methods. It has blatantly flouted FDA rules and Liberian law concerning minimum diameters for logs,* consultation and reimbursement for damage to private property (bulldozing through villages, farms and plantations, logging in sacred forest groves), employee safety and employment preferences for Liberians. OTC has invaded neighbouring concessions without permission or compensation including LAC/Forum Africa, University of Liberia Forest, Rivercess Logging Company/Inland Logging Company. Its trucks have caused numerous road deaths to OTC employees, local Liberians and foreigners alike. OTC has made many public declarations, and has been asked by the government, to rehabilitate or construct a major saw mill in the port of Buchanan. For this it bulldozed the site in May 2000 and has now completed construction of a building but as of August 2001 no machinery of any kind had been installed. In addition OTC has a sawmill outside Buchanan, the production from which does not appear in any FDA figures.

OTC has established a nursery for reforestation which contains both native and fast growing exotic species. It is assumed that this is merely a public relations exercise, given that the nursery only has the capacity to reforest about 80-100 ha per year, compared to the 5,000-10,000 ha per month it is destroying.

Impressed by its efficiency by Liberian standards, and perhaps frightened that OTC could abandon him, Taylor has deepened economic relations with the company. In addition to logging operations, OTC has upgraded the Liberian road network nationally and become involved in importing and shipping goods domestically. Government contracts, including those financed by international donors like the UN and the EC, now use OTC as an importing agent.

Traditionally, Liberia exported logs mostly to Europe where the quality demanded was very high. Regardless of the logging practices used, only very large, straight logs were sought. Thus the market forced selective practices on producers which helped to reduce over-harvesting. Trees for local timber needs were harvested in salvage areas, not causing excessive forest fragmentation, or they were the lower-grade logs felled alongside better grade logs. With the arrival of OTC, the nature of the demand has dramatically changed. In addition to logs for European buyers, OTC is supplying factories making plywood and other processed wood products for South-East Asian markets. Cheap timber of indiscriminate quality is sought for this so the incentives for selective logging are lost. In these ways

* In the 2000-2001 dry season, OTC seems to have reduced its felling of undersized logs compared to its first season. This was reportedly for two reasons. First, in their first year they logged in the concessions nearest to Buchanan which had already been logged and often lacked significant quantities of mature trees. Second, OTC had great difficulties in attracting European buyers for its timber since it was not generally of the standard or species demanded by Europeans. As explained earlier, the areas nearest to Buchanan are poorer in the high-value hardwoods sought by Europeans than the forests further inland. In the 2000-2001 season, OTC has concentrated much of its logging in these inland forests. Thus the shift to legal-sized logs probably represents OTC logging in the mature, little disturbed forests of River Cess, Sinoe and Grand Gedeh counties and a greater emphasis on exporting high-value logs to European buyers.

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OTC log yard, Buchanan; 2001.

OTC is much more destructive than any previous logging operation Liberia has seen.

Public outcry against OTC has been widespread, both in national and international media.[77,58,59,60,61,62,63] However Taylor has defended OTC, declaring it his "pepperbush", a Liberian term for something very near and dear that no one is permitted to interfere with. He has responded to criticism with harsh measures such as removing people from office, police intimidation and arrests on the grounds of threats to national security.

When OTC set up operations in late 1999 Taylor warned "officials not to harass investors". By this he meant that the customary ways that middle- and lower-level FDA staff augmented their income – petty graft in the forms of "service charges" for preparing papers, providing hammer stamps or issuing permits – would not be tolerated. The arrival of OTC with its total presidential protection has in effect rendered an enormous portion of the forests of the south-east off limits. Local FDA staff therefore are turning to remaining forest areas to seek whatever rents or products they can get.

No evidence has surfaced that OTC is paying to FDA or the National Treasury the required industrialisation, severance, conservation and reforestation fees or the export tax. OTC paid US$3 million in 1999, probably directly to the Executive Mansion, for its concession fee for the first three years of operations, and for the Bureau Veritas inspection tax, although Bureau Veritas does not regularly inspect logs exports at Buchanan port.

Royal Timber Company (RTC)

Kouwenhoven also has logging interests in Lofa and Bomi counties in addition to the ones in the south-east that were converted to OTC concessions. The size of the concession is unknown although it is the largest in the north-west. Initially OTC was referred to as the LMTC when they first arrived in Liberia. It is in fact difficult to distinguish between the OTC and the RTC since Kouwenhoven is an executive in both companies. It appears to be changing names regularly, or operating under several names, possibly in order to avoid being tracked or to have its timber production and exports appear too large. FDA reports that in 1999 and in the first six months of 2000, RTC produced just over 30,000m³ of round logs in each period. These numbers probably vastly underestimate production, however, since RTC had over 400,000 ha of forest officially approved by FDA for logging, representing over 10% of Liberia's most mature and most economically valuable forest. RTC logs were observed and photographed in French ports in early 2001.

With the increasing hostility in Lofa County between the RUF, Sierra Leonean forces, anti-Taylor insurgents, the Guinean army and Taylor's army, only those companies with significant fire-power and military backing have been able to maintain forestry activities there. RTC and its derivatives are primary among them. The specific arrangements between RTC and the Executive Mansion concerning finances, protection, trans-shipment of arms, etc. are not known but with Kouwenhoven as managing director, it is highly likely that RTC's involvement in regional destabilisation is similar to OTC's since Kouwenhoven is also OTC's President.

Inland Logging Company (ILC)

Maurice and Oscar Cooper, who own and manage the company are long-time associates of President Taylor. They are the brothers of Liberian 'Diplomat' Gerald Cooper, who was declared *persona non grata* by the UK Foreign Office in 1999, ostensibly because he shipped a jeep with gun mountings to Liberia from the US, via Britain, in violation of the UN arms embargo on the country.[64] The company's logging activities go back to the early 1990s during the war, when they extracted and exported logs from 'greater Liberia'; the parts of Liberia then occupied by the NPFL.

The ILC has a private militia in Sinoe County, which harasses and intimidates the locals regularly. The ILC manages the port of Greenville under the direct supervision of Oscar and Maurice. A row between the company's executives and locals developed at a citizens meeting in Greenville on 14th March 2001, which resulted in a visit to the region by Liberia's Vice President, Rtd. General Moses Blah, Attorney General, Cllr. Edington Varmah and Internal Affairs Minister Richard Flomo, on the orders of Charles Taylor, to deal with the rising tension. The meeting had been called by locals to discuss the conduct of logging companies in the county and was attended by a senior local official, Superintendent Solomon Kun, and Presidential Media Advisor Milton Teahjay.* Several complaints

* Milton Teahjay is a native of the county and a member of the opposition United Peoples' Party (UPP). He was offered the cabinet post of deputy Information Minister by President Taylor following his election, but was later moved to the Executive Mansion to serve as President Taylor's personal advisor on the media.

were brought against logging companies (mainly the ILC) in the county, ranging from harassment and intimidation of peaceful citizens to wanton destruction of the forest. A demonstration was planned for early April to present a formal list of complaints to the government through Superintendent Kun.

On his return to Monrovia, Teahjay held a press conference and severely criticized the companies, following which President Taylor immediately dismissed him "for engaging in acts inimical to the security of the state". The demonstration was foiled and Solomon Kun was dismissed from his post as Superintendent. Following intimidation by police, Teahjay attempted to leave the country a few days later but was denied exit by immigration officials at the border (Dulay crossing point) with Côte d'Ivoire. He subsequently escaped the country and is in exile in the US.

Since this episode tension remains high in Sinoe, especially in Greenville, which is also reported to be another port of entry for arms coming into Liberia.

In its maiden (and final) edition, The Journalist newspaper (17th April 2001) detailed citizens complaints against the ILC. The paper, reflecting popular opinion, asserted that "the economic and political powers which logging companies seemingly wield in the country are reaching nerve-breaking proportions nowadays." The Ministry of Information closed the paper before its second issue, citing internal managerial squabble as the reason for its intervention.

Salami Molawi Incorporated (SMI)

General Cocoo Dennis is a major shareholder in the company and is largely responsible for managing it. SMI operates mainly in Grand Gedeh County, where residents (including Superintendent Ruth Milton) complain that SMI militiamen regularly harass and intimidate locals. General Dennis, or 'general quick-to-fire', a nickname he still bears from his NPFL days when he ran the notorious child soldiers unit, was responsible for arranging accommodation and transportation for Burkinabe mercenaries en route to Liberia through the Côte d'Ivoire during the war. He maintained an operational base, for these activities and later for SMI operations, in the border town of Danane throughout the war and only dismantled it recently during the political disturbances and change of government in the Côte d'Ivoire. He commanded one of the most notorious units ['Sabebo']* of the NPFL. He is presently leading units of the SMI militia in northern Lofa County fighting alongside government forces[65,66] believed to be responsible for serious human rights violations. He is a very influential confidante of President Taylor.

Furthermore, an anonymous fax received by Global Witness in early 2000 alleged that SMI's owner, Mohammed Salami, was implicated in arms trafficking via San Pedro port in Côte d'Ivoire.

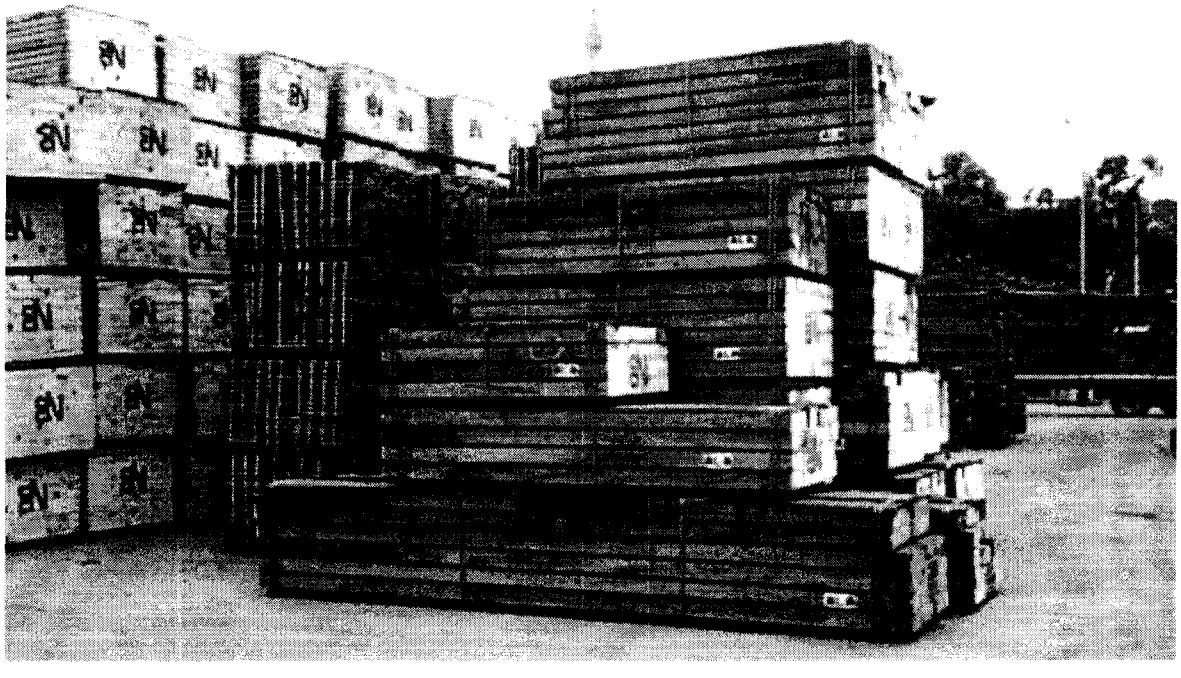
Bureaux Ivoirian Ngorian (BIN)

BIN operate a sawmill in Liberia, near to the Ivoirian border town of Toulepleu: much of the company's product is exported from the port of San Pedro. The company has received criticism for primarily employing Ivorians rather than native Liberians, despite a pledge from Vice President Blah who, in June 2001, announced that 143 Liberians would soon be employed by BIN. Those Liberians that are employed have complained that they do not have safe drinking water and latrines in the wooden camp constructed by the company. Furthermore, local citizens do not even benefit from the scraps from the sawmill[67]

This is an example that the timber industry not only provides little revenue to Liberia, but little in the way of benefits to the people.

* 'The 'Sabebo' or 'no safe' unit (a reference to their trigger-happy attitude) committed some of the most brutal atrocities of the Liberian war. It had its base (called SABEBO) at LAC outside Buchanan and safe passage through the area during the NPFL operation Octopus was considered "a great blessing". The name was taken from the documentary film , (Escape from Sabebo).

Sawn timber supplied by BIN whose practices have had negative impacts on Liberians, San Pedro; August 2001.



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10 Factors of destabilisation in the region

LIBERIA'S ROLE in the destabilisation of Sierra Leone is well known. Guinean dissidents would provide an easy route for Taylor to replicate a similar scheme in Guinea.

Tension is rising and opposition hardening this month in Guinea with the talks of the referendum that may or may not allow President Lansana Conté to present himself for a third term. Poverty is on the increase as the Guinean population does not benefit as it should from the redistribution of the country's resources which are mainly used to cover large security expenses or benefit a few individuals.

Sidya Touré, an opposition figure and ex-Prime Minister, estimated that 90% of the State's budget officially goes to security expenditure. Whether this figure is accurate or somewhat exaggerated, the fact is that defence consumes colossal revenues in Guinea, and that national security can provide an ideal shell for embezzlement. Key people from both the governments of Guinea and Liberia can personally benefit from the border conflict. The President of Guinea is also the Defence Minister, giving him relative freedom in his decision making and budget control. Official figures spent on the army are far from actual figures; Guinea does not currently have the resources to sustain a prolonged war.

In a bid to increase its revenue and presumably to support the long-lasting militarisation of the border, Guinea has recently struck a deal with a Malaysian logging company which is cutting timber at an alarming rate. A large quantity of wood from Guinea transits via Côte d'Ivoire. In the past, timber and diamond revenues failed to appear in the State's official revenue[68], so it is likely that the profits will be mainly used for national security. There are conflicting views on whether Guinea would want to take advantage of Taylor's weakening control to expand its frontiers, but whether it has sufficient means to do so is another issue.

Dissident forces, however, could be an ideal target for Charles Taylor to use the divide and conquer technique he has already put to the test in neighbouring Sierra Leone, and there is a serious risk that the border region becomes a permanent rogue area. Poverty and disillusionment in Guinea mean that arms, prolific in the region despite demilitarisation projects, are in danger of becoming easier to obtain than food so that border fighting could spread to the rest the country.

A multitude of groups are present in the region, increasing chances of regional destabilisation. Close to Charles Taylor are Ukrainians, who crew and supply most aircraft in the region. The Ukrainian Mafia has long been present in Liberia. Naturalised Ivorians, Gambians, Burkinabe and South African mercenaries are also currently available to Taylor. Ongoing disarmament in Sierra Leone and the imminent trial of RUF and Civil Defence Forces (CDF) leaders will incite some of them to seek similar positions across borders. The Demobilization, and Reintegration Program (DDR) appeals to many fighters but some have or will choose the quicker way of continuing their warring way of life, by joining other existing groups. Those will not need to travel far given the vast quantity of factions present in Guinea and Liberia. Many combatants do not consider borders as an issue, when fighting elsewhere offers them the means to further their careers.

Other potential recruits are the numerous refugees from Liberia and Sierra Leone, vulnerable to forced conscription or voluntary enrolment. A minimum estimate for refugees in Guinea is 100,000 of whom 40,000 are from Liberia.

Several allegations highlight the fragility of the region's stability:

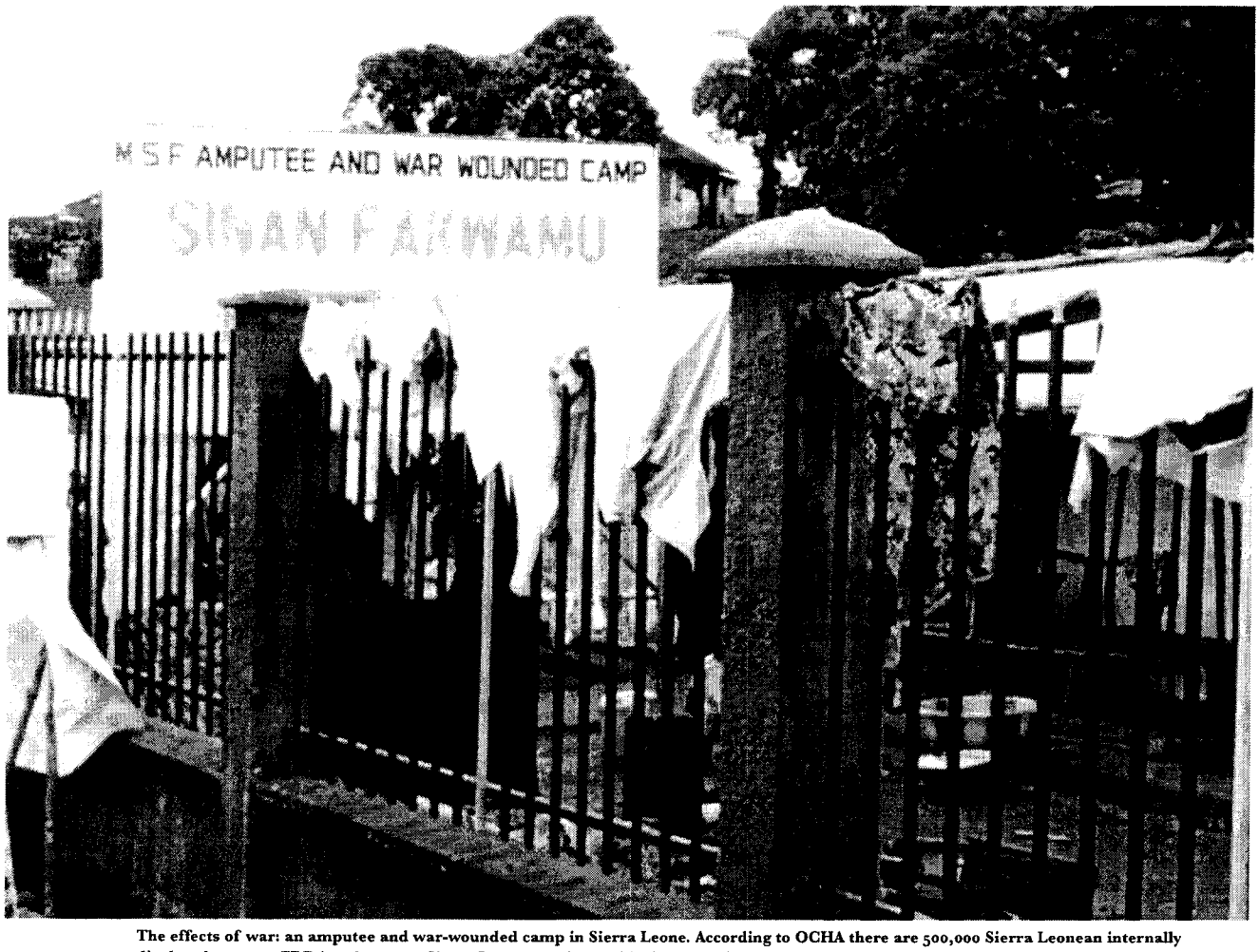
- Liberians United for Reconciliation and Democracy (LURD), an anti-Taylor movement fighting in Liberia, receives equipment from Guinea.[69]
- Guinea rejected a US$500,000 'gift' from Colonel Gaddafi,[70] illustrating Libyan attempts to influence regional politics.
- Guinea has given support to Alhaji Kromah, leader of ULIMO-K, an enemy of Charles Taylor. Kromah established training camps in Guinea.
- The son of ex-Guinean President Sekou Touré, Ahmed, was seen by UN peacekeeping forces in Kono, in Sierra Leone, trying to recruit RUF fighters to go into Guinea. Ahmed Touré has reportedly been based in Liberia under Taylor's protection.[71]



With mounting international pressure on Liberia, Charles Taylor is being pulled in two directions:

On the one hand, he has several interests in keeping pressure on the border. An old personal feud between President Conté and Taylor fuels the border conflict. Guinea initiated the border attacks and no peace has been re-established since on either side, despite the apparent will of the local populations, fed up with repeated looting from all warring parties involved. The foreign ministers of Guinea, Liberia and Sierra Leone also recently met in Monrovia to discuss a possible summit between their presidents aimed at ending continuing conflict on their common borders[72]. These meetings may give some cause for optimism, but given Taylor's duplicity with regard to the presence of the RUF in Liberia, action will have to speak louder than words. Guinean President Lansana Conté has to date refused to meet Charles Taylor. Mount Nimba's iron ore, in Guinea, also offers an attractive source of revenue for Charles Taylor given the current dents in his income sources.

On the other hand, Liberia is involved in a public relations exercise to regain some credibility in the eyes of the international community. The Embassy of Liberia in Washington, DC, recently stressed: "We wish to make it emphatically clear that Liberia seeks nothing other than peaceful co-existence with its neighbors, and is committed to remaining a responsible member of the international community."



The effects of war: an amputee and war-wounded camp in Sierra Leone. According to OCHA there are 500,000 Sierra Leonean internally displaced persons (IDPs) and 450,000 Sierra Leonean refugees (the largest refugee caseload in Africa according to UNHCR).

Also, in the same declaration, The Embassy puts the blame on Guinea: "While we plead for your sympathy and understanding as the process of reconciliation and political tolerance take root in the country, it must be noted that despite Liberia's commitment to regional peace and stability, its borders are still being transgressed by attacks from Guinea by dissident forces."

The relationship between Liberia and another neighbour, Côte d'Ivoire has dampened since General Guei was overthrown, due to his links with Liberian mercenaries. President Laurent Gbagbo is deploying efforts to improve diplomatic relations on the international scene and shows little support of Charles Taylor. Côte d'Ivoire has been facing problems of its own with a collapsing economy and violent political clashes. Previously enjoying wealth, a strong relationship with France and relative stability, the country has been shaken by the exodus of many expatriates occupying key posts in business and the administration, and by ethnic divisions intertwined with the pursuit of legitimate elections or illegitimate power. Côte d'Ivoire has opened its frontiers to Liberian refugees and prepared integration programmes, to the discontent of Charles Taylor. Despite this cooling between the Ivorian Presidency and Charles Taylor, there remain strong business links between the two countries, as shown by the Global Witness investigation on the trade of Liberian wood in the port of San Pedro and at the frontier.

Burkina Faso, also once an ally of Taylor during his rise to power in the 1990s, has also diminished its support in relation to internal problems and pressure of the international community. The arms movement between Burkina Faso and Liberia, previously very important, diminished in favour of sea traffic with other partners.

The regional trend might go towards pacification, motivated by the disarmament process in Sierra Leone, general fatigue of wars only profiting a handful, and international pressure. The fragility of the stability of the region must, however, be a matter of serious consideration for all stakeholders. Should Taylor's shortage of cash lead him to lose his troops, they will logically look for a faction to join or another leader. There seems to be no current emerging leader in Liberia, but there are numbers of groups led by ruthless individuals. For example the LURD, one opposition group in Liberia, include figures like Charles Julu whose campaign of terror in Nimba County in 1985 and 1990[73] under Doe, must not be forgotten, or the Taylor era would be only be replicated. Lack of leadership could lead to increased tension in the region. In Sierra Leone, the DDR process is still fragile as the diamond areas have not been disarmed and the most lethal weapons have yet to be handed back. The possibility of a renewed offensive organised from Liberia, including ex-RUF, possibly CDF and other factions supported by cornered Taylor should not be dismissed.

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The International Transport Workers Federation (ITF)

The International Transport Workers Federation (ITF) brings together almost 600 unions in more than 136 countries in every part of the world, and represents over 5 million trade union members in every branch of transport.

For over 50 years, the ITF has operated a worldwide campaign against maritime "flags of convenience" (FoCs). The campaign acts politically – lobbying government and international bodies to make flag states responsible for their ships; and industrially – using trade union action to protect seafarers on FoC ships and ensure that they are covered by union agreements offering minimum international standards. As part of this campaign the ITF maintains a network of 120 union inspectors in ports around the world who board Flag of Convenience ships to check on the conditions of the crew. Their reports reveal a catalogue of abuse of seafarers, including unpaid wages, poor living conditions, lack of medical attention, fatigue, and inadequate safety training. During 2000 industrial action was taken at ports in 29 countries in support of crews in FoC ships. In the same period the ITF and its inspectors obtained over $23 million in back pay for crews from shipowners.

As well as improving conditions for transport workers around the world the ITF's constitution commits it "to support the work of the UN, its agencies, other intergovernmental and non-governmental organisations in those activities promoting peace based on social justice and economic progress."

Part Two: The role of the Liberian shipping register

by the International Transport Workers Federation (ITF)

Blood on the Flag

CHARLES TAYLOR, the President of Liberia, has discovered an easy way of making money – renting out the country's flag to foreign shipowners. Liberia, of course is not a serious maritime nation. At most only a handful of ships from this huge fleet ever goes near Monrovia, but the hard currency revenue which flows to Taylor's government from the flag is impressive by any standards and even more so for such a poverty stricken country. It amounts to at least a third of the country's officially declared income, perhaps much more in reality.

There are two reasons why this has happened. The first is the operation of the 'flag of convenience' (FoC) system itself which enables a state to rent out its flag without accepting any real responsibility for what happens on board its' ships. This system allows shipowners to choose their own regulators and to operate free from real control and is increasingly open to question within the shipping community. In theory any state, whether or not it has a coast, can open a shipping register and ignore the international requirement for there to be a genuine link between the ship and the flag. In recent years, many have done so and have attracted the most unscrupulous and dodgy shipowners.

But Liberia has a separate advantage. It was one of the first countries to operate a flag of convenience (or 'open register, as its defenders called it). In the 1940s, a number of leading shipowners who wanted to escape from tax and union rules in the US and other maritime nations, with backing from individuals in the US government decided to create and expand a Liberian shipping fleet. One of the stated intentions was to boost Liberian exports to the US, but shipowners soon realized the advantages of being governed by laws which they effectively wrote themselves. At the time Liberia (the only African country settled by freed American slaves) was an American colony in everything but name. Its government did anything the US told it to and the country's currency was the US dollar.

Until the mid 1980s Liberia (together with Panama and a couple of other nations) dominated the market for 'flag of convenience' registers. In fact Liberia was something like an American 'second register'. Being heavily influenced by the US government, Liberia's flag was, from the beginning, run by an American company. Many US oil majors chose to make use of the flag, with the support of US government interests so reducing their liability to pay US taxes and, more importantly, the obligation to employ seafarers under US conditions.

For many years, including the decade long civil war which ended with Charles Taylor's elevation to the Presidency, the flag continued to operate free from any interference from Liberia. During the years when there was actually a government, it received some modest revenues, but most of them stayed with the operating company, International Registries Incorporated (IRI) which was based in Reston Virginia. IRI used it to support a register which, although more lightly regulated than most genuine national flags, was more tightly run than many of its flag of convenience competitors.

When Taylor came to power in 1997, he soon realised the potential profits which could be made from what had become the world's biggest shipping register. With help from some lawyer friends, he launched court action against IRI and, at the end of 1999, cancelled their 40 years old contract and gave it to a new company, established with help from his lawyers, Liberian International Ship and Corporate Register (LISCR). They took over the files, procedures, and most of the staff employed by IRI but agreed to transfer more money to Monrovia. The legal action ended with an agreed settlement, but court proceedings about this are still going on. The Liberian maritime programme is now a major contributor to the Taylor regime's coffers.

What is a 'Flag of Convenience' (FoC)?

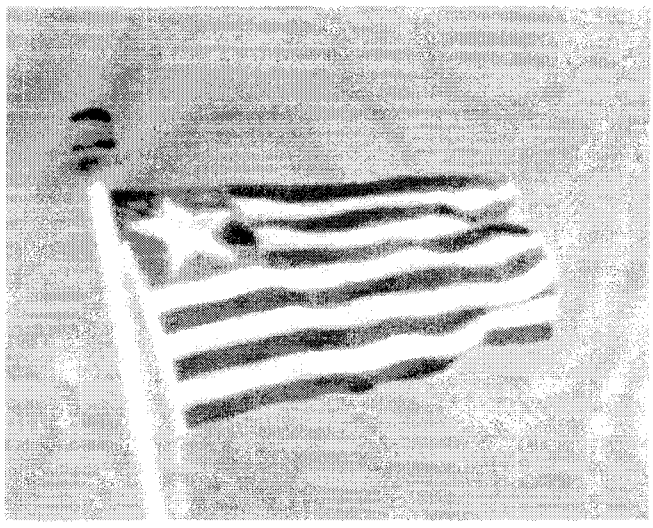
Under international law every ship must sail under a national flag, and the ship carries the nationality of the flag it flies. A ship's flag provides it the protection of a government while on the high seas. At the same time flag states are responsible for exercising effective jurisdiction and control in administrative, technical and social matters over the ships flying their flag (United Nations Convention on the Law of the Sea, 1982, Article 94). They are responsible for ensuring safety, training and maritime pollution standards and minimum social conditions on board their ships. They can also raise revenue by imposing taxes on ship owners.

Traditionally, most flag states had strict nationality rules both for the shipowners and for the crews. However, since the second world war, a number of countries began the practice of effectively renting their country's flag to shipowners of any nationality, guaranteeing the absolute minimum of rules, regulations and taxes. These are called "Flags of Convenience" (FoCs), also known as open registers.

As long ago as 1958, the Organisation for Economic Cooperation and Development (OECD) defined Flags of Convenience as "the flags of such countries as Panama, Liberia, Honduras and Costa Rica whose laws allow – and indeed, make it easy for – ships owned by foreign nationals or companies to fly these flags. This is in contrast to the practice in the maritime countries (and in many others) where the right to fly the national flag is subject to stringent conditions and involves far reaching obligations". In 1958, the ITF organised a worldwide boycott against so called PanLibHonCo ships which developed into its present day campaign against the FoC system.

Flags of Convenience do not sit easily with current international maritime law. The United Nations Convention on the Law of the Sea (UNCLOS) 1982 is acknowledged as the pre-eminent international convention within the UN system concerning oceans and seas. It provides the framework for the more detailed international minimum standards adopted by other UN agencies such as the International Maritime Organization (IMO) and the International Labour Organization (ILO). Article 91 of the Convention provides that there should be a "genuine link between the State and the ship." An attempt to establish a better definition of what this means in practice was made by the adoption of a further UN Convention on the Registration of Ships in 1986. Lobbying by shipowning interests resulted in a text which was virtually meaningless and this Convention has remained largely unratified and its adoption was accompanied by a rush of new entrant states into the FOC 'market'.

The existence of a "genuine link" is essential if the flag State is to be able to meet requirements of UNCLOS, especially those contained in Article 94 (Duties of the flag State) and Article 217 (Enforcement by flag States). The continued relevance of the "genuine link" is illustrated by the fact that the United Nations General Assembly in A/RES/54/32 "*Calls upon* the International Maritime Organization, in cooperation with the Food and Agriculture Organization of the United Nations, regional fisheries management organizations and arrangements and other relevant international organizations, and in consultation with States and entities, to define the concept of the genuine link between the fishing vessel and the State in order to assist in the implementation of the Agreement."



The Liberian ship registry funding a pariah state

The ITF believes that the minimum acceptable definition of a "genuine link" is that there is within the flag state a substantial entity which can be made responsible for the actions of the ship, so that the flag state can have real influence over the behaviour of the owner. The best way of ensuring a "genuine link" is if the shipowner is incorporated in the same country and has assets in the same jurisdiction as the flag of the ship. Under the FoC system, the registered owner of most ships is a 'shell' company set up for the sole purpose of owning that ship. That registered owner is often, in turn, owned by another company which may itself be registered in a country with very liberal company laws. It is hard (deliberately so) to identify and hold accountable the real owner.

Behind this web of companies there is always a real owner who benefits financially from the operation. This individual or company, the beneficial owner has ultimate control over what happens to the ship, including which flag it is registered under. For the ITF it is the beneficial owner, not the registered owner, who counts.

The secrecy and lack of transparency of the FoC system allows owners to ignore their responsibilities and cut their operating costs. As well as lax company laws, FoCs offer cheap registration fees, low or no taxes, and freedom to employ cheap labour from any country. As a result shipowners have increasingly found there were big savings to be made by using an FoC. It has been estimated by the OECD (which was a supporter of the FoC system) that the cost advantages of using an FoC rather than a genuine national flag ship was up to $1 million a year even if all international safety and social standards were scrupulously observed. For shipowners prepared to use the system to the full and take the chance of getting caught by port state authorities, the advantages can be even greater.

Today there are at least 30 states which are classified by the ITF as offering Flag of Convenience facilities. More are trying to join the market all the time, even offering the chance to register your ship via the Internet with no questions asked. FoCs account for nearly half of the world's merchant shipping fleet, including the bulk of large tankers, bulk carriers and cruise ships. Countries with traditionally large national merchant fleets have seen these shrink dramatically as their vessels were "flagged out" to FoCs. The FoC system, by offering shipowners from industrialized countries access to cheap labour and liberal laws, has actively discouraged the growth of domestically owned shipping industries in most developing countries.

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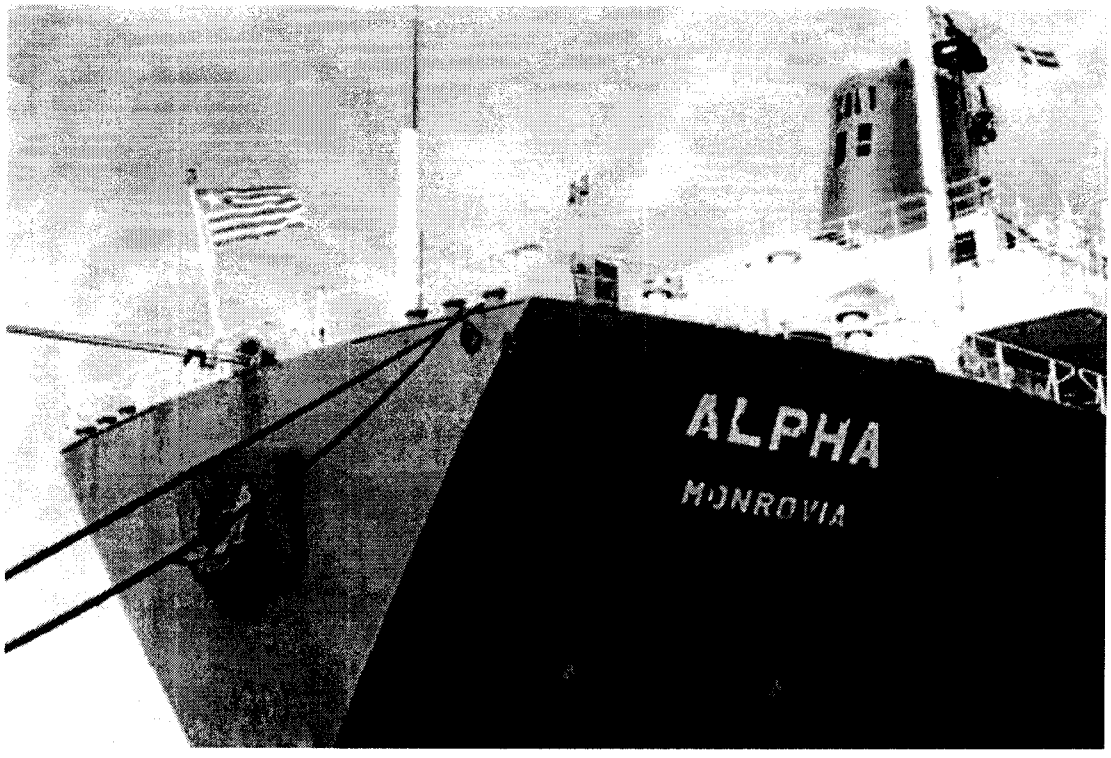

Shipping companies protected by secrecy

Selling Secrecy

What Liberia offers shipowners is a *Flag of Convenience* (FoC). This term, which was coined by the ITF and strongly disliked by shipowners, has become generally used in shipping and elsewhere. It means what it says. Shipowners have the convenience of choosing their flag and the laws they will obey. If they don't like the laws, they choose another flag. IRI, which had the contract to run Liberia's flag from the beginning, understood that its target was the quality end of the shipping industry. The registry traditionally charged higher fees than most of its competitors, and administered above average technical standards. In common with the rest of the FoC market, however, it has paid special attention to offering a very high level of corporate secrecy.

Registering a company in Liberia is extremely quick and easy. It takes on average 48 hours and does not require disclosure of share ownership or the names of directors. Liberian offshore companies (which are always used to register ships) are not required to submit any form of annual return or audited accounts. There are also no requirements to maintain even a symbolic presence in Liberia, or any residence rules for directors, company secretary or holding company meetings in Liberia. Not surprisingly there is no requirement to pay tax.

The benefits of secrecy allowed by Liberian laws can extend even to ships registered under other flags of convenience. In December 1999 a ship called the *Erika* sank off the French coast spilling its cargo of oil into the sea and onto the French beaches. The ship was registered in Malta, another Flag of Convenience. The Maltese registry does not allow directors and shareholders of shipping companies to remain unidentified but there are ways round this in which Liberia featured heavily. The Maltese company set up to own the ship had two shareholders, both Liberian companies, and Liberian law guarantees secrecy for directors and shareholders. Despite a massive investigation by the French government and the European Commission, as well as the frenetic and well resourced efforts of the French media to find the real owners of the *Erika*, it was not possible to penetrate the veil of secrecy guaranteed by the Liberian law or system. (The mystery was only resolved after some weeks, when the real owners voluntarily came forward.)

Ship owners from all over the world have registered their vessels in Liberia rather than under their own national flag (*see table 1*). 60% of the fleet on the Liberian register is owned by American, German, Greek, Japanese and Norwegian shipping companies. With around 1,557 vessels registered under its flag, Liberia, one of the poorest countries in the world, currently has the world's second largest maritime fleet in shipping tonnage (52 million gross tonnes). Notably absent from the nationality list of vessels on the Liberian register are any Liberian-owned ships. There are almost no Liberian seafarers on these ships.

For many years the Liberian register had the largest shipping fleet in the world in terms of tonnage. The bad publicity generated by the civil war led some owners to decide to transfer to another FoC. But even then Liberia only slipped to number two (Panama, which faces its own corruption problems, now has first place). The Taylor government, however, has vowed to restore the register to its former level.

The register traditionally has a high proportion of tanker tonnage. In January 2001 Liberia accounted in tonnage for 35% of all the world's oil tankers. There are also a large number of bulk carriers, as well as a number of Liberian registered cruise ships.

Funding a pariah State

Liberia's traditional status at the quality end of the shipping market has meant that foreign shipping companies are prepared to pay relatively high fees for the benefits of the flag. As an example, the cost for registering a Liberian company is USD 4,200. Non-resident companies pay zero tax.

Faced with shipowners' increasing concerns about the register in the aftermath of the change in management contract, a price war with other registers has been launched. A new scale of fees was introduced for ships entering the register after 1 July 2000 and all initial registration fees are waived from then until the end of 2001.

Initial registration fees (worth up to about $13,000 per ship)

- USD 0.10 / net ton, up to a maximum of USD 3,900, plus lump sum of USD 1,500
- Administrative fee USD 6,500
- Certification fee, approx. USD 800
- Mortgage fee (if necessary) USD 475

Annual tonnage tax

- USD 0.10 / net ton
- Lump sum of USD 3,800
- IMO charges of USD 0.3 / net ton plus lump sum of USD 2,000
- Inspection charge of USD 1,200

These fees are collected by the US company administering the register. By the year 2000 the Liberian registry was netting an average of some $15 – 20 million per year for Charles Taylor's government. Such a regular and automatic flow of income takes a lot of pressure from the government even though Liberia's domestic economy is near total collapse. Analysing government budget figures is never easy, and with a pariah State like Liberia it is even harder, but it has been estimated that between 50 – 75% (and at times 90%) of the entire national revenue of Liberia, from legitimate sources, comes from its ship registry. Even the government has admitted to the ITF that at least 30% comes from the register. It is well known that additional sums come from diamond and timber exports, but these are not so easy to identify.

The Taylor government is funded by the international shipping industry and its most important tax collector is LISCR. The company's contract with the government signed on 31 December 1999 appoints it as "the exclusive agent of government" to perform "Collection of Annual Tonnage Taxes" and ship registration fees. There is little evidence that this money is being used to benefit the people of Liberia.

Conflict and atrocities

Flags of Convenience like Liberia are frequently used by shipowners to avoid national tax, safety and social rules. Although some international rules have been established which all ships are in theory bound by, enforcement of these rules is usually by the port States where the ships call. If a flag state gets tough, it loses business. Faced with the proliferation of FoC registers and the unwillingness of states to take their responsibilities seriously, there is a growing move to tighten up the rules on how flag states work. Liberia is, of course, only one of at least 30 countries which offer FoC facilities to the shipping industry, and it is run by a US company. So why should the Liberian ship register cause particular concern?

The fact that Liberia is regarded as a "pariah state" by the international community, and is currently subject to UN sanctions and that fact that it gets a substantial share of its hard currency income from its maritime flag, shows clearly the hypocrisy of the system. When Liberia wants to distance itself from the register, it claims it is a private US business. But whenever national political influence is needed, it is suddenly a sovereign flag.

On 21 May 2001, because of the Taylor government's active destabilisation of its neighbour Sierra Leone, Liberia became one of the few countries subject to international United Nations sanctions. The war in Sierra Leone has been marked by particular brutality including the hacking off of limbs of women and children. Shipping companies cannot claim the sovereign protection of the State when it suits them, and then dissociate themselves from everything the State does in practice.

The UN Security Council stated on 7 March 2001, "that the active support provided by the government of Liberia for armed rebel groups in neighbouring countries, and in particular its support for the RUF in Sierra Leone, constitutes a threat to international peace and stability in the region..." (S/RES/1343 2001)

The Liberian ship registry is a key source of earnings for the government. The United Nations accuses the Taylor government of providing funds to the RUF guerrillas in Sierra Leone. In December 2000 a Report of the UN panel of Experts on Sierra Leone cited the Liberian Maritime Programme as facilitating the flow of arms to guerrillas in Sierra Leone. It is hard to believe that such a major source of income does not have an influence on such funding.

This subject came to unexpected public attention in May 2001 when the old register company IRI sued the new company LISCR in New York. While the writ they issued mainly deals with the commercial side of the settlement agreement between them, it also alleges that LISCR 'is a major source of Liberia's income for such activities (financial and military aid to rebels) and a handy honeypot for lining the pockets of Liberia's current dictator, Charles Taylor.'

IRI also alleges that "Up to one third of all the cash from the flag goes straight into the pockets of president Charles Taylor...Much of the money is diverted to financial and military aid to rebels intent on overthrowing the government of Sierra Leone".

LISCR strongly denies these allegations, which come from a commercial rival. Yet there will be few people with more inside knowledge of the Liberian register than IRI. According to the respected shipping journal Lloyds List (16 May 2000) western intelligence sources say that "the balance of probabilities is that IRI's claims do stack up".

It is perhaps not surprising that when the United Nations issued a travel ban under Security Council Resolution 1343 (2001) against named Liberian nationals earlier this year, these include several key figures concerned with its maritime affairs. On the list is:

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Gerald Cooper, Liberian Maritime Registry Liaison to IMO;

Wisseh Denis, Consultant to Commissioner of the Bureau of Maritime Affairs;

Samir Nasr, *alias* **Sanjivan Ruprah**, Deputy Commander of Maritime Affairs;

Agnes Reeves-Taylor, Ex-wife of President Taylor and Liberian Permanent Representative to the IMO, Senior member, Government of Liberia;

Benoni Urey, Commissioner of Maritime Affairs. Cooper was also declared *persona non grata* by the UK government after his refusal to answer questions concerning his involvement in an alleged infringement of the UN arms embargo against Liberia.

There may even be other aspects of the Liberian maritime infrastructure which have helped Taylor in his campaign to overthrow the Sierra Leone government. The UN experts panel on Sierra Leone accuses the Liberian ship registry of using its secrecy rules to facilitate the operation of shell companies used to trade in notorious "conflict diamonds".

Reflagging is easy

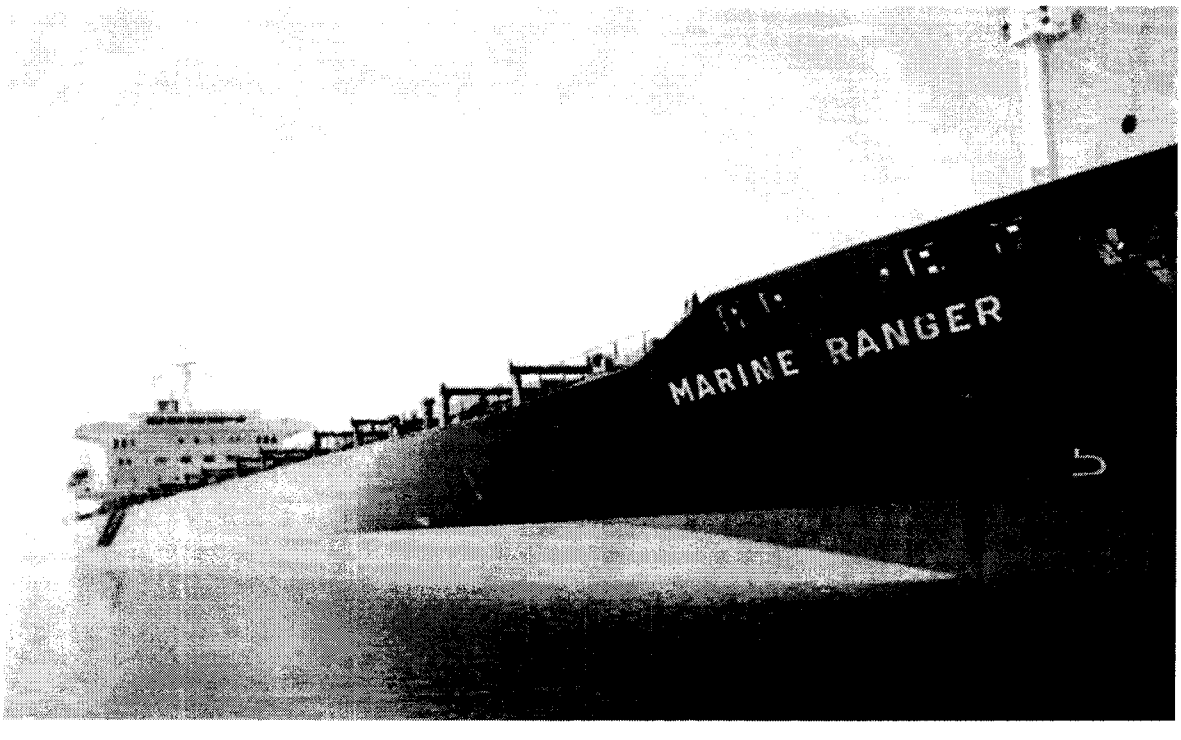
It is time for shipowners who believe that the Liberian flag has nothing to do with the Liberian government to think again. From being a quality flag, Liberia has now become a major embarrassment. No shipowner is obliged to use the Liberian flag or owes any loyalty to the government. In fact the system's primary selling point is the convenience with which flags can be changed. Any owner who feels himself part of the international community should cut links with Liberia as soon as possible.

This would be in line with the sentiments expressed in the United Nations Declaration on the Right and Responsibilities of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (A/RES/53/144), which was adopted at the 53rd session of the General Assembly and provides, in Article 18, "Individuals, groups, institutions and non-governmental organizations have an important role to play and a responsibility in safeguarding democracy, promoting human rights and fundamental freedoms and contributing to the promotion and advancement of democratic societies, institutions and processes."

Reflagging is easy and can be completed without disrupting business or prejudicing the crew. There are plenty of alternatives available and a growing number of genuine national flags which are introducing measures making them more attractive to shipowners. The weakening or disappearance of the Liberian flag from the world's oceans will have no impact on international trade but will show simply that governments have a responsibility for 'their' ships and that this cuts both ways. It will also deprive Charles Taylor of a substantial supply of cash and make his interference in Sierra Leone much harder.

Of course for some owners, changing the register would mean some extra trouble and expense. Where there is a mortgage on the ship, some legal fees may be needed. Most other shipping registers already charge lower fees than Liberia, and those which are recognized in the industry as aiming for quality shipowners have already started offering special deals to shipowners wanting to transfer. Certainly moving from the Liberian register will also not have any significant impact on the seafarers concerned. It will have the positive benefit of putting the seafarers under the jurisdiction of a flag state, which has a functioning judiciary and which is not classed as a 'pariah state' It is likely that any short term costs for owners will be substantially offset by the long term benefits of breaking connections with the murderous regime of Charles Taylor.

Liberia has the world's second largest shipping fleet



Conflict Diamonds and the Liberian International Ship and Corporate Registry

"Taking note of the findings of the Panel of Experts that diamonds represent a major and primary source of income for the Revolutionary United Front (RUF), that the bulk of RUF diamonds leave Sierra Leone through Liberia, and that such illicit trade cannot be conducted without the permission and involvement of Liberian Government officials at the highest levels, and expressing its deep concern at the unequivocal and overwhelming evidence presented by the report of the Panel of Experts that the Government of Liberia is actively supporting the RUF at all levels,..."

United Nations Security Council Resolution, S/2001/1343 Imposing Sanctions Against Liberia, March 7, 2001

At the heart of the bloody strife in Liberia's neighbour Sierra Leone is an illicit trade in diamonds. So much does this trade fuel the war by providing the funds for arms that the UN labels these as "conflict diamonds". The rebel army of the Revolutionary United Front (RUF) controls diamond producing areas in Sierra Leone. The UN believes that the RUF is effectively controlled by Charles Taylor. According to a UN Security Council mission to Sierra Leone in October 2000: "Most of the Mission's interlocutors, including those at the most senior levels, had no doubt that President Taylor exercised strong influence, even direct control over the RUF. In the assessment of many, the main objective of the RUF was to maintain control of the diamond producing areas...." (page 5 of the Report of the Security Council Mission to Sierra Leone S/2000/992, October 16, 2000). Diamonds were able to fund both the Taylor government's "interest in profits from diamonds mined in Sierra Leone" and arms for the RUF.

UN investigators believe that diamonds are taken from RUF controlled areas of Sierra Leone to Liberia and then traded on the international markets as though they were from Liberia. Antwerp is the world centre for rough diamonds. The figures for diamond imports to Belgium from Liberia far outstrip the entire diamond production capacity of Liberia. The highest estimates of current Liberian production capacity do not exceed 150,000 carats per year. According to Belgian diamond trade records an average of over 6 million carats per year is being imported from Liberia.

According to the UN expert panel on Sierra Leone, Liberia's ship registry plays a direct role in facilitating this illicit trade. After Charles Taylor came to power in 1997 a new company, Liberian International Ship and Corporate Registries (LISCR), was set up to run the registry. This meant the canceling of the contract of the company, which had been administering the registry up until then, International Registries Inc (IRI).

In January 2000 LISCR took over the registry from IRI. This put the Liberian ship registry directly into the hands of close associates of Charles Taylor. One of these is a US lawyer called Lester Hyman. According to reports in the maritime press Hyman was instrumental in clearing Taylor's long standing arrest warrant stemming from his 1985 escape from a Massachusetts jail while facing extradition to Liberia on a $1 million embezzlement charge (Lloyds List 16.5.01). A colleague of Hyman's, Yoram Cohen, is the current chief Executive of LISCR.

LISCR claims it is a private company "completely independent of the Liberian government". Yet it is hard to avoid the conclusion that the main reason for the change in contracts was to put the registry more effectively under Liberian government control. Ella Dodson, a partner in the New York law firm Baer Marks and Upham LLP wrote an article published in the trade journal *The Baltic* in May 1999, under the heading "Liberia's new clothes". In her opinion: 'Based on the contract between LISCR and the Government of Liberia (GOL) and based on recent legislative actions, it is clear that the professional, independent management of Liberia's corporate and maritime programmes will be replaced by a LISCR administration under the effective and complete control of the GOL. Even a cursory review of the contract between LISCR and GOL reveals the relative weakening of the administrative agent's position and the GOLs assertion of substantial control over the day to day administration of the corporate and maritime programmes, as well as their long-term direction. Through the use of a newly-created position, the deputy commissioner of financial affairs, GOL controls the purse-strings."

This view is echoed in the writ issued by IRI against LISCR in May 2001, which alleges, among other things, that LISCR, while nominally owned by Lester Hyman and a group of friends and operated by Yoram Cohen, is in fact controlled by Charles Taylor. According to the writ "Taylor's oversight is so tight that he acts in effect as one of LISCR's senior partners and is intimately involved in all aspects of its management, personnel assignments, distribution of funds, salaries and foreign offices."

It was soon after these changes that the ship registry allegedly became a link in the illicit diamond trade, which brings huge amounts of money for arms to the RUF in defiance of a UN embargo. When the UN expert panel on Sierra Leone checked the invoices of companies which purported to be Liberian diamond companies exporting to Belgium, they found that: "A physical check of the Monrovia street addresses given by most of these firms revealed that there were no such companies, and no such addresses. Courier firms in Monrovia, however, have in the past been instructed to route correspondence for these addresses to the International Trust Company, (ITC) which in January 2000 changed its name to the International Bank of Liberia Ltd. Since then, mail addressed to the companies in question has been forwarded to the newly-established Liberian International Ship and Corporate Registry (LISCR) which now handles the Liberian maritime registry. This means that if the companies in question are more than shells, they are not physically present in Liberia, and none of the diamonds in question were either mined in, or passed through Liberia. It also means, however, that there is an intimate Liberian connection with these deceptive diamond transactions." (Report of the Panel of Experts Appointed Pursuant to Security Council Resolution 1306 (2000), Paragraph 19, in Relation to Sierra Leone S/2000/1195, December 20, 2000).

The panels's report also names Sanjivan Ruprah, described as a well known arms dealer, who travels using a Liberian diplomatic passport in the name of Samir M Nasr and "carries additional authorisation from the Liberian International Ship and Corporate Registry". The UN Panel report condemns the Taylor government for *"the improper use of its maritime registry"* (our emphasis).

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Unprotected crews

The Liberian register allows shipping companies to fly the Liberian flag irrespective of where the vessel is owned, with minimal formalities, and to operate their ships with crew members of any nationality and under any conditions of employment. This means that shipowners can shop around the world for the cheapest labour. The bulk of the crew come from countries such as the Philippines, China, Ukraine and India. 34 per cent of crew members on Liberian registered ships are from the Philippines. This is a major cost saving for the shipping companies.

There are currently an estimated 40,000 seafarers from more than 40 countries working on board Liberian registered ships. It is hard to track down a Liberian seafarer on board any of the ships on the Liberian register.

Under the United Nations Convention on the Law of the Sea, UNCLOS (1982) ships flying the Liberian flag are part of Liberian territory. The Liberian government is responsible for ensuring the welfare and rights of all the 40,000 crew members of all nationalities working on board ships on the Liberian register. Article 94 of the Convention states that the flag state "shall effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag".

Seafarers, working at sea away from home and out of sight of any regulatory authorities, are particularly vulnerable to abuse by employers. The International Commission on Shipping, chaired by Peter Morris former Australian shipping minister produced a report last year which concluded that "Life at sea for many seafarers involves much abuse. Physical abuses include beatings and sexual assault, inadequate medical treatment, substandard accommodation, and inadequate food....Non payment of wages, delays in paying entitlements to families and even abandonment are additional abuses...." (ICONS, *Inquiry into Ship Safety: Ships Slaves and Competition*, 2000).

Seafarers living and working on board Liberian-flagged ships - effectively Liberian territory - are, according to international law, dependant upon the protection of the Liberian courts against shipowners for injury or negligence, breaking of an employment contract, physical abuse, or other similar issues concerning their basic social rights.

Such protection is non existent in Liberia. The Liberian court system simply does not function. According to a report by the US State Department in February 2001, "All levels of the court system in Monrovia, including the Supreme Court, functioned sporadically". The same report noted, "The judicial system, hampered by political influence, economic pressure, inefficiency, corruption, lack of resources, was unable to ensure citizens rights to due process and fair trial".

The ugly human rights record of the Taylor regime would inspire little enough confidence in the availability of justice for foreign seafarers. Nevertheless the fact is that the state with the world's second largest merchant fleet has no properly functioning court system to protect the tens of thousands of seafarers under its responsibility in accordance with international law.

Filipino crew members of the Maria SJ a ship registered in Liberia who sought assistance from the ITF in the port of Copenhagen after they had been on board the ship for 14 months receiving wages well below what the ITF regards as an acceptable minimum standard. As a result of action from Danish dockworkers, the owner was forced to pay $413,791 owed to the 19 crew members. The ITF repatriated the crew back to the Philippines. The ITF maintains a worldwide network of inspectors who check on conditions for seafarers on board flag of convenience ships.



Time to lower the flag

LISCR and the Liberian Shipowners Council (based in New York) have responded to the attention focussed on the Liberian shipping register with rather predictable claims that the ship register should not be punished for the transgressions of the Liberian government. Yoram Cohen chief executive of LISCR complains that LISCR "is completely independent of the Liberian government." (Journal of Commerce, US, 23.7.01). Yet, as we have seen it is the appointed agent of the government, and its main tax collector. As one shipping journalist has pointed out the connection between the flag State operations and the country is fictitious then what is Liberia doing at the table in the International Maritime Organisation?

A number of shipping companies have become increasingly concerned at the alleged links between the Liberian shipping register and the funding of guerrilla atrocities in Sierra Leone. The leading shipping journal *Lloyds List* noted on 16 May this year, reporting on the allegations against LISCR, that: "never has the proposition that shipowners bear no moral responsibility for what flag States get up to looked so flimsy".

The ITF believes that, when there is so much blood on the flag, it is time to lower the flag. Although operated from the territory of the United States, the Liberian shipping registry has become a major source of revenue for a government which is subject to strong UN sanctions for its violation of international law.

The ITF believes that there is strong evidence and cause for concern that:

- The revenues obtained through the lawful business of the Liberian ship registry provide a significant and consistent source of funds to the Taylor regime, which is accused by the UN of using its revenues to fund the RUF guerrillas in Sierra Leone in defiance of a UN arms embargo.
- The UN panel on Sierra Leone further alleges that those aspects of the ship registry which facilitate the operation of shell companies may have been used in the illicit export of "conflict diamonds" from Sierra Leone through Liberia.

The ITF believes that a number of immediate actions can be taken by companies and by governments, in support of the United Nations, to ensure that there is no chance that the threat to regional stability posed by the Taylor regime is being sustained by the Liberian ship registry:

- Shipowners should break all links with the Liberian flag as soon as practicable
- The United Nations travel ban should be extended to any Liberian national connected to its maritime affairs, including all their personnel based at the International Maritime Organisation (IMO) in London.
- The United Nations Security Council should extend sanctions against Liberia to include its shipping register and give notice after which all member States of the UN should deny entry to their ports to all vessels flying the Liberian flag.

The Liberian shipping register

State	Number of ships	Percentage of Liberia Registered ships
Argentina	16	0.9
Austria	13	0.8
Belgium	13	0.8
Brazil	13	0.8
Chile	17	1.0
China	76	4.4
Croatia	10	0.6
Denmark	15	0.9
Germany	335	19.6
Greece	172	10.1
Hong Kong	91	5.3
Japan	140	8.2
Latvia	20	1.2
Liberia	0	0.0
Monaco	18	1.1
Norway	141	8.3
Russia	65	3.8
Saudi Arabia	25	1.5
Singapore	34	2.0
Sweden	23	1.3
Switzerland	13	0.8
Taiwan	20	1.2
UAE	10	0.6
UK	45	2.6
USA	247	14.5
Other	88	5.1
Missing / unknown	49	2.9
TOTAL	1,709	100

(Lloyds Annual Statistics 2000)

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Conclusion

CHARLES TAYLOR has come under intense international pressure through the UN Sanctions regime, and is trapped by the patronage system he has built around himself and is now virtually entirely dependent on the revenues from logging and the shipping register. Even if UN sanctions are extended to these remaining income sources it is likely that Taylor will still enjoy the support of various powerful friends, such as Libya's Colonel Gaddaffi. However, the extension of sanctions to include Liberian timber and shipping registry, will provide the Sierra Leonean peace process with the breathing space it needs to ensure that the RUF achieve total disarmament. Currently the RUF's best weapons and commanders remain in Liberia, waiting to see which way the wind blows. If they perceive Taylor's position to be deteriorating then they are more likely to desert him. Furthermore, sanctions will deny Taylor the funds he requires to control regional resource extraction, and they will deny him the international credibility he craves. The blame for Liberia's pariah status can be laid at Taylor's door.

Taylor can, of course, help himself. If he genuinely addresses the concerns of the UNSC then sanctions will be removed. If he addresses the issues of human rights abuses and corruption, then Liberia will be in line for €140 million of EU development aid. In short, if his governance improves, then he could become a positive force in Liberia, rather than be remembered as the man who not only failed to bring any development at all since he came to power, but destroyed one of the country's most valuable natural resources and most valuable natural heritage. Most observers do not believe that Taylor can or will reform, but the choice is his.

However, to act impartially, the international community must also put pressure on Guinea's President Conté to bring an end to his support for the cross border attacks into Liberia. This would hasten regional peace and remove Taylor's argument that he needs arms to repel these attacks. In addition to control of resources, the personal animosity between the two leaders is a significant reason for this conflict and all efforts must be made to place regional peace above warlord politics.

As discussed in this report, by exploiting the country's natural resources Taylor is responding to international demand and is being facilitated, and used, by the logging industry; OTC in particular. In fact, ironically, Taylor is himself being exploited by forces more manipulative than he. Like other international logging companies, when they have exhausted the forest, OTC will move on elsewhere and will continue to prosper at the expense of another country and another people. Liberia will be the poorer for it, and Taylor's personal wealth will not buy him a safe haven either in Liberia, or in exile: he has made too many enemies for that.

As Taylor is unlikely to come to this same conclusion, only international pressure can prevent him from fuelling regional conflict, and the extension of the sanctions regime to cover timber exports and the Shipping Registry is the best method to achieve these aims.

OTC logs, Italy; mid-2001



© Greenpeace

Appendices

Logging companies in Liberia & timber production by company, January-June 2000

Company	Production	(m^3)
OTC	Oriental Timber Corporation	384,562.253
MWPI	Maryland Wood Processing Industries	40,250.516
MGC	Mohammed Group of Companies	37,302.544
BIN	BIN Liberia	32,981.595
ULC	United Logging Company	31,491.309
RTC	Royal Timber Corp	30,833.744
FORUM		21,324.308
ILC	INLAND Logging Company	17,613.746
LWMC	Liberian Wood Mgt. Corp.	12,810.062
LLWPC	Liberian Logging and Wood Processing Corp.	12,002.720
DLWPC	DABA Logging & Wood Processing Corp.	10,181.494
ILFC	IBERIC Liberian Forestry Corp.	9,451.946
TTC	Togba Timber Company	9,035.015
XL	Xoanon Liberian Ltd.	5,737.165
CTC	Cavalla Timber Company	4,890.100
CTC	Cestos Timber Company	3,999.016
YLI	Yekepa Logging Ind.	3,026.809
FHC	Forest Hill Corp.	2,926.844
RLC	Rivercess Logging Company/STI	2,354.339
ATI	AKKARI Timber Inc.	2,280.114
AWPC	American Wood Processing Company	1,558.850
NELCO		1,124.094
FAPCO		950.425
RETCO		312.416
LLWPS/WARCO		250.952
Total		679,352.376

Source FDA Semi-Annual report, January- June 2000

Importers of Liberian timber by value (cif), 1996-2000 (US$ millions)

	1996	1997	1998	1999	2000
China	0	0	0	0	34
Indonesia	0	0	0	0	2
Turkey	0	0	2	4	4
Belgium	0	0	0	0	0
France	3	7	18	18	33
Germany	0	0	1	1	2
Greece	0	0	1	1	
Italy	0	0	4	9	16
Netherlands	0	0	0	0	2
Portugal	0	1	1	2	3
Spain	0	0	2	1	3
UK	0	0	0	0	1
Total	*4*	*9*	*29*	*36*	*106*

Importers of Liberian timber by volume, 1996-2000 ('000m^3 RWE)

	1996	1997	1998	1999	2000
China	0	0	0	0	290
Indonesia	0	0	0	0	13
Turkey	0	0	1	3	04
Belgium	0	0		0	2
France	9	26	61	75	168
Germany	1	0	5	6	12
Greece	0	0	3	2	24
Italy	0	1	16	36	79
Netherlands	0	0	0	1	22
Portugal	1	4	3	9	13
Spain	0	0	7	7	15
UK	0	0	0	0	3
Total	*11*	*30*	*97*	*139*	*646*

Source World Trade Atlas.

United Nations Security Council

Distr.: General 7 March 2001

Resolution 1343 (2001)

Adopted by the Security Council at its 4287th meeting, on 7 March 2001

The Security Council,

Recalling its resolutions 1132 (1997) of 8 October 1997, 1171 (1998) of 5 June 1998, 1306 (2000) of 5 July 2000 and its other resolutions and statements of its President on the situation in Sierra Leone and the region,

Welcoming General Assembly resolution A/RES/55/56 of 1 December 2000, in particular its call for measures engaging all concerned parties including diamond producing, processing, exporting and importing countries as well as the diamond industry to break the link between diamonds and armed conflict, and its call upon all States to implement fully Security Council measures targeting the link between the trade in conflict diamonds and the supply to rebel movements of weapons, fuel or other prohibited materiel,

Taking note of the report of the United Nations Panel of Experts established pursuant to paragraph 19 of resolution 1306 (2000) in relation to Sierra Leone (S/2000/1195),

Taking note of the findings of the Panel of Experts that diamonds represent a major and primary source of income for the Revolutionary United Front (RUF), that the bulk of RUF diamonds leave Sierra Leone through Liberia, and that such illicit trade cannot be conducted without the permission and involvement of Liberian government officials at the highest levels, and *expressing* its deep concern at the unequivocal and overwhelming evidence presented by the report of the Panel of Experts that the Government of Liberia is actively supporting the RUF at all levels,

Recalling the Economic Community of West African States (ECOWAS) Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa adopted in Abuja on 31 October 1998 (S/1998/1194, annex),

Taking note of the measures announced by the Government of Liberia since the publication of the report of the Panel of Experts established pursuant to resolution 1306 (2000), and *welcoming* the intention of ECOWAS to monitor their implementation in close cooperation with the United Nations and to report thereon after a period of two months,

Recalling its concern already expressed in resolution 1306 (2000) at the role played by the illicit diamond trade in fuelling the conflict in Sierra Leone and at reports that such diamonds transit neighbouring countries, including Liberia,

Reiterating its call made in the statement of its President of 21 December 2000 (S/PRST/2000/41) on all States in West Africa, particularly Liberia, immediately to cease military support for armed groups in neighbouring countries and prevent armed individuals from using their national territory to prepare and commit attacks in neighbouring countries,

Determining that the active support provided by the Government of Liberia for armed rebel groups in neighbouring countries, and in particular its support for the RUF in Sierra Leone, constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

A

Recalling its resolutions 788 (1992) of 19 November 1992 and 985 (1995) of 13 April 1995,

Noting that the conflict in Liberia has been resolved, that national elections have taken place within the framework of the Yamoussoukro IV Agreement of 30 October 1991 (S/24815, annex) and that the Final Communiqué of the informal consultative group meeting of ECOWAS Committee of Five on Liberia issued in Geneva on 7 April 1992 (S/23863) has been implemented, and *determining* therefore that the embargo imposed by paragraph 8 of resolution 788 (1992) should be terminated,

1. *Decides* to terminate the prohibitions imposed by paragraph 8 of resolution 788 (1992) and to dissolve the Committee established under resolution 985 (1995);

B

2. *Demands* that the Government of Liberia immediately cease its support for the RUF in Sierra Leone and for other armed rebel groups in the region, and in particular take the following concrete steps:

(a) expel all RUF members from Liberia, including such individuals as are listed by the Committee established by paragraph 14 below, and prohibit all RUF activities on its territory, provided that nothing in this paragraph shall oblige Liberia to expel its own nationals from its territory;

(b) cease all financial and, in accordance with resolution 1171 (1998), military support to the RUF, including all transfers of arms and ammunition, all military training and the provision of logistical and communications support, and take steps to ensure that no such support is provided from the territory of Liberia or by its nationals;

(c) cease all direct or indirect import of Sierra Leone rough diamonds which are not controlled through the Certificate of Origin regime of the Government of Sierra Leone, in accordance with resolution 1306 (2000);

(d) freeze funds or financial resources or assets that are made available by its nationals or within its territory directly or indirectly for the benefit of the RUF or entities owned or controlled directly or indirectly by the RUF;

(e) ground all Liberia-registered aircraft operating within its jurisdiction until it updates its register of aircraft pursuant to Annex VII to the Chicago Convention on International Civil Aviation of 1944 and provides to the Council the updated information concerning the registration and ownership of each aircraft registered in Liberia;

3. *Stresses* that the demands in paragraph 2 above are intended to lead to further progress in the peace process in Sierra Leone, and, in that regard, calls upon the President of Liberia to help ensure that the RUF meet the following objectives:

(a) allow the United Nations Mission in Sierra Leone (UNAMSIL) free access throughout Sierra Leone;

(b) release all abductees;

(c) enter their fighters in the disarmament, demobilization and reintegration process;

(d) return all weapons and other equipment seized from UNAMSIL;

4. *Demands* that all States in the region take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any action that might contribute to further destabilization of the situation on the borders between Guinea, Liberia and Sierra Leone;

5. (a) *Decides* that all States shall take the necessary measures to prevent the sale or supply to Liberia, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territories;

(b) *Decides* that all States shall take the necessary measures to prevent any provision to Liberia by their nationals or from their territories of technical training or assistance related to the provision, manufacture, maintenance or use of the items in subparagraph (a) above;

(c) *Decides* that the measures imposed by subparagraphs (a) and (b) above shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee established by paragraph 14 below;

(d) *Affirms* that the measures imposed by subparagraph (a) above do not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Liberia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

6. *Decides further* that all States shall take the necessary measures to prevent the direct or indirect import of all rough diamonds from Liberia, whether or not such diamonds originated in Liberia;

7. (a) *Decides* also that all States shall take the necessary measures to prevent the entry into or transit through their territories of senior members of the Government of Liberia and its armed forces and their spouses and any other individuals providing financial and military support to armed rebel groups in countries neighbouring Liberia, in particular the RUF in Sierra Leone, as designated by the Committee established by paragraph 14 below, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals, and provided that nothing in this paragraph shall impede the transit of representatives of the Government of Liberia to United Nations Headquarters to conduct United Nations business or the participation of the Government of Liberia in the official meetings of the Mano River Union, ECOWAS and the Organization of African Unity;

(b) *Decides* that the measures imposed by subparagraph (a) above shall not apply where the Committee established by paragraph 14 below determines that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the Committee concludes that exemption would otherwise promote Liberian compliance with the demands of the Council, or assist in the peaceful resolution of the conflict in the subregion;

8. *Further decides* that the measures imposed by paragraphs 6 and 7 above shall come into force at 00.01 Eastern Daylight Time two months after the date of adoption of this resolution, unless the Security Council determines before that date that Liberia has complied with the demands in paragraph 2 above, taking into account the report of the Secretary-General referred to in paragraph 12 below, inputs from ECOWAS, relevant information provided by the Committee established by paragraph 14 below and the Committee established pursuant to

resolution 1132 (1997) and any other relevant information;

9. *Decides* that the measures imposed by paragraph 5 are established for 14 months and that, at the end of the period, the Council will decide whether the Government of Liberia has complied with the demands in paragraph 2 above, and, accordingly, whether to extend these measures for a further period with the same conditions;

10. *Decides further* that the measures imposed by paragraphs 6 and 7 above are established for a period of 12 months, and that at the end of this period the Council will decide whether the Government of Liberia has complied with the demands in paragraph 2 above, and, accordingly, whether to extend these measures for a further period with the same conditions;

11. *Decides* also that the measures imposed by paragraphs 5 to 7 above shall be terminated immediately if the Council, taking into account, inter alia, the reports of the Panel of Experts referred to in paragraph 19 below and of the Secretary-General referred to in paragraph 12 below, inputs from ECOWAS, any relevant information provided by the Committee established by paragraph 14 below and the Committee established pursuant to resolution 1132 (1997) and any other relevant information, determines that the Government of Liberia has complied with the demands in paragraph 2 above;

12. *Requests* the Secretary-General to submit a first report to the Council by 30 April 2001 and thereafter at 6-month intervals from that date, drawing on information from all relevant sources, including the United Nations Office in Liberia, UNAMSIL and ECOWAS, on whether Liberia has complied with the demands in paragraph 2 above and on any progress made towards the objectives set out in paragraph 3 above, and calls on the Government of Liberia to support United Nations efforts to verify all information on compliance which is brought to the United Nations notice;

13. *Requests* the Secretary-General to provide to the Council six months from the date of the adoption of this resolution:

(a) a preliminary assessment of the potential economic, humanitarian and social impact on the Liberian population of possible follow-up action by the Council in the areas of investigation indicated in paragraph 19 (c) below;

(b) a report on the steps taken by the Government of Liberia to improve its capacity in air traffic control and surveillance in accordance with the recommendations of the Panel of Experts established pursuant to resolution 1306 (2000) and any advice which may be provided by ICAO;

14. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) to seek from all States information regarding the actions taken by them to implement effectively the measures imposed by paragraphs 5 to 7 above, and thereafter to request from them whatever further information it may consider necessary;

(b) to consider, and to take appropriate action on, information brought to its attention by States concerning alleged violations of the measures imposed by paragraphs 5 to 7 above, identifying where possible persons or entities, including vessels or aircraft, reported to be engaged in such violations, and to make periodic reports to the Council;

(c) to promulgate expeditiously such guidelines as may be necessary to facilitate the implementation of the measures imposed by paragraphs 5 to 7 above;

(d) to give consideration to and decide upon requests for the exemptions set out in paragraphs 5 (c) and 7 (b) above;

(e) to designate the individuals subject to the measures imposed by paragraph 7 above, and to update this list regularly;

(f) to make information it considers relevant, including the list referred to in subparagraph (e) above, publicly available through appropriate media, including through the improved use of information technology;

(g) to make recommendations to the Council on ways of increasing the effectiveness of the measures imposed by paragraphs 5 to 7 above and on ways to limit unintended effects, if any, of these measures on the Liberian population;

(h) to cooperate with other relevant Security Council Sanctions Committees, in particular that established pursuant to resolution 1132 (1997) and that established pursuant to resolution 864 (1993);

(i) to establish a list of RUF members present in Liberia as referred to in paragraph 2 (a) above;

15. *Calls upon* the Government of Liberia to establish an effective Certificate of Origin regime for trade in rough diamonds that is transparent and internationally verifiable and has been approved by the Committee established by paragraph 14 above, to come into operation after the measures imposed by paragraphs 5 to 7 above have been terminated in accordance with this resolution;

16. *Urges* all diamond exporting countries in West Africa to establish Certificate of Origin regimes for the trade in rough diamonds similar to that adopted by the Government of Sierra Leone, as recommended by the Panel of Experts established pursuant to resolution 1306 (2000), and *calls upon* States, relevant international organizations and other bodies in a position to do so to offer assistance to those Governments to that end;

17. *Calls upon* the international community to provide the necessary assistance to reinforce the fight against the proliferation and illicit trafficking of light weapons in West Africa, in particular the implementation of the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa, and to improve air traffic control in the West African subregion;

18. *Requests* all States to report to the Committee established by paragraph 14 above, within 30 days of the promulgation of the list referred to in paragraph 14 (e) above, on the actions they have taken to implement the measures imposed by paragraphs 5 to 7 above;

19. *Requests* the Secretary-General to establish, within one month from the date of adoption of this resolution, in consultation with the Committee established by paragraph 14 above, a Panel of Experts for a period of six months consisting of no more than five members, drawing, as much as possible and as appropriate, on the expertise of the members of the Panel of Experts established pursuant to resolution 1306 (2000), with the following mandate:

(a) to investigate any violations of the measures imposed by paragraphs 5 to 7 above;

(b) to collect any information on the compliance by the Government of Liberia with the demands in paragraph 2 above, including any violations by the Government of Liberia of the measures imposed by paragraph 2 of resolution 1171 (1998) and paragraph 1 of resolution 1306 (2000);

(c) to further investigate possible links between the exploitation of natural resources and other forms of economic activity in Liberia, and the fuelling of conflict in Sierra Leone and neighbouring countries, in particular those areas highlighted by the report of the Panel of Experts established pursuant to resolution 1306 (2000);

(d) to collect any information linked to the illegal activities of the individuals referred to in paragraph 21 below and to any other alleged violations of this resolution;

(e) to report to the Council through the Committee established by paragraph 14 above no later than six months from the date of adoption of this resolution with observations and recommendations in the areas set out in subparagraphs (a) to (d) above;

(f) to keep the Committee established by paragraph 14 above updated on their activities as appropriate; and *further requests* the Secretary-General to provide the necessary resources;

20. *Requests* the Panel of Experts referred to in paragraph 19 above, as far as possible, to bring any relevant information collected in the course of its investigations conducted in accordance with its mandate to the attention of the States concerned for prompt and thorough investigation and, where appropriate, corrective action, and to allow them the right of reply;

21. *Calls upon* all States to take appropriate measures to ensure that individuals and companies in their jurisdiction, in particular those referred to in the report of the Panel of Experts established pursuant to resolution 1306 (2000), act in conformity with United Nations embargoes, in particular those established by resolutions 1171 (1998), 1306 (2000) and this resolution, and, as appropriate, take the necessary judicial and administrative action to end any illegal activities by those individuals and companies;

22. *Calls upon* all States and all relevant international and regional organizations to act strictly in accordance with the provisions of this resolution notwithstanding the existence of any rights or obligations entered into or any licence or permit granted prior to the date of adoption of this resolution;

23. *Decides* to conduct reviews of the measures imposed by paragraphs 5 to 7 above not more than sixty days after the adoption of this resolution, and every six months thereafter;

24. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to cooperate fully with the Committee established by paragraph 14 above and the Panel of Experts referred to in paragraph 19 above, including by supplying information on possible violations of the measures imposed by paragraphs 5 to 7 above;

25. *Decides* to remain actively seized of the matter.

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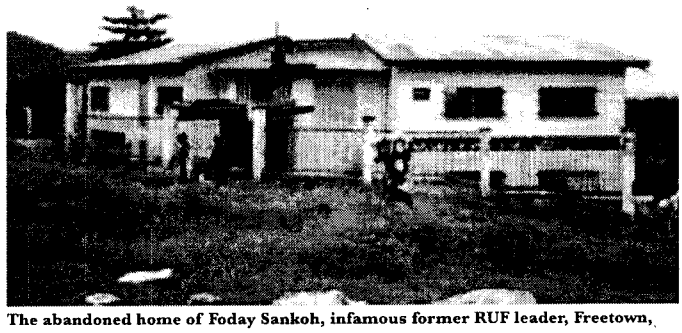

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FACT 99

In its press release *IMC Plastic Surgeons Remove the Scars of War in Sierra Leone*, dated 4 September 2001, the International Medical Corps stated or noted:

(a) For hundreds of children and child soldiers in Sierra Leone, the 10-year civil war left scars that could only be healed with the help of IMC's plastic surgery program (p. 1).

(b) Hundreds of children between the ages of 9-17 were kidnapped, drugged, abused and forced to harm their fellow countrymen. By branding them with hot pokers or carving their initials in their chests, arms or foreheads with broken glass, the RUF created an army of outcasts who couldn't go home to face the families and communities they were often forced to murder (p. 1).

(c) Without plastic surgery, the child victims might never be able to return to their communities and reintegrate into society. The torment of the scars was so great that some children tried to burn them off with caustic soda, which only made them worse (p. 1).

a.	Exh. 1.179	n/a	International Medical Corps, "IMC Plastic Surgeons Remove the Scars of War in Sierra Leone," September 2001, available at https://www.imcworldwide.org.

Afghanistan
Azerbaijan
Burundi
Chad
DRC
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IMC Plastic Surgeons Remove The Scars of War in Sierra Leone



IMC doctors performing remove scars on a child

September, 2001 —While a tentative peace accord appears to be taking hold, for hundreds of children and child soldiers in Sierra Leone, the 10-year civil war has left scars that can only be healed with the help of IMC's plastic surgery program.

Over the course of what was considered to be one of the bloodiest civil wars in recent times, hundreds of children between the ages of 9-17 were kidnapped, drugged, abused and forced to harm their fellow countrymen. By branding them with hot pokers or carving their initials in their chests, arms or foreheads with broken glass, the R.U.F. created an army of outcasts who can't go home to face the families and communities they were often forced to murder.

"Without plastic surgery, these child victims might never be able to return to their communities and reintegrate into society," said IMC President and CEO, Nancy Aossey. "We cannot let them continue to suffer."

The torment of the scars is so great that some children have tried to burn them off with caustic soda, which only makes them worse.

"In the eyes of their family members, these kids symbolize the atrocities committed by the rebels. Their families fear being associated with them," said Rabih Torbay, IMC's West Africa regional director. "The brands are like shackles that isolate the children and serve as constant reminders of the brutality of war."

IMC's medical teams will perform one to two skin grafts as needed on each patient, working side-by-side with Sierra Leonean doctors and operating theater nurses to train them in pre and post operative care, anesthesiology and plastic surgery techniques.

Funded with a USAID grant from the Patrick J. Leahy War Victims Fund, administered by UNICEF, the program will initially help more than 120 children, with hundreds more expected to come forward. COOPI, a UNICEF-

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IMC Plastic Surgeons Remove The Scars of War in Sierra Leone



IMC doctors performing remove scars on a child

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supported child protection agency will provide counseling to children before and after the surgery in an attempt to help them cope with their trauma and rejoin their families.

During the 10-year civil war rebels terrorized thousands of civilians by amputating limbs, raping women and girls, and destroying villages. IMC's skin graft program will help heal both the physical and psychological scars suffered by the child soldiers.

Since 1999, IMC has provided emergency medical care and primary health care to tens of thousands of Sierra Leoneans displaced by fighting. Some of the most intense fighting has taken place in Daru and Port Loko, where IMC-supported clinics are staffed by health care workers trained by IMC.

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FACT 100

Physicians for Human Rights (PHR), with the support of the United Nations Assistance Mission in Sierra Leone, issued a report of its study, in which it stated or noted that:

(a) Sierra Leone's decade-long conflict had been marked by an extraordinary level of brutal human rights abuses, including abductions, beatings, killings, sexual assault of women and men, being "captured" for less than 24 hours, torture, forced labour, serious injuries and amputations (Executive Summary, p. 1).

(b) The majority of abuses [in the Sierra Leone conflict] occurred between 1997 and 1999 and, when known, were attributed primarily to the forces of the RUF (front page).

(c) Approximately 50,000 to 64,000 Sierra Leonean internally displaced women may have suffered war-related sexual assaults (front page).

a.	Exh. 1.215	n/a	Physicians for Human Rights, "War-Related Sexual Violence in Sierra Leone," 2002.

PDA
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I. EXECUTIVE SUMMARY

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Purpose of Study

Sierra Leone's decade-long conflict has been marked by an extraordinary level of brutal human rights abuses, including summary killings, sexual violence against women and girls, abductions, amputations, and the use of child soldiers. The combined effects of prolonged conflict, pervasive human rights abuses, and massive forced migration[1] in one of the poorest countries in the world have devastated the health and well-being of the Sierra Leonean people. The daunting process of rebuilding and reconciliation in the aftermath of such destruction requires the establishment of an accurate account of the nature and extent of abuses that have been committed. For this reason Physicians for Human Rights (PHR), with the support and participation of the United Nations Assistance Mission in Sierra Leone (UNAMSIL), conducted a population-based assessment of the prevalence and impact of sexual violence and other human rights abuses among internally displaced persons (IDPs) in Sierra Leone.

Findings

The findings of this study, the most comprehensive population-based assessment to date of war-related sexual violence and other human rights abuses in Sierra Leone, indicate that combatants have committed widespread human rights abuses and international crimes against IDPs in Sierra Leone including: abductions, beatings, killings, rape and other forms of sexual violence, capturing for less than 24 hours, torture, forced labor, gunshot wounds, serious injuries, and amputations. Such quantitative findings contribute considerable insight into the nature and extent of human rights abuses among IDPs in Sierra Leone, i.e., the frequency of specific human rights abuses, the identity of the alleged perpetrators, the impact of these experiences and the most urgent needs identified by the victims. Furthermore, a rigorous approach to sampling enables the findings to be generalized to the larger IDP population. In order to gain insight into individual experiences of human rights abuses of Sierra Leonean women and their families, the PHR study included qualitative assessments of abuses as well.

[1] Approximately 400,000 people have fled Sierra Leone into neighboring Guinea and Liberia as refugees. At the time of this study, there were 334,061 registered and approximately 500,000 to 1 million unregistered internally displaced persons (IDPs) in Sierra Leone.

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War-Related Sexual Violence in Sierra Leone

A Report by Physicians for Human Rights

With the Support of the United Nations Assistance Mission in Sierra Leone

Sierra Leone's decade-long conflict has been one of the deadliest in recent history and has been marked by an extraordinary level of brutal human rights abuses, including abductions, beatings, killings, sexual assault of women and men, being "captured" for less than 24 hours, torture, forced labor, gunshot wounds, serious injuries and amputations. An alarming 94% of 991 households of internally displaced persons randomly surveyed by Physicians for Human Rights (PHR) and the United Nations Assistance Mission in Sierra Leone (UNAMSIL) reported among its members at least one of these serious abuses during the past ten years of conflict. The majority of abuses occurred between 1997 and 1999 and, when known, were attributed primarily to the forces of the rebel group, the Revolutionary United Front (RUF).

The PHR/UNAMSIL study is one of the first to scientifically document the extent of sexual violence as a result of war. Approximately one of every eight household members (13%) reported one or more war-related sexual assaults among its members, and these assaults were perpetrated primarily by members of the RUF. In addition, 23% of women interviewed reported being pregnant at the time of the attack. A striking 53% of respondents reporting "face to face" contact specifically with RUF forces reported experiencing sexual violence. One third of the women who reported sexual assault reported being gang raped.

In fact, the prevalence of war-related sexual assaults (8-9%) in only a ten year period was equivalent to the lifetime prevalence of non war-related sexual assault (also 9%) among the study participants. PHR estimates that approximately 50,000 to 64,000 Sierra Leonean internally displaced women may have suffered war-related sexual assaults.

Today, in the context of war, rape and other forms of sexual assault are considered war crimes and can be prosecuted as such. A Special Court has been proposed to prosecute those "most responsible" for violations of human rights in Sierra Leone's conflict. A Truth and Reconciliation Commission is being set up to foster accountability and reconciliation. All who have expressed an interest in testifying or providing information to the Special Court or the Truth and Reconciliation Commission should have an opportunity to do so.

> ... They undressed five of us, laid us down, used us in front of my family and took us away with them. They wouldn't release us, they kept us with them in the bush... When I escaped, I couldn't walk... I was bleeding from my vagina....Since I got back I have been so sick...I never used to get sick like this...I would like to go back to school, but I can't concentrate anymore, I can't do anything...
>
> **Isata, a 15-year-old girl**

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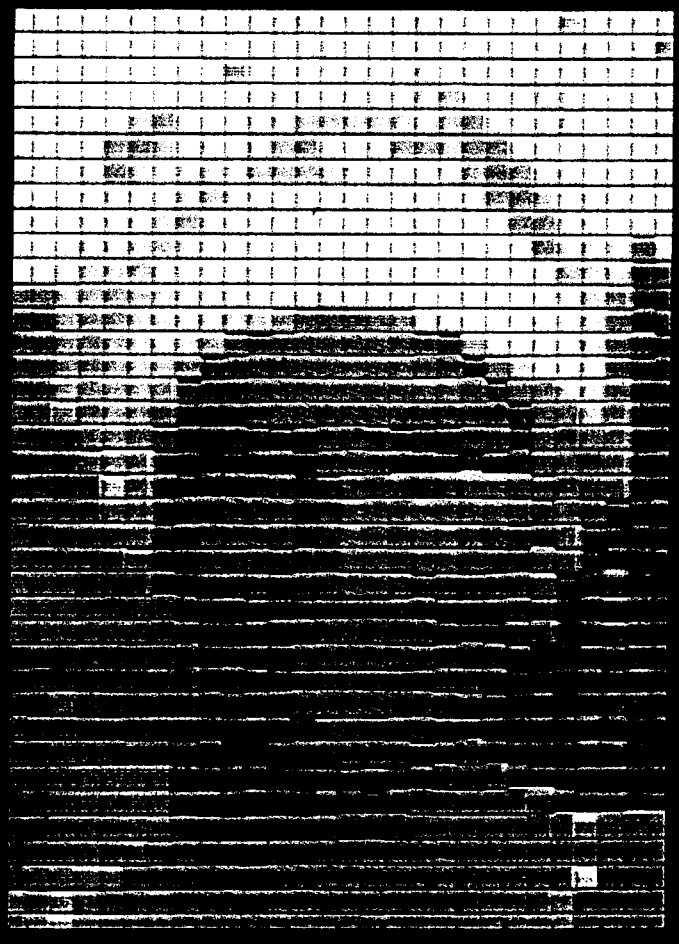

War-Related Sexual Violence in Sierra Leone

War-Related Sexual Violence in Sierra Leone

A Report by Physicians for Human Rights

With the Support of the United Nations Assistance Mission in Sierra Leone

Sierra Leone's decade-long conflict has been one of the deadliest in recent history and has been marked by an extraordinary level of brutal human rights abuses, including abductions, beatings, killings, sexual assault of women and men, being "captured" for less than 24 hours, torture, forced labor, gunshot wounds, serious injuries and amputations. An alarming 94% of 991 households of internally displaced persons randomly surveyed by Physicians for Human Rights (PHR) and the United Nations Assistance Mission in Sierra Leone (UNAMSIL) reported among its members at least one of these serious abuses during the past ten years of conflict. The majority of abuses occurred between 1997 and 1999 and, when known, were attributed primarily to the forces of the rebel group, the Revolutionary United Front (RUF).

The PHR/UNAMSIL study is one of the first to scientifically document the extent of sexual violence as a result of war. Approximately one of every eight household members (13%) reported one or more war-related sexual assaults among its members, and these assaults were perpetrated primarily by members of the RUF. In addition, 23% of women interviewed reported being pregnant at the time of the attack. A striking 53% of respondents reporting "face to face" contact specifically with RUF forces reported experiencing sexual violence. One third of the women who reported sexual assault reported being gang raped.

In fact, the prevalence of war-related sexual assaults (8-9%) in only a ten year period was equivalent to the lifetime prevalence of non war-related sexual assault (also 9%) among the study participants. PHR estimates that approximately 50,000 to 64,000 Sierra Leonean internally displaced women may have suffered war-related sexual assaults.

Today, in the context of war, rape and other forms of sexual assault are considered war crimes and can be prosecuted as such. A Special Court has been proposed to prosecute those "most responsible" for violations of human rights in Sierra Leone's conflict. A Truth and Reconciliation Commission is being set up to foster accountability and reconciliation. All who have expressed an interest in testifying or providing information to the Special Court or the Truth and Reconciliation Commission should have an opportunity to do so.

> ... They undressed five of us, laid us down, used us in front of my family and took us away with them. They wouldn't release us, they kept us with them in the bush... When I escaped, I couldn't walk... I was bleeding from my vagina....Since I got back I have been so sick...I never used to get sick like this...I would like to go back to school, but I can't concentrate anymore, I can't do anything...
>
> **Isata, a 15-year-old girl**

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War-Related Sexual Violence in Sierra Leone

A Population-Based Assessment

A Report by Physicians for Human Rights

With the Support of the United Nations Assistance Mission in Sierra Leone

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Physicians for Human Rights

Physicians for Human Rights (PHR) promotes health by protecting human rights. We believe that human rights are essential preconditions for the health and well-being of all people. Using medical and scientific methods, we investigate and expose violations of human rights worldwide and we work to stop them. We support institutions that hold perpetrators of human rights abuses, including health professionals, accountable for their actions. We educate health professionals and medical, public health and nursing students and organize them to become active in supporting a movement for human rights and creating a culture of human rights in the medical and scientific professions.

Since 1986, PHR members have worked to stop torture, disappearances, and political killings by governments and opposition groups; to improve health and sanitary conditions in prisons and detention centers; to investigate the physical and psychological consequences of violations of humanitarian law in internal and international conflicts; to defend medical neutrality and the right of civilians and combatants to receive medical care during times of war; to protect health professionals who are victims of violations of human rights; and to prevent medical complicity in torture and other abuses.

As one of the original steering committee members of the International Campaign to Ban Landmines, PHR shared the 1997 Nobel Peace Prize. PHR currently serves as coordinator of the US Campaign to Ban Landmines.

The President is Robert Lawrence, M.D.; Vice President is Holly Atkinson, M.D.; the Executive Director is Leonard S. Rubenstein, J.D.; Deputy Director is Susannah Sirkin; Advocacy Director is Holly Burkhalter; Senior Program Associate is Doug Ford; Director of Communications is Barbara Ayotte; Director of Finance & Administration is Lori Maida; Director of Development is Dena Getzie; Director of Campaigns is Gina Cummings; William Haglund, Ph.D., is Director of the International Forensic Program; Senior Medical Consultant is Vincent Iacopino, M.D., Ph.D.; and the Fireman Health and Human Rights Fellow is Lynn L. Amowitz, M.D., M.S.P.H., M.Sc.

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UNAMSIL

The United Nations Assistance Mission in Sierra Leone (UNAMSIL) was established by Security Council Resolution 1270 on October 22, 1999 with the broad based mandate of cooperating with the Government of Sierra Leone and other parties in implementing the Lome Peace Agreement and assisting in the implementation of the disarmament, demobilization and reintegration of the parties in conflict. On February 7, 2000, May 19, 2000 and March 30, 2001 the mandate and size of UNAMSIL were expanded. Its current troop strength exceeds 17,000, making it the United Nations' largest peacekeeping mission.

In pursuit of its mandate, UNAMSIL combines military and civilian personnel. The Human Rights Section is part of the civilian component of the mission and has a threefold approach to its activities. The first is to monitor the compliance by government and all parties to the conflict of human rights and international humanitarian law. Secondly, the Human Rights Section provides technical assistance in building the capacity of national institutions that can promote respect for the rule of law through a sustainable culture of human rights. Thirdly, the Section undertakes and supports human rights and peace awareness programs conducted in national languages as a means of building popular confidence in, and understanding of, the human rights principles and their role in peace-building efforts.

The UNAMSIL Human Rights Section conducts specialist work with national institutions, the internally displaced and children. It also focuses on the rule of law and gender issues. The Human Rights Section currently has 16 international staff members and 4 national staff members deployed in its three offices in Freetown, Kenema and Makeni.

UNAMSIL
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Foreword

The subject of violence against women in Sierra Leone has until recently been overlooked. I welcome this report by Physicians for Human Rights, with the support of UNAMSIL, which helps to redefine the role that sexual violence played in the conflict. The findings and data are a clear indication of the kinds of depravity that war can bring. I visited Sierra Leone on official mission in August 2001 to study the issue of violence against women committed during the conflict and to identify key measures and initiatives needed to ensure the rights of women in the aftermath of the conflict. In my work as Special Rapporteur on violence against women I have seen that it is often the need to understand clearly the specific nature of gender-based crimes, through research and collection of data, that is required to mobilize civil society, governments and the international community against such abuses. This report comprehensively documents the widespread nature of sexual violence in Sierra Leone during the conflict and is a valuable tool for those who have been fighting for women's human rights to be put on the agenda as a matter of priority.

Furthermore by documenting the wartime experiences of women in Sierra Leone this report will provide a valuable contribution in making the post-conflict needs of women and girls more apparent. Its findings should be taken into consideration in the formulation of repatriation and resettlement plans, as well as demobilization, rehabilitation, reintegration and post-conflict reconstruction programmes.

I often see many situations involving gender-based violence—similar to the cases so carefully documented in this report—for which perpetrators go unpunished. Internationally there has been progress, at least in the area of legal sanction. Perpetrators of violence against women during wartime are being brought before the courts of justice. Their trial and punishment is a vindication of many years of effort by many groups and individuals who have been trying throughout the years to end the impunity of those who commit the most horrendous acts of brutality. In this regard, I welcome the Foca judgment by The International Criminal Tribunal for the Former Yugoslavia, which sets out in detail, the international law and standards with regard to war crimes and crimes against humanity committed against women and girls. The Tribunal found that these actions constituted rape as a crime against humanity, torture as a war crime and enslavement as a crime against humanity. Their strong judgment is welcome and lays to rest all arguments that rape and sexual slavery during wartime does not constitute international customary law that is in flagrant violation of international humanitarian law. The Foca judgement sets a context by which the wealth of information contained in this report should be analyzed.

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The International Criminal Court, which was finalized in 1998, is also a major victory for those who have fought to make international justice an important part of modern international law. The Rome Statute makes explicit that rape and gender violence are among the most serious crimes of concern to the international community by specifically defining them as constituent acts of crimes against humanity and war crimes. According to the Statute, rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization or any other form of sexual violence also constitutes a Grave Breach of the Geneva Convention. Similarly, the Statute defines crimes against humanity to include torture, as well as rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization or any other form of sexual violence of comparable gravity when committed as part of a widespread or systematic attack directed against any civilian population. The Statute also provides that persecution on the basis of gender may constitute a crime against humanity.

As a result of this Statute and the decisions of the international tribunals in the Hague and in Arusha, the world is slightly more just for women who have been the victims of sexual violence during wartime. It is my hope that the Truth and Reconciliation Commission and the Special Court in Sierra Leone will follow this example and ensure that cases involving violence against women are prosecuted and the perpetrators brought to justice.

Rarely do human rights organizations undertake and publish such substantial and detailed studies of sexual violence in conflict. It is in this light that this report will help the international community to understand the grave situation in Sierra Leone and the needs of all the conflicts' survivors. I encourage its wide dissemination, as this important and timely report will be of interest to all those who seek to understand or intervene in the rebuilding of Sierra Leone.

Radhika Coomaraswamy
United Nations Special Rapporteur on violence against women, its cause and consequences

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Acknowledgements

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This report is dedicated to Abigail Lebbie, who passed away in May, 2001. Abigail was a dedicated member of a team of Sierra Leonean field researchers. We wish to express our heartfelt condolence to her family and friends. May her soul rest in peace.

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Glossary

ADRA: Adventist Development and Relief Agency

AFRC: Armed Forces Revolutionary Council (rebel force)

CDF: Civil Defense Forces (pro-government force)

CRS: Catholic Relief Services

DDR: Demobilization, Disarmament and Reintegration

ECOMOG: Economic Community of West African States (ECOWAS) Monitoring Group, a military intervention force with troops donated by ECOWAS members

ECOWAS: Economic Community of West African States

FAWE: Forum for African Women Educationalists

ICRC: International Committee of the Red Cross

IDP: Internally Displaced Person

IMC: International Medical Corps

IRC: International Rescue Committee

Krio: lingua franca of Sierra Leone

MSF: Médecins sans Frontières

NCRRR: National Commission for Rehabilitation, Reconstruction and Reconciliation

NGO: Non-governmental organization

OTI: Office of Transitional Initiatives

PHR: Physicians for Human Rights

PHU: Peripheral Health Units

RUF: Revolutionary United Front (rebel force)

SLA: Sierra Leonean Army

TRC: Truth and Reconciliation Commission

UN: United Nations

UNAMSIL: United Nations Assistance Mission in Sierra Leone

UNDP: United Nations Development Program

UNDPKO: United Nation Department of Peacekeeping Operations

UNHCR: United Nations High Commissioner for Refugees

UNICEF: United Nations Children's Fund

UNOCHA: United Nations Office for Coordination of Humanitarian Assistance

US: United States

USAID: United States Agency for International Development

WFP: World Food Program

WHO: World Health Organization

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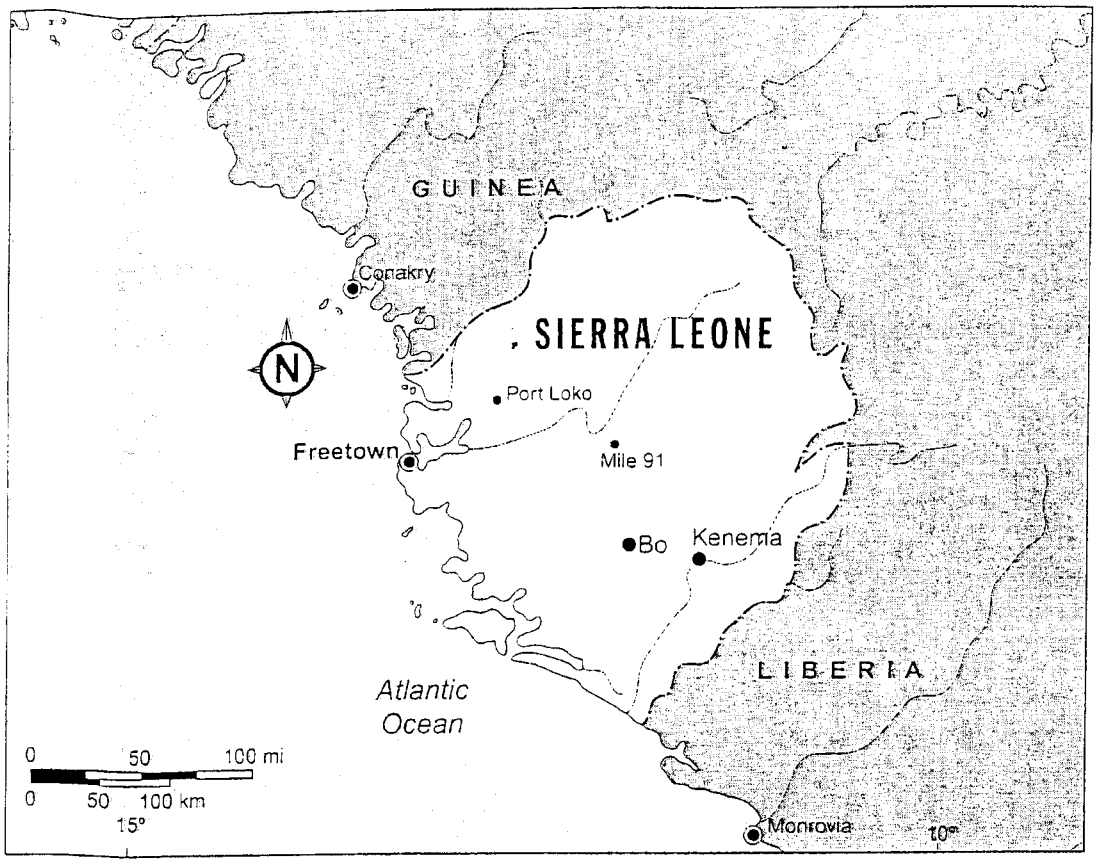
SIERRA LEONE



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I. EXECUTIVE SUMMARY

Purpose of Study

Sierra Leone's decade-long conflict has been marked by an extraordinary level of brutal human rights abuses, including summary killings, sexual violence against women and girls, abductions, amputations, and the use of child soldiers. The combined effects of prolonged conflict, pervasive human rights abuses, and massive forced migration[1] in one of the poorest countries in the world have devastated the health and well-being of the Sierra Leonean people. The daunting process of rebuilding and reconciliation in the aftermath of such destruction requires the establishment of an accurate account of the nature and extent of abuses that have been committed. For this reason Physicians for Human Rights (PHR), with the support and participation of the United Nations Assistance Mission in Sierra Leone (UNAMSIL), conducted a population-based assessment of the prevalence and impact of sexual violence and other human rights abuses among internally displaced persons (IDPs) in Sierra Leone.

Findings

The findings of this study, the most comprehensive population-based assessment to date of war-related sexual violence and other human rights abuses in Sierra Leone, indicate that combatants have committed widespread human rights abuses and international crimes against IDPs in Sierra Leone including: abductions, beatings, killings, rape and other forms of sexual violence, capturing for less than 24 hours, torture, forced labor, gunshot wounds, serious injuries, and amputations. Such quantitative findings contribute considerable insight into the nature and extent of human rights abuses among IDPs in Sierra Leone, i.e., the frequency of specific human rights abuses, the identity of the alleged perpetrators, the impact of these experiences and the most urgent needs identified by the victims. Furthermore, a rigorous approach to sampling enables the findings to be generalized to the larger IDP population. In order to gain insight into individual experiences of human rights abuses of Sierra Leonean women and their families, the PHR study included qualitative assessments of abuses as well.

[1] Approximately 400,000 people have fled Sierra Leone into neighboring Guinea and Liberia as refugees. At the time of this study, there were 334,061 registered and approximately 500,000 to 1 million unregistered internally displaced persons (IDPs) in Sierra Leone.

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A striking 94% of 991 households randomly surveyed reported among its members at least one of these serious abuses during the past ten years of conflict. The majority of abuses reported by participants in the PHR study occurred between 1997 and 1999 and, when known, were attributed primarily to forces from the Revolutionary United Front (RUF). The study's primary focus on abuses of women and girls stems from the historical neglect of these sexual crimes committed against women from previous reports of human rights abuses in Sierra Leone.

The PHR study indicates that war-related sexual violence experiences perpetrated by armed combatants (primarily RUF) are, indeed, widespread among IDPs in Sierra Leone. Approximately one of every eight household members (13%) reported one or more incidents of war-related sexual violence. Nine percent (94/991) of respondents reported war-related sexual violence.[2,3] A striking 53% of respondents reporting "face to face" contact specifically with RUF forces reported experiencing sexual violence, compared to less than 6% for any other combatant group.[4] One third of the women who reported sexual violence reported being gang raped.

Participants reporting sexual violence related the following: rape (89%), being forced to undress/stripped of clothing (37%), gang rape (33%), abduction (33%), molestation (14%), sexual slavery (15%), forced marriage (9%), and insertion of foreign objects into the genital opening or anus (4%). In addition, 22 (23%) of the women who experienced sexual violence reported being pregnant at the time of the attack with an average gestation of three months. The majority of the incidents of sexual violence reported by participants (68%) occurred between 1997 and 1999.

This prevalence rate of war-related sexual violence (8%-9%) during only a ten-year period is equivalent to the lifetime prevalence of non war-

[2] It is likely that the prevalence of war-related sexual violence in the study was underestimated because of willful non-disclosure of sexual violence and the lack of privacy in some of the interviews, despite efforts to ensure privacy. According to Koss (Koss M.P, "Detecting the scope of rape: a review of prevalence research methods," *Journal of Interpersonal Violence*. 1993(8);198-222) reasons for willful non-disclosure often include fear of retribution by an assailant, being stigmatized and rejected, being blamed for the attack, and/or the psychological consequences of disclosure.

[3] In addition, the average age of participants reporting war-related sexual violence was more than twice the average age of non war-related sexual violence reported in the study. Although interviewers were careful to explain that there would be no material or other gain by participating in the survey, the number of abuses reported in the study may have been overestimated or underestimated if IDPs judged that it was in their material, political or psychological interest to exaggerate or conceal claims of abuse.

[4] Other perpetrators reported included Armed Forces Revolutionary Council (AFRC), West Side Boys, unspecified "rebels", and Sierra Leonean Army (SLA) and ex-SLA. The UN peacekeepers and Civil Defense Forces (CDF) militia forces were not identified as perpetrators among respondents reporting sexual violence.

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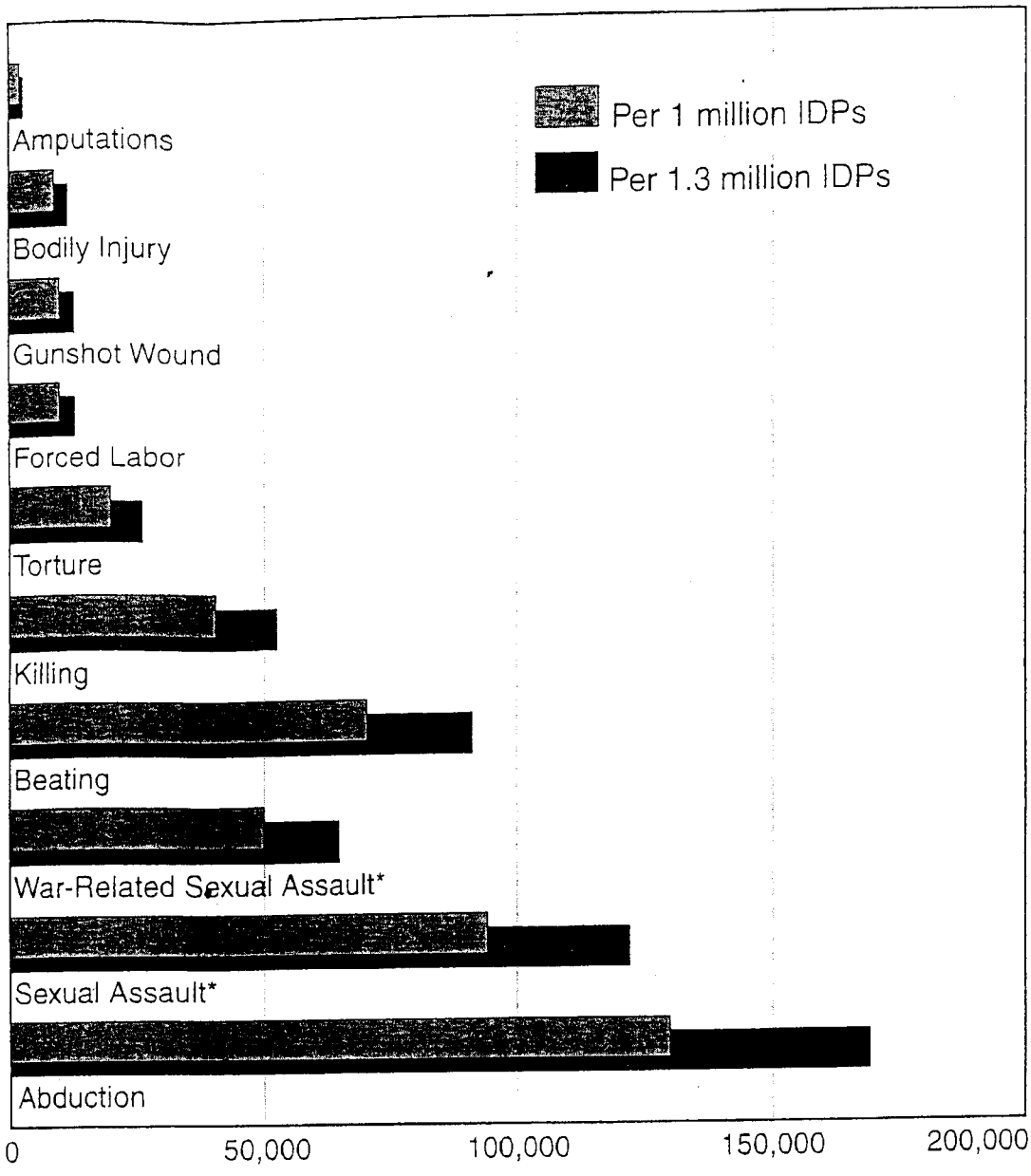
FIGURE 1:
Extrapolation of Human Rights Abuses Among All IDPs in Sierra Leone



* Extrapolations are based on frequencies reported by 9,166 household members (Table 2); sexual assault is among female respondents only. For 95% confidence intervals, please see page 45, footnote 165.

related sexual violence (9%) among the study participants.

By extrapolating the number of war-related sexual violence incidents reported by participants in the PHR sample to the total female IDP population in Sierra Leone, PHR estimates that approximately 50,000 to 64,000 Sierra Leonean IDP women may have suffered such human rights abuses. If non-war-related sexual violence among non-IDP females is added to the IDP totals (assuming a 9% prevalence rate), as many as

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215,000-257,000 women and girls in Sierra Leone currently may have been affected by sexual violence.[5]

Today, in the context of war, rape and other forms of sexual violence are considered war crimes[6] and can be prosecuted as such.[7] They also constitute crimes against humanity when committed as part of a widespread or systematic[8] attack against the civilian population.[9] This population-based assessment demonstrates that war-related sexual violence and other human rights abuses were indeed perpetrated as a widespread attack against the civilian population, and therefore constitute both war crimes and crimes against humanity.[10] A Special Court has been proposed by UN Security Council Resolution 1315 to prosecute those "bearing the greatest responsibility" for violations of international humanitarian law in Sierra Leone's conflict.[11] A Truth and Reconciliation Commission (TRC) is being created to provide an impartial historical record of the war and to foster reconciliation.[12]

Methods of Investigation

Quantitative

PHR sampled 1,048 households in three IDP camps (near Freetown, Port Loko, and Kenema) and one community with a large number of IDPs,

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[5] To generate population estimates of sexual violence among the IDP and non-IDP females in Sierra Leone, PHR assumed a total IDP population of 1.0-1.3 million (55% female) and a non-IDP population of 2.7-3.0 million (50% female). UNOCHA database. Sierra Leone: UN Office for the Coordination for Humanitarian Affairs. Updated February, 2001; Norwegian Refugee Council, Sierra Leone Section, "Population profile and figures". Available at: www.db.idpproject.org/Sites/IdpProjectDb/idpSurvey.nsf/1c963eb504904cde412567820074 93b8/fdc6d215bab90118c12569dd002b1aec?OpenDocument; United Nations High Commissioner for Refugees. Available at: unhcr.ch/un & ref/numbers/numb2000.pdf

[6] Kunarac, Kovac and Vukovic, IT-96-23 and IT-96-23/1 "FOCA" Available at: www.un.org/ICTY/judgement.htm

[7] *Ibid.*

[8] See Chapter V for a discussion.

[9] Statute of the International Criminal Tribunal for the Former Yugoslavia, Article 5, Crimes against Humanity. Available at www.un.org/icty/basic/statut/stat2000.htm#5.

[10] Rome Statute of the International Criminal Court (Rome Statute), adopted 7/17/98. Available at: untreaty.un.org/English/notpubl/rome-en.htm; Askin K.D., *War Crimes Against Women: Prosecution in International War Crimes Tribunals*, M. Nijhoff Publishers, 1997. Askin K. "Women and International Humanitarian Law," in Askin K.D, Koenig D.M., Editors, *Women and International Human Rights Law*, Transnational, 1999. Vol. I. Also see: United Nations, Draft Statute of the Special Court for Sierra Leone, S/2000/915. Available at www.un.org/Docs/sc/reports/2000/915e.pdf.

[11] United Nations Security Council Resolution 1315 (Adopted August 14, 2000). Available at: www.un.org/Docs/scres/2000/res1315e.pdf

[12] For more information see www.sierra-leone.org/trc.html

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Mile 91 Township. The camps/locales included in this study represented 91% of the registered IDP population in Sierra Leone. All study participants were selected using systematic random sampling or a combination of systematic random sampling and cluster sampling.[13] A total of 991 female heads of household participated in the study (response rate = 95%). The 991 household representatives reported on the experiences of 9,166 household members, which included themselves and those who lived with them prior to their displacement. The PHR survey contained 49 questions pertaining to demographics, physical and mental health perception, experiences of human rights abuses among household members and experiences of sexual violence. It also inquired about assistance needs, opinions regarding punishment and justice for perpetrators, and attitudes on women's human rights and roles in society.

Qualitative

In order to gain additional insight into individual experiences of human rights abuses of Sierra Leonean women and their families, the PHR study included qualitative assessments of abuses as well. Two primary approaches were used to elicit qualitative information. Seven open-ended questions were included in the questionnaire itself, and longer semi-structured interviews were conducted with survivors of human rights abuses, some who were not survey participants.

Individual case testimonies provided considerable insight into the brutality of the human rights abuses reported, including sexual violence, in the PHR survey. Katmara B, a 13-year-old girl, reported being abducted, beaten, raped and forced to become a rebel's "wife." She was released during the latter stages of her pregnancy and now has a baby girl. The story of what happened to her and her family during the rebel incursion into Freetown in January 1999 captures the anarchy of those days which left the people of Sierra Leone's capital city terrified:

> *...So, on our way to be killed, we were taken to a house with about 200 people held in it. My older cousin was sent to go and select 25 men and 25 women to have their hands chopped off. Then she was told to cut off the first man's hand. She refused to do it saying that she was afraid, I was then told to do it. I said I'd never done such a thing before and that I was also afraid. We were told to sit on the side and watch. So we sat. They chopped off two men's hands. My cousin couldn't watch and bowed her head down to avoid the sight. Because she did that, they shot her in the foot. They bandaged her foot and then forced her to walk. We left the two men whose hands had been cut off behind. We were then taken to a mosque in Kissy. They killed everyone in there...They were*

[13] See Patton M.Q., *Qualitative Evaluation and Research Methods*, Sage Publications, 1990; 169-283.

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snatching babies and infants from their mother's arms and tossing them in the air. The babies would free fall to their deaths. At other times they would also chop them from the back of their heads to kill them, you know, like you do when you slaughter chickens...One girl with us tried to escape. They made her take off her slippers and give them to me and then killed her...one time we came across two pregnant women. They tied the women down with their legs eagle-spread and took a sharpened stick and jabbed them inside their wombs until the babies came out on the stick.

Several women who had not suffered sexual violence spoke of the range of abuses they and their families had experienced and the multiple losses they faced. A young woman, Marie K., described her and her family's experience:

...They killed many of us, many people...about 100, we were in an unfinished house when they came and kicked at the doors and demanded to know who was in there. They yelled that if we didn't come out they would kill us or burn the house down. Someone near the door opened it. The rest of us were hiding in a room, huddled together. They came in and began to hit us with their weapons yelling "get out, if you don't come out we will kill you." Those who refused to come out, they lit the house up and burned it with them inside the house...

Some of the women who reported experiencing sexual violence provided the PHR/UNAMSIL team with information that suggests that the incidents of sexual violence were politically motivated. One woman told PHR that her attackers told her "to come and report or tell [president] Tejan Kabbah that they will continue to do such things." Another told PHR that her attacker asked her "whom are you going to vote for?"

Sexual Violence

Given the prevalence of sexual violence reported in the PHR study, it is not surprising that the vast majority (91%) of respondents reported being "quite a bit" or "extremely" worried about sexual violence to themselves or family members by combatants. They were much less worried about sexual violence by family members, friends, or civilian strangers despite 9% of respondents reporting sexual abuse by family members, friends, or civilian strangers in their lifetime.

In February 2001, PHR interviewed a fifteen-year-old girl, Bola N. Rebels had abducted her four times since 1999. At the time of the interview she was two months pregnant and living at an IDP camp in Port Loko. She described her first abduction to the interviewer:

When they first attacked the village, we fled to the bushes. When they removed us from our village we were frightened...They held us, they cut

some hands. They killed some. They forced us to be tied. We were taken to the bush where the sexual act was forced on us...Nine men raped me...My mother was taken away, my things, belongings, taken. I slept three days in the bush after they had raped me. I was unconscious, not myself...After they had raped me to their satisfaction; they left me in the bush. I was beaten, bruises on my body, part of my body. Some around were amputated. I was not well.

Isata, a 15-year-old girl, was abducted and gang raped by rebels. She described her experiences and their continuing effects on her health:

...I don't have any children. I was a virgin before. They ruined me. The story is long, much too long. I was at home when they came and kidnapped me...They demanded money. My family has no money. They demanded Le 200,000.00 ($83.00)...they said to my parents, come and see how we use your children. They undressed five of us, laid us down, used us in front of my family and took us away with them. They wouldn't release us, they kept us with them in the bush...When I escaped, I couldn't walk – the pain. I was bleeding from my vagina. That night, God gave me strength to walk...I can't remember how long I was held...I don't like to talk because of the memories. When I made it back, my mother couldn't believe it. Since I got back I have been so sick...I never used to get sick like this...I would like to go back to school, but I can't concentrate anymore, I can't do anything...

Characteristics of Assistance Needs among Respondents Reporting Sexual Violence

Sixty-five percent of respondents said that they had reported the incident(s) of sexual violence to another person. The most common reasons for not reporting these incidents were feelings of shame or social stigma, fear of being stigmatized/rejected, and not having trust in anyone. Only 53% of women reported seeking help after the attack, although 80% of these women reported that they informed a health care provider of the specifics of the attack. Women reported that what helped most after the attack was trying to forget about the incident, support of family, a medical provider, and country medicine/traditional healer.

A number of testimonies collected by PHR in March 2000 were from survivors of rape who reported becoming pregnant by their attackers. Many of these young women are particularly vulnerable as they must not only recover from the trauma of their ordeals while often facing stigma from their communities, but at the same time learn to care for and support a baby with few resources.

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The majority of women who responded to the two questions about their biggest worries about the future in general and about their health referred to the financial and personal insecurity they faced as a result of the war. Women expressed fear that the war would not end and that they would experience future attacks and abuse. They spoke of their lack of livelihoods, homes, and husbands to provide for them. A number of women expressed fear about how they would provide for themselves or for their children, including offspring from their rapes:

> *Presently my husband is no more. Who will take care of me in the future? They have looted my properties and I do not have anything for now.*

> *I am homeless, bankrupt, and where can I get help to take care of my unborn child?*

In their responses about overall worries about the future, some respondents linked their fears about their vulnerability as "violated" women without a male partner or family with concern about their health:

> *There will be no better future for me because I am broken. No man will marry me or take me seriously. I don't want to become sick, to get what they call AIDS. People will begin to say a lot about me if they know what happened to me.*

The concern about having contracted a sexually transmitted disease or AIDS was a prominent concern expressed by several participants in response to the question about specific health worries. Women described experiencing diffuse abdominal and pelvic pains and expressed worry that these represented sexually transmitted diseases. Yet, they were afraid of the stigma associated with seeking help for rape-related health problems:

> *I don't want to have AIDS. I am afraid to go to the hospital. I don't want people to know if it is true that I have AIDS. I don't know whether I have AIDS or not.*

Beliefs about Justice among Respondents Reporting Sexual Violence

Of the respondents who indicated whether their perpetrator should be punished, 42% thought their perpetrators should be punished. The most common reasons cited for not punishing a perpetrator were, "in the spirit of reconciliation", fear of reprisal, no confidence in the system for such punishments, or they wanted to forget about the incident.

Thirty-six percent of all respondents reporting sexual violence believed their attacker's commander was aware of the attack. Only 35% of women

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believed that punishment of perpetrators would prevent sexual violence from happening to others. Twenty-two of the 94 women reporting sexual violence to PHR (23%) were willing to give their names to the proposed Special Court and/or the Truth and Reconciliation Commission. Given the prevalence of war related sexual violence as reported to the PHR/UNAMSIL team, the team believes that there may be thousands of female IDPs in Sierra Leone who have experienced sexual violence and who may be willing to provide testimony to the Special Court or the TRC.

Mary J., 16 years old at the time of the interview, explained her reasoning for why she would not seek punishment for her persecutors:

"If they catch them and try to do to them what they did to me, it won't even come near the hell I've been through. So they should just leave them. If they try to punish them, the punishment that I have gotten is more than theirs. I wanted to die during that time. If the emergency operation had not been performed, I would have died...If I ask for punishment for them, it will never amount to what I went through, so the best thing is just to leave them so that we can have peace in Sierra Leone.

Madina K., a young woman, described her reactions to her experience and expressed a desire for the punishment of only one of those involved in her attack:

"They'd wanted to burn the house down with me in it...I was beaten, raped, forced to go with them. They told me to do bad things, they threatened me with death and beat me. Two men raped me. The first one would go and call other men to come and join in. Others intervened and saved me...I don't want revenge. I don't even remember who they were. The only one I want punished is the one who kidnapped me. I want him to be punished for his wickedness...

Attitudes on Women's Human Rights and Women's Roles in Society

Despite 80% of women expressing that there should be legal protection for the rights of women, more than half of women reported that their husbands had the right to beat them and that it was a wife's duty to have sex with her husband even if she did not want to. The apparent disparity between such beliefs and international principles of human rights suggests a need for public discourse and education on local, regional and international levels.

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Recommendations

To the Revolutionary United Front (RUF)[14]

- The RUF should immediately release all remaining abductees and child soldiers under its control.
- The RUF command must explicitly prohibit violence against civilians including women and must hold RUF members who commit abuses accountable in a manner that is in keeping with international standards. The RUF should cooperate fully and not interfere with investigations and prosecutions of crimes committed during the conflict.
- The RUF must cooperate fully with demobilization of soldiers, accelerate efforts to collect and relinquish weapons, and allow UN forces full access to the country.

To the Government of Sierra Leone

- The Government of Sierra Leone, with the assistance of the international community, should ensure:
  - that military commanders are held accountable for violations committed by their subordinates,
  - that violations by members of the armed forces and militias will be promptly and fully investigated and those responsible brought to justice,
  - that all members of its armed forces and civilian militias be trained in humanitarian law,
  - that instruction in the rights of civilians – and in particular women's rights – be an integral part of this training.
- The Government of Sierra Leone should strengthen the capacity of its police force and judicial system adequately to address cases of sexual violence including rape. Efforts should include the recruitment of female police officers, training in appropriate means of obtaining evidence, development of procedures that protect the rights and privacy of victims, protection for victims and witnesses, development of forensic capacity, and social services. Police training must include training in women's rights.
- The Government of Sierra Leone should work with professional organizations and international experts to establish gender-based violence

[14] These recommendations are specifically addressed to the RUF as the main armed opposition group and the primary perpetrator of human rights abuses documented in this report. These recommendations, however, should be implemented by all parties to the conflict.

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reporting procedures that are effective, sensitive, and that protect victims. Strict and consistent policies of confidentiality should be developed for all groups working with survivors of sexual violence so that the privacy of those who report or testify is fully protected.

- The National Commission for Demobilization, Disarmament and Reintegration must emphasize the protection of women's rights as an integral part of the Demobilization, Disarmament and Reintegration (DDR) effort for ex-combatants, including child soldiers.
- The Government of Sierra Leone should engage in large scale public education, in collaboration with women's groups to educate women, men and youth on issues relating to sexual violence and to women's rights. This includes the promulgation of information through radio.
- The Government of Sierra Leone should ensure that human rights education including women's rights, be made an integral part of training of health, legal, education, and law enforcement professionals.
- The Government of Sierra Leone should work to increase the number of female clinicians/ health care workers and to increase the number of health care workers trained in women's health. The Government of Sierra Leone should support medical and educational institutions to increase the number of women professionals, including the establishment of dedicated scholarship programs to encourage women to enter these professions.
- The Government of Sierra Leone should work to address the needs of survivors of gender-based violence, including provision of health services, referral and transport assistance; counseling; and education or job/skills training. These services must be extended throughout the country. The physical, emotional and economic well-being of children born as a result of rapes should also be protected – and efforts made to encourage community acceptance of both rape survivors and their children as they reintegrate into society.
- The Government of Sierra Leone should ensure that efforts are made to coordinate the various actors providing treatment to those who have suffered sexual violence, and efforts to protect women and girls in the future in order to improve services and use scarce resources more effectively.
- The Government of Sierra Leone should work with civil society to educate Sierra Leoneans about HIV/AIDS. They should integrate HIV/AIDS prevention messages into formal education curricula and public education and social marketing campaigns. Approaches must be developed for the majority of the population that is illiterate. They should integrate education about HIV/AIDS prevention into the DDR process.

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- The Government of Sierra Leone must formulate and begin to execute a national strategy to address HIV/AIDS to facilitate treatment and prevention, and to encourage donor funding to support those efforts.
- The Government of Sierra Leone should assure confidentiality of HIV test results and seek international assistance to conduct a national HIV prevalence survey. Epidemiological data should be disaggregated by gender and other factors for more targeted interventions.
- The Government of Sierra Leone should develop and implement sex education, including sexual violence education, curricula in schools and public campaigns for those not in school.
- The Government of Sierra Leone should institute legal reform to eliminate discriminatory practices in inheritance that contribute to the lack of security and severely limit the choices of women.

To the Sierra Leonean Ministry of Health

- The Ministry of Health should ensure that medical services are sufficiently organized to collect and safeguard evidence that could be useful in holding alleged rapists accountable and establish systems of record keeping throughout the country for epidemiological, human rights and other purposes, in conjunction with the Ministry of Justice.
- The Ministry of Health should train health care workers in the diagnosis and management of sexually transmitted diseases, and ensure that appropriate medications, such as broad-spectrum antibiotics are available to combat resistant strains.

To the United States Government and other Bilateral Donors

General Funding

- The US Government and other donors should accelerate provision of funds to meet the needs of victims of sexual violence, including rape, in Sierra Leone. In particular, the needs of the displaced and those newly returning to their communities in under-served areas should be prioritized. Assistance should be given to locally run programs such as FAWE that address the needs of survivors of sexual violence such as shelter, mental and physical health, and job skills training so that they can serve a larger number of people.
- The US Government should fully meet its obligation to fund UNAMSIL.
- The US and other Governments should fully fund the 2002 Inter-Agency Consolidated Appeal for Sierra Leone, with particular attention to those programs focusing on the needs of women and girls.

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- The US Government and other donors should fund the World Bank trust fund for the DDR effort so that the reintegration portion of the plan can be carried out and former combatants who are not imprisoned can be reintegrated in such a way that they will be less likely to commit human rights abuses in the future, including sexual violence, or to re-arm.

Humanitarian/Medical Assistance

- The US Government and other donors should fund HIV/AIDS education, prevention and treatment programs - specifically those that target high-risk populations and provide HIV test kits and anti-retroviral drugs at a low cost.
- The US Government and other donors should support improved medical facilities, equipment, medical supplies, and training, including health center and health post training and human rights and universal precautions training. Programs for community-based social service providers should be supported.
- The US Government and other donors should provide appropriate diagnostic, therapeutic and prevention measures to combat sexually transmitted diseases – and support more widespread and comprehensive reproductive health services including the provision of adequate supplies of male and female condoms.
- The US Government and other donors should provide extensive reconstruction assistance now that IDPs and returnees are returning to their home communities. Particular attention must be paid to the shelter needs of single women and widows.

Justice and Law Enforcement

- The US Government and other donors must adequately fund both the Special Court for Sierra Leone and the Truth and Reconciliation Commission (TRC).
- The US Government and other donors should support the establishment and strengthening of national institutions and mechanisms in Sierra Leone in order to improve the capacity of the judiciary, police, armed forces and other relevant government institutions to respond adequately to the problem of sexual violence in the country.

Humanitarian Assistance Programs for Women

- The international community should establish a coordinating body for treatment protection and data collection related to sexual violence.

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- The US Government and other donors should fund Sierra Leonean civil society organizations promoting women's rights, health and education.
- The US Government and other donors should support effective and culturally appropriate psychosocial programs for those who suffered sexual violence and other human rights abuses.

Women's Human Rights

- The US Government should ensure that women are included in all aspects of planning for peace, demobilization, reintegration and rebuilding and support local organizations working to promote women's full participation and rights

To the United Nations

- The UN should continue to deploy peacekeepers in all areas of Sierra Leone and actively protect civilians, including women and girls, from sexual violence
- The UN should work with the Government of Sierra Leone to incorporate education about sexual violence into all aspects of demobilization and re-training of professionals including those in the military and police, health and legal professions and educators.
- The UN should ensure that rape and other forms of gender-based violence are prioritized as crimes by the Special Court and that perpetrators from all sides are held accountable.
- The UN should ensure that safeguards are in place to protect those who come forward to testify – especially women. The UN should educate and inform people throughout Sierra Leone about the Special Court and TRC, and ensure that all those who want to provide information or testify have an opportunity to do so.
- The UN should work with the Government of Sierra Leone to train all Special Court and TRC staff who will be working with victims. Learning from experiences with other international tribunals, the UN should establish sensitive procedures that protect victims and do not further traumatize survivors of gender-based violence and other abuses. This should include the provision of counseling before and after testifying in the first language of the victim and the protection of the victim or witness upon return to her/his community.
- The UN, with the Government of Sierra Leone, should ensure that women are represented at every level of the Court and TRC.

II. BACKGROUND

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Population and Geography

Sierra Leone, named by the Portuguese for the resemblance of its peninsula mountains to a crouching lion,[15] borders Liberia to the southeast, the Republic of Guinea to the north, and the Atlantic Ocean to the West. It is about 71,700 sq. km in size[16] and has a population of approximately 5 million.[17] The year consists of two main seasons; the wet season lasts from May to October and the climate during the rest of the year is dry.[18]

The largest of the indigenous ethnic groups in Sierra Leone are the Mende, Temne (each about 30%), and Limba (under 10 %).[19] Most of the population is Muslim, though there is a significant Christian population and followers of indigenous religions. English is the country's official language, however, the population primarily uses Krio, Mende and Temne.[20]

Historical Overview

Sierra Leone gained independence from England in 1961. From that time it was ruled by a series of governments most of which were plagued by corruption. Its first Prime Minster, Milton Margai, ruled until his death in 1964. At that time his brother Albert Margai became the Prime Minister. Albert Margai's rule was marked by authoritarian efforts to consolidate power and remove opposition.[21]

Albert Margai and his Sierra Leone People's Party (SLPP) were challenged during the 1967 elections by Siaka Stevens and his All People's Congress (APC) Party. On March 21, the Governor General of Sierra Leone declared Stevens winner of the contested elections.[22] Before Stevens could

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[15] Alie, J.A.D., *A New History of Sierra Leone,* St. Martin's Press, 1990; p 4.

[16] Central Statistics Office, "Sierra Leone in Figures" (1997) Available at: www.sierra-leone.org/cso.html#Natural Resources

[17] UNICEF, "Statistical Data: Sierra Leone," available at: www.unicef.org/statis/ Country_1Page154.html

[18] Conteh-Morgan, E & Dixon-Fyle, M., *Sierra Leone at the End of the Twentieth Century: History, Politics, and Society,* Peter Lang, 1999; p.11.

[19] Africaville.com, "Sierra Leone Profile," available at www.africville.com/seraleon1.html

[20] Kaplan, I, Dobert, M, McLaughlin, J.L., Marvin, B. J., & Whitaker, D P. *Area Handbook for Sierra Leone* , 1976; p. vii.

[21] Conteh-Morgan p. 77

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take office, however, a series of military coups and counter coups established a military government named the National Reformation Council (NRC) headed by Brigadier Andrew Juxon-Smith.[23] Another coup in 1968 brought Stevens back from exile and restored a civilian government.

For the next 17 years, Stevens ruled Sierra Leone. In 1968, Stevens established a one-party state.[24] Under his rule, the economy declined due to alleged mismanagement and corruption. By the start of the 1980s, Sierra Leone was increasingly dependent on international assistance – specifically International Monetary Fund loans.[25] Virtual insolvency, high inflation, shortages of power and food, mounting deficits, declining exports, corruption, and high unemployment particularly among youth became increasingly severe problems.[26] In 1985, Major General Joseph Saidu Momoh, then head of the military, took over leadership of the APC and the presidency of the country in a peaceful hand-over. Although Momoh promised economic reform and an end to corruption,[27] his seven years in power were marked by increased deprivation and economic collapse. In 1987 a coup attempt against Momoh took place – believed to have been sparked in part by Momoh's anti-corruption efforts.[28] Although it failed, the coup marked a return to the status quo and the start of Momoh's downfall.[29]

In 1990, Momoh instituted reforms including the drafting of a new constitution. Before multiparty elections could be held, however, an April 1992 military coup headed by young officers overthrew Momoh's government. The young coup leaders, many in their twenties, formed a new ruling body, the National Provisional Ruling Council (NPRC) headed by Captain Valentine Strasser.

During this time, the ongoing conflict in neighboring Liberia played a part in the development of a new threat to stability in Sierra Leone.[30] In March 1991, a group calling itself the Revolutionary United Front (RUF) began a rebellion against the Freetown Government. The small band of insurgents consisted primarily of disaffected youth from the criminal cultures spawned in the urban ghettos of Freetown and the mining regions,

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[22] Ibid p. 80

[23] Ibid.

[24] Ibid p. 81

[25] Conteh-Morgan p.87

[26] Pratt, D. "Sierra Leone: Danger and Opportunity in a Regional Conflict: Report to Canada's Minister of Foreign Affairs, The Honorable John Manley, P.C., M.P." July 27, 2001;p.37 available at: www.davidpratt.ca/sleone_e.htm

[27] Conteh-Morgan p.122

[28] Ibid p. 125

[29] Ibid.

[30] Ibid p. 127

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though a number of university students who had been radicalized by conditions in Sierra Leone and inspired by the revolutionary teachings expressed in Muammar al-Qaddafi's Green Book[31] also participated. They were led by Foday Sankoh, a former army corporal and photographer who had received military training in Libyan camps.[32] From their base in a part of Liberia controlled by Charles Taylor's National Patriotic Front of Liberia (NPFL), the RUF attacked the southeastern region of the country. The NPFL's support for the RUF may have been in response to Sierra Leone's participation in ECOMOG, the West African Regional Peacekeeping Force, which was using Freetown as a staging ground for operations against Taylor in Liberia.[33] Marked by their brutality against civilians and the abduction and forced conscription of children, the RUF raids caused rapid flight by much of the population in the region. In a matter of weeks after the first incursions, the RUF controlled much of Kailahun District in the East[34]. This period was marked by confusion and brutality as rebels committed attacks while dressed in army uniforms and as disaffected members of the armed forces carried out attacks against civilians, which they blamed on rebels. These soldiers by day, rebels by night became known as "Sobels."[35] By late 1992, local militias known as the Civil Defense Force (CDF) or Kamajor (Mende for hunter) sprang up to defend areas against the RUF and the "sobels." Within a year and a half of the first attacks in Sierra Leone, international agencies estimated that at least 400,000 people were displaced within Sierra Leone. Sierra Leonean refugees in neighboring Guinea and Liberia numbered in the hundreds of thousands by the summer of 1992.[36]

In 1995, with the RUF not far from Freetown, Strasser turned to the South African mercenary (security) firm Executive Outcomes for assistance in pushing the RUF back from their positions.[37] Executive Outcomes succeeded in forcing the retreat of the RUF from the Freetown area but were not able to uproot the RUF from their headquarters in Kailahun.[38]

By 1996, civil society and the donor community placed great public pressure upon the government to hold democratic elections and return the country to civilian rule. Women's groups were especially instrumental in

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[31] Pratt,. Sierra Leone: Danger and Opportunity. p.38. The Green Book is Qaddafi's two volume treatise on Islamic socialism published between 1976-1980. See www.encyclopedia.com/articles/10672.html

[32] Ibid p.38

[33] Ibid p.38

[34] Ibid p.38.

[35] Conteh-Morgan p.135

[36] Conteh-Morgan pp.128-9

[37] Hirsch, J. L., *Sierra Leone: Diamonds and the Struggle for Democracy,* (International Peace Academy Occasional Paper Series), Lynne Rienner Publishers, 2001; p.38

[38] Ibid p.39

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this campaign.[39] In spite of a coup in January in which Strasser was overthrown by his deputy Julius Bio,[40] popular pressure intensified and democratic elections were held as scheduled in February and March, 1996.[41]

In the weeks leading up to the elections, RUF attacks on civilians in areas under RUF control became more violent. The RUF hacked off the limbs and other body parts of men, women and children. The RUF particularly employed the amputation of hands or arms as a method of attempting to discourage others from voting in the elections.[42] Despite this, the voter turnout was large and the winner of these elections was Ahmed Tejan Kabbah, a former United Nations Development Programme (UNDP) official.[43]

At the time of the elections, peace talks began between the RUF and the short-lived Bio Government. The Abidjan talks continued after Kabbah took power as did attacks by the RUF and counter attacks by Kamajors and Executive Outcomes.[44] The Abidjan peace agreement was signed by the RUF and the Government in November of 1996. Shortly thereafter Executive Outcomes was dismissed from the country as required by the agreement.[45]

In May 1997, the Sierra Leone Army (SLA) overthrew Kabbah and formed the Armed Forces Revolutionary Council (AFRC) regime under Major Johnny Paul Koroma.[46] The AFRC invited the RUF to join in ruling the country. This period was marked by lawlessness, rampant destruction and looting of property, and specific targeting of Kabbah allies.[47] An estimated 200,000 Sierra Leoneans fled the country in the weeks following the coup. Many of these ended up in refugee camps on the Guinea-Sierra Leone border.[48] In October 1997, the UN Security Council adopted resolution 1132 which imposed sanctions on the AFRC junta and prohibited the importation of military equipment and petroleum into Sierra Leone. The resolution also placed travel restrictions on AFRC officials and their families.[49]

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[39] Ibid p.40

[40] Ibid p.42

[41] See www.Sierra-Leone.org/govt8.html

[42] Hirsch, John L., *Sierra Leone: Diamonds and the Struggle for Democracy* p.45

[43] Ibid p.57

[44] Pratt p.40

[45] Peace Agreement between the Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone, Article 12; Available at: www.sierra-leone.org/abidjanaccord.html

[46] Pratt, p.40

[47] Ibid.

[48] Hirsch, J. L., *Sierra Leone: Diamonds and the Struggle for Democracy* (International Peace Academy Occasional Paper Series), Lynne Rienner Publishers, 2001; pp.59-60

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In February 1998, following months of increased CDF and ECOMOG activity against the AFRC/RUF, ECOMOG forces removed the AFRC/ RUF from Freetown in fierce fighting. Many civilians were injured and killed in battles throughout the city. Kabbah was restored to power and returned to Freetown in March from exile in Guinea. The RUF continued to brutally attack civilians and, together with elements of the SLA, to fight the Freetown government, a policy dubbed by the RUF, "Operation No Living Thing."[50] By the end of December the rebels were again near Freetown and foreigners began to leave the capital.[51] On January 6, 1999, the RUF and AFRC forces entered the Eastern part of Freetown and unleashed an unprecedented wave of terror upon the population – killing, amputating and raping civilians and setting fire to buildings and vehicles. They were eventually pushed back by ECOMOG. During the invasion and their subsequent withdrawal following the ECOMOG intervention, the rebels committed egregious human rights abuses against the civilian population, killing at least 5,000 civilians, including members of the government and journalists who were singled out, and abducting an estimated 3,000 children.[52]

The Role of Diamonds in the Conflict

Sierra Leone's rich diamond resources have largely been fueling the brutal war. Diamonds, primarily alluvial deposits, discovered in 1930, are found in about a third of the country's territory – mostly in the east and southeast.[53] For more than half a century, diamonds have been the leading source of foreign exchange, accounting for between 80% and 90% of export earnings in recent years.[54] Official exports, however, for 1999 as reported by the US Agency for International Development (USAID) totaled only $1.5 million, though diamond exports for the first half of 2000 were valued at $3.45 million.[55]

The Lome Peace Agreement

The attack on Freetown accelerated local and international desire for peace. A cease-fire was brokered by May of 1999 which set the stage for peace negotiations held in Lome, Togo which led to the signing of the

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[49] www.un.org/Docs/scres/1997/9726713E.htm

[50] Pratt, p.41

[51] Hirsch, p.71

[52] Pratt, p.41

[53] Pratt, p.36

[54] Ibid.

[55] Cook, N., *Diamonds and Conflict: Policy Proposals and Background*, Congressional Research Service, November, 2000; p.22.

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Lome Peace Agreement in July 1999. The resulting controversial power-sharing agreement between the Government of Sierra Leone and the RUF granted amnesty to all combatants and was widely condemned by human rights organizations.[56] The UN ultimately added a hand-written caveat to the agreement that stipulated that the amnesty did not apply to war crimes, genocide and crimes against humanity.[57] The UN subsequently established a UN peacekeeping mission (UNAMSIL) in Sierra Leone with 6,000 troops in October 1999. At the time of this writing, UNAMSIL has grown to be the world's largest peacekeeping force with 16,000 troops.[58]

Despite the signing of the accord and the deployment of UN troops, the AFRC/RUF continued its campaign of terror – abducting, raping, killing, mutilating and destroying the property of civilians in areas under and some outside AFRC/RUF control.[59] In April and May 2000, more than 500 UN personnel were attacked and held hostage by the RUF. Though several peacekeepers were killed by the RUF, the rest were released in June, following the intervention of Charles Taylor, the announcement of a British government plan for military assistance to the Sierra Leone Government, and the arrest of Foday Sankoh after some protesters were killed by his security guards outside his home in Freetown. Sankoh remains in government custody and is awaiting trial.[60]

In August 2000, upon the request of President Kabbah, the UN Security Council voted to establish a Special Court for Sierra Leone to try those who bear the greatest responsibility for serious violations of humanitarian law committed after the signing of the Abidjan Peace Agreement on November 30, 1996.[61] Other members of the warring parties will be expected to participate in the planned Truth and Reconciliation Commission (TRC).[62]

From September 2000 to March 2001 the RUF engaged in cross-border attacks into Guinea, causing widespread panic and considerable civilian casualties. The Guinean government retaliated, often indiscriminately attacking villages in Sierra Leone. The fighting caused panic among the

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[56] Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone, 7 July 1999; Available at www.sierra-leone.org/lomeaccord.html.

[57] Pratt p. 42. Conversation with Corinne Dufka, Sierra Leone Researcher, Human Rights Watch.

[58] Pratt, p.10

[59] Human Rights Watch, *Getting Away with Murder, Mutilation, Rape: New Testimony from Sierra Leone*, July 1999, Vol. II. No. 31 (A). Available at:
www.hrw.org/reports/1999/sierra/; Human Rights Watch, *Fresh Reports of RUF Terror Tactics*, May 26, 2000; Amnesty International, Sierra Leone. *Rape and other forms of sexual violence against women and girls*, June 29, 2000; p. 2.

[60] Pratt p.42.

[61] Pratt, p. 28.

[62] See Chapter V.

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400,000 refugees largely living in camps near the border, prompting tens of thousands to flee back into Sierra Leone. While fighting continued in Guinea in 2001, the RUF had largely been observing a cease-fire since November 2000 and in May 2001 an agreement to cease hostilities was signed between the RUF and CDF. Though isolated acts of violence against civilians by both sides have been documented as recently as July 2001, at the time of this writing, UN troops were deployed in much of the country and the disarmament of RUF and CDF fighters had resumed. On September 17, 2001, UNAMSIL peacekeepers deployed to the diamond rich region of Tongo, opening the area to humanitarian assistance.[63] The following day, the UN Security Council extended UNAMSIL's mandate until March 31, 2002.[64]

In 2000, the UN Security Council enacted sanctions against the conflict diamond trade, barring the import of Sierra Leonean diamonds into UN member states for 18 months, except those certified by a newly established Government of Sierra Leone system.[65] The US, UK, Belgium and Israel assisted the Government of Sierra Leone in developing a new and more effective diamond trade policy with the aim that diamonds can once again promote prosperity rather than violence in the country.

Of even greater importance in terms of immediate impact on the ground is that on May 7, 2001, the UN Security Council voted to enact sanctions against Liberia, which included both a ban on travel by government officials and on the importation of diamonds from Liberia. Until these sanctions were enacted Liberia had been exporting many more times its annual mining capacity in what is believed to have been stones of Sierra Leonean, Angolan and Congolese origin. Both Liberia and Burkina Faso were implicated in transferring arms and ammunition through their territories and trading diamonds from rebel-held areas, according to a report by a UN Panel of Experts published in December 2000.[66] As part of the continuing diplomatic pressure particularly on Liberia for its role in the Sierra Leone conflict, approximately $50 million in aid from the European Union was suspended.

Through the work of several non-profit organizations, namely Partnership Africa Canada and Global Witness, the role of diamonds in supporting conflict and the complicity of national leaders such as Liberia's Charles Taylor have been revealed to the world, forcing a multi-sectoral response.

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[63] USAID, BHR, OFDA, *Humanitarian Situation Report #1* (FY 2002), October 3, 2001.

[64] Ibid.

[65] A diamond certification system was established in Sierra Leone in October, 2000 and the UN Security Council removed sanctions on government certified diamonds. (AI 9/7/01)

[66] Report of the Panel of Experts Appointed Pursuant to Security Council Resolution 1306 (2000), Paragraph 9, in relation to Sierra Leone. Available at www.un.org/Depts/dpko/dpko/1195.pdf

Industry leaders, importing and exporting countries, NGOS and UN agencies are now working together to create a global system of controls[67] which would require the registration, identification and monitoring of international shipments in order to shut illicit diamonds out of the market place and cut off revenues to insurgents.[68] In late 2001, The Campaign to Eliminate Conflict Diamonds,[69] an umbrella organization of groups concerned about the issue, co-chaired by PHR, worked closely with the US Congress to pass legislation in the House of Representatives that imposes trade sanctions against diamond-exporting countries that have not put in place comprehensive controls to eliminate the trade in conflict diamonds. The legislation, called the Clean Diamonds Trade Act, is supported by the World Diamond Council.[70] The United States represents approximately 65% of the retail market for gem quality diamonds.

While recent developments in Sierra Leone offer hope that combatants may finally lay down their arms, lasting peace will not be achieved until UNAMSIL and the Government of Sierra Leone have taken full control of the highly contested diamond areas of Tongo Field and Kono from the RUF and the CDF.[71]

Presidential elections are scheduled for May 14, 2002, and are expected to take place if the cease-fire continues to hold and rebels and the CDF are fully disarmed.

Demobilization Effort

One critical aspect of the transition from war to peace is demobilization of combatants. A Demobilization, Disarmament and Reintegration (DDR) program was begun with the assistance of the international community in 1998. Prior to the virtual halt of the DDR effort following the RUF attack

[67] This effort to develop an international certification system, known as the Kimberley Process, was initiated because of the recognition by the international community of the link between diamonds and human rights abuses, particularly the case of Sierra Leone and the RUF. (Amnesty International, "Sierra Leone Diamonds: International Certification System Essential to Help End Killings, Abductions and Torture of Civilians." 9/17/2001)

[68] As noted by Nicholas Cook in the November 2000 CRS Report to Congress, *Diamonds and Conflict: Policy Proposals and Background*, (see note 67) "diamonds are a highly fungible, concentrated form of wealth, and the legitimate global diamond industry is historically insular and self-regulating."

[69] www.endconflictdiamonds.org

[70] The Clean Diamonds Trade Act prohibits the import of diamonds into the United States unless the exporting country is implementing a system of controls on the export or import of rough diamonds that meets specified requirements, consistent with United Nations General Assembly Resolution 55/56 adopted on December 1, 2000, or a future forth both civil and criminal penalties for violations of the requirements of this Act.

[71] Progress in this regard includes the deployment of UNAMSIL forces in the diamond areas as well as an agreement between the Government of Sierra Leone, the UN and the RUF to ban mining in Eastern Kono district. (AI 9/7/01)

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on peacekeepers and defacto withdrawal from the Lome agreement in May, 2000, nearly 25,000 ex-combatants of an estimated 45,000 had disarmed and entered the demobilization process.[72] While it is likely that many previously demobilized combatants rearmed after the May 2000 incident, more than 30,000 fighters have handed over their weapons and 3,000 more children have been turned over to the UN since the most recent cessation of hostilities in May 2001.[73] The current climate suggests peace may be within reach, however, the sustainability of peace largely depends on the effectiveness of the demobilization effort.

DDR, managed by the government of Sierra Leone and supported by a World Bank trust fund, was designed not only to remove weapons from the hands of former combatants, but to provide a bridge to civilian life, a process which was intended to include medical, psycho-social, educational and financial support to jump-start a new society after years of armed conflict.[74] With a surge in disarmaments since the May 2001 cease-fire and concern about the security implications of keeping large numbers of former fighters in close quarters with little to occupy them, the revised approach seeks to encamp fighters for only two weeks.[75]

Physicians for Human Rights is concerned about releasing former fighters before they have received human rights training, including education about sexual violence, as well as other reintegration support. Thousands of ex-combatants are now returning to the very communities where they may have committed violent acts. Furthermore, the World Bank Trust Fund, which has been supporting DDR does not have sufficient funds for the reintegration portion of the process.[76] The successful reintegration of former combatants is vital to the long-term security of the country as well as the immediate security of the communities and families to which they will be returning.

Status of Women in Sierra Leone

The basic human rights enshrined in many international and regional instruments, such as the Universal Declaration of Human Rights and the African Charter on Human and People's Rights are found in the 1991 Sierra Leone

[72] UNOCHA, Sierra Leone Humanitarian Situation Report, May 29, 2001. available at: www.reliefweb.int/w/Rwb.nsf/s/4A58557840970841C1256A5C0050441B

[73] Pratt, p.21; Also conversation with Corinne Dufka, Human Rights Watch

[74] PHR interview with Florian Fichtl of the World Bank, Freetown, March 2001.

[75] PHR telephone interview with Richard Bennett of UNAMSIL, August, 2001.

[76] UNOCHA, Sierra Leone Humanitarian Situation Report, May 29, 2001. Available at: www.reliefweb.int/w/Rwb.nsf/s/4A58557840970841C1256A5C0050441B

[77] The Constitution of Sierra Leone (1991) Chapter III — The Recognition and Protection of Fundamental Human Rights and Freedoms of the Individual. Available at: www.sierra-leone.org/constitution-iii.html

Constitution, Chapter 3, Sections 15-30, which provides for the equal rights of women.[77] Sierra Leone also ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1988.[78] Though the constitution states that no law should discriminate against any person because of his/her gender, in practice women face structural discrimination under all three types of law which coexist in Sierra Leone – English, Islamic, and Customary Law.[79] The effects of discriminatory inheritance practices are particularly devastating to women and children, especially during armed conflict which has produced many war widows. It should be noted that Sierra Leone's criminal justice system remains largely dysfunctional due to a lack of financial and human resources.

While high levels of war-related sexual violence have been documented by the PHR study and by other organizations documenting human rights abuses, evidence also suggests that domestic violence against women and children is common, though it is not generally recognized as a societal problem.[80] Nearly 67% of urban women interviewed for a survey on AIDS knowledge, practices and behaviors revealed that they had been beaten by an intimate male partner, and over 50% reported being forced to have sexual intercourse.[81] In almost 90% of these cases, a boyfriend or husband was identified as the perpetrator.[82] The police are generally unlikely to intervene in domestic disputes except in cases resulting in severe injury or death.[83] And though rape is a crime under Sierra Leonean law,[84] historically, the response of the Sierra Leone Police and judiciary to reports of

[78] Ratified: November 11, 1988. Sierra Leone's initial and second and third periodic reports were due December 11, 1989, 1993 and 1997 respectively.

[79] According to Abdul Tejan-Cole of the Sierra Leone Bar Association, under English Law, the husband inherits all his wife's property if she dies, whereas the wife only inherits one-third of her husband's property if he dies, the remainder going to the children. Under Islamic Law, the wife inherits the estate of her deceased husband, but is not permitted to administer it – that responsibility falling to the husband's eldest brother. Under Customary Law, the wife is part of the property inherited by the eldest brother. By law women receive little or no child support after divorce or for children born out of wedlock. In Freetown, however, women can inherit property; upcountry they can not.

[80] PHR interview with Zainab Bangura and Christiana Solomon of the Campaign for Good Governance, March 2000, Freetown, Sierra Leone.

[81] Coker, A.L. & Richeter, D.L., "Violence Against Women in Sierra Leone: Frequency and Correlates of Intimate Partner Violence and Forced Sexual Intercourse," *African Journal of Reproductive Health*, 1998; 2(1).

[82] Ibid p.61.

[83] US Department of State, *Sierra Leone, Country Reports on Human Rights Practices – 2000*, Bureau of Democracy, Human Rights, and Labor, 2001; p. 8.

[84] Thompson, B., *The Criminal Law of Sierra Leone*, University Press of America, 1999; pp.68-72.

[85] PHR Interview with Zainab Bangura, Campaign for Good Governance, Freetown, March 2000.

rape has been minimal.[85] In fact, the first successful prosecution of a rape case in Sierra Leone did not occur until 1999.[86] Rape cases are not made a priority and are generally not handled professionally due to improper/insufficient training, lack of means, and structural discrimination against women resulting in a lack of understanding that rape is a serious crime. In response to this problem, the Commonwealth Police have recently established a number of centers called Family Support Units to educate police on sexual and domestic violence, receive rape victims, ensure proper forensic testing has been done assist in processing their cases and to reach out to the community.

Human Rights Abuses During the War

All armed groups involved in the war have committed a range of serious human rights abuses against the civilian population, other groups, and members of their own groups including: extra judicial killing or summary execution, sexual violence including rape, abduction, amputation, destruction of property, disappearance, torture, violations of humanitarian law and forced labor. The crimes committed by rebel forces have been of a particularly heinous nature. In addition to the practice of amputation of limbs and other body parts of men, women and even infants, there are reports of pregnant women disemboweled, and women and children raped and made to witness torture and murder of relatives and neighbors. More recently, since the November 2000 cease-fire between the government and the RUF, rebel abuses have apparently been on the decline.[87]

Despite this, several serious incidents involving multiple civilian deaths including women and children were reported by Human Rights Watch as recently as July 2001.[88] Based on interviews with victims and witnesses, Human Rights Watch reported that attacks by the CDF militias in June and July against then RUF-controlled towns resulted in the killing of least twenty-four civilians, and the wounding of another nineteen.

Rebel Abuses

In recent years RUF rebels, the ex-SLA/AFRC and an ex-SLA splinter group called the West Side Boys have reportedly committed widespread abuses, including killings, abductions, deliberate mutilations, and rape. Rebel forces also abducted civilians, missionaries, aid workers from non-governmental organizations (NGOs), and UN personnel; ambushed humanitarian relief convoys; raided refugee sites; and extorted and stole

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[86] Ibid.

[87] US Department of State, *Sierra Leone, Country Reports on Human Rights Practices – 2000*, Bureau of Democracy, Human Rights, and Labor, 2001; pp. 2-11.

[88] Human Rights Watch, *Sierra Leone: Most Serious Attacks in Months; UN Peacekeepers Needed to Protect Civilians*, July 24, 2001.

food. The RUF forces continued their long-standing practice of abducting civilians (including women and children) and using them as forced laborers, child soldiers, and sexual slaves.

Since the Lome agreement was signed, there are reports that the RUF have committed numerous abuses including rape, the execution of civilians and peace keepers, and execution of their own, allegedly for committing rapes.[89] Mostly rebel atrocities but also government allied jet and helicopter gun ships prompted the internal displacement of hundreds of thousands, if not millions, of civilians over the past several years.[90]

The extent of the rebel's signature mutilations reportedly declined in 2000 and 2001. Thousands of individuals, including children as young as 2 months, had their limbs severed during the conflict, and many more died as result of their wounds. It has been estimated that for every one amputee that survived, three perished from shock, infection and loss of blood because they were not able to obtain medical care.[91]

Abduction has been one of the methods of recruitment used by the RUF.[92] The UN estimates the number of men, women and children abducted by rebel forces from 1991-1999 to be approximately 20,000.[93] The RUF has also abducted aid workers, and has taken UNAMSIL peacekeepers hostage on several occasions.

Throughout the war rebel forces have invaded, looted and burned private and public property. These destructive actions have played an instrumental role in the terror campaign against civilians – often resulting in the evacuation of whole towns and villages on the first signs that rebels were approaching. The rebels have also looted belongings, crops, animals, medicines and cash for their own use.

Child Soldiers

It has been estimated that at any time during the conflict at least 5,000 children fought alongside adults, the majority with the RUF, which created "Small Boy Units" and "Small Girl Units" and sent them into combat.[94]

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[89] Interview with Corinne Dufka of Human Rights Watch in Freetown, January 2001. Human Rights Watch, *Sexual Violence Within the Sierra Leone Conflict*, Human Rights Watch, February 26, 2001

[90] US Department of State, *Sierra Leone, Country Reports on Human Rights Practices – 2000*, pp. 1-2.

[91] Ibid, p. 4

[92] Coalition to Stop the Use of Child Soldiers *Sierra Leone: Child Soldiers Global Report 2001*, 2001. Available at:
www.child-soldiers.org/report2001/countries/sierra_leone.html

[93] US Department of State, *Sierra Leone, Country Reports on Human Rights Practices – 2000*; p 3.

[94] US Department of State, *Sierra Leone, Country Reports on Human Rights Practices – 2000*, Bureau of Democracy, Human Rights, and Labor, February 2001; p. 9.

Children were frequently plied with a range of narcotics and forced to commit atrocities, even against their families and communities. Many children who were abducted had "RUF" permanently engraved on their skin with a knife or bayonet, often in places where it is difficult to cover up the markings.[95]

Sierra Leone ratified the Convention on the Rights of the Child in 1990, which prohibits the recruitment of children under fifteen as combatants, and more recently has made repeated commitments to demobilize those under eighteen.[96] Sierra Leone has also ratified the Optional Protocol to the CRC on the involvement of children in armed conflicts.[97] In May 2000, however, approximately 25% of combatants fighting with government forces near Masiaka were observed to be under eighteen, and some as young as seven.[98]

Abuses by Government Forces and Their Allies

Evidence suggests and the PHR survey confirms that rebel forces committed the vast majority of abuses against civilians. However, government forces committed serious violations as well. There were reports that government and ECOMOG forces operating in support of the government committed extra judicial killings and summarily executed suspected rebels and their collaborators, particularly in the wake of the rebel occupation of Freetown.[99] There appear to have been fewer reports of human rights violations involving the SLA since the latter half of 2000, most likely due to training and reorganization.[100]

Abuses by the Civil Defense Forces (CDF)

The Government affiliated Civil Defense Forces also committed human rights abuses according to reports. While the number of abuses perpe-

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[95] US Department of State, *Sierra Leone, Country Reports on Human Rights Practices – 2000*, p. 4; Even once healed, the markings are a daily reminder of their trauma and may lead to stigmatization and/or retribution. The Council of Churches of Sierra Leone, a local human rights organization told PHR about one boy interviewed by the organization who was captured by ECOMOG with five of his child-soldier colleagues in February/March 1999. The boy escaped, but not before witnessing the immediate execution of his friends by ECOMOG reportedly because they had "RUF" engraved on their skin.

[96] Amnesty International, *Sierra Leone: Action Needed to End Use of Child Combatants*, 2001

[97] Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts. Available at: www.unhchr.ch/html/menu2/6/protocolchild.htm

[98] Amnesty International, *Report 2001, Sierra Leone*, p. 5. ; www.un.org/special-rep/children-armed-conflict/index.html

[99] Human Rights Watch, *Getting Away with Murder, Mutilation, Rape: New Testimony from Sierra Leone*, 1999. US Department of State, *Sierra Leone, Country Reports on Human Rights Practices – 2000*; p 2.

[100] US Department of State, *Sierra Leone, Country Reports on Human Rights Practices – 2000*, p. 4.

trated by other groups appeared to have decreased in the later part of 2000 and early in 2001, violations by CDF seemed to have risen during the same period,[101] including reports of rape by CDF, which in past years had not been reported to have engaged in rape.[102] In June and July 2001 pro-government militias reportedly attacked RUF-controlled towns killing at least 24 civilians, most of whom were women and children.[103] There are reports that the CDF also continued to recruit child soldiers in spite of promises to halt the practice. Like the other groups, the CDF have manned unofficial roadblocks and routinely extorted money from travelers. The CDF have also arrested and detained suspects illegally.[104]

The Humanitarian Situation

The complex humanitarian emergency, a product of the war, exacerbated the already grim quality of life experienced by most of the population in Sierra Leone. In 2001 Sierra Leone was the least developed country in the world according to the United Nations Human Development Index.[105] A Sierra Leonean's average life expectancy of 38.3 years is the lowest in the world, and the under-five mortality rate is the highest in the world; nearly one third of children in Sierra Leone die before their fifth birthday.[106] Sixty-eight percent of adults are illiterate, 36% do not have access to health care, 34% do not have access to clean water, and the average per capita annual income is $448.[107] Twelve percent of children aged 0-14 have one or both parents dead.[108] For the majority of people in the country, life is consumed by the challenge of survival, which is threatened not only by violence but by disease, malnutrition,[109] and the limited availability of basic services. Sierra Leoneans live not only with the consequences of extreme poverty, but with the profound insecurity that exists in a society

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[101] Human Rights Watch, *Recent Abuses Documented by Human Rights Watch*, November 30, 2000.

[102] US Department of State, *Sierra Leone, Country Reports on Human Rights Practices – 2000;* p 4.

[103] Human Rights Watch, *Sexual Violence within the Sierra Leone Conflict,* February 26, 2001.

[104] US Department of State, *Sierra Leone, Country Reports on Human Rights Practices – 2000;* p 4.

[105] UNDP, *Human Development Report 2001* available at www.undp.org/hdr2001/back.pdf

[106] UNICEF, *State of the World's Children,* UNICEF *2000.*

[107] UNDP, *Human Development Report 2001.* Figures are for 1999.

[108] The Government of Sierra Leone, *Survey Report on the Status of Women and Children in Sierra Leone at the End of the Decade,* November, 2000; p. 13.

[109] Twenty-seven percent of children under-five are underweight or too thin for their age, according to the Government of Sierra Leone *Survey Report on the Status of Women and Children in Sierra Leone at the End of the Decade,* November, 2000.

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where the infrastructure and rule of law have virtually collapsed and there seems to be little hope for the future in terms of work and education opportunities. The humanitarian assistance community has an enormous task providing aid to the displaced and other war-affected peoples and beginning to rebuild the country, particularly in the areas of housing, health care, and education.

Refugees and Internally Displaced Persons

Mass displacement has been a defining characteristic of the crisis in Sierra Leone. At the height of the hostilities, more than 3,000 communities[110] were destroyed resulting in the flight from their homes of nearly half the country's population. Many have experienced displacement more than once. At the time of writing it is estimated that more than one million, approximately a quarter of the population, are either displaced internally or have fled to neighboring countries to escape the conflict.[111] An estimated 75,000 refugees had been repatriated by UNHCR to Sierra Leone and had returned independently by ship and foot since the beginning of 2001 as a result of the declining security situation in Liberia and Guinea. As many as 500,000, however, remained in camps in Guinea, as well as in the Gambia, Ghana and the Côte D'Ivoire.[112] As the numbers of returnees grow, particularly in Freetown where IDP camps are already over capacity, the government of Sierra Leone and relief agencies are making efforts to relocate them to host communities in areas deemed secure.

The official caseload of internally displaced persons (IDPs) is over 400,000 at the time of this writing.[113] An estimated 170,000 people reside in eighteen official IDP camps, and thousands more are living with host communities primarily in the Port Loko and Tonkolili districts. The UN's Office for the Coordination of Humanitarian Assistance (OCHA) estimates that an additional one million Sierra Leoneans are internally displaced and absorbed into host communities where they are not receiving any humanitarian relief.[114] At least 55% of the refugee and displaced populations are estimated to be women and girls.[115]

Most of the camps in Sierra Leone were constructed as temporary measures to address the immediate shelter needs of the displaced population.

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[110] United Nations Consolidated Inter-Agency Appeal for Sierra Leone, 2000, p. 117.

[111] Global IDP Database, Sierra Leone Profile Summary. Available at: www.idpproject.org/Sites/idpSurvey.nsf/wViewSingleEnv/Sierra+LeoneProfile+Summary

[112] USAID, BHR, OFDA, *Humanitarian Situation Report #1* (FY 2002), October 3, 2001.

[113] Pratt. p.23

[114] Global IDP Database www.idpproject.org/Sites/idpSurvey.nsf/wViewSingleEnv/Sierra+LeoneProfile+Summary

[115] UNOCHA Database - Sierra Leone: UN Office for the Coordination for Humanitarian Affairs. Updated February, 2001

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They have, however, since been used as long-term housing and issues of space, sanitation, durability and management exist. The breakdown of the peace process in May 2000 not only prevented the resettlement of most IDPs, but led to additional internal displacements of people fleeing fighting, which overwhelmed already inadequate facilities.

The camps are generally crowded and unsanitary and most IDPs interviewed by PHR desperately want to return home. The return of the displaced to their home communities, many of which have been occupied by rebels for years, may, however, pose an even greater challenge to the government of Sierra Leone and humanitarian relief agencies. Sierra Leone's fragile and limited infrastructure may be unable to absorb an influx of refugees from unstable areas in Liberia and Guinea. This difficulty may be exacerbated by the voluntary resettlement of IDPs as the peace process moves forward and areas of the country are secured. The National Committee for Relief, Reconstruction and Rehabilitation (NCRRR) which is providing those who return home with seeds, tools and other essential household items, had reached only 77 of 149 chiefdoms before the end of the planting season in May, 2001.[116] So whether the displaced return home or remain in camps, the need for food aid will remain high. Massive reconstruction of shelter and education and health facilities must also be a top priority.[117]

Extension of state authority into the provinces – crucial in order to undertake and sustain programs in key sectors – has been hampered by the military, political and economic situation. Government capacity to deliver basic services continues to be limited and civil administration in areas under RUF control was virtually obliterated. Health and development indicators point to particularly dire conditions in the North.[118] The current needs for displaced populations, the host communities and resettlement far exceed the existing capacity at all levels.[119]

Health Care Delivery

The health sector, which was already weak prior to the war, has been further compromised during ten years of conflict. It is ill equipped to serve a large number of returning IDPs and refugees. Hospitals and health clinics were systematically looted and destroyed over the past 10 years. Though some district hospitals are now open including Kenema, Port Loko, Lungi and Kabala, they are not operating at full capacity and the percentage of

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[116] Pratt p.23

[117] Mid-Year review of the 2001 UN Consolidated Inter-Agency Appeal for Sierra Leone

[118] The Government of Sierra Leone, *Survey Report on the Status of Women and Children in Sierra Leone at the End of the Decade*, November, 2000; p.51.

[119] Mid-Year review of the 2001 UN Consolidated Inter-Agency Appeal for Sierra Leone.

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functioning peripheral health units (PHU) that provide primary care is very low.[120] Other factors contributing to reduced health standards are a decrease in number of health-care providers due to death and displacement, limited access to drugs and equipment, and referral services which are inaccessible and/or unaffordable to local populations.[121] Efforts to address public health issues are also hampered by a dearth of reliable statistics.

Maternal and Child Care

The continuing political and military turmoil has had a particularly devastating impact on those most vulnerable to poverty and disease – women and children. Sierra Leone's maternal mortality rate is the highest in the world. It has been estimated that one in seven women will die from complications related to childbirth.[122] The inability of women to access health services is largely due to their unavailability, but also a problem of access and affordability. Much of the population today is so poor that they cannot pay even small fees that are now required.[123] In spite of the obstacles, it has been reported that 85% of women in Sierra Leone receive some form of prenatal care, and antenatal care from a health care provider with specialized skills.[124] A recent government survey found that 42% of births were attended by a doctor, nurse or midwife, though only 22% of births in the North received specialized assistance.[125]

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[120] For example, Connaught Hospital in Freetown, the country's largest hospital had no laundry and food service and was in desperate need of medical equipment, qualified staff, plumbing and telephones when PHR visited in March, 2000. Princess Christian Medical Hospital (PCMH), a maternity hospital in the eastern part of Freetown suffers from years if neglect in the form of puddles, peeling paint and a lack of general daily medical consumables. A survey conducted in 2000 revealed that only 237 PHUs, out of a total of 730 pre-war facilities were operating. Each functioning facility is technically servicing 25,000 people, far higher than the recommended standards for effective primary health care delivery. UNICEF is supporting the PHUs, while WHO is working to improve the district hospitals which act as referral centers – and they are working together to meet the emergency

[121] For example, the ICRC clinic at the Clay Factory IDP camp sees patient and may prescribe drugs, however many cannot afford to have their prescriptions filled or they are referred to Connaught Hospital for surgery, but they cannot afford it, so the problem goes untreated. Many people have no idea where to go for treatment.

[122] Rada Petrovic, "Most Natural Thing in the World," in *Birth Matters*, Marie Stopes International p. 8.

[123] Ibid.

[124] The Government of Sierra Leone, *Survey Report on the Status of Women and Children in Sierra Leone at the End of the Decade* (Central Statistics office, Ministry of Development and Economic Planning), November 2000; p. 13.

[125] Ibid.

Mental Health Care

The Kissy mental hospital in Freetown, the only hospital providing mental health care in the country, is managed by the only Sierra Leonean psychiatrist in the country. Due to limited resources and other constraints the hospital has been more a refuge for the mentally ill who have nowhere else to go for mental health services. Though they should be more widely available and better coordinated and regulated, anecdotal evidence suggests existing psychosocial services provided almost exclusively by NGOs are proving to be very valuable in some IDP camps in larger towns such as Freetown and Kenema. Recently, the World Health Organization (WHO) has begun to assist the government of Sierra Leone in coordinating their mental health response to the crisis.

HIV/AIDS

HIV/AIDS will likely be one of the greatest challenges facing the country in the post-war period. As suggested by a recent Sierra Leone government report,[126] there is a lack of information and knowledge about HIV/AIDS among women in Sierra Leone. For example, overall, only 54% of women aged 15-49 had heard of AIDS. Of these, 21% correctly stated three main ways of avoiding HIV infection; 9% knew where to get an HIV test and 2% had been tested. Given the dearth of testing facilities and health services in the areas we surveyed, the PHR/UNAMSIL team felt it would be unethical to raise concern about HIV/AIDS in our population-based survey activities. However, women reporting sexual violence were asked several open-ended questions including one[127] geared towards health concerns. Several women used this opportunity to raise concerns about AIDS (see Chapter IV).

The exact prevalence rate of HIV infection in Sierra Leone is not known. Although UNAIDS lists the adult prevalence rate as 2.99%, the estimates of those actually living with AIDS vary greatly.[128] UNAIDS's 2000 report[129] states that "scant information on HIV prevalence is available for Sierra Leone."[130] A recent analysis conducted on behalf of the WHO attributed the lack of information to "the fact that no statistically

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[126] Government of Sierra Leone, *Survey report on the Status of Women and Children* November 2000

[127] See Appendix A.

[128] www.unaids.org/epidemic_update/report/Final_Table_Eng_Xcel.xls

[129] www.unaids.org/hivaidsinfo/statistics/june00/fact_sheets/pdfs/sierraleo.pdf

[130] Ibid., p.3

[131] World Health Organization, *HIV/AIDS in Sierra Leone: The Future at Stake*, December 2000

[132] www.unaids.org/hivaidsinfo/statistics/june00/fact_sheets/pdfs/sierraleo.pdf p.3

valid national epidemiological survey has been undertaken in Sierra Leone due to the prolonged civil conflict."[131]

Smaller studies conducted at antenatal clinics and among high risk groups such as the armed forces cited by UNAIDS[132] and in the recent WHO analysis[133] suggest that the prevalence rate is probably higher than the official UNAIDS figure. This likelihood is supported by several aspects of the situation in Sierra Leone, including those documented by PHR.

One key factor that suggests that HIV prevalence is higher than reported by UNAIDS is the long-term conflict and the corresponding population displacement and human rights abuses. Data from Rwanda indicate that "wars and armed conflicts generate fertile conditions for the spread of HIV."[134] These conditions include conflict related rape which was reported as a factor in increasing the HIV prevalence in Rwanda,[135] and which PHR documents to have affected 9% of internally displaced women in Sierra Leone. The nature of the rapes documented in this report also suggests that these are likely to contribute to the spread of HIV; about a third of those reporting sexual violence reported experiencing gang rape and the mean number of attackers reported for those experiencing sexual violence was 3.2. Abduction, reported by a third of women reporting sexual violence, is also likely to contribute to the spread of HIV when associated with repeated rapes over a period of time of a month or longer. Thirty-nine percent of respondents reported that the sexual violence lasted for more than one week. HIV prevalence among combatants is an important factor in determining HIV rates. This is especially true for rates of infection among the RUF, since 53% of participants in the PHR survey who reported face-to-face contact with RUF also reported sexual violence.

Other factors that are likely to contribute to the prevalence of HIV in Sierra Leone relate to devastated health and education infrastructures of the country and include: the lack of materials necessary for prevention and treatment, the lack of availability of testing and counseling, and the absence of a coordinated comprehensive government policy to address HIV/AIDS including the absence of a policy on confidentiality of test results. According to a recent analysis of government response to HIV/AIDS in Sierra Leone, the country's "National AIDS Control Programme remains weak and largely ineffective...there is no national policy or strategic plan to deal with the epidemic in any comprehensive way."[136]

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[133] World Health Organization HIV/AIDS in Sierra Leone

[134] UNAIDS, *AIDS epidemic Update: December 1998* p.12 www.unaids.org/publications/documents/epidemiology/surveillance/wad1998/wadrp98e.doc

[135] Ibid p.12

[136] WHO, *HIV/AIDS in Sierra Leone*

[137] Ibid p.17

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The issue appears to be one of lack of capacity and management as well as of financial resources.[137]

Whatever the reason for the lack of effective government response, the pattern of HIV infection in other countries demonstrates that once the adult rate of infection passes 5%, the infection spreads exponentially – sometimes as swiftly as 50% per year.[138] If, as limited data suggest, the prevalence rates in Sierra Leone are significantly above that level, the country could potentially reach South Africa's prevalence rate of over 20% within 10 years if an effective HIV/AIDS control program is not established.[139]

Education

Although the Government of Sierra Leone is committed to improving children's education and welfare generally, and girls and boys are legally required to attend primary school, the government lacks the financial and practical capacity to provide basic education and other services for children, particularly in areas that have been under rebel control.[140] An estimated 70% of schools were destroyed during the fighting and rampant looting has left most facilities still standing without teaching materials and furniture.[141] Additionally, school fees and/or the cost of uniforms and books are prohibitive for many.[142] As a result, a large percentage of children are currently receiving no formal education, or have missed many years of school.[143] Furthermore, reentry into the educational system is proving to be a challenge for those whose schooling was disrupted by displacement or who suffered psychological trauma. Many children feel they are too old to return to the level where they left off and feel pressure to

[138] Ibid p. 11 citing a World Bank document.

[139] Ibid.

[140] According to a Government of Sierra Leone Survey Report on the Status of Women and Children in Sierra Leone at the End of the Decade, released in November 2000, 42% of primary school age children are attending school, though attendance levels in the North and East are markedly lower at 28% and 35% respectively.

[141] Global IDP Database, "Sierra Leone: Widespread Destruction of Schools in 1997 and 1999," www.db.idpproject.org

[142] Global IDP Database, "Sierra Leone: Combination of Factors Discourage Displaced Children from Attending School (2000)," www.db.idpproject.org

[143] Ibid.

[144] Global IDP Database, "Sierra Leone: Combination of Factors Discourage Displaced Children from Attending School (2000)," www.db.idpproject.org; Interview with Glenis Taylor of UNICEF; UNICEF recognizes the vital role of education in normalizing the lives of psychologically traumatized children and is particularly focused on ensuring that girls return to school. UNICEF has proposed working to improve access to formal primary education, but also to advocate for the development of specialized programs for displaced populations and for over-age children to complete primary education in accelerated learning programs, which would also include psychological counseling and peace building.

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earn income to help rebuild the lives of their families. Others now must take on the responsibility of breadwinner due to the death of parents or pregnancy resulting from rape.[144]

The Ministry of Social Welfare, Gender and Children's Affairs has primary responsibility for children's issues within the government and has been working actively with UNICEF and civil society to provide services and normalize conditions for children as a way to address the trauma so many of them have suffered.

Impact of War on Women

The impact of war on civilians has increased substantially in the past century. In World War I, approximately 5% of casualties were civilians, whereas in the 1990s it is estimated that 80% of war casualties were civilians, many of whom are women and children. Women and children also constitute the majority of the world's displaced and refugee populations.[145] This dramatic increase in the impact of conflict on civilians is likely due to the changing nature of conflict itself. Most conflicts today occur within a state's borders and are often characterized by deliberate and systematic violence against civilians and civilian institutions. Of 101 armed conflicts around the world between 1989 and 1996, 95 were internal disputes characterized by the use of light weapons and small decentralized fighting groups. These conflicts have devastating consequences for civilians.

Although rape is thought to be a common aspect of military conflict throughout history and in all regions of the world, rape, until recently, remained the "least condemned war crime,"[146] not because of inadequate legal provisions, but because of the international community's willingness in the past to tolerate sexual abuse of women and girls.[147] There had been little or no research on the scale of sexual violence, the factors that provoke it, or how to mitigate the problem.[148] Perhaps even less is known about how women recover after the trauma of rape in war and about the impact of rape on their communities.[149] Documenting sexual violence, already difficult during peacetime, is even more challenging during conflict when lack of ordinary support systems, general instability and collat-

[145] Worldwide Refugee Information, US Committee for Refugees, www.refugees.org/articles/women_refugees.htm

[146] Commission on Human Rights , *Preliminary report submitted by the Special Rapporteur on Violence Against Women, its Causes and Consequences*. United Nations, 1994; p.64.

[147] Human Rights Watch, *Shattered Lives: Sexual Violence during the Rwandan Genocide and its Aftermath*, 1996.

[148] Swiss S., Giller J.E., "Rape as a Crime of War: A Medical Perspective," *JAMA*. 1993; 270:612-615

[149] Ibid, p.2

[150] Ibid

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eral trauma further discourage disclosure. Despite this, persistent efforts to do so are increasingly forcing the issue into the light.[150]

According to the International Committee of the Red Cross (ICRC), "Rape, forced prostitution, sexual slavery and forced impregnation are all criminal means and methods of warfare that have attracted more attention in the recent years because of the widespread reporting of such acts in recent conflicts."[151] The wars in Rwanda and the former Yugoslavia focused attention on the use of rape as a deliberate strategy to undermine community bonds and weaken resistance to aggression.[152] In fact, the use of sexual violence as a weapon of war and the devastating effects it typically has on communities reflects a profound and disturbing perspective on the dignity and worth of women and girls—that a woman's dignity and worth can be reduced to her sexual purity and serve as a measure of family and community honor.[153] The recent convictions handed down by the ad-hoc tribunals for Rwanda and Yugoslavia on rape as a war crime and crime against humanity[154] send a strong message that impunity around sexual violence can no longer be taken for granted. While rape is receiving increased attention, an emphasis on this particular abuse should not lead to a disregarding of other violations. Instead, sexual violence should be understood in the context of a range of abuses and hardships faced by women during conflict situations.

Health care professionals have a unique role to play in the investigation and documentation of sexual violence in war and in the treatment of survivors. Collecting and presenting sound evidence will help hold perpetrators accountable, restore the rule of law, and limit future violations. Furthermore, increasing medical and social knowledge about sexual violence in war will facilitate the development of strategies that allow the recovery of survivors of sexual violence and their communities. A better understanding of the determining factors and characteristics of sexual violence in war may contribute to the development of measures to better protect potential victims and deter perpetrators in the future.[155] Documentation is also important for the development of international jurisprudence and strengthening the interpretation and implementation of existing international legal standards.

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[151] ICRC, "Fact Sheet: The Impact of Armed Conflict on Women," March 6, 2001.

[152] Swiss and Giller.

[153] Frank, M., Bauer, H.M., Fincanci, Korur S., Arican, N., & Iacopino, V., "Virginity Examinations in Turkey: The Role of Forensic Physicians in Controlling Female Sexuality," *JAMA*, 282(5), 1999; pp.485-490.

[154] See especially Prosecutor v. Jean-Paul Akayesu, Judgement, ICTR-96-4-T, September 2, 1998; Prosecutor v. Anto *Furund`ija*, Judgement, IT-95-17/1-T, December 10, 1998; Prosecutor v. Zejnil Delalic et al., Judgement, IT-96-21-T, November 16, 1998; Prosecutor v. Kunarac et al., Judgement, IT-96-23-T & IT-96-23/1-T, February 22, 2001.

[155] Swiss & Giller.

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III. THE PREVALENCE OF WAR-RELATED SEXUAL VIOLENCE AND OTHER HUMAN RIGHTS ABUSES AMONG IDPs[156]

Methods

Subjects

Subjects of the PHR survey consisted of female heads of household who could most accurately provide information about the experiences of the entire household over the past 10 years. An assertive attempt was made to ensure that each respondent was interviewed privately due to the sensitive nature of questions asked. Of the 1,048 households sampled, 991 female heads of household participated in the study (response rate = 95%). Seven women were not eligible; 41 were not available at the time of sampling, and 8 women were either opposed to the survey, refused to participate, or requested the interview be stopped.

Sampling

At the time of the study, registered IDPs were living in a total of 21 camps or locales in seven districts and the Western Area of Sierra Leone. To obtain a representative sample of IDPs, the PHR/UNAMSIL team selected camps and/or locales on the basis of IDP arrival time and the place of residence before displacement. Since the proportion of "recent arrivals" (after the May 2000 crisis) was known for each camp/locale, the PHR/UNAMSIL team was able to select camps/locales that reflected the known proportion of two-thirds recent arrivals in all IDP camps/locales. A total of four sample locations from three different districts and the Western Area of Sierra Leone were included in the study. The camps/locales included those that best represented the IDPs' home district and/or region of the country. The four districts from which camps/locales were sampled

[156] This chapter is excerpted from Amowitz, L et al, "Letter from Sierra Leone: Prevalence of War-Related Sexual Violence and other Human Rights Abuses Among Internally Displaced Persons in Sierra Leone," *Journal of the American Medical Association* (Forthcoming January 23, 2002 issue).

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represented 91% of the registered IDP population in Sierra Leone. Camps/locales located in four other districts were excluded on the basis of inaccessibility due to safety concerns or an inadequate number of IDPs for sampling (less than 5,000).

Assuming a prevalence rate of sexual violence (based on a previous estimate by Médecins sans Frontières (MSF) of 14% of Freetown residents witnessing rape in 1999)[157] to be between 10% and 20%, the PHR/UNAMSIL team determined the following sample sizes would be needed. For a 20% prevalence (18-22% margins), sample size would range from 653 at 80% confidence to 1,071 at 90% confidence. For a prevalence of 10% (9-11% margins), sample size would range from 1,457 at 80% confidence to 2,377 at 90% confidence. The PHR/UNAMSIL team therefore planned to include approximately 1,000 households in the study due to safety and logistical constraints during the time period of the survey. Households were selected in each camp/locale in proportion to the distribution of IDPs in that location. A total of 1,048 households were selected from the three camps and one town, Mile 91 Township.

All study participants were selected using systematic random sampling or a combination of systematic random sampling and cluster sampling.[158] In sampling IDPs, the PHR/UNAMSIL team first mapped all domiciles within the camp, cluster, or town, then conducted a systematic random sample of the entire camp, cluster, or town. A sampling interval (n) was calculated by dividing the number of households in the camp, cluster, or town by the number of interviews to be conducted in the camp, cluster, or town. A starting household was determined by random number generation and each nth household was interviewed until the entire camp, cluster, or town had been surveyed. One camp required cluster sampling due to size and difficulty in mapping. The camp was organized into eight administrative units. Two clusters (administrative units) were selected at random from seven of the units. One unit was excluded from sampling because it consisted of only very recent arrivals, unlike the other seven units.

Survey Questionnaire[159]

The PHR survey contained 49 questions pertaining to demographics, physical and mental health perception, experiences of war-related human rights abuses among household members, experiences of war-related sex-

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[157] de Jong, K., Mulham, M., van der Kam, S., *Assessing trauma in Sierra Leone: Psychological Questionnaire: Freetown Survey Outcomes*, Doctors Without Borders/Médecins sans Frontières, January 11, 2000. Available at: www.doctorswithoutborders.org/publications/reports/2000/sierraleone_01-2000.shtml .

[158] Patton MQ. *Qualitative Evaluation and Research Methods*. Newbury Park, CA: Sage Publications; 1990:169-283

[159] See Appendix A.

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ual violence, including assistance needs, opinions regarding punishment and justice for perpetrators, and attitudes on women's human rights and roles in society. The survey also assessed the lifetime prevalence of non war-related sexual violence.

Physical and mental health perception, fears of sexual violence in communities either by combatants or non-combatants, and family relationship changes after the incident of sexual violence were assessed using Likert-type scales (e.g., excellent, good, fair, poor). Human rights opinions and views on women's roles in society were asked of all female heads of the households. Opinions were assessed by a response of "agree" or "disagree" with statements concerning human rights and women's roles in society.

Regarding experiences of human rights abuses, respondents were asked whether they or their household members had been beaten, shot, killed, tortured, seriously injured, sexually violated, raped, abducted, suffered amputations or been subjected to forced labor by combatants during the past 10 years (e.g., since the war started). Respondents also were asked whether their homes were burned and/or property was looted. For each abuse, participants were asked the gender of the abused, type of abuse, who they thought committed the violation, and consequence of the abuse. Finally, all participants were asked about non war-related sexual violence experiences in their lifetime committed by non-combatants such as family members, friends, or civilian strangers, including age at time of attack, type of sexual violence and identity of the perpetrators.

Regarding war-related sexual violence experiences during the past 10 years of war, respondents were asked when the incident occurred, where it took place, the sexual abuse type, the identity of the perpetrator, the number of attackers, the duration of the attack, and the consequences of the sexual violence. In addition, these women were asked their opinions regarding the punishment of perpetrators, and whether they were interested in giving their names to the proposed Special Court or the Truth and Reconciliation Commission.

The questionnaire was written in English, the official language of Sierra Leone, translated into Krio, the lingua franca of Sierra Leone, and back-translated into English. The questions on sexual violence and sexuality were written by Sierra Leonean women who conduct research in this area and who provide treatment services to survivors of sexual violence in Sierra Leone. Researchers learned to administer the survey in Krio in which they all were fluent and collaborated on a translation from Krio into the two other main languages in Sierra Leone (Mende and Temne). These translations were checked for accuracy by members of the PHR/UNAMSIL team. Seven regional human rights and sexual violence experts reviewed the questionnaire for content validity. The survey was pilot tested among twelve IDP women in Freetown and suggestions were incorporated for clarity and cultural appropriateness of questions.

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Interviewer Training

The survey interviews were conducted by 21 Sierra Leonean women trained and supervised by the PHR/UNAMSIL field team. The five-member team had extensive experience in research, psychological counseling with survivors of sexual violence and torture, sexual violence aid programs for Sierra Leonean refugees and IDPs, and human rights issues. Researcher training consisted of eight to nine days of classroom teaching and role-play followed by several days of field observation and continuous supervision. (See Appendix B for details of training process.)

Interviews

All interviews were conducted over a four-week period in the calendar year 2001. Interviews with participants lasted approximately 25-60 minutes and were conducted in the most private setting possible. All questionnaires were reviewed for completeness and for correctness of recording after the interview by the researchers themselves, and then reviewed by the field supervisors at the end of each day.

Human Subjects Protections

This research was reviewed and approved by an independent group of individuals with expertise in clinical medicine, public health, bioethics, and international human rights research. In addition, permission for the study was granted by UN officials, camp administrators and local community leaders in each area surveyed and there were no limitations on movement or to surveying. The research was conducted in accord with the Declaration of Helsinki, as revised in 2000.[160] Every effort was made to ensure the protection and confidentiality of and to reduce any potential adverse consequence to the human subject participants. All data were kept anonymous. Verbal informed consent was obtained from all participants and parental consent was obtained for all participants under the age of eighteen. Participants did not receive any material compensation. To reduce the risk of possible retraumatization among respondents, researcher training included extensive sensitization to this issue by a psychologist and social worker who specialize in sexual violence and those who reported sexual violence were referred to any existing services.

Statistical Analysis

The data were analyzed using STATA statistical software.[161] For 2x2 cross tabulations containing cells with expected frequencies of less than five,

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[160] World Medical Association, *Declaration of Helsinki: Ethical Principles for Medical Research Involving Human Subjects* [5th rev], Edinburgh, Scotland: World Medical Association; 2000.

[161] *STATA 5.0 (Intercooled) for Windows*, STATA Corporation, College Station TX.

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statistical significance was determined using Fisher's exact test; Yates' corrected chi square was used for all others. For cross tabulations with greater than two rows, statistical significance was determined using Pearson chi square. Analysis of variance (ANOVA) was used for statistical comparison of means and the Kruskal-Wallis test was used for comparison of medians. For all statistical determinations, significance levels were established at $p<0.05$.

Definitions

A perpetrator was defined as any person who directly inflicts violence or abuse.[162] Torture was defined according to Common Article 3 of the Geneva Conventions.[163] Sexual violence included rape[164] and other forms of sexual violence such as molestation, sexual slavery, being forced to undress or being stripped of clothing, forced marriage, and insertion of foreign objects into the genital opening or anus. Gang rape was defined as rape by two or more individuals. Depression was self-reported as "depression." Symptoms of "depression" included "very sad," "excessive worry," sleeping difficulties, "unhappy," "change in appetite," and "feels bad."

Mental Health Counseling was defined as "having someone to talk to about your problems who will listen and give emotional support." A household was defined as "those people sleeping and eating under the same roof before first displacement." Female head of household was considered "the woman who knows the most about the persons in the household." War-related prevalence of sexual violence included experiences of sexual violence committed by combatants during the past 10 years of war. Life-time prevalence of non war-related sexual violence included experiences of sexual violence committed by family members, friends, or civilians at any time in a woman's lifetime. These two prevalence rates did not overlap since the perpetrator categories were mutually exclusive.

Findings

The findings of the PHR study represent the most comprehensive population-based assessment to date of war-related sexual violence and other human rights abuses in Sierra Leone. Such quantitative findings contribute

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[162] Saltzman, L.E., Fanslow, J.L., McJahon, P.M., Shelley, G.A., *Intimate Partner Violence Surveillance: Uniform Definitions and Recommended Data Elements*, Center for Disease Control and Prevention National Center for Injury Prevention and Control: Atlanta, 1999:11. Available at: www.cdc.gov/ncipc/pub-res/intimate.htm

[163] Article 3, Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War, August 12, 1948, 6 U.S.T. 3516, 75 U.N.T.S. 287 (*entered into force* October 21, 1950).

[164] International Planned Parenthood Association Western Regional Hemisphere, *Definitions: What is Gender-Based Violence?* Available at: www.ippfwhr.org/whatwedo/definitions.pdf.

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TABLE 1:
Demographic Characteristics and Health Perceptions among Respondents

Respondent Characteristics	Respondents* n=991
Age (years), mean ± SE (range)	34 ± 0.48 (14-80)
Marital Status	
Married; living with husband	622 (63)
Widowed due to war	134 (13)
Widowed/divorced/separated	113 (11)
Separated due to war	101 (10)
Never married	21 (2)
Wife Status, n=965	
First wife	430 (45)
> First wife	535 (55)
Tribe, n=989	
Temne	703 (71)
Mende	150 (15)
Kono	39 (4)
Limba	28 (3)
Krio	4 (0.4)
Other	65 (7)
Religion, n=989	
Muslim	814 (82)
Christian	172 (17)
Other	3 (0.3)
Years Since Displacement, n=766	
1-3 years	216(28)
4-6 years	225 (29)
7-10 years	311 (41)
> 10 years	14 (2)
Number of Times Fled Fighting, mean ± SE (range)	4 ± 0.07 (1-15)
Months in Camp/Town, mean ± SE (range)	18 ± 0.53 (.25-120)
Years of Formal Education, mean ± SE (range)	1.9 ± 0.11 (0-16)
Most Commonly Reported Occupations †	
Farmer	500 (50)
Trader	383 (39)
Business	76 (8)
Student	17 (2)
Professional	25 (2)
Homemaker	11 (1)

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Perception of General Health in the Last Two Years	
Very good	19 (2)
Good	83 (8)
Fair	629 (63)
Poor	260 (26)
"State of Mind" † Since Displacement, n=988	
Very good	8 (0.8)
Good	48 (5)
Fair	638 (64)
Poor	294 (30)
Suicidal Ideation Since the War	280 (28)
Suicide Attempts Since the War	34 (3)
Assistance That Would Help "State of Mind" ‡	
Humanitarian assistance	960 (97)
Medical assistance	956 (96)
Income generation projects	937 (94)
Religious counseling/support	879 (89)
Skills training	832 (84)
Mental health counseling	714 (72)
Traditional ceremonies	452 (48)
Education	393 (41)
Country medicine/traditional healer	321 (34)

* Values are number (percent) unless stated otherwise
† May list more than one
‡ "State of mind" defined as current thoughts and feelings

considerable insight into the nature and extent of human rights abuses among IDPs in Sierra Leone, i.e. the frequency of specific human rights abuses, the identity of the alleged perpetrators, the impact of these experiences and the most urgent needs identified by the victims. Furthermore, a rigorous approach to sampling enables the findings to be generalized to the larger IDP population.

Characteristics of Respondents

Of the 1,048 households sampled, 991 female heads of household participated in the study (response rate = 95%). Seven women were not eligible; 41 were not available at the time of sampling, and eight either were opposed to the survey, refused to participate, or requested the interview be stopped.

Demographics of the respondents are presented in Table 1. The mean age was 34± 0.48 years (range 14-80 years). The majority of the women sampled were poorly educated, Muslim, married, women of either the

TABLE 2:
Reported Human Rights Abuses among Household Members

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Characteristics	Household Members Reporting Abuse n= 3759*
Household Members, #, mean ± SE (range)	
Total	9166, 9.37 ± 0.11 (2-30)
Women	5001, 5.18 ± 0.07 (1-17)
Men	3983, 4.17 ± 0.07 (0-17)
Current Age, mean ± SE (range)	24.8 ± 0.33 (1-95)
Human Rights Abuses Among All Household Members, n=9166 †	1157 (13)
Abduction	841 (9)
Beating	618 (7)
Killing	414 (4)
Reported sexual assaults among household members	402 (4)
Sexual assault among respondents, n=991	94 (9)
Sexual assault among household females, n=5001	396 (8)
Sexual assault among household males, n=3983	6 (0.1)
Torture	151 (2)
Forced labor	114 (1)
Gunshot wound	128 (1)
Bodily injury (stabbed, burned, cut)	85 (0.9)
Amputation of limb or digits	21 (0.2)
Destruction of Property	1836 (20)
Alleged Perpetrator †	
Rebel forces	
RUF, Revolutionary United Front	1490 (40)
"Rebels", unspecified	590 (16)
AFRC, Armed Forces Revolutionary Council	74 (2)
West Side Boys	82 (2)
Ex-SLA	17 (.4)
Government forces	
SLA, Sierra Leonean Army	39 (1)
CDF, Civil Defense Forces	14 (.4)
Peacekeeping troops	
ECOMOG, Economic Community of West African States	5 (.1)
UN, United Nations Assistance Mission in Sierra Leone	1 (.02)
Other	
Don't know	1290 (34)
"Mixed group"	162 (4)

Consequences of Abuse †	
Self reported "depression" or symptoms of depression ‡	837(22)
No consequence	455 (12)
Killed/died after attack	420 (11)
Bodily injury	321 (8)
Stigmatized and rejected	27 (1)
Consequence of Sexual Assault, n=396	
Self-reported "sexually transmitted disease"	79 (20)
Self-reported pregnancy following rape	36 (9)

* Values are number (percent) unless stated otherwise
† May list more than one
‡ Symptoms of depression included "sleeping difficulties," "excessive worry," "unhappy," "change in appetite," "crying all the time," "cannot stop crying," "feeling bad," and "feeling sad."

Temne or Mende tribes who most commonly reported their occupation as farmers, petty traders and business women. Nearly one quarter of women were either separated or widowed due to war, had been displaced more than four times since 1990 and had, on average, lived in the IDP camps or Mile 91 Township for eighteen months. Fifty-seven percent of women reported that they had been displaced between one and six years ago, and 41% of women had been displaced between six and ten years ago.

The majority of women perceived their general health (89%) and mental health (94%) as "fair" or "poor"(Table 1). Approximately one third of women (280, 28%) reported suicidal ideation (thoughts or feelings), and 3% (34) had attempted suicide. Women reported types of aid that would help their states of mind the most, including humanitarian assistance (960, 97%), medical assistance (956, 96%), income generation projects (937, 94%), religious counseling and support (879, 89%), skills training (832, 84%), and mental health counseling (714, 72%).

Human Rights Abuses Reported among Household Members [165]

The 991 household representatives reported on the experiences of 9,166 household members, which included themselves and those who lived with

[165] The following 95% confidence intervals (CI) are calculated among household members (N=9166) for all human rights abuses (12.6 ± 0.635), abduction (9.0 ± 0.564), beatings (6.7 ± 0.494), killings (4.5 ± 0.415), sexual assaults among household members (4.4 ± 0.399), captured for less than 24 hours (3.4 ± .307), torture (1.6 ± 0.255), forced labor (1.2 ± 0.221), gunshot wounds (1.4 ± 0.239), bodily injuries (0.9 ± 0.192) and amputations of limbs or digits (0.2 ± 0.097); sexual assault among respondents where N=991(9.0 ± 1.74), sexual assault among household females where N=5001 (7.9 ± 0.717), sexual assault among household males where N=3983 (0.15 ± 0.120). The 95% confidence intervals reported here can be used to calculate the confidence interval for the estimates of abuses of the total IDP population (see Figure 1) using (95% CI X N value).

TABLE 3:
Reported Abuses of Household Members (n=1157), by Offender

Reported Abuse*	RUF	"Rebels"	AFRC	West Side Boys	Ex-SLA	SLA	CDF	ECOMOG	UN
All Abuses, n=2266	1312 (58)	645 (28)	125 (5)	69 (3)	58 (2)	42 (2)	11 (.5)	3 (.1)	1 (.04)
Abduction, n=666	398 (60)	161 (24)	46 (7)	26 (4)	19 (3)	12 (2)	3 (.04)	1 (.1)	-
Beating, n=511	260 (51)	188 (37)	21 (4)	15 (3)	14 (3)	11 (2)	2 (.04)	0	-
Killing, n=335	218 (65)	90 (27)	10 (3)	1 (.3)	7 (2)	5 (2)	2 (.06)	1 (.3)	1 (.3)
Sexual Assault									
Females, n=353	186 (53)	103 (29)	23 (6)	17 (5)	11 (3)	12 (3)	0	1 (.3)	–
Males, n=3	2 (67)	1 (33)	0	0	0	0	0	0	–
Torture, n=135	81 (60)	37 (27)	9 (7)	0	3 (2)	2 (1)	3 (2)	0	-
Forced Labor, n=86	48 (56)	22 (26)	9 (10)	6 (7)	1 (1)	0	0	0	-
Gunshot Wound, n=108	75 (69)	29 (27)	2 (2)	1 (1)	0	0	1 (1)	0	-
Bodily Injury, n=49	35 (71)	12 (25)	0	1 (2)	1 (2)	0	0	0	-
Amputations, n=20	9(50)	2(11)	5(28)	2(11)	2(11)	0	0	0	-

*The 2266 abuses represent abuses (1 or more) listed by the 1157 household members who could identify the perpetrator. This data excludes those who could not list the perpetrator.

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them prior to their displacement (mean household size 9.4 ± 0.11) (Table 2). Of the 9,166 household members, 5,001 (55%) were females and 3,983 (44%) were males.[166] Overall, there was a total of 1157 household members with specific forms of war-related human rights abuses reported among the 9,166 household members. These included abductions (841, 9.3%), beatings (618, 6.7%), killings (414, 4%), and sexual violence against women (396, 8%) and men (6, 0.1%). Three hundred and sixteen (3%) were "captured" for less than 24 hours, 151 (2%) were tortured, 114 (1%) were forced into labor, 128 (1%) reported gunshot wounds, 85 (0.9%) had serious injuries, and 21 (0.2%) reported amputations. Burning of homes and/or looting of property also was commonly reported among household members (1,836, 20%).

Regarding sexual violence, 9% (94) of the 991 respondents reported one or more war-related sexual violence experiences. Study participants also reported war-related sexual violence among 396 (8%) female and 6 (.1%) male household members. The prevalence of war-related sexual violence among female household members may be as high as 11% (554/5001) if 158 women are included who did not report sexual violence per se, but did report abduction with the likely consequences of sexual violence, and who became pregnant, or experienced vaginal bleeding, pain, swelling, uterine pain, vaginal discharge, or sexually transmitted diseases.

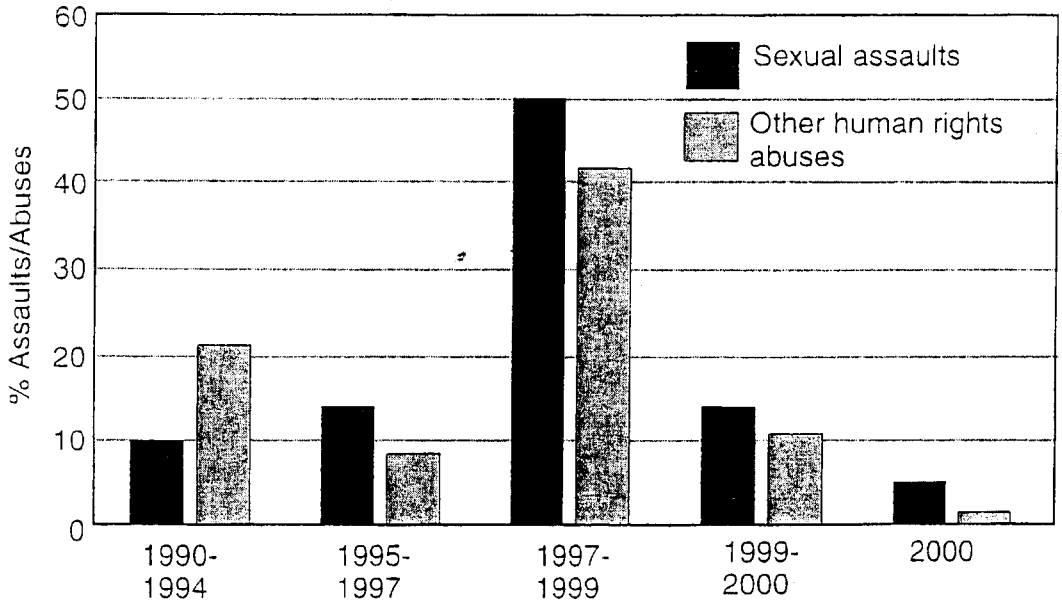
For all abuses reported, the RUF was identified most often (1,490, 40%) as the perpetrator (Table 2). Table 3 and Figure 3 represent the 1,157 household members who reported abuses and could name the perpetrator. These household members had 2,266 incidents of abuse since each victim could have one or more abuses listed; however, this does not take into account those who did not know their perpetrators. In this analysis, the RUF was reported as the perpetrator 58% of the time. The most commonly reported consequences of all abuses reported among household members included "depression" or having symptoms of depression 837 (22%), 420 being killed (12%), 455 reported "no consequence" (11%), and 320 had bodily injury (8%). Respondents reported that 36 (9%) female household members became pregnant as a consequence of the attack. Respondents reported that the majority of the abuses among household members occurred in the last three years with most of these occurring between 1997 and1999 (Figure 2).

Characteristics among Respondents Reporting War-related Sexual Violence

Table 4 presents the characteristics of respondents reporting war-related sexual violence. Nine percent (94 of 991) of the respondents reported a

[166] There were a total of 9,166 household members but the gender was not indicated for 182 persons. Since some of these individuals may have experienced sexual assault but were not included in the analysis, it is likely to have led to an underestimate of sexual violence.

FIGURE 2:
Occurance of Sexual Assaults Among Respondents and Other Human Rights Abuses Among Household Members



personal account of sexual violence (Table 4). The mean number of attackers was 3.2. Sixty-eight percent of the incidents reportedly occurred in the last three years, with more than half (54%) in their home villages, and 22% while fleeing. More than half (60%) of the abuses lasted for one week or less. The majority of the incidents of sexual violence (63, 67%) occurred between 1997 and 1999. In addition, 22 (23%) of women reported being pregnant at the time of the attack with an average gestation of three months. Fifty-three percent of respondents and 47% of female household members who were sexually assaulted reported "face to face" contact specifically with RUF forces, compared with less than 6% for any other combatant group.

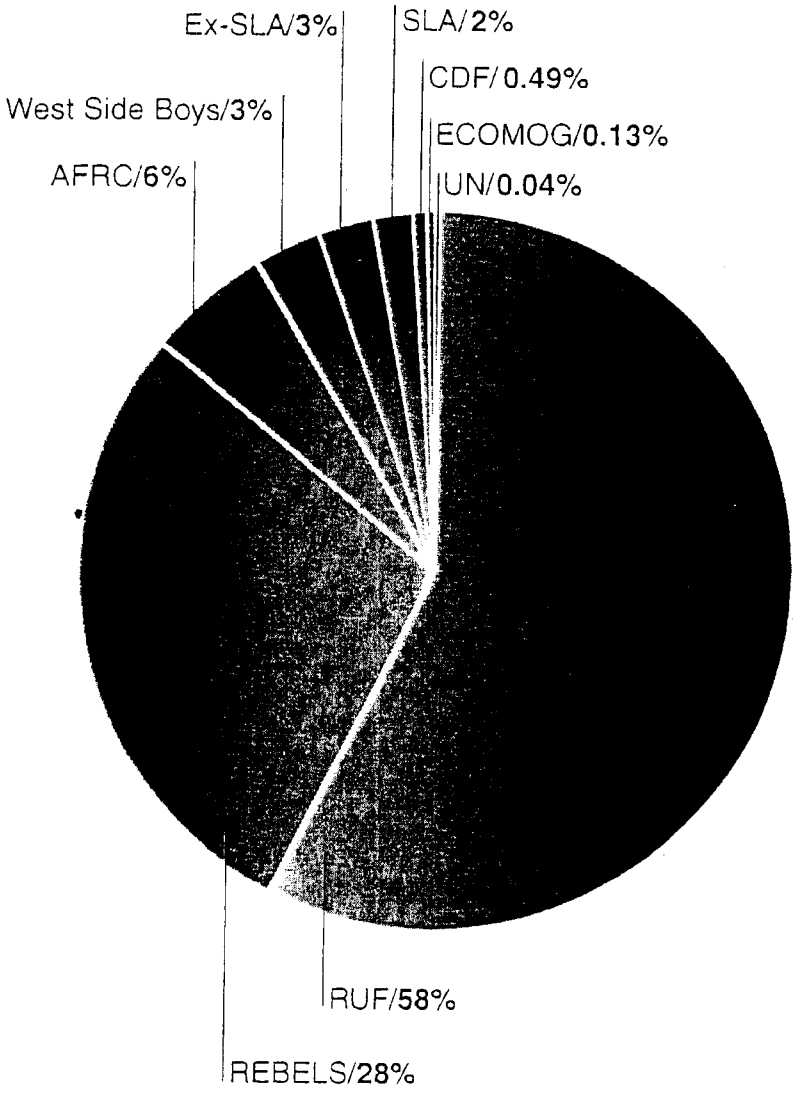
Overall, 79 (84%) of 94 respondents reported the identity of one or more of their perpetrators (Table 5). Of these, the RUF was the perpetrator 60% of the time (Figure 5). Other perpetrators reported included AFRC, West Side Boys unspecified "rebels", and both SLA and ex-SLA. The UN peacekeepers and CDF militia forces were not identified as perpetrators among respondents reporting sexual violence.

Rape was reported by 84 of the 94 women reporting sexual violence and 31 reported being gang raped. Also, approximately one third of the 94 women reported abduction, being stripped of clothing and being forced to undress. Nine women reported forced marriage to combatants, and six women reported pregnancy as a consequence of the attack. Forty-four percent of women felt the incident of sexual violence had "quite a bit" or an "extreme" effect on relationships with family and friends. The

most commonly reported consequences of the attack included bodily injury/physical disability, sexually transmitted disease, and "reproductive complications" including miscarriages.[167]

The majority (91%) of respondents reported being "quite a bit" (161, 16%) or "extremely" (740, 75%) worried about sexual violence to themselves or family members by combatants (Figure 4). Concern about sexual violence by family members, friends, or civilian strangers was lower (39% "quite a bit" or "extremely" worried). In addition, 91 (9%) of respondents reported sexual abuse (occurring at age 15±1.2 years) by family members, friends, or civilian strangers during their lifetime.

FIGURE 3:
Proportion of Reported Human Rights Abuses by Offender



[167] Female Genital Cutting is reportedly widely practiced in Sierra Leone. Women who are raped and who have undergone female genital cutting are likely to be at increased risk for genital trauma and related complications.

TABLE 4:
Characteristics Among Respondents Reporting Sexual Violence

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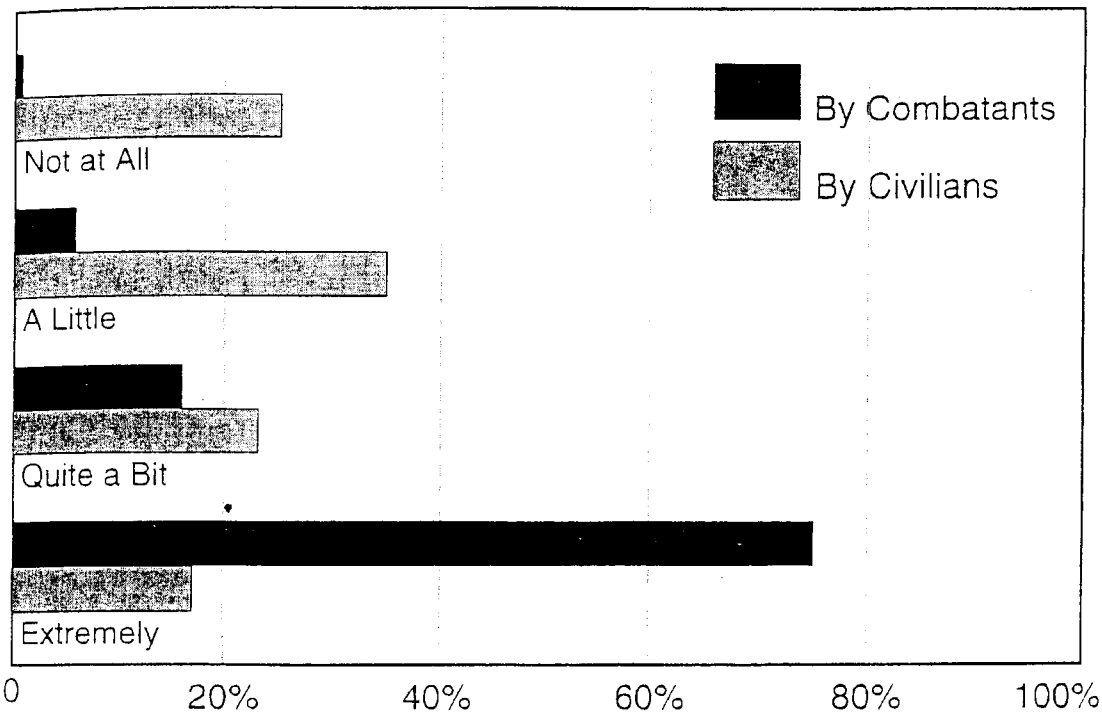
Characteristics	Respondents Reporting Sexual Assaults* n=94
Reporting Sexual Assault, n=991	94 (9)
# of Attackers, mean ± SE (range)	3.2 ± 0.39 (1-25)
Timing of Abuse, n=92	
Within last 3 years	63 (68)
> 3 years ago	23 (25)
Unsure	6 (6)
Where Abuse Occurred, n=91	
Home village/town	49 (54)
While fleeing	20 (22)
While abducted	18 (20)
Non home village	2 (2)
IDP camp/town	1 (1)
Other	1 (1)
How Long Abuse Lasted, n=91	
Less than one week	55 (60)
One week to 1 month	16 (18)
1-6 months	10 (11)
More than 6 months	10 (11)
# Women Pregnant at Time of Assault	22 (23)
Months Pregnant During Assault, mean ± SE (range)	3.1 ± 0.47 (1-7)
Abuse †	
Rape	84 (89)
Being forced to undress/stripped of clothing	35 (37)
Abduction	31 (33)
Gang rape	31 (33)
Molestation	13 (14)
Sexual slavery	14 (15)
Forced marriage	9 (9)
Insertion of foreign object	4 (4)
Consequences of the Abuse †	
Bodily injury/physical disability	48 (51)
Self reported "sexually transmitted disease"	32 (34)
Self reported "reproductive complications/miscarriage"	19 (20)
Stigmatized/rejected by family and/or community	14 (15)
Fear of STD/AIDS	9 (9)
Self reported "pregnancy" after the assault	6 (6)
Other	19 (20)

Effect on relationships with family and friends, n=89	
Not at all	29 (32)
A little	18 (20)
Quite a bit	15 (17)
Extremely	27 (30)

* Values are number (percent) unless stated otherwise
† May list more than one

FIGURE 4:
Proportion of Participants Reporting Fear of Sexual Assault



Characteristics of Assistance Needs among Respondents Reporting War-related Sexual Violence

Of the 94 respondents reporting war-related sexual violence, 61 reported the incident(s) to another person (Table 6). Of those who did not report the attack, the most common reasons were "feelings of shame or social stigma" (18, 64%), fear of being stigmatized/rejected (8,28%) and not having trust in anyone (6, 21%). Fifty women reported seeking help after the attack and 40 of these women reported that they informed a health care provider of the specifics of the attack. On average, these women sought help five months after the attack(s) occurred. Hospitals (25, 50%), traditional healers (20, 40%) and health centers (19, 38%) were the most common places where women sought help after the attacks.

TABLE 5:
Reported Sexual Violence of Respondents (n=79) by Offender

Reported Assaults	RUF	"Rebels"	AFRC	West Side Boys	Ex-SLA	SLA	CDF	ECOMOG	UN
All Assaults, 213	129 (61)	21 (10)	18 (8)	19 (9)	12 (6)	10 (5)	0	4 (2)	-
Rape, n=75	48 (64)	10 (13)	5 (7)	4 (5)	4 (5)	3 (4)	0	1 (1)	-
Abduction, n=34	21 (62)	2 (6)	4 (12)	3 (9)	1 (3)	3 (9)	0	0	-
Stripped of clothing, n=39	22 (56)	3 (8)	4 (10)	4 (10)	3 (8)	2 (5)	0	1 (3)	-
Gang Rape, n=30	16 (53)	3 (10)	3 (10)	4 (13)	3 (10)	0	0	1 (3)	-
Molestation, n=14	8 (57)	3 (21)	0	1 (7)	1 (7)	0	0	1 (7)	-
Sexual Slavery, n=12	7 (58)	0	1 (8)	3 (25)	0	1 (8)	0	0	-
Forced marriage, n=9	7 (78)	0	1 (11)	0	0	1 (11)	0	0	-

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Women reported what helped most after the attack was trying to forget about the incident (43, 46%), support of family (33, 35%), a health care provider (31, 33%), and country medicine/traditional healer (30, 32%). Figure 6 shows what respondents felt were the most needed assistance that would help their state of mind and ability to cope with the sexual assault experience.

Beliefs about Justice among Respondents Reporting Sexual Violence

Of 88 respondents, 37 (42%) thought those who had committed sexual violence against them should be punished (Table 7). Of the 51 respondents who indicated that their perpetrator should not be punished, the most common reason given was "in the spirit of reconciliation" (35, 68%), followed by fear of reprisal (13, 25%), no confidence in the system for such punishments

FIGURE 5:
Proportion of Sexual Assault Abuses by Offender

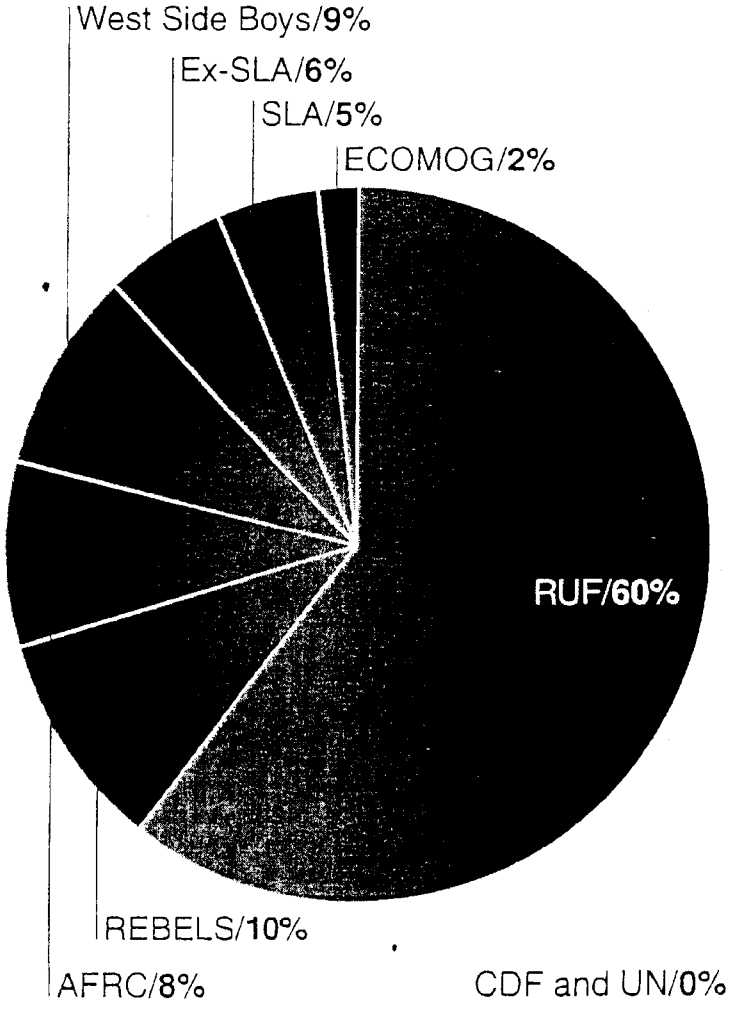

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TABLE 6:
Characteristics of Assistance Needs Among Respondents Reporting Sexual Violence

Characteristic	Respondents Reporting Sexual Assault* n=94
Told Anyone About the Incident	61 (65)
Reasons for Not Telling Anyone About Incident, n=28 †	
Feelings of shame or social stigma	18 (64)
Fear of being stigmatized/rejected	8 (28)
Do not trust anyone	6 (21)
Fear of rejection by my husband/family	5 (18)
No one asked	2 (7)
Fear of physical retaliation by perpetrator	1(3)
Other	6 (21)
Sought Help After Sexual Assault	50 (53)
Sought Help After Sexual Assault # days, mean ± SE (range)	161 ± 50 (1-1460),
Where Help Was Sought After the Sexual Assault, n=50 †	
Hospital	25 (50)
Country medicine/traditional healer	20 (40)
Health center	19 (38)
NGO	3 (6)
Informed Health Care Provider of Specifics of Sexual Assault, n=50	40 (80)
What Has Helped the Most After Assault †	
Trying to forget about it	43 (46)
Support of family	33 (35)
A health care provider	31 (33)
Country medicine/traditional healer	30 (32)
Discussions with family members	18 (19)

* Values are number (percent) unless stated otherwise
† May list more than one

(8, 16%), or they wanted to forget about the incident (4, 8%). Of the 94 respondents reporting sexual violence, punishment was supported by 17 (18%) for "all those involved," 30 (32%) for the perpetrators of the attack(s), and 17 (18%) for the commanders. Thirty-four of the respondents reporting sexual violence believed their attacker's commander was aware of the attack. Thirty-three women believed that punishment of perpetrators would prevent sexual violence from happening to others. Twenty-two of the 94 women reporting sexual violence to PHR were willing to give their names to the proposed Special Court and/or the Truth and Reconciliation

FIGURE 6:
Assistance That Would Help State of Mind and Ability to Cope with Your Experience

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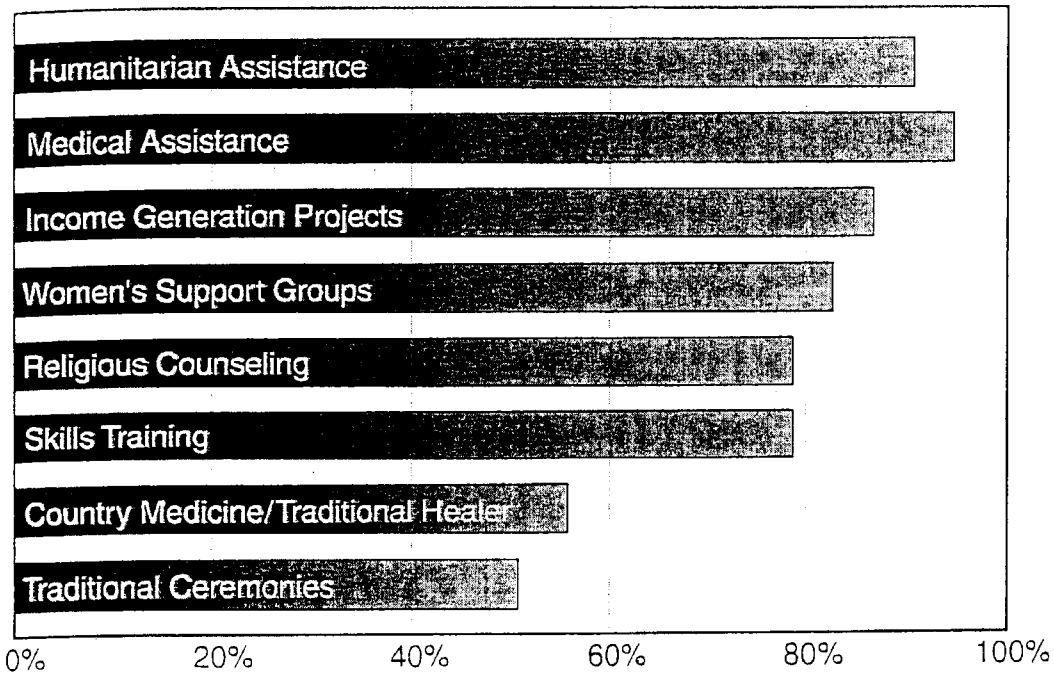

Commission. Given the prevalence of war related sexual violence as reported to PHR, PHR believes that there may be thousands of female IDPs in Sierra Leone who have experienced sexual violence and who may be willing to provide testimony to the Special Court or the TRC.

Attitudes of Women's Human Rights and Roles in Society

More than 90% of women agreed that women and girls should have the same access to education as men and boys (Table 8). More than 80% of women agreed that women should be able to express themselves freely, that there should be legal protection for the rights of women, and that women and girls need more education about their reproductive health. However, more than 80% of women also indicated that a good wife obeys her husband even if she disagrees. More than 70% of women felt that family problems should only be discussed within the family, that women have the right to control the number and spacing of their children, and that more should be done to protect women and girls from having sex when they do not want to. More than 60% of women expressed the view that a man has the right to beat his wife if she disobeys, and that it is a wife's duty/obligation to have sex with her husband even if she does not want to. The same proportion of women (more than 60%) indicated women and girls need more education about their right to refuse sex.

TABLE 7:
Beliefs about Justice among Respondents Reporting Sexual Assault

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Belief	Respondents Reporting Sexual Assault* n=94
Who Should Be Punished for Sexual Assaults †	
Perpetrators	30 (32)
Commanders	17 (18)
All involved in attacks	17 (18)
Believe Perpetrator Should Be Punished, n=88	
Yes	37 (42)
No	51 (58)
Reasons Why Perpetrators Should Not Be Punished, n=51 †	
In the spirit of reconciliation	35 (69)
Fear of reprisal/revenge	13 (25)
No confidence in a system for such punishments	8 (16)
Respondent just wants to forget about incident	4 (8)
Other	13 (25)
Believe Perpetrators Commander Was Aware of Assault	34 (36)
Believe Punishment of Perpetrators Will Prevent This From Happening to Others	33 (35)
Willing to Give Name to Truth and Reconciliation Commission or the Special Court	22 (23)

* Values are number (percent) † May list more than one

Comments on Survey Findings

The findings of this study indicate that combatants (primarily, members of rebel forces) have committed widespread human rights abuses against civilians in Sierra Leone, including: abductions, beatings, killings, sexual violence against women and men, being "captured" for less than 24 hours, torture, forced labor, gunshot wounds, serious injuries, and amputations. These abuses were experienced on an individual level by a substantial number of participants and their household members. The respondents in this study reported at least one of these abuses had occurred during the past ten years of conflict among 94% of households surveyed (Figure 7). Recent PHR surveys in Chechnya[168] and Kosovo[169] found abuse rates of 19% and 31% respectively among participant households. The burning of homes and/or looting of property was also

[168] Physicians for Human Rights, *Endless Brutality: War Crimes in Chechnya*, PHR, 2001.

[169] Physicians for Human Rights, *War Crimes in Kosovo: A Population Based Assessment of Human Rights Violations Against Kosovar Albanians*, PHR, 1999.

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TABLE 8:
Majority Opinions Among Primary Respondents on Women's Rights and Gender Roles in Society

Shared by more than 90% of women
• Women and girls should have the same access to education as men and boys
Shared by more than 80% of women
• Women should be able to express themselves freely
• There should be legal protections for the rights of women
• Women and girls need more education about their reproductive health
• A good wife obeys her husband even if she disagrees
Shared by more than 70% of women
• Family problems should only be discussed with people in the family
• Women and girls need more education about their rights to refuse sex
• More should be done to protect women and girls from having sex when they don't want to
Shared by more than 60% of women
• A man has the right to beat his wife if she disobeys
• It is a wife's duty/obligation to have sex with her husband even if she does not want to
• Women have the right to control the number and spacing of their children

commonly reported among household members. The majority of these abuses experienced by interviewees occurred between 1997 and 1999. Forty percent of these abuses were attributed to RUF forces; however, of those who could identify a perpetrator, 58% of abuses were reported to be due to the RUF. Fifty-three percent of respondents and 47% of all female household members reporting "face to face" contact specifically with RUF forces reported experiencing sexual violence. Sexual violence was reported by less than 6% of respondents reporting "face to face" contact with any other combatant group.

Sexual violence in war has increasingly been recognized as a means of demoralizing individuals, families and communities[170] and is used as a weapon to disable an enemy by dissolving bonds between family and society.[171] Today, in the context of war, rape and other forms of sexual violence have been recognized as instruments of genocide, crimes against humanity,

[170] Swiss, S., Giller, J.E., "Rape as a Crime of War: A Medical Perspective," *JAMA*, 1993;270:612-615; Human Rights Watch, *Shattered Lives: Sexual Violence During the Rwandan Genocide and its Aftermath*, New York, NY: Human Rights Watch: 1996; Herman, J.L., *Trauma and Recovery*, New York, NY: Harper Collins: 1992.

[171] Goldfeld, A.E., Mollica, R.F., Pesavento, B.H. & Farone, S.V., "The Physical and Psychological Sequelae of Torture," *JAMA*. 1988;259:2725-2729.

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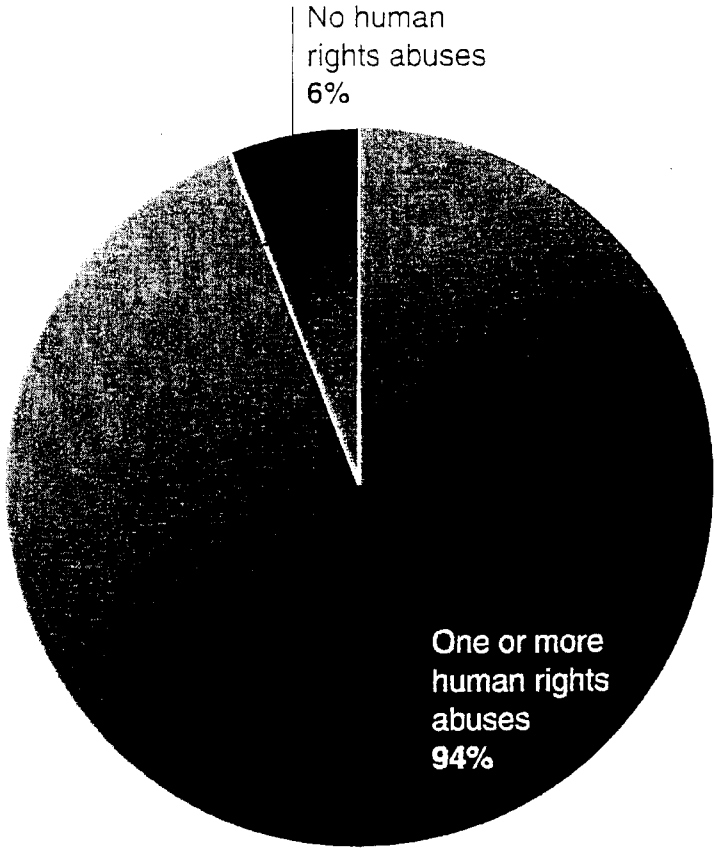
FIGURE 7:
Proportion of Households Reporting Human Rights Abuse



means of torture, and crimes of war[172] and can be prosecuted as such.[173] They also constitute crimes against humanity "when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack."[174]

To generate population estimates of sexual violence among the IDP and non-IDP females in Sierra Leone, the PHR/UNAMSIL team assumed a total IDP population of 1.0-1.3 million (55% female)[175] and a non-IDP population of 2.7-3.0 million (50% female).[176] By extrapolating the number of incidents of war-related sexual violence reported by participants in

[172] Kunarac, Kovac & Vukovic IT-96-23 and IT-96-23/1 "FOCA." Available at: www.un.org/icty/foca/trialc2/judgement/index.htm.; Rome Statute of the International Criminal Court (adopted 7/17/98). Available at: untreaty.un.org/English/notpubl/rome-en.htm.; Askin, K.D., *War Crimes Against Women: Prosecution in International War Crimes Tribunals,* The Hague, M. Nijhoff Publishers, Distributed by Kluwer Law International, 1997; Askin, K., "Women and International Humanitarian Law," in Askin, K.D. & Koenig, D.M. editors, *Women and International Human Rights Law*, Ardsley, NY: Transnational. 1999. Vol. I.

[173] Kunarac, Kovac & Vukovic; Askin, K.D., *War Crimes Against Women: Prosecution in International War Crimes Tribunals*; Askin K. "Women and International Humanitarian Law"

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the sample to the total female IDP population, PHR estimates that approximately 50,000 to 64,000 Sierra Leonean IDP women may have suffered such human rights abuses. The prevalence of sexual violence among IDP women and girls, including war-related or non-war-related, in this study was 17%, or an estimated 94,000-122,000 individuals. If non-war-related sexual violence among non-IDP females is added to the IDP totals (assuming a 9% prevalence rate), as many as 215,000-257,000 women and girls in Sierra Leone currently may have been affected by sexual violence.

This study indicates that war-related rape and other forms of sexual violence were committed on a widespread basis among IDPs in Sierra Leone. In fact, the prevalence of war-related sexual violence (8%-9%) was equivalent to the lifetime prevalence of non war-related sexual violence (9%) among the study participants, increasing Sierra Leone's total prevalence rates to 17%.[177] The lifetime prevalence of rape in the United States is 9%, though the average life span of an American is more than twice that of a Sierra Leonean.[178]

Rates of sexual violence vary based on research methodology and populations surveyed. Studies of sexual violence in Sierra Leone that include non-probability samples[179] or select populations such as clinic patients[180] generally report higher prevalence rates of sexual violence but cannot be generalized to broader populations. The prevalence of war-related sexual violence in this study was less than that reported in Liberia (15%),[181] but

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[174] Rome Statute; Askin, K.D., *War Crimes Against Women: Prosecution in International War Crimes Tribunals*; Askin, K., "Women and International Humanitarian Law"; United Nations, Draft Statute of the Special Court for Sierra Leone, S/2000/915.

[175] United Nations Office for the Coordination for Humanitarian Affairs (UNOCHA), UNOCHA Database: IDP Census (data collected February 2001), UNOCHA, February, 2001.

[176] Norwegian Refugee Council, Sierra Leone Section: Population profile and figures, Available at: www.db.idpproject.org/Sites/IdpProjectDb/idpSurvey.nsf/1c963eb504904cde41256782007493b8/fdc6d215bab90118c12569dd002b1aec?OpenDocument; United Nations High Commissioner for Refugees, available at: unhcr.ch/un & ref/numbers/numb2000.pdf.

[177] One percent of participants had experienced both war-related and non-war-related sexual violence.

[178] Crime Victim Research and Treatment Center, *Rape in America*, Charleston, SC: Medical University of South Carolina: 1992.

[179] Coker, A.L., & Richter, D.L., "Violence against Women in Sierra Leone: Frequency and Correlates of Intimate Partner Violence and Forced Sexual Intercourse, *African Journal of Reproductive Health*, 1998; 2(1):61-72.; Giller, J.E., Bracken, P.J., Kabaganda, S., "Uganda: War, Women, and Rape," *Lancet*, 1991;337:604.

[180] Shanks, L., Ford, N., Schull, M. & de Jong, K., "Responding to Rape," *Lancet*, 2001;357:9252; Human Rights Watch, "Women's Rights Project" in: *Human Rights Watch World Report 1998*, New York, NY: Human Rights Watch: 1998.

exceeded that found in other population-based assessments of refugees and displaced persons (0-0.1%),[182] including a prior study conducted in Freetown, Sierra Leone (2%).[183]

Physical injuries and self-reported "depression" were among the most common consequences reported following sexual violence. The adverse physical and psychological consequences of sexual violence are described in other studies.[184] The prevalence of sexual violence, including war-related or non-war-related, suggests a serious health burden for individual and community members that cannot be addressed adequately by services that currently exist in Sierra Leone. The assistance needs most commonly identified by women reporting sexual violence included humanitarian assistance, including food and shelter, medical care, income generating projects, and women's support groups. These needs were not significantly different ($p<0.05$) from Sierra Leonean women who did not experience sexual violence but did experience other human rights abuses.

The majority of participants reporting sexual violence indicated the belief that their perpetrators should not be punished and, among these women, the most common reasons cited were "in the spirit of reconciliation" and "fear of reprisal/revenge." This highlights the need to protect survivors of war-related sexual violence including those that come forward to testify. Twenty-three percent of these women indicated an interest in giving their names for the Truth and Reconciliation Commission and the Special Court that are expected to be established in 2002. This may be explained by feelings of shame, and/or fear of being stigmatized or rejected also reported in the study, as well as a desire to put the incident(s) behind them. Such concerns are not unfounded in societies where women are financially dependent on their husbands or extended family and are subjected to structural social inequality on many levels.[185] Being cast out of a community or family can have dire consequences not only for the woman but her children as well.[186]

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[181] Swiss, S., Jennings, P., Aryee, G., et. al. "Violence against Women during the Liberian Civil Conflict," *JAMA*, 1998; 279:625-629.

[182] PHR, "A Population-based Assessment of Human Rights Abuses against Ethnic Albanian Refugees from Kosovo," *American Journal of Public Health*, 2001;91(12); Physicians for Human Rights, *Endless Brutality: War Crimes in Chechnya*, Physicians for Human Rights, May 2001:1-143; Physicians for Human Rights, *Women's Health and Human Rights in Afghanistan: A Population-Based Study*, Physicians for Human Rights, May, 2001.

[183] de Jong, K., Mulham, M. & van der Kam, S., *Assessing Trauma in Sierra Leone: Psychological Questionnaire: Freetown Survey Outcomes*, Doctors Without Borders/Médecins sans Frontières, January 11, 2000. Available at: www.doctorswithoutborders.org/publications/reports/2000/sierraleone_01-2000.shtml

[184] Resnick, H.S., Acierno, R., Kilpatrick, D.G., "Health Impact of Interpersonal Violence, 2: Medical and Mental Health Outcomes," *Behavioral Medicine*, 1997;23:65-78; Schafran, L.H., "Topics for Our Times: Rape is a Major Public Health Issue, "*American Journal of Public Health*, 1996;86(1):15-17.

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Despite 80% of women expressing that there should be legal protection for the rights of women, more than half of women reported that their husbands had the right to beat them and that it was a wife's duty to have sex with her husband even if she did not want to. The apparent disparity between such beliefs and international principles of human rights suggests a need for public discourse and education on local, regional and international levels.

Limitations

It is likely that the prevalence of war-related sexual violence in the study was underestimated because of willful non-disclosure of sexual violence and the lack of privacy in some of the interviews, despite efforts to ensure privacy. Reasons for willful non-disclosure often include fear of retribution by an assailant, of being stigmatized and rejected, blamed for the attack, and/or the psychological consequences of disclosure.[187] In addition, the average age of participants (female heads of households) reporting war-related sexual violence (34 ± 0.48 years) was more than twice the average age of females experiencing non war-related sexual violence reported in the study (15±1.2 years). Although interviewers were careful to explain there would be no material or other gain by participating in the survey, the number of abuses reported in the study may have been over or underestimated if IDPs judged that it was in their material, political or psychological interest to exaggerate or conceal claims of abuse.

[185] Ulin, P., "African Women and AIDS: Negotiating Behavioral Change," *Soc Sci Med.* 1992;34(1):63-74; Bruyn, M., "Women and AIDS in Developing Countries," *Soc Sci Med.* 1992;34(3):249-262.

[186] Ibid.

[187] Koss, M.P., "Detecting the Scope of Rape: A Review of Prevalence Research Methods," *Journal of Interpersonal Violence,* 1993;8:198-222.

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IV. QUALITATIVE COMMENTS AND TESTIMONIES OF SIERRA LEONEAN WOMEN AND GIRLS

In order to gain insight into individual experiences of human rights abuses of Sierra Leonean women and their families, the PHR study included qualitative assessments of abuses as well.[188]

Two primary approaches were used to elicit qualitative information. Seven open-ended questions were included in the questionnaire itself, and longer semi-structured interviews were conducted with survivors of human rights abuses that were not survey participants. Throughout this chapter, wherever possible, the exact words of the women and girls interviewed have been used in order to give expression to their individual experiences. All participants were informed of the purpose of the interview and of how the data would be collected and used. In the interest of confidentiality, their names have been changed and identifying information removed.

Case Examples from In-Depth Interviews

Case testimony of survivors of war-related human rights abuses was collected during two separate investigations to Sierra Leone. A PHR delegation visited Sierra Leone in March, 2000 to assess the medical consequences of human rights abuses committed during the war, including sexual violence. During that trip, members of the team with specialized training in sexual violence interviewed more than two dozen survivors of abuses. To mitigate the risk of re-traumatization, most of the testimony gathered during the 2000 investigation was taken from individuals who were already participating in programs for rape survivors. The interviews were semi-structured and covered a range of topics including basic biographical information, the circumstances of violations, details about perpetrators, medical and psychological consequences of the abuses, what types of services had been available and helpful to them, and what their concerns were for the future. The interviews took place at NGO offices,

[188] Quantitative and qualitative modes of inquiries each may have value independent of the other when the research questions address meaningful human rights issues and the studies are designed and interpreted within relevant historical and political context. Using both quantitative and qualitative modes of inquiry also may be complementary serve as one line of inquiry may serve to corroborate, or challenge, another.

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UNICEF's headquarters in Freetown, health clinics, IDP camps, and programs for women who had become pregnant as a result of rape.

Testimony was also collected at the time the survey was conducted in February, 2001. Researchers administering the questionnaire were asked to identify women who had experienced human rights abuses who were willing to describe their experiences in more detail. These women then recorded their stories on audio and videotape in a private room in the health clinic on the outskirts of the camp. Most interviews were conducted in the first language of the victim and translated simultaneously by the researcher who first interviewed the woman or a translator, or they were translated at a later date from a tape recording.

A number of testimonies taken by PHR in March 2000 were from survivors of rape who had become pregnant by their attackers. These young women are particularly vulnerable as they must not only recover from the trauma of their ordeals while often facing stigma from their communities, but at the same time must learn to care for and support a baby with few resources. As part of a larger effort to assist rape victims in Freetown after the January 1999 incursion by rebel forces, a local NGO, the Forum for African Women Educationalists (FAWE), established a program providing medical, psychological and educational support to these women and their children. A number of the young women participating in the program acknowledged to PHR the importance of the program in helping them to cope with what had happened to them.

Cases of Sexual Violence

Bola N.

In February 2001, Physicians for Human Rights interviewed a fifteen year-old girl, Bola N. Rebels had abducted her four times since 1999. At the time of the interview she told PHR she was two months pregnant and living at an IDP camp in Port Loko. She described her first abduction to the interviewer:

> *When they first attacked the village, we fled to the bushes. When they removed us from our village we were frightened ... they held us, they cut some hands, they killed some, they forced us to be tied, we were taken to the bush where the sexual act was forced on us. ... Nine men raped me. ... My mother was taken away, my things, belongings, taken. I slept three days in the bush after they had raped me. I was unconscious, not myself. ... After they had raped me to their satisfaction, they left me in the bush. I was beaten, bruises on my body, part of my body. Some around were amputated. I was not well.*[189]

[189] PHR Interview, February, 2001, Port Loko, Sierra Leone.

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As she described her multiple abductions, she wrapped her arms around herself and lowered her tone to almost a whisper:

> *My first captivity was when the nine men raped me. Then I was left in the bush. Second time I was held a little over a month, taken to base. There are many, many combatants there. There are also many other young women held there, too. I was not assigned to just one man, as long as you are good looking, you have intercourse with all of them. In the third captivity they remembered me. They knew me. They use abusive language. I escape during the night. The fourth time was last year: they did an ambush [on an outing of women from the IDP camp]. They came for us, raped us, they asked us to go back to the village to prepare food for them, so we had to escape. We were afraid to go to the village. So we escaped.*[190]

Over the course of her multiple abductions and gang rapes, she had two miscarriages. She had been engaged to one man at the time of the first gang rape, but he left her when he heard of the event:

> *I was just engaged to someone. So when I went to the bush, I was pregnant. Because of the nine men who raped me, I had to abort. So my husband had to resign from continuing the engagement. The husband I have now is a new person.*[191]

She said that this new husband did not know what had happened to her in the bush. She told PHR that she had not gone to a doctor for prenatal care because she did not want anyone to know she was pregnant, although she stated that she would go to the doctor once the pregnancy was visible. She had not gone to the hospital for the miscarriages because they asked for 1,000 Leones (approximately 30 cents) simply to register. The cost for medical care had further prevented her from seeking help for the multiple health problems she had experienced since the abductions.

She stated that she was not able to sleep through the night. Every night she wakes up and cries. Her family had been killed. Her first fiancé had left her. She was afraid to tell anyone about the violence she had experienced. When asked if she had told anyone of these events before PHR interviewed her, she acknowledged that she had told her friend who had taken her to the hospital after the first attack, but no one else. No one in her family knew what had happened to her.

Sampa K.

Another woman, Sampa K., had 11 children under her care when the rebels attacked. She told PHR that they abducted her for two years, sepa-

[190] PHR Interview, February, 2001, Port Loko, Sierra Leone.

[191] PHR Interview, February, 2001, Port Loko, Sierra Leone.

rating her from all but one of the children. Some were killed, others were scattered. Sampa described the initial attack:

> *I woke up in the morning about two o' clock and cleaned my house. ... As soon as I lifted a load I was trying to carry, my daughters said, "Mama! The rebels are coming!" I dropped everything. I am ready to flee to the bush with the baby on the back. Then there are so many, I cannot escape. They hit me, they took the baby from my back and threw the baby, the baby is too tired. Then he started to do the act on me - there are many of them.*[192]

During her subsequent servitude to the rebels, she tried in vain to save her infant child:

> *I was now crying with my baby, the baby was crying, I tried to let the baby suck the breast milk. And it was not completely five days, [when] I lost the baby. The baby was having trouble. Everyday I had to sleep with the boys. Every day I sleep with the boys and I cannot refuse - guns all over, they threaten me with guns. Guns all over. And then one says give the breast to the child. And every time I gave the breast to the child, he refused me. And so for three days I did not feed the child.*[193]

She traveled for two years, living as the "wife" of one particular rebel. He kept her compliant by feeding her drugs:

> *Every day this man would give me some tablets to take, some are green, some are blue, some are red. I was using the tablets so that I wouldn't get any problem with the man. The man used to tell me to take this tablet it is good for you.*[194]

Throughout the interview, Sampa kept a blank look on her face, giving the facts of her abduction and sexual enslavement in a straightforward manner. It was not until she was asked what might help her that her demeanor shifted. In response to this question, she described a nightmare she had recently had, in which she was again chased by the rebels. They brandished knives that filled her with fear. They chased her, intending to kill her once they caught her, up to a bridge. The dream ended with her standing on the edge of the bridge, prepared to jump to her death rather than be caught again.

Aminata K.

Twenty-year-old Aminata K. wanted to tell her story, but did not want to be recorded. She was eight months pregnant at the time of the interview. Aminata was captured by the a breakaway faction of the AFRC, the West

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[192] PHR Interview, February, 2001, Port Loko, Sierra Leone.

[193] PHR Interview, February, 2001, Port Loko, Sierra Leone.

[194] PHR Interview, February, 2001, Port Loko, Sierra Leone.

Side Boys, in Mafore village in the Port Loko area in 1999 and held for almost two years. According to Aminata K., they killed one young man, left some old women and took Aminata, along with one young boy and two other women, to their base. She said she was forced to leave behind her eight-month-old baby. She told PHR that she was held at the base for a year and a month and forced to marry a young member of the West Side Boys called James. Initially she was closely watched and then was forced to go with others to villages to loot, a practice the rebels refer to as "jaja". She saw them burn many houses. The leader was referred to as 'Pape' or 'Sammy'. She said that she escaped by telling the rebels that she was going to wash her clothes and then ran away to her home village where she found her family seeking food. Aminata told PHR that she is pregnant as a result of being raped and now reports feeling depressed and hopeless. Before she was abducted, she was married and had three children. One of her children died, but two are living. Her parents took care of the baby. Since returning from her captivity, her husband left her and they have divorced. She said that after she returned he kept saying, "this is not my child – you are pregnant with child – this is not my child," and after a few months he left her. She wanted to abort using herbs, but her family asked her not to as it might kill her and offered to help raise the new child. She said she is worried, however, because she has no husband or means and is completely dependent. They are currently living in the IDP camp, but they go back to their village from time to time to see if they can rebuild their house – but she does not see much hope for the future.[195]

Kadiatu S.

Kadiatu S. was 16 years old at the time of the PHR interview. She was abducted when she was fourteen years old. She had no formal education, but worked for her mother, a businesswoman in Kono. "The rebels attacked the town and we ran. I was separated from my parents and for nine days I walked in the bush with five other girls to the next town. We were grabbed by rebels. They used me and threatened to kill me with a gun." A commander stopped them from killing her and took her back to the base. ECOMOG attacked the base. An ECOMOG soldier took her for his wife. She traveled with ECOMOG and stayed in Kailahun for approximately one year. She hitched a ride from a car full of rebels. "If you are a willing rebel wife you can get a ride in the rebel cars into town to shop." She told them she was going to visit family in Makeni. They assumed she was a rebel and would return. Kabiatu managed to find her way to Freetown, where she contacted her aunt. She was taken to her uncle, a doctor, and diagnosed six months pregnant. She was devastated. Kabiatu states that she does not cry, though she is

[195] PHR Interview, February, 2001, Port Loko, Sierra Leone.

very sad and angry about the pregnancy. Her mother came to Freetown to collect her.[196]

Hawa

Seventeen year-old Hawa told PHR that she delivered a stillborn baby girl in the bush after carrying her unwanted child for eight months.

> *The rebels burned my father's house and my mother jumped out the window. The rebels shot her in the chest and killed her. My father is too depressed to work. He lives in the house and is making the repairs. The rebels took me to the bush and kept me for six months. I was made a real wife.*[197]

She showed the interviewer the scars on her right thigh – "RUF." She said they had traveled a route from Freetown to Collage, then to Occra Hills and to Makeni. She reported that the rebels starved her for 2-3 days, drugged her with cocaine and infected her with a sexually transmitted disease. She told PHR that ECOMOG came into the bush and rescued her and delivered her to Waterloo camp.

Katmara B.

Katmara B., a 13-year-old girl told PHR she was abducted, beaten, raped and forced to become a rebel's "wife." She said she was released during the latter stages of her pregnancy and now has a baby girl. The story of what happened to her and her family during the rebel incursion into Freetown in January 1999 captures the anarchy of those days which left the capital city and its people profoundly fearful:

> *...that night, houses were being burned down in our neighborhood, so we ran to the local mosque for sanctuary. There were so many people hiding in there. We tried to run away. They began to shoot and killed some people in the mosque. They forced us to sit down on the side and went into the mosque and killed about 15 people in there. I saw them do it. Then they called us to come and look at the bodies. My cousin's father and my aunt were shot. An uncle's hand was hacked off. My mother was inside the mosque, when she saw me, she called out to me, one of them heard her and said "If you call her, we'll kill you." So she didn't call me again. Then they took us outside and told us to change our clothes and gave us combat clothes to wear. We were told that we had to do anything they told us to do. We were told that when they addressed us, we were to respond with "Yes sir". At that point we were given guns and cutlasses, and told that we were to go and cut hands off. On our way to wherever they were taking us, we met up another group*

[196] PHR Interview, March 2000, Freetown, Sierra Leone

[197] PHR Interview, March 2000, Freetown, Sierra Leone

called "Born Naked". The people in this group roamed the streets naked, the way they were born, and when they met people, they killed them. When the members of "Born Naked" saw us, they told the others that they should kill us since they had been warned not to take any more hostages.

So, on our way to be killed, we were taken to a house with about 200 people held in it. My older cousin was sent to go and select 25 men and 25 women to have their hands chopped off. Then she was told to cut off the first man's hand. She refused to do it saying that she was afraid, I was then told to do it. I said I'd never done such a thing before and that I was also afraid. We were told to sit on the side and watch. So we sat. They chopped off two men's hands. My cousin couldn't watch and bowed her head down to avoid the sight. Because she did that, they shot her in the foot. They bandaged her foot and then forced her to walk. We left the two men whose hands had been cut off behind. We were then taken to a mosque in Kissy. They killed everyone in there...They were snatching babies and infants from their mother's arms and tossing them in the air. The babies would free fall to their deaths. At other times they would also chop them from the back of their heads to kill them, you know, like you do when you slaughter chickens...One girl with us tried to escape. They made her take off her slippers and give them to me and then killed her...one time we came across two pregnant women. They tied the women down with their legs eagle-spread and took a sharpened stick and jabbed them inside their wombs until the babies came out on the sticks...[198]

Isata

Isata, a 15-year-old Mandingo girl, was abducted and gang raped by rebels. She described her experiences and their continuing effects on her health:

...I don't have any children. I was a virgin before. They ruined me. The story is long, much too long. I was at home when they came and kidnapped me...They demanded money. My family has no money. They demanded Le 200,000.00 ($83.00)...they said to my parents, come and see how we use your children. They undressed five of us, laid us down, used us in front of my family and took us away with them. They wouldn't release us, they kept us with them in the bush.....When I escaped, I couldn't walk – the pain. I was bleeding from my vagina. That night, God gave me strength to walk...I can't remember how long I was held...I don't like to talk because of the memories. When I made it back,

[198] PHR Interview, March 2000, Freetown, Sierra Leone

my mother couldn't believe it. Since I got back I have been so sick...I never used to get sick like this...I would like to go back to school, but I can't concentrate anymore, I can't do anything...[199]

Binta K.

Binta K., an 18-year-old girl, told PHR she was abducted, beaten, raped and forced to become a rebel's "wife." She was released during the latter stages of her pregnancy and at the time of the interview had a two-month old baby girl. She recounted to PHR:

...As the rebels were pulling out of Freetown, they came to our house and captured us. They even killed some of the other girls in our house. I was hiding with some girls when they found us. We were told that if we didn't come with them, they'd kill us. While I was begging them not to take me, a little boy, about ten years old who was with them piped up "If she doesn't want to come, pass her over to me and I'll chop her hands." I agreed to go. I was raped and held there in the bush. I wanted to run away, to escape, but there was no way. If you were caught trying to escape, you were killed or put in a box...[200]

Later in that same interview, she expressed her sorrow that many of her family members blame her for not having tried harder to escape. She and her baby were living with a girlfriend at the time of the interview.

Zainab K.

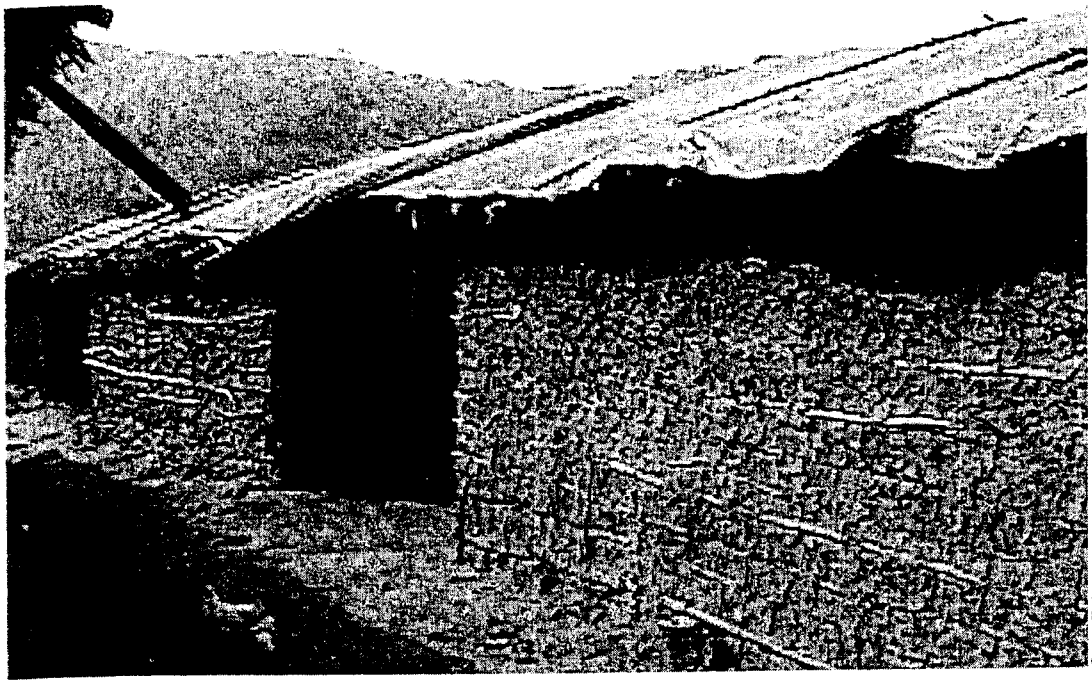
Zainab K. told PHR she was abducted when she was seventeen during the January 1999 incursion into Freetown. She recounted her story in English in measured, unemotional language. She had attended school through second form (12-14 years).

Zainab was taken from her home in Wellington by RUF and ex-SLA combatants and then taken to Calaba Town with two neighbors the same age. She said that she was raped by two older men who were very brutal. She was a virgin. They beat her and carved "RUF" on her chest with a knife. She said that she remained in Calaba Town for three days and then walked 20 miles to Waterloo carrying cartons of water. She had to forage for food and ate Cassava plants by the roadside. She stayed in Waterloo for one week and then walked for three days to Masiaka. There, she recounted, the CDF attacked. About 100 girls escaped, leaving 50 with the rebels. From then on, she said, soldiers guarded them and told them they would shoot them if they tried to escape.

They then walked for two weeks to Makeni. She told PHR that she knew she was pregnant because she had morning sickness. She stayed with

[199] PHR Interview, March 2000, Freetown, Sierra Leone.

[200] PHR Interview, March 2000, Freetown, Sierra Leone



Chen Reis

The PHR/UNAMSIL team randomly sampled 1,048 households in three internally displaced persons (IDPs) camps (near Freetown, Port Loko, and Kenema) and one community with a large number of IDPs—Mile 91 Township. The camps/locales represented 91% of the registered IDP population.



Beth Vann

A total of 991 female heads of households participated in the PHR study (response rate = 95%). Nine percent of respondents reported war-related sexual violence. A striking 53% of respondents reporting "face to face" contact specifically with RUF forces reported experiencing sexual violence. One third of the women who reported sexual assault reported being gang raped.

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Kristina Hare Lyons

A striking 94% of 991 households interviewed by PHR/UNAMSIL reported among its members at least one of the following serious abuses during the past ten years of conflict: abductions, beatings, killings, rape and other forms of sexual violence, capturing for less than 24 hours, torture, forced labor, gunshot wounds, serious injuries, and amputations. These children were among the many Sierra Leonean children that had their limbs amputated by rebel forces.

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Beth Vann

The majority of the women interviewed by PHR/UNAMSIL perceived their general health (89%) and mental health (94%) as "fair" or "poor".



PHR program associate Kristina Hare Lyons (left) interviews a Sierra Leonean woman in March 2000.

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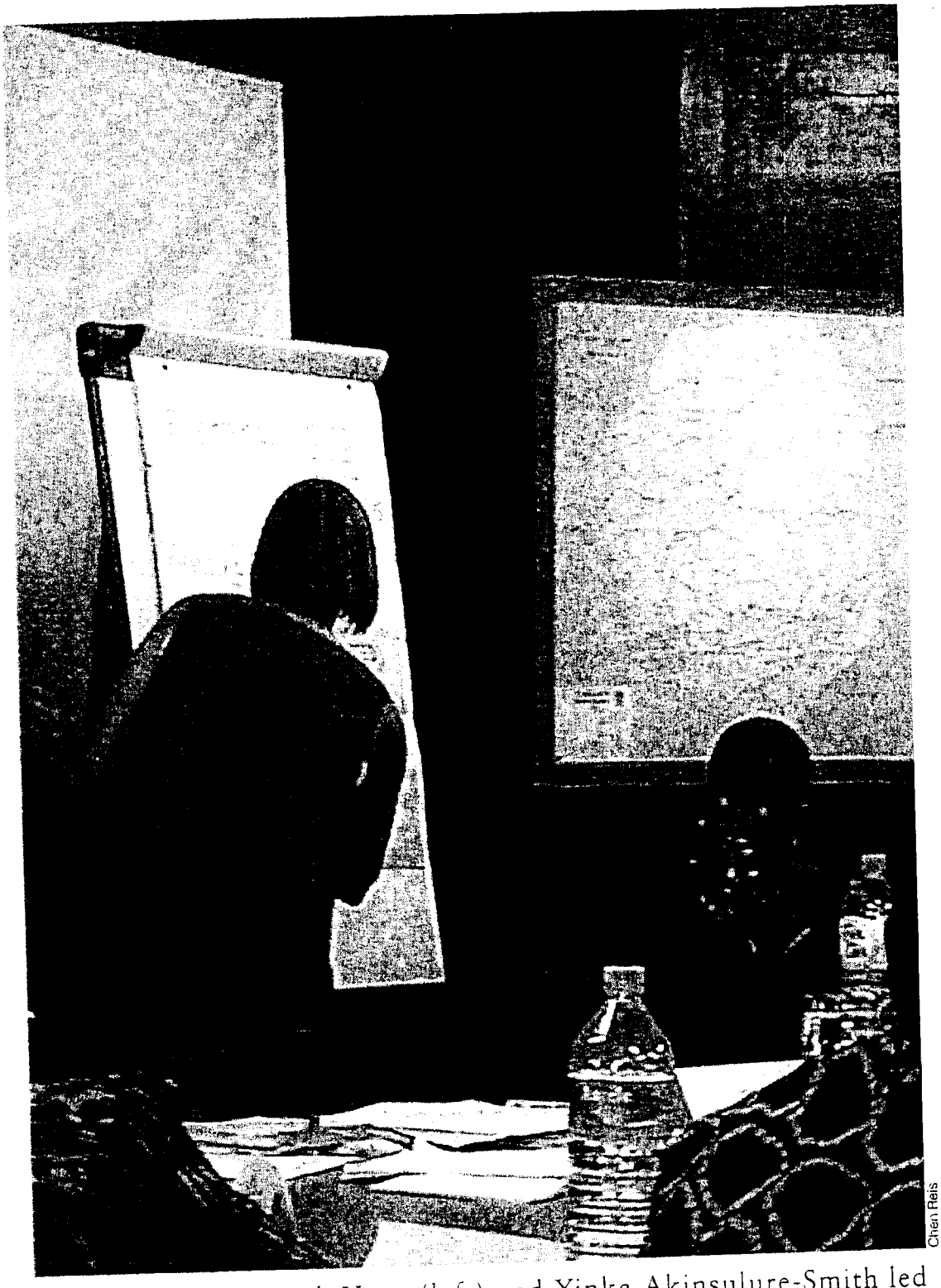

Chen Reis

PHR consultants Beth Vann (left) and Yinka Akinsulure-Smith led training sessions for local Sierra Leonean researchers who later conducted the survey.

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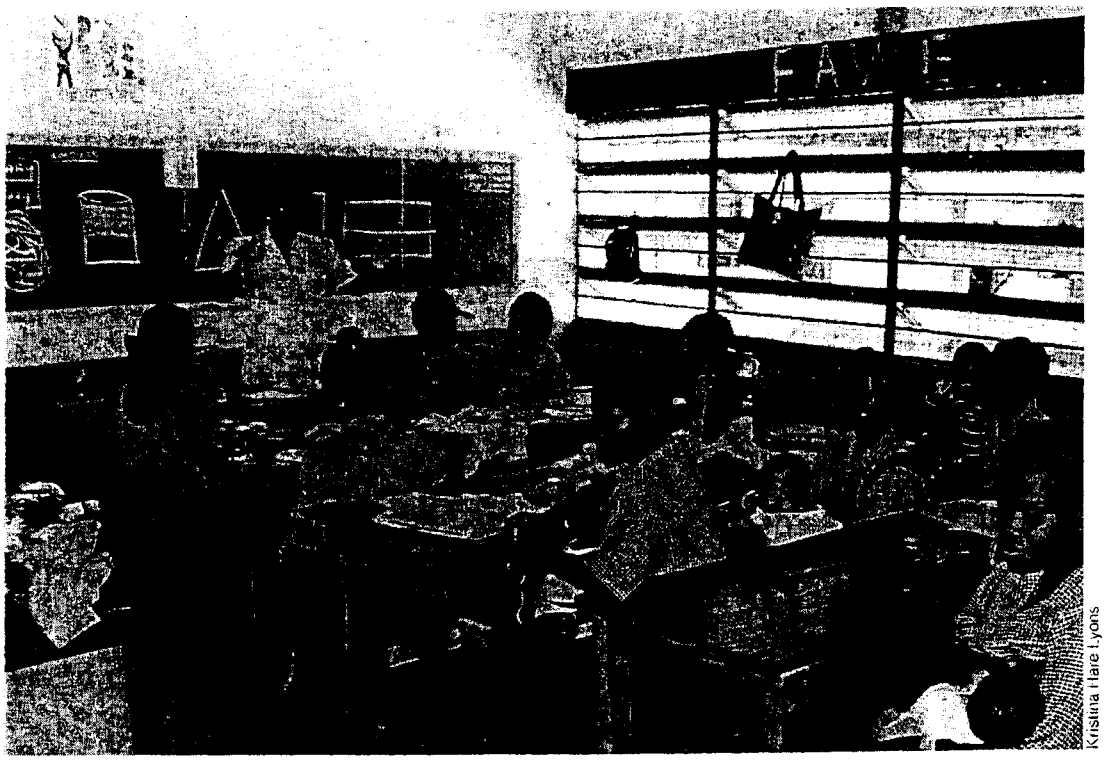
Chen Reis

PHR/UNAMSIL survey researchers prepare to conduct interviews at an IDP camp.



Kristina Hare Lyons

The Forum for African Women's Educationalists (FAWE) is a pan-African NGO that has been successful in promoting education for girls. FAWE expanded their mandate to respond to the needs of rape victims after the January 1999 incursion by rebels into Freetown and became the primary organization providing medical and counseling services to rape survivors.

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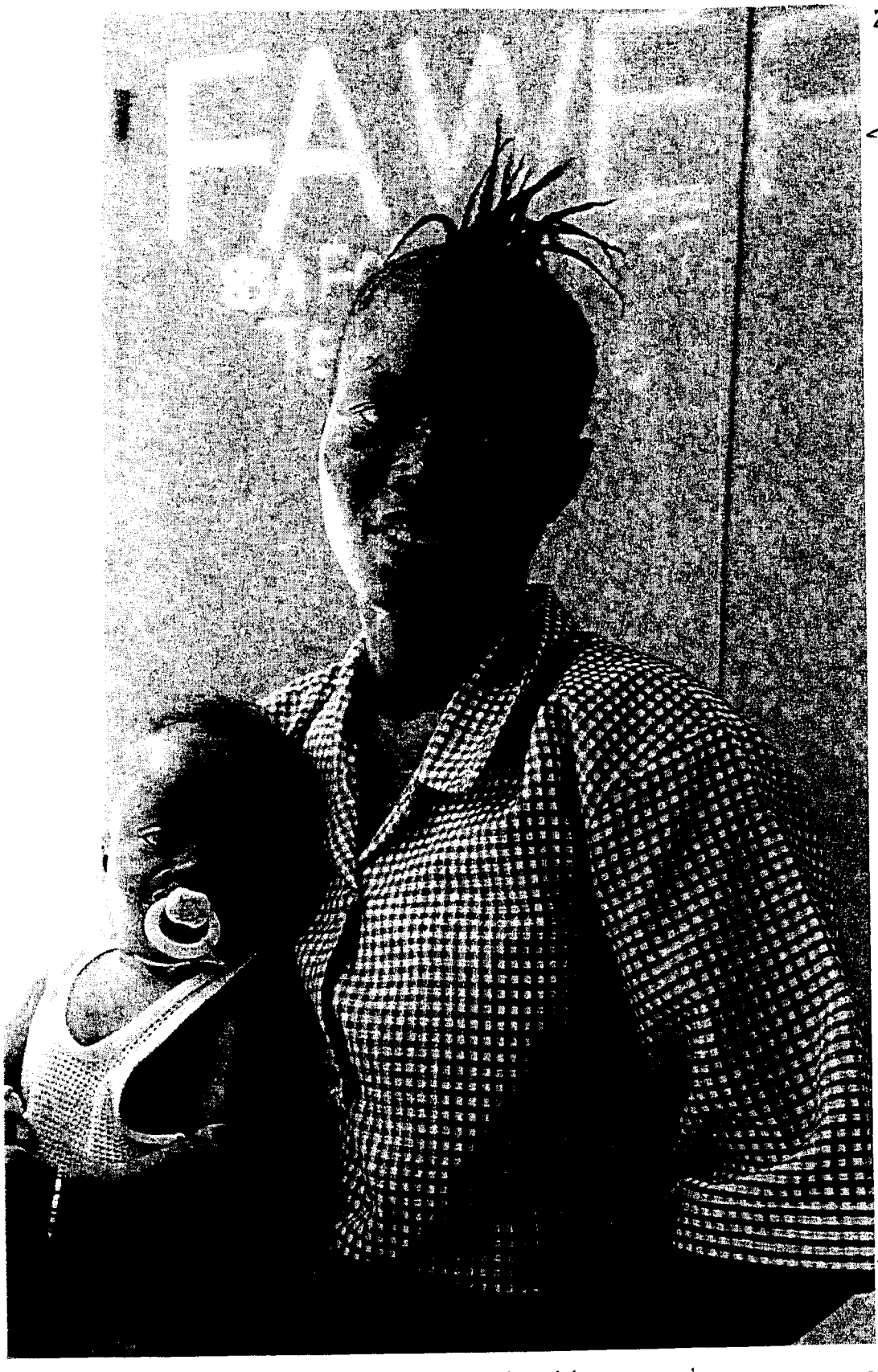

The US government and other donors should ensure that women are included in all aspects of planning for peace, demobilization, reintegration and rebuilding and support local organizations working to promote women's full participation and rights.

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Kristina Hare Lyons

Sierra Leone's rich diamond resources have largely been fueling the brutal war. Diamonds, discovered in Sierra Leone in 1930, are found in about a third of the country's territory—mostly in the east and southeast. Governments, activists and representatives of the diamonds industry are working to regulate the import and export of the gems.



Cheri Reis

In 2001, Sierra Leone was the least developed country in the world, according to the United Nations Human Development Index. Sierra Leoneans average life expectancy of 38.3 years is the lowest in the world and the under five mortality rate is the highest in the world. Nearly one third of children in Sierra Leone die before their fifth birthday. Twelve percent of children under 14 years of age, such as the orphans pictured here, have one or both parents dead.

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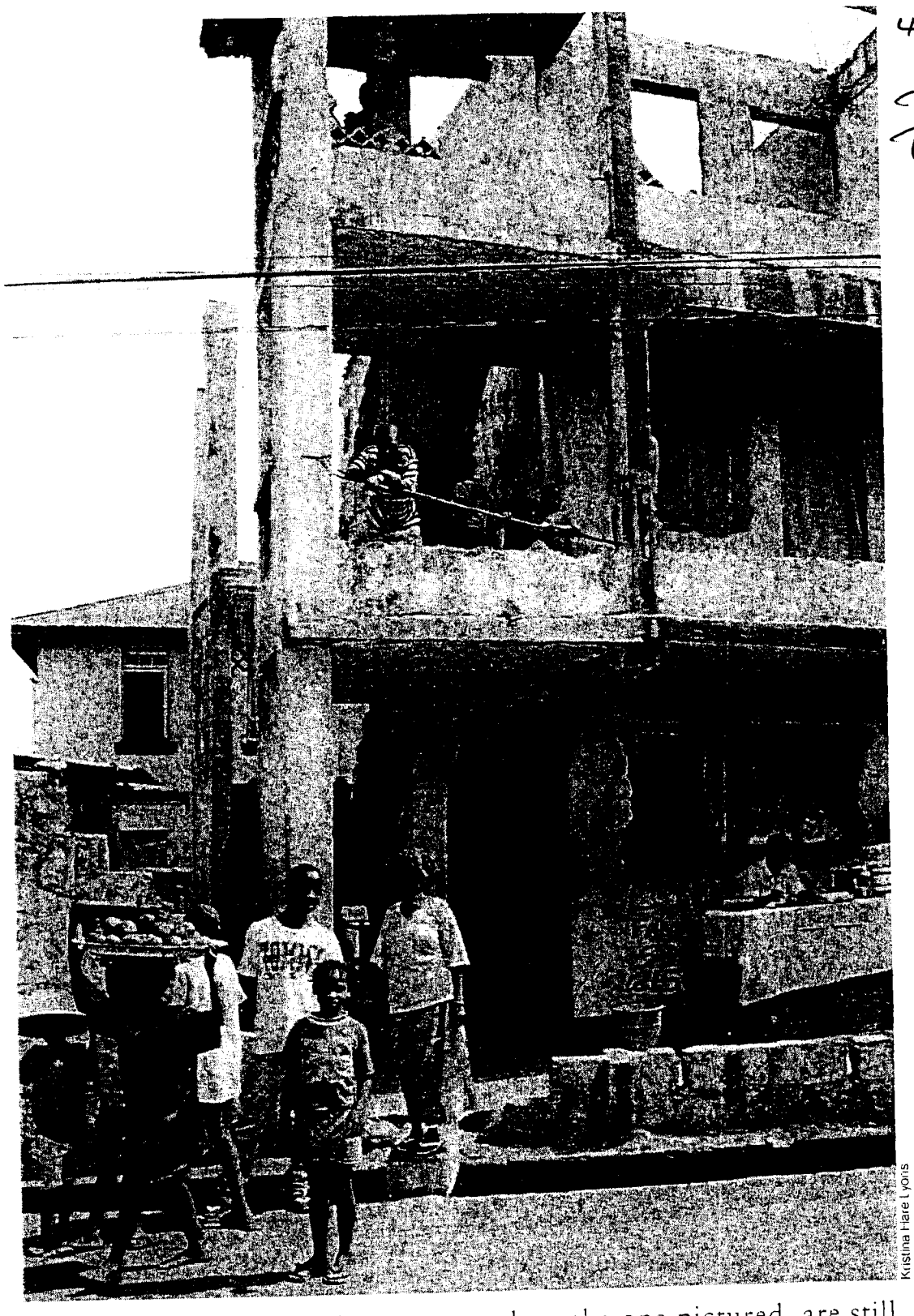

Kristina Hare Lyons

Destroyed buildings in Freetown, such as the one pictured, are still occupied. Sierra Leone's infrastructure has been devastated by the war. Thirty-six percent of Sierra Leoneans do not have access to health care. Thirty-four percent do not have access to clean water. The average per capita income is $448. More than 3,000 communities were destroyed resulting in flight from homes of nearly half the country's population.

one man, Mohammed, who was ex-SLA. She said that she begged him to release her but he said she should stay until she had the baby, so she could leave the child with the rebels. She told PHR that if she refused to have sex he would beat her – though he stopped beating her when she was four months pregnant. No other men touched her after that. Mohammed's boss took care of her and gave her food. From Makeni she was brought to a base in Occra Hills.

One day when she was about six months pregnant she said that she was sent to do laundry by the stream. She left the clothes and took a bush path with another girl. They came to an area where soldiers had surrendered and found transportation back to Freetown. She said that she found her mother who was pleased to see her, but her aunt said her mother should not take her in. She said that her mother, however, insisted and her father has also been supportive. She was scared to go home, but since she went to FAWE and got counseling she feels much better. She came to FAWE two weeks after arriving back in Freetown. A neighbor in Wellington had told her and her mother about the program and brought her to the office. At first she could not sleep and would always wake up at night, but now after the FAWE counseling sessions she is able to relax.

Her baby, Fatmata, was four months old at the time of the interview. Zainab had no problems with the delivery and likes being a mother. She knew she wanted to keep the baby when she was pregnant. She said she is scared Mohammed will come for the baby. Though she does not think he should be punished, she never wants to see him again and wants to try to forget about him. She also has anxieties about what will happen when the program ends. At the time of the interview she was not interested in getting married in the future, but in gaining skills so she can support her child.[201]

Other Human Rights Abuses

The PHR study revealed the severity of human rights abuses in addition to sexual violence experienced by IDPs at the hands of combatants. Ninety-four percent of households interviewed by the PHR/UNAMSIL team were affected by one or more serious physical abuses. The trauma experiences by those who suffered sexual violence must, therefore, be understood in the context of trauma suffered from a range of abuses committed against the individual, her family and community. In addition to the reported levels of trauma and physical abuse experienced, many of those PHR interviewed spoke of loss. This loss went beyond the loss of basic human needs such as housing, food and medical care. It concerned safety, trust, control, self-esteem, and intimacy. Participants interviewed expressed shock, anger, horror, sadness, and a sense of countless additional losses – loss of property, society, family, loved ones, health and a sense of well being. In a society

[201] PHR Interview, March 2000, Freetown, Sierra Leone

where the extended family plays an integral function, this primary means of support was irrevocably damaged. Several women who had not suffered sexual violence spoke of the range of abuses they and their families had experienced and the multiple losses they faced. A young woman, Marie K., described to PHR her and her family's experience:

> *...They killed many of us, many people...about 100, we were in an unfinished house when they came and kicked at the doors and demanded to know who was in there. They yelled that if we didn't come out they would kill us or burn the house down. Someone near the door opened it. The rest of us were hiding in a room, huddled together. They came in and began to hit us with their weapons yelling "get out, if you don't come out we will kill you." Those who refused to come out, they lit the house up and burned it with them inside the house...*[202]

Aminata B.

Aminata B., a 21 year-old Limba woman who was 12 years old when the war started, told of the destruction of her family's farm by rebels

> *...I grew up with my parents in the Kenema area – Bahamaconta. When the war came, we had to run away, everything we had was burned down or taken away. My father was killed and we couldn't even bury him, we had to just leave him behind...we don't know whether he was ever buried. My mother, sisters and I fled to Makeni. When we lived in Bahamaconta I used to go to school, but when we fled to Makeni, my mother could no longer afford to send my sisters and me to school. We tried to sell water (put in small plastic bags for drinking purposes) to make money to survive...* [203]

Musu

Musu was abducted when she was 12 years old and at the time she was interviewed by PHR in March 2000 she had twin nine-month-old boys. She told PHR her story:

> *I had gotten up and bathed and was getting ready to go to school when the rebels came. I heard shooting and hid under my bed. They searched my house. They shouted, they'd launch an attack on the house and set it on fire if we didn't go with them. I was so frightened I felt I had to use the toilet – the rebels told me I could relieve myself right there in front of them. They took me out of my house and threatened to kill me if I resisted. I saw a neighbor and warned her to run. She was seated and had already surrendered. I surrendered also. We were forced to walk in*

[202] PHR Interview, March 2000, Freetown, Sierra Leone

[203] PHR Interview, March 2000, Freetown, Sierra Leone

the bush for one week and three days. My feet swelled with pain until my toenails came off. We traveled from Kambia to Malal Hill in Makeni. We stayed one week then we trained as commandos for one month and three days, after which we were attacked by government troops. They (rebels) moved out in the middle of the night and traveled on foot to Rotifunk where we all stayed for one year and six months. In 1997, I was with the rebels when they attacked Freetown, but I returned with the rebels because I saw no family there. I never killed anyone. I [lied to them and] told them I had surgery on my eyes and could not see to shoot. They believed me because my eyes were always swollen and red [from crying] because of the things I saw. When the rebels returned to Freetown in 1999 I was pregnant. I convinced a lady to allow me to stay with her. I told her no harm would come to her. I stayed in her house until one day I ran into my aunt on the street. I told her my story and she invited me to come stay with her.[204]

Women's Attitudes about Punishment of Perpetrators

A striking finding from both the in-depth interviews and survey was how many women did not want their perpetrator to be punished. The survey revealed that only 42% of those who responded to this question thought their perpetrators should be punished. Because of the destruction of the war, many Sierra Leoneans do not have experience with a functioning judiciary – this may have been a factor in some women's responses. Some of the women indicated to PHR that what they had experienced was so horrific that they did not believe justice to be possible, others feared retaliation by their perpetrators. Most did not seek justice or revenge, but rather peace and reconciliation, a theme that was echoed in the long form testimonies.

Mary J., 16 years old at the time of the interview, explained her reasoning for not wanting to seek punishment for her persecutors:

...My parents died during the war – they were killed by rebels. I was there and saw it. They captured me and took me with them to the bush. I was a virgin. Two men used me, they ruined me. I escaped when we came near Freetown...so many problems since. I became ill, stomach aches...Finally I was taken to the hospital. I wanted to die. In the hospital, they told me they had to do emergency surgery, my people did not have any money...If they catch them and try to do to them what they did to me, it won't even come near the hell I've been through. So they should just leave them. If they try to punish them, the punishment that I have gotten is more than theirs. I wanted to die during that time. If the emergency operation had not been performed, I would have died...If I

[204] PHR Interview March 2001, Port Loko, Sierra Leone.

ask for punishment for them, it will never amount to what I went through, so the best thing is just to leave them so that we can have peace in Sierra Leone.[205]

A desire for a return to peace was also expressed by Fatmata, a 21 year-old woman with two children:

I was dragged out of the house, but when they saw me, they said that they wanted a virgin, even then I was told to undress...a gun was put to my head, I was kidnapped and constantly threatened with rape...I just want peace in the country, I want things to go back to the way they were in the old days...[206]

Madina K., a young woman, was one of the women who expressed a desire to bring one of those involved in her attack to justice:

...They'd wanted to burn the house down with me in it...I was beaten, raped, forced to go with them. They told me to do bad things, they threatened me with death and beat me. Two men raped me. The first one would go and call other men to come and join in. Others intervened and saved me...I don't want revenge. I don't even remember who they were. The only one I want punished is the one who kidnapped me. I want him to be punished for his wickedness...[207]

Some victims revealed that their attackers made explicit threats. A 30 year-old woman from the north was raped and beaten by two RUF members in 1997. Her husband was also beaten and their home burned and looted. She told PHR, "They [the attackers] were saying to me after they raped me if I will say it to anyone, they will come and kill me."

In spite of the risks, women did offer to give their names to the Special Court or the TRC. One victim who agreed to testify said enthusiastically: "I am ready to go anywhere in the world to explain myself."

The PHR survey administered in 2001 concluded with a series of six open-ended questions for those respondents who reported war-related sexual violence to provide more details about their experiences and additional information about their health, their future, and other concerns. All participants were also encouraged to provide additional comments at the end of the interview. The experiences and concerns women described in their answers to these questions are briefly described here.

Identity and Affiliation of Attackers

Participants were asked to provide identifying information about their attackers and their affiliation:

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[205] PHR interview, March 2000, Freetown, Sierra Leone

[206] PHR interview, March 2000, Freetown, Sierra Leone

[207] PHR interview, March 2000, Freetown, Sierra Leone

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Do you know anything that could identify your attackers? Did they call each other by name? How do you know which military group your attackers were with?

Many respondents were able to provide first names of their attackers – both real names and *noms de guerre* such as Blood, Pepper, Nasty, Bullet, Cut Hand, Poison, God Father, Rebel Baby, Dry Gin, Rambo and Commando Around the World. While one woman was gang-raped by eight members of the RUF, she only named one perpetrator: "His name is Body Naked and if I see him now I will identify him." Several women offered the full names of their attackers as well as descriptions of them.

The affiliation of perpetrators was understood primarily through verbal communication, "They call their leader's name, Foday Sankoh and their commander Superman;" "They call themselves West Side Boys and they took me to their base and I was with them until I escaped." A twenty-five year-old woman from Port Loko who was captured by the AFRC in 1998 and whose husband was tortured said that the perpetrators referred to themselves as "our junta the AFRC." Two women specifically identified members of the Sierra Leone Army, though it is possible that they were part of the military that turned on the government: "They said they were the Sierra Leone Military Group."

Dress also played a role in linking individuals to a group in the minds of those who were attacked. One woman told PHR, "They were running after us and they were calling Superman, Colonel Issa, and everybody knows that these people were RUF, because they were always at the bush and wore T-shirts with "RUF" printed on them. I was given one to wear by Gold Teeth." A 16-year-old from Port Loko who was gang raped by five attackers and held for months was able to identify her attackers "because they were wearing Tupac [Shakur] T-shirts, so I know they were rebels." The RUF were identified numerous times as wearing red scarves tied around their heads. "They identify each other by names. One called himself Abdullah, another Mohammed and the last Sorie. They all had red cloths on the forehead. The Ex-SLA wore their uniforms and identified themselves as Ex-SLA," recounted a woman who had been abducted and gang raped. Another woman who had a similar experience in which she was jointly attacked by RUF and Ex-SLA claimed: "They had red cloth on their forehead and call their leaders name, which is Poppeh,[208] meaning Foday Sankoh." Another woman told PHR, "They had red headbands and green uniforms on and said they were fighting for Foday Sankoh (and) that they were going to fight until Tejan Kabbah goes away."

Of the 93 survivors of sexual violence interviewed in the PHR survey

[208] The name of Poppeh, apparently a nickname for Foday Sankoh, was mentioned by many women in the questionnaire. While it was spelled differently by the various researchers, it is reasonable to assume that they are all referring to the same name.

who were able to identify the affiliation of their perpetrator(s) in the PHR survey, the RUF was named 63 times, four of which were in complicity with ex-SLA soldiers. The West Side Boys were named 14 times, the AFRC eight times, Liberians two times, and the Sierra Leone military twice, though it is unclear whether their loyalty was with the government at the time of the attacks. Most attackers identified themselves verbally as well as by their dress, but also, in the incidents perpetrated by RUF fighters, by declaring their loyalty to their leader. Several victims concluded the affiliation of their perpetrators because they were "based near by."

While no direct evidence of command responsibility was provided to PHR, several women pointed a finger at rebel leadership. A 30 year-old woman from the North who was abducted, raped and beaten by RUF stated, "I just know that the leader of the fighters is the fault because if he stopped them, they would never do it – because he supported it – that's why."

Many participants were clear about the affiliation of their attackers. It must, however, be understood that many of the rebel factions collaborating and loyalties shifted at various times of the war. As such, in some cases, it may be difficult to determine perpetrator affiliation with certainty.

Relationship between Victim and Perpetrator

The complexity of the relationship between victim and perpetrator that has on occasion developed in the bush must be noted. It has been reported that some women and girls who were abducted chose to remain with their captors. There are a number of possible explanations. The PHR survey revealed that some who became pregnant as a result of rape consider themselves married to their captors and believe they have no choice but to remain with their "husbands." Other possible factors contributing to the reported phenomena of abductees voluntarily remaining with their captors include: identification with the abductor, drug addiction, the more desirable food options reportedly available in the bush, fear that they will be rejected by their families and communities if they go home, and the fact that many abductees, particularly those who were abducted as young girls are now accustomed to their new way of life and surrogate families.[209]

For example, one 16 year-old girl from the Port Loko area with no schooling was raped and abducted by a member of the RUF. She thinks commanders were aware of the attacks and she "can identify her attacker because she knows his name and he forced her to marry him." While she expressed fear of contracting a disease and of future sexual violence by combatants, she does not think her perpetrator should be punished now because he is her legal husband and they have a child together.

[209] PHR conversations Corinne Dufka of Human Rights Watch, January, 2001 and with NGO representatives who were providing services to returned abductees, March 2000.

A 16-year-old from the Eastern area was abducted by the RUF in 1999 with her sister and forced to marry her captor. She also claims the commander was aware of the attack. She does not think her attacker should be punished because of fear of reprisals and in the spirit of reconciliation:

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In the bush he was called Lt. Papay, ... He said they were Mosquito's group. That he was pure rebel and would marry me and carry me into the bush and live with me there because they are bad people and want to destroy me and even the country.

What Perpetrators Said During the Attacks

More than half of the women who reported sexual violence answered the question, "What did [your attackers] say to you, or to each other?" About a fourth of these reported that their attackers explicitly claimed to be targeting supporters of Pa (Tejan) Kabba. Of these, many women were directly told to go tell Pa Kabba about what had happened to them: One woman told PHR 'They told me to go complain to Tejan Kabbah after they have burnt my clothes and house, then raped me." Another reported that "they told me if I refuse to lie down they will kill me and after they finished they told me to go and report to Pa Kabba." This was almost identical to what was reported to PHR by another woman: "They told me they are going to kill me if I refuse to follow them and they told me to lie down. They also used all sort of obscene language at me and they told me to go and tell Tejan Kabba." These remarks suggest that the attacks were politically motivated.

Other women reported comments made by their attackers that suggest political motivation. According to one participant, "they asked me, 'whom are you going to vote for?'" Another told PHR "they said they are coming with their boss Foday Sankoh to take over from Pa Kabbah, and that we should support them." A 22 year-old woman who was abducted by the RUF with her husband's other wife quoted her attackers; "We will never release you until we marry you... Because Foday Sankoh is not president, that's why we are doing this to women." Another told PHR "they said they were fighting because the government was corrupt." A 19 year-old woman was raped along with all seven other female members of her household. "They were saying we are not ready for disarmament until they release Foday Sankoh from prison to come to us."

Many also reported to PHR that they were threatened with violence or death by their attackers if they did not cooperate, as evidenced by some of the statements above. A woman from Port Loko whose husband was beaten, whose sons were abducted and are still missing, and who was raped along with her daughter and her husband's other wife reported the

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rebels saying to her "that if I don't allow them to rape me they were going to kill me, so I allowed them."

Why Did Respondents Think Combatants Attacked Women?

In response to the question posed by the PHR/UNAMSIL team, "Why do you think combatants did these things – sexually abusing women and girls – during this war?" the majority of women did not reply or stated that they did not know. Many of those who answered gave the question over to God, saying only God knew why the assailants did those things. Among those who ventured an opinion, most maintained that the combatants targeted women because women are weak, they cannot fight back, or run away. Some women stated simply that the men wanted sex. A smaller, but significant, group of respondents indicated that the men committed acts of sexual violence because they did not respect women or their mothers. Other women cited the sense of omnipotence felt by their attackers. As one woman explained, "They are rebels. They could do anything." Another said, "because they wanted young women and they have money and guns."

Several responses suggested the actions of the perpetrators were strategic: "They use women as human shields in their campaign against the government and whenever they have planned attacks women lead in order to be spies." "They know what they did it for – they hold the gun and their motive was to see women and rape them."

Women's Concerns about the Future and about Their Health

The majority of women who responded to the two questions about their biggest worries about the future in general and about their health referred to the financial and personal insecurity they faced as a result of the war. Women expressed fear that the war would not end and that they would experience future attacks and abuse. They spoke of their lack of livelihoods, homes, and husbands to provide for them. As one woman told PHR "Presently my husband is no more. Who will take care of me in the future? They have looted my properties and I do not have anything for now." A number of women expressed fear about how they would provide for themselves or for their children, including offspring from the rapes they experienced. One woman told PHR, "I am homeless, bankrupt, and where can I get help to take care of my unborn child?"

In their responses about overall worries about the future, some respondents linked their fears about their vulnerability as "violated" women without a male partner or family with concern about their health:

> *There will be no better future for me because I am broken. No man will marry me or take me seriously. I don't want to become sick, to get what they call AIDS. People will begin to say a lot about me if they know what happened to me.*

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The concern about having contracted a sexually transmitted disease or AIDS was a prominent concern expressed by several participants in response to the question about specific health worries. Women described experiencing diffuse abdominal and pelvic pains and expressed worry that these represented sexually transmitted diseases. Yet, they were afraid of the stigma associated with seeking help for rape-related health problems:

> *I don't want to have AIDS. I am afraid to go to the hospital. I don't want people to know if it is true that I have AIDS. I don't know whether I have AIDS or not.*

Other women expressed a desire for medical treatment, but spoke of their lack of access to medical assistance at the IDP camps. Many of the respondents, both those who had directly suffered sexual trauma and those who had not, spoke in general terms of being physically and mentally sick, but with little hope of receiving necessary medical care.

In addition to the series of open-ended questions asked by PHR of those who survived sexual violence, all participants were given the opportunity to provide additional comments at the end of the interview.

Many respondents expressed a strong desire for an end to the war so they can return home and resume their previous routine including work, food and housing: "I want the government to help with all possible means to put an end to this war. I am fed up being displaced. I want to go back. I want perfect peace so that our children can go back to school and we would no longer have fear."

Many, however, did not know the state of their homes, which they feared or knew had been burned or looted: "When the rebels attacked us at night, I left naked and ran into the bush. They burned and looted everything in our house." In the camps many women have little to do but gather firewood to occupy their time, which some sell to earn money. Some complained of food shortages and lack of access to medicines: " I worry about my daughter because she never discloses anything about her experience when she was abducted. I want the government to help me with money so that I will be able to take her to the hospital for medical check up since she refuses to talk to me. I need clothes for my children and also for myself." Another expressed her desperation:

> *Since four years back they abducted my son – until now I don't know if he's dead or alive. I want to see him. The condition we are living in is deplorable. We are praying and asking for rapid deployment – we want to return. There is nothing to live on unless the mere bulgur. My sides are paining me from laying on the ground – we have no place to sleep.*

A number of women who had lost their husbands in the war stressed the need for education and skills training for women and assistance in sup-

porting their children: "Now that they have killed my two children and also my husband is dead, how am I going to maintain the other children as we need assistance?"

> *Now I have lost my husband so I do not have a husband. I have no money. I am also an old woman. All that I had was left to the mercy of the rebels because I had to run when they were behind us. As you can see, my feet are swollen, I cannot walk – I cannot do anything. The first thing is that I do not have money – If I had money I would start doing something. All I can say now is that I wish the war would end.*

Women requested loans for business purposes, as well as a need for assistance with school fees so they could send their children back to school: "We are praying that this war ends. We will also like to see rehabilitation take place in our community. We want our homes rebuilt, but most of all education for our children. We know that once they are educated, they in return will help build our nation." Several women not only recognized the importance of education for the long-term success of the country, but specifically noted education for girls:

> *We want education in our land. The saying goes that when you educate a woman, you educate a nation. We want our girl children to go to school, learn skills – and even we parents, if need be. We want loan schemes because some of us were traders, but today the rebels have suffered us.*

Many of the additional comments could be categorized to reveal the most common concerns among IDP women who did not report sexual violence. The prevailing response was a desire for the war to end (168/424): "My heart's desire now is to see that the war ends so that we can go back home. Those who took the guns on us, we want God to take the guns from them so that we can go to our homes in peace." A quarter (108/424) said that they wanted to return home: "Only begin the perpetrators to come out of the bush and lay down their weapons for us to go home – we're homesick." Education for children was also mentioned (30/424) – and education/skills for the participant by (10/424). A thirty-four year-old woman with five young children who had been displaced since January 1999 and is separated from her husband said that she "needs help from any NGO to set up women's groups for the promotion of women's activities to become self-reliant."

Fifty-eight women expressed a need for clothing, food or other household items including pots for cooking, utensils and bedding. Twenty requested financial assistance and 15 medical assistance. Fifteen requested assistance with building and repair.

Of those who reported sexual violence, 79 provided additional comments. The comments they provided were related to the preceding ques-

tions which focused on details about their perpetrator and their concerns about their health and their future. The most common comments among this group also had to do with a desire for an end to the war and for going home. Other concerns cited in descending order of frequency were: health/medical, schooling/training, clothing, shelter, cooking tools, financial support/loans, child care, food, family tracing, justice, and fear of future attacks. "Help me with school fees as I want to be a lawyer in the future. My mother is poor and do not have money. Protect women also."

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Many of these women also asked for assistance to simply begin rebuilding their lives, in some cases their pleas reflect an acute helplessness and desperation more evident among those who reported sexual violence. Many have lost their husbands, their homes, their children, their possessions and in some cases their ability to work due to disability and disease. "I am going to let the human rights people help me for medication. I am slowly dying – please help." "Let the government and other NGOs decide on any help for us." "We have suffered greatly during this war – even something to eat and wear we do not have, so please help us." "Provide enough medicines because only panadol (paracetamol[210]) is available. Rebuild our homes, send doctors who are very well with their jobs." "Please UNAMSIL, help us. We are tired of this war. We want to return back. Please UN come help us with this war – help us return to our homes."

Even those who felt less defeated pleaded for help: "I am thanking all those who ask you people to come and interview us about our experiences in the war in Jesus name. I greet them all. I pray God will touch the heart of the human rights people to think of our plight and bring immediate help for us."

[210] Also known as acetaminophen or Tylenol.

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V. APPLICATION OF RELEVANT INTERNATIONAL LAW

The acts of sexual violence, killings, and torture documented in this report that were perpetrated against civilians in Sierra Leone are crimes against humanity and war crimes as defined by international legal standards.[211]

Traditionally, rape and other forms of sexual violence were regarded as legitimate spoils of war, and sexual access to the vanquished women viewed as an incentive to capture a town. During the Middle Ages, wartime rape was increasingly prohibited, though rarely punished. Sexual violence was generally viewed as an unfortunate but inevitable byproduct of war. Although evidence of rape, enforced prostitution, sexual slavery, forced abortion, forced pregnancy, forced sterilization, sexual mutilation, and sexual humiliation was entered into the official transcripts of the Nuremberg and Tokyo War Crimes Trials held after World War II, attempts to prosecute the crimes were very limited.[212]

As recent events in such conflicts as those in the former Yugoslavia and Rwanda have demonstrated, sexual violence is increasingly used as a powerful weapon of war, a means to cause serious bodily and mental harm to not only women, but to all members of the opposing group. Rape and other forms of sexual violence, including reproductive crimes, are now regarded as means of inflicting terror and destruction upon the civilian population and the armed forces protecting them.[213] Partly as a result of reports of women being detained and systematically raped in the Balkan conflict and during the Rwanda genocide, the international community has recognized these acts as serious crimes which merit prosecution and punishment. This acknowledgement has led to the inclusion of gender-based crimes in not only the Statute of the International Criminal Court, but also the Statutes of the International Criminal Tribunal for the former Yugoslavia[214] and International Criminal Tribunal for Rwanda.[215] Several judgments rendered by these tribunals have recognized various forms of

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[211] Rome Statute of the International Criminal Court (adopted 7/17/98). See www.untreaty.un.org/English/notpubl/rome-en.htm

[212] See Askin,K.D., *War Crimes Against Women: Prosecution in International War Crimes Tribunals* (1997).

[213] See discussion in Askin, K.D., "Women and International Humanitarian Law," in Askin, K. & Koenig, D., eds. *Women and International Human Rights Law, vol. I*, 1999.

[214] Statute of The International Criminal Tribunal for the Former Yugoslavia (adopted 5/25/93) www.un.org/icty

sexual violence as instruments of genocide, means of torture, crimes against humanity, and war crimes, regardless of the nature of the conflict as international or internal.[216] Sexual violence, including rape and sexual slavery, is specifically included in the Statute of the Special Court for Sierra Leone.

Humanitarian law

The legal instruments that constitute what is referred to as international humanitarian law, or laws of war, set out protections that apply in times of conflict. These overlap and supplement the protections offered by human rights law.

In the case of an internal conflict, such as the one in Sierra Leone, the protections that exist are less complete. Nonetheless, rape, extrajudicial killing, and torture are clearly prohibited under any circumstance. The origin of these standards is codified in Article 3 common to all four of the 1949 Geneva Conventions, which afford protections to civilians, prisoners of war, and others rendered *hors de combat* in internal armed conflicts.[217] The 1977 Additional Protocol I which regulates international armed conflicts and Additional Protocol II, which regulates non-international armed conflict, expand on these protections.[218] Sierra Leone is a party to all four of the 1949 Geneva Conventions[219] and both Additional Protocols.[220]

Common Article 3 which applies to all parties in internal conflicts such as Sierra Leone's, prohibits "violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture" and "outrages upon personal dignity, in particular humiliating and degrading treatment." Additional Protocol I that regulates international armed conflict specifies that "Women shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent

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[215] Statute of The International Criminal Tribunal for Rwanda (adopted 11/8/94). See www.ictr.org

[216] See especially Prosecutor v. Jean-Paul Akayesu, Judgement, ICTR-96-4-T, September 2, 1998; Prosecutor v. Anto *Furund`ija*, Judgement, IT-95-17/1-T, December 10, 1998; Prosecutor v. Zejnil Delalic et al., Judgement, IT-96-21-T, November 16, 1998; Prosecutor v. Kunarac et al., Judgement, IT-96-23-T & IT-96-23/1-T, February 22, 2001.

[217] See e.g., Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War, August 12, 1949, 75 UNTS (1950) 287-417.

[218] 1977 Geneva Protocol II Additional to the Geneva Conventions of 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts, June 8, 1977, 1125 UNTS (1979) 609-99 [hereinafter Additional Protocol II]. Protocol Additional to the Geneva Conventions of August 12, 1949, and relating to the Protection of Victims of International Armed Conflicts June 8, 1977 [hereinafter Additional Protocol I].

[219] Succession: June 10, 1965

[220] Ratified: October 21, 1986

assault."[221] Additional Protocol II which applies in certain internal armed conflicts expands upon and explicitly forbids "violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation"[222] and "outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault."[223] The jurisprudence of the ICTY and ICTR has reinforced the principle that serious violations of these provisions constitute war crimes. As such, the acts of rape, killing and torture documented in this report, which were committed with a nexus to the armed conflict, are war crimes and international crimes prosecutable regardless of the presence of an armed conflict if committed in the context of crimes against humanity or genocide.

Human Rights Law

Sierra Leone has signed or ratified several international human rights treaties that prohibit the abuses committed against civilians documented in this report. These include the International Covenant on Civil and Political Rights (ICCPR),[224] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT),[225] and the Convention on the Rights of the Child (CRC).[226] These treaties protect the right to life, and the right to be free from torture and arbitrary detention. Sierra Leone is also a party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).[227]

International human rights law distinguishes certain rights as non-derogable. These must be respected in all circumstances including times of conflict. The right to life is one such right and is set out in the ICCPR[228] and, in the case of children, the CRC.[229] Another non-derogable right identified in the ICCPR is the right to be free from torture.[230] This right is set out in more detail in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Sexual violence including rape is

[221] Additional Protocol 1, Article 76 (1)

[222] Additional Protocol II, Article 4(2)(a).

[223] Ibid, article 4(2)(e).

[224] Acceded: August 23, 1996.

[225] Signed: March 18, 1985; ratified by parliament March 1, 2001

[226] Signed: February 13, 1990; ratified: June 18, 1990

[227] Signed: September 221, 1988; Ratified: November 11, 1988. Sierra Leone's initial and second and third periodic reports were due December 11, 1989, 1993 and 1997 respectively

[228] ICCPR, Article 6(1)

[229] CRC, Article 6(1)

[230] ICCPR, Article 7

also recognized as a form of torture in reports by the Special Rapporteur on Torture, and in cases before the European Commission on Human Rights and the Inter-American Court of Human Rights.

The Slavery Convention defines slavery as "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised."[231] As recognized in the Kunarac Case, indicia of slavery may include "sex; prostitution; and human trafficking" as well as "control of sexuality."[232] The case stood for the proposition that enslaving women and girls and subjecting them to rape constituted sexual slavery. Also, article 8 of the ICCPR states that "No one shall be held in servitude"[233] and prohibits forced labor.[234]

Non-State Actors

Regarding international humanitarian law, the provisions of Common Article 3 of the Geneva Conventions apply to all parties to a conflict, this includes armed opposition forces such as the RUF and the AFRC. As such, these non-state actors may be held accountable for their violations of international humanitarian law.[235]

The Kunarac Case in the ICTY recently emphasized that under international humanitarian law, the "presence of a state official or of any other authority-wielding person in the torture process is not necessary for the offense to be regarded as torture."[236] Thus, whereas human rights law might require state action or sanction of torture, international humanitarian law and international criminal law does not. This is consistent with the Statute for the International Criminal Court, which also deleted the state-actor requirement.[237] All persons, regardless of whether acting in an official capacity or not, can and should be held individually criminally liable for international crimes, including war crimes and crimes against humanity. The perpetrators of the crimes documented in the PHR survey can and should be prosecuted for their crimes.

The PHR study documented that 6% of abuses were committed by government forces However, most abuses for which the affiliation of perpetrators was identified were committed by the RUF or unspecified rebels

[231] Slavery Convention Article 1(1) www.hri.ca/uninfo/treaties/28.shtml

[232] Kunarac et al, paras. 542-43.

[233] ICCPR, Article 8(2)

[234] ICCPR Article 8(3)

[235] E/CN.4/2001/73 Report of the Special Rapporteur on violence against women, its causes and consequences Violence against women perpetrated and/or condoned by the State during times of armed conflict (1997-2000)

[236] Kunarac et al., para. 496.

[237] Rome Statute untreaty.un.org/English/notpubl/rome-en.htm

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(86%). As an armed opposition group, the RUF is not a party to the human rights instruments above, however the characteristics of the RUF and the nature, pattern, and seriousness of the abuses are such that the RUF may be held to the standards contained therein.

The Special Court for Sierra Leone

Background

At the request of the Government of Sierra Leone, the United Nations proposed establishing an international court for prosecution of those responsible for the commission of atrocities during the war. UN Security Council Resolution 1315, adopted on August 14, 2000, requested negotiations for creation of a court to prosecute "crimes against humanity, war crimes and other serious violations of international humanitarian law,"[238] and to try those "persons who bear the greatest responsibility"[239] for these crimes.

Following negotiations, it was determined that the court for Sierra Leone would differ from the International Criminal Tribunals for the Former Yugoslavia and Rwanda in several ways.

The Sierra Leonean Court would be based on a treaty or agreement between the United Nations and Sierra Leone. As such, unlike the ICTY and ICTR, it cannot assert primacy over national courts of other states nor can it order accused individuals located in another state to surrender.

Staff for the Special Court, including the judges and prosecutors, will be composed of both Sierra Leoneans and people from other countries.[240] The Court's subject matter jurisdiction will include acts in violation of international humanitarian law as well as certain crimes under Sierra Leonean law.[241]

The Special Court will try cases of events occurring since November 30, 1996.[242] Although the conflict started in 1991, it was believed that extending the temporal jurisdiction to that time would impose too much of a burden on the court.

Security Council Resolution 1315 refers to voluntary contributions of funds, services and equipment,[243] implying that the Security Council intended this to be the primary method of meeting the Special Court's

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[238] UN Security Council Resolution 1315, adopted on August 14, 2000 Available at www.un.org/Docs/scres/2000/res1315e.pdf.

[239] Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone, Article 1 Available at: www.un.org/Docs/sc/reports/2000/915e.pdf .

[240] Ibid Arts 2 & 3

[241] Statute of the Special Court for Sierra Leone. Article 1 Available at www.un.org/Docs/sc/reports/2000/915e.pdf.

[242] This is the date of the signing of the Abidjan accords, the first peace agreement between the RUF and the Sierra Leonean Government.

[243] UN Security Council Resolution 1315 8(c)

costs.[244] The UN Secretariat's Office of Legal Affairs has estimated that the Special Court's budget for the first three years will be about $57 million of which some $16.8 million will be required for the first year of operation.[245] As of the end of November 2001, the UN had received contributions for $14.8 million for the Court's first year. It had only received pledges for some $20.4 million for the next two years. Initial steps toward the establishment of the court have taken place despite lack of funding.[246]

Gender-Based Crimes in the Special Court

The Statute of the Special Court for Sierra Leone explicitly includes gender-based violence in its definition of several categories of crimes that the Court has the power to prosecute.

The Statute, in its listing of Crimes against Humanity, includes "rape, sexual slavery, enforced prostitution, forced pregnancy and any other form of sexual violence"[247] as prosecutable crimes when "committed...as part of a widespread or systematic attack against any civilian population."[248]

The Court also expressly includes "rape, enforced prostitution and any form of indecent assault"[249] as violations of humanitarian law as enshrined in Common Article 3 and Additional Protocol II.[250] As mentioned above, the court has the power to try certain offenses under Sierra Leonean law. Some of these may be used to prosecute gender-based violence against girls under the age of fourteen.[251]

The term "systematic" requires a qualitative judgment by adjudicators as to active and passive complicity and the extent to which these crimes were committed. It is important to consider the high rate of sexual violence documented by the PHR survey. The frequency of sexual violence and other human rights abuses, especially those committed by the RUF, suggests that commanders are likely to have been aware of the crimes perpetrated by the forces under their command.

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[244] Amnesty International, *Sierra Leone: Renewed Commitment Needed to End Impunity,* 24/09/2001 Available at www.web.amnesty.org/aidoc/aidoc_pdf.nsf/index/AFR510072001ENGLISH/$File/AFR5100701.pdf p.7

[245] Ibid, p.9

[246] UN Daily Briefing, "Annan Authorizes Planning Mission for Sierra Leone Court", January 3, 2002, http://www.un.org/News/ossg/hilites.htm.

[247] Statute of the Special Court for Sierra Leone Art 2 (g) Available at www.un.org/Docs/sc/reports/2000/915e.pdf

[248] Ibid, Article 2 chapeau

[249] Ibid, Article 3 (e)

[250] Ibid, Article 3 chapeau

[251] Ibid, Article 5

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The Truth and Reconciliation Commission

The Lome Peace Agreement of July 7, 1999, provides for the establishment of a Truth and Reconciliation Commission (TRC) to "address impunity, break the cycle of violence, provide a forum for both the victims and perpetrators of human rights violations to tell their story [and] get a clear picture of the past in order to facilitate genuine healing and reconciliation"[252] by addressing human rights violations committed from the start of the conflict.

Enacted in 2000, the Truth and Reconciliation Commission Act[253] provides more detail about the TRC, which will look at cases occurring prior to the signing of the Lome Agreement. As part of its mandate to "work to restore the human dignity of victims and promote reconciliation,"[254] the TRC will pay "special attention to the subject of sexual abuses."[255] Some education efforts about the TRC have begun[256] and preliminary steps towards selection of Commissioners and preparation of a budget have been taken.[257] The TRC, however, is not expected to begin operations until after the elections in 2002. Most importantly, the nature of the relationship between the TRC and the Special Court has not yet been resolved.[258]

It will be particularly important for both the Court and the Commission to consult with and hire persons with expertise in and sensitivity to gender-related crimes, including sexual violence and to ensure the protection of women that come forward to testify.

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[252] Peace Agreement Between The Government Of Sierra Leone And The Revolutionary United Front Of Sierra Leone Art. XXVI http://www.sierra-leone.org/lomeaccord.html

[253] The Truth and Reconciliation Commission Act 2000. Available at www.sierra-leone.org/trcacat2000.html

[254] TRC Act Part III 6 (2)(b)

[255] TRC Act Part III 6 (2)(b)

[256] http://www.sierra-leone.org/trc.html

[257] Eleventh Report of the Secretary-General on the United Nations Mission in Sierra Leone p.7 www.un.org/Docs/sc/reports/2001/857e.pdf

[258] Amnesty International, *Sierra Leone: Renewed Commitment Needed to End Impunity,* 24/09/2001; pp. 13-14 www.web.amnesty.org/aidoc/aidoc_pdf.nsf/index/AFR510072001ENGLISH/$File/AFR5100701.pdf

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VI. RESPONSES TO THE SIERRA LEONE COMPLEX HUMANITARIAN EMERGENCY

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Humanitarian Assistance

Numerous non-governmental and international organizations are working in Sierra Leone to address the complex humanitarian emergency that has emerged from the ongoing conflict. These groups are doing their best to provide a range of basic services under extremely difficult conditions. There are, however, significant gaps in services due to funding, coordination and security problems. The task is made all the more challenging by the frequent movement of populations including the periodic surges of returnees from neighboring countries. United Nations Office for Coordination of Humanitarian Assistance (UNOCHA) is the lead coordinating body for humanitarian relief in Sierra Leone with Sierra Leone's National Committee for Relief Reconstruction and Rehabilitation (NCRRR).

After the peace process deteriorated in May 2000 most relief agencies were forced to evacuate the country and humanitarian assistance temporarily ceased. Relief activities resumed, however, in the second half of 2000 as agencies regained access to affected areas. The cease-fire agreements between the RUF and the Government of Sierra Leone as well as the recent opening of roads has allowed much improved access to areas of the country previously beyond the reach of aid agencies.[259]

Numerous agencies are working to build shelter; feed and provide healthcare for the displaced; reintegrate adult and child soldiers; reunite families; care for orphans; mitigate the ill effects of the civil war, particularly for children, women and the injured; provide food security; educate the population and rebuild the infrastructure of the country.[260] Meeting the food needs of the displaced, one of the greatest challenges to the relief community, has been managed by four implementing agencies: Care, Catholic Relief Services (CRS), World Vision and the UN World Food Program (WFP). The provisions of shelter, education and healthcare have also been priorities.

Basic health services are offered in clinics set up temporarily in some IDP and demobilization camps by organizations such as International

[259] Sierra Leone-Complex Emergency Situation Report #1 (FY2001), April 20, 2001 p 1.

[260] For a more detailed list of organizations working in Sierra Leone specifically on the issue of sexual violence, see Appendix C.

Committee for the Red Cross (ICRC), Médecins sans Frontières (MSF), the International Medical Corps (IMC), and the International Rescue Committee (IRC), though like the PHUs they suffer from a shortage of trained staff, equipment and medications.[261] Some of those who were maimed in the fighting or who had their limbs amputated by rebel forces have received more comprehensive assistance from various NGOs including Handicap International (HI), MSF, and Christian Children's Fund (CCF). Such programs involve reconstructive surgery, prostheses, physical therapy, counseling and vocational training.

Despite several rebel incursions, the capital, Freetown, has been one of the most secure areas in the country and provided a base for the various aid organizations working in Sierra Leone. This concentration of services has led to problems of coordination in the Western area, as well as inadequate services in the provinces, although both issues are beginning to be addressed as the security situation continues to stabilize.[262] UNOCHA and UNHCR are making significant progress in developing maps on who is doing what and where in the humanitarian arena. The maps of individual international non-governmental organizations are now available, in electronic form, at the Humanitarian Information Center in Freetown.

NCRRR is providing emergency recovery funding and technical support in over one-third of the country, which is accessible in the following sectors: agriculture, capacity building, community infrastructure, education and health facilities rehabilitation water and sanitation, and roads.

Relief agencies, with the support of international donors, are also responding to the needs of half a million refugees in Guinea by setting up camps and providing food, medical care and education.[263]

International Community Response to the Crisis in Sierra Leone

Though a number of international and non-governmental organizations have had operations on the ground providing humanitarian and development assistance for decades, the international community has been particularly active in promoting peace in Sierra Leone since the signing of the Lome Accord in 1999. Efforts to end the crisis have included strengthening the UN peacekeeping mission, taking concerted action to curb the trade in diamonds used to procure arms, supporting the demobilization effort, and resolving to establish a Special Court for Sierra Leone in an effort to end impunity.

The United Kingdom (UK) has played a particularly prominent role in the marked improvements in the security situation over the past year. The

[261] During a March 2000 investigation, PHR observed that many clinics had no gloves, antibiotics or antibiotic cream.

[262] USAID, BHR, OFDA, Humanitarian Situation Report #1, October 3, 2001.

[263] USAID, BHR, OFDA, Situation Report #1, October 3, 2001.

UK sent a team of Special Forces in response to the May 2000 crisis. Since then, the British have maintained a high-profile military presence and are actively screening new recruits and training the new Sierra Leonean army. While the United States has declined to send American soldiers to Sierra Leone, in an effort to build regional peacekeeping capacity the US has trained battalions of peacekeepers in Nigeria, Senegal[264] and Ghana who could serve under the West African Regional Peace Keeping Force (ECOMOG) and/or or the United Nations Department of Peace Keeping Operations (UNDPKO) in the future, and has provided logistical and technical support to UNAMSIL and ECOMOG.

The US and the UK have also assumed a leadership role within the UN structure to address conflict diamonds as well as the involvement of Charles Taylor and Liberia in the conflict.

While many developed countries have been active diplomatically and through humanitarian efforts, only developing countries including: Nigeria, India, Kenya, Jordan, Zambia, Bangladesh, Pakistan, Ghana, Guinea, and Nepal have contributed troops to the peacekeeping force.

Multilateral and Bilateral Support

While the international community is actively engaged in ending the conflict and is funding UNAMSIL in the amount of millions of dollars per day, Sierra Leone has historically received inadequate humanitarian and development assistance.[265] Of over $64 million requested by UN agencies for humanitarian assistance for Sierra Leone in 2000, only 65% was funded through contributions – and a portion through carry-over funds for the previous year. The increased appeal (CAP) of $74 million in 2001 was also underfunded by 35%, or approximately $26 million.[266] Most donors channeled assistance to Sierra Leone through either the United Nations agencies or international NGOs, rather than through bilateral assistance given the weak state of the government. The primary donors involved in Sierra Leone are the European Union, The African Development Bank, The United Kingdom Department for International Development (DFID), The United States Agency for International Development (USAID), and the World Bank. The World Bank's activities have focused on agriculture, education, infrastructure and health. In addition to advising the government on economic reform, the Bank has provided funds of over $650 million to various initiatives since 1995[267] and manages the

[264] Fisher-Thompson, J, US Aid West African Force in Sierra Leone on Track www.reliefweb.int/w/rwb.nsf/s/440FC9976409CA70C1256A1D003CB447

[265] Pratt p. 24

[266] 2001 UN Consolidated Inter-Agency Appeals for Humanitarian Assistance Summary of Revised Requirements and Contributions by Affected Country/Region. November 6, 2001.

[267] World Bank web site www.worldbank.org, Countries: Sierra Leone

trust fund for the DDR process.[268] Among the largest government donors of assistance to Sierra Leone are the US, UK, Norway, Germany, Sweden, Canada, Japan, France, Denmark and the Netherlands. The European Commission has earmarked 15.5 million Euros in 2001 to meet the needs of refugees, IDPs and host communities in Sierra Leone and Guinea. In both countries funds are channeled through partner organizations including Premiere Urgence, Action Contre La Faim, Enfants Refugies du Monde, Oxfam, International Medical Corps (IMC) and the International Federation of the Red Cross which are providing food, water and health care to the targeted population, assistance for IDPs, assistance for humanitarian agencies working on the ground, and special support for children, amputees and war-affected women.[269]

While the international community has provided increased humanitarian aid, particularly in 2001 in response to the refugee crisis in Guinea, many urgent humanitarian and development needs remain unmet due to the sheer scale and complexity of the crisis. Furthermore, Sierra Leone has historically received less development assistance in real terms and per capita than other nations in the region. In fact, official development assistance figures reveal that aid to Sierra Leone declined from $133.4 million ($30.6 per capita) in 1992 to $106.3 ($21.9 per capita) million in 1998.[270] Though countries including the US may have hesitated to invest in a country wracked by political instability and corruption, now that the security situation is improving, it is vital that Sierra Leone receive strategic capital infusions in order to consolidate the delicate peace.

The current level of international involvement coupled with the relatively conciliatory position of the RUF offers the most optimistic outlook for peace in years. With active support for development and good governance by the international community, Sierra Leone with all its potential could become a model for the positive involvement of the international community. In the absence of adequate funding, it is likely that conflict in the country could reoccur as well as a broadening of the conflict in the region with serious humanitarian and security implications.

In addition to short-term engagement to enforce peace and longer-term development and nation building efforts to foster a climate less conducive to conflict, there is a particular need for greater assistance for women and girls who, even before the war, were disadvantaged due to discriminatory laws and cultural practices. Women and girls who have lost their fathers, sons and husbands due to the war are now heading households with severely limited resources while trying to recover from displacement and

[268] World Bank, "Fact Sheet: Sierra Leone Disarmament Program and Donor Conference" Washington DC June 5 2001 Available at www.worldbank.org/afr/sl_pr_factsheet.pdf.

[269] IRIN-WA,"ECHO Director Visits Guinea, Sierra Leone," May 16, 2001.

[270] UNDP, *Human Development Report 2000*.

human rights abuses. Funding is urgently required for medical treatment, housing and skills training for survivors of sexual violence and for improved education, law enforcement, and judicial processes in order to better protect the population from sexual violence in the future.

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United States Assistance

The US Government has provided more than $300 million in humanitarian assistance to Sierra Leone since the war began ten years ago from a number of departments within the United States Agency for International Development (USAID) and the US Department of State. These include: the Office of Food for Peace (USAID/FFP), the Africa Bureau (USAID/AFR), and the Bureau of Population, Refugees and Migration (State/PRM). The total USAID humanitarian assistance in FY 2000 was nearly $40 million.[271] The total US Government humanitarian assistance to Sierra Leone for FY 2001 was over $75 million. That figure includes approximately $20 million in support for humanitarian assistance programs[272] in agriculture, health, IDP resettlement, nutrition, shelter, water/sanitation, and education and training for ex-combatants, as well as electoral/political processes support and support for the reconciliation process, including human rights; $37.3 million in food assistance,[273] and nearly $10 million for programs to assist returning refugees.[274]

The US also provided substantial support for Sierra Leonean refugees in Guinea. In addition to $60 million provided in response to UNHCR's Global Appeal for Africa for 2001, which was not earmarked, as well as $33 million earmarked for West Africa, over $22 million was allocated in 2001 (more than twice last year's figure) to address the refugee crisis in Guinea largely through international non-governmental organizations.[275] Programs in Guinea and Sierra Leone addressing war-affected women that received funding from PRM in 2001 include the Center for Victims of Torture (approximately $1.5 million) for psycho-social assistance to traumatized refugees in Guinea and Sierra Leone, the IRC (approximately $250,000 for programs addressing sexual and gender-based violence, and IMC ($725,000) for gynecological surgeries.[276]

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[271] USAID Pledges $2 million to Sierra Leone to Aid War-Affected, USAID Press Release June 27, 2000.

[272] Organizations receiving US funds include: Action Contre La Faim, Africare, CARE, CRS, Merlin, International Medical Corps, UNICEF, World Vision, and WFP.

[273] Food assistance is distributed between WFP, CRS, CARE, and World Vision

[274] Sierra Leone-Complex Emergency Situation Report #1 (FY2002), October 3, 2001. P.12

[275] From a phone conversation with Mary Lange of PRM/State, October 26, 2001. Organizations receiving PRM funds in Guinea and Sierra Leone include: UNHCR, IOM, WFP, UNICEF, WHO, OCHA, FAO, ICRC, Center for Victims of Torture, WHO, The Red Cross, Action Contre La Faim, American Refugee Committee, IMC, Save the Children, IRC

[276] From a phone conversation with Mary Lange of PRM/State, October 26, 2001

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USAID's Office of Transition Initiatives (OTI), is focusing its activities on supporting reconciliation and reintegration activities. OTI began working in Sierra Leone in January, 1997 and will exit in March, 2002 after handing off activities to other donors. In FY 1999, OTI supported the Sierra Leonean peace process with 232 small grants to civil society groups working in the areas of human rights, peacebuilding and youth activism for community development. This assistance for civil society's peace-building initiatives is particularly related to reconciliation and reintegration of war-torn communities in the provinces, and civic education to prepare for upcoming elections has been ongoing since FY 2000 and 2001. Also in 1999, OTI sent representatives to the Lome Peace talks. In 2000, at the request of the Sierra Leonean government, OTI provided specific technical assistance to establish the Commission for the Management of Strategic Resources, National Reconstruction and Development (CMRRD), the Truth and Reconciliation Commission (TRC), and the Commission for the Consolidation of Peace (CCP).[277]

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OTI has also been supporting a nationwide, non-formal education initiative intended to reach 40,000 ex-combatant and civilian young adults. This two-year program, which began in January, 2000 combines reintegration orientation and counseling, life-skills training, vocational counseling, agriculture skills and development, civic education, and functional literacy training. The Youth Reintegration Training and Education for Peace (YRTEP) program focuses simultaneously on reintegration of ex-combatants and war-torn communities, and remedial education for youth who were unable to attend school due to the war. As of August 2001, 36,180 male and female war-affected youth and ex-combatants are participating in the program in over 1750 sites throughout the country. Approximately 18% of those enrolled were officially discharged combatants.[278] The initiative addressed sexual violence only in one question as part of a 20-minute segment on responsible sexuality, which includes a discussion question related to sexual violence.[279] This year the program has been expanded to include a second track of adult non-formal education, aimed at private and public sector leaders nationwide. So far, 180 civil servants, traditional and religious leaders, civil society leaders and leaders of professional groups, youth groups and women's groups are participating in the program.[280] OTI has also funded efforts by the Sierra Leone Ministry

[277] Documents provided to PHR by OTI summarizing their activities in Sierra Leone

[278] Ibid

[279] Email correspondence with Patrick Wingate, OTI/USAID to PHR , October 29, 2001.

[280] OTI's international implementing partners in Sierra Leone are World Vision, Management Systems International (MSI), Common Ground Productions, and the International Foundation for Election Systems (IFES).

of Gender and Children's Affairs to create public awareness and build consensus on the role of women as peacemakers and agents of reform.

The OTI FY 2001 budget for Sierra Leone of $3,804,081[281] is divided between five principal efforts:[282]

- Assistance to the Government of Sierra Leone for development of a new diamond policy and operations to address the conflict diamond problem;
- A continuation of the Reintegration Training and Education for Peace Program;
- A continuation of funding for a small grant program for civil society's peace building initiative with an added focus on the reintegration of war-affected women and girls and the development of community leadership;[283]
- Communication support through NCDDR for demobilization, reconciliation, and reintegration, and to media and distance learning support for OTI's non-formal education program; and
- Co-funding with the UK (DFID and other USAID offices) to provide election assistance for national parliamentary, local and paramount chief elections scheduled to be held in 2001.

The US also pays 27% of the cost of the peacekeeping force in Sierra Leone. Though it is an assessed contribution, and therefore mandatory, several holds have been placed on the transfer of funds in the past year. Most of the funds were ultimately released, however, the problem of arrears adversely impacted the force and may have hampered the ability of the UN to get firm commitments of troops from member nations.[284]

The United Nations

The UN is deeply invested in Sierra Leone with the largest peacekeeping force in the world and most agencies operational on the ground including: UNHCR, OCHA, WFP, WHO, UNFPA, UNICEF, and UNDP. UNAMSIL is working to ensure that a human rights perspective is mainstreamed throughout the system and boasts the first permanent child rights protec-

[281] Sierra Leone-Complex Emergency Situation Report #1 (FY 2001) April 20, 2001, p.2.

[282] In FY 2000, OTI provided $3,284,000, and in FY 2001 is expected to contribute $3,770,000.

[283] OTI provided funding for programming for girls and women war victims to FAWE through World Vision, according to PHR correspondence 6/12/01 with Stephen Grant, USAID Sierra Leone Desk Officer.

[284] According to the UN contributions office, as of August, 2001, the US had paid $44 million for all peacekeeping operations in 2001 and owed $1.8 billion, of which $800 million was arrears.

tion officer connected to a UN peacekeeping operation. The UN's recognition of the particular circumstances faced by women in the Sierra Leonean war is reflected in more recent programs that have been carefully designed to ensure that the needs of women are addressed. At least 15 projects presented for funding in the Inter-Agency Consolidated Appeal for 2001 focus on the special needs of women.[285] In addition, the United Nations Special Rapporteur on violence against women, Ms. Radhika Coomaraswamy, visited Sierra Leone in August 2001.

[285] UN Consolidated Inter-Agency Appeal for Sierra Leone 2001

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VII. THE FUTURE FOR WOMEN IN SIERRA LEONE

Women, already disadvantaged and vulnerable prior to the outbreak of fighting in Sierra Leone,[286] have suffered in egregious ways, as documented in the PHR survey. Many women have lost the protection of husbands, fathers and sons – the PHR survey revealed that 23% of IDP women were widowed or separated due to the war. Not only are women targets of violence simply because of their gender, but the low social status of women interferes with their ability to obtain treatment and ensure protection from future attacks, particularly in the climate of social breakdown that has existed in the country for much of the past 10 years.

Thousands of former combatants who have spent years murdering and raping are returning to their communities without punishment or accountability for their crimes to live among women and children who are likely traumatized. The greatest concern consistently expressed by survivors of sexual violence in interviews with PHR was an extreme fear that the fighters would return to abuse them again. Education for spouses, family members and communities is also important to mitigate social rejection.

The RUF and other factions have been reluctant to release abducted women and children in spite of their obligation to do so under the Lome Peace Accord.[287] Girls and young women who escaped from the rebels or who were released, suffer a variety of consequences such as: sexually transmitted infections (STIs), including HIV/AIDS; trauma with symptoms of Post-traumatic Stress Disorder (the symptoms of PTSD are: recurrent and intrusive memories of a distressing event (intrusive memories in the form of visual or auditory flashbacks), persistent avoidance of things that remind one of that event and hyperarousal, i.e., hypervigilance, inability to sleep or stay asleep, inability to concentrate, and anxiety; stigmatization and alienation by their communities and families; unwanted pregnancies and unsafe and illegal abortions; scarring and serious gynecological problems, such as prolapsed uterus and bladder perforations.[288] Some are pregnant or are now single mothers of so-called "bush babies."[289] Some women who were raped, now suffer from vesico-vaginal

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[286] Conciliation Resources, "Gender and Conflict in Sierra Leone," 1997 Available at www.c-r.org/occ_papers/briefing5.htm

[287] Peace Agreement Between The Government Of Sierra Leone And The Revolutionary United Front Of Sierra Leone, Article XXI Available at: www.sierra-leone.org/lomeaccord.html

fistulas (VVF). This condition can leave them incontinent and often renders them social outcasts.[290] UNICEF reported that one 16-year-old who was gang raped and suffered VVF would not leave the hot, dark hut of her refugee camp for fear of being teased and humiliated.[291]

Many of those who became pregnant as a result of rapes are now faced with the task of raising their babies as single mothers. Many have few parenting skills, and are limited in their ability to support themselves and their children. In some cases, families reject either their daughters or their babies, leaving these young women and their children in extremely vulnerable positions.[292] Some live in fear that the fathers, members of rebel groups, will come back from the bush to claim their babies.[293]

The consequences of human rights abuses including sexual violence are not merely physical. Previous studies by PHR and others[294] suggest that a high level of psychological trauma is associated with displacement and exposure to human rights abuses. A Sierra Leonean psychologist who participated in both investigations reported that most of those she interviewed exhibited acute signs of distress in all four of the following spheres: physical, cognitive, emotional, and behavioral. Survivors of abuses spoke to her of numerous physical symptoms – aches, pains, trembling, startle responses to sudden sounds or movement, anxiety attacks, upset stomachs, elevated blood pressure and excessive fatigue. Additionally, there were cognitive symptoms related to difficulties in decision mak-

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[288] Summary report from March 2000 investigation into the medical consequences of human rights abuses committed during the war in Sierra Leone (available at www.phrusa.org/campaigns/sierra_leone/sierra_tripreport.html) and also World Health Organization, *Reproductive Health during Conflict and Displacement: a guide for programme managers*. Department of Reproductive Health and Research World Health Organization, 2000.

[289] PHR Summary report from March 2000 investigation.

[290] PHR interview with Rabih Torbay of International Medical Corps, Freetown, March 2000 and January 2001.

[291] PHR interview with Glennis Taylor of UNICEF, Freetown, January, 2001; These women and girls, who are unable to begin to recover from their trauma, could be helped with specialized surgery; there is, however, currently no one in the country with the necessary expertise. A number of organizations including, Marie Stopes, MSF, and IMC have been trying to secure funding to bring a gynecological surgeon to the country. IMC has recently applied for a $300,000 grant from USAID for a range of services for survivors of sexual violence including vaginal fistula repair

[292] Observations of counselors at FAWE and COOPI who had been working with girls who had become pregnant as a result of rape as told to PHR, March. 2000.

[293] Ibid.

[294] PHR, *The Taliban's War on Women: a Health and Human Rights Crisis in Afghanistan*, 1998; PHR, *Women's Health and Human Rights in Afghanistan A Population-Based Assessment (2001)*; MSF-Holland, "Assessing Trauma in Sierra Leone :Psychosocial Questionnaire: Freetown Survey Outcomes," 2000. Available at: www.doctorswithoutborders.org/publications/reports/2000/sierraleone_01-2000.shtml

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ing, poor concentration, memory loss, flashbacks, and confusion. On an emotional level, many reported symptoms related to depression, anger, anxiety, fear and resentment. Finally, all reported behavioral changes – withdrawal from friends and family, changes in normal behavior patterns, inability to function the way they did before the war. These symptoms of distress were particularly remarkable in those women and girls who reported experiencing sexual violence.[295] These clinical observations are consistent with the PHR survey findings.

Responses to Sexual Violence in Sierra Leone

Support services for rape survivors in Sierra Leone were, until fairly recently, virtually non-existent.[296] In response to conflict related sexual violence, a number of local and international non-governmental organizations have developed services to aid survivors including: medical care, psychological counseling, housing and skills training for young mothers, family mediation to encourage parents to accept returned abductees, and public education efforts. These organizations are, however, only able to assist a fraction of victims. They lack the capacity to address the needs of the many who have not yet been released able to escape from the rebels and arrive in Freetown where until recently virtually all[297] of the programs were based. Even if access to populations in the rebel-held east and north continues to improve, there is limited infrastructure in place to respond to the needs of a population which may have experienced particularly high levels of sexual trauma.

UNICEF has been a leader in coordinating services for girls who have suffered sexual violence. UNICEF reports that two specialized programs that provided for girls who were raped and have subsequently borne children, have been enormously helpful.[298] Despite the successes of UNICEF, FAWE, COOPI, MSF, IMC and others, there are no government or UN-led multi-sectoral efforts in place to prevent or respond to sexual violence in Sierra Leone.

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[295] Observations made by psychologist Dr. Yinka Akinsulure-Smith, who interviewed survivors of abuses on behalf of PHR in March, 2000.

[296] Human Rights Watch, *Sexual Violence within the Sierra Leone Conflict*, February 26, 2001.

[297] The IRC has a program servicing Kenema and Bo.

[298] PHR interviews with Glennis Taylor of UNICEF, Freetown, March, 2000 and January, 2001.

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VIII. APPENDICES

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APPENDIX A:

Sexual Violence Survey Instrument

Sierra Leonean Women's Health Survey
(PRIMARY PARTICIPANTS ONLY) 6 Feb 01

1A. CASE ID _____ (1-2,000) ID

1B. Household member interviewed: ___A___ HMC

2. Date of interview _____ - _____ - 2001 DATE
(month) (date)

3. Researcher code_____ ICD

4 Language code _____(1, 2, 3, 4, 5, 6) TCD

5. Location code _____(1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20) LCD

6A. Participation Outcome: [Circle ONE] OUTC 1 2 3 4a 4b 4c 4d 5a 5b 5c 5d
Eligible/Survey Complete = 1
Not Eligible = 2
Not Available = 3
Refusal= 4a=No Time; 4b=Fear Reprisal; 4c=Oppose Study; 4d=No explanation; 4e=Other
Unable to Complete= 5a=Interrupted; 5b=Emotional; 5c=Safety; 5d= Lack of privacy; 5e=Request to stop; 5E=Other
Unable to conduct interview due to language =6

6B. Was participant referred to another organization(s)? [Circle ONE] Yes.....1 (**GO TO Q6C**) REFR
No.....0

6C. If yes, which organizations? (list) WORG

Read ONLY text that is in *italics*
For a response of "don't know" code DK; If no response to a question, code NR

1) *Hello, my name is_____I am working with the UN and Physicians for Human Rights, an American NGO. I would like to speak to the woman who knows the most about the persons in the household.* **[once you have identified the woman ..... continue with introduction]**

2) **Our purpose:** *We are gathering information from displaced women, which we hope will help to better promote and protect the health and human rights of women.*

3) *We are only here to ask questions. We are not here to provide humanitarian assistance.*

4) **Confidentiality** *We will not report the information in a way that will reveal your identity.*

5) *We would like to speak to you and perhaps other women in the household. We want to ask you questions about your experiences during the war.*

6) *We are conducting this survey in many households in Sierra Leone and have chosen your home randomly from this camp.*

7) *It is important that we have some privacy for our conversation because some of the questions may be sensitive*

8) *If you do not understand a question, please ask me to explain it to you. You are free to stop at any time during the interview. If a question makes you uncomfortable, we will skip the question and go to the next question. Do you have any questions before we begin?*

4318

7. *What is your tribe?* [circle ONE] ETH

Krio 1
Temne 2
Mende 3
Limba 4
Kono.....5
Other [SPECIFY] _____ 6

9. *I want you to tell me-- are you married?*.....

[READ ALL CHOICES; Circle ONE] MAR

Married and living with husband now....1
Never Married .....2 (GO TO Q 12)
Separated due to the war.....4
Divorced/separated not because of war.....3
Did your husband die because of the war?...5
Did your husband die NOT because of the war?.....6

11. [IF SHE IS OR WAS EVER MARRIED] *Are you/were you the only wife?*

Only wife.....1

Which wife are/were you?

First.....2 WIFN
Second.....3
Third.....4
Fourth.....5
Other.....6 [specify]_____

12. *What is your religion?* [Circle ONE] RELG

Muslim.....1
Christian.....2
Other [SPECIFY]_____...3

13. *What level did you complete in school?* _____ level [number years of school]_____
EDU

14. *What was your job before you fled your home?* _____ WRK

15. *Where were you born* [be sure to use correct spelling]

A. *Province*_____ *LVPR*

B. *District*_____ *LVDS*

C. *Chiefdom*_____ LVCH

D. *Town or Village* _____ *LVVL*

E. *If not born in Sierra Leone, which country?*_____ *LVCT*

16. *When were you first displaced?* _____ year; _____ month MLV

4319

7438

17. *Where did you live at the time before you were first displaced?*

A. *Province*_____ BDPR

B. *District*_____ BDDS

C. *Chiefdom* _____ BDCH

D. *Town or village* _____ BDCT

18. *How many times have you fled the fighting?* (number of times)_____ FLED

19. *How long have you lived in this camp?* number_____ weeks/months/years [**circle one**] NHME

20. *I will give you four choices to answer this next question about your health. The question is: In the last 2 years, how has your general health been? And the four choices are:* [**CIRCLE ONE**] GH

In the last two years, my health has been Very good .....1.....E good-o. I noh get wan problem.
OR -In the last two years, my health has been Good .....2.....E fine.
OR -In the last two years, my health has been Fair .....3.....I dey manage.
OR -In the last two years, my health has been Poor .....4.....E bad off. E noh good at all.

Which one of those things I just read is most correct for you? [**read choices again if needed**]

22. *For this question, again I will read you some choices so you can answer the choice that is most correct for you: How would you describe your state of mind since your displacement?* [**Circle ONE**] PSY

Is your state of mind since displacement Very good .....1.....E good-o. I noh get wan problem.
Is your state of mind since displacement Good .....2.....E fine.
Is your state of mind since displacement Fair .....3.....I dey manage.
Is your state of mind since displacement Poor .....4.....E bad off. E noh good at all.

24. *Since the war, have you ever had thoughts that you were better off dead?* DED

YES.....1
NO.....0

25 *Since the war, have you ever tried to hurt yourself or end your life?.* SUI

YES.....1
NO.....0

4320

7439

26. *I am going to read you a list of things – For each one, I want you to tell me if that thing would help your state of mind?*

[READ ALL CHOICES; circle all that apply]

	YES	NO	
26A Women's support groups	*1*	*0*	*GWSG*
26B *Country medicine/ traditional healer*	*1*	*0*	*GTRD*
26C Traditional ceremonies	*1*	*0*	*GTCR*
26D Religious counseling/support	*1*	*0*	*GRCS*
26E Mental health counseling	*1*	*0*	*GMHC*
26F Medical assistance	*1*	*0*	*GMAS*
26G Income generating projects	*1*	*0*	*GIGP*
26H Skills training	*1*	*0*	*GSKT*
26I Education	*1*	*0*	*GEDU*
26J Humanitarian assistance/ food & shelter	*1*	*0*	*GHUM*

26K *Anything else? (Other)* [SPECIFY] _____ *GOTR*

28. *We want to ask about the people living IN YOUR HOUSEHOLD sleeping and eating under the same roof before you were first displaced.*
[fill in first 3 columns for each person. After you complete the first 3 columns for every member of the household, ask:]
Did any of these people experience any human rights abuses since the war started such as: beatings, gunshot wounds, torture, killing, capture, abduction, sexual assault including rape, amputation, and other abuses? Let's discuss the experiences of one person at a time starting with you

Use coded responses for all household members reporting specific abuses. Continue on next page if needed

Person	Sex	Current age	Did she/he have face-to-face contact with combatants?	Suffer any abuses or violence by combatants? [DO NOT READ CHOICES, list all codes that apply]	When did abuse(s) occur	Group membership of Perpetrator	Name of Perpetrator	After Effects [DO NOT READ CHOICES; list all codes that apply]	[ONLY If person NOT here now:] Unable to flee?	Reason unable to flee
SELF	F									
PERS Husband Mother Father Son a, b..... Daughter a, b.. Sister a, b.. Brother a, b.. Other wife a,b Child of other wife Other Relative Non-relative	GEN D F or M	CAGE D=Dead	FTF YES or NO YES =1 NO=0	1=Beating ABU 2=Gunshot Wound 3=Amputation 4=Torture 5=Killing 6=Captured for less than 1 day 7=Sexual assault, No Rape . 8=Rape 9=Abduction 10= Burned dwelling 11= Looting 12= Other [SPECIFY] 13=No Response 14= Don't Know 99=No Abuse	WHEN	WHOM 1=RUF 2=AFRC 3=EX-SLA 4=SLA 5=ECOMOG 6=UN 7=CDF 8= West Side Boys 9= Other [SPECIFY]	PNOM	CONQ 1=Killed 2=Injured 3=Got pregnant 4=Gave birth 5=STIs 6=Stigmatized 7= Rejected 8=Nothing / no problems/ no after effects 9=No Response 10=Don't know 11= Other [SPECIFY]	PUTF YES= Unable to flee NO=Able to flee from the incident, but NOT in household now, at this camp YES=1 NO=0	RUTF 1=Abuse caused injury/disability that prevented travel 2=Killed due to the abuse 3=Rejected because of abuse 4=Abducted 5=Death/Disability unrelated to abuse 6=Don't Know 7=Other [SPECIFY]

4321

Person	Sex	Current age	Did she/he have face-to-face contact with combatants?	Suffer any abuses or violence by ombatants? [DO NOT READ CHOICES, list all codes that apply]	When did abuse(s) occur	Group membership of Perpetrator	Name of Perpetrator	After Effects [DO NOT READ CHOICES; list all codes that apply]	[ONLY If person NOT here now:] Unable to flee?	Reason unable to flee
PERS Husband Mother Father Son a, b..... Daughter a, b.. Sister a, b.. Brother a, b.. Other wife a,b. Child of other wife Other Relative Non-relative	GEND F or M	CAGE D=Dead	ITI YES or NO YES=1 NO=0	1=Beating ABU 2=Gunshot Wound 3=Amputation 4=Torture 5=Killing 6=Captured for less than 1 day 7=Sexual assault, No Rape . 8=Rape 9=Abduction 10= Burned dwelling 11= Looting 12= Other [SPECIFY] 13=No Response 14= Don't Know 99=No Abuse	WHEN	WHOM 1=RUF 2=AFRC 3=EX-SLA 4=SLA 5=ECOMOG 6=UN 7=CDF 8= West Side Boys 9= Other [SPECIFY]	PNOM	CONQ 1=Killed 2=Injured 3=Got pregnant 4=Gave birth 5=STIs 6=Stigmatized 7= Rejected 8=Nothing / no problems/ no after effects 9=No Response 10=Don't know 11= Other [SPECIFY]	PUTI YES= Unable to flee NO=Able to flee from the incident, but NOT in household now, at this camp YES=1 NO=0	RUTT 1=Abuse caused injury/disability that prevented travel 2=Killed due to the abuse 3=Rejected because of abuse 4=Abducted 5=Death/Disability unrelated to abuse 6=Don't Know 7=Other [SPECIFY]

4322

4323

7442

Sierra Leonean Women's Health Survey
(PRIMARY PARTICIPANTS ONLY) 6 Feb 01

1A. CASE ID _____ (1-2,000) ID

1B. Household member interviewed: ___A___ HMI

2. Date of interview _____ - _____ - 2001 DATE
(month) (date)

3. Researcher code_____ ICD

4 Language code _____(1, 2, 3, 4, 5, 6) LCD

5. Location code _____(1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20) LCD

6A. Participation Outcome: [Circle ONE] OUTC 1 2 3 4a 4b 4c 4d 5a 5b 5c 5d
Eligible/Survey Complete = 1
Not Eligible = 2
Not Available = 3
Refusal= 4a=No Time; 4b=Fear Reprisal; 4c=Oppose Study; 4d=No explanation; 4e=Other
Unable to Complete= 5a=Interrupted; 5b=Emotional; 5c=Safety; 5d= Lack of privacy; 5e=Request to stop; 5E=Other
Unable to conduct interview due to language =6

6B. Was participant referred to another organization(s)? [Circle ONE] Yes.....1 (GO TO Q6C) REFR
No.....0

6C. If yes, which organizations? (list) WORG

Read ONLY text that is in *italics*
For a response of 'don't know' code DK. If no response to a question, code NR

1) *Hello, my name is_____I am working with the UN and Physicians for Human Rights, an American NGO. I would like to speak to the woman who knows the most about the persons in the household.* [**once you have identified the woman ..... continue with introduction**]

2) **Our purpose:** *We are gathering information from displaced women, which we hope will help to better promote and protect the health and human rights of women.*

3) *We are only here to ask questions. We are not here to provide humanitarian assistance.*

4) **Confidentiality** *We will not report the information in a way that will reveal your identity.*

5) *We would like to speak to you and perhaps other women in the household. We want to ask you questions about your experiences during the war.*

6) *We are conducting this survey in many households in Sierra Leone and have chosen your home randomly from this camp.*

7) *It is important that we have some privacy for our conversation because some of the questions may be sensitive*

8) *If you do not understand a question, please ask me to explain it to you. You are free to stop at any time during the interview. If a question makes you uncomfortable, we will skip the question and go to the next question. Do you have any questions before we begin?*

44. *As a result of the incident, did you seek help for your **health**?* [Circle ONE] SHLP

YES.....1 (GO TO Q45)
NO.....0 (GO TO Q50, NEXT PAGE)

4324
9443

45. *Where did you seek help for your **health** ?*
[READ CHOICES; circle all that apply]

45A Hospital SHHO
45B Health center SHHC
45C Country medicine / Traditional healer SHCM
45D NGOs SHNG
*45E Other [SPECIFY]*_____ SHOT

46. *How long after the incident(s) did you seek this help?* TTSH

days_____months_____years_____

47. *Did you tell the health care provider what happened to you?* [Circle ONE] THCP

YES.....1
NO.....0

50. *What has helped you through all this you have suffered?*
[DO NOT READ CHOICES; Circle all that apply]

50A Discussion with other survivors of sexual violence HLDS
50B. Discussions with friends HLDF
50C Religion HLRL
50D Discussions with family members HLFA
50E Assistance from NGO workers HLNG
50F A medical care provider HLMC
50G Not telling anyone about the incident HLNT
50H Support of family HLSF
50I Country medicine/ traditional healer HLCM
50J Traditional ceremonies HLTR
50K Work/job/employment HLWK
50L Taking care of household HLHW
50M Trying to forget about it HLFR
50N Other [SPECIFY] _____ HLOT

4325

4444

51. *I am going to read a list – please tell me which things on this list you think would help you with your state of mind and help you cope better with your experience?*
[READ ALL CHOICES; circle all that apply] COPE

	YES	NO	
51A Women's support groups	*1*	*0*	*SWSG*
51B *Country medicine/ traditional healer*	*1*	*0*	*STRD*
51C Traditional ceremonies	*1*	*0*	*STCR*
51D Religious counseling/support	*1*	*0*	*SRCS*
51E Mental health counseling	*1*	*0*	*SMHL*
51F Medical assistance	*1*	*0*	*SMAS*
51G Income generating projects	*1*	*0*	*SIGP*
51H Skills training	*1*	*0*	*SSKT*
51I Education	*1*	*0*	*SEDU*
51J Humanitarian assistance/ food & shelter	*1*	*0*	*SHUM*
51K *Other* [SPECIFY] _____			*SOTR*

53. *Do you think your attacker's commander was aware of his attack on you?* [Circle ONE] CMDR
YES.....1
NO.....0

54. *Should your attacker(s) be punished for what they did to you?* [Circle ONE] PUN
YES.....1 (GO TO Q56)
NO.....0 (GO TO Q55)

55. *Why do you say you don't want your attacker to be punished?*
[DO NOT READ CHOICES; Circle all that apply]

55A Fear of reprisal/revenge NPIR
55B Fear of rejection/ stigmatization NPSJ
55C Respondent doesn't want to be reminded of the incident; wants to forget NPNR
55D In the spirit of reconciliation NPRC
55E No confidence in a system for such punishments NPNC
55F Other [SPECIFY]_____ NPOT

GO TO Q58

56. *Do you think punishment of perpetrators might prevent this from happening to others?* [Circle ONE] PREV
YES.....1
NO.....0

57. *Of all those people who did these things to you, which ones should be punished?*
[DO NOT READ CHOICES; Circle all that apply]

57A Perpetrators PUPR
57B Commanders PUCM
57C All involved in the attacks PUAL
57D No One PUNO
57 E Other [SPECIFY] _____ PNOT

Now I want to know if there is anything more you can tell me about what happened.

4326

7445

58A. Do you know of anything that could identify your attacker, such as:
Did they call each other by name?

58B. How did you know which military group your attackers were with?

58C. What did he/they say to you, or to each other?

59. *Why do you think combatants did these things – sexually abusing women and girls -- during this war?*

60. *What are your biggest worries about your future after what you have suffered?*

61. *What are your biggest worries about your health?*

4327

7446

30. *Do you believe that perpetrators of human rights abuses should be punished?* BELP

YES.....1
NO.....0

33. *Now, please tell me – at any time in your lifetime, have you ever had any of these things happen to you:*

sexual violence such as molestation, being forced to undress or stripped of clothing, forced intercourse or other sexual acts ***committed by FAMILY MEMBERS, FRIENDS, OR CIVILIAN STRANGERS?***

Age at assault	Types of sexual assault	Perpetrator
DAGE	SXAS 1=Molestation 2=Being forced to undress/Stripped of clothing 3=Attempted rape/attempted intercourse 4=Rape/ intercourse 5=Other sexual acts [SPECIFY] 99 = NO ABUSE	PERP 1=Boyfriend 2=Husband 3=Father 4=Son (4a, 4b..) 5= Brother (5a, 5b..) 6= Uncle(6a, 6b..) 7 = Other Relative (7a, 7b) [SPECIFY] 8= Other Non-relative known to individual (8a, 8b..) [SPECIFY] 9= Stranger

4328

34A. *About this sexual violence committed by COMBATANTS - How much you are afraid that it could happen to you or your family? Like before, I will give you four choices for your answer.*

[READ ALL CHOICES; Circle ONE] COMF

Are you worried about this Not at all.....1.....E noh day worry me at all.
Are you worried about this A little.....2.....E day worry me small, lili bit, no moh.
Are you worried about this Quite a bit.....3.....E day worry me plenty..
Are you worried about this Extremely.....4.....E day worry me pass mark. Bad bad wan.

34B. *And now this sexual violence committed by FAMILY MEMBERS, FRIENDS, OR CIVILIAN STRANGERS – How much are you afraid of this for yourself and your family?*

[READ ALL CHOICES; Circle ONE] DOMF

Are you worried about this Not at all.....1.....E noh day worry me at all.
Are you worried about this A little.....2.....E day worry me small, lili bit, no moh.
Are you worried about this Quite a bit.....3.....E day worry me plenty..
Are you worried about this Extremely.....4.....E day worry me pass mark. Bad bad wan.

35 *I am going to read some statements, one at a time. For each one, please say if you agree or disagree*

		Agree	Disagree
35A	*Women and girls should have the same access to education as men and boys.* ...EDAC	1	0
35B	*Women should be able to express themselves freely.* .....EXPR	1	0
35C	*Family problems should only be discussed with people in the family*..... PROB	1	0
35D	*A good wife obeys her husband even if she disagrees*.....OBEY	1	0
35E	*It's a wife's duty/obligation to have sex with her husband even if she doesn't want to* OBEY	1	0
35F	*A man has the right to beat his wife if she disobeys him*.....BEAT	1	0
35G	*Women and girls need more education about their rights to refuse sex*.....EDRS	1	0
35H	*More should be done to protect women and girls from having sex when they don't want to*.....PRRS	1	0
35I	*Women and girls need more education about their reproductive health*.....RHLT	1	0
35J	*Women should have the right to control the number and spacing of their children*...BSPC	1	0
35K	*There should be legal protections for the rights of women.* .....LPRW	1	0

REVIEW Page 5, Question 28:

Did she report human rights abuses for any other female member of the house over age 13?

IF YES, go to Question 62 (page 14). IF NO, go to Page 15.

4329

7448

62. *You told me that other female household members suffered some kind of war-related abuse. When you and I finish, can you introduce me to them so I can ask if they will let me interview them?*

YES .....1 **[GO TO NEXT PAGE]** PRMI
NO 0

63. *Tell me why you cannot introduce me to them?*

Family member reported in Q28 FN1	Why unable to be introduced FN1W
(use same codes from Q28, page 5)	**[DO NOT READ CHOICES; Circle all that apply]** 1=Not available 2=She doesn't want to talk, 3=Not permitted by others to talk, 4=Too young (< 13 years old) 5=Dead 6=Missing 7=Other [specify]

4330

7449

TAKE A MOMENT TO REVIEW THIS FORM: Be sure all questions are answered and any refusal/inability to answer a question is noted on this survey

For Participants who report NO human rights violations: GO TO PAGE 16.

For Participants who report Human Rights violations by combatants that they themselves have suffered:

Everything that you have told me so far will be kept confidential which means that your identity will not be revealed .

There are now plans for a Special Court to punish people like your attacker(s) for their crimes and to get justice for the victims and for a Truth and Reconciliation Commission. I am going to tell you more about these plans.

There are plans to create a Special Court with the support of the UN. This Special Court will bring to justice those people most responsible for war crimes and crimes against humanity, such as mass killing, wide-spread mutilation, sexual violence against girls and women, sexual slavery, abduction of children and adults ,and forced conscription.

The Lomé Peace Agreement provides for the establishment of a Truth and Reconciliation Commission "to break the cycle of violence, provide a forum for both the victims and perpetrators of human rights violations to tell their story and to get a clear picture of the past to facilitate genuine healing and reconciliation". The Truth and Reconciliation Commission will only be established once there is sustainable peace. Since the outbreak of fighting in May 2000 its establishment has been on hold though some preparations towards its establishment are taking place.

The Truth and Reconciliation Commission and Special Court will be looking for persons who have suffered human rights abuses during the war. If you are willing to be contacted by the Truth and Reconciliation Commission or Special Court staff, I will take your name.

1A *Do you want us to give your name to the special court ? We understand if you prefer to remain anonymous.*
Yes.....1 [**check SP on PAGE 17**] SP
No.....0

1B *Do you want us to give your name to the Truth and Reconciliation Commission?*
Yes.....1 [**check TR on PAGE 17**] TRC
No.....0

If respondent answered YES to 1A and / or 1B , GO TO PAGE 17 – Question 2.

4331

7450

Sierra Leonean Women's Health Survey
(PRIMARY PARTICIPANTS ONLY) v Feb 01

1A. CASE ID _____ (1-2,000) ID

1B. Household member interviewed: ___A___ HMC

2. Date of interview _____ - _____ - 2001 DATE
(month) (date)

3. Researcher code_____ ICD

4 Language code _____(1, 2, 3, 4, 5, 6) LCD

5. Location code _____(1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20) LCD

6A. Participation Outcome: [Circle ONE] OUTC 1 2 3 4a 4b 4c 4d 5a 5b 5c 5d
Eligible/Survey Complete = 1
Not Eligible = 2
Not Available = 3
Refusal= 4a=No Time; 4b=Fear Reprisal; 4c=Oppose Study; 4d=No explanation; 4e=Other
Unable to Complete= 5a=Interrupted; 5b=Emotional; 5c=Safety; 5d= Lack of privacy; 5e=Request to stop; 5E=Other
Unable to conduct interview due to language =6

6B. Was participant referred to another organization(s)? [Circle ONE] Yes.....1 **(GO TO Q6C)** REFR
No.....0

6C. If yes, which organizations? (list) WORG

Read ONLY text that is in *italics*
For a response of 'don't know' code DK. If no response to a question, code NR.

1) *Hello, my name is_____I am working with the UN and Physicians for Human Rights, an American NGO. I would like to speak to the woman who knows the most about the persons in the household.* **[once you have identified the woman ..... continue with introduction]**

2) **Our purpose:** *We are gathering information from displaced women, which we hope will help to better promote and protect the health and human rights of women.*

3) *We are only here to ask questions. We are not here to provide humanitarian assistance.*

4) **Confidentiality** *We will not report the information in a way that will reveal your identity.*

5) *We would like to speak to you and perhaps other women in the household. We want to ask you questions about your experiences during the war.*

6) *We are conducting this survey in many households in Sierra Leone and have chosen your home randomly from this camp.*

7) *It is important that we have some privacy for our conversation because some of the questions may be sensitive*

8) *If you do not understand a question, please ask me to explain it to you. You are free to stop at any time during the interview. If a question makes you uncomfortable, we will skip the question and go to the next question. Do you have any questions before we begin?*

4532

SP_____ TR_____

7457

2. Surname _____

First name _____

Middle Name _____

Current address_____

3. I know that you will not be living in this camp forever. Where do you plan to go when you leave the camp:

*A. Province*_____

*B. District*_____

C. *Chiefdom*_____

C. *Town or Village*_____

4. Is there someone else whose name and residence information you can give us who will know how to contact you after you leave this place?

Name_____

Address _____

_____

Relationship to participant_____

4333

APPENDIX B:

Summary of PHR/UNAMSIL Researcher Training and Supervision 7452

Overview

The field surveys were conducted by a staff of 21 Sierra Leonean women primarily from the Temne, Mende, and Kono ethnic groups. These researchers were selected based on education, experience or knowledge about sexual violence, and language skills. All researchers were fluent in English, Krio, and at least one other language. All had completed high school level education, several had attended university classes, and a few had university level degrees. All of the researchers were affected by the war, most of them were displaced at least once, and approximately half had lived as refugees in Guinea for a period of time. None of the researchers had prior experience with quantitative surveys such as this one.

There were five Field supervisors for the project who provided extensive training and supervision of the researchers, among other duties. Each supervisor brought a specialized set of skills and experience to the team. In combination, this knowledge and experience made a complementary and highly skilled team of supervisors for the project:

> Binta Mansaray, Sierra Leonean, specialized training and experience in qualitative research on sexual violence through in depth individual interviews with Sierra Leonean women
>
> Adeyinka Akinsulure-Smith, PhD Psychology, Sierra Leonean, specialized training and experience in psychological counseling with survivors of sexual violence and other forms of torture
>
> Chen Reis, JD, MPH, specialized training and experience in quantitative research and human rights issues
>
> Beth Vann, MSW, specialized training and experience in West Africa humanitarian aid field work, national staff training, and sexual violence aid programs with Sierra Leonean refugees/IDPs
>
> Louise Taylor, MBA, LLM, UNAMSIL liason, human rights officer

Researcher training consisted of eight to nine days classroom teaching and experiential role play followed by at least one day of field observation. At the end of the 7th day, trainees were tested on skill and ability. After testing, trainees were divided into two groups. Group I proceeded to

the field to begin supervisory observation and conducting the survey. Group II stayed in the classroom for an additional day of intensive training and observation before joining Group I.

Training was conducted at UNAMSIL headquarters in Freetown.

Training commenced with 24 trainees. Three of the trainees were unsuccessful when tested, and supervisors determined through observation that they were unable to accurately conduct the survey. By the end of the 10th training day, there were 21 researchers trained, observed by supervisors, and sufficiently prepared to conduct the survey in the field.

There was at least one supervisor, and usually two, at each field site. Supervisors managed the sampling by making assignments for areas or zones, and also provided supervision, guidance, and support for the researchers.

Throughout each day, the supervisor remained in a designated central location to provide any support or assistance needed. In the morning, researchers were given assignments, survey forms, and supplies. Around mid-day, each researcher checked in to review her completed surveys, hand them in, and gather a fresh supply of forms and another assigned area if needed. This was repeated at the end of the day. Researchers were encouraged to return to the supervisor at any time for questions, problems, and to discuss particularly severe situations they encountered. For each field site, supervisors had information about services available for referrals, such as health care, counseling, etc. When the affected research participant agreed, supervisors made referrals for follow up by local or international organizations best able to provide assistance.

Training

Training was interactive; researchers provided input on the questionnaire and interview procedures and observed and participated in role play. A training schedule was developed in advance and revised frequently to meet the needs of the trainees. The survey was printed in English, but researchers learned to administer it in Krio.

During Days 3 – 6, revisions were made to the survey instrument for easier translation from English to Krio. Sentences and questions were reformed to better follow the pattern of Krio speech. These changes enhanced researchers' ability to both understand the intended meaning of the questions and to translate them into any language they would be using.

4335

9457

Day 1 Training

Introductions

- Intro to Physicians for Human Rights, UNAMSIL Human Rights Section
- Purposes and Overview of the project
- Confidentiality and Conduct Agreement (discussion, signatures)
- Training plan, field work plan and logistics

This was the researchers' first exposure to quantitative research. At first, it was difficult for them to understand their role as data collectors and not "counselors". The Confidentiality Agreement proved to be an extremely useful tool for conveying the nature and purposes of the project. The Agreement included detailed descriptions of expectations for researcher conduct, professional integrity and dignity, confidentiality, information sharing, impartiality, and accuracy in transmission of information from the research participant. Item by item discussion of the standards and expectations, in Krio, clarified many questions from the researchers. After this discussion, they were much better able to discuss the project and asked questions more relevant to the work at hand.

Day 2 Training

Sexual Violence:

- Definitions and types of sexual violence, myths and facts
- Causes and contributing factors
- After-effects and consequences – health, emotional, legal psychological after-effects – cognitive, behavioral, and emotional
- Exploration of our own personal values, biases, attitudes – how to keep these out of the interview process
- Emotional responses of research assistants to secondary trauma

Human Rights and Lome Peace Agreement

- Overview of international human rights documents
- Special Court for Sierra Leone War Crimes
- Truth and Reconciliation Commission (TRC)

The purpose on this day was to ensure that all researchers would be working with the same definitions and concepts for the topics on the

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agenda. For many, this was the first candid description of the various forms of sexual violence, and there were many questions.

Detailed descriptions of the variety of cognitive and behavioral aftereffects was necessary for researchers to understand the types of behaviors they might see that could help them identify problems needing referral, and choose strategies for interviewing.

Discussion of the special court and TRC was part of the survey, and it was important that all researchers thoroughly understand so that they could explain it to research participants as needed.

Day 3 Training

Interview skills

- Developing trust
- Body language
- Techniques for eliciting narrative accounts of individual experiences
- Privacy
- Confidentiality

Survey instrument

- Reading, explanation item by item

Included a practical and detailed discussion of various strategies and words (in Krio) to encourage participants to disclose private and potentially embarrassing information.

Day 4 Training

Survey instrument

- Translation to Krio, item by item
- Discussion, question and answer
- Practice role plays in groups of 3

After going through the survey in Krio, supervisors determined it was time to suspend the full classroom didactic methods and begin experiential learning. Researchers were divided into groups of three. They were given three role play scenarios for practice interviews. One person played the researcher, one the participant, and one an observer. After each interview, they were to listen to feedback and switch roles until each person had practiced at least once as researcher.

Supervisors circulated among groups observing, giving feedback, and gathering information about common areas of confusion or misunderstanding. From time to time, supervisors called the group together to discuss and clarify issues.

Day 5-7 Training

Continue Practice

- Role plays in groups of 3, feedback, switch roles
- Discussion with entire group for common issues and problems
- Instrument revisions and instruction

End of Day 7

- Test

During these three days, supervisors became familiar with each researcher's strengths and weaknesses. At the end of Day 7, a test was administered to all researchers: the two Krio speaking supervisors conducted a mock interview while the researchers observed as a group, each completing her own survey instrument form.

In the evening, supervisors reviewed and made corrections and notes on the forms using the "Interviewer's" completed form as the guide. Based on these reviews and supervisory observations made during the practice role plays, the trainees were divided into two groups for the next day's session. Group I excelled in their tests and were observed to be well skilled in interviewing. Group II made errors on their tests and were observed to have some problems in conducting interviews.

Day 8 Training

Review tests with individual researchers

Group I:

- Observe individually in role plays, review documentation
- Translation to Temne and Mende; practice

Group II: Focus training on weaknesses

- Techniques for systematic random sampling and the use of sample site maps
- Identification, assistance, referral for serious problems and severe cases

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Supervisors distributed tests to researchers and discussed individually each error and area of concern. Researchers were given the responsibility to focus on their own weaknesses during the day's role-plays and discussions. Only three of the trainees performed poorly on the test and had also been observed making interview errors that demonstrated they did not understand the purposes of the survey. These three individuals were excluded from the project, leaving 21 researchers.

Supervisors observed each researcher in Group I conducting a role play interview to verify that her skills were adequate. Group I was then divided into Temne and Mende sub-groups to go through the questionnaire and develop consensus on translation into those languages.

At the end of the day, mapping and methods to be used for systematic random sampling were explained. The role of the supervisor in the field was also discussed, emphasizing the need for researchers to identify and bring forward for supervisory assistance information about any situations they encountered that were problematic.

Day 9 Training

Group I to field site to begin survey and individual observation by supervisors

Group II in classroom for continued practice and individualized training and observation

At the field site, each researcher was observed at least once conducting a complete interview from introduction through closing statements. Supervisors gave immediate feedback, and observed additional interviews if there were problem areas.

In the classroom, Group II (12 people) received individualized assistance. By the end of the day, it was determined they were ready for field observation.

Day 10 Training

Groups I and II at field site conducting surveys

Continue individual observation with supervisors

Group I teaching Temne / Mende translation to Group II

Individual supervisory observation continued until all researchers had been observed and deemed adequately knowledgeable and skilled.

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Supervision

By the end of Day 10, supervisors were thoroughly aware of each researcher's strengths and weaknesses in conducting the survey and documentation on the instrument. For the duration of the fieldwork, supervisors continued to provide guidance, review, and advice as needed for each individual researcher. A supervisor reviewed each completed survey, giving immediate feedback for any errors or items left blank. Survey skills most closely monitored were:

- ✔ Appropriate and accurate introduction and explanation of purpose of survey
- ✔ Complete and accurate questioning and corresponding documentation
- ✔ Ability to elicit information about private, shameful, and traumatic events in a warm and respectful manner
- ✔ Correct and simple explanation of the Special Court and TRC
- ✔ Appropriate requests to interview other household members
- ✔ Complete and accurate closing statement
- ✔ Ability to accomplish all of this in a rapid fashion while maintaining warmth and respect. Primary interviews were expected to take no more than one hour, with secondary interviews maximum 40 minutes.
- ✔ Accurate counting and selection of households in accordance with sampling method in each field site
- ✔ Ability to find and maintain privacy for interviews in very crowded settings

APPENDIX C

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Summary of Existing Treatment and Protection Services for War-Affected Women in Sierra Leone[299]

Prior to the rebel incursion into Freetown in January, 1999, there were no services in the country specifically addressing the problem of sexual violence.[300] The alarming number of women and girls who were sexually abused during the invasion precipitated a response from several organizations including UNICEF, the Forum for African Women Educationalists (FAWE), Cooperazione Internationale (COOPI), and MSF-Holland. A task force was established which created a network of medical practitioners and counseling centers to treat the thousands of reported cases, MSF-H set up a training program for counselors, and COOPI and FAWE opened comprehensive programs to assist women and girls who had become pregnant as a result of rebel rapes.

In response to a growing recognition of the widespread and particularly brutal nature of the crimes committed against women and girls, many new programs are now servicing survivors and beginning to address some of these problems. It is challenging, however, to provide services in Sierra Leone given the continuing insecurity, ever-changing population shifts, lack of awareness and recognition of the scope of the problem, and chronic funding shortfalls. With scarce resources and constant emergency situations, both the government of Sierra Leone and the UN agencies face a number of difficulties in providing coordination, continuity and leadership for the myriad of humanitarian and development needs in the country. Therefore, services addressing the various aspects of sexual/gender violence are fragmented and coordination is a continuing problem. In spite of these challenges, there are a plethora of international NGOs and UN agencies operating in Freetown, many of which are working in highly successful cooperative arrangements. With the improving security situation, some groups are beginning to expand their services to the provinces and are seeking funding to do so.

There was general agreement among all organizations interviewed by PHR that there is a need for development of both prevention and response services to include all relevant sectors, and also for improved coordination among providers and sectors. There was general acknowledgement that some

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[299] The information about individual organizations was compiled primarily from PHR interviews conducted with representatives of the organizations in March, 2000 and January, 2001, as well as from written information published by the organizations themselves. Additional information was provided by Glenis Taylor of UNICEF, the UN Inter-Agency Consolidated Appeal for Sierra Leone, 2001 and other sources which are cited in the footnotes.

[300] Sexual Violence within the Sierra Leone Conflict, *Human Rights Watch*, February 26, 2001.

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of these problems could be alleviated if one agency took the lead, perhaps expanding the UNICEF model to include all survivors of sexual violence.

International Organizations and Non-Governmental Organizations Providing Treatment and Protection Services:

Most organizations working on sexual violence are providing treatment, though several have been documenting abuses and some are beginning to work more strategically to improve protection and the status of women through education and institutional capacity building. UNICEF, Campaign for Good Governance and a handful of others are addressing the problem from a number of angles.

Treatment Services

UNICEF chairs a sexual violence committee in Freetown comprised of international, local and government agencies working on the needs of girls. The committee meets regularly and its members include: COOPI, MSF-Holland, Marie Stopes, CARITAS, GOAL, FAWE, Planned Parenthood Association of Sierra Leone (PPASL), The Ministry of Social Welfare, and the Council of Churches of Sierra Leone with their Child Rights Monitoring Network. The Committee currently acts as a referral system for girls who were abducted and raped. Girls are brought by their parents, families, UNAMSIL representatives, and some simply show up at UNICEF headquarters in Freetown. Though those actively seeking assistance have dwindled in the West, there are many who require services outside of Freetown where programs are not as coordinated. Those groups working in cooperation with the Committee on Sexual Violence in the provinces include: Christian Brothers, War-Affected Girls Association (WAGA), PPSL, CARITAS-Makeni, the IRC in Kenema and FAWE, now with a new branch in the South. Committees on sexual violence were recently formed in the Southern and Eastern provinces.

While UNICEF's efforts are focused on those under 18, the needs of women are also being addressed through their education efforts, which are aimed at the population as a whole. UNICEF is providing training on sexual violence for lawyers and police, as well as in schools, which includes information on rape, its effects, and what to do if raped. They have found that more women and girls are coming forward, but that the judicial process is slow and frustrating. These efforts will continue next year with the aim of reaching all schools in the country and an emphasis on prevention, if funding is available.[301]

The International Rescue Committee (IRC) is providing comprehensive maternal-child health services, sexual violence services and operating an interim care center for former child soldiers in Kenema District. IRC was

[301] Email correspondence with Glenis Taylor of UNICEF, November 18 and 19, 2001.

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the first international NGO to focus on sexual violence beginning in November 1999 in Kenema. Kenema was chosen because it was identified as the best place to filter displaced people from rebel areas of Kono and Kailahun. IRC has been providing sexual violence services under the umbrella of a safe motherhood program, which addresses basic reproductive health. The IRC team trains core groups of local women who then reach out to others in their chiefdoms. They are focusing particularly on Lebanese and Blama camps near Kenema, and are expanding their outreach to other camps in the area. For example, in Blama camp there are 21 chiefdoms represented from districts in the South and in the East, and one woman has been selected to represent each group. They use reproductive health and maternal/child health as an entry point, deliver reproductive health kits (which include condoms, family planning, STD/HIV prevention information), and introduce the subject of sexual violence. Basic training on sexual terms and definitions of sexual violence is provided. Sexual violence is not the initial focus because women are generally unaccustomed to talking about sexual violence and women's rights.

The IRC staff has generally found physical needs to be more urgent than psycho-social needs. IRC staff reported to PHR that they are attempting to introduce the program in each community/village and have found that women are responding very positively to their sensitization efforts around the notion of women's rights as human rights. According to IRC staff, the women they are working with generally express excitement when they learn that their husbands do not have the right to beat them.[302] In 2000, IRC conducted a survey in several of the camps in Kenema to learn more about sexual violence in the community. Results were not available at the time of writing.

The Forum for African Women's Educationalists (FAWE) is a pan-African NGO which has been successful in promoting education for girls. FAWE expanded their mandate to respond to the needs of rape victims after the January 1999 incursion by rebels into Freetown and, because there was a vacuum, became the primary organization providing medical and counseling services to rape survivors. Their ultimate goal, in service of their mandate, is to get these girls back to school and as of March 2000 they had been 100% effective in negotiating with parents of girls who had babies as a result of rapes, to keep them in school.

FAWE began their rape victims program in March 1999 with a sensitization effort over radio and TV and by going to secondary schools and communities to let people know that FAWE was offering medical and counseling services. They did this outreach both to make the community aware of the new services being offered, but also as part of an effort to remove some of the stigma around talking about rape. Within one year

[302] PHR interview with IRC field staff, Kenema 2000.

FAWE served over 2,000 women and girls in the Western Area alone. All participants saw a doctor at least once. All participants in the program began with individual counseling two times per week and then transitioned into group counseling. Once girls returned to school, they were monitored by the guidance counselors at their schools who have been briefed by FAWE on their circumstances. FAWE planned to end the program in Freetown because they had largely addressed the need and because they had run out of funds. Once the full-time program concludes in Freetown, FAWE arranged for those participants who still need counseling to see MSF counselors and organized some doctors to take referrals.

FAWE has also been working to sensitize the community at large to accept girls who have become pregnant as a result of rape. Many of these girls have been gang raped and do not know who the father is. There is often a stage of rejection of these babies both by the mother and their communities. FAWE created two training centers in the eastern area of Freetown, which provide comprehensive services to young women/girls and their babies including: skills training, education, parenting skills and medical care for their children. They do not provide human rights training specifically, but do sensitize the adolescents about what is inappropriate treatment. The program was designed very much in response to the needs identified during counseling session with their patients. Those young women participating in the program who were interviewed by the PHR team reported feeling much better since being enrolled in the program (though they were anxious about what they would do when the program concluded) and expressed a keen interest in learning marketable skills so they could care for their children. In 2000, FAWE expanded its programs to Kenema in the eastern area, where sexual violence has been particularly widespread, and immediately enrolled 700 victims.

FAWE has also produced a series of radio programs to educate the public against rape. The discussion/phone-in programs were aired every 2 weeks in 1999, with the hope that they would be aired bi-weekly once funding is available.

COOPI (Cooperazione Internationale), an Italian NGO specializing in international relief and development projects, has been working in Sierra Leone since 1967. In 1998, COOPI expanded its development mandate to help children released by the rebels and operates several interim care centers, that provide family tracing services, medical care, counseling and skills training. One of its centers, the Conforti Welcome Home is similar to FAWE's program for girls who became pregnant as a result of rape, except that it also provides housing. Conforti Welcome Home was set up as a temporary facility for pregnant girls and child mothers who could not go home for reasons ranging from their area of origin being inaccessible for fear of rejection by their families. Those enrolled in the program

expressed a desire for skills training before returning to their families so they have something to offer and are not dependent. COOPI is providing them with such training, as well as general education and literacy, and is working actively to sensitize communities and families to be more accepting and supportive of these young mothers and their babies. COOPI operates the **Holy Mary Clinic** in the eastern part of Freetown where the women and girls at Conforti Welcome Home receive a full range of reproductive health services including deliveries.[303]

COOPI also has established psycho-social teams, which make 'house calls' in IDP camps and host communities in and around Freetown. They have also created self-help groups in a number of IDP camps in the Western area. COOPI takes referrals from both camp clinics and the community.[304] They are committed to a community-oriented approach to psycho-social care, to developing local capacity and building on indigenous coping mechanisms. Most of the counselors are from the Sierra Leonean community and were teachers or nurses. The organization provides basic training on trauma and then encourages the counselors to adapt the information to their own culture. They have found that their patients are most responsive when they are engaged in a task, and so the self-help groups are organized around activities like needle work. According to one aid worker interviewed by PHR, approximately 40% of the women they see have been sexually abused. COOPI is committed to offering options so survivors of trauma can find the treatment and support that works for them.[305]

Marie Stopes Society (MSSSL), an international NGO headquartered in the UK, is a reproductive health agency. Many sexual violence survivors are seen among the 7,000 women treated each month in the three MSSSL outpatient clinics in west-, central- and east Freetown. MSSSL offers a range of reproductive health services including a maternity center, ante- and post-natal care, and treatment and diagnosis for STDs. While they were forced to close their clinics in Port Loko and Segbwema in the east, they are expecting to open new centers in the provinces, perhaps in Bo and Makeni. The organization accepts referrals for abandoned children and rape survivors in need of delivery services through the Child Protection

[303] PHR visited the Welcome Home in March, 2000 and spoke extensively to COOPI staff there.

[304] Information on COOPI's psycho-social programs is based on a PHR interviews with Patrick Campbell of COOPI and local COOPI counselors in Freetown in March, 2000.

[305] While Coopi started off doing individual counseling, they have often found working in groups to be more culturally appropriate, and therefore effective. COOPI counselors report that children respond best in a group of three or four – though, even under ideal circumstances, it can take 4-5 sessions for them to realize there are no negative consequences in telling the truth and to open up. COOPI mental health providers told PHR that integrating rebel wives has been even more challenging than integrating child soldiers.

Committee on Sexual Violence, which MSSSL fully subsidizes. The director, Pamela Greene, and Dr. Yvonne Harding are actively seeking comprehensive health care services and improved inter-agency referral systems and coordination. According to Dr. Harding, there is a lack of surgical care for the small number of sexual violence survivors who need it, but the psychological scars are more common and sometimes require long-term intervention. Like other members of the Sexual Violence Committee, Marie Stopes does not test patients for HIV partly because of concerns over the lack of an official national policy on confidentiality of test results. Though MSSSL's concerns are valid, hundreds of pregnant women are passing the disease on to their babies or to their partners when transmission could be prevented with medication. MSSSL's funding from DFID is coming to an end in 2001, and at the time of their interview with PHR, the organization was pursuing new grants.

Doctors Without Borders/Médecins sans Frontières-Holland (MSF-H), an international medical relief organization, has been providing a range of health care and psycho-social services in Sierra Leone since 1994. While the French and Belgian branches also have programs in Sierra Leone, MSF-Holland has been more focused on war-affected women and mental health. In January, MSF-H released a report documenting high levels of trauma among the population and has since advocated for governments and donor agencies to provide greater resources for treatment of post-traumatic stress among the general population. MSF-H also identified the need for specialized surgery for VVF and VRF cases. These surgeries were provided for a brief period after the 1999 Freetown invasion, but the specialist was in- country only for a short time. CCSL referred girls who suffered physical consequences from sexual violence to MSF for surgery at **Connaught Hospital**. MSF has also been providing referral services for FAWE and other members of the sexual violence committee, and has supplied all medications required for participants in the program. At National Workshop IDP camp in the Western Area, MSF-H provided counseling to the displaced population. In addition to Freetown, MSF also had programs in Makeni and Kambia.

International Medical Corps (IMC) is focusing on providing health care to ex-combatants, dependents of fighters, displaced and the community at large. Reproductive health services are offered at IMC clinics, including treatment of STDs. All patients receive information about safe sex and condoms. In April 1999, IMC launched a pilot program with Rural Aid, a local NGO, focused on basic health education including HIV prevention counseling.

Since only medical screenings (no treatments) are available at DDR camps, all referrals of former combatants and their dependents are sent to IMC clinics. IMC health workers have also identified a need for special-

ized VVF and VRF surgeries among their patients. While the organization has secured surgical space at **Lungi Hospital**, there is a need for an expert surgeon, some additional equipment, and referral/ transport assistance for patients from Freetown.[306] IMC received a grant from the US government to hire surgeons to treat victims of VVF and to train Sierra Leonean surgeons in the procedure.

Planned Parenthood Association of Sierra Leone (PPASL), is a member of International Planned Parenthood Federation (IPPF), and has been promoting maternal and family welfare in Sierra Leone for over 40 years. At its clinics in the major urban areas of the country, PPASL has been offering a range of reproductive health services at reduced rates, including treatment of STDs, laboratory tests, and maternal and child care. PPASL takes referrals from the Council of Churches of Sierra Leone for patients who require medical care due to sexual violence.

Because of its links to IPPF, PPASL is able to tap into the resources of the larger organization to address the AIDS epidemic including educational materials about HIV, general best-practices on reproductive health and a supplies of low-cost condoms. PPASL relies particularly on community members and leaders to act as peer counselors and to educate the population at large. The organization has reached out to the most vulnerable groups with education programs including IDPs, the military, and youths through the school system. PPASL reported to the researchers of the recent WHO/Associates for Global Change study on HIV/AIDS in Sierra Leone that they had virtually no contact with the National AIDS Control Program.

Due to the war, Planned Parenthood has experienced shortages in both staff and supplies, including medications. Health care providers at PPSAL in Kenema reported to PHR a dramatic jump in syphilis and gonorrhea among their clients, which was not a significant problem before the conflict. They also noted that most of their patients do not reveal that they have been victims of sexual violence. It is possible that the hesitancy of survivors to report is exacerbated by the predominance of male clinicians observed by the PHR team during a March 2000 investigation.

Leonet, an NGO funded by Americans concerned about Sierra Leone, works with street/unwanted children, many of whom are sexual violence/abduction survivors. Leonet has been assisting a number of young girl abductees who have been rejected by their families due to resulting pregnancies. UN agencies, government ministries, and NGOs refer the "most hopeless" cases to Leonet. The organization is also operating a day care and skills training centers in Kissy, the eastern part of Freetown, which was hardest hit by the January incursion of 1999, and was operat-

[306] At time of writing, IMC was in the process of obtaining a list of VVF patients awaiting surgery from a physician at Princess Christian Medical Hospital (PCMH) in Freetown.

ing in Port Loko. The building was given to them by the community and is open to other single mothers, but the program is at a standstill because of lack of funding. Leonet uses Marie Stopes for referrals.

Cause Canada, an international relief and development organization, has been active in Sierra Leone since 1989. Their activities include refugee assistance, primary health care, vocational and post war reconciliation, and reintegration of women and girls affected by war. The program for war-affected women and girls consists of counseling, medical treatment, vocational training and community reintegration.

The International Committee of the Red Cross (ICRC) provides a range of services, focusing its activities in the last year on emergency aid and protection of war-affected civilians. ICRC's surgical team has performed hundreds of surgeries on destitute patients with war-related injuries, established and upgraded medical and surgical facilities, assisted thousands in reconnecting families that had been separated due to the war, and raised the coping abilities of vulnerable and displaced women by teaching them skills to increase their self-sufficiency. ICRC is also providing training to the new Sierra Leonean army and UNAMSIL troops on humanitarian law.[307] They are also supporting a community theater program to educate the population about HIV transmission.

Other Groups Working Directly and Indirectly with War-Affected Women and Girls

- CARITAS: a UNICEF Child Protection partner and operates interim care centers in Lunsar and Makeni
- The Ministry of Social Welfare and ICRC collaboration to link children with relatives through the National Family Tracing Network
- A joint effort by UNDP/UNIFEM to create a holistic program for women and girl refugees to support reintegration
- A UNDP project providing medical, social and legal support, as well as micro-credit
- UNAMSIL's Civil Affairs Division has been helping the Government of Sierra Leone restore its authority in rebel-held areas and identifying

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[307] ICRC, Update on ICRC activities in West Africa: Sierra Leone-Guinea-Liberia. December 15, 2000. http://www.icrc.org/icrceng.nsf/5cacfdf48ca698b641256242003b3295/62e58fc7be68051cc12569b6004a9e5c?OpenDocument

[308] In July, 2001, UNAMSIL distributed $45,000 from their trust fund to support the activities of three community-based organizations working with survivors of sexual violence.

urgent humanitarian needs in these regions. The division also raises funds to support locally-based programs to assist sexually abused women and girls and ex-combatants.[308]

Documentation, Education and Protection Services

Campaign for Good Governance (CGG) is a Sierra Leonean NGO based in Freetown that works "to facilitate the full participation of all Sierra Leoneans in the political, social and economic processes of development in Sierra Leone." CGG has been at the forefront of fighting for gender equality and is interested both in improving women's lives by enhancing their status as a group and as individuals, and in improving national government and civil society by involving women at all levels. CGG played a critical role in the success of the 1996 democratic election when the group mobilized market women who took to the streets to insist the election take place. As part of their efforts in both gender equality and human rights, CGG has been addressing sexual violence and human rights on a number of fronts including:

- Establishing a group in 1999 called SOS-Women in Freetown focused on violence against women and children. The group seeks to provide support for victims, promote accountability, and to educate women about their rights. Among their goals is to break the silence around sex and encourage victims and others to speak out;
- Investigating reports of mistreatment of women;
- Playing an active role in the first successfully tried rape case in Sierra Leonean history.[309] CGG has also been active in efforts to change trial procedures, which required victims, including child victims, to testify in front of their rapists;
- Conducting public education presentations about sexual violence on the radio, including the use of short-wave radio to broadcast outside of Freetown since February 2000;[310]
- Establishing a database of women in decision-making positions in government with the intention to advocate for more women in positions of power;
- Monitoring the full range of human rights abuses committed by combatants for the TRC and Special Court;

[309] A 65-year-old man was sentenced with 10 years imprisonment for raping a 13 year-old girl. (CGG, 3/2000)

[310] The content of their broadcasts comes mostly from materials sent to them by the US Embassy in Freetown. (CGG, 3/2000)

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- Providing legal advice and representation to human rights victims;
- Providing human rights education to schools, groups and communities in an effort to elevate the expectations the public has of their government.

Council of Churches of Sierra Leone (CCSL), a local NGO based in Freetown, created the Child Violations Monitoring Network (CRIVMON) in 1998 with technical and financial support from UNICEF. It works through a country-wide network of child and human rights organizations, as well as individual lawyers to document abuses committed against children. CCSL found sexual violence to be one of the most prevalent violations, with a sharp increase in the number of abuses occurring after the January 1999 rebel incursion into Freetown.[311] It was Helen Bash-Taqi, then CRIVMON Co-ordinator, who informed the Child Protection Committee of the high number of rape cases in the communities. In response, UNICEF invited interested partners to meet and discuss how to facilitate physical and psychological rehabilitation for girls who had been abused by combatants. This led to the formation of the Sexual Violence committee. CCSL has submitted statistical documentation and narrative reports to UNICEF, which they hope will be used for accountability purposes in the TRC and Special Court processes and to bring the attention of the government to the problem, which thus far, has done little to either protect women and girls or prosecute their perpetrators. CCSL has a referral arrangement with Planned Parenthood of Sierra Leone but also makes medical referrals to other partners.

Human Rights Watch (HRW) closely monitors and documents a range of human rights abuses in Sierra Leone, including sexual violence. HRW produces frequent reports and press releases as part of an effort to advocate for accountability, stronger protection for civilians at risk and improved human rights training of former combatants. In February, 2001 HRW released a short report specifically on sexual violence during the conflict.[312]

Amnesty International has also been producing regular reports and releases documenting rights abuses, including rape[313], and advocating

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[311] PHR interview with Helen Bash-Taqi of CCSL in Freetown, March, 2000. Generally, their research has revealed that most younger children were used as domestic servants, though cases of girls as young as 10 being used for sex have been documented. They also have cases of two boys (15 and 16) who were forced to have sex with their female commander and young boys who were forced to commit rapes.

[312] Human Rights Watch, *Sexual Violence within the Sierra Leone Conflict*, February 26, 2001.

[313] Amnesty International, *Sierra Leone: Rape and other Forms of Sexual Abuse Must be Stopped*, May 30, 2000.

[314] Amnesty International, *Sierra Leone. Rape and other forms of sexual violence against women and girls*, June 29, 2000.

within the Sierra Leonean government and the international community for protection, justice, and concerted action against the diamond and arms trades which are fueling the war. Amnesty also produced a report specifically documenting war-related sexual violence in Sierra Leone.[314]

Women's Forum is a Freetown-based nation-wide network of women's groups established in February 1994 in response to the need among women for sharing ideas, building effective alliances and taking collective action on issues of common concern and interest to the overall advancement of the status of women and the promotion of children's rights. The Women's Forum played a crucial role in ensuring that the first democratic elections since independence from British rule took place in 1996. They are in a position to promote the need for legal reform and put pressure on political parties to address women's rights in the upcoming general elections.[315] The Women's Forum was identified at a forum chaired by UNHCR in 2001 as a potential partner to house a data-base on sexual violence and disseminate information on the issue.[316] With adequate financial support, the Women's Forum could also address the ongoing problems of coordination on the issue.

Network Movement for Justice and Development (NMJD) is a Sierra Leonean NGO, active in Freetown, Kenema, Bo and the Kono district, with a strong foundation and solid experience in civil society, public advocacy, and rural development. NMJD is well suited to provide public advocacy to change the laws governing treatment of women/children, and to promote community development to establish community-based prevention and response systems in both rural and urban areas.[317]

GOAL is an Irish NGO working with street children and commercial sex-workers in Freetown. In a survey conducted in 2000, they found that nearly half of the girls interviewed were between the ages of 13-17, many were formerly with the rebels, and 98% were addicted to drugs. The sex trade is an ongoing problem that has been aggravated by the war and sexual violence continues to be a daily problem in the lives of these girls – perpetrated by customers, boyfriends and military personnel. GOAL has established a drop-in center for these girls where they offer counseling, non-formal education and medical care. GOAL also advocates for the

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[315] Witness, Witness action in Women and Sexual Violence in Sierra Leone, December 2001 www.witness.org

[316] One of the problems raised at a workshop organized by UNHCR in Geneva in March, 2001, was the non-availability of adequate information and data about the extent of sexual violence in Sierra Leone which makes it difficult to provide targeted support for survivors. It is hoped that the findings of the PHR/UNAMSIL survey will help address this problem.

[317] NMJD received technical and training assistance from a representative of John Snow International in September, 2000 and has also received a small grant to expand their programs from the Washington D.C. based, Reproductive Health of Refugees Consortium.

rights of these girls with the police. Although family reunification has been particularly challenging because there is such a stigma attached to prostitution, GOAL is attempting to mediate with families to allow the girls to go home.

HIV/AIDS Prevention and Care

Society for Women and AIDS in Africa is a regional organization which focuses on the gender dimension of the HIV/AIDS epidemic and works to improve women's access to information, to challenge the cultural and legal constraints of patriarchal societies, and to encourage women's financial independence and self-esteem. The Sierra Leone branch, SWAASL, was set up ten years ago and has played a central role in organizing stakeholders to address the epidemic strategically and cooperatively. Major present and future activities which arose from a conference on best practices convened by SWAASL in 1998 include: establishing an AIDS/STD Resource Center, conducting research on the prevalence and impact of the disease, and orchestrating awareness campaigns targeted at war-affected women, commercial sex workers and other vulnerable groups.

Shepherd's Hospice – Sierra Leone's only hospice has no in-patient capacity, but at the time of this writing had 25 volunteer counselors throughout the greater Freetown area. The hospice has received modest funding from Catholic Relief Services (CRS) and WHO, and is expected to receive additional funds to rehabilitate their building and expand their services. Because of the stigma surrounding HIV and the frequent reports of those discovered to have the disease being thrown out of their homes and shunned by their families, it is essential to establish in-patient services.[318] There is currently nowhere else in the country to refer those who are ill for care and counseling.

National AIDS Control Office, a body within the Sierra Leonean government, is trying to revive AIDS-related activities nationwide. This office is intended to facilitate coordination and planning between government, NGOs, and international organizations working on the issue, but lacks the necessary capacity.[319] Among their activities, NACC has conducted prevalence testing among pregnant women as recently as 1997 and organized efforts to inform parliament of the need for a more active government role in preventing and treating HIV/AIDS.

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[318] World Health Organization and Associates for Global Change, *HIV/AIDS in Sierra Leone: The Future at Stake, The Strategic and Organizational Context and Recommendations for Action*, December 20, 2000.

[319] According to a presentation made by a representative of the National AIDS Control Office attended by PHR in March 2000, testing of pregnant women at clinics revealed the following growth in HIV prevalence rates: 2% in 1992, 2.7% in 1993, 3.4% in 1994, 4.5% in 1995, 5.5% in 1996, and 7% in 1997.

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APPENDIX D

3477

Referrals

The PHR/UNAMSIL team took every precaution to minimize the risk of re-traumatization for interview subjects, including careful design of the survey instrument, sensitivity training of the research team, and by the central involvement of two consultants, one a psychologist and one a social worker, who had extensive experience counseling survivors of sexual violence. In spite of the team's best efforts, it was recognized that the women and girls interviewed were taking some emotional and practical risk in sharing their stories, as well as giving up some of their time. While PHR decided against giving the participants any material compensation or token, and made it clear at the outset that the team was not offering any humanitarian services, it felt the least it could do was educate them about and connect them to existing services in the area. First, PHR established contact with those organizations providing medical and psychosocial support in the camps where the team intended to survey and explained the nature of the study. All the groups we contacted including: IMC, IRC, MSF-H, ADRA, GOAL, Concern, and Merlin, were happy to provide referral services to the women and girls we interviewed. In most cases, the researchers simply told the participant about the services offered in her camp, however special arrangements were made for "high risk cases." Researchers were trained to identify particularly severe cases requiring intervention and to request permission from the individual to pass her name along to the appropriate health care provider. Great care was taken to ensure that any names taken were separated from the completed questionnaires to ensure strict confidentiality. The PHR/UNAMSIL team is grateful to those organizations and individuals who so generously cooperated with this effort.

The researchers also provided a brief explanation of both the Special Court and the Truth and Reconciliation Commission in an effort to begin to educate the population and to ensure that the participants had an adequate understanding to determine whether they wanted PHR to give their names to these bodies. Any names that were given to pass on to the TRC or Special Court were separated from the questionnaires, so that no information about the participant's history would accompany her name. These names and contact information are in the possession of the UNAMSIL Human Rights Section until they can be passed on to the appropriate bodies.

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FACT 101

The following counties are in the Republic of Liberia: Bomi, Bong, Gbarpolu, Grand Bassa, Grand Cape Mount, Grand Gedeh, Grand Kru, Lofa, Margibi, Maryland, Montserrado, Nimba, Rivercess, River Gee and Sinoe.

a.	Exh. 1.282	ERN 00029852-00029852	Map of Liberia, Map No. 3775 Rev. 6, United Nations Department of Peacekeeping Operations Cartographic Section, January 2004.


The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.
LIBERIA
International boundary
County boundary
National capital
County capital
Town, village
Road
Railroad
Airport
SIERRA LEONE
GUINEA
CÔTE D'IVOIRE
ATLANTIC OCEAN
LOFA
GBARPOLU
GRAND CAPE MOUNT
BOMI
MARGIBI
GRAND BASSA
MONTSERRADO
BONG
NIMBA
RIVER CESS
GRAND GEDEH
SINOE
RIVER GEE
GRAND KRU
MARYLAND
Monrovia
Robertsport
Buchanan
River Cess
Greenville
Sasstown
Harper
Zorzor
Gbarnga
Kakata
Harbel
Tubmanburg
Bong Town
Careysburg
Brewerville
Voinjama
Kolahun
Vahun
Kanema
Belle Yella
Sanniquellie
Ganta
Saclepea
Kahnple
Danané
Kpein
Sagleipie
Butuo
Zekera
Kpeaple
Tapeta
Gbovi
Tchien (Zwedru)
Kola (Kola Town)
Towabli (Towbli Town)
Debli
Babu
Drubo (Dubwa)
Tai
Pelokehn
Yatekahn
Yibuke (Kaobli)
Fish Town
Tawake
Kodeke
Nyaake
Nimike
Pibo
Tabou
Barclayville
Nana Kru
Sehnkwehn
Juazohn
Kopo
Bokos
Timbo
Trade Town
Gonglee
Ghapo
Guata
Hartford
Edina
Marshall
Klay
Bendaja
Bopolu
Suakoko
Zienzu
Belefuanai
Gbange
Wiesua
Kongo
Kenema
Gelahun
Zigida
Yela
Nzérékoré
Yekepa
Mendekoma
Pendembu
Kallahun
Buedu
Guéckédou
Irié
Tiebli
Poebli
Towabli
Guigio
Gahnpa (Ganta)
Plibo
Grand Cess
C. Palmas
Greenville
Sinoe Bay
Dugbe
Sinoe
Cess (Central)
Sehnkwehn
Timbo
Tiplay
Cavalla
Sassandra
Mano
Nuon
St. John
Lake Piso
Wonegizi Range
Nimba
Loffa
Mani
Kpo
Nuon
Cavalla
Duabo
Pelokehn
Shebli
Putu Range
Duke (Tuobo)
Gallo
Tawelilu
Tiehnpo
Tatuke
Dugbe
Grand Kru
Maryland
Nyaake
Nimike
Tabou
Harper
Pibo
Sasstown
Barclayville
Nana Kru
Greenville
Sinoe Bay
Sehnkwehn
Juazohn
Kopo
Bokos
Timbo
River Cess
Trade Town
Buchanan
Edina
Harbel
Marshall
Hartford
Gonglee
Ghapo
Guata
Monrovia
Brewerville
Careysburg
Klay
Robertsport
Bong Town
Tubmanburg
Bopolu
Bendaja
Sulima
Kongo
Wiesua
Gbange
Belefuanai
Belle Yella
Zorzor
Gbarnga
Suakoko
Zienzu
Yela
Zigida
Gelahun
Vahun
Kanema
Pendembu
Kallahun
Buedu
Mendekoma
Kolahun
Voinjama
Guéckédou
Irié
Nzérékoré
Yekepa
Sanniquellie
Ganta
Kahnple
Danané
Kpein
Sagleipie
Butuo
Zekera
Kpeaple
Tapeta
Gbovi
Tchien (Zwedru)
Kola (Kola Town)
Towabli (Towbli Town)
Tiebli
Poebli
Debli
Babu
Drubo (Dubwa)
Tai
Pelokehn
Yatekahn
Yibuke (Kaobli)
Fish Town
Tawake
Kodeke
Nyaake
Nimike
Pibo
Tabou
Harper
C. Palmas
Grand Cess
Barclayville
Nana Kru
Sasstown

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FACT 102

There was an armed conflict in Liberia from about 24 December 1989 until about 17 August 1996.

a.	Exh. 1.232	n/a	Liberia – First Civil War – 1989-1996, available at http://www.globalsecurity.org/military/world/war/liberia-1989.htm.
b.	Exh. 1.019	ERN 00004435-00004548	Letter dated 26 October 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia, addressed to the President of the Security Council (S/2001/1015), at para. 37 (refers to the 1989-1996 war).
c.	Exh. 1.389	n/a	Armed Forces of Liberia Restructuring Commission Report – Demobilization/Retirement/Restructuring, 19 March 1999, at Part One, The Commission And Its Work, Section 1.1.2 (cites the beginning date of the Liberian conflict).

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Court Management Section – Court Records

Errata to Document Certificate

This certificate elicits the error in the following document in the Court Records

Case Name: The Prosecutor –V-Charles Ghankay Taylor
Case Number: SCSL-2003-01-PT
Document Index Number: 236
Document Date: 14 May 2007
Filing Date: 14 May 2007
Number of Pages: Page Numbers: 5598-7727
Document Type: - **Prosecution's Motion for Judicial Notice**

☐ Affidavit

☐ Indictment

☐ Correspondence

☐ Order

☒ **Motion**

Note that in this Document Number SCSL-03-01-PT-236; after page 7474 the next page should read as 7475 not 7375

Name of Officer:
Advera Nsiima K.

Signed Nsiima K.



GlobalSecurity.org

Education
Jobs
Travel
Gifts
Conferences

1980 - Coup
1985 - Coup Attempt
1989-1996 - First Civil War
1997-2003 - Second Civil War
2003 - Post-Taylor Cease Fire

Liberia - First Civil War - 1989-1996

The Liberian Civil War, which was one of Africa's bloodiest, claimed the lives of more than 200,000 Liberians and further displaced a million others into refugee camps in neighboring countries.

Elections are scheduled for 1991. But late in 1989, severe communal violence broke out after a failed coup attempt against Doe. Several hundred members of the Gio and Mano tribes, that had been ill-treated by Doe, revolted in the northeast.

On December 24, 1989, a small band of Libyan-trained rebels led by Charles G. Taylor, invaded Liberia from the Ivory Coast. Taylor, Doe's former procurement chief, is an Americo-Liberian of both indigenous and Americo-Liberian ancestry. He graduated from Bentley College in Massachusetts and is said to have tastes that run to fine suits and silk ties. With explicit support from neighbouring African nations and a large section of Liberia's opposition, Taylor's National Patriotic Front rebels rapidly gained the support of Liberians because of the repressive nature of Samuel Doe and his government. Various unpredictable events, like the Gulf war and the consequent US disengagement from Liberia, coincided to turn this into a protracted civil war, with ultimately west African ECOMOG intervention. A final cease-fire and peace accord in 1996 was followed by the installation of a transitional government of all factional leaders.

Liberian troops and provincial security forces were dispatched to Nimba County to counter the insurgency and indiscriminately killed Liberian civilians without regard to the distinction between

combatants and noncombatants. In response to this insurgency, President Doe launched an unrelenting wave of violence against the inhabitants of Nimba County. Media reports and international human rights organizations estimated that at least 200 persons, primarily members of the Mano and Gio ethnic groups, were killed by troops of the Government of Liberia during the counterinsurgency campaign.

When the cold war was over and Charles Taylor's band of rebels--some of them children--clashed with government forces and other ethnic militias in the streets, the resulting conflict was so frighteningly gruesome that for many it was almost impossible to understand. Between December 1989 and mid-1993, Charles Taylor's National Patriotic Front of Liberia (NPFL) is estimated to have been responsible for thousands of deliberate killings of civilians. As NPFL forces advanced towards Monrovia in 1990, they targeted people of the Krahn and Mandingo ethnic groups, both of which the NPFL considered supporters of President Doe's government.

ECOMOG troops, predominantly from Nigeria and Ghana, entered Monrovia -- and prolonged the war by aiding Doe's troops. This resulted in a daily massacre of non-Khran Liberians in Monrovia by Doe's Armed Forces of Liberia (AFL) men.

Although the sources of the Liberian conflict are complex, on one level it represents an attempt by Americo-Liberians to re-establish themselves as the dominant political force in Liberia. The war was not about tribes seeking dominance over one another. Charles Taylor led the invasion into Liberia in the name of trying to right the wrong for the Gios and Manos. This was the motivator for the two ethnic groups who joined the movement. When the Taylor rebels entered Nimba County, their home, the conflict quickly drew in the Mandingoes, who are mostly Muslims. The Gio tribe soon formed their own separate rebel forces under Prince Johnson, and a bloody three-way civil war began.

Sam Dokie and other prominent individuals of Nimba County initially welcomed the Taylor/Sirleaf-Johnson rebel incursion into Liberia to resist Doe's Khran ethnic fighters. The County leaders rapidly mobilized young men to join the rebel forces believing that Taylor was sincere when he said the sole purpose of his attack was to remove the tyrant, Samuel K. Doe from power. After discovering Taylor's plans for the Liberian people, Dokie and others separated themselves from the National Patriotic Front of Liberia [NPFL]. Dokie along with his wife and two others were brutally murdered by Taylor's NPFL-controlled Security forces.

As the fighting escalated into civil war, three distinct factions became engaged in a national power-struggle: forces loyal to Doe, and two mutually opposed rebel groups led by Charles Taylor and Prince Yormie Johnson. Taylor, a former Doe aide, and Johnson had started their campaign under the same banner, the National Patriotic Front of Liberia (NPFL). Tribal affiliations played a key role in the split between the Krahn, to which Doe and most of his adherents belonged, and the Gio and Mano people, who formed the bulk of the rebel forces. Fighting between Doe's troops and the Taylor/Johnson axis began at the end of 1989. Johnson assumed the presidency temporarily during September 1989, after which it passed through several hands, settling for a time in those of Amos Sawyer, who managed to pacify some parts of the country.

Libya may have used the Liberian civil war to undermine US influence in Liberia, since the CIA had reportedly used Liberia as a base to attempt the overthrow of Gadaffi's regime. Burkina Faso's president Blaise Campaori, another Libyan protege, provided foreign mercenaries and training bases for Taylor. Military supplies and manpower from Libya and Burkina Faso were transported by road through the Ivory Coast to Liberia.

One of the factors that drove the warlords to reject a transition to normalcy was their exploitation of

Liberia's natural resources. Once the war started, Taylor found wealth, and the war was increasingly about maintaining that fortune. The warlords were wantonly exploiting their country's resources to keep themselves and their ragtag forces in weapons with virtual impunity, and in some cases complicity. The primary sources of revenue for these warlords were Liberia's diamonds, timber, rubber, gold, and iron ore. Timber and rubber are among Liberia's main export items. Liberia earns more than $85 million and more than $57 million annually from timber and rubber exports, respectively. Alluvial diamond and gold mining activities also account for some economic activity.

Barely 6 months after the rebels first attacked, they had reached the outskirts of Monrovia. Liberia has been marked by intermittent civil war ever since. Although many Liberians were glad to see Doe's repressive regime removed, no group that emerged from the civil war was powerful enough to replace the Doe government. As a result, the Republic of Liberia was plunged into a state of chaos from which it has yet to emerge.

Despite a cease-fire agreement signed in Bamako, Mali, in 1990, the civil war never really ended.

Prince Johnson, who had been a member of Taylor's National Patriotic Front of Liberia (NPFL) but broke away because of policy differences, formed the Independent National Patriotic Front of Liberia (INPFL). Johnson's forces captured and killed Doe on September 9, 1990.

The Economic Community of West African States (ECOWAS) intervened and succeeded in preventing Charles Taylor from capturing Monrovia. An Interim Government of National Unity (IGNU) was formed in Gambia under the auspices of ECOWAS in October 1990 and Dr. Amos C. Sawyer became President. Sawyer was backed by a Nigerian-led peacekeeping force, known as ECOMOG (ECOWAS Monitoring Group). Taylor refused to work with the interim government and continued the war.

The war spilled over into Sierra Leone in 1991, when Foday Sankoh led a mixed group of Liberians and Sierra Leoneans into Kailahun in eastern Sierra Leone. President Momoh's troops attempted to train a fighting force from amomg the 250,000 Liberian refugees in Sierra Leone. The ex-Liberian Broadcasting Corporation head, Alhaji Kromah, organised Mandingo Muslims and Krahn refugees in Freetown to form the United Liberation Movement of Liberia (ULIMO).

The Krahns and Mandingoes became the direct targets of Taylor's NPFL group. In neighboring Sierra eone, refugees of these two tribes led other tribes in organizing the ULIMO faction and returned to Liberia. It was this group in 1992 that helped the West African ECOMOG peacekeeping force stop the takeover of Monrovia by Taylor's NPFL rebels.

With the escalation of violence that began in August 1992 it seemed as if even the limited peace Liberia possessed had been completely shattered. The re-emergence of overt civil war threatened to return Liberia to the state of terror and brutality that prompted Africa Watch monitors to call Liberia a "human rights disaster." By 1992, several warring factions had emerged in the Liberian civil war [all of which were eventually absorbed in the new government]. Roads leading out from Monrovia were not open for travel except for very limited pre-approved trips into Cape Mount and Bomi counties. Travelers, including US citizens, had been detained, harassed and delayed by forces of the National Patriotic Front of Liberia (NPFL). Five US citizen nuns were killed in Gardnersville by NPFL Troops in October 1992. Roberts International Airport outside of Monrovia was closed. Limited air service existed only between Spriggs Payne Field in Monrovia and Abidjan, Cote D'Ivoire, and Freetown, Sierra Leone. No major international air carrier served Spriggs Payne Field. Overland routes to other West African countries were not open.

In January 1993 a security buffer around Monrovia was re-established by forces of the West African

Peace Monitoring Group. The authority of the interim government never extended beyond Monrovia's suburbs. ECOMOG defended the city, which became a civilian safe haven with as many as a million people at some points.

Taylor and his NPFL guerrillas – mostly from the Gio and Mano peoples who are historic rivals of the Krahn – kept fighting. To complicate matters further, at least three new guerrilla formations appeared as both Taylor's NPFL and its main opponents split into factions. A peace accord signed in the Beninois capital, Cotonou, in the spring of 1994 was quickly forgotten.

The United Liberation Movement for Democracy in Liberia split in 1994 between ULIMO-J (mainly Khran ethnics headed by Roosevelt Johnson) et ULIMO-K (mainly Mandingo ethnics headed by Alhaji Kromah).

Liberia's seven warring factions -- including the National Patriotic Front of Liberia (NPFL), the United Liberation Movement with two wings referred to as ULIMO-J and ULIMO-K, the Liberia Peace Council, NPFL-CRC, the Lofa Defense Force and remnants of the Armed Forces of Liberia loyal to former president Samuel K. Doe -- continued to fight. In September 1995, after failing to honor more than 13 signed peace accords, under the auspices of the Economic Community of West African State, a Liberian Council of State comprising the seven warring factions was formed under the Abuja Peace Accord. Throughout January and February 1996, the deployment of UNOMIL and ECOMOG forces to monitor the peace process is stalled due to a lack of funding and political will.

During the first week of April 1996, the failure of the Council of State to resolve internal power struggles led to a resumption of fighting in Monrovia. In April 1996, the Liberian Council of State sent police-militia to arrest Prince Johnson on murder charges. As a direct result, fighting erupted in Monrovia between 'government forces' and LPC, AFL and ULIMO-J fighters loosely allied under Johnson and based at Barclay Training Centre. Johnson's forces took 600 civilians as 'human shields'. Some 1,500 people were killed in the clashes that lasted seven weeks.

On 17 August 1996, after 134 days of killing and mayhem, Nigeria and other West African states brokered a cease fire between the warring factions. Taylor emerged the dominant power, winning the 1997 presidential election. ECOMOG was dominated by Nigerian forces. General Sani Abacha, the corrupt ruler of Nigeria, enjoyed a good rapport with Taylor. Abacha persuaded Taylor to agree to the ceasefire and to participate in the election. But Taylor was not as popular with other military leaders in Nigeria as he had been with Abacha.

It took seven years of intertribal warfare and of repeatedly broken cease-fires, for the combined efforts of neighboring African countries and of the UN to impose a settlement and to organize elections. Disarmament in January 1997 was followed by democratic elections in July, which were won by Charles Taylor with 75% of the vote.

President Taylor firmly established lasting peace internally and, once achieved, has started increasingly to welcome back to the country opposition of all kinds, including most former warlords. He undertook a constructive role in the Sierra Leone conflict, which had been started more or less simultaneously, proposing that all sides involved should be given a fair chance of participating in future elections. These efforts had resulted in the present UN-monitored disarmament process in Sierra Leone and a general return of peace in the sub-region. It also earned Liberia credit and re-establishment of diplomatic relations, as well as a constructive review of the economy by Washington institutions.

While President Taylor's first two years in office demanded strenuous efforts to reconcile different factions, maintain peace, avoid post war excesses, and establish dialogue with Nigerian-led ECOMOG

who were still fighting rebels in Sierra Leone, the tide had clearly turned since mid 1999. With the UN peace mission in Sierra Leone, the sub-region seemed finally set to recover after the decade of unrest which followed ten years of steep decline. Having achieved 'sustainability' of government, the time had finally come for sustained economic development.

The 1989-1996 civil war had a devastating effect on the country's economy. Most major businesses were destroyed or heavily damaged, and most foreign investors and businessmen left the country. Iron ore production has stopped completely, and Liberia depends heavily on timber and rubber exports and revenues from its maritime registry program. Relatively few foreign investors have returned to the country since the end of the civil war due to the depressed business climate and continuing instability.

Liberia is still trying to recover from the ravages of war. Six years after the war, pipe-borne water and electricity are still unavailable, and schools, hospitals, roads, and infrastructure remain derelict. As a result of the civil war, there were 157,000 IDP's in approximately 36 camps in 1997. International agencies and the Liberia Refugee Repatriation and Resettlement Commission (LRRRC) have been able to resettle approximately 126,243 displaced persons since 1998. In October 2000 fighting in northern Lofa county further increased the number of displaced persons. There were an estimated 15,000 to 20,000 IDP's in the country at the end of 2000.

Young persons were victimized during the civil war of the mid-1990s. An estimated 50,000 children were killed; many more were injured, orphaned, or abandoned. Approximately 100 underfunded orphanages operated in and around Monrovia; however, many orphans lived outside these institutions. The National Military Families Association of Liberia (NAMFA) tried to provide for orphaned military children; it registered hundreds of street children. These institutions did not receive any government funding, but relied on private donations. Nearly all youths witnessed terrible atrocities, and some committed atrocities themselves. Approximately 21 percent (4,306) of the combatants who were disarmed under the provisions of the Abuja Peace Accords were child soldiers under the age of 17. Many youths remained traumatized, and some still were addicted to drugs. The number of street children in Monrovia and the number of abandoned infants increased significantly following disarmament. Although pressured by the Government to cease their programs, international NGOs and UNICEF continued retraining and rehabilitation programs for a limited number of former child fighters. These children were vulnerable to being recruited in subregional conflicts, since most had no other means of support.

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Logging and wood processing

31. Between January and June 2001 round log production produced 679,253 cubic metres (valued at US$ 46.2 million). These figures are a likely underestimate of real exports by 50 to 200 per cent because of tax evasion by companies and widespread corruption.

32. Logging has long been one of the prime sources of government revenue. Logging is still today a mainstay of export earnings for the Government. President Taylor has also taken a personal interest in the allocation of timber concessions. In January 2000 a new National Forestry Law declared that all forest resources are the property of the Government except for communal and privately owned forest resources that have been developed through artificial regeneration.

33. New concessions require final approval by the President of the Republic. During the 1999-2000 season, many authorized concessionaires continued logging but without assurances that they would be allowed to retain their concessions. This uncertainty encouraged rapid cutting and profiteering, without concern for sustainable forestry practices in order to maximize profits in anticipation of losing concessions.

34. Several Spanish and French enterprises lost their concessions to the United Logging Company, managed by Fawaz and President Taylor's son as chairman. President Taylor has also revoked concessions of the VH Timber Companies giving them to the United Logging Company and to the Mohammed Group. President Taylor is seeking to have the timber industry dominated by a few mega-concessions like the Oriental Timber Company.

35. A number of the timber companies complained to the Panel that making a profit currently in Liberia is difficult, except for the mega-concessions that are engaged in non-selective felling and processing massive volumes of round logs. Limited wood-processing capacity, log jams in France at saw mills because of large volumes of round logs and the difficulty in attracting new investors to Liberia were all blamed for these difficulties. They complain of excessive taxation and difficult operating conditions, making it impossible even to fell and sell timber up to their Forestry Development Agency 4 per cent quota. Presidential favour is an important ingredient in cutting operational costs. A number of logging firms obtained tax waivers for fuel purchases as a result of their close connections to the President.

36. According to FDA rules, 25 per cent of the volume of logs felled should be sawn in the country. This rule is not respected because of the volume of round logs exported by the Oriental Timber Company to China and because of the limited number of saw mills in Liberia.

37. Prior to the 1989-1996 war there were 18 saw mills, three veneering and plywood factories, six dry kilns and three wood-processing factories and domestic timber production surpassed log exports in timber volume. Today there are only 12 operational saw mills and these do not have the capacity to process the volume of logs felled.

38. The World Trade Organization (WTO) currently advises all countries to ban unprocessed log exportation beyond the end of 2000. Liberia urgently needs to phase out this trade and invest in wood-processing facilities. This would enhance the value of timber exported from Liberia, slow felling down and provide additional

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United Nations S/2001/1015

Security Council

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26 October 2001

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Letter dated 26 October 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia, and in accordance with paragraph 19 of section B of resolution 1343 (2001), I have the honour to submit, as agreed upon at the 7th meeting of the Committee, held on 25 October 2001, the report of the Panel of Experts (see annex).

In this connection, the Committee would appreciate it if this letter, together with its annex, were to be brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Kishore **Mahbubani**
Chairman
Security Council Committee established pursuant
to resolution 1343 (2001) concerning Liberia

01-60564 (E) 291001

Annex

Letter dated 17 October 2001 from the Chairman of the Panel of Experts on Liberia addressed to the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia

On behalf of the members of the Panel of Experts on Liberia, I have the honour to enclose the report of the Panel, in accordance with paragraph 19 of Security Council resolution 1343 (2001).

(*Signed*) Martin Chungong **Ayafor**
Chairman
Panel of Experts on Liberia

(*Signed*) Atabou **Bodian**

(*Signed*) Johan **Peleman**

(*Signed*) Harjit Singh **Sandhu**

(*Signed*) Alex **Vines**

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Enclosure

Report of the Panel of Experts pursuant to Security Council resolution 1343 (2001), paragraph 19, concerning Liberia

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Abbreviations

AFCAC	African Civil Aviation Commission
AFL	Armed Forces of Liberia
AFRC	Armed Forces Revolutionary Council (Sierra Leone)
ANA	Agence de la Navigation Aerienne (Guinee)
APIRG	Africa and Indian Ocean Planning and Implementation Regional Group
ASECNA	Agency for the Safety of Air Navigation in Africa and Madagascar
ATU	Anti-Terrorist Unit (Liberia)
CDF	Civil Defence Force
CMRRD	Commission for Management of Strategic Mineral Resources (Sierra Leone)
CSSP	Commonwealth Community Safety and Security Project for Sierra Leone
DDR	Disarmament, Demobilization and Rehabilitation Programme (Sierra Leone)
DRC	Democratic Republic of the Congo
Dwt	Dead weight tonne
ECOMOG	ECOWAS Monitoring Group
ECOWAS	Economic Community of West African States
FIC	Flight Information Centre
FIR	Flight Information Region
FOB	Freight on Board
GODIMWUL	Gold and Diamond Miners and Workers Union (Liberia)
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit
IATA	International Air Transport Association
ICAO	International Civil Aviation Organization
IDP	Internally Displaced Person
IMO	International Maritime Organization
INCB	International Narcotics Control Board
IWETS	International Weapons and Explosives Tracking System
LISCR	Liberian International Shipping and Corporate Registry
LURD	Liberians United for Reconciliation and Democracy
MROS	Money Laundering Reporting Office (Switzerland)

MSF	Medecins Sans Frontieres
NCDDR	National Centre for Disarmament, Demobilization and Rehabilitation
NPFL	National Patriotic Front of Liberia
OTC	Oriental Timber Company (Liberia)
RPG	Rocket Propelled Grenade
RTC	Royal Timber Corporation (Liberia)
RUF	Revolutionary United Front (Sierra Leone)
SITA	Société internationale de télécommunications aéronautiques
SLA	Sierra Leone Army
ULIMO	United Liberation Movement for Democracy in Liberia
UNAMSIL	United Nations Mission in Sierra Leone
UNIC	United Nations Information Centre
UNOL	United Nations Office for Liberia
WFP	World Food Programme

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Executive summary

1. In mid-April when the Panel embarked upon its mandate there were active hostilities in the three Mano River Union countries (Guinea, Sierra Leone and Liberia). Six months on, there are significant signs of improvement in the region. Welcome regional diplomatic efforts are under way to further improve bilateral relations between the three members of the Mano River Union although there is still active conflict in Lofa County in Liberia and the possibility of Sierra Leone gravitating back into the conflict if RUF does not want to release its hold on some of the best diamond areas.

2. There has been a proliferation of the use of non-state actors in these conflicts in the Mano River Union. These groups obtain weapons from state supporters, from their trade in diamonds, alluvial gold, cocoa and coffee or from their military action. Their actions have had and can again destabilize the region. The junction of the borders of Liberia, Guinea and Sierra Leone has been the fault zone where these groups have thrived.

3. The Revolutionary United Front's (RUF) relationship with Liberia was described in detail in the Panel of Experts report on Sierra Leone (S/2000/1195). In 2001 this relationship has continued, although a split is reported among RUF units that are willing to disarm in Sierra Leone and others that continue to fight in the war that has shifted to the Liberian and Guinean borders. Throughout 2001, RUF units have been fighting with Liberian units in Lofa County.

Transportation and weapons

Lifting of the sanctions on Liberian registered aircraft

4. Irregularities with respect to Liberian registered aircraft were directly related to violations of the arms embargo. This is why the Security Council decided to ground all Liberian registered aircraft until a new and proper registration process, in compliance with international civil aviation regulations, would be put in place. The Panel has closely monitored the progress made in this field and has worked consistently with the new Director of Civil Aviation in Liberia in order to find a way out of the disorderly situation the registry was in. Bits and pieces of documentation on the ownership of many aircraft were gradually found in Liberia and through communication with other civil aviation authorities. By the time the Panel last visited Liberia in the first week of October 2001, 117 planes had been identified on the basis of this information.

5. The problem of Liberian registered aircraft is not yet fully solved because some aircraft may still be operating abroad with an EL-prefix painted on the tail, despite the revocation by Liberia. But this is a matter that is beyond the control of the Liberian Civil Aviation Authority and should be dealt with on the level of the airports where these planes are seen and can be grounded.

Recommendation on Liberian registry

6. The Panel considers that the measures taken so far by the Liberian Civil Aviation Authority are adequate and that the Security Council may consider lifting the grounding order imposed by resolution 1343 (2001) and allow Liberia to reopen an aircraft register in coordination with International Civil Aviation Organization

(ICAO). Those individual aircraft that were effectively grounded and have provided ICAO and the Security Council Committee on Liberia with the documentation showing their registration in Liberia was done in accordance with international regulations, should be given permission to restart their operations.

7. The Liberian Civil Aviation Authority should keep the Security Council Committee on Liberia and the ICAO informed on the follow-up of the investigation and on the registration of every new aircraft on the new Liberian register.

Role of transportation in arms trafficking

8. In most of the arms trafficking cases the Panel investigated, the transport factor seemed once again a crucial element and in all of these cases the planes that were used, had in one way or another been subject to document fraud, forgery of flight plans and irregularities with respect to the registration of aircraft. The Panel found evidence of fraudulent registrations, not only in Liberia, but also in the Central African Republic and to a certain extent in Equatorial Guinea too. The registrations of the aircraft from Centrafrican Airlines in the Central African Republic are of particular importance because these planes were used for arms transportation in violation of the sanctions on Liberia.

Recommendations on illegal aircraft registrations

9. In view of the aircraft registration fraud committed in the Central African Republic, the Panel recommends that the Civil Aviation Authorities there:

- Transmit to Interpol the Court documents about Centrafrican Airlines;
- Publish these Court documents on the Government's web site;
- Coordinate urgently with Equatorial Guinea and the United Arab Emirates over the use by Centrafrican Airlines of forged documents.

10. To other States, the Panel recommends that the Central African Republic, Equatorial Guinea and other African States affected by this type of fraud coordinate with the African Civil Aviation Commission to put the issue of false registrations as an agenda item for its future meetings.

11. During its investigations the Panel found illegally registered aircraft an endemic problem. The Panel travelled to Montreal to discuss the problem with ICAO's Air Navigation Bureau Director. He informed the Panel that countries with an illegal registration problem could cancel or ground aircraft, and that ICAO advised in such circumstances new registration. The Panel felt that ICAO's response was inadequate to deal with this growing problem.

12. To ICAO, the Panel recommends that:

- ICAO proactively educates its members on the dangers of illegal registrations;
- ICAO's member States computerize their registration lists and centralize them on the ICAO web site so that users could check the situation and status of each aircraft;
- ICAO's Safety Oversight programme should place greater emphasis on aircraft registration.

13. To the United Nations Security Council, the Panel recommends that all the aircraft owned, operated or insured by San Air, Centrafrican Airlines and West Africa Air Services should be grounded immediately. The grounding order could then be lifted gradually for each individual aircraft, provided all the records (ownership of the plane, operator, operating licence, insurance, airworthiness certificate, certificate of registration and the location of the aircraft) are inspected by both the Civil Aviation Authority in the country of registration and in the country where the aircraft has its maintenance base.

14. The companies concerned should inform the Council, through the Security Council Committee on Liberia, on the exact status and location of each aircraft. A list of those planes is found in annex 3 to the report.

Weapons

15. The Liberian Government's public commitments to comply with the embargo notwithstanding, a steady flow of new weapons continues to enter into the country. The Panel documents in this report five detailed case studies on sanctions violations.

16. Case study one describes how thousands of machine-guns found their way to Liberia in November 2000. The weapons were supposed to be sent back from Uganda to Slovakia but the Egyptian arms broker sold them to a company in Guinea that turned out to be a front for a Liberian smuggling network. The End-User Certificate for Guinea was forged and the plane used for the transport of the guns was chartered by Centrafrican Airlines.

17. In case study two it is shown how Liberia set up a ghost airline West Africa Air Services to transport several arms cargoes. A first flight in July 2000 shipped spare parts for military helicopters from Kyrgyzstan to Liberia. A forged End-User Certificate for a company in Guinea was again used to buy the military equipment. Directly after that the plane shuttled between Monrovia and Abidjan (Côte d'Ivoire) to bring over 100 tons of ammunition to Liberia. This deal was organized and financed by Leonid Minin and a partner in Russia, Valery Chemy of the company Aviatrend. Minin was later found in possession of forged duplicates of an End-User Certificate that had been signed by General Robert Gueï, the former head of State of Côte d'Ivoire.

18. In a third case study the Panel describes Liberia's recent quest to obtain additional military helicopters. The Panel was informed that a military helicopter had been seized in the Slovak Republic in February 2001. The Slovak authorities wanted to ship the helicopter back to Kyrgyzstan after repairs had been done.

19. However, in Kyrgyzstan the authorities were not aware of any repair contract for helicopters in the Slovak Republic. According to the broker Kyrgyzstan had dealt with, the helicopters were to go to Guinea. According to the contract signed in Slovakia they were supposed to go back to Kyrgyzstan. Again a false End-User Certificate for Guinea showed up in this case. Had the helicopter not been stopped by customs, it would have gone to Liberia. A second consignment of helicopters was, right after the debacle in Slovakia, seized in Moldova. There two military helicopters were about to be exported to Guinea for repairs.

20. However, Guinea has no repair plant for helicopters and the companies, brokers and transport agents involved in this case were those that were involved in the previous case of sanctions-busting to Liberia. The contract with the Guinean

brokering company Pecos was finally cancelled after the intervention of the authorities in Moldova and after a visit of the Panel to that country.

21. In another case study false End-User Certificates used by the company Pecos in Guinea is analysed. The individuals involved were operating in Central and Eastern Europe but had set up an off-the-shelf company, Pecos, in Guinea. End-User Certificates for this company were found in Kyrgyzstan, in Moldova, the Slovak Republic and Uganda. In all the cases, arms were bought for Liberia and the Panel verified that Guinea had never ordered any weapons through Pecos. Pecos was a follow-up to another company Joy Slovakia that had stopped operating after several law enforcement agencies had started investigating possible arms trafficking and money-laundering cases. The Panel found that the scheme set up with End-User certificates fabricated by the individuals involved with these companies, had been used to supply weapons to Liberia for years.

22. Finally, an analysis is made of the aviation network involved in these arms supplies to Liberia. The evidence on the involvement of Serguei Denissenko, Alexander Islamov, Pavel Popov and Sanjivan Ruprah is overwhelming. All these individuals are directly connected to Victor Bout and the operations of his aircraft. The Panel has investigated the corporate relationships between the companies San Air, Centrafrican Airlines, MoldTransavia and West Africa Air Services, all related to this network of arms dealers. In the course of the investigation different forms of fraud were found, including fraud with the registration of aircraft and with flight plans. The main company behind many of the arms shipments was San Air, in the United Arab Emirates. San Air is an agent for Centrafrican Airlines, the main company of Victor Bout, and the owner of many of the arms trafficking planes involved. San Air's bank accounts were used for many payments for arms deliveries to Liberia and the money trail is described in the section on government expenditures.

23. The Panel also documents in this report, how the Singapore-based mother company of the Oriental Timber Company, a company with significant timber operations in Liberia, arranged a US$ 500,000 payment for an arms shipment in August 1999; how the Bureau of Maritime Affairs in Liberia assisted violations of the arms embargo and paid directly to Victor Bout's San Air bank accounts and how Sanjivan Ruprah, a diamond dealer and partner of Victor Bout had taken residence in Liberia, at the end of the arms pipeline.

Recommendations on weapons

24. The Panel recommends that:

- The arms embargo on Liberia be extended;
- All United Nations Member States abstain from supplying weapons to the Mano River Union countries;
- An arms embargo be imposed on the armed non-state actors in the three Mano River Union countries (namely the LURD and Ulimo-factions, the RUF and the Guinean armed dissident groups).

25. The Panel also recommends that, for reasons of transparency and confidence-building, the ECOWAS moratorium on small arms should be broadened to an information exchange mechanism for all weapons types procured by the ECOWAS

member States. The existing Programme for Coordination and Assistance for Security and Development (PCASED) could be further developed to improve the information exchange on current holdings and future arms procurement of West African States. The Panel recommends that this information exchange would be binding and that both supplier States and the receiving countries would be obliged to report each individual arms transaction to the newly established mechanism and include data on all the parties to the arms transactions, including the names and companies of the brokers and the transport agents.

Recommendation on End-User Certificates

26. The Panel recommends that each Member State that has ever procured or supplied arms on the basis of an End-User Certificate mentioning the companies Pecos, Joy Slovakia and/or Morse or the individuals Peter Jusko, Alexander Islamov, Jacob Berger, Andreï Izdebski or Serguei Schwabenland, conduct a thorough investigation on the actual delivery and end-use of the arms. The Panel recommends that the member States involved in any such transactions inform the other State party to these transactions and inform the Security Council Committees on Sierra Leone and Liberia on the findings of their investigation.

27. The Panel urgently recommends the establishment of a United Nations working group to develop the modalities for a standardized End-User Certificate that would include the name, address and telephone number of the signing authority for the Certificate, and name, address, telephone number and arms trading licence of the broker(s) involved.

Liberian Government use of revenue

28. The Panel examined the sources and management of government funds in an effort to establish the financing for sanctions-busting. The principal source of revenue for these activities between 1999 and 2001 was off-budget spending that was not part of regular government expenditures.

29. These expenditures occurred outside the budget process through the allocation of revenue at the source rather than through the central bank. According to IMF "certain timber concessions, government parastatals, and revenue collection agencies undertook expenditure on behalf of government, that was later recorded as "non-cash" revenue with an offsetting outlay on goods and services". This appears to be how sanctions-busting, namely for procurement of weapons and ammunition, was financed as this report will demonstrate below.

Recommendations on Liberian Government expenditure

30. The Panel recommends that the practice of allocating revenues at source for priority expenditure should be eliminated. All revenues should be consolidated in a central government account at the Central Bank of Liberia before being allocated to authorized agencies for approved expenditures.

Logging and wood processing

31. Between January and June 2001 round log production produced 679,253 cubic metres (valued at US$ 46.2 million). These figures are a likely underestimate of real exports by 50 to 200 per cent because of tax evasion by companies and widespread corruption.

32. Logging has long been one of the prime sources of government revenue. Logging is still today a mainstay of export earnings for the Government. President Taylor has also taken a personal interest in the allocation of timber concessions. In January 2000 a new National Forestry Law declared that all forest resources are the property of the Government except for communal and privately owned forest resources that have been developed through artificial regeneration.

33. New concessions require final approval by the President of the Republic. During the 1999-2000 season, many authorized concessionaires continued logging but without assurances that they would be allowed to retain their concessions. This uncertainty encouraged rapid cutting and profiteering, without concern for sustainable forestry practices in order to maximize profits in anticipation of losing concessions.

34. Several Spanish and French enterprises lost their concessions to the United Logging Company, managed by Fawaz and President Taylor's son as chairman. President Taylor has also revoked concessions of the VH Timber Companies giving them to the United Logging Company and to the Mohammed Group. President Taylor is seeking to have the timber industry dominated by a few mega-concessions like the Oriental Timber Company.

35. A number of the timber companies complained to the Panel that making a profit currently in Liberia is difficult, except for the mega-concessions that are engaged in non-selective felling and processing massive volumes of round logs. Limited wood-processing capacity, log jams in France at saw mills because of large volumes of round logs and the difficulty in attracting new investors to Liberia were all blamed for these difficulties. They complain of excessive taxation and difficult operating conditions, making it impossible even to fell and sell timber up to their Forestry Development Agency 4 per cent quota. Presidential favour is an important ingredient in cutting operational costs. A number of logging firms obtained tax waivers for fuel purchases as a result of their close connections to the President.

36. According to FDA rules, 25 per cent of the volume of logs felled should be sawn in the country. This rule is not respected because of the volume of round logs exported by the Oriental Timber Company to China and because of the limited number of saw mills in Liberia.

37. Prior to the 1989-1996 war there were 18 saw mills, three veneering and plywood factories, six dry kilns and three wood-processing factories and domestic timber production surpassed log exports in timber volume. Today there are only 12 operational saw mills and these do not have the capacity to process the volume of logs felled.

38. The World Trade Organization (WTO) currently advises all countries to ban unprocessed log exportation beyond the end of 2000. Liberia urgently needs to phase out this trade and invest in wood-processing facilities. This would enhance the value of timber exported from Liberia, slow felling down and provide additional

employment. It would also make production and exporting easier to monitor. The Taylor government has announced a gradual prohibition on the export of round logs as a policy guideline since 1998, but no legislation on the issue has been enacted yet.

39. Some of the timber companies are directly involved in violations of the sanctions against Liberia. One prominent example of this was Exotic Tropical and Timber Enterprises (ETTE). The Panel has received a certain document, which indicates that a payment for a weapons delivery was made directly from the Singapore accounts of the company Borneo Jaya Pte Ltd, a mother company of OTC.

Recommendations on logging and wood processing

40. Timber production is an important source of revenue for the Government and a source of employment in Liberia. It is also a source of revenue for sanctions-busting. The Panel found it difficult to obtain real figures on the current volume of timber production and how much revenue is generated. Without a sound assessment of the timber-generated revenue base, the Panel could not assess how much revenue could have been used from this industry for assisting sanctions-busting. Therefore the Panel recommends that:

- The Government should reach agreement with the International Monetary Fund over the commissioning of an independent detailed report on revenue from the timber concessions for the January 2001-July 2002 period, including exemptions and tax offsets for government-related expenditures during this period;
- That the United Nations should impose a ban on all round log exports from Liberia from July 2002 and strongly encourage local operators to diversify into wood processing before that date.

Diamonds

41. The Panel examined Liberia's diamond industry because it is another crucial source of natural resource revenue for the Government. Liberia's own official diamond exports were said to be only 8,500 carats in 1999, valued at US$ 900,000. Liberia's Minister of Lands, Mines and Energy estimates that this represents only 10 to 15 per cent of what is actually leaving the country.

42. Sanctions were imposed on the export of Liberian rough diamonds following the conclusions of the December 2000 report (S/2000/1195). This report illustrated how diamonds far in excess of the quality or quantity available in Liberia had been imported in provenance and origin. The larger illicit trade provided Liberia with a convenient cover for the export of conflict diamonds from Sierra Leone although many of the so-called "Liberian" production emanated from other sources (most notably Russia), and was falsely declared "Liberian" for tax purposes.

43. With the entry into force of Security Council resolution 1343 (2001) the Government of Liberia indicated that it would comply with the ban. The imposition of an embargo on the export of Liberian rough, coupled with progress in the peace process in Sierra Leone, has resulted in a marked decline of diamonds labelled as "Liberian" reaching international markets. There have been no imports from Liberia recorded in Antwerp since the imposition of the sanctions.

44. The embargo has created a different problem. Since it is impossible to sell Liberian rough officially, dealers and brokers are seeking to camouflage their Liberian diamonds as those from neighbouring countries markets. The Panel itself verified ongoing smuggling of Liberian rough to Sierra Leone and Côte d'Ivoire.

45. The Panel also observed a steep increase in trade of diamonds mined by the RUF through Freetown. Many of these stones passed through Makeni from the Kono fields but lesser numbers reached dealers in Kenama and Bo before entering the official system. Approximately half of Sierra Leone's total production comes from the Kono/Koidu district. Following the imposition of a diamond embargo on Liberia, the closure of the border till September 2001 and the war in Lofa County, little diamond trade now passes through to Liberia from Sierra Leone. This shift in trade pattern is reflected also in the dramatic decline in so-called "Liberian" rough entering markets like Antwerp and a steep decline in the number of diamonds passing through Monrovia. The pressures on other revenue sources in Liberia for Executive Mansion extrabudgetary expenditure demonstrates once again the importance that diamonds had played over the last few years for President Taylor. Because of the loosening of President Taylor's grip on the Kono/Koidu diamond trade, the RUF axis has switched to increasing trade through Sierra Leone.

Recommendations on diamonds

46. The experiences of Sierra Leone, Guinea, Liberia and Côte d'Ivoire discussed below show how difficult it actually is to separate out conflict diamonds from other alluvials. Better monitoring, increasing the cost of getting caught and the requirement to state the source of a stone (origin) rather than just the provenance could help this process. But as with the case of Sierra Leone, without steady progress in the internal peace process it is difficult to see how the distinction between government and RUF diamonds can be maintained effectively.

47. The diamond embargo on Liberia has contributed to the dramatic decline in the misuse of the Liberian label for diamond smuggling. The embargo has, however, reversed the problem in effect with encouraging an increase in the smuggling of Liberian rough out of the country and into neighbouring certification systems. If these certification schemes are to be credible, this situation needs to be dealt with urgently. Better policing of dealers can help, but ensuring that Liberia has its own credible certification scheme will ensure that less Liberian rough are deliberately mixed with rough of neighbouring countries.

48. The annual artisanal production of Liberia is low, approximately US$ 1.5 million per year in total production. Any dramatic increase in exports could act as an early warning system for the Liberian label being once more used to launder non-Liberian diamonds. The Panel encourages the Liberian Government to put in place a credible and transparent certification scheme which is independently audited by an internationally recognized audit company. This scheme should be independently assessed as credible and effective in order to facilitate the consideration of a temporary suspension of the diamond ban by the Security Council. This would also alleviate the genuine hardship that artisanal miners, brokers and dealers are currently experiencing.

Other measures

49. Regular and accurate publication of official annual rough diamond import/export statistics is crucial. Currently only Belgium publishes a detailed list. A better international library of each diamond type, from each region and detailed records of run-of-mine alluvial samples in conflict zones would also be an important step forward in this region. It is also important that countries issue their own Certificates of Origin that are consistent with a fully integrated certification system. But in the end, the only guaranteed way to resolve the conflict diamond issue is to create conditions in a country that result in the label "conflict" being made redundant. Under such conditions, the principal challenge of the alluvial diamond trade in West Africa would be to curtail endemic smuggling for tax evasion purposes. Sierra Leone's attempt to redistribute diamond revenues back into the community is part of a solution.

The maritime and corporate registry

50. With 1,734 vessels registered under its flag, Liberia is the second largest maritime fleet in the world. The register has traditionally had a high proportion of tanker tonnage. In January 2001, Liberia accounted in tonnage for 35 per cent of all the world's oil tankers. The register is generally regarded as one of the quality open registries (called by some, flag of convenience). The registry also provides some 25 per cent of government revenue. In 2000, the Liberian registry and corporate fee programme generated some US$ 25.72 million officially which netted according to the Bureau of Maritime Affairs some US$ 18 million for the Government.

51. LISCR, the registry agent has ring-fenced the revenue it generates from the maritime and corporate registries. Their accounts are audited annually by Arthur Andersen LLP, an auditing firm of international repute, and these were open to inspection by the Panel. The collection of registry revenues and government taxes and fees, and any subsequent distribution of funds due to the Government, is accomplished in accordance with the agreement between LISCR and the Liberian Government.

52. Collections are initially deposited into one of several registry bank accounts, dependent upon the nature of the collection, and as specified in an agreement between LISCR and the Liberian Government. This is routine procedure. However, the Panel obtained bank transfer details for two LISCR transfers to San Air General Trading at Standard Chartered Bank, Sharjah, the United Arab Emirates, for US$ 525,000 on 21 June 2000 and US$ 400,000 on 7 July 2000. These two payments were for arms and transportation in violation of the sanctions. The sanctions-busting activities of San Air General Trading are documented in the Arms and Transportation Section below.

53. LISCR admitted to the Panel that it had made four payments to non-government accounts in 2000. The disbursements were made following four separate written requests instructing LISCR, from the Commissioner of Maritime Affairs. LISCR became increasingly uncomfortable at the growing regularity of requests for divergence from standard procedure in late 2000. Following a new request for disbursement on 17 August 2000, LISCR informed the Commissioner of Maritime Affairs that it would no longer honour such requests.

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54. Having found resistance from LISCR, Liberia's Bureau of Maritime Affairs changed strategy, and directed four payments from their part of the maritime revenue directly to San Air via arms dealer Sanjivan Ruprah.

55. The Commissioner of Maritime Affairs and his Maritime Affairs Bureau are little more than a cash extraction operation and cover from which to fund and organize opaque off-budget expenditures including for sanctions-busting. For as long as there is an arms embargo on Liberia the funds from the registry will need to be protected from Bureau misuse.

Recommendations on the Liberian corporate and maritime registry

56. The Liberian corporate and maritime registries provide an important source of revenue to a poor country. The maritime registry is of international repute but it is vulnerable because of the use of the funds it generates for opaque off-budget expenditure including for sanctions-busting.

57. The Panel recognizes that the open registry business is very competitive, that any sanction on the registry would see client flight, and that these clients would be unlikely to return. The Panel would not wish to see an exodus to other open registries of ship owners currently with LISCR.

58. LISCR should not have made those four payments to non-government accounts in 2000. The payments were contrary to their agreement with the Liberian Government and showed a complete lack of due diligence. LISCR seems to have learned from its mistake and took action to stop this practice. In 2001 there has been no further pressure of this type from Monrovia and no evidence of further payments to non-governmental accounts.

59. The Panel recommends that:

- An escrow account should be set up by the Security Council Committee as the ultimate destination for all revenues generated from the shipping and corporate registry. The Panel believes that the Government of Liberia and IMF should reach an agreement to audit this account in order to determine all revenues generated by the shipping and corporate registry and to determine the use of the revenue in this account;
- The funds in this account should be designated for development purposes.

The travel ban

60. The travel ban has generally worked successfully. The Panel actively sought to monitor compliance with the travel ban. It verified 27 violations of the travel ban, the majority through Abidjan.

Recommendations on the travel ban

61. The travel ban has been the source of the greatest number of complaints received by the Panel. Individuals on the list requested to know on what grounds their names had been placed on the list and how to appeal. In each case the Panel referred them to the Security Council Committee as the appropriate body responsible for drawing up the list.

62. The Panel encourages the Security Council Committee to reply to individual requests about the ban promptly and expeditiously. The Panel also recommends that the Committee set up a Liberia travel ban web page where the Committee's criteria on how names have been put on the list is described. The web page should also provide information on how to apply for travel exemptions and have a section on who currently has an exemption to travel. This web site should be publicized as a resource for immigration and law enforcement agencies to keep track of who is on the travel ban list, and who has exemptions.

63. The Security Council Sanctions Branch in consultation with the Committee should also compile a photographic database of key individuals on the ban list to counter attempts by a number of individuals on the list to travel under a different name. These photographs could be put on the web site.

64. The Panel does not believe that the list should be set in stone. For humanitarian reasons a few names should be dropped; the Committee should also consider new names too.

To the Côte d'Ivoire Government

65. A loophole at Abidjan airport needs urgent attention. The Council should strongly encourage the Ivorian authorities to adopt a less passive attitude towards the implementation of the travel ban. A verifiable system should be set up at Abidjan airport to check that arriving passengers from Monrovia are not on the list or if they are, they have obtained a United Nations travel exemption.

Recommendations for the continued monitoring of Security Council resolution 1343 (2001)

66. The United Nations Secretariat should appoint a Liberian officer within the Sanctions Department of the Department of Political Affairs. This person should conduct ongoing monitoring of compliance of resolution 1343 (2001) from New York, develop databases of violation reports and write request letters and make telephone enquiries about such reports. This person should also act as an in-house researcher for the Security Council Committee, able to assist in monitoring compliance of the travel ban and requests for travel exemptions. A motivated United Nations Secretariat staff member, with administrative support from the assistants to the Committee, could fill this requirement efficiently and cost-effectively. The Angolan Monitoring Mechanism already has attached to it a political officer who has efficiently conducted a number of these tasks. Individual consultants could be hired for a short period of time to investigate a specific case of violation of the sanctions whenever the need arises, in order to keep pressure on Liberia.

67. There should be an ongoing assessment of Liberia's compliance to resolution 1343 (2001) on the ground, too. A way to achieve this in a targeted and cost-effective manner is to renew the mandate for this Panel of Experts for two short periods in 2002 for missions to visit West Africa with the Liberian officer appointed by the Secretariat. These missions should be:

- An assessment mission by the Panel to Liberia and neighbouring States for a period of four weeks starting in April 2002 to investigate and compile a short report on compliance. This report, an independent audit of compliance with

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recommendations, would then be submitted through the Committee to the Council for consideration in May 2002;

- A second six-week mission to Liberia in September 2002 resulting in a final submission to the Committee in November 2002. This report would also be an independent assessment of total progress of the sanctions regime and the Government of Liberia's compliance over the year.

68. The advantages of this system are that it will over 2002 strengthen internal United Nations capacity to monitor Liberia and other States' compliance of resolution 1343 (2001). It also uses the expertise of the Panel in a targeted and cost-effective manner and ensures that the momentum created by the Panel's work in 2001 is not lost.

Introduction

A. General

69. Pursuant to paragraph 19 of Security Council resolution 1343 (2001) concerning Liberia, adopted on 7 March 2001, the Secretary-General appointed a Panel of Experts on 29 March 2001 (S/2001/268), with the mandate to:

- Investigate violations of the new tightened arms embargo, the ban on export of Liberian diamonds and the travel ban on senior officials of the Liberian Government;
- Collect information on the compliance by the Government of Liberia with the demands to expel all members of the Revolutionary United Front (RUF) from Liberia, cease all financial and military support to RUF, cease all direct or indirect import of Sierra Leone rough diamonds, freeze funds or financial resources or assets controlled by RUF in Liberia and ground all Liberian-registered aircraft;
- Further investigate possible links between the exploitation of natural resources and other forms of economic activity in Liberia, and the fuelling of the conflict in Sierra Leone and neighbouring countries, in particular those areas highlighted by the report of the Panel of Experts established pursuant to resolution 1306 (2000);
- Collect information linked to the illegal activities of the individuals referred to in the report of Panel of Experts established pursuant to resolution 1306 (2000) concerning the situation in Sierra Leone;
- Collect information concerning any other alleged violations of resolution 1343 (2001).

70. The Panel took note of the report of the Panel of Experts established pursuant to resolution 1306 (2000) concerning the situation in Sierra Leone (S/2000/1195) of 19 December 2000 and the responses received from countries and individuals mentioned in the report. The corrective actions taken by such countries have been duly noted by the Panel.

71. The Panel recognized that the demands made to the Government of Liberia under paragraph 2 of resolution 1343 (2001) to immediately cease its support for

RUF in Sierra Leone and for other armed rebel groups in the region were intended to further the peace process in Sierra Leone.

72. The Panel took particular note of paragraph 4 of this resolution, which demands that all States in the region take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any action that might contribute to further destabilization of the situation on the borders between Guinea, Liberia and Sierra Leone.

73. On 22 March 2001, the Permanent Representative of Liberia to the United Nations transmitted the text of a letter addressed to the Secretary-General from Charles Ghankay Taylor, President of Liberia. This letter delineated the measures the Government of Liberia has taken in compliance with the resolution (S/2001/264). The Panel remained cognizant of the contents of the letter and all such subsequent correspondence from the Government of Liberia, made available to it by the Security Council Committee on Liberia and the Task Force of the Government of Liberia.

74. The Panel of Experts[1] consisted of Mr. Martin Chungong Ayafor, (Cameroon — Chairman), Mr. Atabou Bodian (Senegal — Expert from the International Civil Aviation Organization), Mr. Johan Peleman (Belgium — Arms and Transportation Expert), Mr. Harjit S. Sandhu (India — Expert from Interpol), and Mr. Alex Vines (United Kingdom — Diamond Expert) (S/2001/268, annex 1).

75. The Panel had its first organizational meeting at United Nations Headquarters in New York from 16 to 27 April 2001, and it was agreed with the Security Council Committee on Liberia that the Panel's report would be submitted on 15 October 2001. It was subsequently submitted on 17 October 2001.

76. The Panel committed itself to holding regular consultations with Panels of Experts/Monitoring Mechanisms and other Security Council Committees working on similar issues. The Panel also kept the Security Council Committee on Liberia informed of the progress of its work, as and when necessary, as per paragraph 4 of Security Council resolution 1343 (2001).

77. The Panel received a great deal of logistical and moral support from the Security Council Committee on Liberia, the United Nations Secretariat, the United Nations Resident Coordinators and UNDP officials in almost every country it visited. Many Governments helped with detailed information and advice, and many individuals provided helpful information.

B. A reminder to the background of the mandate

78. The Panel's mandate is described in section A above. The Panel was reminded of the background to its mandate, however, during its field visits in Sierra Leone, Liberia and Guinea. In Sierra Leone, thousands of civilians, many of them women and children, victims of unspeakable brutality, face a future without hands or feet. The Amputees Camp in Freetown is a cruel testimony to the havoc created by the forces that supplied arms to rebels. In addition to the amputees who have been condemned to a life without hands or feet, tens of thousands of Sierra Leoneans, Guineans and Liberians have lost their lives, half a million have become refugees

[1] The Panel was assisted on the Timber Section of the report by Mr. Didier Boudineau (France).

and three or four times that number has been displaced in the subregion. The Panel visited the Amputees Camp in Freetown, refugee and internally displaced persons (IDP) camps in all the three bordering countries of Liberia, Guinea and Sierra Leone.

79. As the Panel concluded its report, the situation on the borders between Sierra Leone, Liberia and Guinea remained volatile and the best diamond-producing areas in Sierra Leone still remained in rebel hands. In several border areas of Liberia, Guinea and Sierra Leone, people lived without access to medical assistance, education or the means to a secure livelihood. The Panel remained cognizant, throughout its work, of its role and its responsibility in helping to end the suffering of the people of the subregion.

Methodology of investigation

80. **Questionnaires**: The Panel requested specific information from the relevant countries, through their Permanent Missions to the United Nations, regarding certain arms shipments and the movement of suspicious aircraft used for illegal transportation of arms and ammunition. The Panel also requested statistics dating back to 1987 on diamond exports from major producing countries, and imports to countries with significant trading, cutting and polishing industries. The reason for going back to 1987 was to determine what trends might have prevailed before the wars in Sierra Leone and Liberia. In September 2001, the Panel sent reminder letters to all Governments, through their Permanent Missions to the United Nations, which had not yet provided the requested statistics. The Panel would like to record special appreciation for Cyprus, Italy, Kazakhstan, Kyrgyzstan, Moldova, Slovak Republic, United Arab Emirates and Uganda for their detailed replies and additional information that proved very useful for investigation.

81. **Interviews**: In each country, Panel members interviewed government authorities, and where relevant, diplomatic missions, civil society organizations, aid agencies, private sector firms and journalists. The Panel also contacted a number of key individuals whose names have been a subject of interest and controversy in recent months in connection with the crisis in the subregion (annex 2). Given the sensitive nature of the subjects investigated by the Panel, however, it should be noted that many individuals spoke under conditions of confidentiality. Several meetings held in various countries have therefore not been listed.

82. **Visits to countries**: The Panel travelled extensively to countries involved, or believed to be involved, in the trafficking of weapons and related materiel to Liberia in violation of Security Council embargoes and to countries involved in the diamond trade. The entire Panel visited Liberia twice, and some Panel members visited three times. The entire Panel also visited Belgium, Côte d'Ivoire, Czech Republic, the Gambia, Guinea, Moldova, Russian Federation, Sierra Leone, Slovak Republic, Turkey, Ukraine and the United Arab Emirates. Travel was undertaken by one or several of the Panel members to Austria, Burkina Faso, Cameroon, Canada, Cape Verde, Central African Republic, Equatorial Guinea, Ghana, France, Italy, Kazakhstan, Kenya, Kyrgyzstan, Mali, Niger, Norway, Senegal, Spain, Switzerland, Uganda, the United Kingdom, Washington, D.C. (USA).

83. **Field trips**: There had been a lot of mystique attached to several places in the subregion of Liberia, Guinea, Sierra Leone and Côte d'Ivoire. The Panel decided to visit all such areas. In Liberia, the entire Panel visited Gbatala training centre for

anti-terrorist unit (ATU) and the Buchanan Port where most of the activities of Oriental Timber Company (OTC) are concentrated. Three members of the Panel visited Lofa and Bong Counties. In Sierra Leone, two members of the Panel visited Bo, Kenema, Koidu, Yengema, Moyamba, Bauya, Waterloo and Daru. In Guinea, two members went all the way by road from Conakry to Kissidougou to Guéckédou to Macenta to Kuankan and Kola, to Nzérékoré and onwards to Côte d'Ivoire. In Côte d'Ivoire, two members visited Man, Biankouma, Guiglo, Danane, Nicla and Guessessou.

84. During these field visits, the Panel spoke to various factions involved in the conflict in the subregion. The prominent ones being RUF, CDF, Liberians United for Reconciliation and Democracy (LURD) and Armed Forces of Liberia (AFL). The Panel also interviewed a large number of IDPs spread over all the four countries of the subregion. The Panel witnessed the disarmament, demobilization and rehabilitation (DDR) programme in Sierra Leone, spoke to combatants and picked up certain leads on the origin of arms and ammunition.

85. **Assistance from international and regional organizations**: The Panel received useful cooperation and assistance from several international organizations such as Interpol, ICAO, IMO, etc. and made proper use of their expertise.

86. **Police and judicial records**: The Panel was able to access police and judicial records of several under-investigation and under-trial cases linked to trafficking of arms and ammunition in the West African subregion. The Panel scrutinized interrogation statements of several former RUF cadres and the documents recovered from the premises of suspects.

Standards of verification

87. The Panel agreed at the outset of its work to use high evidentiary standards in its investigations. This required at least two credible and independent sources of information to substantiate a finding. Wherever possible, the Panel also agreed to put allegations to those concerned in order to allow them the right of reply. However, certain individuals whose role is highlighted in the report did not make themselves available to the Panel despite serious attempts by the Panel to give them a chance to explain their conduct.

88. During the investigation, where possible, the Panel shared the relevant information and cooperated with the States concerned for further thorough investigation at their level. Where appropriate, the Panel also brought the information collected during the course of investigation to the attention of authorities to allow them the right of reply as stated in paragraph 20 of Security Council resolution 1343 (2001). A significant number of countries came forward with useful information on individuals behind certain shady companies and their financial transactions.

89. In the past, allegations against various parties to the conflict in the subregion have always been denied with the question, "Where is the evidence?". An example of this is the standard response to charges that weapons have been channelled to RUF through Liberia and that President Taylor continues to support RUF. In the report that follows, we have dealt in great detail with this particular allegation and several cases of arms shipments having reached Liberia in violation of Security Council arms embargoes.

90. **Following the paper trail and the chain of events**: To satisfy the oft-repeated rhetoric "Where is the evidence?", "If you have evidence, show it", the Panel has traced the entire sequence of events starting from the origin of weapons to the end-destination using documentary evidence and direct eyewitness accounts of the persons involved. The Panel has in its possession the following documents concerning the planes involved in illegal arms supply to Liberia:

- Copies of contracts signed by the contracting parties;
- Requests and permissions for overflight and landing;
- Flight plans;
- Cargo manifests;
- Airway bills;
- Documents showing owners or operating agency of the aircraft involved;
- Pilots logbooks;
- Payments made;
- Insurance documents for the cargo and the planes involved.

91. Analysing these documents, the Panel traced the entire flight route taken by the aircraft bringing weapons to Liberia. In addition to this, the Panel spoke to pilots and the other crew members who were on board the aircraft in question. Practically in all listed cases, the aircraft involved were physically located by the Panel and their photographs were taken. Some of the arms traffickers involved tried to hide but the Panel succeeded in locating them and confronting them with the details. In one such case, the Panel visited a prison and interviewed the suspect in the jail premises, after obtaining permission from the concerned judicial authorities.

92. In addition to its own detailed verification, the Panel also received corroborating information from international law enforcement agencies. The assistance of Interpol specialists was also taken as and when required. In all the cases delineated in the report that follows, the Panel did not rely solely on oral testimonies. Corroborative documentary and circumstantial evidence was always insisted on. The evidence, therefore, is incontrovertible and irrefutable.

Part I
Liberia and the region

Regional security in the Mano River Union

93. In mid-April when the Panel embarked upon its mandate, there were active hostilities in the three Mano River Union countries (Guinea, Sierra Leone and Liberia). By mid-May according to United Nations figures, there were 2.3 million internally displaced people in Guinea along with 110,000 Sierra Leonean refugees and 81,000 Liberian refugees. In Sierra Leone, there were 400,000 internally displaced people and 6,000 Liberian refugees, and in Liberia there were 60,000 internally displaced people. There were also 120,000 Liberian refugees in Côte d'Ivoire and 2,000 Sierra Leonean refugees.

94. Six months on, there are significant signs of improvement in the region. Welcome regional diplomatic efforts are under way to further improve bilateral relations between the three members of the Mano River Union, although there is still active conflict in Lofa County in Liberia and there is the risk of Sierra Leone gravitating back into the conflict if RUF does not want to release its hold on some of the best diamond-producing areas.

Sierra Leone

95. At the time the Panel first visited Sierra Leone in April 2001, fighting was under way in the Kambia area and the regionalization of the conflict was very visible. Guinea was engaged in military operations against RUF, with the tacit agreement of the Government of Sierra Leone. Persistent force was used by Guinea in action aimed at punishing RUF for its raids into Guinea from September 2000. Guinean troops entered deep in Sierra Leone in Northern Kambia District and created a "sanitized zone" on the north bank of the Great Scaries River to prevent further RUF activity.

96. The Government-sponsored militia Civil Defence Force also attacked RUF positions in the east of Sierra Leone during that month but eventually a ceasefire was restored. Guinea also stopped its raids against RUF in Kambia by May although there was Guinean shelling and helicopter raids against several RUF targets in July.

97. On 2 May, the major parties to the conflict reaffirmed their commitment to the peace process in Abuja. There followed talks in Freetown and on 18 May 2001, both sides entered the DDR programme in large-scale numbers. Since early July the security situation in Sierra Leone has remained stable, closely monitored by UNAMSIL.

98. In early September 2001, Sierra Leonean President Ahmed Kabbah and RUF leader Issa Sessay met in Koidu and shook hands, declaring the war over. The peace process, however, remains fragile in the run-up to multiparty elections in 2002 but outright hostilities appear to have ceased for the time being.

Liberia

99. Following Security Council resolution 1343 (2001) and the entry into force of sanctions on Liberia on 7 May 2001, President Taylor and his government increasingly signalled a desire to restore avenues of dialogue with their neighbours in the Mano River Union. The war in Lofa County continued to be a primary concern for the government and humanitarian agencies.

100. The first incident of armed conflict was in Voinjama on 21 April 1999. Rebels with semi-automatic rifles, a few mortars and shotguns attacked the town. They were a rag-tag group, some uniformed and some smoking marijuana. While looting the town, they claimed they were tired of the Sierra Leone war and wanted to overthrow the government of Charles Taylor. After the brief rebel attack the Liberian security forces entered Voinjama and also looted.

101. There was a further wave of insurgent attacks in Lofa County between July and October 2000, succeeding in widening their front to attacking the Douley region of Nimba County by late November 2000. The Liberian Government blamed Guinea and filed a formal diplomatic complaint to the then Organization of African Unity, ECOWAS, and the Guinean Government.

102. In mid-January 2001, the Government deployed more troops along the north-eastern border with Guinea. This move followed shortly after the defence heads of Mali, Niger, Nigeria and Senegal met in Abuja, Nigeria to discuss the deployment of a force of 1,700 troops along Liberia's borders with Guinea and Sierra Leone. But the deployment of the ECOWAS force at the border confluence of Sierra Leone, Guinea, and Liberia in the Mano River region did not occur for two reasons: firstly, ECOWAS waited for a strong mandate from the United Nations for its contingents and, secondly, Status-of-Forces Agreements with Guinea and Liberia were never agreed upon.

103. Liberia's relations with Guinea deteriorated further in 2001, with the Government accusing the Guinean military of shelling the town of Foya in January and claiming two of its diplomats had been arrested and tortured in Conakry in September 2000. In February 2001, the rebels crossed again from Guinea and attacked villages in Lofa. The Government claimed that the villages of Boiwamei, Masizu and Turaszued, were razed to the ground during two days of fighting.

104. In April 2001, the Liberian Minister of Defence, Daniel Chea announced heavy fighting between government forces and rebels in upper Lofa county near the border with Guinea. The brunt of the fighting was near the towns of Foya and Kolahun. However, he denied claims by the Liberians United for Reconciliation and Democracy (LURD), that they had seized control of large parts of Lofa County and the Government began mobilizing and retraining former fighters of the now defunct NPFL. By late April fighting had spread south into Salayea district, 80 km north of Gbarnga in Bong County. The battle for control of Zorzor in Lofa County was reported to be intense.

105. Liberia closed its borders with Sierra Leone and Guinea in mid-March and gave the ambassadors of Sierra Leone and Guinea three days to leave the country. The ambassadors were expelled for activities incompatible with their status and their embassies were informed that they needed to vacate their current premises. This Liberian action was at a time of increased regional tension because of the intense fighting in Lofa County and because one of the two diplomats had been well located to witness some sanctions-busting in progress.

106. In late July, continued fighting in Lofa forced a new wave of refugees to flee across the border to Côte d'Ivoire. The Lofa rebellion, part of a subregional dispute, had resulted in Liberia to accuse Guinea and Sierra Leone of harbouring dissidents. With an intensification of the conflict in April 2001, over 4,000 refugees fled to Côte d'Ivoire and Sierra Leone in May and June. The United Nations reported that in a year the conflict has created more than 40,000 refugees.

107. By August, fighting continued between rebels and government troops, especially around the towns of Kolahun and Voinjama. Not all the fighting was by rebels. There were also incidents where different Liberian government armed groups fought each other for loot and control of resources. On 29 August 2001, the Liberian rebels attacked a lumber camp at Gbopolu in the west, showing that they could make attacks beyond upper Lofa County.

108. Between March and October 2001, independent observers were not allowed by the Liberian Government to visit Lofa County. This restriction was lifted in October, and the Panel visited Lofa in the first week of October. The situation there was visibly tense. In the area around Zorzor, the town that was completely destroyed

during an incursion by rebels from Guinea, the Panel observed many soldiers and armed young boys carrying new weapons and driving around in newly acquired Isuzu pick-up trucks. The pattern of destruction of the houses showed that the rebels from Guinea resort to hit-and-run tactics and do not occupy the territory.

Guinea

109. From September 2000, there were rebel incursions into Guinea supported by RUF. Guéckédou (a town with around 30,000 inhabitants) was badly damaged in late January when it was seized by rebels, who Guinean sources claimed belonged to Ulimo-K and RUF. The town was recaptured by the Guinean army in February. Ulimo-K had been a Guinean ally in its campaign against RUF but there had been some sort of dispute about recent Ulimo-K recruits in the Guinean military. There was more fighting along the border and a six-hour artillery battle in mid-March south of Guéckédou with rebels who had originated from Liberia.

110. The reduction in hostilities between RUF and the Sierra Leone Government by May 2001 has resulted in RUF abandoning its support for Guinean rebels, who were seeking to overthrow President Conté and his government. Following the major onslaught by the Guinean military in May, these rebels have realized they cannot fight alone and have become dormant.

Armed non-state actors in the Mano River Union

111. There has been a proliferation of the use of non-state actors in these conflicts in the Mano River Union. These groups obtain weapons from State supporters, from their trade in diamonds, alluvial gold, cocoa and coffee, or from their military action. Their actions have had and can again destabilize the region. The junction of the borders of Liberia, Guinea and Sierra Leone has been the fault zone where these groups have thrived. This Kailahun Salient is a very volatile area with notoriously difficult terrain, a highly permeable border and belligerents in close proximity to each other; it is an area that lends itself to the attacker — not the defender.

RUF and Liberia

112. RUF's relationship with Liberia was described in detail in the Panel of Experts report on Sierra Leone. In 2001 this relationship has continued, although a split is reported among RUF units that are willing to disarm in Sierra Leone and others that continue to fight in the war that has shifted to the Liberian and Guinean borders. Throughout this year RUF units have been fighting with Liberian units in Lofa County. In March, a RUF unit fought at Voinjama.

113. On 1 April 2001, General Sessay arrived in a camp at Vahun for discussions with Liberian commanders about additional RUF military assistance. The Liberian commanders came in a helicopter and Sessay arrived by vehicle and accompanied by General Dennis Mingo (alias Superman). Following the meeting, there was a public address to RUF fighters which was not well received; they grumbled about having to fight in a foreign war.

114. In mid-April, the Liberian Government refused to allow RUF to travel through Liberia to attend an ECOWAS meeting in Bamako, Mali. Liberia claimed it had severed its links with RUF. However, on 18 April the United Nations Security

Council published a list of RUF members residing in Liberia and asking the Government to expel them.

115. The RUF-Liberian relationship is important for President Taylor, but it is also strategic for RUF. The Kailahun region in Sierra Leone constitutes RUF's strategic lifeline into Liberia without which its source of resupply is seriously affected. Liberia offers sanctuary and a location to store weapons and keep armed units active and trained. An area of particular concern is the concession of the Liberian logging company SLC, along the border with Sierra Leone. The area comprises a road into Sierra Leone and an old military base of the Liberian Armed Forces, Camp Alfa. It is, since early 2001, controlled by the son of President Taylor and the Lebanese businessman Abbas Fawaz. Several sources indicated to the Panel that this is an area where weapons for RUF are stockpiled and where RUF can freely enter Liberian territory.

116. In June, President Taylor met with RUF representatives in Folima and offered them additional funding for their further assistance in the Lofa war. According to several RUF officials a number of them said they were tired of combat and were worried that the conflict might spill over into Sierra Leone and undermine the peace process. They also complained that the Guineans were providing better support to the Liberian dissidents than what they received from Taylor. This was followed by a second meeting of Guinean dissidents and RUF at the Executive Mansion in Monrovia. Taylor once more offered funds in return for their services to fight the Liberian dissidents in Lofa.

117. The Panel has interviewed many RUF members about their Liberian connections. Since August, RUF has moved weapons to Liberia via Kailahun, then caching them in the "Kuya area". Before disarmament in Kono district, RUF used to maintain its main ammunition dump in Kono. They have since also moved many of these arms and ammunition to Vahun in Liberia.

118. Eyewitnesses told the Panel of RUF combatants in Kono District and Kabala loading their infantry support weapons to Kailahun to avoid surrendering them for the DDR. The Panel has inspected the weapons handed in for destruction by RUF in Kono. They have been submitting .50 mm (12.7 mm) mortar and artillery bombs for the DDR process but not the guns to fire/launch them.

119. RUF units have on several occasions confronted Liberian government troops that have entered into Sierra Leone. Following fighting in July in Vahun between the Liberian army and dissidents, some AFL soldiers fled into Sierra Leone. RUF detained 17 private AFL soldiers overnight at Senga and then escorted them back to the border the next day.

120. In April, RUF had asked a group of AFL to disarm after they fled into Liberia following an earlier dissident attack on Vahun but the Liberians had refused on that occasion to leave their weapons because they out numbered the RUF unit.

121. The recent killing of General Dennis Mingo (alias Superman) was in all probability because of an internal squabble about the distribution of money from Charles Taylor for RUF's assistance in clearing Lofa County of dissidents. Mingo was murdered just across the Sierra Leonean border in Liberia close to the United Logging Company compound on the road from Vahun to Monrovia. Superman had been on his way to attend a meeting at the Executive Mansion in Monrovia.

122. The RUF structure in Liberia is difficult to determine. The RUF have probably around 600 men, consisting of four companies and a support element in Liberia right now. They are being primarily used as a counter-insurgency force in the bush against the dissident activity in Lofa County. Their main base is Camp Najma, a camp where Liberian RUF are trained. The Commander at the camp is Liberian Special Security Service Kissi Captain Tamaba Malin. Recruitment is mainly from refugee camps where men are offered US$ 300 as an incentive to join.

123. Liberian liaison officers continue to be stationed in Sierra Leone with RUF. Names the Panel heard were Colonel Shenkoleh, Colonel Lion, Colonel Monica, Colonel Base Mingo. The Panel also noted that in Yengema in Sierra Leone a number of Liberian RUF members had successfully entered the DDR process.

Where is "Mosquito"? (Sam Bockarie alias Moskita)

While Foday Sankoh was imprisoned in Nigeria, Sam Bockarie de facto headed the RUF in Sierra Leone. In October 1999, Dennis "Superman" Mingo, smarting over allegations that he had embezzled RUF diamonds from a 1997 diamond sale, fomented contention in the RUF ranks. He wrote to Foday Sankoh from Liberia, warning him that Sam Bockarie could not be trusted and that Sankoh's life was in danger. He also claimed that Bockarie and his men had squandered funds from diamond sales and that Bockarie bought a house in Liberia and France. Shortly thereafter, a military confrontation occurred between forces loyal to Foday Sankoh and those loyal to Sam Bockarie. Several combatants were killed. Sam Bockarie subsequently went into exile in Liberia and has remained close to President Charles Taylor ever since.

In late December 2000, a group of religious and civic groups, including 11 opposition political parties called in public on President Taylor to expel RUF from Liberia, including Sam "Moskita" Bockarie. On 8 January 2001 Bockarie reacted to this call by issuing a press statement in which he offered to return to Sierra Leone at once. He also invited representatives of the Catholic Justice and Peace Commission (CJPM) to monitor his crossing the border into a RUF-held part of Sierra Leone. The CJPM replied that the Government of Liberia should be responsible for Bockarie's departure.

Liberia claimed that it expelled Sam Bockarie from its territory, but could not tell when and from where. The Foreign Minister of Liberia in his letter dated 28 June 2001 to the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia, stated that the Government was not under obligation to show documentary evidence on the departure of Sam Bockarie.

The Panel has investigated the whereabouts of Bockarie. Multiple independent eyewitness accounts put Bockarie in Lofa County leading a number of military operations against Liberian dissidents in 2001. He was also seen in the Monrovia area at the Holiday Inn, at the ELWA Junction and at a refugee camp between January and April. In late April, Bockarie was again in Lofa, leading anti-Liberian dissident operations.

Increased international attention on the whereabouts of Sam Bockarie resulted in President Taylor arranging for Bockarie to lay low outside West Africa, reportedly in Zambia in May. In June, Bockarie moved to Ghana and has resided in three different locations in Accra, protected by General Abou, a former deputy commander of the ATU who has returned to Ghana following the change of government.

Bockarie is able to travel freely in Liberia and has, since June, visited Liberia a number of times, spending time at Timber Village, often accompanied by Special Security Commander Ben Yeaten.

Bockarie travelled to Libya in June for a brief trip. He also travelled to Burkina Faso in early September staying at a Presidential Compound at Ziniare (outside the capital). He left Burkina Faso on 26 September on a Chad-registered aircraft for Libya accompanied by General Ibrahim Bah (alias Balde) to try and enlist further support for RUF. He has since returned to Accra.

Through the mediation of President Taylor the differences between General Issa and Bockarie appear to have been settled. Bockarie freely travels to Liberia and has been provided a EX-SLA body guard, Salamy Kaba.

Bockarie has travelled under different names. The Panel was told he has used the name Sam Ben Johnson, Michel Samba and Michel Toure.

Liberians United for Reconciliation and Democracy (LURD)

124. A group of rebels attacked Liberia from Guinea in April 1999. It was difficult to initially establish who these dissidents were, but a number of former members of the ethnic Mandingo wing of ULIMO (called Ulimo-K after its civil war leader Alhaji GV Kromah) seemed to be among them.

125. More attacks occurred in late 1999 and since the beginning of the latest round of incursions in July 2000, attacks on Liberian territory have been claimed by a group called the Liberians United for Reconciliation and Democracy (LURD). The LURD is composed of former fighters from the civil war of 1989 to 1996, many of whom became refugees in Guinea and Côte d'Ivoire after the end of the war.

126. LURD claims to have been formed in 2000 and not to be associated with any former warlord. Its supporters told the Panel that it is a resistance force dedicated to building democracy in Liberia through a political and military campaign.

127. The reality is more complex. LURD has enjoyed its main support from Guinea where it has a foothold in towns like Kissidougou, Macenta and Nzérékoré. Like the Sierra Leone Donzos were used against RUF, LURD was encouraged by Guinea to keep Charles Taylor tied up militarily in Lofa County. Guinea has supported LURD with cross-border artillery fire from time to time in 2001 and Guinean liaison officers have crossed into Lofa County to assess LURD's progress. Guinea has only given limited ammunition and weapons support to the Liberian rebels. One LURD official complained to the Panel that he had had to trade coffee, cocoa and diamonds to a Guinean commander to supply his men with shotgun cartridges (Guinea

produces these in Conakry). Other weapons have been captured in hit-and-run operations in Lofa.

128. The leadership of LURD is opaque. Conakry-based Sekou Kone is a Provisional Chairman of the Executive Committee — his prime role is to liaise with President Conte of Guinea. Self-styled Gen. Joe Wylie is a key military adviser, also based in Conakry. In September there were some changes; Prince Seo was appointed the new Chief of Staff. Seo was a Krahn fighter who fought with Roosevelt Johnson, one of the former warlords in Liberia. He recently joined LURD with some 100 Ulimo-K fighters loyal to him. Seo replaced Charles Dent, a former Ulimo-K chief-of-staff in August. This reshuffle has caused discontent among LURD fighters.

129. There also is a strong rift between the Krahn and Mandingo elements of LURD. The military wing wants Guinea to stop dealing with Sekou Kone, who is a Liberian Mandingo. There appear to be three ULIMO units, a group of some 230 fighters stationed in the forest region along the Guinea/Liberia border. A second group of several thousand in Sierra Leone (many may be Kamajors) and a third group of ex-Lofa Defence Force fighters based in the Lofa currently.

130. The rebels do seek supporters in refugee camps. In April, the Ivorian security forces arrested six suspected Liberian dissidents in Danane, who they said were trying to recruit refugees to join their operations in Guinea. The Panel also interviewed refugees who had declined such advances by dissident supporters. Indeed, a significant number of newly arrived refugees had fled Lofa County because of dissident activity. The rebels attacked villages, looted and sought to forcibly recruit their young men.

131. In October 2001, LURD appears factionalized and Guinean support declining. If the August agreement by the foreign ministers of the Mano River Union to take steps to round up armed groups waging a messy war in the junction of the borders of Liberia, Guinea and Sierra Leone is real, the activities of LURD may have peaked.

Guinean dissident groups

132. From September 2000 there were rebel incursions into Guinea supported by RUF. RUF ex-combatants told the Panel how some of them had been forced to board trucks at gunpoint by their leaders and escorted to Foya to fight in the offensive. Others were paid a US$ 200 retainer and given the understanding that they could freely loot. Guéckédou was badly damaged in late January when it was seized by the rebels.

133. N'Faly Kaba, has called himself the leader of Guinean rebels based in Sierra Leone and Liberia. Kaba is a former adviser to Diarra Traoré (executed by President Conté after a purported coup in 1985). Kaba claimed to head an organization called the "Union des forces pour une Guinée nouvelle" (UGFN), and that they had been behind rebel attacks against Macenta, Ourekaba, Koroccariah and Guéckédou since September 2000.

134. UFGN is the third group claiming responsibility for cross-border raids into Guinea. The "Rassemblement de forces démocratiques de Guinée" in December 2000 and the "Union de forces démocratique de Guinée" have also claimed responsibility.

Mano River Union dialogue

135. Following months of hostility between Liberia and Guinea, dialogue began with telephone contact between President Taylor and his Guinean counterpart, President Lansana Conté on peace in the subregion in early June.

136. There had been a number of phone calls between President Taylor and his Sierra Leone counterpart, President Kabbah, too. The release of two Sierra Leonean captives by Liberia and six Liberians by Sierra Leone in early June also helped in the confidence-building process among the three heads of State.

137. The Sierra Leone Foreign Minister visited Monrovia in July for a day on his way to the OAU summit in Zambia. The initial contacts helped prepare the foreign ministers of Guinea, Sierra Leone and Liberia to hold a ground-breaking meeting in Monrovia on 14 and 15 August to discuss a summit between their presidents, aimed at ending the conflict in their border regions. At this meeting they decided to reactivate the Joint Security Committee Established by the 15th Protocol on Defence and Security in May 2000.

138. A meeting of the Joint Security Committee was held in Freetown on 22 and 23 August and on 8 to 10 September in Conakry. At the end of these meetings they agreed to "apprehend and turn over to their country of origin, individuals, armed groups and other para-military forces involved in the destabilization of member States". They also agreed to a series of other recommendations, including on the implementation and deployment of joint border security and confidence-building units along common borders.

139. Following the Joint Security Committee meeting in Conakry the Statutory Meeting of the Foreign Ministers met on 10 September. The Ministers accepted the Joint Security Committee's recommendations and proposed a further Joint Security Committee meeting to be convened in Monrovia from 25 to 28 September to work out and finalize the work plan and timetable for implementation of the recommendations.

140. The Joint Security Committee reconvened in Monrovia between 25 and 28 September to further work on implementation of the recommendations. A review meeting of the Foreign Ministers and Chairmen of the Joint Security Committees of each member State is to be convened in Freetown on 10 December 2001. A Summit of Heads of State of the Mano River Union will follow in early 2002.

Part II
Transportation and weapons

A. Background to the grounding of Liberian registered aircraft

141. The report (S/2000/1195), in its section on arms and transportation, described how irregularities of Liberian registered aircraft contributed to violations of the arms embargo. The Security Council, in resolution 1343 (2001), therefore decided to ground all Liberian-registered aircraft.

142. In the case studies that follow this is again illustrated. In most of the arms trafficking cases the Panel investigated, the planes that were used had in one way or another been subject to document fraud, forgery of flight plans and other

irregularities. The Panel found evidence of fraudulent registration, not only in Liberia, but also in the Central African Republic and to a certain extent in Equatorial Guinea. Liberia, in a response to the Panel on Sierra Leone's request, had produced a registry consisting of 11 aircraft only. The Panel had knowledge of many more aircraft flying the Liberian flag and suspected that some of those had been used for violations of the arms embargo.

143. The problem turned out to be a complex one. Years of civil war and the difficult transitional process had created opportunities for aircraft owners and civil servants to exploit the registry, for instance to avoid costly safety inspections and requirements for old aircraft. This resulted in the Civil Aviation Authorities in Liberia having lost control and oversight of the planes flying on its registry. It also created a situation that enabled arms trafficking networks to camouflage their operations through fake registrations, document fraud and — as the case studies show — the setting up of a mystery airline, with the full knowledge of the Liberian authorities in order to avoid detection. The violations of the arms embargo and the problem with the registry were therefore directly linked.

Civil aviation in Liberia

144. The Liberian civil aviation authorities reacted to the publication of the report (S/2000/1195) by:

- Appointing a new Director of Civil Aviation and revoking, on 12 April 2001, the registration of 11 aircraft on the Liberian registry, which bear the prefix EL- and notifying all Directors of Civil Aviation of ICAO member States of the action;
- Informing the Directors of Civil Aviation of ICAO member States, on 13 April 2001, of this revocation and of the ban on flights by such aircraft and on the closure of the Liberian register;
- Asking the Directors of Civil Aviation, on 18 April 2001, to provide information on any Liberian aircraft grounded pursuant to the grounding order from Liberia.

145. Since the beginning of its mandate, the Panel has closely monitored the progress made in this field and has worked with the new Director of Civil Aviation in Liberia to find a way out of the disorderly situation the registry was in. Bits and pieces of documentation on the ownership of many aircraft were gradually found in Liberia and through communication with other civil aviation authorities. By the time the Panel last visited Liberia in the first week of October 2001, 117 planes had been identified on the basis of this information. These were aircraft that had been registered in Liberia since 1985 but a great number had obtained registration in the last five years (annex 12). The documentation showed that fraud had been committed under different ministers of transport. Sometimes, documents had just been forged or foreign businessmen had been given authorization to register planes in Liberia from offices abroad.

146. Identification and locating these aircraft is still ongoing and the newly appointed Director of Civil Aviation expressed his determination to the Panel to investigate the full extent of the problem of false registrations before proceeding to open a new registration list. The problem of Liberian registered aircraft is not yet fully solved because some aircraft may still be operating abroad with an EL-prefix

painted on the tail, despite the revocation by Liberia. This is beyond the control of the Liberian Civil Aviation Authority and should be dealt with by the airports where these planes are seen and can be grounded.

147. The Panel considers that the measures taken so far by the Liberian Civil Aviation Authority are adequate and that the Security Council may consider lifting the grounding order imposed by resolution 1343 (2001) and allow Liberia to reopen an aircraft register. Those individual aircraft that were effectively grounded and have provided ICAO and the Security Council Committee with the documentation showing their registration in Liberia done in accordance with international regulations, should be given permission to restart their operations. The Liberian Civil Aviation Authority should however keep the Security Council Committee and ICAO informed on the follow-up of the investigation and on the registration of every new aircraft on the new Liberian register.

148. A second measure taken by Liberia was a decision to take over operation of their own airspace, which had been controlled from Conakry (Guinea), where the Flight Information Centre (FIC) of the Flight Information Region (ROBERTS FIR) is located. This airspace will be controlled exclusively by Liberian nationals.

149. In its discussions with the Panel, the Liberian Government argued that increased national security concerns were the reason for this decision. As per Article 1 of the Chicago Convention regulating international civil aviation, every State has complete and exclusive sovereignty over the airspace above its territory, so Liberia has the right to manage flight movements in its own airspace.

150. At a meeting in Dakar, on 26 and 27 March 2001, under the auspices of ICAO, it was agreed that, prior to any takeover of responsibility for Liberian airspace by Monrovia, a number of measures would have to be taken. These measures would include providing a minimum of communications equipment necessary for the safety of air traffic and the signing of letters of agreement among all parties for the coordination and transfer of air traffic.

151. The Panel relied for its investigation on information from different Flight Information Regions in West Africa, to get a good picture of all non-scheduled aircraft that had landed in Liberia in 2000 and 2001. Liberia did not supply such a list. Although information on landings and departures of every aircraft is information that is kept at every airport in the world, the airport authority in Liberia had consistently claimed that such a list was only kept for a short while and then destroyed.

152. Liberia can, in agreement with its partners in the Roberts Flight Information Region and in accordance with ICAO regulations, start to manage its own airspace. The Panel wants to express its concern, however, that Liberia's plans to renationalize its airspace, as opposed to the global trend of ever more integrated and regional airspaces, and to man its control centre with Liberians only, seem to suggest a desire to keep certain flight movements and landings secret. The Panel does not think that the issue should be subject to any sanctions, but would advise the Liberian Government to reconsider its decision as a matter of goodwill.

B. Arming and disarming in the region: an overview

Liberian arms embargo

153. The United Nations Security Council imposed through resolution 788 (17 November 1992) a "general and complete embargo on all deliveries of weapons and military equipment to Liberia", citing the need to establish peace and stability. In March 2001, this embargo was replaced by a renewed and tightened weapons and military equipment embargo as part of a wider package of sanctions mandated by United Nations Security Council resolution 1343 (2001).

154. In 1999, Liberia conducted a weapons destruction programme. The exercise, which began on 25 July, involved the destruction of 19,000 small and heavy-calibre weapons and more than three million rounds of ammunition collected by the United Nations and ECOMOG during the disarmament exercise in 1996-1997. A symbolic arms-burning act took place in Monrovia but the real weapons destruction occurred at an abandoned iron ore mine northwest of the capital. About 40 per cent of these weapons were rusted or unusable but others were in good working order. The weapons and ammunition were of both small and large calibre, including 900 hand and smoke grenades (from China, Britain and the former Czechoslovakia), two 120 mm rockets, rocket launchers, thousands of rocket-propelled grenades (RPGs), recoilless weapons, and machine guns, old M-1 rifles, AK-47 assault rifles, PBK light machine guns and around 12 million rounds of small-calibre and 12,000 rounds of large-calibre ammunition.

155. Despite the Government's public effort to demonstrate its commitment to disarmament, it was consistently procuring new supplies of weapons for itself and assisting RUF to procure weapons via Liberia.

156. Following the first dissident incursions in April and August 1999 in Lofa County, the Government launched a campaign to get the arms embargo lifted, claiming that in the face of external attacks the country was unable to defend its citizens. The then Deputy Information Minister claimed that the rebels could only be crushed if the embargo was lifted, but added that Liberia "could easily bypass the ban, but we don't want to do that".

157. Public commitments to comply with the embargo notwithstanding, a steady flow of new weapons continued to enter into the country. The Panel documents in this report how the Singapore-based mother company of the Oriental Timber Company arranged a US$ 500,000 payment for an arms shipment in August 1999; how the Bureau of Maritime Affairs assisted violations of the arms embargo in 1999 and 2000 and how Leonid Minin provided weapons in July 2000. In 2001 Liberia continues to try and violate the embargo.

158. Yet Liberia, in a letter dated 23 February 2001 from President Taylor to the United Nations Secretary-General, claimed that "As you are aware, Liberia destroyed all her arms and ammunition several years ago and currently remains disarmed. Accordingly, it would seem only fair, in the light of threats from Guinea, that this country be allowed to secure equipment for its legitimate defence needs". A second letter by Liberia in May asked the United Nations Security Council to temporarily lift the arms embargo so it could "import essential military supplies for the sole purpose of its self-defence".

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159. Despite nine years of an embargo on arms and military equipment to Liberia, a steady supply of weapons have reached the country. Indeed, the Liberian authorities in their conversations with the Panel appeared not bothered about the embargo, and never complained about it. In contrast, they regularly complained about the United Nations travel ban on key individuals associated with the Government.

Security situation in neighbouring countries

Sierra Leone

160. The Government in Sierra Leone have had Mi-8 and Mi-24 helicopters since 1996 and the procurement of these or of spare parts and engines for these helicopters was always compromised by the involvement of controversial brokers and shadowy procedures. The Republic of Kazakhstan provided the Panel details of its export of two helicopters to Russia. The export licence was given against an end-user certificate for the helicopters, for their end-use in Russia. The helicopters were later detained by Russian customs, on their way to Freetown in Sierra Leone, without a valid export licence. The transaction was organized by Boris Fedoulov, a Russian national who is the owner of the commercial helicopter company Paramount Airlines in Freetown. The Panel interviewed Fedoulov in Moscow, where he confirmed the seizure of the helicopters. Fedoulov showed the Panel documentation on the case and explained that the helicopters had meanwhile been exported for use in Sierra Leone. In Kazakhstan, however, the authorities told the Panel that they believe that a crime has been committed under the Criminal Code of Kazakhstan by the procurer of the helicopters, Boris Fedoulov. In his testimony, Yaïr Klein, who was arrested in Sierra Leone in January 1999 on suspicion of supplying and training the rebels of RUF, admitted the forgery of certain documents in his deal of supplying helicopter engines to the Government of Sierra Leone. The Sierra Leone Government is currently also involved in court disputes with several other suppliers of helicopters and helicopter spare parts. In some cases these had been supplied during the rule of Valentine Strasser. The Panel does not suggest that these arms transactions were violations of the arms embargoes, but wishes to draw international attention to the lack of transparency and inadequate control systems in the procurement procedures for sophisticated weaponry and related materiel to Sierra Leone.

Disarmament in Sierra Leone

161. With the signing of the Abuja agreement on 2 May 2001 and the signing of a new agreement on disarmament, demobilization and reintegration (DDR) between the warring parties in May 2001, cautious optimism is warranted. At the time of writing of this report, around 21,000 ex-combatants had been disarmed (the break-up being RUF — 7,000; CDF — 13,200 and AFRC — 260). It is still unclear what the total number of combatants in Sierra Leone was before the disarmament and demobilization process started. A majority of RUF and CDF are yet to join the DDR programme.

162. The ex-combatants have so far handed in around 8,200 weapons, 500 of which were group weapons such as mortars and heavy machine guns. The rest are various types of assault rifles, submachine guns and machine guns for individual use. The Panel was able to inspect many of the weapons in several of the DDR-weapons stores. Detailed lists are kept with the serial numbers and year of production of the

weapons and the date and location where they were handed over. This data is not sufficient to trace the suppliers of the weapons. A breakdown of the types of weapons handed in shows that approximately 60 per cent of the individual assault rifles are AK-47 and AK-58 Kalashnikov types, 10 per cent are FN-FALs and around 6 per cent are G3s. All these commonly used rifles are produced under licence in many different countries. They are some of the most widely used weapons in the history of conflict.

163. Hardly any of the weapons bear sequenced serial numbers that would suggest its origin from a specific producer or from a particular stockpile. Most of the weapons handed in under DDR are of very poor quality. The harsh weather conditions in West Africa, especially the high humidity and the jungle terrain, the type of warfare the different factions have been engaged in and the complete lack of discipline of the rebels, affect the condition of the weapons adversely. The Panel gave some old listing of weapons handed in to several United Nations Member States to check on possible matches in their database systems. No results have come out of this so far.

164. It is hard to estimate the number of combatants remaining in Sierra Leone. It would be even harder to estimate the number of weapons that are still in the hands of the different warring factions. The poor quality of the weapons handed in and observations in the field suggest that most of the ex-combatants have turned in weapons that were no longer of use to them and that the bulk of functional weaponry has been stockpiled elsewhere. Further success of the peace process in Sierra Leone and specifically the success of the disarmament programme will have a bearing on the availability of weapons in the hands of private groups and individuals in Sierra Leone and the wider subregion, a situation that may undermine the security situation in the countries concerned over a longer period of time.

165. At a subregional level, the ongoing war in Lofa County in Liberia, which is bordering Guinea and Sierra Leone, certainly has negative side-effects on the disarmament situation in Sierra Leone. The demand for weapons and ammunition in Lofa creates a market, both for the individual combatants who can bring their personal weapons and ammunition to the border and sell it and for RUF as a rebel movement. The hardcore RUF-fighters may, in coordination with their former sponsor President Taylor, stockpile weapons on Liberian territory or just hand over their weapons to the Liberian side before they can be disarmed in Sierra Leone. The Panel examined a sizeable number of RUF cadres who joined DDR. According to most of them, the better condition and heavy calibre weapons have been sent to Liberia and not handed in to DDR.

Guinea

166. A good mechanism is in place to deprive non-governmental forces in Sierra Leone of getting arms and ammunition and for monitoring the arms procurement by the Government of Sierra Leone under resolution 1171 of the United Nations Security Council. No such restrictions, however, exist for Guinea. The country is known to have purchased a significant amount of arms and ammunition in the past few years in order to cope with the incursions along its borders with Sierra Leone and Liberia. Such weapons have been supplied from Eastern Europe and from Western countries alike.

167. The Panel witnessed during its visits to the war zone on the Guinean side of the border with Liberia, the presence of great numbers of non-state armed groups in different towns and villages in the provinces bordering Liberia. Those armed men are called "volunteers" by the local administrators but it is clear that towns like Macenta, Guéckédou and Nzérékoré are harbouring hundreds of fighters of the LURD. Guinea has also acquired new heavy artillery transport and combat helicopters. The Panel members during their visit to the border towns saw that two new Mi-24s were based in that region. Guinea also has a small number of fighter aircraft. Two of those were recently displayed in the airspace above the capital.

168. The Guinean authorities told the Panel that many forged Guinean end-user certificates were circulating in Eastern Europe. During the course of its investigation, the Panel obtained several copies of orders and end-user certificates for small arms, missiles, helicopters and cargo aircraft, apparently all with the Guinean armed forces as the end-user. The Panel during its visit to Guinea in August 2001, showed these copies to the acting Chief of Staff of the Guinean armed forces and the officer in charge of procurement; they identified six different end-user certificates for Guinea as forgeries. All these had been used by a network of brokers to obtain weapons for export to Liberia as shown in the case studies covered in this report.

Côte d'Ivoire

169. Côte d'Ivoire is also affected by a volatile internal situation between the contenders of the last elections and the current government. The presence of General Gueï, who was leading a military junta in the country until the elections, has also created unease over the loyalties of some units of the armed forces. This element, and the fact that countries such as Guinea and Sierra Leone have acquired helicopter gunships, has incited the Government of Côte d'Ivoire to engage in negotiations about the procurement of helicopter gunships.

170. During discussion with the authorities in Côte d'Ivoire, the Panel learned that the Defence Ministry had been approached by a broker representing the company Pecos who was involved in some of the violations of the embargo on Liberia. This report describes the fraudulent activities of this company, Pecos Compagnie SA, in the case study on End-User Certificates. The Panel has also described how weapons that were imported legally in Côte d'Ivoire ended up in Liberia in July 2000. The transaction was financed and set up by Leonid Minin. After his arrest in Italy, copies of the End-User Certificate for these weapons, signed by General Gueï, were found in Minin's possession. Minin also had several forged copies of the End-User Certificate for Côte d'Ivoire.

171. As shown in the case study on helicopters, Liberia has tried to match the build-up of weapons systems, despite the arms embargo. The most recent cases in Liberia's persistent hunt for combat helicopters on the international black market are dated February and March of 2001. Thanks to the intervention of the arms export controlling authorities in Moldova and the Slovak Republic, the helicopters were intercepted before departure.

172. The Panel is concerned that the procurement of weapons in the Mano River Union, especially in view of the embargo against Liberia, should be better regulated. The easy availability of small arms and ammunition to volatile areas like the Mano River Union countries is a regional and internal security threat to the three Union

members. The use of unscrupulous arms dealers, even for the legal importation of arms by the non-embargoed neighbouring countries of Liberia itself encourages and provides opportunities for violations of the Liberia embargo.

173. In the case studies that follow, the Panel has painstakingly gone into details, followed various paper trails and put together pieces of the jigsaw puzzle to complete a picture of how Liberia has managed to get a regular supply of arms and ammunition despite an embargo on it since 1992.

C. Case studies

Case study: ER-75929 and the She-guns

174. When the Ugandan military discovered that a consignment of assault rifles did not correspond to the contract specifications, they demanded that the Egyptian arms broker send the delivery back to the manufacturer in the Slovak Republic. In October 2000 the broker agreed that a batch of one thousand of the rejected rifles would be dispatched back to Slovakia.

175. The broker, however, also found a new buyer for the weapons, Pecos company of Guinea. Initially the Ugandan authorities were unaware of this new arrangement. They assumed the broker was going to fly the weapons back to the sender and an Ilyushin-18 arrived in November 2000 in Entebbe, Uganda, to pick up the weapons and bring them back to the Slovak Republic. It flew to Monrovia instead.

176. This Ilyushin-18 arrived in Monrovia on 22 November 2000 carrying the cargo. The plane was registered in Moldova (ER-75929) but operated by the company Centrafrican Airlines of Bangui in the Central African Republic.

177. Three days later the same aircraft arrived back in Uganda to pick up a second consignment of 1,250 submachine guns. By that time the Ugandan authorities knew that the Egyptian broker was dealing with the Guinean company. An inspection of the plane showed that the pilot was trying to get official permission to fly to Guinea, but the routing on his flight plan suggested he intended to fly to Liberia. This resulted in the Ugandan authorities deciding to impound the cargo and contact the arms broker for additional information.

178. The arms broker, Sharif Al-Masri, responded on 26 November 2000 in a letter to the Ugandan authorities. The letter, a copy of which was obtained by the Panel, shows the letterhead of the brokering company Culworth Investments Corporation with an address in Monrovia, Liberia. In it, Mr. Sharif explains that the rejected arms had been sold to Pecos in Guinea and that the client had supplied him with an acceptable end-user certificate. The end-user Mr. Sharif sent to Uganda to corroborate was signed by the Director of Cabinet of the Guinean Ministry of Defence. It is dated 2 July 2000, almost five months previous to the planned delivery of the arms. Being not satisfied with the explanations of the arms broker and considering the risk of these weapons falling into the hands of rebels in West Africa, the Ugandan authorities decided to pay for the impounded weapons and keep them in the country. In early December 2000, the Panel of Experts on Sierra Leone received information from the Ugandan authorities about the incident.

179. At the time of receiving that information, that Panel was in the process of submitting its final report. So no further investigation was possible by that Panel.

This Panel decided to investigate the matter further. In May 2001, the Panel visited the Republic of Moldova. The Ilyushin-18 that had been chartered to deliver the weapons was owned by the company Vichi, a private agent for the Moldovan Ministry of Defence. The Moldovan authorities were not aware of the Uganda incident but organized meetings for the Panel with the Civil Aviation Authority in Chisinau. In close cooperation with the Moldovan officials it was established that a suspicious incident had occurred in November. After receiving permission for a chartered flight to Ras-al-Khaimah in the United Arab Emirates on 4 November 2000 to pick up passengers, the Ilyushin had disappeared for almost three weeks. On 24 November 2000, the plane arrived back in Moldova without passengers from the United Arab Emirates. Computer records inspected by the Panel showed it had come from Liberia, via Uganda, instead.

180. During the discussion with the Ministry of Defence in Moldova, representatives of the company Vichi were summoned for cross-examination by the Panel. The deputy director of the company explained the plane had been chartered by a company MoldTransavia. MoldTransavia's own aircraft, a Tupolev-154 had a technical problem in the United Arab Emirates and had chartered the Ilyushin to pick up some passengers there and fly them back to Moldova. When the Ilyushin arrived in the United Arab Emirates, however, MoldTransavia's plane had been repaired and carried the passengers back.

181. The crew of the Ilyushin, while in the United Arab Emirates, were then contacted by a Russian, Serguei Denissenko, representing the company Centrafrican Airlines. A contract was signed for a cargo flight from the United Arab Emirates to Uganda and from there to Liberia. When the Ilyushin arrived in Uganda, seven tons of sealed boxes were loaded on board and the plane left for Monrovia, Liberia. The representative of Vichi was unable to tell the Panel what was in the sealed boxes. The contract that was signed with Centrafrican Airlines, the charter company of the aircraft, describes the cargo load as "Technical Equipment".

182. After the first delivery had been made in Liberia, the plane returned to Uganda to pick up a second consignment of sealed boxes. After arrival, the crew were taken to a hotel near the airport of Entebbe. There they learned that the charter company had problems and that the cargo could not be cleared. The plane then flew back to Chisinau in Moldova. As per the original contract, the charter firm mentioned on the flight documents was no longer Centrafrican Airlines but the original contractor for the cancelled passenger flight, MoldTransavia.

183. In Moldova the Panel was also able to interview the manager of the company MoldTransavia, Mr. Pavel Popov. Mr. Popov was invited for a meeting with the Panel in the offices of the Moldovan Aviation Administration but turned out to be very unhelpful. Mr. Popov seemed unable to even show the panel documentation on the ownership of his own passenger plane, the Tupolev-154 that was supposed to have had a technical problem in the United Arab Emirates. Mr. Popov only said he leased it from a company in Sharjah in the United Arab Emirates by the name of San Air but refused to reveal the name of the owner of the aircraft. Asked about his background in aviation, Mr. Popov explained that he had only started operating his own aircraft after working for years as an agent for AirCess, a company of Serguei Bout and Victor Bout.

184. After the meeting with Mr. Popov, the Directorate of Civil Aviation supplied the Panel with the documentation on Mr. Popov's plane. It showed the plane was

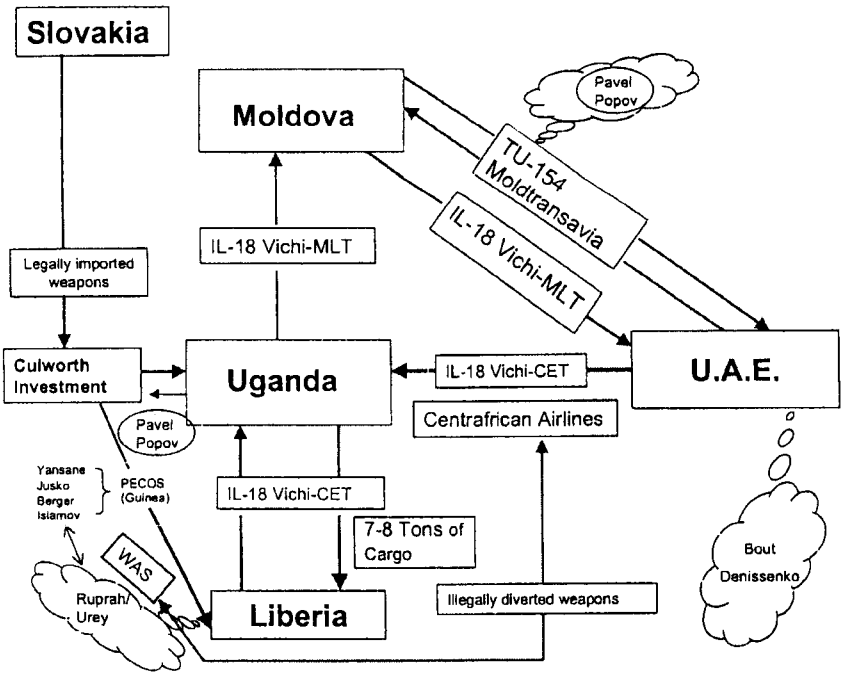
owned by Victor Bout and that Popov had signed a contract with Bout's company Transavia Travel Agency of Sharjah in the United Arab Emirates to lease the aircraft.

185. The plane was indeed insured by a company San Air, also registered in the United Arab Emirates. The general manager of that company is one Serguei Denissenko, the same man that had chartered the Ilyushin-18 for the arms deliveries from Uganda to Liberia. The Panel was given a copy of the charter contract signed by representatives of the Moldovan company Vichi and the company in the United Arab Emirates, Centrafrican Airlines. Another document shows that Vichi was paid for this contract by the company San Air General Trading of Sharjah, suggesting San Air and Centrafrican Airlines are basically one and the same company.

186. The Panel was also able to establish some further details on the Liberian side of the illicit arms transaction. Documents obtained from Uganda include a handwritten statement that was made up to confirm the loading of 1,000 of the submachine guns aboard the Ilyushin-18 with registration number ER-75929. The document is signed by the Ugandan Inspector General of Military Equipments and countersigned by a Mr. Muko, representing the arms brokerage company of Sharif Al-Masri and by a Mr. Popov, on behalf of Peter Jusko. This means Mr. Popov was present when the weapons were loaded. Mr. Jusko. is known to the Panel from a series of documents on illicit arms deals to Liberia. On these documents Mr. Jusko acts as a representative of the company Pecos in Guinea (see section on End-User Certificates). Arms broker Al-Masri had obtained an end-user for Guinea from this company.

187. As already described, the flights between Uganda and Liberia were arranged through a contract between the company Vichi and the company Centrafrican Airlines, signed on 9 November 2000. Another document the Panel obtained showed that one day before the signing of this contract, on 8 November, Centrafrican Airlines signed a contract with the company West Africa Air Services Inc. of Monrovia. This "Cargo Air Transportation Contract" referred to the same plane ER-75929 and the same routing. The document mentioned a cargo of 14.5 tons, the exact weight if the plane had flown the full amount of rifles to Liberia in two separate air transportations. The charter contract foresaw "the performance of several air transportations", suggesting that more weapons were expected. A copy of this contract was supplied to the Panel by the General Manager of San Air General Trading, Mr. Denissenko. The signature for West Africa Air Services was that of Sanjivan Ruprah (annex 8).

188. The plane flew twice between Uganda and Monrovia but the second consignment never left Uganda because the Ugandan authorities intervened. The crew members of Vichi described how a Portuguese-speaking man accompanied them on both the flights as a representative of the Liberians. The Panel obtained more information on him. Nicknamed "Beto", Carlos Alberto La Plaine held a Portuguese passport issued in Kinshasa that showed he was a diamond dealer. Sanjivan Ruprah admitted to the panel that "Beto" was one of his colleagues.



ER-75929 and She-Guns Case: Flow sheet diagram showing the legally imported She-guns (AK 47) landing illegally in Liberia

Case study: The case of the mystery plane, EL-ALY

189. In May 2000, the Kyrgyzstan Defence Ministry received an order for rotor blades and spare parts for military helicopters. The broker was a known arms dealer, Alexander Islamov. The order for the helicopter equipment was from Pecos, a company that claimed to be a procurement agency for the Guinean armed forces. The Panel investigated the sale of these rotor blades and spare parts because the Guinean Ministry of Defence confirmed to the Panel that they had not ordered them. Meanwhile the Panel received reliable information that the equipment had been diverted to Liberia. On investigation, the case turned out to be related to a mysterious plane the Panel of Experts on Sierra Leone had found to be operating in Liberia.

Transportation of the helicopter spare parts

190. The Security Council report S/2000/1195 described how a phantom plane had been identified by air traffic controllers in West Africa. The plane was of interest to the Panel because it had landed on several occasions at Roberts International Airport in Liberia.

191. The aircraft was an Ilyushin-18, showing a Liberian registration EL-ALY. The Panel had asked Liberia to provide records of landings and departures from its airports but according to the Liberian authorities no such records were kept. In November 2000, Liberia provided the Panel of Experts on Sierra Leone with a full

list of its aircraft registry. The Ilyushin with the Liberian registration was not among the 11 aircraft on the list.

192. But according to records on overflights and landings in several other African countries, a plane with this registration number operated for the West Africa Air Services company. West Africa Air Services operated the Ilyushin-18 from early July until October 2000.

193. According to the International Civil Aviation Organization (ICAO), West Africa Air Services was not registered as an operating agency or an airline. The flights, according to documents obtained by the Panel, were operated with a call sign "WAS 123". This unique three-letter designator is a code that is used in aviation to communicate and identify specific flights or commercial operators in the air. The designator "WAS", however, belonged to an airline in Ontario, Canada.

194. A company with a slightly different name, West *African* Air *Service* existed in the Republic of Mali. The Panel obtained information and documentation from Mali on the registration and ownership of that company but it had never operated any flights beyond the borders of Mali. Besides, this company used "WAM", not "WAS" as its three-letter designator. During its investigation, the Panel on Liberia obtained additional documentation and conducted interviews with pilots and plane owners that revealed that the plane EL-ALY and the company West Africa Air Services did exist and that the plane was involved in weapons shipments on behalf of the Liberian Government.

195. The flight movements for West Africa Air Services as recorded by different Flight Information Regions in Africa and Europe are shown in the table below:

Table 1
Flight movements of aircraft of West Africa Air Services used for illegal shipments
(shown in bold letters is the shipment of helicopter spare parts from Bishkek to Monrovia and those in italics are the shipments of ammunition from Abidjan to Monrovia)

Operating company	*Date*	*Call sign*	*Itinerary*	*Registration*	*Type of aircraft*
West Africa Air Services	02/07/2000	EL-ALY	Monrovia/Abidjan	EL-ALY	Il 18
	02/07/2000	EL-ALY	Abidjan/Monrovia	EL-ALY	Il 18
	04/07/2000	COBRA02	Monrovia/Abidjan	EL-ALY	Il 18
West Africa Air Services	**04/07/2000**	**COBRA02**	**Abidjan/Monrovia**	**EL-ALY**	**Il 18**
	12/07/2000	**WAAS 03**	**Monrovia/Chisinau**	**EL-ALY**	**Il 18**
		WAS 123	**Chisinau/Bishkek**	**EL-ALY**	**Il 18**
	17/07/2000		**Bishkek/Cairo**	**EL-ALY**	**Il 18**
	18/07/2000	**WAS0123**	**Cairo/Monrovia**	**EL-ALY**	**Il 18**
	18/07/2000	*WAS0123*	*Monrovia/Abidjan*	*EL-ALY*	*Il 18*
	19/07/2000	*EL-ALY*	*Monrovia/Abidjan*	*EL-ALY*	*Il 18*
	19/07/2000	*EL-ALY*	*Abidjan/Monrovia*	*EL-ALY*	*Il 18*

	20/07/2000	*EL-ALY*	*Monrovia/Abidjan*	*EL-ALY*	*Il 18*
	20/07/2000	*EL-ALY*	*Abidjan/Monrovia*	*EL-ALY*	*Il 18*
	21/07/2000	*EL-ALY*	*Monrovia/Abidjan*	*EL-ALY*	*Il 18*
	21/07/2000	*EL-ALY*	*Abidjan/Monrovia*	*EL-ALY*	*Il 18*
	02/08/2000	*EL-ALY*	*Monrovia/Abidjan*	*EL-ALY*	*Il 18*
	02/08/2000	*EL-ALY*	*Abidjan/Monrovia*	*EL-ALY*	*Il 18*
	05/08/2000	*EL-ALY*	*Monrovia/Abidjan*	*EL-ALY*	*Il 18*
Government of Liberia	05/08/2000	EL-ALY	Abidjan/Bamako	EL-ALY	Il 18
	06/08/2000	EL-ALY	Bamako/Monrovia	EL-ALY	Il 18
West Africa Air Services	*04/09/2000*	*EL-ALY*	*Monrovia/Abidjan*	*EL-ALY*	*Il 18*
	04/09/2000	*EL-ALY*	*Abidjan/Monrovia*	*EL-ALY*	*Il 18*
West Africa Air Services VIP Flight	07/09/2000	EL-ALY	Monrovia/Banjul	EL-ALY	Il 18
	08/00/2000	EL-ALY	Banjul/Monrovia	EL-ALY	Il 18
West Africa Air Services	11/09/2000	EL-ALY	Monrovia/Abidjan	EL-ALY	Il 18
	11/09/2000	EL-ALY	Abidjan/Monrovia	EL-ALY	Il 18
	15/09/2000	WAS 123	Monrovia/Chisinau	EL-ALY	Il 18

196. One document obtained by the Panel is a copy of an overflight and landing request for flight WAS 123 with registration EL-ALY issued on 17 July 2000. The plane arrived in Liberia from Bishkek (Kyrgyzstan) via Cairo and carried 7 tons of cargo described as "spare parts to equipment of aircraft".

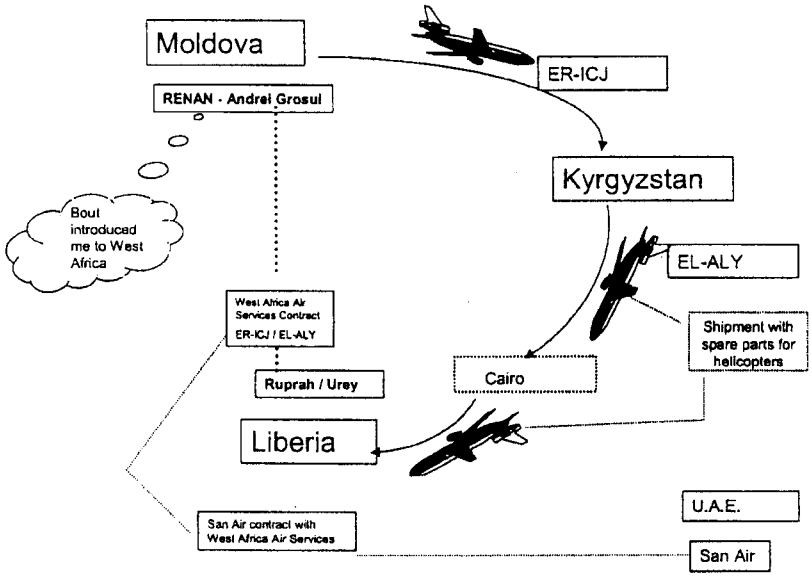
197. The document also showed that the West Africa Air Services Ilyushin-18 was owned by a large airline company, Renan. The authorities in Moldova organized a meeting between the members of the Panel and several airline owners including Andrei Grosul, the general manager of the company Renan. The Panel obtained documents that provided more detail about West Africa Air Services. Furthermore, the Panel cooperated with the authorities in Kyrgyzstan, Moldova and traffic controllers in Ghana, Guinea, Senegal and Côte d'Ivoire to corroborate the plane's movements.

198. The documents obtained by the Panel included the leasing agreement between Renan and West Africa Air Services. This contract dated 6 June 2000 showed that West Africa Air Services was registered in Liberia, with an office at P.O. Box 5620 Monrovia, 1926 Liberia. The company was represented by Mr. LeRoy Urey, who also signed the contract (annex 7). Mr. LeRoy Urey is the Liberian Deputy Minister for Administration and Public Safety.

199. The contract with Renan stipulated that the aircraft would be registered with the State Administration of Civil Aviation of the Republic of Moldova and will carry the marking of Moldova. The Panel inspected this plane later in Moldova and its tail number was the Moldovan ER-ICJ. This was exactly the registration number referred to in the contract.

200. The contract also stated that: "In case there is a necessity to repaint the Operated Aircraft and to change the above mentioned marking it shall be done at the account of West Africa Air Services". Inspection of the plane in Moldova showed that the marking on the tail of the aircraft had been recently repainted.

201. The Panel interviewed the owner of Renan and the pilot who had operated the plane during the leasing contract in Liberia. The Ilyushin had flown to Bishkek in Kyrgyzstan on 15 July 2000. In Bishkek the helicopter spare parts and rotor blades were picked up. On 17 July the plane then flew to Cairo, with a cargo manifest and an official flight plan for a flight to Guinea. On 18 July 2000 the plane arrived in Monrovia, however, and the helicopter spare parts were offloaded.



EL-ALY — The Mystery Plane: Flow sheet diagram showing the helicopter spare parts going to Liberia

The arms dealers and brokers

202. The authorities in Kyrgyzstan were not aware that the cargo had been diverted to Liberia, not Guinea as the arms broker Alexander Islamov had claimed. Alexander Islamov had provided Kyrgyzstan with an end-user certificate for Guinea (see section on End-User Certificates).

203. On the Liberian end of the transaction, another contract was set up. The company West Africa Air Services not only organized the transport with the Ilyushin-18 but also signed a contract with the company San Air General Trading for the procurement of rotor blades for a Mi-2 helicopter. San Air is a company registered in the United Arab Emirates. The director of the company, Serguei Denissenko is a close associate of Victor Bout. The contract bearing number Mi-2/RB/2000 was signed on 27 April 2000. The company West Africa Air Services in

this case, is represented by Sanjivan Ruprah, who is also a close business associate of Bout.

204. Serguei Denissenko of San Air told the Panel that he had bought the rotor blades from Alexander Islamov, who is a regular supplier to San Air, and sold them to Sanjivan Ruprah of West Africa Air Services in Monrovia. He described Ruprah as a business partner of Victor Bout in Africa.

205. When the Panel requested information on the whereabouts of Sanjivan Ruprah in Liberia, the authorities claimed the man was unknown to them. LeRoy Urey, who had signed the leasing contract for West Africa Air Services, also denied knowing Ruprah. Ruprah, however, is known to have entered the European Union travelling with Liberian diplomatic passports, under different names. According to the passports, he was travelling on behalf of the Liberian Maritime Authority. The Commissioner for Maritime Affairs of Liberia, Benoni Urey, is a brother of LeRoy Urey. Benoni Urey also denied knowing Ruprah and knew nothing about the diplomatic passports. Mr. Ruprah is no longer in Liberia but had stayed for a long time in a house almost opposite to the one of Benoni Urey. When the Panel interviewed Mr. Ruprah he acknowledged this and confirmed that his house was that of the late Joe Tate, the former Inspector General of Police of Liberia who died in 2000 in a helicopter accident.

206. According to Denissenko no end-user certificate for the helicopter blades was needed because the Mi-2 is a non-armed transport helicopter. The end-user certificate that Alexander Islamov presented to the authorities in Kyrgyzstan to purchase the helicopter blades however clearly states that the blades were for Mi-24 helicopters (annex 6). The Mi-24 is a heavily armed helicopter gunship. The authorities in Kyrgyzstan told the Panel that Islamov had bought rotor blades for an Mi-24. Those rotor blades plus several tons of spare parts for helicopters were delivered to the Liberian end of the pipeline via San Air.

The case of Aviatrend

207. West Africa Air Services was set up for such smuggling operations only. The pilot of the plane told the Panel that he had been transporting some Liberian officials on the plane and the aircraft does have a number of passenger seats in front. However, the pilot also mentioned that the individual overseeing the operations of the plane knew more about ships than about aircraft and that his nickname was "Mr. Sanji". Sanjivan Ruprah signed West African Air Services documents and travelled on diplomatic passports issued by the Liberian Bureau of Maritime Affairs. He is the same person the Panel on Sierra Leone identified as an arms dealer involved in the Liberian procurement process.

208. Asked about the trips from Monrovia to Abidjan and back during July and early August, the pilot claimed the plane had been "empty". The Panel, however, also interviewed Sanjivan Ruprah extensively. He said those trips from Abidjan to Monrovia were for transportation of ammunition.

209. The chronology of the West Africa Air Services flights Abidjan-Monrovia and back coincides with the arrival at Abidjan airport (Côte d'Ivoire) of an Antonov-124 on 15 July 2000.

210. In cooperation with the Ukrainian authorities the Panel obtained details on this flight. The Air Waybill showed that the Antonov-124 carried a cargo of 113 tons of

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7.62 mm calibre cartridges. The plane left the Ukrainian airport of Gostomel on 14 July 2000 and arrived in Abidjan, after a fuel stop in Libya on 15 July 2000. In Abidjan, the cargo was unloaded by the military.

211. The End-User for the five million cartridges and for a long additional list of weapons was signed by General Robert Gueï who was the head of State of Côte d'Ivoire at the time of the delivery. A stamp on the document showed that the signature of General Gueï was authenticated by the ambassador of Côte d'Ivoire in Moscow on 2 June 2000 and on that basis the Ukrainian authorities issued an export permit and authorized the flight. An additional document was requested by the authorities in Ukraine, a guarantee that the arms would be used in compliance with the ECOWAS moratorium on small arms. Ukraine also sent a military officer with the plane to verify the actual delivery of the weapons to Côte d'Ivoire.

212. The plane used to transport the cargo was chartered from the Antonov Design Bureau. The broker for the five million cartridges and the charterer of the plane was the Moscow-based Aviatrend company, represented by Valery Cherny. Cherny was an associate for this deal of Leonid Efimovic Minin. Minin had been key to the transportation of 68 tons of small arms from Burkina Faso to Monrovia in March 1999. Minin's private jet had then shuttled several times between the airports of Ouagadougou and Bobo-Dioulasso in Burkina Faso and Monrovia to carry the entire 68 tons.

213. Leonid Minin was arrested on 5 August 2000 in Monza, Italy. When the Italian investigators searched his hotel, a significant quantity of documents were found. Among these documents were faxes sent by Valery Cherny of Aviatrend to Minin and correspondence from the son of President Charles Taylor to Minin. Remarkably, several apparently original copies of the End-User Certificate from Côte d'Ivoire were also found in Minin's documentation. Bank transfers also show that Minin paid $1 million to Aviatrend. One payment, of US$ 850,000 to an Aviatrend account at the Alpha Bank in Nicosia, Cyprus, on 7 June 2000; a second payment of US$ 150,000 to an Aviatrend account with the Chase Manhattan Bank in New York on 13 June 2000 through one of Minin's many offshore companies Sulico Holdings. The reference for both the payments was "Buying Technical Material/Wood Extractions Tools".

214. The Panel interviewed almost every player in this particular case. The Ambassador of Côte d'Ivoire to Moscow who had authenticated the signature of General Gueï on the End-User Certificate was interviewed. When he saw copies of the End-User Certificate, the Ambassador acknowledged that he had signed one of them but said that the other copies found in Minin's possession were forged. Minor details on the document showed that Minin was carrying fraudulent copies of the End-User Certificate and that the Ambassador's signature was different from the one on the original that the Panel obtained from the authorities in Ukraine (annex 4).

215. In Moscow the Panel interviewed Valery Cherny of Aviatrend. Cherny could not explain why there were multiple copies of the Côte d'Ivoire End-User Certificate. When asked why Minin had paid him US$ 1 million when only five million cartridges had been sold (the approximate market price was US$ 250,000) Cherny acknowledged that more arms were stockpiled and waiting for delivery to Côte d'Ivoire. After the 14 July shipment had left Ukraine and preparations were made for additional deliveries Minin "disappeared". Later Cherny heard that Minin

had been arrested in Italy. The weapons were waiting for delivery ever since, Cherny claimed.

216. The Panel also interviewed General Robert Gueï who, after the elections in Côte d'Ivoire, fled the capital to his home village in the west of the country. The General acknowledged that he had signed the End-User Certificate. He had signed only one document. He explained that when he took office, after a coup d'état in 1999, he wanted to replenish depleted Ivorian army stocks. As a first step he asked the Heads of State of other African countries, including Burkina Faso, Libya, Morocco and Liberia to supply small quantities of ammunition and light weapons. The Liberian President, General Gueï said, supplied some arms and even sent an emissary to help the General out. This emissary was the Liberian Ambassador-at-large Mohamed Salamé, a resident of Abidjan, and owner of a timber business in Liberia. Salamé offered his services and asked General Gueï to sign the End-User Certificate. A split-up would then be made between Côte d'Ivoire and Liberia for those weapons. The General acknowledged that some of the ammunition had remained in Côte d'Ivoire but most of it had been for Liberia.

217. The practical arrangements were made by Ambassador Salamé, according to the General. When the Panel contacted Ambassador Salamé, he flatly denied any knowledge of ammunition transactions. His business was exclusively timber, he said. However, when the Panel interviewed Leonid Minin in prison in Italy, he credited Mohamed Salamé for assisting the Côte d'Ivoire part of the Aviatrend arms deal. Minin said the deal had been organized by Mohamed Salamé on behalf of the Liberian President, in return for a beneficial deal for Minin's timber company Exotic Tropical and Timber Enterprises in Liberia. Leonid Minin also acknowledged that his arrest in August caused the cancellation of further deliveries of the weapons on the End-User Certificate. He had already made advance payments for those weapons. Leonid Minin also stated that the son of President Taylor, Charles "Chuckie" Taylor (Jr.) had tried to become part of some of these arms transactions, in order to collect commissions. Another business partner of Leonid Minin, a Finnish national with companies in Turkey and Switzerland, had dealt with Charles Taylor Jr. and documents found in Minin's possession show that this individual was sending documentation on different types of equipment to Minin. In some of these documents, "special packages for Junior" are mentioned. The Finnish individual, Erkki Tammivuori, acknowledged to the Panel that he had travelled a few times to Liberia with Leonid Minin and that he had been asked to broker non-lethal security equipment.

218. The Panel took particular interest in one letter sent to Minin by Mr. Tammivuori mentioning that arms could be delivered with or without End-User Certificate, and that a bidding procedure could be avoided if no end-user certificate was needed, thus making the arms cheaper. The letter is faxed to Minin in March 1999. It is printed on stationery of a company MET A.S. in Turkey, but sent from Tammivuori's address in Switzerland. The arms offered on the document are Konkurs missiles, configuration "Tandem Warhead for Reactive Armour". Sanjivan Ruprah, during his interview by the Panel showed on the computer screen of his cellular phone a list of weapons that had been delivered in May 2000 to Liberia, with the Ilyushin-76 bearing registration TL-ACU. The list contains several missile types, including Strela and Igla missiles and launchers for Konkurs missiles. Mr. Ruprah explained that this equipment had so far not been used in the war, because no trainers had been sent to Liberia to operate the missile systems.

219. The son of President Taylor was also involved with the ammunition deal between Côte d'Ivoire and Liberia. Both Leonid Minin and Sanjivan Ruprah mentioned this. When the 113 tons of ammunition arrived in Côte d'Ivoire on board the Antonov-124 (registration UR82008), Minin was in Italy. The supplier of the weapons, Valery Cherny, was in the Ukraine at that time. The final delivery to Liberia was arranged between the military at Abidjan airport, Sanjivan Ruprah, Mohamed Salamé and Charles Taylor Jr. Minin said a special plane was organized from Monrovia to pick up the ammunition.

220. This is where the Ilyushin-18 of West Africa Air Services played an important role again. An Ilyushin-18 is a relatively small aircraft, as compared to the 113 tons that needed to be transported. This is why the plane had to fly eight times to bring the entire cargo over to Liberia, Mr. Ruprah told the panel. The operations started on the very day the Ilyushin had come back with the helicopter spare parts from Kyrgyzstan.

221. When Minin was arrested in Italy, the operation had to stop. Valery Cherny did not have the necessary contacts in Liberia, whereas Leonid Minin had been dealing with the Liberian presidency all along. President Taylor, as reported by the Panel on Sierra Leone, had reached an agreement with Minin to use his private jet to fly weapons from Niger and Burkina Faso. Minin also had important investments in the Liberian timber industry. Minin had documents in his possession when he was arrested, signed by the Minister of Justice in Liberia, showing that the Liberian Government still owed Exotic over $2 million in prepaid taxes. Since Minin never exported any significant amounts of timber, this money could only be owed for other services rendered to the Government of Liberia.

222. The Ivorian End-User Certificate, with its multiple copies in possession of Minin and Valery Cherny, provides an indication of the amounts of weaponry that were still in the pipeline to be supplied to Liberia, had Minin not been arrested by the Italian authorities. The public prosecutor of the court of Monza in Italy, at the time of writing of the report, was still investigating the full extent of this sanctions-busting case.

223. The pilot of the Ilyushin-18 also told the Panel in Moldova that after those flights from Abidjan, there had been little work for him and the crew. Clearly, the weapons ordered through the Minin-Aviatrend pipeline were directly related to the operations of the mystery Ilyushin (EL-ALY) that had been leased by Sanjivan Ruprah and his Liberian partners, Benoni and LeRoy Urey. It explains why the leasing contract between Renan and West Africa Air Services was finally called off. In September, the plane made one last flight, to fly members of President Taylor's Anti-Terrorist Unit to Abidjan to assist General Robert Gueï when his residence came under attack by a rioting army unit. The plane then flew back to Chisinau, Moldova, where the fake tail number was removed and replaced with its original Moldovan registration ER-ICJ.

Case study: Liberia's quest for helicopters

224. The Panel has discovered that Liberia has been trying hard to obtain military helicopters. Transport helicopters (Mi-8, Mi-17) and especially helicopter gunships (Mi-24 or Mi-35) have found their way from factories and stocks of Eastern European countries to African conflict zones. In Sierra Leone Mi-24s played a significant role in the operations of Executive Outcomes, by the South African

mercenaries in 1996. Guinea has in the past two years acquired several Mi-24 helicopters, several of which are stationed along the borders with Sierra Leone and Liberia. The Ministry of Defence in Côte d'Ivoire, in its discussions with the Panel, stated that the presence of these helicopters in neighbouring countries was a potential threat to Ivorian security and that the Government was going to procure similar helicopter gunships to match this build-up.

225. Liberia was not known to have any Mi-24s but the arms embargo imposed on Liberia has not prevented the country from importing several other military helicopters. The Panel on Sierra Leone mentioned the shipment of those in its report (S/2000/1195, para. 233) and identified the arms smuggling network of Victor Bout as the main supplier. During its visits to Liberia in July and October 2001, this Panel observed two Mi-17s, one with the markings of the Anti-Terrorist Unit, based at the airport of Spriggs Payne, close to the city of Monrovia; another one is grounded with technical problems in a hangar at Roberts International Airport since early 2001. Two Mi-2 helicopters were also supplied by Sanjivan Ruprah in October 1999 and spare parts for Mi-17 and for Mi-24 helicopters were obtained from Kyrgyzstan in July 2000. The Panel also spoke to Sanjivan Ruprah who, as a partner of Victor Bout based in Liberia, had been key to the procurement of the deliveries of the Mi-8 helicopters.

226. Helicopter pilots stayed in Hotel Africa, the hotel owned by one of the most influential businessmen in Liberia, Gus Kouwenhoven. The Panel visited Hotel Africa in July and found that the majestic hotel was almost completely empty. The pilots were the only regular clients. Gus Kouwenhoven lives in one of the villas that are part of the hotel complex. Mr. Kouwenhoven told the Panel in October 2001 that the pilots had left his hotel. One of these pilots, now returned to Eastern Europe, confirmed that he and his colleagues had left.

227. Liberia's quest for Mi-24 helicopter gunships appeared to have been unsuccessful so far. But there have been two recent attempts to obtain additional Mi-17s and even Mi-24s. The authorities of Moldova and Slovakia assisted the Panel in its investigation of these cases.

The first consignment

228. In March 2001, the Security Council Committee on Liberia received information from the Slovak authorities that their customs authorities had stopped a helicopter gunship from being transported to the Republic of Kyrgyzstan. They had been suspicious that the aircraft with the helicopter on board planned to go to another destination, in possible violation of United Nations sanctions.

229. An investigation into events leading up to this incident indicated that on 2 July 2000 the LOT helicopter repair plant at Trencin signed a contract with the Ministry of Defence of the Republic of Kyrgyzstan for the repair and refurbishment of two Kyrgyz helicopter gunships. Contractual arrangements had been made between the Ministry of Defence and a Defence Attaché from the Republic of Kyrgyzstan to Moscow, Major General Urazmatov. The Defence Attaché had first enquired about the possibility to have two Mi-24 helicopter gunships repaired at the helicopter repair plant in Slovakia. A first helicopter had arrived in Slovakia in late June 2000, after approval of the Slovak Ministry of Defence. After the contract was signed, it had been refurbished and repaired and had been flown back to Kyrgyzstan a few weeks later. The second helicopter had arrived in October 2000 and an Ilyushin-76

was to pick it up again in February 2001. The transport in both cases had been arranged through charter contracts with the private airline company Centrafrican Airlines.

230. A detailed analysis of the case shows that the first helicopter had arrived in June on board an Ilyushin-76 and stayed at the repair plant for about one month. The same Ilyushin-76 (registration TL-ACU) had transported the helicopter back to Kyrgyzstan. However, by the time the second helicopter had been repaired in Slovakia, in February 2001, the authorities started to become suspicious and sought additional confirmation about the legitimacy of the deal from their counterparts in Kyrgyzstan because the second helicopter was ready to be flown back there.

231. Kyrgyzstan reported that the helicopters were not supposed to come back. In fact the Ministry of Defence in Kyrgyzstan was not even aware of any repair contract in Slovakia, correspondence between the customs departments of both countries shows. Instead, the helicopters had been sold by Kyrgyzstan to a broker, Alexander Islamov. The client for the helicopters was a Guinean company called Pecos. This information, received from Kyrgyzstan, led the authorities in the Slovak Republic to block the second helicopter and to inform the United Nations Security Council Committee about the case. The Panel found out later that it was the Military Attaché of Kyrgyzstan, Major General Urazmatov, who had set up the deal with the Slovak repair plant, without the knowledge of the Defence Ministry in Kyrgyzstan. The Major General was fired afterwards.

232. A few days after the grounding of the helicopter on 22 February 2001, a national from the Slovak Republic, a Peter Jusko presented himself as the representative of Pecos and claimed to be the new owner of the helicopter. Mr. Jusko was already known to the Slovak authorities as a director of an arms brokerage company called Joy Slovakia. Alexander Islamov, the broker who had dealt with the Ministry of Defence in Kyrgyzstan was also a director of that company. The military in the Slovak Republic had previously done business with Joy Slovakia and showed the Panel a copy of an end-user certificate of the company for the sale of small arms to Guinea in 1997. The Panel later verified in Guinea that the arms had never been ordered by the Defence Ministry there (see section on End-User Certificates). The End-User Certificate was a forgery.

233. Even before customs had grounded the second helicopter, the cargo plane that would come to pick up the helicopter had raised some suspicion with the Civil Aviation Authority in Bratislava. Requests for landing of the cargo aircraft had come from the company MoldTransavia, in Moldova, but the company wanted to perform flights with aircraft registered in the Republic of the Congo and the Central African Republic, with a billing address in the United Arab Emirates. The Slovak Civil Aviation Authority first contacted the Ministry of Transport and Civil Aviation in Moldova to establish if the company MoldTransavia was duly entitled to operate international non-scheduled flights, if MoldTransavia had a valid air operator certificate and if the airline was entitled to operate an Ilyushin-76 cargo aircraft. The Moldovan reply was that MoldTransavia had a valid operator certificate but was only authorized to operate a passenger aircraft, not the Ilyushin-76 it wanted to operate for the transport of the helicopter gunship.

234. Meanwhile, MoldTransavia tried to send copies of insurance documents to the Civil Aviation Authority in Slovakia to show that it was duly insured to operate two Ilyushin-76s. The insurance documents showed that since December 2000, one

Ilyushin-76 with registration number TL-ACU was insured for both the companies MoldTransavia and a company San Air. Another Ilyushin-76 with registration TN-AFS was insured for the Government of the Congo and again, the company San Air, but not for MoldTransavia. MoldTransavia had sent these certificates of insurance to Slovakia on 12 February 2001, but by that time the negative answer from the Aviation Authority in Moldova had arrived.

235. The Slovak Civil Aviation Authority refused to grant MoldTransavia permission to perform the flight for the transport of the helicopter. But then another series of requests arrived from the company Centrafrican Airlines. Centrafrican requested permission to land in Slovakia and to pick up the same helicopter. The plane it wanted to use was again the Ilyushin-76 with registration TL-ACU. This time, Centrafrican Airlines would be the operator.

236. By then, the Slovak Aviation Authority was already in possession of the insurance certificate it had obtained from MoldTransavia for this particular aircraft, the Ilyushin-76 with registration TL-ACU. The insurance document did not show that the company Centrafrican Airlines was entitled to operate the aircraft, so again, the aviation authorities wanted to check the air operator certificate of Centrafrican Airlines and the insurance certificate showing the company was authorized to fly the Ilyushin-76.

237. On 19 February 2001, Centrafrican sent an insurance certificate for the plane. This time it covered insurance for the owner San Air and two operators, MoldTransavia and Centrafrican Airlines. The plane, according to the certificate, was insured for all these companies since 4 December 2000.

238. Centrafrican Airlines also sent an Air Operator's Certificate issued in the Central African Republic and with a company address in the United Arab Emirates. On 20 February 2001, permission was finally granted for the Ilyushin-76 to land in the Slovak Republic, pick up the helicopter and fly it back to Kyrgyzstan. On 22 February, the aircraft arrived to collect the helicopter gunship but then the Slovak customs authorities intervened.

239. The Panel visited the Republic of Kyrgyzstan to get a better understanding of the contractual arrangements and of what had happened with the first helicopter that should have arrived back there, according to the contractual agreement the Slovak repair plant had with Kyrgyzstan. However, Kyrgyzstan did not have any knowledge of such a contract. The Ministry of Defence in Kyrgyzstan cooperated with the Panel and provided details on their involvement in the helicopter deal. The Ministry of Defence in Bishkek had been dealing with a representative of Pecos, Alexander Islamov. He had always presented himself as a regional representative of the company Pecos in Guinea, who procured weapons and related materiel on behalf of the Ministry of Defence of Guinea. As described in the case above, Islamov had bought spare parts for helicopters in Kyrgyzstan, too. Islamov is a co-director with Peter Jusko in a number of arms dealing companies that are known to have been set up for illegal arms transactions and sanctions-busting activities. In the case of the helicopters, Islamov presented the Defence Ministry in Kyrgyzstan with an end-user certificate for Guinea, dated 1 July 1999. This document, as the Panel later established during a visit to Guinea, was a forgery and the helicopters had not been ordered by Guinea.

240. When the Ilyushin-76, Victor Bout's plane, had arrived in Kyrgyzstan on 26 June 2000 to pick up the first helicopter gunship, it did take off and fly to the repair plant in Slovakia. There it departed again on 2 August 2000, to fly the helicopter back to Kyrgyzstan with a fuel stop in Chisinau (Moldova), according to the flight permission given in Slovakia, but it never went to Kyrgyzstan at that time. It only arrived in Kyrgyzstan on 22 August for a fuel stop, coming from Tbilisi (Georgia) and then it took off, according to the logs of the traffic controllers in Kyrgyzstan, to Conakry in Guinea. Records of the traffic controllers in West Africa, however, show that the plane did not fly to Guinea, but landed at Roberts International Airport in Liberia instead, on 23 August 2000. At the time of writing, the Panel was still waiting for a response from Georgia on the cargo on board the Ilyushin. Hardly two months earlier, as described in another case in this report, a plane had also flown from Kyrgyzstan to Monrovia, with 7 tons of spare parts for Mi-8 and Mi-24 helicopters. Again, the authorities in Kyrgyzstan had been led to believe that the final destination would be Guinea, not Liberia.

The second consignment

241. After the refusal of customs to allow the helicopter to depart from Slovakia, the Ilyushin-76 of Centrafrican Airlines went to pick up another helicopter consignment. On 10 March 2001, the cargo aircraft arrived at the military airfield of Marculesti in Moldova. Centrafrican Airlines had a contract with the local airline company MoldTransavia to pick up two Mi-8 helicopters. This was immediately after the debacle with the helicopter in Slovakia. The Panel obtained a copy of this charter contract, signed on 15 February 2001, provided to the Panel by Sergeï Denissenko, the General Manager of San Air which is an agent for the flights of Centrafrican Airlines. The Panel also obtained copies of money transfers by San Air to the repair plant in the Slovak Republic.

242. In Moldova, the deception with flight plans went on. There, the helicopters were two Mi-8s, owned by the Moldovan Air Force. The Ministry of Defence of Moldova had signed a contract with Andreï Grosul, General Manager of the Moldovan company Renan, to have the helicopters repaired and then lease them to a third party. This was done through yet another company, the company Pecos in Guinea. A joint cargo insurance certificate obtained by the Panel shows that Renan and Pecos insured the transport of the two military helicopters Mi-8 from Chisinau (Moldova) to Conakry (Guinea).

243. During its visit to Moldova in June 2001, the Panel cooperated with the authorities to find out more about the case. The issue had already caused a dispute between the Defence Ministry and other government branches because normal arms export procedures had been bypassed and no authorization had been given for the export of the helicopters. The case shows an exceptional type of deception because the export of helicopters was done without an End-User Certificate. Copies of End-User Certificates would eventually turn up, but only after the helicopters had been stopped from departing.

244. One of the brokering companies, Renan, and the suppliers of the helicopters, the Defence Ministry of the Republic of Moldova, argued that in the case of a leasing contract, no end-user was needed. The helicopters were to be sent to Guinea for repairs and would then be leased to Guinea and later Namibia. Only after completion of the repairs in Guinea an exploitation contract for their use would be

signed and only then, the normal export procedures for military transactions would be followed. When the helicopters were ready to depart from the military airfield of Marculesti in Moldova to Guinea, the Moldovan security service intervened and stopped the cargo aircraft carrying the helicopters from departing. This was in March 2001. When the Panel visited Moldova, the helicopters were still being held. Shortly before the Panel arrived in Moldova, Renan cancelled its contract with Pecos in Guinea. The Panel obtained a copy of the agreement on the termination of the contract. That document, signed on 31 May 2001 in Chisinau, Moldova, clearly shows that Renan was not just sending the helicopters to Guinea for repairs. Pecos, in the document, is called the Lessee, Renan the Lessor. The document was signed one week before the Panel arrived in Moldova.

245. The Panel questioned the General Director, Andrei Grosul, of the company Renan at length. Renan had signed one contract with the Ministry of Defence in Moldova on the one hand and with Pecos Compagnie in Guinea on the other hand. Being short of money to maintain its helicopters, the Moldovan military were interested in this contract. Renan offered to pay for the repairs of the helicopters in Guinea, money that would be gained back afterwards when they would be leased to a third party for temporary use. Part of these profits would then be split between Renan and the Moldovan Air Force. The package deal also included contract work for pilots of the Moldovan air force, another aspect that was considered beneficial to the Moldovan Ministry of Defence.

246. The problem with this arrangement is that Guinea does not have any helicopter repair facilities. The Guinean authorities were also unaware of any contract being signed with either Renan, the Defence Ministry in Moldova or the Guinean company Pecos. All this was verified by the Panel.

247. In Moldova, the company Pecos was represented by an Israeli citizen, Jacob Berger. A document presented by Berger in Moldova to the Defence Ministry, shows that he had power of attorney to act on behalf of Pecos. Both Jacob Berger and Peter Jusko, as representatives of Pecos and of another company, Joy Slovakia (see section on end-user certificates), had procured weaponry from Moldova before. None of these weapons had ever been delivered to the destination stated on the documents they provided to the exporting countries. In the records of the Moldovan Defence Ministry, an end-user certificate was found for a case where Jusko and Berger had acted as brokers. The stated end-user on this document was Guinea, but as the Panel verified in Guinea, the weapons had never gone to Guinea. The Guinean authorities categorically stated that the country had never used Pecos as a broker for any of its arms procurement transactions. As the other cases in this report illustrate, Pecos is a company that has systematically been used by brokers to violate the arms embargo imposed on Liberia. If the helicopters had not been stopped in Moldova, they would certainly have ended up in Liberia, too.

248. Pecos is not the only indication for this. The company, Renan, had previously been in business with Liberia. It was Renan that signed the charter agreement for the mystery plane with registration number EL-ALY, that was used for several arms shipments to Liberia. At least one of those included helicopter spare parts and rotor blades for military helicopters, again with Pecos at the receiving end.

249. Another strong indication that the helicopters would have gone to Liberia is the transport plane that arrived in Moldova on 10 March 2001 to pick up the helicopters to ship them to West Africa. Victor Bout's Ilyushin had been used on

previous occasions to ship weapons to Liberia, as was shown in the report (S/2000/1195). The owner of MoldTransavia, the company that organized the operating and landing permits for the Ilyushin in Moldova, is Pavel Popov, an individual the Panel identified as a close business partner, or rather an employee, of Victor Bout. Popov can be considered the ground manager for Victor Bout's arms shipments from Central Europe. It is Popov who applies for flight permissions and issues the false flight plans. Popov was also a key player in the Ugandan case where AK-47s were diverted from their stated destination and flown to Liberia. It was Popov who signed the clearance document, on behalf of Peter Jusko of Pecos (see case of the She-guns).

250. The Moldovan authorities arranged for the Panel to meet with Pavel Popov, who confirmed that he worked for Victor Bout. Pavel Popov refused to give the Panel documentation on the owner of the plane. The Panel obtained the documents, however, from the Civil Aviation Authority in Moldova, where under normal international procedures, documents on the owners and insurers are kept. The documents show that Popov's company, MoldTransavia, operated its own passenger plane. The Certificate of Registration states that the owner of the aircraft was Transavia Travel Agency, in Sharjah, United Arab Emirates. The leasing agreement between MoldTransavia and Transavia Travel Agency was signed in June 2000 by Pavel Popov and Victor Bout, respectively. An airworthiness certificate attached to the documentation shows the plane was registered in the Central African Republic before it had been registered by Pavel Popov in Moldova (see also section on Centrafrican Airlines). The latter certificate, the Panel found out while visiting the Central African Republic, was a forgery but it was used to change the name of the aircraft owner Centrafrican Airlines to Transavia Travel Agency. Other documents show that Victor Bout had bought the plane from his brother, Serguei Bout. The payment of $1 million was made from Transavia Travel Agency's account at the Standard Chartered Bank in Sharjah, an element that would later prove important to the Panel when bank transfers from Liberia to the companies of Victor Bout were analysed.

251. Shortly after the Panel had visited Moldova, the plane of Popov was excluded from the Moldovan aircraft register. This means MoldTransavia could no longer operate from Moldova. Information obtained from Bulgaria shows that Transavia Travel Agency, represented by Victor Bout, sold the plane on 21 May 2001, exactly two weeks before the Panel arrived in Moldova, to San Air General Trading FZE in Ajman, United Arab Emirates, represented by Serguei Denissenko. San Air's General Manager Serguei Denissenko also represents Victor Bout's airline Centrafrican Airlines.

252. On 11 June 2001, four days after the Panel had interviewed Pavel Popov, he leased his plane to Union Trans Service in Bulgaria, who in turn leased the aircraft to Balkan Bulgarian Airlines. The plane now carries the new registration LZ-LTV. Renan, after cancelling the leasing contract for the helicopter with Pecos in Guinea, signed a new agreement with a brokering company in Hungary. Under a new agreement signed on 25 June, two weeks after the Panel had left Moldova, the helicopters were now finally leased to Namibia. There is little doubt that the helicopters would be in Liberia, if the authorities in Moldova and Slovakia had not intervened in a timely fashion. There are strong indications that advance payments for the helicopters were made to Centrafrican Airlines, through the accounts of its

representing agency, San Air, in the United Arab Emirates (see section on Government Expenditures).

Case study: The Pecos End-User-Certificate Trail

253. Copies of Guinean end-user certificates used by Pecos were obtained by the Panel in Slovakia, in Moldova, in Kyrgyzstan and in Uganda. The Defence Minister of Côte d'Ivoire also mentioned Pecos as a company that had recently offered him its services to procure military helicopters for the Ivorian armed forces. An End-User Certificate mentioning Pecos and signed by the Defence Ministry of Namibia was also found. The latter, dated 28 March 2001, is a forgery. This was confirmed by the Namibian authorities. The Panel also verified that none of the weapons on the many different end-user certificates presented by Pecos of Guinea ever went to Guinea.

254. The structure of Pecos is simple. The company was established in Conakry, Guinea, in October 1997. The company's main focus was dealing in weapons. The statutory manager of the company is Mohamed Yansané, a Guinean citizen and agronomical engineer. He went to university in Czechoslovakia with Peter Jusko. Peter Jusko, a national from the Slovak Republic, came to see him in 1997 and asked him to set up a company in Guinea.

255. Jusko visited Yansané a few months after his arms dealing company, Joy Slovakia, in the Republic of Slovakia had become the focus in a criminal investigation by several European police services for suspected involvement in money laundering and arms trafficking.

256. Yansané's involvement was restricted to be, nominally, the manager of the Pecos company. When confronted by the Panel with all the end-user certificates bearing his signature, Mohamed Yansané did not recognize any of them. He recognized one document, dated February 2001, that was signed by him and stamped by a notary in Conakry, Guinea. The document gave full power of attorney to Peter Jusko to represent Pecos and was made up urgently to allow Jusko to get a combat helicopter released that was kept by customs authorities at the airport of Sliac in the Slovak Republic.

257. The notary's stamp and signature on the document was genuine, it was of Mr. Yansané's wife. Another document that provided similar representation to Jacob Berger, an Israeli citizen, was not recognized by Mr. Yansané. The Panel obtained this document in Moldova where the export of two helicopters was blocked by the authorities because of irregularities. The helicopters were, according to the documents, supposed to be sent to Guinea for repairs, and then to Namibia. Guinea has no helicopter repair facilities.

258. Mr. Yansané told the Panel that in 1997, around the time Pecos had been registered as a company, Peter Jusko had supplied medical equipment to Guinea for a military hospital. An official of the Ministry of Defence had signed for the delivery of that equipment. The stationery paper, the stamps and copies of that signature were then later used, Mr. Yansané explained, to produce forged end-user certificates. The Chief of Staff of the Guinean Armed Forces and the Procurement Officer of the Guinean army also said that none of the items on any of the Pecos end-user certificates the Panel presented to them had ever been ordered by Guinea.

259. Pecos was a front company for illicit arms imports into Africa from arms-exporting countries. Although the Panel's investigation was limited to a small number of specific arms transactions to Liberia, many of these end-user certificates showed up. Those documents show a wide range of arms, from helicopter gunships to transport aircraft, missiles, artillery pieces and massive quantities of small arms and ammunition. In combination with the false flight plans for the transport of the weapons, most of the exporting countries took Guinea for the real end-user. Had any of the exporting countries tried to actually verify that Guinea was the real end-user, Pecos might not have lasted until 31 May 2001, the date on the most recent document the Panel obtained.

260. An analysis of the chronology of events shows that Peter Jusko's plan was to set up a front company in Guinea, following the start of investigations by some Western and Central European police agencies into the activities of his other company, Joy Slovakia. In practically all the countries where the Panel discussed the issue of the Pecos end-user certificates, Peter Jusko or some of the other individuals involved with Pecos were also known as representatives of Joy Slovakia.

261. In 1998, new legislation was also enacted in the Slovak Republic making it a requirement for arms dealing companies to register and get a special permit. Since then, Joy Slovakia has become less active. The company changed its name into Morse s.r.o. in 1999, but that new company never had any registered commercial activities, an investigation by the Slovak authorities shows.

262. In some of the cases investigated, the date on the end-user certificates is much older than the actual delivery of the weapons. In the case of the helicopter spare parts and rotor blades from Kyrgyzstan that were shipped to Liberia in July 2000, an end-user dated 25 September 1998 was presented by Alexander Islamov to the Defence Ministry in Kyrgyzstan. Although end-user certificates have an indefinite validity, the signature on the documents is from an official in Guinea who left the Government years ago. None of the export controllers in the exporting countries seemed aware of that and only depended on the documents and the broker as a guarantee for the safe delivery of the arms.

263. Also, if arms-exporting countries would have reported all their arms sales to a centralized database such as the United Nations Conventional Arms Register, the magnitude of so-called "Guinean procurement of weapons" should have triggered the attention of several arms-exporting agencies.

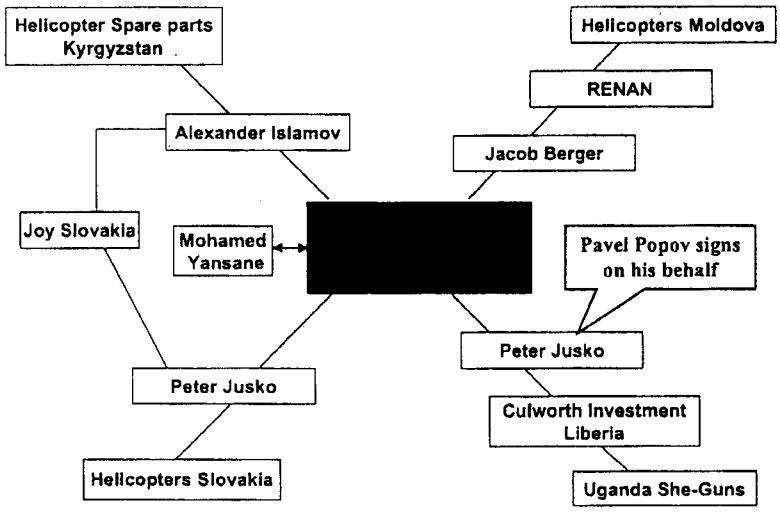
264. The occurrence of individuals associated with Joy Slovakia and Pecos in the violation of the arms embargo on Liberia was systematic. Although these brokering companies may have been used for arms deals to other embargoed countries or non-state actors, individuals associated with the company played a very important role in arming Liberia and Sierra Leone. Peter Jusko, Alexander Islamov and Jacob Berger are three individuals whose names were mentioned during interviews with officials of arms-exporting agencies in several countries.

265. These names also appear on the documentation collected by the Panel. Since all the arms in these cases went to Liberia, all these individuals were involved in the use of forged end-user certificates and the illicit trafficking of weapons to a country under United Nations sanctions. The Panel asked the cooperation of the authorities and law enforcement agencies in several countries to locate or at least get a contact number for these individuals. Mohamed Yansané was found after a long search in

Kipé, Ratoma, a district of the capital of Guinea that was mentioned on some of the stamps on the end-user certificates. The Panel managed to find the notary who turned out to be the wife of Yansané and was able to question both of them.

266. The Panel also wanted to confront Peter Jusko, Alexander Islamov and Jacob Berger with the evidence but only was able to locate Peter Jusko, who contacted the Panel himself in October 2001. Jusko claimed he knew nothing about the use of all these end-user certificates and blamed Alexander Islamov in Moscow, who was indeed his former associate, and the network of Victor Bout for the wrongdoing. He did not want to explain why then, he had taken the initiative to contact the Panel. When asked about the phone number or a contact address for Islamov, Jusko said Islamov changed phone numbers all the time and only contacted him. This was an often heard statement when the Panel tried to locate other arms dealers and brokers too.

267. When the Panel interviewed Sanjivan Ruprah, in September 2001, he explained that Jusko was one of the main suppliers of end-user certificates to his organization. Islamov is a supplier of many weapons and spare parts for the companies of Bout. Ruprah, who is both the owner of diamond mines in Liberia and an arms dealer, works in close cooperation with Victor Bout. Ruprah lived in Monrovia, Liberia, from 1999 until January 2001. He showed the Panel a recent arms wish list for Liberia with prices for different types of arms and ammunition. The price for the end-user certificate, as marked on the list, was US$ 50,000. "24 hours required to obtain end-user" is marked on the document.



Pecos, the producer of forged End-User Certificates — Flow chart showing network of Pecos

Case study: The case of Centrafrican Airlines

268. An Ilyushin-76 (registration TL-ACU) became a key focus of the Panel. In several of the cases analysed by the Panel, this plane was used for the transport of weapons in violation of the United Nations embargo. When not in operation, the plane is parked at Sharjah or Ras al-Khaimah, two airports in the United Arab Emirates. The Panel members saw the plane at the airport of Ras al-Khaimah during their visit to the United Arab Emirates. It is owned by Centrafrican Airlines, an airline company with offices in the Sharjah Airport Freezone. In early 2001, the company offices moved to P.O. Box 2190 in Ajman, another emirate in the United Arab Emirates.

269. The company is owned by Victor Bout, but Bout himself is not involved in the day-to-day management. The commercial manager of the company is Serguei Denissenko, a Russian living in the United Arab Emirates who used to work as an employee for Victor Bout but now runs his own company San Air General Trading.

270. Mr. Denissenko claimed during interviews with the Panel that he no longer works for Victor Bout, but his company San Air shares a business address and phone numbers with Centrafrican Airlines in the United Arab Emirates. Victor Bout's main operating agency, Transavia Travel Agency, also shared this address but that company has ceased operations in early 2001 according to Mr. Denissenko.

271. Centrafrican Airlines is still operational with San Air General Trading acting as the commercial and operations agent. In March 2001, San Air and Centrafrican Airlines moved to new offices in the Ajman Freezone. When calling the switchboard of these companies, it seems both companies are now part of an entity called the CET Aviation Enterprise. To make things more complicated, a company CET Aviation exists in Malabo, in Equatorial Guinea. That company is run by a Valerii Naido, also a former employee of Victor Bout, who now assists an agency to register planes in Equatorial Guinea. Serguei Bout has most of his aircraft registered there; some of the planes of Centrafrican Airlines were in the process of being transferred to that register at the time the Panel was writing its report. In Rwanda, another associated company exists, with the name Central African Airways.

Centrafrican Airlines

272. The Panel is in possession of documents showing it is Victor Bout who signs as the owner of Centrafrican Airlines. Contracts for the sale of aircraft and bank documents are signed by him. As the name would suggest, the founding address of Centrafrican Airlines is not in the United Arab Emirates but in Bangui, in the Central African Republic. The company was registered there by Victor Bout on 28 May 1998. The principal shareholders are a company SouthBound Ltd., P.O. Box 398, Suite 52 and 553 Monrovia House, 26 Main Street, Gibraltar, controlled by Victor Bout. Another company of Victor Bout under the name ATC Ltd. and a company WestBound Ltd., P.O. Box 399, 26 Main Street, Gibraltar, are also shareholders of the company. The latter, WestBound, is owned by a Belgian pilot, Ronal De Smet. De Smet has been a partner of Bout since 1995.

273. On 25 July 1998, upon special instructions from the Ministry of Transport, with a view to facilitating the registration of the company, Centrafrican Airlines obtained an Air Operator Permit from the Civil Aviation Authority of the Central African Republic authorizing the company to operate flights domestically. Thus,

Centrafrican Airlines had no authorization to operate international or continental flights. Its fleet consisted of three aircraft, one Tupolev-154 and two smaller Antonov-24s, recorded in the registration book.

274. Those were the only planes that the company ever registered in the Central African Republic, but in early 2000, the Civil Aviation Authority there discovered a major case of fraud in its registry. A Director of Civil Aviation, in close collaboration with Victor Bout and his partners, but without the knowledge of the authorities in the Central African Republic, had produced many false permits for Centrafrican Airlines. About 20 planes and possibly more, many of them large freighter aircraft, operated in different parts of the world under the Central African Republic flag. None of these planes had been properly registered. The plane registered as TL-ACU is one of those illegally registered (annex 5). The plane was insured until mid-September by the company Willis, a well-known insurance broker in the United Kingdom. During the Panel's visit in the United Arab Emirates, Serguei Denissenko told the Panel that he has very good contacts at Willis and that his company San Air takes care of the insurance for Victor Bout's planes. The insurance documents for the Ilyushin illustrate how the plane operates for different companies, including Centrafrican Airlines, San Air and MoldTransavia, Moldova.

275. Centrafrican Airlines and San Air are clearly two agencies of the same company. MoldTransavia is another front company that operated only one passenger aircraft. The company, however, uses its three letter designator "MLT" for cargo flights of the Ilyushin of Centrafrican Airlines. Both the general manager of San Air and the general manager of MoldTransavia in Moldova are former employees of Victor Bout's company, Transavia Travel Agency, as they themselves acknowledged when the Panel interviewed them.

276. The Panel has obtained several copies of recent insurance certificates for the Ilyushin. These documents show that the name of San Air, MoldTransavia or Centrafrican are randomly interchangeable. Bank transfers also suggest that the accounts of San Air are used for payments made by Centrafrican and vice versa, again illustrating how Victor Bout and his partners just use different companies to disguise their activities. For instance, while the plane is registered with Centrafrican Airlines in Bangui, it is insured for flights by San Air of the United Arab Emirates. Landing and overflight requests are done by MoldTransavia from an office in Moldova and the flights are conducted under the three-letter designator CET, which is again Centrafrican Airlines. The billing address used for flights is that of Transavia Travel Agency or of San Air.

277. AirCess, the company of Victor Bout's brother, Serguei, also operates from offices in the United Arab Emirates, but the company's registered address is in Equatorial Guinea. Serguei Bout denied any links between him and his brother's companies. Only after the Panel confronted him with his own signature and a $1 million payment from Victor Bout's account to that of his company AirCess, did Serguei Bout acknowledge that he does have an ongoing business relationship with his brother.

278. Mr. Denissenko also claimed to have severed all links with his former employer, Victor Bout. He presented himself as the general manager of San Air and claimed only vague links with Centrafrican Airlines. However, a bank document shows that Denissenko's company San Air paid US$ 20,000 for a contract between a company in the Slovak Republic and Victor Bout's company, Centrafrican Airlines.

The Panel later found documents proving that many of the weapons that went to Liberia through Victor Bout's and Sanjivan Ruprah's network in 2000 and early 2001, were paid for to San Air's bank account No. 01-01-5712572-01 at Standard Chartered Bank in Sharjah.

279. Pavel Igorevich Popov, the General Manager of MoldTransavia told the Panel he had worked for years for Victor Bout as a broker, for the flights of Mr. Bout's companies. When the Panel asked him to produce documentation for some of those flights, Mr. Popov said he never kept any documents. He also had no business address during the days he worked as a broker for Bout. A cellular phone was sufficient. Mr. Popov also refused to clarify the ownership structure of his company, MoldTransavia. However, the Panel obtained documents from the Civil Aviation Authority in Moldova showing Mr. Popov's company is merely a front for Victor Bout's interests.

280. San Air is the owner of the MoldTransavia plane that Mr. Popov operated. The Panel also gathered documents in Moldova, the Slovak Republic and Uganda showing Mr. Popov was personally involved in arms deliveries to Liberia in November 2000 (see sections on Helicopter and machine gun sales to Liberia).

281. Some of the activities of this group of companies include legal passenger and cargo flights, but many of the planes operated by these companies and a wide range of associated companies are for deliveries of weapons or related equipment to war zones and countries under United Nations sanctions. Additionally, many of the planes operated by this group of companies have a track record of illegal registration and document fraud.

The Gambia New Millennium air incident

282. In January 2000, the President of the Central African Republic travelled to the Agenda 2000 summit of African heads of State in Libreville, Gabon. When the presidential delegation arrived in Libreville, they were congratulated for a beautiful aircraft standing at the airport. The plane, an Ilyushin-62, carried the registration number TL-ACL.

283. It also carried the flag of the Central African Republic and "Centrafrican Airlines" was written in bold letters on the plane. The authorities in Gabon thought it was a new acquisition of the Central African Republic's President. The President, however, had never heard of such a plane, and upon inspection it seemed another official delegation from Gambia had arrived in this particular aircraft. Because of the embarrassing situation, an investigation was carried out by the Ministry of Transport and the Prosecutor of the Central African Republic, in cooperation with ASECNA, the African air navigation and safety organization.

284. The investigation discovered two documents that had allowed the plane to operate, a "Temporary" Certificate of Registration and an Airworthiness Certificate. These documents were forged and had been issued and signed by Armand Fulbert Doungovo, the Director of Civil Aviation of the Central African Republic. On 24 January 2000, the investigating authorities ordered the immediate arrest of Mr. Doungovo, Mr. Bout and the local manager of Centrafrican Airlines, Mr. Bouroukine. The Director General of Civil Aviation was ordered to conduct a more thorough investigation, and on 14 February 2000 a Ministerial Decree put an end to all the activities of the company Centrafrican Airlines in the Central African

Republic. The Panel verified that the offices of Centrafrican in Bangui were indeed closed and are now used by the company Sudan Airways. It remains unclear why the other shareholder of Centrafrican, the Belgian pilot Ronal De Smet, who has been a long-time partner of Victor Bout, was not indicted in this case.

285. The Director General of Civil Aviation had earlier tried to obtain information from Director Doungovo on his relationship with Centrafrican Airlines. A letter sent to Doungovo dated 22 June 1999, shows the Director General's suspicion was raised when he discovered that the Director was travelling abroad to negotiate traffic rights as a representative of the company, Centrafrican Airlines. The incident in Gabon, however, had accelerated things.

Massive fraud

286. This investigation showed that Mr. Doungovo and Victor Bout had fabricated airworthiness certificates, air operator permits and certificates of registration for a great number of aircraft. Most of these had earlier been deregistered in the Kingdom of Swaziland, where Victor Bout and his partners had set up a similar scheme. Before that, Mr. Bout's planes had been registered in Liberia.

287. The Gambia New Millennium plane had been bought by a Gambian a few weeks before the Gabon incident. A copy of the sales agreement shows that the seller was Victor Bout, General Manager of Centrafrican Airlines. The buyer was Gambia New Millennium Air, represented by Mr. Baba Jobe. The bank details show that the final beneficiary of the transaction was the holder of an account at the Standard Chartered Bank, Sharjah branch. This account with number 01-5624312-01 is of the Transavia Travel Agency, another company of Victor Bout.

288. The Panel was able to interview Mr. Baba Jobe in Banjul, Gambia, in September 2001. Meanwhile, the aircraft has changed registration and is now legally registered in Gambia. Mr. Jobe, who is a civil servant and close adviser of the Gambian President, denied knowing Victor Bout. He said he had never heard of that man and had dealt with a Mr. Hajazi, a Lebanese citizen who acted as a representative of Libya. The plane was considered a gift to the Gambian President and not to Baba Jobe, nor had the Gambian authorities been aware that the aircraft had been involved in a case of fraud in the Central African Republic. Some suspicion exists on the activities of Mr. Baba Jobe, first of all because the Panel does have a copy of the sales agreement showing both his and Bout's signatures. Also, among Mr. Jobe's acquaintances are Ibrahim Bah, one of the RUF rebels who is very active in the diamond business. Mr. Jobe acknowledged knowing Bah from the time he had been a student in Libya, where many of the RUF were trained before the wars in Liberia and later in Sierra Leone. Mr. Jobe stated that it had been years since he had spoken or seen Ibrahim Bah.

289. The Civil Aviation Authorities in the Central African Republic found many more incidents in connection with the fraudulently registered aircraft of Centrafrican Airlines. In one case, the company had issued a false flight plan. After inspection, it was also found that all the documents authorizing the plane to operate were again false. Also, two helicopters belonging to the company had made emergency landings due to technical problems. Those helicopters, too, were operating on false documentation. These helicopters were, in 2001, operating in the rebel areas in the Democratic Republic of the Congo. A flight log obtained from the Ugandan Civil Aviation Authority shows a landing in Uganda, in November, of a Let-410 aircraft,

with the Liberian registration EL-MLC. The operator was also Centrafrican Airlines. The Panel on Sierra Leone obtained the complete Liberian aircraft registry in November 2000. The helicopter is not among the aircraft on the list, again indicating a fraudulent use of a registration number.

Victor Bout escapes from justice

290. When the authorities in Bangui issued a warrant for the arrest of the Director of Civil Aviation, for the Russian manager of Centrafrican in Bangui and for Victor Bout, Bout was still in the country, but he managed to escape. On 16 June 2000, Doungovo, the director of Civil Aviation was convicted with a year of imprisonment for fraud and forgery. Victor Bout was also charged and convicted in absentia with two years in prison. The Court in Bangui also issued an international arrest warrant for him. But subsequently, on 28 June 2000, Bout was acquitted of the charges. The Panel did not get any information on the circumstances of this acquittal.

291. The Central African Republic's Civil Aviation Authority noted that despite the dissolution of the company Centrafrican Airlines in February 2000, the fraudulently registered aircraft were seen at many airports across Africa and elsewhere. After the investigation had started in Bangui, the offices of the Civil Aviation Authorities had been burgled. Official stamps and documents had disappeared. The Director General of Civil Aviation sent messages to all his colleagues in the African subregion, warning them about the status of Centrafrican Airlines and the planes of the company, but the Panel noticed, during its meetings with Civil Aviation Authorities in more than 30 countries, that few knew about the Central African Republic case. Annex 3 shows some 25 aircraft that were or still are operating illegally but the investigation in Bangui is ongoing and possibly more aircraft are yet to be located and identified.[2]

Equatorial Guinea

292. Equatorial Guinea has been an open registry for the aircraft industry for many years. Open registries, also known as aircraft registers of convenience, are used for commercial and tax reasons. In the arms business, those registers of convenience can be useful, because of the poor oversight of the aircraft and the operator by the country where the aircraft is registered. Most open registries of convenience are in small countries with a limited monitoring capacity and with very little aeronautical activity. The Panel discussed the issue of the open registry with the authorities in Equatorial Guinea. The Civil Aviation Authority is aware of the problem of fraud and abuse of its registry and has appointed a private company to regulate new aircraft registrations and identify irregularities in old registrations.

293. Many countries only register aircraft that use their territory as a regular base. Aircraft that are registered in countries of convenience are hardly ever seen in the country of registration because they keep their maintenance facilities and main operational offices elsewhere. This also creates certain airports of convenience, where many planes are based, flying foreign flags of convenience. The country of

[2] Since July 2000, after the decision of the court in Bangui, the Ilyushin-76 of Victor Bout, with registration TL-ACU has been seen in Chateauroux (France), Kampala (Uganda), Kigali (Rwanda), Sliac and Bratislava (Slovak Republic), Chisinau (Moldova), Tbilisi (Georgia), Bishkek (Kyrgyzstan), Brazzaville (Congo), Cairo (Egypt), Tripoli (Libya), Monrovia (Liberia) and at its maintenance base in Sharjah and Ras al-Khaimah.

registration is often totally unaware of the operations or whereabouts of these planes.

294. The brother of Victor Bout has his main company AirCess registered in Malabo, Equatorial Guinea. Victor Bout's operating agencies, and those of his partners, still clearly prefer the airports of the United Arab Emirates. There, the General Civil Aviation Authority cooperated with the Panel's investigation and enabled the Panel to meet with Victor Bout's brother, Serguei Bout, and with the commercial manager of Centrafrican Airlines, Serguei Denissenko. Denissenko is also general manager of San Air.[3]

295. In January 2001, the authorities of the United Arab Emirates enacted new aviation legislation that would remove all foreign commercial air transport operators that operate planes registered in countries of convenience from the Air Operator Certificate of the United Arab Emirates. Aircraft that use the United Arab Emirates for commercial air transport operations have to be registered in that country. Exempt are only those aircraft that use the United Arab Emirates for a limited period, which will not exceed one year. These provisions entered into force on 1 January 2001, but the airlines were given a transitional period of one year. On 1 January 2002, aircraft operating agencies that are not registered in the United Arab Emirates will thus no longer be authorized to use that country for their operations. The measure would apply to most of the aircraft of Centrafrican Airlines, San Air and AirCess, the company of Victor Bout's brother.

296. Centrafrican Airlines today still has offices in the United Arab Emirates and so does San Air, which owns some of the aircraft operated by Centrafrican Airlines. The companies recently changed offices and moved from Sharjah to the other Emirate of Ajman in the United Arab Emirates. But Centrafrican Airlines no longer exists in the country where it was established and where it maintains its stated address, at P.O. Box 2760 in Bangui, Central African Republic. Centrafrican was in the process of reregistering some of its aircraft in Equatorial Guinea, during the course of the Panel's investigation. On 10 September 2001, San Air General Trading FZE obtained a new Certificate of Registration for the Ilyushin-76 (TL-ACU) in Equatorial Guinea. The plane now carries the registration number 3C-QRA.

297. The Panel compiled a list of aircraft (annex 3) that were all carrying a tail number or registration number indicating registration in the Central African Republic (type TL-XXX); only three were ever legally registered there. Also included in the table are those aircraft of companies of Victor Bout that have recently shifted their registration to Equatorial Guinea (type 3C-XXX). The table also includes all the aircraft that could be identified to have flown for West Africa Air Services (see the case of the mystery plane EL-ALY). The table also shows the strong links between San Air and Centrafrican Airlines.

[3] Victor Bout was himself not in the United Arab Emirates when the Panel arrived there, despite an appointment made with a member of the Panel. After one phone call to a mobile phone of Victor Bout, he could no longer be reached. His partners in the United Arab Emirates and elsewhere refused to give the Panel a contact number, despite several attempts made between June and October 2001 to obtain a contact address or number for Victor Bout. The Panel later met with Sanjivan Ruprah who claimed to represent the interests of Victor Bout and that he had Bout's authorization to speak to the Panel.

D. Weapons by land and sea

298. During the Panel's investigations, there were persistent reports of ships to Harper, Greenville, Buchanan and Monrovia unloading weapons. The Panel investigated 105 shipping movements to Monrovia Freeport and Buchanan in 2000 and 2001 but was unable to obtain irrefutable evidence. The persistence of reports makes it plausible that weapons are delivered by sea and this should be a continued area of vigilance.

299. Likewise, there are a number of accounts of trucks carrying weapons from Côte d'Ivoire into Liberia in 2000 and 2001. These trucks either brought weapons from San Pedro or Abidjan or originated from Burkina Faso, according to eyewitness accounts. Refugees from Lofa County reported that two Burkinabe trucks loaded with weapons had been surprised in Voinjama by Liberian dissidents in April.

Recommendations on transportation and arms

300. The Panel considers that the measures taken so far by the Liberian Civil Aviation Authority are adequate and that the Security Council may consider lifting the grounding order imposed by resolution 1343 (2001) and allow Liberia to reopen an aircraft register in coordination with ICAO. Those individual aircraft that were effectively grounded and have provided ICAO and the Security Council Committee on Liberia with the documentation showing their registration in Liberia, was done in accordance with international regulations, should be given permission to restart their operations.

301. The Liberian Civil Aviation Authority should, however, keep the Security Council Committee on Liberia and the International Civil Aviation Organization informed on the follow-up of the investigation and on the registration of every new aircraft on the new Liberian register.

302. In view of the massive fraud with aircraft registrations committed in the Central African Republic, the Panel recommends that the Civil Aviation Authorities there:

- Transmit to Interpol the court documents about Centrafrican Airlines;
- Publish these court documents on the Governments web site;
- Coordinate urgently with Equatorial Guinea and the United Arab Emirates over the use by Centrafrican Airlines of forged documents.

303. The Panel further recommends that the Central African Republic, Equatorial Guinea and other African States affected by this type of fraud coordinate with the African Civil Aviation Commission to put the issue of false registrations as an agenda item for its future meetings. To ICAO, the Panel recommends that:

- It proactively educate its members on the dangers of illegal registrations;
- ICAO's member States computerize their registration lists and centralize them on the ICAO web site so that users could check the situation and status of each aircraft;
- ICAO's Safety Oversight programme should place greater emphasis on aircraft registration.

304. To the United Nations Security Council, the Panel recommends that:

- All the aircraft owned, operated or insured by San Air, Centrafrican Airlines and West Africa Air Services should be grounded immediately. The grounding order could then be lifted gradually for each individual aircraft, provided all the records (ownership of the plane, operator, operating licence, insurance, airworthiness certificate, certificate of registration and the location of the aircraft) are inspected by both the Civil Aviation Authority in the country of registration and in the country where the aircraft has its maintenance base;
- The companies concerned should inform the Council, through the Security Council Committee on Liberia, on the exact status and location of each aircraft. A list of those planes is found in annex 3 to the report.

Recommendations on arms

305. The Panel recommends that:

- The arms embargo on Liberia be extended;
- All United Nations Member States abstain from supplying weapons to the Mano River Union countries;
- An arms embargo be imposed on the armed non-state actors in the three Mano River Union countries (namely the LURD and Ulimo-factions, the RUF and the Guinean armed dissident groups).

306. The Panel also recommends that, for reasons of transparency and confidence-building, the ECOWAS Moratorium on Small Arms should be broadened to an information exchange mechanism for all weapons types procured by the ECOWAS member States. The existing Programme for Coordination and Assistance for Security and Development (PCASED) could be further developed to improve the information exchange on current holdings and future arms procurement of West African States. The Panel recommends that this information exchange would be binding and that both supplier States and the receiving countries would be obliged to report each individual arms transaction to the newly established mechanism and include data on all the parties to the arms transactions, including the names and companies of the brokers and the transport agents.

Recommendation on end-user certificates

307. The Panel recommends that each Member State that has procured or supplied arms on the basis of an end-user certificate mentioning the companies Pecos, Joy Slovakia and/or Morse or the individuals Peter Jusko, Alexander Islamov, Jacob Berger, Andreï Izdebski or Serguei Schwabenland, conduct a thorough investigation on the actual delivery and end-use of the arms. The Panel recommends that the member States involved in any such transactions inform the other State, party to these transactions and inform the Security Council Committees on Sierra Leone and Liberia on the findings of their investigation.

308. The Panel urgently recommends the establishment of a United Nations working group to develop the modalities for a standardized end-user certificate that would include the name, address and telephone number of the signing authority for the Certificate, and name, address, telephone number and arms trading licence of the broker(s) involved.

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Part III
Sources of revenue and government expenditure

Government expenditure

309. The Panel examined the sources and management of government funds in an effort to establish the financing behind sanctions-busting. The principal source of revenue for these activities between 1999 and 2001 was off-budget spending that was not part of regular government expenditures. This was also the preferred method to finance the war in Lofa.

310. According to President Taylor, US$ 15 million was diverted from the US$ 73 million budget for the 2000/01 fiscal year (July to June) to meet the costs of the war in Lofa in December 2000. This sum was deducted from the designated Spending for the Special Government Commitment (under the Executive Mansion control) and increased substantially in the last six months of 2000, relative to the first six months, from US$ 9.1 million to US$ 16.83 million or by 84.5 per cent. Most of this increased expenditure was for defence. This extrabudgetary spending significantly disrupted the Government's medium-term economic strategy.

311. The total revenue for the Government in 2000 was approximately US$ 85.8 million. The principal budgetary allocation (chart 1) under the 2000-2001 budget was for General Administrative Services (41.0 per cent), followed by Government Special Commitment projects (34.0 per cent), and Social and Community Services (22.0 per cent). However, the Economist Intelligence Unit reported that there were extrabudgetary expenditures of approximately US$ 73,000 in December 2000 for helicopter repairs and Christmas presents for the President's family and friends. The Ministry of Finance informed the Panel that the National Budget for the year 2001-2002 was approximately the same as the previous year.

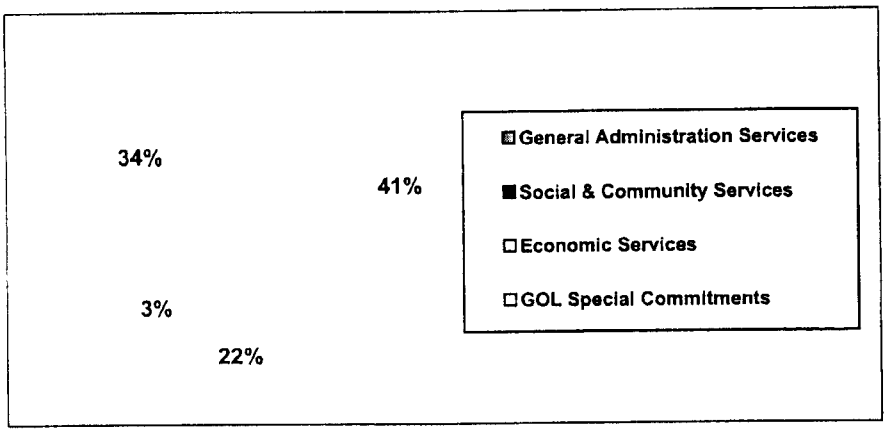

Chart 1: Percentage distribution of the national budget, 2000-2001

312. Government spending in 2000 increased by approximately US$ 24 million over 1999 from US$ 66.50 million (1999) to US$ 90.53 million (2000). However, expenditures exceeded revenues by 6.1 per cent (US$ 5.23 million), according to the Central Bank.

313. The total expenditure for the first quarter of 2001 increased by 12.2 per cent over the same period in 2000. The prime reason for this increase was defence expenditures due to the war in Lofa County.

314. The International Monetary Fund expressed serious concerns about off-budget expenditures in its Staff Monitored Programme assessment from January to June 2000. The IMF recorded that extrabudgetary expenditures of US$ 9.3 million during the first half of 2000 and that "expenditure by the Office of the President represented 28 per cent of total". Purchases of goods and services amounted to 21 per cent of total expenditure (25 per cent of current expenditure). While detailed data was not provided to the IMF, the authorities indicated that these expenditures were largely related to presidential and security priorities. These expenditures also included road rehabilitation for the timber concessions on behalf of government (US$ 3 million in the first half of 2000).

315. These expenditures occurred outside the budget process through the allocation of revenue at the source rather than through the Central Bank. According to the IMF "certain timber concessions, government parastatals, and revenue collection agencies undertook expenditure on behalf of government, that was later recorded as 'non cash' revenue with an offsetting outlay on goods and services". This appears to be how sanctions-busting, namely for procurement of weapons and ammunition, was financed as this report will demonstrate below.

Depreciation of the Liberian dollar

316. This year, the Liberian dollar has been performing poorly against the United States dollar. According to statistics from the Central Bank, the average exchange rate in the first quarter of 2001 was L$ 44.64:US$ 1. By September, the rate had worsened, to around L$ 52:US$ 1. Since the Liberian dollar lost its fixed official parity with the US dollar in 1998, its quarterly average exchange value had never fallen above L$ 44:US$ 1 (only in September and October 1998 did the monthly average reach that rate).

317. According to the Central Bank, United Nations sanctions are exclusively blamed for eroding confidence in the Liberian dollar and contributing to the devaluation of the currency. Independent assessments by the Economist Intelligence Unit indicate that other factors may have contributed such as the "behaviour of local (mainly Lebanese) traders, who are reported to be hoarding US dollars and refusing to do business in the local currency, has probably led to the US dollarization of parts of the economy".

Recommendations on Liberian government expenditure

318. The Panel recommends that: The practice of allocating revenues at source for priority expenditure should be eliminated. All revenues should be consolidated in a central government account at the Central Bank of Liberia before being allocated to authorized agencies for approved expenditures.

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Sources of revenue: the structure of Liberia's key industries

319. Liberia's agricultural sector (including forestry) comprises 72.7 per cent of estimated real GDP. Logging and rubber production are the main sources of foreign exchange for the Government. Mining contributed to about 2.0 per cent of GDP in 2001, even though the mining sector has not recovered since the civil war following the closure of the iron ore mining companies. There has also not been a sustained investment in gold and diamond mining, though there was some limited investment in 1998 and in 2000.

Table 2
Liberia: gross domestic product by sector
(in L$ m)

	1999	*2000*[a]	*2001*[b]
Agriculture	236.0	241.9	246.7
Forestry	76.7	79.0	81.4
Mining	8.6	8.7	8.9
Manufacturing	18.7	21.1	23.2
Services	72.2	85.2	95.4

Source: Ministry of Planning and Economic Affairs.
[a] Estimates.
[b] Forecasts.

The main sources of revenue for government finance since 1999 are shown in table 3.

Table 3
Liberia: government finance
(US$ million)

Year	*1999*	*2000*			*2001*
	Total	*Jan-June*	*July-Dec*	*Total*	*Jan-Feb*
Revenue	65.5	40.1	45.3	85.4	9.3
Customs/excise	20.4	15.1	9.0	24.1	3.3
Direct taxes	15	7.4	8.3	15.7	1.9
Indirect taxes	7.1	3.5	4.0	7.5	1.7
Forestry Development Agency	1.7	3.0	3.7	6.7	0.2
Petroleum sales levy	6.1	4.3	2.8	7.1	1.1
Maritime	15.2	4.8	13.2	18.0	0.5
Grants	-	2.0	4.3	6.3	0.6
Expenditure	66.5	43.9	46.6	90.5	11.0
Deficit	1.0	3.8	1.3	5.1	1.7
% of revenue	1.5	9.5	2.9	6.0	18.3

Source: Central Bank; Ministry of Finance; Economist Intelligence Unit.

Rubber

320. The agricultural sector (including forestry), which represents 72.2 per cent of real GDP, continues to serve as the major source of growth in the economy. Logging and rubber production are the major foreign exchange earners for the Government. Rubber production grew in 1999 to 62,705 metric tons (valued at US$ 33.3 million) from 48,916 metric tons (valued at US$ 28.9 million) in 1998. In 2000, production rose to 102,412 metric tons valued at US$ 53.2 million. During the first quarter of 2001, a total of 27,567 metric tons of rubber were produced compared to 16,617 metric tons produced during the first quarter of 2000. Rubber tends to be relatively well controlled by foreign investors, most notably Firestone and the Liberian Agricultural Company because of the structure of the plantations and the need for long-term collection/processing investment. Rubber is a less easy source for "at source" off-budget expenditures, although once the profits enter the government accounts there is no guarantee on how they are used.

Logging

321. The Liberian Timber Association estimates that the Liberian forest covers about 4.8 million hectares. This forest in 1978 was estimated to contain 81.3 million cubic metres of merchantable species which could permit felling of 3.2 million cubic metres annually on a twenty-five year felling cycle. Total round log production in 2000 rose to 934,066 cubic metres, representing an increase of 178.4 per cent over 1999 output. Round log exports during 2000 grew to 934,066 cubic metres with a value of US$ 60.9 million. Between January and June 2001, round log production reached 679,253 cubic metres (valued at US$ 46.2 million). These figures are likely to underestimate real exports by 50 to 200 per cent because of tax evasion by companies and widespread corruption.

322. Logging has long been one of the prime sources of government revenue. During the 1989-1996 civil war, timber provided Charles Taylor and his NPFL rebels their main independent source of revenue. Logging is still today the mainstay of export earnings for the Government.

Table 4
Volume, value production and export

	1999	*2000*	*2001 (up to June)*
Production volume	334,273 m^3	896,586 m^3	659,271 m^3
Export volume	188,944 m^3	626,657 m^3	494,478 m^3
FOB value (US$)	**21,099,959**	**68,137,065**	**50,541,617**

Source: FDA.

323. In addition to the above, figures must be added for exports through San Pedro in Côte d'Ivoire. In 1999, these were 27,653 m^3 in volume of logs of which 17,067 m^3 was recorded as exported volume. These figures rose in 2000 to 60,805 m^3, resulting in 49,218 m^3 of exported volume. This represented 7.9 per cent of the volume directly exported from Liberia.

324. Because of the decline in price of the last couple of years of m^3 FOB and taking account of the export of secondary species to China, the Panel estimated that the FOB exports should be around US$ 75 million in 2001. The three main destinations in the first six months of 2000 were China (46.6 per cent), France (17.9 per cent) and Italy (9.3 per cent).

325. Timber production and exports are an important source of revenue for the Government, contributing officially about US$ 6.7 million in official tax revenue in 2000, according to the National Bank of Liberia. The Forestry Development Agency has a higher figure of US$ 13,203,514 in its semi-annual report for 2000. The Panel's own estimate, given on figures provided by the industry, is that Liberia's timber industry should today provide just under US$ 25 million [based on 30 per cent of total value exported by Oriental Timber Corporation (secondary species) and 45 per cent for other exports] in taxation for the Government.

326. Taxes gained for forest activities are as follows:

- severance fees: US$ 1.50/m^3
- reforestation fee: US$ 3.00/m^3
- conservation fee: US$ 1.50/m^3 to US$ 3.00m^3 depending on species
- forest search fee: US$ 0.50/m^3
- export taxes: US$ 0.40/m^3 to 30.60m^3 depending on species
- industrialization incentive: US$ 1.44/m^3 to 58.56/m^3
- land rental fee: US$ 0.50/acre whatever the volume is cut

327. The total amount of taxes paid by loggers is approximately 30 per cent to 45 per cent of the FOB value depending on the timber species, the size of concession and the volume cut. In order to make an estimate of total annual taxes paid to government (if these taxes are normally paid), a calculation of 30 per cent of the total value exported by OTC (secondary species) and 45 per cent for the other exports would yield this result:

- OTC FOB value export: 30% x 38,471,329 = US$ 11,541,398
- Other Loggers: 45% x 29,665,735 = US$ 13,349,580

Total **US$ 24,890,978**

328. This is only an estimate because some companies do not or cannot afford to pay the taxes. OTC, for example, has been given certain tax exemptions such as reforestation and for road building. Some other taxes also do not appear in government figures. For example, OTC pays the National Port Authority (NPA) US$ 1 million a year for the use of Buchanan port: but this payment does not appear in the NPA's accounts. OTC should have paid approximately US$ 12 million in taxes in 2000 but coincidentally it claimed to have a US$ 12 million loss in 2000. The Central Bank of Liberia assessments of final tax figures derived from timber from paper work submitted by each logging company's production compared with the FDA (Forestry Development Agency) figures suggest a significant diversion of the timber revenue for extrabudgetary activities.

329. President Taylor has taken a personal interest in the allocation of timber concessions. In January 2000, a new National Forestry Law declared that all forest resources are the property of the Government except for communal and privately owned forest resources that have been developed through artificial regeneration. On 1 July 2000, the Liberian Government issued Executive Order No. 4 "restricting the Ministry of Finance to the collection of 50 per cent of all Land Rental Fees and 98 per cent of all Stumpage fees". The FDA was mandated to collect the balance. However, the FDA noted that they only collect a small portion of the funds that they are supposed to receive.

330. The Forestry Development Authority was also empowered to rescind many logging concessions and salvage permits unilaterally. New concessions require final approval by the President of the Republic. During the 1999-2000 season, many authorized concessionaires continued logging but without assurances that they would be allowed to retain their concessions. This uncertainty encouraged rapid cutting and profiteering, without concern for sustainable forestry practices in order to maximize profits in anticipation of losing concessions.

331. Several Spanish and French enterprises lost their concessions to the United Logging Company, managed by Mr. Fawaz and President Taylor's son as chairman. President Taylor has also revoked concessions of the VH Timber Companies giving them to the United Logging Company and to the Mohammed Group. President Taylor is seeking to have the timber industry dominated by a few mega-concessions. In early 1999, a Russian group sought a concession but the plans quickly collapsed. Shimmer International, a subsidiary of the Malaysian giant, Rimbunan Hijau, also declined to invest in a Lofa County mega-concession because of security concerns.

332. The President aspires to create two mega-concessions in addition to the one operated by the Oriental Timber Company (OTC). However, it has been difficult for him to find investors that are able to develop such large-scale concessions.

The main logging operations in Liberia

Oriental Timber Company (OTC)

333. The Chairman is Dutch national Gus Kouwenhoven, a close friend of Charles Taylor, who managed logging operations for him through rebel-controlled Buchanan in the early 1990s. In July 1999, OTC was granted a 1.24 million hectares concession in the south-east of the country, and then because of the poor quality of the species in the concession, a second one, further north in the primeval forest, taking the total concession to 1.6 million hectares. According to the FDA, this represents about 42 per cent of Liberia's total productive forests.

334. OTC is linked to the Hong Kong-based Global Star Holdings, which is part of the Djan Djajanti group of Indonesia, with offices in Singapore and Hong Kong and major investments in Indonesia and China. Djan Djajanti has taken responsibility for 70 per cent of the capital investment of the concession. Gus Kouwenhoven remains the chairman although he owns, according to documentation he showed the Panel, only 30 per cent of the capital and Joseph Wong Kiia Tai, son of Djajanti's chairman, was made the manager. The Djajanti group has invested some US$ 110 million in the project. President Taylor has publicly defended OTC calling it his "pepper bush", a Liberian phrase for something important and personal.

Royal Timber Company (RTC)

335. RTC is the second largest timber operation in Liberia, with three distinct concessions in the western part of the country, totalling 370,000 hectares. It is also run by Gus Kouwenhoven and exported 8654.122 m^3 (FOB value US$ 990,785.08) in the first six months of 2000.

Mohammed Group Companies

336. They exported 26,482 m^3 in 2000, with concessions in Nimba and Grand Gedeh (the Salami Molowi Inc (SMI) and Bureaux Ivorian Ngorian (BIN)). This company is owned by Mohammed Salamé, a Liberian "ambassador-at-large", based in Côte d'Ivoire, who has been involved in assisting sanctions-busting arms transfers to Liberia. Much of BIN's production is exported through the port of San Pedro in Côte d'Ivoire.

Inland Group

337. The Inland Logging Company is managed by Maurice and Oscar Cooper, both long-term associates of President Taylor. Like Kouwenhoven, the company's roots go back to the 1990s when they extracted and exported timber for the NPFL rebels during the war. It has a 300,000 acre concession in the south-east of the country. Logs are being sold exclusively through a Swiss company to France and Turkey. The company reports that it exported 19,815 m^3 of logs in 2000, but there are indications that this figure should be much higher, around 50,000 m^3. The ILC also maintains a private militia in Sinoe County and manages the port of Greenville.

Forest Hill Company

338. This company has a 300,000 acre concession in Lofa County where it fells only Niangon, and sells it exclusively to France through Interwood. The company's Chairman is Victor Haikal, whose commercial operations have been badly impacted by the war in Lofa County.

VH Timber Companies

339. This group is owned by Victor Hanning and has a concession of 163,200 hectares in Lofa and Cape Mount Counties. He has also invested more than US$ 800,000 in a sawmill in Monrovia, which currently produces in two shifts about 70 m^3 of Niangon timber per day. He exported 10,000 m^3 of round logs in 2000.

Liberia Wood Management Company

340. This company runs a concession about 100 km north of Monrovia. The company does logging and sawmilling and is owned by Rudolph J. Merab and Victor Hannig. The company exported around 13,000 m^3 in 2000. Export volumes on cargo manifests for 2001 suggest a similar volume for this year. In late August, rebels attacked the concession base, badly destroying property and assets, including houses and a school for the workers. The attack was claimed by the rebels of LURD and a spokesman for LURD said they had targeted the company to discourage them from doing business with President Taylor.

Maryland Wood Processing Industry and United Logging Company

341. This is the second best exporter of timber in 2000. The company is owned by Mr. Fawaz, who owns also the United Logging Company. It has concessions in the north-east of the country in Grand Gedeh and River Gee. In 2000, these two companies exported 83,781 m^3, 13.4 per cent of the total volume exported by Liberia.

342. A number of the timber companies complained to the Panel that making a profit currently in Liberia is difficult, except for the mega-concessions that are engaged in non-selective felling and processing massive volumes of round logs. Limited wood-processing capacity, logjams in France at sawmills because of large volumes of round logs and the difficulty in attracting new investors to Liberia, were all blamed for these difficulties. They complain of excessive taxation and difficult operating conditions, making it impossible even to fell and sell timber up to their FDA 4 per cent quota. Presidential favour is an important ingredient in cutting operational costs. OTC, RTC and the Inland Group are known to have obtained tax waivers for fuel purchases as a result of their close connections to the President.

Wood processing

343. According to FDA rules, 25 per cent of the volume of logs felled should be sawn in the country. This rule is not respected because of the volume of round logs exported by OTC to China and because of the limited number of sawmills in Liberia.

344. Prior to the 1989-1996 war, there were 18 sawmills, 3 veneering and plywood factories, 6 dry kilns and 3 wood-processing factories and domestic timber production surpassed log exports in timber volume. Today, there are only 12 operational sawmills and these do not have the capacity to process the volume of logs felled. The OTC plywood factory is scheduled to start production in late 2001 or early 2002. Sawn timber production is on the increase. In 1999, it increased to 22,746 cubic metres which represented 1,802.4 per cent rise over the 1998 output level. In 2000, it rose again to 224,824 cubic metres. However, in the first quarter of 2001, there has been a 25.8 per cent decline when compared with the previous quarter due to a clampdown by the FDA on pit-sawing and the impact on logging establishments in Lofa County.

345. The World Trade Organization (WTO) currently advises all countries to ban unprocessed log exportation beyond the end of 2000. Liberia urgently needs to phase out this trade and invest in wood-processing facilities. This would enhance the value of timber exported from Liberia, slow felling down and provide additional employment. It would also make production and exporting easier to monitor. The Taylor government has announced since 1998, a gradual prohibition on the export of round logs as a policy guideline but no legislation on the issue has been enacted yet.

The timber industry and violation of sanctions

346. Some of the timber companies have violated the sanctions against Liberia. One prominent example of this was Exotic Tropical and Timber Enterprises (ETTE), a company set up by Leonid Minin and his partners Vadim Semov and Fernando Robleda. The document (S/2000/1195) described how Minin's private jet was used to ship weapons from Niger and from Burkina Faso to Liberia in March 1999. Just

before his arrest, Minin was involved in setting up other arms deals for Liberia. Minin was arrested in Italy on 5 August 2000. He had in his possession a great number of documents showing his involvement in timber but also in the arms shipments to Liberia.

347. The Panel had access to this documentation. Among more than 1,500 documents seized from Minin, there were a number of maps showing that he was negotiating the possibilities for a mega-concession in the north-west of Liberia, comprising the Lofa war zone. The Panel was not interested in the details of Minin's failure in Liberia's timber business, where he finally had to sell his equipment and assets to a company of his partner of Forum Liberia, a Spanish-owned company. The case was only of interest to the Panel because of the link to violations of the arms embargo.

348. In the weeks before his arrest, Minin was planning the delivery of huge quantities of small arms and ammunition to Liberia, via Côte d'Ivoire. A first consignment was shipped to Côte d'Ivoire in July 2000 and then diverted to Liberia by means of an Ilyushin-18 that was leased by Liberian government officials in a deal with a Moldovan company and the arms dealer, Sanjivan Ruprah. Minin claimed, in an interview with the Panel, that Liberian ambassador-at-large Mohammed Salamé and his brother Yussuf were key to the Ivorian part of the operation. The Panel made several attempts to confront Ambassador Salamé in Abidjan with these allegations. He could finally be reached over telephone after the Panel had left Côte d'Ivoire and he denied his involvement. He said his only business was timber. However, General Gueï, who signed the end-user certificate for the weapons, Minin, who organized and financed it, and Sanjivan Ruprah, all confirmed that Mohammed Salamé had played a key role in the diversion of the weapons to Liberia. The case is described in detail in the section on violations of the arms embargo.

349. The Panel has received a bank document which indicates that a payment for weapons delivery was made directly from the Singapore accounts of the company, Borneo Jaya Pte Ltd, a mother company of OTC. This document shows transfer of US$ 500,000 to the arms trafficking company San Air (one of the companies of Victor Bout) through Sanjivan Ruprah, paid by order of Dato Seri Bong Uray on 26 August 1999 using Chase Manhattan Bank N.Y.

Recommendations on logging and wood processing

350. The Government should reach agreement with the International Monetary Fund over the commissioning of an independent detailed report on revenue from the timber concessions for the January 2001-July 2002 period, including exemptions and tax offsets for government-related expenditures during this period; that the United Nations should impose a ban on all round log exports from Liberia from July 2002 and strongly encourage local operators to diversify into wood processing before that date.

Diamonds

351. The Panel examined Liberia's diamond industry because it is another crucial source of natural resource revenue for the Government. Liberia's own official diamond exports were said to be only 8,500 carats in 1999, valued at US$ 900,000. Liberia's Minister of Lands, Mines and Energy estimates that this represents only 10

to 15 per cent of what is actually leaving the country. This is a far cry from the late 1970s when Liberia's production and export averaged at half a million carats with 70 per cent of gem quality. All of Liberia's production is currently artisanal alluvial although a Canadian company, the Mano River Resources, Inc. is engaged in kimberlite diamond exploration in Western Liberia.

352. In 2000, diamond production increased to 22,112 carats, representing a 162.1 per cent rise over 1999. In the first quarter of 2001, diamond output increased by 78.5 per cent to 3,885 carats when compared to the output of 2,177 carats for the corresponding quarter of 2000. However, there was a 27.5 decline in output compared with the last quarter of 2000, directly related to the introduction of the sanctions on the diamond trade. Since May 2001, after sanctions on Liberian diamonds were imposed, there has been no official export of diamonds from Liberia, and Central Bank statistics indicate no transactions at all.

353. Sanctions were imposed on the export of Liberian rough diamonds following the conclusions of the report (S/2000/1195). This report illustrated how diamonds far in the excess of the quality or quantity available in Liberia had been imported into Belgium. Invoices from "Liberian" firms — none on the list of licences provided by the Liberian Government — accompanied Belgian import licences. In 1999, official Liberian exports grew slightly to 8,500 carats, at an average value of US$ 105 per carat. "Liberian" imports into Belgium declined to 1.75 million carats, but the stated value increased to US$ 247 million, or US$ 140 per carat.

354. Most of these diamonds were illicit diamonds from other countries, taking advantage of Liberia's involvement in the illicit diamond trade, its inability or unwillingness to monitor the use of its name internationally and the ability to use the corporate registry as camouflage. The larger illicit trade provided Liberia with a convenient cover for the export of conflict diamonds from Sierra Leone although many of the so-called "Liberian" production emanated from other sources (most notably Russia), and was falsely declared "Liberian" for tax purposes.

355. With the entry into force of Security Council resolution 1343 (2001), the Government of Liberia indicated that it would comply with the ban. President Taylor wrote to the Secretary-General in a letter dated 22 March 2001, stating "A ban has been placed on the entry into Liberia of all uncertified rough diamonds from countries with certification regimes; a ban has also been placed on the export of all rough diamonds from Liberia for a period of 120 days, and pending the establishment of an internationally acceptable and transparent certification regime in Liberia." The three official diamond exporters in Monrovia were written to on 10 May by the Acting Minister of Mines emphasizing that "We further would like to inform you that during the period of this sanction, there will be absolutely no export of diamonds from Liberia until otherwise decided by the United Nations." The Government also placed Mineral Inspectors into the buying offices in Monrovia to monitor and keep record of daily diamond purchases on the internal market. These inspectors also ensured that the diamonds were only bought from legitimate diamond miners or brokers and were also tasked to certify that the Reporting Forms provided to the Dealers by the Ministry were filled in daily and correctly.

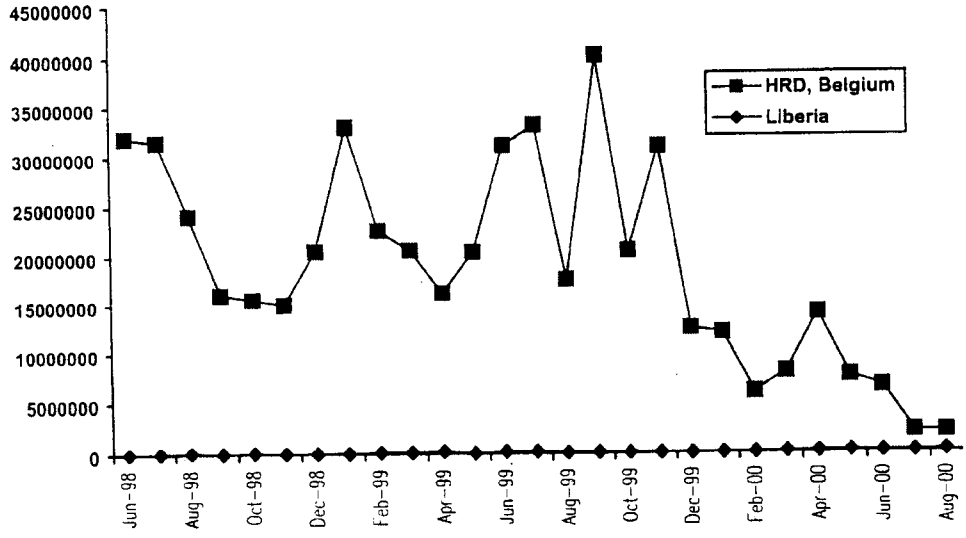

Chart 2: Diamond Export Statistics (June 1998-August 2000) showing actual Liberian diamond export versus diamond export reported by the Diamond High Council (HRD), Belgium.

356. There are currently three diamond dealers/exporters in Liberia in 2001:

- MARS Diamonds;
- The Empire Diamond Company;
- Diandorra Minerals.

In addition to these exporters, there are 12 recognized diamond brokers and 10 diamond broker agents. Liberia has 20 Diamond Mining Districts, 12 of them are all located in western Liberia, neighbouring Sierra Leone.[4]

357. The exporters reported to the Panel that these inspectors had frightened off their trade which was based on discretion. Many of their clients were fearful of entering their offices when inspectors might be nearby. The sanctions had also resulted in a cash flow crisis because they could not export diamonds, they could not get fresh cash injections to reinvest in ongoing mining. Diamond miners and brokers also complained to the Panel that they no longer got the support of rice and equipment from their sponsors, and the exporters. There is no doubt that the

[4] 1. Gondorjah Mining District; 2. Kumgbor Mining District; 3. Gbarma Mining District; 4. Weasua Mining District; 5. Camp Freeman District; 6. Bongoma Mining District; 7. Mecca Mining District; 8. Camp Alpha Mining District; 9. Boakai Camp Mining; 10. Camp Freeman Mining Agency; 11. Lower Cape Mount Mining Agency; 12. Smith Camp Mining Agency; 13. Tiapa Mining Agency; 14. Monsterrado Mining Agency; 15. Kolahun Mining Agency; 16. Monsterrado County; 17. Gibi/Kakata Mining District; 18. Sanniquellie Mining District; 19. Bahn Mining District; 20. Butuo Mining District.

artisanal trade in rough has been impacted by the embargo providing additional hardship to those who seek to make a living out of this sector. Some miners and brokers had tried to diversify into alluvial gold, but low world gold prices until after the events of 11 September in the United States made this unattractive. The artisanal trade is a significant employer in Liberia, some estimated 20,000 to 30,000 people in the rural areas are dependent on the trade.

358. The imposition of an embargo on the export of Liberian rough, coupled with progress in the peace process in Sierra Leone, has resulted in a marked decline of diamonds labelled as "Liberian" reaching international markets. There have been no imports from Liberia recorded in Antwerp since the imposition of the sanctions.

Table 5
Rough diamond imports from West African countries as recorded by HRD Belgium

	2000		*2001 (till August)*	
	1 000 ct	*BEF million*	*1 000 ct*	*BEF million*
Sierra Leone	82	560	121	665
Côte d'Ivoire	398	2 514	349	1 359
Guinea	796	6 514	567	4 344
Gambia	140	863	34	280
Liberia	413	2 904	8.7	61

Source: Ministry of Economic Affairs, Belgium.

359. The embargo has created a different problem. Since it is impossible to sell Liberian rough officially, dealers and brokers are seeking to camouflage their Liberian diamonds as those from neighbouring countries markets. The Chairman of the Diamond Dealers of Liberia admitted to have had Liberian diamonds he had tried to sell in Freetown rejected by an evaluator. However, he admitted that smuggling of Liberian rough regularly occurred with stones that could be passed as Sierra Leonean or Ivorian being put in mixed parcels to avoid detection; those that were too distinctive were smuggled to other West African countries before being exported to Europe.

360. There is no doubt that despite the official efforts of the Liberian Government, smuggling with and without official knowledge continues from Liberia. Neighbouring countries are also more attractive for smuggling as they command better prices per carat and less harassment and diversion by officials of profits.

361. The Panel itself verified ongoing smuggling of Liberian rough to Sierra Leone and Côte d'Ivoire. In Bo, Sierra Leone, a dealer interviewed by the Panel specialized in buying Liberian rough. The dealer, a Sierra Leone national, had lived many years in Liberia and his Liberian brokers travelled from Liberia via Zimmi to Bo to trade with him. He claimed that the Sierra Leone Certificate of Origin scheme made it easier for him to launder Liberian rough, rather than having to go through complicated smuggling efforts through other West African countries. Since the Sierra Leone Army deployed in Zimmi in early September 2001 there had,

according to this dealer, been a significant decline in the rough he was receiving from Liberia.

362. Diamonds from Nimba County in Liberia are smuggled out via Danane to Abidjan in Côte d'Ivoire. The Panel was told of three dealers in Abidjan that had become specialists in laundering Liberian rough since the diamond embargo entered into force in May. Investigations by the Panel confirmed that two dealers operated through the Hotel Ivoire in Abidjan, using a Lebanese middleman who carried the parcels from Monrovia.

363. Liberian rough also appears to have been smuggled out of Lofa County to Guinea. Rebel LURD supporters admitted to the Panel that they had seized diamonds during their operations in Lofa County and had sold them to Guinean brokers in Conakry.

364. The issue of so-called "Gambian" diamonds continues to remain a matter of concern. Gambia, a non-diamond producing country, continues to figure as a source of diamonds in markets like Antwerp. Investigations by this Panel found dealers in Liberia and Sierra Leone travelling regularly to Banjul. Despite this trade, the Gambian authorities insisted that they have never had any record of an official diamond transaction through Gambia nor a smuggling incident on its territory.

365. In Liberia, uncorroborated stories refer to high-level go-betweens, senior government officials, and financial transactions made on behalf of President Taylor. Several individuals linked to the diamond trade complained that although the artisanal trade was suffering from the embargo, President Taylor and his senior officials sponsored ongoing diamond production and had special arrangements for the export of high value stones. One Lebanese businessman, who had for many years worked in the diamond trade in central Africa, claimed that he could not enter the diamond trade in Liberia because any high-quality operation was controlled by President Taylor. He has since entered into the timber business, which he claimed was less in the grip of the Executive Mansion.

366. Diamonds feature prominently as an interest of people associated with the Bureau of Maritime Affairs. This has been dealt in detail under "Maritime and Corporate Registry".

367. Sanjivan Ruprah's role in sanctions-busting to Liberia through the Bureau of Maritime Affairs was already described in the report (S/2000/1195). Ruprah is also involved in the diamond business and he told the Panel he had interests in a diamond mine in Liberia, the Liberian Diamond Mining Corporation. Carlos Alberto La Plaine, a Portuguese associate of Sanjivan Ruprah, assisted several sanctions-busting flights to Monrovia: on his immigration card in Uganda, where one of the arms trafficking planes was stopped, he gave his profession as "diamond dealer".

368. When Leonid Minin was arrested in Italy, he had in his possession a significant quantity of polished and rough diamonds valued at around US$ 500,000. In the documents seized by Police from Minin at the time of his arrest, documents of a Mauritian diamond company called Black Stella Diamonds and letters showing Minin's attempts to set up a diamond-exporting chain from West Africa, through a polishing plant in Mauritius to Russia and China, were also found. Minin's office in Liberia also had diamond weighing equipment in it.

369. RUF ex-combatants talk of having brought diamonds to Liberia for President Taylor but admit this practice has declined. Several RUF officials said Ibrahim Bah, operating from Burkina Faso, has continued to obtain diamonds from senior RUF figures, including from General Sesay and these are then smuggled via Liberia or Côte d'Ivoire to Europe.

Diamonds and the RUF

370. The Panel also observed a steep increase in trade of diamonds mined by RUF through Freetown. Many of these stones passed through Makeni from the Kono fields but lesser numbers reached dealers in Kenama and Bo before entering the official system. Approximately half of Sierra Leone's total production comes from the Kono/Koidu district. The main interest of Freetown traders is Koidu, the capital of the Kono diamond fields. The city is ruined, but diamond digging continues apace, even undermining the foundations of the ruined buildings in the town. The traders bring in diesel, petrol, soap, rice, second-hand clothes and other consumer goods in return for diamonds, cassava and mangoes. RUF maintains a firm grip of all high-value stones and all diggers are taxed by the former rebels. The traders then sell the stones they have bought to licensed dealers in Sierra Leone or smuggle the stones to elsewhere in West Africa. A large number of these traders are from Mali or Gambia. There are indications that RUF collects millions of dollars a year, through taxation of the diamond trade and direct sales to smugglers of these diamonds, even though they often sell stones to smugglers at a discount.

371. In early July 2001, at the Third Tripartite Meeting of the Government, RUF and UNAMSIL, RUF and the state-backed civil militia Civil Defence Force (CDF) agreed to a moratorium of diamond mining in Kono under UNAMSIL supervision. But this ban immediately failed, ignored by all. When UNAMSIL attempted to implement the ban in Koidu, local residents protested, demanding to know how they should now make their living without diamond revenue and there has been no further attempt in Koidu to implement the agreement.

372. When police raided a premise of a Lebanese businessman suspected in illicit diamond trade in August 2000, they were surprised to find RUF spokesman Gibril Massaquoi present, with a bag containing at least US$ 15,000. Papers confiscated at the house indicated that Bassem Mohamed, code named "Shark" by RUF had been organizing diamond deals. One paper showed he was organizing payment to Emmanuel Shallop/Mirib Shallop of Belgium for washing plants and batteries. Shallops, according to the documents, were to be paid through a bank in Geneva, Switzerland. In another incident, in July 2001, Massaquoi testified to police in a complaint about being defrauded that during a deal to obtain 69 vehicles for RUF he had provided an individual US$ 110,000 in cash and 2,600 carats of gold. Both incidents indicate that RUF is not short of ready cash, its origin mostly from the diamond trade.

373. Following the imposition of a diamond embargo on Liberia, the closure of the border till September 2001 and the war in Lofa County, little diamond trade now passes through to Liberia from Sierra Leone. This shift in trade pattern is reflected also in the dramatic decline in so-called "Liberian" rough entering markets like Antwerp and a steep decline in the number of diamonds passing through Monrovia. The pressures on other revenue sources in Liberia for Executive Mansion extrabudgetary expenditure demonstrates once again the importance that diamonds

had played over the last few years for President Taylor. Because of the loosening of President Taylor's grip on the Kono/Koidu diamond trade, the RUF axis has switched to increasing trade through Sierra Leone.

Certificate of Origin schemes

Sierra Leone

374. The adoption of United Nations Security Council resolution 1306 (2000) on 5 July 2000, resulted in a ban on the import of rough diamonds from Sierra Leone except those authorized with a Certificate of Origin from the Sierra Leonean Government.

375. Following a trilateral mission of the United Kingdom, the United States and Belgium in July 2000, the Certificate of Origin Monitoring System was set up for imports of rough diamonds from Sierra Leone under United Nations Security Council resolution 1306 (2000). The certification regime was approved by the Security Council on 6 October 2000 and became operational from 27 October 2000.

376. The Certificate of Origin regime consists of a specifically designed tamperproof printed Certificate of Origin, in combination with a set of rules that forms the export and import procedure. According to the Government "Under the system only diamonds that are legally mined are allowed to be exported. Legally mined means that they come only from areas under the control of the Government of Sierra Leone, and are the product of a chain of legally authorized transactions, from use of land, permission to mine, purchase by authorized dealers and agents, and export by licensed exporters". The Government of Sierra Leone has set up a Cabinet subcommittee to monitor all diamond exports, oversee the implementation of Security Council resolution 1306 (2000) and report to the Cabinet periodically.

377. The Government reports that the system is working reasonably well. The volume of exports and particularly the quality of stones entering the system has improved, providing important tax revenue to central government.

378. During its investigations in Sierra Leone, the Panel observed that although this system was working, there was no doubt that smuggled stones from Liberia were being laundered through the system. The GGDO evaluators were rejecting stones and a Liberian dealer admitted he had had stones rejected in Freetown, but other stones, especially from areas along the Liberian border, Lofa County and Weasua were entering the official system. The same is true of a much larger volume of diamonds originating from RUF-managed alluvial production. This is not necessarily the fault of the GGDO evaluators but rather a reflection of weak monitoring by a government agency in the diamond buying centres such as Bo and Kenema.

379. As long as all the diamond fields in Sierra Leone have not been brought under government control, these deficiencies will continue. Freetown can only investigate the origin of larger diamonds, not for every carat brought to the capital. Moreover, the Government rightly fears that when the controlling system is implemented too rigorously, buyers might prefer to go to countries in the region where the Certificate of Origin has not been introduced yet and where the old paperwork, the mere letterhead of a country is still considered sufficient for customs in the importing

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markets for diamonds. The country address on the invoice from the sending country is then recorded as "country of provenance".

Table 6
Diamond export figures under the certification scheme

Month	*Total carats*	*Value (US$)*
October 2000	28 450.60	4 470 424.41
November 2000	12 128.75	1 079 695.58
December 2000	9 702.16	938 014.60
January 2001	13 486.10	1 991 773.84
February 2001	15 384.67	1 909 276.29
March 2001	20 055.63	2 685 334.87
April 2001	14 440.58	1 821 237.48
May 2001	16 996.96	2 156 765.00
June 2001	15 652.29	2 154 917.36
July 2001	18 161.11	2 154 668.90
August 2001	16 509.67	2 280 402.42
September (till 10th)	6 397.27	827 898.47
Total	**187 335.79**	**24 470 409.22**

Source: Government Gold and Diamond Office, Bank of Sierra Leone, Freetown.

Diamond revenue in Sierra Leone to fund rural development

Taxation of the alluvial diamond trade is fraught with difficulties. Several years ago, donor-appointed consultants recommended that a 2.5 to 3 per cent taxation of the actual value of the diamonds would drive the trade underground. A recent World Bank study estimated that US$ 138 million worth of diamonds was exported from Sierra Leone in 1999, of which only US$ 1.2 million was legal. The Government currently levies a 3 per cent tax on the value of exports by dealers. The Government in August announced that one quarter of this revenue would be allocated to rural chiefdoms located in areas where alluvial mining occurs. These funds will then be earmarked to improve local schools, health clinics and community projects and will be divided according to the number of mining licences granted in each chiefdom. This could provide local authorities with an incentive to crack down on illegal mining. This is the first time that the Government has allocated diamond mining for community development schemes since mining began in 1956 under the alluvial diamond-mining scheme.

Guinea

380. Guinea has followed the lead of Sierra Leone. In June 2001, it introduced a Certificate of Origin scheme, which is controlled by the centralized "Bureau national d'expertise de diamants et autres gemmes" (BNE). The BNE diamond evaluation office in Conakry is housed in the "Banque centrale de la republique de Guinée" and a second office is in Kankan, the second exclusive diamond buying centre of the country. According to the Ministry of Mines, Geology and the Environment, the certificate system is working well. According to statistics from the BNE, Guinea exported in 2000 some 369,263 carats and up to July 2001, some 264,140 carats worth of diamonds. The value of the annual production going through the official system was around US$ 40 million. The Certificate of Origin is certainly an improvement in the Guinean diamond business but smuggling is still a major problem. The Guinean Ministry of Mines underlined that only a few years ago, no diamonds at all were being exported through the official system. According to official estimates, around 65 per cent of all diamonds produced are still leaving Guinea illegally. Controlling authorities clearly face a lack of capacity in terms of equipment, training of customs agents and border controls in general, in an area where borders are very porous.

Liberia

381. The Ministry of Lands, Mines and Energy has produced a draft certificate of origin and has sought assistance from the United Nations and the Diamond High Council for technical support to print. The draft certificate is based on the model encouraged by the Kimberly Process. The Ministry, in conjunction with the Central Bank of Liberia plans to open a centralized evaluation office in the bank, where diamonds for export would be evaluated, certified and put in sealed packages ready for export.

382. The Minister of Lands, Mines and Energy is well-versed on the progress of the Kimberly process and obtained a travel exemption from the Security Council Committee to attend the London meeting in September 2001 and subsequently held consultations with the Belgium Diamond High Council in Antwerp.

Côte d'Ivoire

383. Côte d'Ivoire has also participated at some of the Kimberly process meetings and has expressed an interest in having a regional certification scheme. Currently, Côte d'Ivoire has nine licensed export dealers of diamonds but the Panel found evidence of a number of other dealers who exported diamonds, including Liberian rough as Ivorian. In 2000, 320,207 carats were exported from Côte d'Ivoire. By September 2001, 290,407 carats had been exported.

The challenge of alluvial diamonds

384. The experiences of Sierra Leone, Guinea, Liberia and Côte d'Ivoire show how difficult it actually is to separate out conflict diamonds from other alluvials. Better monitoring, increasing the cost of getting caught and the requirement to state the source of a stone (origin) rather than just the provenance (country) could help this process. A better definition of origin would help this monitoring. But as with the case of Sierra Leone, without steady progress in the internal peace process, it is

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difficult to see how the distinction between government and RUF diamonds can be maintained effectively.

Recommendations on diamonds

385. The Panel encourages the Liberian Government to put in place a credible and transparent certification scheme which is independently audited by an internationally recognized audit company. This scheme should be independently assessed as credible and effective in order to facilitate the consideration of a suspension of the diamond ban by the Security Council. This would also alleviate the genuine hardship that artisanal miners, brokers and dealers are currently experiencing.

Other measures

386. Regular and accurate publication of official annual rough diamond import/export statistics is crucial. Currently, only Belgium publishes a detailed list. A better international library of each diamond type, from each region and detailed records of run-of-mine alluvial samples in conflict zones would also be an important step forward in this region. It is also important that countries issue their own certificates of origin that are consistent with a fully integrated certification system. But in the end, the only guaranteed way to resolve the conflict diamond issue is to create conditions in a country that result in the label "conflict" being made redundant. Under such conditions, the principal challenge of the alluvial diamond trade in West Africa would be to curtail endemic smuggling for tax evasion purposes. Sierra Leone's attempt to redistribute diamond revenues back into the community is part of a solution.

Liberian maritime and corporate registries

Origins of the registry

387. Liberia's maritime and corporate registry is of international repute. It has also been a steady source of revenue for the Liberian Government. From 1949 to 1999, the registry remitted around US$ 700 million to the Government. During the 1990-1996 civil war and interim period, revenue from ship registry represented 90 per cent of total state budget. Previously, it had been 10-15 per cent. Today, the revenues account for about 50 per cent of the country's official budget, according to the Bureau of Maritime Affairs, although figures provided by the Ministry of Finance suggest it is closer to 25 per cent.

388. In 1948, the Monrovia-based International Trust Company was founded. A United States-based off-shore maritime registry opened and the first commercial ship was registered on 11 March 1949. This registry later became the International Registries Inc of Virginia (IRI) which administered the registry until 1999.

389. In the 1970s, the Liberian registry, coupled with a bank in Monrovia, operated by the International Trust Company of Liberia, grew to approximately 75 million tons. Liberia held the number one position for shipping tonnage registered under its flag until 1994.

390. In 1990, the IRI began dealings with the Marshall Islands registry. In 1991, the Marshall Islands had 28 ships of 4.2 million dwt on its registry; by 1997, the fleet was 168 ships dwt. The decision by IRI to adopt the Marshall Islands register in addition to maintaining the Liberian registry, marked a period of decline for Liberian registered tonnage.

391. In February 1997, Liberia filed a case alleging that IRI principals were diverting owners from the Liberian register to the Marshall Islands register and that Monrovia was unable to get hold of details of the registry finances. The Government sought an end to the IRI/Marshall Islands partnership and opening of its books. The newly appointed Liberian Commissioner for Maritime Affairs, Benoni Urey, alleged at the time that US$ 60 million per year was generated by the registry, of which Liberia received US$ 15-18 million. Financial statements from IRI show a remittance of US$ 18,596,274.63 (82 per cent of profit) to the Government in 1998. The company kept a further 18 per cent for its own fees.

392. An IRI projection of funds to be generated by the corporate and maritime registry in 1999 estimated a total revenue of US$ 27,465,000, out of which US$ 5,100,000 went to IRI as fees and US$ 8,370,000 in expenses for the Deputy Commissioner Fees and Expenses. According to the Central Bank of Liberia, the maritime registry provided the Government US$ 15.2 million in 1999.

393. Commissioner Urey also announced in 1997 that the IRI's contract to run the registry until 2006 was not valid because it was not struck with a legitimate government but with one of the factions during the country's seven-year civil war, and thus not binding on the Taylor administration elected earlier in the year.

394. In June 1998, a Virginia Court dismissed efforts by IRI to prevent a challenge from the Liberian Government and in September, IRI filed a claim of libel against Liberia and alleged that the Marine Investigation and International Participation Fund (MIIP) had been abused since it had been handed over to Liberian control in 1998. This US$ 7 to 8 million fund was used to pay IMO dues, casualty investigation, and expenses for the Liberian Bureau of Maritime Affairs. IRI also insisted that it had presented audited accounts to Liberia since 1986.

395. As the legal battle wore on, growing increasingly bitter with time, Liberian flag owners began to voice serious concerns over the future stability of the register. Chevron pulled four tankers out of the registry as a direct result of the dispute.

396. Finally, in April 1999, both protagonists announced a truce and an out-of-court tripartite Settlement Agreement was finally reached in May. Monrovia agreed to drop its US$ 60 million claim against IRI. On 7 May 1999, the Government of Liberia, IRI and its affiliates and the LISCR signed a settlement agreement, claiming to have resolved all their outstanding disputes. The agreement specified that LISCR would assume total management of the Liberian maritime registry and corporate programmes on 1 January 2000 and IRI would fulfil its contractual obligations to Liberia till then. IRI would continue to administer the Marshall Islands maritime and corporate programmes. The agreement was effective from 1 January 2000, although the company was required to operate during a transition period beginning 1 June 1999.

397. The truce was short-lived. In May 2001, IRI levelled charges against LISCR in a 25-page writ seeking US$ 10 million in unspecified damages from it. IRI claimed that LISCR had not fulfilled its obligations under the May 1999 Settlement

Agreement under which LISCR agreed to make certain lump-sum payments, and subsequently periodic payments calculated as a percentage of revenues generated. LISCR filed its reply in June 2001, denying the alleged breaches of the Settlement Agreement and making detailed counterclaims.

398. Charles Taylor began to seek a replacement to IRI in 1996 while he was still only a member of a six-person Council of State established to run Liberia under the Abuja Accord. Taylor had failed to raise funds during the war from IRI and wished to replace them. He began with seeking the assistance of a close friend, United States attorney Lester Hyman, to seek a new company to run the registry. On 18 December 1998, an agreement was signed between the Government of Liberia and Lester Hyman for the creation of LISCR. This was further approved by an Act enacted by the Liberian Senate and House of Representatives on 18 March 1999.

399. Lester Hyman had fallen in and out of favour with Charles Taylor a number of times. Hyman assisted Taylor's cause during the lengthy Abuja peace negotiations. He also succeeded in getting the United States record on Taylor's escape from a Massachusetts jail expunged. Mr. Hyman and his law firm, Swidler Shereff Friedmann were registered under the United States Foreign Agent Registration Act on behalf of the Republic of Liberia. He also became a shareholder of LISCR and was the nominal chair of the LISCR Board until January 2001. Yoram Cohen, the Chief Executive Officer of LISCR had worked for Hyman previously and had been recruited by him to manage LISCR.

The role of LISCR

400. The Government of Liberia appointed LISCR as its exclusive agent to manage the corporate and maritime registers with effect from 1 January 2000, although the company was required to operate during a transition period beginning 1 June 1999.

401. From January 2000, the LISCR Trust Company, a wholly owned subsidiary of LISCR, LLC, was given statutory authority to act as the sole registered agent for corporations registered in Liberia but not having a place of business there. The contract between LISCR and the Liberian Government is for 10 years with the provision for renewal. The contract is substantially similar to that in effect prior to the appointment of LISCR.

402. According to the Bureau of Maritime Affairs, the ship register is the political responsibility of the Commissioner of Maritime Affairs, appointed by the President. The corporate register is the political responsibility of the Minister of Foreign Affairs.

403. LISCR is based in Vienna, Virginia, USA, where ship safety, inspection, compliance, manning, and accident-and-incident investigation are managed. LISCR has an office in New York, where traditionally Liberian ship registrations and ship mortgage recording take place. LISCR has a number of representative offices outside the United States.

404. LISCR is meant to retain approximately 66 per cent of the fee of income of the corporate register to cover operating costs and profit and the remainder is paid to the Treasury of the Government of Liberia. LISCR retains 20 per cent of tonnage fees and 80 per cent is paid to the Treasury. While 60 per cent of the total income generated by the registers is retained by LISCR, 5 per cent is paid over as dues to the International Maritime Organization and 35 per cent is paid to the Treasury.

405. Liberia is an active participant in the International Maritime Organization of the United Nations. Presently, the contributions of Liberia to IOM amount to 8.23 per cent of the income of that United Nations body and are paid directly by the management company from fees collected from the ship registries. Liberia has paid its full assessment up to and including the year 2000 and UK£ 819.34 of its 2001 assessment which is now due (it owes UK£ 1,494,271.66). LISCR is responsible for paying the dues and in 2000 transferred funds allocated for MIIPS funds to cover IMO dues.

Second largest maritime fleet in the world with high technical standards

406. By October 2001, Liberia's gross tonnes stood at 55.8 million. The net tonnes were 30.0 million. There were in 2001, 157 new registrations and 154 cancellations to date (22 of these were scrapped). With 1,734 vessels registered under its flag, Liberia is the second largest maritime fleet in the world. The register has traditionally had a high proportion of tanker tonnage. In January 2001, Liberia accounted in tonnage for 35 per cent of all the world's oil tankers. There are also significant numbers of bulk carriers and registered cruise ships. The average age of new registrations is 6.0 years and the average age of cancellations is 15.7.

407. The register is generally regarded as one of the quality open registries (called by some, flag of convenience) with the fleet having a relatively low average age and below average PSC detention rate. The casualty figures are also low. Liberia appears on all White Lists, including the IMO and all port state control authorities worldwide.

Accounting for the revenue at LISCR

408. Foreign shipping companies pay competitive fees for Liberian registration. Non-resident companies do not pay tax. The cost of registering a Liberian company was around US$ 4,200. Following the transfer of management of the registry from IRI to LISCR, a price war among other registers opened up. And on 1 July 2000, LISCR introduced a new scale of fees and all initial registration fees were waived until the end of 2001. In 2000, the Liberian registry and corporate fee programme generated some US$ 25.72 million officially which netted, according to the Bureau of Maritime Affairs, some US$ 18 million for the Government.

409. LISCR has ring-fenced the revenue it generates from the maritime and corporate registries. Their accounts are audited annually by Arthur Andersen LLP, an auditing firm of international repute, and these audits were open to inspection by the Panel. The collection of Registry revenues and government taxes and fees, and any subsequent distribution of funds due to the Government, is accomplished in accordance with the agreement between LISCR and the Liberian Government.

410. Collections are initially deposited into one of several Registry bank accounts, dependent upon the nature of the collection, and as specified in the Agreement. All Registry bank accounts accepting collections are located at the Branch Banking & Trust Company (BB&T). All collections are deposited at a Branch account in Washington, D.C., with the exemption of those corporate receipts that are directed to BB&T's LockBox operation in North Carolina.

411. LISCR's accounting department records the collections and classifies them as Registry revenues (which are retained to cover operating costs), LISCR (registered agents and maritime fees), or Government funds (which consist of Tonnage Taxes and a percentage of MIIPS fees, and annual and specified fees charged to clients by acts of law). Weekly, amounts due to the Government are disbursed to an Embassy of Liberia, Maritime Finance Office account at Riggs Bank, Washington, D.C., which is then transferred through the Citibank system to an account at the Ecobank in Monrovia. The MIIP's funds go to a Bureau of Maritime Affairs account at Chevy Chase Bank, Maryland, USA. LISCR holds two joint LockBox Accounts with the Bureau of Maritime Affairs in the United States, one for the overheads of the maritime programme and a second one for receipts of the tonnage tax as there is a complex-sharing arrangement.

412. The above is routine procedure. However, the Panel obtained bank transfer details for two LISCR transfers to San Air General Trading Account No. 01-01-5712572-01 at Standard Chartered Bank, Sharjah, the United Arab Emirates for US$ 525,000 on 21 June 2000 and US$ 400,000 on 7 July 2000 (annex 10). These payments were made from LISCR's New York office account (No. 5162058071) at BB&T. These two payments were for arms and transportation in violation of Security Council resolutions. The sanctions-busting activities of San Air General Trading are documented in the Arms and Transportation Section.

413. LISCR admitted to the Panel that it had made four payments to non-governmental accounts in 2000. The disbursements were made following four separate written requests instructing LISCR, from the Commissioner of Maritime Affairs through his Deputy Commissioner of Financial Affairs (DCFA) to redirect a pending distribution of the Government's share of the Registry collection to a non-governmental account. In addition to the two payments to San Air General Trading in the United Arab Emirates, a payment was made to an undisclosed account at Ecobank in Monrovia and to Riggs Bank in Washington, D.C.

414. Each of the transfers were appropriately accounted for as a distribution to the Government of its share of taxes and was acknowledged by the Bureau of Maritime Affairs. These payments appear in the Arthur Andersen audit as US$ 1,175,569 for "Fees to DCFA" and were taken out of the government share of the MIIPS funds. LISCR did not at the time conduct any due diligence on whom and for what these payments were for.

415. LISCR had become increasingly uncomfortable at the growing regularity of requests for divergence from standard procedure in late 2000. Following a new request for disbursement on 17 August 2000, LISCR informed the Commissioner of Maritime Affairs that it would no longer honour such requests.

416. Having found resistance from LISCR, Commissioner Urey then changed his strategy, writing to his Deputy Commissioner for Financial Affairs on 13 September to authorize one payment of US$ 200,000 on 13 September 2000, one payment of US$ 174,000 on 20 September 2000 and one payment of US$ 174,000 on 27 September 2000. According to a copy of Urey's letter in the Panel's possession, these amounts were to be transferred to the Maritime Affairs Account at the Ecobank in Monrovia for onward transmission to the San Air General Trading Account in Sharjah, "via: the account of S. Ruprah" (annex 9).

417. These transfers from the Maritime Account correspond with the issuing of a US$ 200,000 cheque (No. 0019119) from the BMA Ecobank account in Monrovia (Account 10610001812018). This cheque was written out to "Sanjivan Ruprah", dated "13 September 2000" and signed by Commissioner of Maritime Affairs Benoni Urey.

418. Ruprah transferred US$ 179,980 to San Air account 00-01-5712572-01 in Sharjah on 16 September 2000. Ruprah also used an employee, Jacques Gakali, to make three subsequent payments from Monrovia to San Air. A final payment of US$ 74, 965 was made on 2 January 2001.

419. On 16 November, LISCR received a further request from the DCFA to distribute to a non-governmental account. LISCR refused, generating a series of demanding letters from DCFA over the next 10 days and political pressure from Monrovia to comply. LISCR eventually decided to distribute the funds in question to three recognized Government-controlled bank accounts and since December 2000 there has to date been no further Bureau of Maritime Affairs interference in LISCR's distribution of funds to the Government.

Accounting for the revenue in Monrovia

420. According to official documents of the Bureau of Maritime Affairs, the Government's portion of the funds collected directly by the LISCR programme are deposited directly into a government account that is operated exclusively by the Minister of Finance and not the Commissioner. The Bureau of Maritime Affairs is supposed to then be allocated 10 per cent of these funds to support its operational budget, the Ministry of Foreign Affairs gets 6 per cent and 4 per cent to the Ministry of Information. The Commissioner for Maritime Affairs also spoke of a "LockBox" bank account shared jointly by LISCR and his Bureau in Monrovia.

421. Further investigation proved both these claims to be untrue. Funds are remitted directly to a tripartite account held at the Ecobank in Monrovia, which the Commissioner of Maritime Affairs and the Minister of Finance are signatories with a third determinational signatory controlled by the Executive Mansion. The Executive Mansion is able to call on these funds at will. The Ministry of Finance admitted that in 2001, due to increased defence expenditure, there had been significant diversion of the maritime funds for extrabudgetary use by the Executive Mansion. This partly would account both for the increased BMA deficit and the decline in accounted incoming maritime revenue by the Central Bank, although the gross shipping tonnage registered by LISCR continues to see growth.

422. According to the Central Bank of Liberia's Annual Report 2000, maritime revenue generated L$ 609.03 million (US$ 15.2 million) in 1999. It brought in L$ 190.25 million (US$ 4.8 million) by 30 June 2000, indicating a decline of L$ 139.64 or 42.3 per cent when compared with the same period in 1999. In the second half of the year, according to the Central Bank, this was L$ 527.46 (US$ 13.2 million), a rise of 12.6 per cent (a total of US$ 18 million). In January-February 2001, it generated L$ 21.31 (US$ 0.5 million); March-April, L$ 23.73 (US$ 0.51 million); May-June, L$ 65.81 (US$ 1.37 million) — a decline of L$ 72 (US$ 1.62 million) compared with the same period in 2000. The Ministry of Finance's figures for 2001 provide much higher remittances than those registered by the Central Bank of Liberia. This significant discrepancy between the figures

remitted and the figures registered by the Central Bank are mainly due to very high extrabudgetary demands on these funds by the Executive.

423. The IMF in September 2000, in its Concluding Statement, following an IMF staff visit to review the January-June 2000 Staff Monitored Programme (SMP) expressed its own concern about the shortfall in maritime revenue. It reported that "the continued decline in maritime inflows is troublesome and should be reviewed closely so that remedial measures can be taken if necessary. The transfer of maritime operations to a new agent on 1 January 2000 led to a delay in collection of corporate registration fees, explaining part of the decline". IMF's suspicion was correct. The remittance figures for August through October 2000 showed a dramatic decline compared with the same months in 1999: the reason for this decline was the authorized diversions by Benoni Urey to Sanjivan Ruprah for payment to San Air General Trading.

Table 7
Maritime revenue collected, 1998-2001
(in US$)

Month	*1998*	*1999*	*2000*	*2001*
January	1 695 958.04	536 431.67	648 326.02	2 312 540.00
February	1 165 156.24	1 706 231.24	448 500.00	929 550.00
March	633 269.76	766 119.41	759 500.00	672 050.00
April	714 022.22	1 032 869.91	850 000.00	858 161.00
May	1 100 920.00	852 298.00	550 000.00	569 408.00
June	2 695 718.33	3 326 278.47	1 500 000.00	1 975 829.00
July	1 596 851.19	1 330 600.79	4 500 000.00	581 822.00
August	512 071.35	666 244.29	200 000.00	579 676.00
September	629 210.84	537 668.19	0	
October	516 106.78	417 864.32	200 000.00	
November	810 934.16	545 042.04	430 794.44	
December	5 270 979.50	3 481 025.29	11 905 672.54	
Total	**17 341 199.39**	**15 225 674.54**	**17 942 793.00**	**8 479 036.20**

Source: Revenue Accounts Division, Ministry of Finance, Monrovia.

The role of the Bureau of Maritime Affairs

424. The Bureau of Maritime Affairs originally functioned under the Ministry of Finance, but following the creation of the Ministry of Transport, it was transferred to that Ministry. On 20 June 1989, through an Act of Legislature, the Bureau was granted autonomous status. The Commissioner is officially the only senior official appointed by the President according to documentation provided by the Bureau. However, it is evident that the appointment of Ms. Agnes Taylor, an ex-wife to the President, as Permanent Representative to the International Maritime Organization and a Deputy Maritime Commissioner in London, was a political rather than professional appointment.

425. LISCR is the Agent for the Office of Deputy Commissioners of Maritime Affairs and as such has a close relationship with the Bureau of Maritime Affairs. Minister Plenipotentiary and Senior Deputy Commissioner John Morlu and Deputy Commissioner for Merchant Marine Personnel and radio and seamen ID, George Arku, share offices with LISCR at its headquarters in Virginia and are integrated in the official employee list. The New York office also hosts Deputy Commissioner Victor Douba and Assistant Commissioner Alfred Mensah. LISCR also shares space with the Liberian Permanent Mission to IMO in London.

426. In recent years, there appears to have been deficits in the Bureau of Maritime Affairs (BMA) operational budget. For example, in fiscal year 2001, the BMA expected a total income of US$ 1,900,000 for its Monrovia operation against total expenditures of US$ 2,025,880.63. In fiscal year 2000, LISCR provided an extra US$ 2,125,372 in additional revenue to cover overexpenditure in the Office of the Deputy Commissioner.

427. Benoni Urey ordered the LISCR payments to San Air in June, July and September 2000. The Panel also has bank details showing that on 5 October 2000, the Bureau of Maritime Affairs in Monrovia transferred US$ 149,980 from its Ecobank account in Monrovia to San Air in Dubai — further evidence that BMA funds from Monrovia were used to pay for sanctions-busting.

The case of Gerald Cooper

428. Gerald Cooper's case shows that the Bureau of Maritime Affairs has engaged in sanctions-busting before. Gerald Cooper was the Permanent Representative to IMO in London and a Deputy Commissioner of Maritime Affairs. On 5 February 1998, United States Customs seized a Hummer armoured vehicle with a hardened point to attach a weapon with a value of US$ 146,260, in Savannah, Georgia. The vehicle was being exported to Liberia via Côte d'Ivoire without an export licence, thereby contrary to United States law and regulations and a contravention of the United Nations arms embargo on Liberia.

429. An investigation in the United States revealed the United Kingdom broker for this deal was to be the Liberian Purchasing Agency Europe (LIPAE) Inc. which operated from an address in London and the sole director was a Nigerian national named Liam Ge, who is also the director of the Liberian Purchasing Agency Europe Ltd. A United States broker called Mr. Aikhuele using a company named IMIOTA was also involved. Further investigations showed that payments were made from the Permanent Mission of the Republic of Liberia to the IMO Bank of Scotland Account and from LIPAE Ltd at Barclays Bank Plc to Aikhuele and Boomershine Pontiac of Smyrna, Georgia, who held the dealership for the Hummer vehicle. British police investigations provided documentation on Gerald Cooper's involvement in the transaction and there was further evidence that Cooper visited Atlanta in January 1998 for discussions with Mr. Aikhuele about the destination of the vehicle and the possibility of ordering three more vehicles with hardened points.

430. On 12 February 1999, the British Foreign and Commonwealth Office requested the Government of Liberia to waive Cooper's diplomatic immunity so that he could be interviewed about these transactions. On 27 April 1999, the Liberian Embassy in London declined to waive the immunity and claimed that Cooper had acted in an "official capacity" on behalf of the Government of Liberia; that the Embassy of

Liberia had no specific knowledge of Article 3 (1) (c) of United Kingdom Order 1993 which enacted the United Nations arms embargo on Liberia.

431. On 8 July, Mr. Cooper was declared persona non grata with immediate effect. Mr. Cooper and all members of his family left the United Kingdom. He is now resident in the United States. According to interviews with and official correspondence from the Bureau of Maritime Affairs, Gerald Cooper is a "Senior Vice President of the Liberia International Ship and Corporate Registry". LISCR told the Panel in August that "Gerald is an independent contractor, he is not LISCR and LISCR is not he", and his name does not appear on their official employee list for 2001 or on their payroll, suggesting once again that what the Bureau of Maritime Affairs claims can be unreliable. LISCR had not investigated Cooper's past, prior to hiring him as a consultant, but admitted that they were "aware that he had to leave the United Kingdom under a cloud, but do not know exactly why".

The cases of Sanjivan Ruprah and Benoni Urey

432. In addition to Gerald Cooper's efforts to break the arms embargo in 1998 and 1999, the Panel found that Sanjivan Ruprah, a "Deputy Commissioner of Maritime Affairs", and a consultant to the Bureau of Maritime Affairs, had played an important role in violating the arms embargo.

433. Officially, Ruprah was known by several individuals in Liberia as a consultant to the Bureau of Maritime Affairs, and he is known to have travelled in the capacity of Deputy Commissioner of Maritime Affairs in several European countries using Liberian diplomatic passports. Remarkably, Ruprah used two different diplomatic passports, one issued in Liberia on 24 March 2000 under the name Sanjivan Ruprah, the other on 23 August 2000 under the name Samir Nasr.

434. The Liberian Commissioner of Maritime Affairs, Benoni Urey, denied knowing Mr. Ruprah. However, Sanjivan Ruprah stayed in Monrovia until January 2001, the time when the Sierra Leone report of the Panel of Experts became public, in Liberia. Ruprah told the Panel he had stayed in the house of the former Chief of Police. This was confirmed by several officials in Liberia. The house is in Old Congo Town By-pass in a quiet residential district in Monrovia. Mr. Urey was practically Mr. Ruprah's neighbour.

435. There is more evidence linking Ruprah to Benoni Urey. Ruprah was one of the Global Civil Aviation agents appointed by the Ministry of Transport in Liberia. These agents were entitled to issue certificates of registration for aircraft, a situation that caused the total corruption of the Liberian aviation registry. This Panel obtained more documents showing Ruprah carried official documentation in this respect. One of those, sent by Ruprah to show his appointment by the Ministry of Transport as an agent of the Liberia Civil Aviation Regulatory Authority to a business partner abroad, showed that it was faxed on 7 December 1999 from a fax machine in Monrovia that identified itself as the "Maritime Bureau", the office of the Commissioner of Maritime Affairs in Liberia, Mr. Urey. The address of the recipient is Sanjivan Ruprah, Liberia Civil Aviation Regulatory Authority, Old Congo Town By-pass, which is again the house almost opposite to that of Benoni Urey's. The Panel was also told that Ruprah was a prominent guest at the funeral of Benoni Urey's mother in 2000.

436. Mr. Ruprah is also a close business partner of Victor Bout. He himself acknowledged this in an interview by the Panel and the Panel has documents to prove this close relationship. In this capacity, Ruprah also set up the ghost airline West Africa Air Services, as is described in the section in this report on the violations of the arms embargo. The Panel obtained a copy of a contract agreement between West Africa Air Services and the airline company Renan in Moldova for the leasing of a cargo aircraft. The plane was used, as shown in this report, for weapons transport. This was also acknowledged by Mr. Ruprah and by the pilot of the aircraft. The contract shows that the leasing contract was signed, on behalf of West Africa Air Services, by Mr. LeRoy Urey. LeRoy Urey is the older brother of Mr. Benoni Urey.

437. The West Africa Air Services operation was run through San Air of the United Arab Emirates by Ruprah. As we have already seen, Urey insisted that LISCR make payments to their accounts in June and July 2000 and also authorized a direct BMA payment to San Air on 10 September 2000. These payments were for delivery of weapons including 1,000 submachine guns that were smuggled from Uganda to Liberia.

438. Commissioner Urey also authorized his Deputy Commissioner for Financial Affairs on 13 September to authorize three payments in September 2000 to the Maritime Affairs Account at the Ecobank in Monrovia for onward transmission to the San Air General Trading Account in Sharjah, "via: the account of S. Ruprah". These transfers from the Maritime Account correspond with a payment made by Sanjivan Ruprah for US$ 179,980 to San Air's account on 16 September 2000 (annex 9).

Diamonds and maritime affairs

439. Commissioner Urey also maintains a number of other business interests including farming, cellular telephones and diamonds. He is a sponsor of a number of diamond mining concessions including at Smith Camp and at Cape Mount. The Panel saw many articles on conflict diamonds among the BMA's files in Monrovia and Urey admitted to love diamonds, although he denied breaking the diamond embargo. The association of diamonds with the maritime business is not new. Two separate retired United States Generals associated with the maritime agents have been involved in unofficial diamond transactions. While working for IRI, one of these retired Generals sponsored the activities of a diamond broker and was caught by the authorities at Roberts International Airport with undeclared rough diamonds in 1999.

Maritime officials on the travel ban

440. Agnes Reeves-Taylor, Gerald Cooper, Benoni Urey, the Commissioner of Maritime Affairs, Sanjivan Ruprah, a businessman and deputy commissioner of maritime affairs and Ms. Wessa Dennis, a Deputy Commissioner for Public Affairs at the Bureau of Maritime Affairs, are listed by the Security Council Committee as persons affected by resolution 1343 (2001) on Liberia and are on the United Nations travel ban list. Two of the named persons are known to have violated the ban by travelling without an exemption issued by the Security Council Committee. Sanjivan Ruprah, based since early 2001 in Brussels, has travelled regularly, including to Washington, D.C. and Abidjan. Benoni Urey, the Maritime Affairs Commissioner

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travelled without an exemption from the Security Council Committee to Abidjan on Ghana Airways flight 533 on 29 August 2001.

The Liberian Corporate Registry

441. The Liberian Corporate Registry, managed by IRI and since 2000 by LISCR, has also been used for diamond transactions. The Panel of Experts in Relation to Sierra Leone documented how numerous non-resident corporations used the 80 Broad Street, Monrovia, postal address of the off-shore registry as a convenient label of origin for transactions for smuggled diamonds. This practice has declined following the United Nations imposition of a diamond embargo on Liberia but the Panel has found the address was still used for other types of illicit activity. In this report the case is described of over 1,000 submachine guns that were smuggled from Uganda to Liberia. The broker in this case was acting through the company Culworth Investment Corporation, with an address in 80 Broad Street, Monrovia, Liberia. Culworth joined the registry in 1992 and paid its annual bills until 1997. It became operational again in 2000 around the time of the West Africa Air Services operation. It seems to be an off-the-shelf company used at particular times to provide cover for sensitive business.

442. The 80 Broad Street postal address in Monrovia was used by the International Bank of Liberia Ltd (owned by IRI) up to April 2000 (it then moved to 62 Broad Street) when it was transferred to LISCR for the purpose of continuity in the operation of the off-shore registry. LISCR is the sole registered agent in Liberia for managing legal documents or other notices for the non-resident corporation wherever in the world that management may be.

443. The Liberian Corporate and Maritime Registries provide an important source of revenue to a poor country. The maritime registry is of international repute but it is vulnerable because of the use of the funds it generates for opaque off-budget expenditure including for sanctions-busting.

Recommendations on the Liberian Corporate and Maritime Registry

444. An escrow account should be set up by the Security Council Committee as the ultimate destination for all revenues generated from the shipping and corporate registry. The Panel believes that the Government of Liberia and IMF should reach an agreement to audit this account in order to determine all revenues generated by the shipping and corporate registry and to determine the use of the revenue in this account. The funds in this account should be designated for development purposes.

Part IV
The Travel Ban and States compliance to Security Council resolution 1343 (2001)

The Travel Ban

445. Paragraph 7 of resolution 1343 (2001) states:

> "The Security Council ...
>
> 7. (a) *Decides also* that all States shall take the necessary measures to prevent the entry into or transit through their territories of senior members of the Government of Liberia and its armed forces and their spouses and any other individuals providing financial and military support to armed rebel groups in countries neighbouring Liberia, in particular the RUF in Sierra Leone, as designated by the Committee established by paragraph 14 below, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals, and provided that nothing in this paragraph shall impede the transit of representatives of the Government of Liberia to United Nations Headquarters to conduct United Nations business or the participation of the Government of Liberia in the official meetings of the Mano River Union, ECOWAS and the Organization of African Unity;
>
> (b) *Decides* that the measures imposed by subparagraph (a) above shall not apply where the Committee established by paragraph 14 below determines that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the Committee concludes that exemption would otherwise promote Liberian compliance with the demands of the Council, or assist in the peaceful resolution of the conflict in the subregion;"

446. The Committee established by resolution 1343 (2001), paragraph 14, issued the list of persons to be affected by this Travel Ban on 4 June 2001 (document SC/7068). The Travel Ban has, in the Panel's opinion, been the most effective sanction. Indeed, the Government had agreed with IMF as part of the January to June 2000 Staff Monitored Programme, to "Freeze all non-essential foreign travel" by the end of December 1999. The Fund concluded in its November 2000 report that this had only had "limited effectiveness". The Ministry of Finance in Monrovia admitted that there had been a significant saving on government travel revenue due to the ban although they declined to provide the Panel their figures for travel in 2000 for comparison. However, the Panel did obtain official rates of the per diem allowances for government officials when abroad. They include the President (US$ 600 per day); Vice President (US$ 500 per day); Cabinet Ministers and Heads of ministerial agencies, accredited Ambassadors, Army Chief of Staff (US$ 400); all Deputy Ministers, non-accredited Ambassadors, Heads of departmental agencies (US$ 250 per day); and all Assistant Ministers, Deputy Head of departmental agencies (US$ 200 per day).

447. The Travel Ban has been the source of the greatest number of complaints received by the Panel. Individuals on the list requested to know on what grounds their names had been placed on the list and how to appeal. In each case, the Panel referred them to the Security Council Committee as the appropriate body responsible for drawing up the list. The Panel does believe that the list should not be set in stone, and that for humanitarian reasons some names should be dropped. The

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Panel also believes that the Committee should consider new names and should also properly publicize and set up an effective system to consider applications for travel exemptions for the duration of the Travel Ban.

448. The Panel actively sought to monitor compliance with the Travel Ban. The Panel examined all commercial flight manifests from Roberts International Airport although a request to Spriggs Payne for similar access to their manifest records were not forthcoming despite two meetings with the Director of Spriggs. Table 8 shows the names of individuals that the Panel believes violated the Ban. Some of these individuals such as George Haddad (he is a Lebanese passport holder) and Simon Rosenblum (holds Côte d'Ivoire residency) are able to travel to their homes. Mohammed Salamé has also travelled regularly from Abidjan to Monrovia and back.

Table 8
Persons affected by resolution 1343 (2001) who have travelled from Liberia in violation of the Ban between 7 June and 1 October 2001

Date	*Flight number*	*Name of person*	*Ports of embarkation/ disembarkation*	*Seat number*	*Remarks*
1 October	Sabena SN 678	Taylor E./Mrs.	ROB-AMS	31-A	Kiia Tai Joseph Wong
		Carbah/F. M.	ROB-YUL	4-H	
		Wong/K. Mr.	ROB-BEY	5-G	
24 September	Sabena SN 678	Reffell/V. Ms.	ROB-TLV	7-H	
29 August	Ghana GH 571	Urey/B. Mr.	ROB-ABJ		
14 August	Ghana Airways GH 521	Allen/C.	ROB-Accra		
11 August	Weasua 005	Salamé/M.	ROB-ABJ		
7 August	Weasua 005	Taylor/E.	ROB-ABJ		
6 August	Sabena SN 678	DeShield/C.	ROB-IAD	10-K	Waiver granted
5 August	Weasua 003	Gibson/M.	ROB-FNA		
		Minor/B. G.	ROB-FNA		
		Ward/A.	ROB-FNA		
5 August	Weasua 005	Dennis/J. Mr.	ROB-ABJ		
26 July	Ghana Airways GH-533	Basma/J.	ROB-ABJ		
24 July	Weasua 005	Gaye/A.	ROB-ABJ		
23 July	Weasua 003	Ward/A.	ROB- FNA		
22 July	Weasua 005	Kafel/M.	ROB-ABJ		
		Rosenblum/S.	ROB-ABJ		
16 July	Sabena SN 678	Haddad/G. Mr.	ROB-BEY	4-C	
2 July	Sabena SN 678	Gibson/M. Ms.	ROB-BOS	34-K	
27 June	Ghana Airways	Gaye/A.	ROB-Accra		
11 June	Sabena SN 678	Neal/J. M.	ROB-BRU	5-H	
7 June	Weasua 005	Salamé/M.	ROB-ABJ		

The case of Alphonso Gaye

449. On 27 June, the Director of the National Port Authority, Alphonso Gaye, arrived at Accra International Airport on a Ghana Airways flight from Monrovia. When attempting to enter Ghana carrying a Liberian diplomatic passport (D.00723-00) he was detained at the airport for 24 hours by the immigration authorities. Gaye claimed he was transiting Ghana to a conference in Togo. He was eventually released and returned to Monrovia. The Ghanaian authorities at Accra airport remain very vigilant over the travellers from Monrovia, especially those carrying Liberian diplomatic passports.

The case of Jamal Basma

450. Jamal Basma, a Lebanese informal adviser to President Taylor, travelled on a Liberian diplomatic passport to Abidjan on 26 July to have a number of meetings, including with TotalFinaElf with whom he has a long-standing business relationship. Late on 27 July, he was arrested by the "Direction de la surveillance du territoire" (DST) at the Hotel Sofitel in Abidjan and held for a number of days, and cross-examined on allegations that he was seeking to support Ivorian dissident groups. Eventually with assistance of TotalFinaElf, the intervention of the Liberian Government, and the assistance of the Ivorian Consul, Prosper Kotchi, Basma was finally released and escorted to the airport on 3 August. According to Ivorian officials, he was detained because of his violating the United Nations travel ban, but this would not explain why he had been permitted entrance into the country in the first place.

The case of Gus Kouwenhoven

451. Gus Kouwenhoven, the manager of Hotel Africa and RTC and partner in OTC is a Dutch passport holder, but also holds a number of other passports, including a Liberian diplomatic one. He has regularly travelled to and from Liberia, although his name appears on the Travel Ban list. He does not deny this travel to the Panel, admitting to important business in Congo, Brazzaville, where he is opening a hotel. His name does not appear on the airline manifests at Robertsfield International Airport, although he has been seen on international flights. This has led the Panel to conclude that he travels under a different name.

452. Kouwenhoven has visited Abidjan on a number of occasions since the Travel Ban has entered into force. The Panel has confirmed and obtained documentation that Kouwenhoven visited Abidjan on official government business in June. A printout of his hotel bill at the Hotel Sofitel showed that it had been booked by the Embassy of Liberia in Abidjan (annex 11). After staying there he moved to the Hotel Ivoire for an extra few days. Kouwenhoven also visited Abidjan in early August for a stop-over prior to travelling on to Brazzaville. He was met at the plane and escorted through the airport arrival procedures by the same Ivorian official who had helped Jamal Basma during his deportation to Liberia a few days before.

The Côte d'Ivoire loophole

453. Abidjan airport is the main loophole in better implementation of the Travel Ban. Panel members visited Abidjan five times during the Panel's investigation and found that the authorities had not informed their immigration and security people at the International Airport about the Travel Ban. The Panel itself had provided in

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August the Ban Lists to airport and government officials. The authorities at the airport said they could only act upon the list if given instructions by central government. Despite the Panel's many requests, central government did not assist the Panel in its efforts to document and monitor violations of the ban in Abidjan. The Panel found that Côte d'Ivoire was deliberately uncooperative, despite the frequency of visits and requests for assistance.

454. The Ivorian authorities need to assist the United Nations in establishing a system at Abidjan airport to check that arriving passengers from Monrovia are not on the Travel Ban list or hold a United Nations travel exemption.

Wider implementation

455. The Panel is aware that many countries have tightened their vetting process of visa applications by Liberian nationals. Switzerland and the United Kingdom have reported rejections of visa applications by individuals on the list. One Ambassador reported he had been offered rough diamonds on behalf of an individual on the list to obtain a visa. Sierra Leone has refused Liberian delegations entry on two occasions when they tried to travel to Freetown without an official United Nations travel exemption. In the Philippines, Maxwell Poe has been attending a 23 July to 31 August summer programme at Trinity College, Quezon City, resulting in an exchange of correspondence between the college and the Bureau of Immigration and Deportation.

Recommendations on the Travel Ban

456. The Panel encourages the Security Council Committee to reply to individual requests about the ban promptly and expeditiously. The Panel also recommends that the Committee set up a Liberia Travel Ban web page where the Committee's criteria on how names have been put on the list is described. The web page should also provide information on how to apply for travel exemptions and have a section on who currently has an exemption to travel. This web site should be publicized as a resource for immigration and law enforcement agencies to keep track of who is on the Travel Ban list, and who has exemption.

457. The United Nations Secretariat's Sanctions Department, in consultation with the Committee, should also compile a photographic database of key individuals on the Ban list to counter attempts by a number of individuals on the list to travel under a different name. These photographs could be put on the web site.

458. The Panel does not believe that the list should be set in stone. For humanitarian reasons, a few names should be dropped; the Committee should also consider new names, too.

459. A loophole at Abidjan airport needs urgent attention. The Council should strongly encourage the Ivorian authorities to adopt a less passive attitude towards the implementation of the Travel Ban. A verifiable system should be set up at Abidjan airport to check that arriving passengers from Monrovia are not on the list or if they are, they have obtained a United Nations travel exemption.

Compliance with Security Council resolution 1343 (2001)

Liberia's compliance with resolution 1343 (2001)

460. The President of Liberia acknowledged receipt of resolution 1343 (2001) through a letter dated 22 March sent by the Permanent Representative of Liberia to the United Nations. In this letter, the President claimed to have taken the following initiatives consistent with the demands of the Security Council:

(a) Expulsion of all members of RUF from the territory of Liberia, closing down of RUF contact office and banning of all RUF activities in Liberia;

(b) Closure of border between Sierra Leone and Liberia;

(c) Ban on the entry into Liberia of all uncertified rough diamonds from countries with certification regimes and ban on export of all rough diamonds from Liberia, pending establishment of an internationally acceptable and transparent certification regime in Liberia;

(d) Freezing of assets of RUF and its members;

(e) Order for grounding of all Liberian-registered aircraft and revocation of all these registrations.

461. In the sections above, the Panel has shown that on the issue of diamonds and Liberian-registered aircraft there has been some movement. On other issues there has been less progress. The RUF have not all been expelled from Liberia and Sam Bockarie, "Mosquito", although not a full-time resident of Liberia, currently continues to enjoy Presidential favour. The arms embargo also continues to be violated. The Travel Ban is generally respected by senior ministerial officials, who are seeking travel exemptions.

Notification by other States of compliance

462. The Panel found it difficult to comprehensively assess the compliance of other States in enforcing Security Council resolution 1343 (2001). Implementation and compliance are important and the Panel recommends that future resolutions contain a regular reporting requirement by States to the Security Council Committee on their compliance efforts.

Ideas for continued monitoring of Security Council resolution 1343 (2001)

463. The United Nations Secretariat should appoint a Liberia officer within the Sanctions Department of the Department of Political Affairs. This person should conduct ongoing monitoring of compliance of resolution 1343 (2001) from New York, develop databases of violation reports and dispatch letters of request and make telephone enquiries about such reports. This person should also act as an in-house researcher from the Security Council Committee, able to assist such as in monitoring compliance of the Travel Ban and requests for travel exemptions. A self-standing motivated United Nations Secretariat staff member, with administrative support from the assistants to the Committee could fill this requirement efficiently and cost-effectively. The Angolan Monitoring Mechanism already has attached to it a political officer who has efficiently conducted a number of these tasks.

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464. There should be an ongoing assessment of Liberia's compliance with resolution 1343 (2001) on the ground, too. A way to achieve this in a targeted and cost-effective manner is to renew the mandate for this Panel of Experts for two short periods in 2002 to visit West Africa with the Liberia officer appointed by the Secretariat. These missions should be:

- An assessment mission by the Panel to Liberia and neighbouring States for a period of four weeks starting in April 2002, to investigate and compile a short report on compliance. This report, an independent audit of compliance with recommendations, would then be submitted through the Committee to the Council for consideration in May 2002;
- A second six-week mission to Liberia in September 2002, resulting in a final submission to the Committee in November 2002. This report would also be an independent assessment of total progress of the sanctions regime and the Government of Liberia's compliance over the year.

465. The advantages of this system are that it would, over the year, enhance Secretariat capacity to monitor compliance of resolution 1343 (2001). It also uses the expertise of the Panel in a targeted and cost-effective manner and ensures that the momentum created by the Panel's work in 2001 is not lost.

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Annex 2

Meetings and consultations

Austria

Diplomatic, bilateral and multilateral agencies

GPML (Global Programme against Money Laundering) in the office of UNODCCP
UNDCP (United Nations Drug Control and Crime Prevention)
INCB (International Narcotics Control Board)

Belgium

Government

Ministry of Foreign Affairs (Task Force Kimberley Process)
Ministry of Economic Affairs
Diamond High Council (Hoge Raad voor Diamant)

Private sector

Paul La Roche, Liberia World Airlines, Ostend

Civil society

Christian Dietrich, IPIS

Media

Dirk Draulans, Knack
Walter De Bock, De Morgen

Burkina Faso

Government

Ministry of Foreign Affairs
Ministry of Defence

Diplomatic, bilateral and multilateral agencies

UNDP

Cameroon

Government

Ministry of External Relations
Ministry of Transport
Civil Aviation Authority

Diplomatic, bilateral and multilateral agencies

France
Liberia
Switzerland

UNDP
United Kingdom
United States

Canada

International Civil Aviation Organization (ICAO)

Cape Verde

Two members of the Panel participated in "the 13th Africa and Indian Ocean Planning and Implementation Regional Group Meeting on Civil Aviation". In the margins of the meeting, discussions were held with:

Director of Operations (DG ASECNA)
Chiefs of Air Navigation Services of Burkina Faso, Cameroon, Congo, Chad, Côte d'Ivoire, Gabon, Niger
Director of Air Navigation and Regulatory Services of Uganda
Director of Air Traffic Services of Ghana
Chief of Air Navigation Services of Central African Republic
Director of Civil Aviation and Chief of Air Navigation of Equatorial Guinea
Administrator and Technical Director of DRC

Central African Republic

Government

Ministry of Mines
Ministry of Civil Aviation and Transportation
Ministry of Interior
Director General of Civil Aviation
Director of Cabinet of the Prime Minister

Diplomatic, bilateral and multilateral agencies

France
UNDP

Côte d'Ivoire

Government

Ministry of Foreign Affairs
Ministry of Interior
Ministry of Defence
Ministry of Transport
Interpol Sub-Regional Bureau
Sub-Prefecture of Man
Secretary General of the Prefecture of Biankouma
Prefecture of Guiglo

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Diplomatic, bilateral and multilateral agencies

ASECNA
Canada
Germany
Israel
Liberia
Netherlands
United Kingdom
UNDP
UNHCR
WFP

Civil society

Centre for Democratic Empowerment
Modern Africa

Private sector

Management of hotels Sofitel, Novotel, Ivoire, Tiama, Gulf

Others

General Robert Guei
Liberian Refugees camp Nicla
Yussuf Sanon, Weasua Airlines
Ambassador at large Mohamed Salame
Jean-Francois Guillotte, Air Continental
Dieudonne Essienne, Former Ambassador in Moscow for Côte d'Ivoire
Ellen Johnson Sirleaf, Unity Party of Liberia

Czech Republic

Ivan Feranec, CTK, Prague

Equatorial Guinea

Government

Director General of Civil Aviation
Director General of Telecommunications

Diplomatic, bilateral and multilateral agencies

UNDP

France

Government

Ministry of Foreign Affairs

Diplomatic, bilateral and multilateral agencies

Interpol Headquarters in Lyon

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Private sector

ATIBT (Association Technique Internationale des Bois Tropicaux)
IFIA (Interafrican Forest Industries Association)

Others

Centre d'études africaines, L'Ecole des Hautes en Sciences Sociales
La Lettre du Continent

Gambia

Government

Permanent Secretary and Chief of Defence Staff
Director General of Customs & Central Excise
Director General of Civil Aviation
Minister of Foreign Affairs
Mr. Baba Jobe, Office of the President

Diplomatic, bilateral and multilateral agencies

UNDP

Ghana

Government

Civil Aviation Authority
Immigration Services

Diplomatic, bilateral and multilateral agencies

UNDP

Private sector

Ghana Airways

Guinea

Government

Ministry of Mines, Geology and Environment
Director General of Civil Aviation
National Agency of Air Navigation
Ministry of Foreign Affairs
Ministry of Defence (Defence Equipment Procurement Division) Central Bank of Guinea
National Army
Prefecture of Gueckedou
Local Correspondent of "Agence Guinéenne de Presse" in Gueckedou
Prefect and Chairman of local Collectivities in Macenta
Governor of the Region of Nzerekore
Prefecture of Nzerekore
Commander of Nzérékoré Airport

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Diplomatic, bilateral and multilateral agencies

Canada
France
Ukraine
United Kingdom
United States of America
World Bank
Office of Roberts Flight Information Region (FIR)
UNDP
UNHCR

Private sector

Société de Gestion de l'Aéroport de Conakry

Others

Liberian Refugees in camp Kouakan
Liberian Refugees in camp Kola
Mohamed Yansane, Pecos Compagnie SA
Fatoumata Y. Yansane, Notary for Pecos Compagnie SA

Italy

Government

Public Prosecutor Monza , Dr Walter Mapelli
Consultants to the Prosecutor's office, Mr. Bruno Brugnoni and Ms. Elizabetta Brugnoni
Massimo Alberizzi, Corrierre dela Sera, Milan

Others

Leonid Minin, ETTE (interviewed in Busto Arcizio Prison)

Kazakhstan

Government

Ministry of Foreign Affairs
Multilateral Cooperation Department
International Security Section
Non-tariff Regulation and Export Control Section
Head Illegal Operations Section
Chief Specialist in International Relations
Civil Aviation Committee
Division of Civil Aviation Activities Regulation
Ministry of Defence
National Security Committee
Ministry of Energy and Mineral Resources

Kenya

International Air Transport Association (IATA)
International Civil Aviation Organization (East & Southern Africa Regional Office)
UNDP

Kyrgyzstan

Government

Ministry of Foreign Affairs
Ministry of Defence
Minister of Transport & Communications
Deputy Secretary of the Security Committee
National Security Service
Deputy Director of Air Transport and Air Space Use, Air Management Head of Department

Diplomatic, bilateral and multilateral agencies

UNDP

Private sector

National Aba Joldoru company

Liberia

Government

Liberia's Task Force on UNSC resolution 1343 (2001)
Ministry of Foreign Affairs
Ministry of Lands, Mines & Energy
Ministry of Planning & Economic Affairs
Ministry of Transport
Ministry of Revenue
Ministry of Defence
Ministry of Justice
Ministry of Finance, Bureau of Customs & Excise
Commissioner of Maritime Affairs
Director of Civil Aviation
Governor of Central Bank of Liberia
Manager of Roberts International Airport
National Port Authority of Liberia
Gbatala Army Training Centre
Ministry of Commerce and Industry
Liberian National Police

Private sector

Association of Liberian Loggers
Diamond Brokers Association
Denco Shipping Lines, Inc.
Diamond dealers:
- Diandorra Minerals
- Empire Diamond Company
- MARS Diamond Company

Gold and Diamond Miners and Workers Union (GODIMWUL)
Forest Hill Corporation
Inland Logging
Hotel Africa
Liberia Timber Association
Oriental Timber Company (OTC)
Royal Timber Company (RTC)
Stevfor Inc.

Diplomatic, bilateral and multilateral agencies

Democratic Republic of Congo
Egypt
European Union
Guinea
India (Hon.)
Sierra Leone
UNDP
UNICEF
UNOL
United Kingdom (Hon.)
United States

Civil society

Catholic Justice & Peace Commission
Centre for Democratic Empowerment
GTZ (Germany)
Liberian Interfaith Council
Liberian National Bar Association
Médecine sans Frontières (MSF-France)
Oxfam (UK)
University of Liberia Press Club

Media

BBC
The Enquirer
The News
Press Union of Liberia
Kiss FM
Voice of America

Others

Prisoners of War held in Monrovia, belonging to CDF and LURD
IDPs from Lofa County
AFL and other armed militias in Lofa County
Ghassan Bassma, Africa Motors
Gus Kouwenhoven, O.T.C.
Simon Rosenblum, Getrac

Mali

State Protocol
Ministry of Foreign Affairs
Civil Aviation Authority
UNDP

Moldova

Government

Ministry of Foreign Affairs
Ministry of Civil Aviation
Ministry of Defence

Diplomatic, bilateral and multilateral agencies

UNDP

Private sector

Pavel Igorevich Popov, Moldtransavia Airlines
Andrei Grosul, Renan Air company
Siloci Iurie, Operations Manager CCM VICHI

Others

Captain Garabet, Renan Airlines/West Africa Air Services

Namibia

Directorate of Civil Aviation

Netherlands

African Studies Centre, University of Leiden

Niger

Government

Ministry of Foreign Affairs
Ministry of Transport
Civil Aviation Authority

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Diplomatic, bilateral and multilateral agencies

Agence pour la Sécurité de la Navigation en Afrique et à Madagascar (ASECNA)
UNDP

Norway

Government

Ministry of Foreign Affairs (UN and Africa Departments)

Russian Federation

Government

Ministry of Finance (Gokhran)
Ministry of Foreign Affairs (International Organisations Department and Africa Department)
Ministry of Transportation (External Affairs Department of the State Service of Civil Aviation)

Diplomatic, bilateral and multilateral agencies

Côte d' Ivoire
Kyrgyzstan

Private sector

Valery Cherny, Avia Trend and Ecotrend company
Boris Fedoulov, Paramount Airlines

Senegal

Government

Ministry of Interior
Direction de l'aviation civile

Diplomatic, bilateral and multilateral agencies

AFCAC (African Civil Aviation Commission)
ASECNA
ICAO (West and Central Africa Regional Bureau)

Sierra Leone

Government

Ministry of Foreign Affairs
Ministry of Mineral Resources
Ministry of Trade
Ministry of Justice
Ministry of Civil Aviation
Civil Defence Force
Customs and Excise

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Port Authority
National Security Advissr
Sierra Leone Army
Sierra Leone Police (Police Headquarters, CID, Special Branch and several other departments of Police)
Sierra Leone Defence Headquarters

Private sector

Paramount Airlines
Rex Diamonds
Several diamond dealers in Bo and Kenema

Diplomatic, bilateral and multilateral agencies

Commonwealth Community Safety and Security Project for Sierra Leone (CCSSP)
NCDDR
UNDP
United Nations Special Representative of the Secretary-General
UNAMSIL
- officers and officials deployed in Daru, Kenema, Koidu, Yengema, Moyamba, Bouya,
- a wide range of officers and officials in Freetown

United Kingdom
United States
Sierra Leone Ambassador to Liberia

Civil society

Campaign for Good Governance
CRS (Catholic Relief Services)
Chiefs and Elders from Kono District
Human Rights Watch
International Crisis Group
International Human Rights Law Group
International Medical Group

Media

BBC
Independent
PBS Frontline
Radio UNAMSIL
Reuters
Wall Street Journal

Others

Chief Tony Chenyere, Diamond Airlinesm Freetown
Gibril Massaquoi, spokesman for RUF
Omrie Golley, Political & Peace Council, RUF/SL
Paolo Palizzeri, owner of Cape Sierra Hotel Freetown

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Roger Crooks, Mammy Yoko Hotel, Freetown
Ze'ev Morgenstern, Rex Diamonds

Slovak Republic

Government

Ministry of Foreign Affairs officials
Police Headquarters (several branches of Police)
Ministry of Economic Affairs
Ministry of Defence
Ministry of Transport and Communications

Diplomatic, bilateral and multilateral agencies

UNDP

Spain

Fernando Robleda, ETTE

Switzerland

Government

Federal Department of Foreign Affairs (United Nations & International Organizations; Financial & Economic Affairs)
Federal Customs Administration (Berne)
Federal Department of Justice and Police
State Secretariat for Economic Affairs
Money Laundering Reporting Office (MROS)

Diplomatic, bilateral and multilateral agencies

United Nations Institute for Disarmament Research
WHO

Private sector

JP Airline Fleets International
HSB Republic Bank (Suisse) S.A.
Company Met A.S. Laussane

Civil society

International Committee of Red Cross
Small Arms Survey

Media

Bruno Vanoni, Tagnes-Azeiger
Martin Stoll, Facts

Others

Erkki Tammivuori, Company Met A.S. (Laussane)

Turkey

Government

General Directorate for Security
Ministry of Defence (National and Economic Affairs)
Ministry of Foreign Affairs (Africa and East Asia Affairs)
Under Secretariat of Foreign Trade

Private sector

Company Met A.S. Turkey

Diplomatic, bilateral and multilateral agencies

UNDP
Finland

Uganda

Government

Commissioner of Customs Ministry of Foreign Affairs
Director General of Civil Aviation
Ministry of Defence (Military Intelligence)

Diplomatic, bilateral and multilateral agencies

UNDP

Ukraine

Government

Ministry of Foreign Affairs
Ministry of Interior
Customs Department
Department of Civil Aviation
State Export Control
State Security Service
National Security Directorate
Border Control Authority
Ministry of Defence

Diplomatic, bilateral and multilateral agencies

UNDP

Others

Vadim Rabinovic

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United Arab Emirates

Government

Civil Aviation Authorities in Dubai, Sharjah and Ras al Khaema
Port Authorities at Saquer Port

Private sector

Damas Jewellery (President of Jewellery and Diamond Trade in U.A.E.)

Others

Sergei Bout, AirCess
Serguei Denissenko, San Air General Trading and Centrafrican Airlines

United Kingdom of Great Britain and Northern Ireland

Government

Foreign and Commonwealth Office (United Nations and Africa Departments)

Diplomatic, bilateral and multilateral agencies

IMO
UNIC

Private sector

De Beers
International Air Management
Standard Chartered Bank Limited
Willis Group Ltd. London

Civil society

Amnesty International
Global Witness
Human Rights Watch
International Alert
International Federation of Transport Workers
Oxfam (UK)

Media

Africa Analysis
Africa Confidential
BBC
Economist Intelligence Unit
Financial Times
Reuters
West Africa Magazine

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United States of America

Government

Department of State
Department of Defence

Private sector

IRI
LISCR
World Diamond Council
Rapaport Diamonds

Diplomatic, bilateral and multilateral agencies

IMF (International Monitory Fund)
Missions to the United Nations:

- Bangladesh
- Belgium
- Canada
- China
- France
- Gambia
- India
- Ireland
- Italy
- Jamaica
- Netherlands
- Russian Federation
- Sierra Leone
- Singapore
- Tunisia
- Ukraine
- United Kingdom
- United States

United Nations (DPA, DPKO, OCHA,UNDP)

Civil society

Amnesty International
Human Rights Watch

Media

The Perspective
PBS Frontline
Wall Street Journal

Others

Alhaji Koroma, ULIMO (K)
Peter Sprung, Attorney

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Other locations

Sanjivan Ruprah, West Africa Air Services/arms dealer
LURD representatives

Notes

[1] A number of individuals have played a key part in some of the events noted in this report. The Panel appreciates those who agreed to be interviewed.

[2] Given the sensitive nature of the subjects being investigated by the Panel, many individuals, however, spoke under conditions of confidentiality. Several interviewees have therefore not been listed.

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ARMED FORCES OF LIBERIA

RESTRUCTURING COMMISSION REPORT

Demobilization-Retirement-Restructuring Plan (A Proposal)

NOTE

On December 17, 1998, the Armed Forces of Liberia Restructuring Commission presented its report to the President of the Republic of Liberia and Commander-In-Chief of the Armed Forces of Liberia, His Excellency Dr. Charles Ghankay Taylor in the Parlors of the Executive Mansion.

In making its reports, the 27 member Commission recommended that the Government should pursue the following measures in the effort to restructure the AFL.

1. The Commission's report should be published and distributed so that it may be reviewed by those who are interested in the restructuring issue as well as those wishing to assist Liberia with its armed services restructuring program. The Commission will take all suggestions and advice into account in finalizing the National Plan for Restructuring the AFL.

2. That funding be provided to the Commission to facilitate the immediate re-documentation of the current AFL in keeping with procedures and guidelines defined in the report;

3. That the Minister of National Defense be authorized to design a plan for utilization of all Liberians who have been trained in military science; and,

4. That the Commission is granted the authorization to seek and solicit the assistance of local and international specialists and consultants in costing the restructuring plan.

The President has approved all the above recommendations.

The report of the Presidential Commission on Restructuring of the AFL is ready for public review and comments. The Commission submitted the Report to the President and Commanding-in-Chief of the AFL on the December 17, 1998. The Report contains four recommendations, all of which have been approved by the President.

The Defense Ministry is requesting all individuals and institutions in the governmental and non-governmental sectors to feel free to obtain copies of the report from the Public Affairs Bureau of the Ministry of National Defense.

All comments and recommendations are to be addressed to the Assistant Minister of Defense for Public Affairs for onward transmission to the AFL Restructuring Commission.

Authorities of the Ministry of National Defense and the Presidential Commission for the restructuring of the Armed Forces of Liberia attach great importance to public feedback in finalizing the AFL Restructuring Plan, a Defense Ministry release said.

COMMISSIONERS

AFL Restructuring Commission

1. Hon. Blamoh NelsonDirector General of the Cabinet & Chairman
2. Hon. Daniel L. CheaMinister of National Defense & Co-Chairman
3. B/Gen. Moses S. Wright, Sr. Military Advisor to the Chief of Staff
4. Hon. Bia M. Gala*Former Advisor to the President on International Affairs
5. Rt. Lt./Gen. Harry A. Greaves Former Minister of National Defence
6. Rev. Cecilia Goffa-Duoe (Mrs.) President, Liberian National Girls Guide Movement
7. Hon. Tambakai A. Jangaba National Security Advisor to the President
8. Rt. B/Gen. Arthur B. Dennis Assistant Minister for Admin., Ministry of Information
9. Rt. Maj/Gen. Sandi Ware Former Minister of National Defence
10. Rt. Col. Browrue J. Samukai, Jr. Private Business
11. Cllr. Elizabeth J. Boynneh (Mrs.) President, Association of Female Lawyers of Liberia
12. Rt. B/Gen. Isaac S. Musa Advisor to the President on Military Affairs
13. Rt. Navy Cpt. S. Wiaka Peters Former Asst. Minister of Defence: Coast
14. Col. Emmanuel T. Twegby Former Guard Affairs Deputy Commanding General/AFL
15. Rt. Lt./Gen. J. Hezekiah Bowen Minister of Rural Dev.& Former Chief of Staff /AFL
16. B/Gen. J. Sackor Gippieh President General, Court Marshall Board/AFL
17. Mr. James GayflorRep. of the Senate Committee on National Security, Leg
18. Mr. Yardley PerkinsRep. Of the House Committee on National Security, Leg
19. Mr. Tom Diahkpo Rep. of the of the Office of the Vice President
20. Cllr. Theophilus GouldSolicitor-General, R.L. Ministry of Justice
21. Rt. B/G Philip Bass Kamah Minister of Nat'l Security & Former Comm. Gen./AFL
22. Col. James W. Bonlue**AFL
23. Lt./Col. Omeizu W. Saydee** AFL
24. Hon. Emmet RussDep. Minister for Admin. Ministry of National Security
25. Hon. Benedict Batuah Private Citizen
26. Maj. Thomas Baybo (Pastor) AFL
27. Maj/Gen. Kpenkpah Y. Konah Deputy Chief of Staff/AFL

*Currently on trial for the crime of treason.
**Deceased.

TECHNICAL SUPPORT STAFF

AFL RESTRUCTURING COMMISSION

1. Col. Ceruo O.L. Tarawallay WAC Directress
2. Col. Washington Bowier Liberia Air Force
3. Col. Thomas G.S. Doeway**Military Advisor/MOD
4. Col. Venecious Freeman Commander, 2/BN
5. Col. Eric SwayBde. Director of Staff
6. Col. Borbor Duncan Brigade Hqrs.
7. Min. Johnson Leaman Asst Minister/Navy
8. Capt. Patrick Wallace Asst. COS/Navy
9. Moses ZoaryanG-1, AFL
10. LTC Aaron T. Johnson Deputy G-3, AFL
11. Maj. Dolley Dawon WAC Commander
12. 2/Lt. Kawayan Freeman Operation Officer
13. 2/Lt. Chea Waylee Administrative Officer
14. Msg. Moses W. Taryee Bodyguard
15. Msg. Prince Nagbe Bodyguard
16. 1Sg. Moses Kolubah Orderly
17. 1Sg. Amoss S. G. Kollie Orderly
18. Mr. Willie B. Davies Program Analyst/MOS/DGC
19. Mr. Nathaniel Garpue Special Asst. to the Minister/MOD
20. Mr. Sayo Clerk
21. Mr. John Computer
22. Ms. O... Director

**Deceased.

PART ONE

The Commission And Its

1.1.0: Background

1.1.1. The Liberian Constitution provides that when a state of national emergency is declared due to security reason, the President has the authority to mobilize citizens into the military to put the emergency under control.



Defense Minister Chea

1.1.2. On December 24, 1989, a group of Liberian citizens living outside the country organized themselves under the banner of the National Patriotic Front of Liberia and launched a cross border incursion into the country. In reaction to this development, the then President Samuel Kanyon Doe declared that the nation was faced with a crisis and consequently requested the Legislature to grant him emergency powers to deal with the incursion militarily. The powers were granted. Accordingly, President Doe ordered the Armed Forces of Liberia (AFL) into a mobilization mode for war. As was expected, the process of mobilization upsized the Liberian military-that is, the army, navy and airforce.

1.1.3. During the course of the war, the AFL splintered. Some of its members were forced to flee to refugee camps in foreign countries to avoid persecution.

1.1.4 The

37... Manage... Editor, Phillip N...

FACT 103

From about 1990, a segment of the ECOMOG forces which engaged in military operations in Liberia, were based in Sierra Leone.

a.	Exh. 1.338	ERN 00025083-00025105	Transcripts of BBC Radio Broadcasts, at pp. 12-13 (00025094-00025095). (Charles Taylor says he doesn't know how much longer he'll continue to accept Nigerian airplanes taking off from Sierra Leone and launching attacks on Liberia).

Track 5: Charles Taylor Answers Babangida, 01.11.1990

To say that not much love is lost between Charles Taylor, leader of the Patriotic Front rebels in Liberia and President Babangida of Nigeria would be putting it mildly.

Charles Taylor has persistently attacked the presence of the ECOMOG force in Liberia has rejected the interim Government set up by ECOWAS and the ceasefire agreement signed in Banjul last week. He also refused to go to the ECOWAS meeting in Bamako and said ECOWAS should meet him in territory that he holds in Liberia.

Well yesterday President Babangida defended the role of ECOMOG and described Charles Taylor as being arrogantly intransigent in spite of calls for reason, political sanity and peace.

Well, Charles Taylor called us up this afternoon and Robin White asked him what he made of President Babangida's allegations. Were they at all justified?

CT Ah, none whatsoever, I think there is a degree of arrogance on his part by thinking that he can just abuse the people of this country. I regret the statement of President Babangida and I think it's about time that instead of him trying to justify killing Liberians he should be trying to pull his troops out of here and help us to reconstruct this country which he has an obligation to do so. He has destroyed it.

RW You have recently called him a black Hitler. His language in comparison seems rather cool and calm.

CT Well, how else do you describe a powerful black African country as Nigeria with oil money that has chosen, instead of buying food and medicine to help the Liberian people, has chosen to use Alpha jets and Sea Harrier jump jets to bomb innocent people and destroy this country? How else do you describe him?

RW You say you're not being intransigent and yet you're now insisting that you're only prepared to have peace talks in areas of Liberia controlled by you. Now isn't that ridiculous to insist on that? Nobody's going to come and hold peace talks inside areas controlled by you.

CT I am prepared to continue the ceasefire in this country, ok? So you know the whole question here is not that I want peace talks to be held here. I was invited to Bamako to meet a contact group of the Mediation Committee. This is an insult to me. So I have invited that group that does not know what is happening on the ground in Liberia to come here and meet with me and the Liberian people and see first hand and not go away in Banjul what the situation is in the country.

RW But aren't you setting down conditions which you know perfectly well no one will fulfil?

CT Robin, why should a Government be appointed in the Gambia and some committee invites me as President of this nation to go to Bamako only to see a

contact group?

RW But Mr Taylor while you're standing on your own importance people are dying in thousands

CT If, if somebody wants for me to surrender this Government to Amos Sawyer or any other Government that is appointed in Banjul which is, in fact, what they want, this war will never stop.

RW Why not?

CT Because we did not fight this war to hand it over to anybody else.

RW You've been talking about ECOMOG (gov') planes bombing your areas just what has been going on?

CT They are bombing, they are killing people, the destruction is visible and there is no moral justification for Nigeria doing this and I'm not sure of how long I can continue to accept Nigerian airplanes taking off out of Sierra Leone. I may just have to put a stop to it.

RW How would you do that?

CT Well, it's anybody's guess but I have had enough of the Sierra Leonean Government permitting Nigerian aircraft to come out and kill my people. I'm saying that planes are taking off from bases at the international airport in Freetown at the end of the runway that leave and come and blow Liberian babies, women and old people away and my patience has run out in Momoh permitting this to happen from his territory.

RW But how exactly do you propose to stop it?

CT It's anybody's guess. Maybe Momoh doesn't know but he'll soon find out.

RW Are you, are you suggesting that you will go and attack Sierra Leone yourself?

CT That's not what I'm saying, but it's for Momoh to determine.

RW Would you accept that over the last couple of weeks you've had to surrender some territory?

CT Oh yes, we declared a cease fire and have refused to fight but because of the continuous aggression now we have had to take on a more offensive posture. Ah, yes, I concede that we did not fight and we did lose some territory but I can assure you that we will gain it back because they want this fight to continue now we are going to remove ourselves from a defensive posture to an offensive posture again.

Charles Taylor, leader of the Liberian Patriotic Front rebels.

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TRANSCRIPTS OF INTERVIEWS BROADCAST ON THE BBC

Un-official transcripts prepared by the OTP.

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Track 1: Charles Taylor's Offensive, 15.01.1990

In the teeth of Liberian Government assertions that the National Patriotic Front rebellion is now over, refugees continue to pour across the border from Nimba County into neighbouring Ivory Coast. The refugees now number over 20,000 and they talk of a clash between the rebels and Liberian government troops in Southern Nimba yesterday, after which a village was burnt to the ground.

This afternoon, the leader of the rebels, Charles Taylor called us up from an undisclosed African country claiming that the Patriotic Front has launched a new offensive.

On the line, Robin White asked him where the fighting's been taking place.

CT Well our forces have been in action in and around Buruwale?. This is a bordering town of Grand Gedeh County. We will also be involved in some subsequent actions in the middle part of the country which we do not want to disclose at this particular time because we are trying to engage the enemy in such a way that he will not understand our movement.

RW How many men do you now have inside Liberia?

CT We have now between three to five thousand guerillas now in and that are stationed in different parts of the country and we have moved and moved thousands of Liberians including soldiers of the armed forces that have come and joined our ranks that are involved in this particular operation

RW But er when you first came in you said you had about 150 people, how can you possibly have so many people now?

CT This is a people's uprising where thousands of men have joined our ranks from all parts of the country that are located within this region, who understand our struggle. Yet we are going to make our presence [...] we are going to make our presence felt in the city of Monrovia within the next few days.

RW Within the next few days?

CT That is correct.

RW Is that a prediction?

CT That's not a prediction. This is a definite statement.

RW And what exactly will happen in Monrovia?

CT Well, Robin, you know this is war. We want for Doe to understand that this is not a half cast type situation that has developed and we want for Monrovia to know that we are around and we will prove to Doe that we are in Monrovia and certain actions will be taken and the World will know that we are in Monrovia.

RW The only thing that's so far happened in Monrovia is that a couple of your people, rather poor looking rag taggle kind of people have been picked up and put on parade and told everything about their military training in Burkina Faso and Libya.

CT Well I'll tell you something Robin. Erm, you know, I don't even know these people that Doe is talking about, Doe has always trumped up stories, we don't even know who these people are.

RW What about reports that people in your organisation have been through some kind of juju ceremony to make them bullet proof?

CT (laughs) Robin I tell you what happened. We have incidents of Doe people eating human beings and we don't believe in juju and eating human beings. We have trained soldiers that we can depend on in the battlefield. That's all a bunch of hogwash.

RW Mr Taylor so far around 22,000 people – Liberians – have fled the country into neighbouring countries because of your actions. Do you think that's right?

CT Ah Robin, not because of my actions. Our cause is right.

RW (interrupts CT) They didn't flee until you started fighting Mr Taylor.

CT I'll tell you what happened, yes, they did not flee until we started fighting but there are thousands of Liberians inside Monrovia and other places that have sent us letters that have sent us words to say look, carry on, somebody needed to take on this monster Doe, somebody needed to do it. And I took the gamble, ok? Somebody had to do it Robin. How long, how long should Liberians sit down and let Doe murder, maim people, there are more than 200,000 Liberians in exile for the first time in our history. I mean this is preposterous. You know, I don't like to see Liberians dying be it on Doe's side or my side. But we have no alternative now but to uproot this bum off our backs.

RW The people arriving in the Ivory Coast Mr Taylor don't seem to have too many good words to say for you.

CT Oh Robin, I tell, who are they talking to? They are talking to, to er people...listen. I'll tell you..if..if

RW (interrupts CT) They are talking Mr Taylor, they are talking to people who are treating their wounds.

CT The issue here is doing what is right. We seek nothing else but justice and we have not gotten it from Liberia – from Samuel Doe – and we intend to fight until we move him.

Charles Taylor of the National Patriotic Front of Liberia

Track 2: Charles Taylor on Killings of Missionaries, 30.03.1990 00025086

This afternoon Liberian rebel leader Charles Taylor called us up to put the record straight, as he sees it, about the fate of missionaries in troubled Nimba County. In the past couple of weeks there's has been an upsurge of fighting in the County where Taylor launched his rebellion last December. The rebels have been attacking towns and Government garrisons and foreigners have been evacuated from the mining town of Yecepa near the Guinea border. It's also been reported that missionaries have been caught up in the fighting and that two of them have been killed, allegedly by rebels. Robin White asked Charles Taylor why his men were now killing missionaries.

CT Yes we do have a set of activities in the County. Our forces are advancing. It was a very unfortunate situation of which I have issued orders and a press release with my condolences to the British and American Governments for the mishap. Ah, what happened from our field reports is that the er, the Liberian Government troops seized Mr and Mrs Jackson from their home and tried to use them as coverage between Bah and Sagleipie in Nimba County after our forces attacked and it was an unfortunate situation where they fell into a major ambush and unfortunately were killed. I have ordered all flags in our occupied territory flown at half mast and ordered a 24 hour ceasefire in commemoration of the Jacksons that gave invaluable services to the Liberian people and they even spoke the language of the people so they were not enemies of the NPFL.

RW Isn't an incident like this going to turn the World against you?

CT They were not killed by our forces intentionally but they were being used as cover and got caught up in the cross fire.

RW Yes, but could you answer the question. Isn't this going to turn the World against you?

CT No, I do not think so simply because the situation speaks for itself. It was an unfortunate, very unfortunate situation.

RW Now what are you up to in Nimba County at the moment the fighting seems to be spreading?

CT Yes the fighting is spreading and in fact we we we do extend our thanks to the American and British Governments for asking their nationals to leave because we have just ordered that any train leaving Yecepa will be fired upon by our missiles and we are moving according to plans and this war we did not start it to fight in Nimba we started it to remove Doe and onto Monrovia. So all of our efforts are to continue to advance to Monrovia to remove Doe

RW So you're going to spread murder and mayhem all over the country?

CT Not murder and mayhem. We are after those military personnel that want to fight us. We have issued appeals to the armed forces of Liberia, many soldiers have laid down their arms and have fled. Many of them have turned themselves into us but those that try to fight us we are going to fight them back and we are

moving forward and whatever is in our way we will remove it.

RW Don't you think that the Liberian people must by now be getting pretty fed up with you?

CT No I think they are waiting for me to enter Monrovia.
Listen, just one last thing Robin. Guinean soldiers have been involved in the conflict. We have killed or wounded close to one hundred Guinean troops.

RW Where are those Guinean troops? Where have you been fighting them?

CT We fought them in "Camplay" *[phon.]* They were present in "Camplay" *[phon.]* with mortar and artilleries. We killed some 50 of them, they were also present in Sahniquellie and we also killed some of them. They did temporarily withdraw but with Doe visiting Guinea now we suspect that he wants to ask for more assistance but we do not intend to spread the conflict in the entire region and we ask General Conté to realise that this is an internal Liberian problem and not any foreign aggression on Liberian soil. So he should stay out.

Charles Taylor. Leader of the rebellion in Liberia's Nimba County.

Track 3: Charles Taylor on Fleeing Doe, 26.04.1990

With the civil war in Liberia's Nimba County spilling over and getting ever closer to the capital Monrovia President Doe yesterday threw down the gauntlet to the rebels. He told them to lay down their arms within two weeks or the Government would deal with the situation militarily. And he warned parents of rebels that if their children didn't quit they would not be seen again.

All this came as foreign missions in Liberia were beginning to advise their nationals to leave Liberia altogether.

Well rebel leader Charles Taylor called us up this afternoon and told Robin White what he thought of Samuel Doe and his ultimatum.

CT Well I, I, you know, I think that he is dreaming again. We think that Doe is planning to escape the country but he has planned a massive massive destruction of human lives in and around the capital of Monrovia where he has a 40 barrel missile that he ordered from the [...] Government that he just planned massive destruction before fleeing and what we are trying to do now is stop him from leaving the country because we hope to arrest him.

RW But what evidence is there that he's about to leave?

CT Well, we have confirmed intelligence reports, ah he has been flying this helicopter, he doesn't sleep in Monrovia, he flies out of town, we know the location, and he has packed up family members and different things and they really want to leave. This is what he's talking about.

RW Isn't this just wishful thinking on your behalf?

CT Oh no, Robin you see we, what is so dangerous about what is happening, look, these soldiers that are being killed by us are Liberian people. We hate to see this happen Robin. What is going on is that we have young people that Doe is is is you know that he has assembly lined you know through a few weeks of training, sent them to the battlefront without weapons. We've killed hundreds of soldiers over the past week without weapons. We've wiped out truck loads of soldiers and found these young people without any weapons. He sent 1,300 troops. We have several hundreds of them that we are even re-training. Coastguard personnel that we have captured and that er you know it's just pathetic that he would take these young people and send them to the battlefront without proper training and without weapons. He does not have the military muscle to do anything, in fact, we plan to move on that capital as soon as possible so I can understand why the Americans and others are evacuating and I think it's a very sensible thing to do but like I said I am trying to prevent Doe from leaving the country with the money that he has put together understand to flee.

RW But Mr Taylor, the evidence from history is that he is not a man that runs away. He stayed and fought.

CT Yeah he has only fought whom civilians? Doe has never had a man like Charles

Taylor to confront him. This is a real fight. This is a heavyweight fight between he and Charles Taylor. So this is just round two. It's a fifteen rounder and if he wants to wait for me I'm not hiding, I'm coming to Monrovia

RW According to you what is the military situation throughout the country now?

CT We have forces Robin, it is impossible and the international community, the journalists can go and see, it is impossible for anybody to travel beyond Gbarnga, Bong County. It is impossible, impossible for anyone to travel beyond Buchanan. We've driven every inch of military personnel of Doe from that area and we would not advise anybody to believe those statements that we do not occupy territory.

RW Mr Taylor, even if your claims are true of occupying areas around close to Buchanan you're still miles and miles away from the capital Monrovia.

CT Robin, from Buchanan to Monrovia is about an hour and a half drive. We're talking about less than 100 kilometres. I have forces in position actually that I can hit anywhere in that country now that I want.

RW What are you predicting is going to happen next?

CT Well the nice thing that we, we are going to do is we are going to try to enter the capital with a minimum loss of life because we know that they, the civilian population in Monrovia is very large and these are our people we do not want to see them hurt so we, based on our military strategy, we are trying to find an appropriate time and moment that we get in with minimum loss of civilian life.

RW You have yourself a rather chequered history Mr Taylor, what makes you think that you'll be welcome in Monrovia?

CT Robin, I tell you the Liberian people are very, very great people. So great now what the people, people are waiting for us. They, they, they, they, they you know they send me tonnes of messages through different, different means begging me to hurry up and come into Monrovia they want this war off their backs

RW Mr Taylor, some time ago you told me that you had no intention of becoming Liberia's next leader, is that still your position that you're not after the number one job?

CT The Liberian people, I tell you Robin, will eventually decide. I'm not sure if they are going to let me get off the hook. The only thing that I am sure the Liberian people will do after all this war and massive destruction is resign and care of Charles Taylor, I'm not sure if they are going to let me have my way regardless of what I think. I think they are going to hold me responsible for rebuilding their country and bringing lives back to normal, try to bring some semblance of order back to that country.

RW So can I get you right? You've now changed your mind and you do want the

number one job?

CT Look I am saying to you here that after all of what I am doing the Liberian people I'm sure are going to hold me tight to do something at least for them, knowing very well that I have struggled so long, they are going to hold me responsible for taking actions and they are going to demand that I do something for them.

RW As I understand it Mr Taylor a number of opposition people although they wish that you succeed they certainly don't want you to be the next President of Liberia and that they've been seeking you out to tell you that.

CT Yes, I, you know I've talked to some of them. You know, our people have always gone after politics, while they were talking politics Doe was consolidating and killing them. Most of them ran and I do not blame them for running because they have to save their lives. But I am open to discussions with all groups. In fact I have openly invited all Liberians, all groups to come in. But I am not going to permit any quasi political groups that have had to run from Doe, while Doe killed our people, to come back and dictate to our front what should happen.

Charles Taylor, leader of the rebels in Liberia.

With reports from Monrovia that rebels are closing in on President Doe and that Government troops are becoming increasingly out of control, peace talks are scheduled to resume tomorrow in Freetown. ECOWAS officials have been waiting in the Sierra Leone capital since last week. The Liberian Government delegation has been at hand, but so far a delegation from Charles Taylor's National Patriotic Front rebels has failed to turn up. President Doe was reported today to be ready to resign but only to hand over to a Government of national unity. Well, this morning we were contacted by the rebel leader Charles Taylor calling from somewhere outside Monrovia on a bad quality field telephone line.

Robin White asked him if the rebels would be going to the Freetown talks.

CT We will be sending a delegation off tomorrow.

RW Do you have any hopes that a peace deal can be negotiated there?

CT We are not there to negotiate anything. We were invited by ECOWAS and we are there to listen to what they have to say Robin.

RW If they call for a ceasefire, will you abide by that?

CT No, there will be no ceasefire Robin, no ceasefire.

RW Why not?

CT Because the longer we prolong this war the more the people suffer so we are going to continue our advance to bring this to an early close

RW So you are going to take the capital you say?

CT Ah, we are progressing carefully because of the massive loss of life Robin. We are only proceeding with caution while we evacuate people into safety zones and to receive food and medical treatment. This is why we are not ready to storm the capital as we should.

RW It seems to be taking a very long time?

CT I understand that and I regret the long time but if we work to move in and tear the city apart the whole World would be jumping all over us.

RW Some people might say that you are unable to take the capital.

CT Well they said I was not able to enter [Bopolu?] and I'm in Monrovia right now.

RW You say you're calling from Monrovia?

CT I'm not calling from Monrovia but I'm near Monrovia.

RW How close are you to Monrovia?

CT Personally I would not give you my position but my troops are exchanging fire right now in Monrovia

Well, in recent weeks there have been a number of plans put forward to try to end the war in Liberia. For instance, that President Doe should stand down if the rebels could guarantee safe passage for him and not take reprisals against his Krahn people. Also that an ECOWAS peacekeeping force should be sent to Liberia.

Well Charles Taylor told us that he could guarantee the safe departure of Doe and that his Krahn people would not be victimised. But what did he feel about an ECOWAS peacekeeping force?

CT There will be no foreign soldiers landing or working on Liberian soil. We have not accepted ECOWAS as a mediator. We are only there to listen. They have no jurisdiction and we will fight any soldier trying to land on Liberian territory.

RW Why? What's the matter with an ECOWAS force?

CT Number one, we have member countries that have provided Doe with arms and ammunition and they cannot be a mediating party to this because they are a direct part of the conflict.

RW Are you talking about Nigeria?

CT [...] I would hate to name but there are at least two countries in the region that we have known that have provided arms and ammunition and they cannot be a party of a mediating team whatsoever.

RW What about the suggestion that seems to be coming from the Americans that an interim Government should be set up but you should not head that interim Government?

CT Ah, don't let them have pipe dreams. There will be no interim Government in this country that is not headed by me.

Well, there have been reports that all is not well within rebel ranks and particularly that there has been dissention in Bong County centering on a certain Prince Johnson. Robin White asked Charles Taylor if Prince Johnson was for or against him.

CT He is not with me and I'm not sure he's against me. And I know that he is fighting for his particular rights that he feels but he is wanted by us because of certain crimes that he committed against his fellow brothers.

RW So it sounds as if you do have a real problem with Prince Johnson?

CT Ah, we do not have a real problem. These are problems that other people would like to see. We do not think that he poses any threat, he has his right and

we want to listen to him.

RW But if he has a separate force from yours isn't that a problem?

CT Ah, I am not sure that he has a separate force. I know that he has a few men with him and we are trying to talk to him because he is afraid that we are going to take serious action against him and I do not intend to do that, I want to listen to his side.

RW What has he done wrong?

CT He advocated a few of our present forces when he had no authority to do so. I appointed him and he is trying to get to me to explain and when he does this I'll get to know what happened. But that's not the issue now, he's not the issue. Doe is my issue.

Well and finally with the battle for Monrovia now running into weeks was Charles Taylor prepared to predict when it would be over?

CT Well I think that Monrovia should be down before the weekend.

That was Charles Taylor, Liberian rebel leader speaking on a poor quality field telephone from somewhere outside Monrovia.

Track 5: Charles Taylor Answers Babangida, 01.11.1990

To say that not much love is lost between Charles Taylor, leader of the Patriotic Front rebels in Liberia and President Babangida of Nigeria would be putting it mildly.

Charles Taylor has persistently attacked the presence of the ECOMOG force in Liberia has rejected the interim Government set up by ECOWAS and the ceasefire agreement signed in Banjul last week. He also refused to go to the ECOWAS meeting in Bamako and said ECOWAS should meet him in territory that he holds in Liberia.

Well yesterday President Babangida defended the role of ECOMOG and described Charles Taylor as being arrogantly intransigent in spite of calls for reason, political sanity and peace.

Well, Charles Taylor called us up this afternoon and Robin White asked him what he made of President Babangida's allegations. Were they at all justified?

CT Ah, none whatsoever, I think there is a degree of arrogance on his part by thinking that he can just abuse the people of this country. I regret the statement of President Babangida and I think it's about time that instead of him trying to justify killing Liberians he should be trying to pull his troops out of here and help us to reconstruct this country which he has an obligation to do so. He has destroyed it.

RW You have recently called him a black Hitler. His language in comparison seems rather cool and calm.

CT Well, how else do you describe a powerful black African country as Nigeria with oil money that has chosen, instead of buying food and medicine to help the Liberian people, has chosen to use Alpha jets and Sea Harrier jump jets to bomb innocent people and destroy this country? How else do you describe him?

RW You say you're not being intransigent and yet you're now insisting that you're only prepared to have peace talks in areas of Liberia controlled by you. Now isn't that ridiculous to insist on that? Nobody's going to come and hold peace talks inside areas controlled by you.

CT I am prepared to continue the ceasefire in this country, ok? So you know the whole question here is not that I want peace talks to be held here. I was invited to Bamako to meet a contact group of the Mediation Committee. This is an insult to me. So I have invited that group that does not know what is happening on the ground in Liberia to come here and meet with me and the Liberian people and see first hand and not go away in Banjul what the situation is in the country.

RW But aren't you setting down conditions which you know perfectly well no one will fulfil?

CT Robin, why should a Government be appointed in the Gambia and some committee invites me as President of this nation to go to Bamako only to see a

contact group?

RW But Mr Taylor while you're standing on your own importance people are dying in thousands

CT If, if somebody wants for me to surrender this Government to Amos Sawyer or any other Government that is appointed in Banjul which is, in fact, what they want, this war will never stop.

RW Why not?

CT Because we did not fight this war to hand it over to anybody else.

RW You've been talking about ECOMOG (gov') planes bombing your areas just what has been going on?

CT They are bombing, they are killing people, the destruction is visible and there is no moral justification for Nigeria doing this and I'm not sure of how long I can continue to accept Nigerian airplanes taking off out of Sierra Leone. I may just have to put a stop to it.

RW How would you do that?

CT Well, it's anybody's guess but I have had enough of the Sierra Leonean Government permitting Nigerian aircraft to come out and kill my people. I'm saying that planes are taking off from bases at the international airport in Freetown at the end of the runway that leave and come and blow Liberian babies, women and old people away and my patience has run out in Momoh permitting this to happen from his territory.

RW But how exactly do you propose to stop it?

CT It's anybody's guess. Maybe Momoh doesn't know but he'll soon find out.

RW Are you, are you suggesting that you will go and attack Sierra Leone yourself?

CT That's not what I'm saying, but it's for Momoh to determine.

RW Would you accept that over the last couple of weeks you've had to surrender some territory?

CT Oh yes, we declared a cease fire and have refused to fight but because of the continuous aggression now we have had to take on a more offensive posture. Ah, yes, I concede that we did not fight and we did lose some territory but I can assure you that we will gain it back because they want this fight to continue now we are going to remove ourselves from a defensive posture to an offensive posture again.

Charles Taylor, leader of the Liberian Patriotic Front rebels.

Track 6: Charles Taylor on Shelling Monrovia Port, 20.11.1990

Over the past couple of days in the Liberian capital of Monrovia, rebel leader Charles Taylor has been shelling the City's port. The attacks come after a two month lull in the fighting in the City and appear to be in retaliation for the bombing by planes of the West African force ECOMOG of Taylor's port at Buchanan. In that attack, boats carrying supplies for Taylor were sunk. Well, in the course of Taylor's bombardment of Monrovia's port some shells have gone astray and some children have been killed. On the line, Robin White asked Charles Taylor why he was shelling the port.

CT Well, Robin, it's very simple we have confirmed through intelligence reports that there was a stockpile of arms at the Freeport in Monrovia being used by the enemy so this is just a decapitating exercise to reduce the capabilities of the enemy. I would love for my people to see these supplies, two boatfuls. I hope we can come to some understanding to stop this senseless war

RW Children are being killed in this bombardment Mr Taylor.

CT Well I tell you quite frankly, the Freeport of Monrovia, Monrovia City according to these people is supposed to be safe, now I don't know who this reporter is claiming that children were killed at the Freeport of Monrovia why would someone want to keep children on the Freeport of Monrovia when Monrovia City is supposed to so safe and cosy.

RW This was near to the Freeport of Monrovia. Your shells missed and landed in a yard and killed some children.

CT That is incorrect. I would never kill Liberian children. Well, we need to take a look at what the planes have been doing in Buchanan and other places. We don't have the luxury of having some special reporter report from Buchanan and when a church gets blown out but I don't believe that report. Our intelligence confirmed that we hit dead centre on enemy positions at the Freeport of Monrovia.

RW So who killed these children?

CT Well, who said that we killed children? Do you believe that, that fella whoever he is? Does he work for the BBC?

RW Yes he does. I believe him.

CT Well er, then maybe they probably carried some people over there that they would like to show but that is an enemy position. There are tanks, armoured carriers, ammo dumps at that port and now we cannot permit any boats into that port when these people are trying to prevent relief supplies from coming into other ports. The whole thing is senseless but we must not permit this to happen.

RW Where are you doing this shelling from?

CT Oh, that's military secret Robin. We we we have capabilities of hitting Monrovia

from almost any point. Don't, don't, don't, believe that stuff about we've been pushed out of Monrovia so far this position and so far out of position but that's not the point Robin. The point here is to stop this war, sit down, begin talking and this is why I am going to Bamako over the next several days to begin the peace process. It is not where we're bombing from or whose getting hurt the whole war is finished and must be stopped at this particular time for Liberians to sit down and talk.

RW You mentioned going to Bamako. Are you definitely going yourself to this conference?

CT I will personally be in Bamako and I like to look into the faces of all the other people that are gonna be there. I will be there personally I promise.

RW Is this a 100% promise? Because you said you would go to places before and then never went.

CT Robin, I don't think you're being fair to me, are you? I have said constantly and consistently that I would not go into any of the five countries that is presently involved in killing my people but any other neutral country I would go to. And I've been consistent with that.

RW Going back to Buchanan, just how much damage have ECOMOG planes done to the port of Buchanan according to you?

CT They hit these two American ships that are still available for inspection. They wouldn't inspect them because you know there are no arms on the ships. Ah, the port is damaged not very badly. These planes are being flown by Caucasians and I guess they may be eatin' money for nothing because they are very useless. So they've been just killing people not hitting targets.

RW You say they're manned by white men?

CT Exactly, all of the Nigerian jets flown over here are manned by Caucasians. I don't know if they're British or wherever but they are Caucasians.

RW How do you know that?

CT Because we've seen them. They come low, we shoot them, we've taken several of them down. You can see their face. You know the jets are open at the top. You can see them.

Liberian rebel leader Charles Taylor.

The fighting in Sierra Leone between Government forces and insurgents is apparently becoming internationalised. The Americans now say they're considering sympathetically a request for help by the Sierra Leone Government. As they believe Charles Taylor's rebel Patriotic Front in neighbouring Liberia is involved in violating the border and crossing into Sierra Leone.

In spite of denials the Sierra Leone authorities insist Taylor is involved and have presented captured rebels to back up their assertions.

On the line to Gbarnga Robin White asked Charles Taylor for his reaction to the American statement.

CT I want to get this very clear a lie is not going to solve the problem in this region. We are not, and I say not, involved in any military situation inside Sierra Leone. You very well know that President Momoh admitted that his troops had entered Lofa County and that they will be there to secure that area. As President of this nation I could not permit that and I engaged in actions to remove and we have successfully ejected Sierra Leonean troops from all Liberian soil and that's finished, operation is over, the case is closed. If the United States wants to supply arms and ammunition to President Momoh I think that's a decision the United States would have to take, I have no comment on that. If they are doing that because they think I am involved in Sierra Leone, I think it's a very bad decision because we are not involved in Sierra Leone.

RW Now the Americans have all these satellites, they can look down and they can see, you know, a tank, a car, you know things as small as that moving. Surely they must have good information in order to assert that they think that you are involved in Sierra Leone

CT Well I'll tell you something Robin. I think that the Americans are, are the best but if there is any satellite or any body that will buy this lie for Momoh that we have attacked Sierra Leone with helicopter gunships then I think they better recall those satellites and bring them back to earth, they may not be working very well because we have not attacked Sierra Leone with any helicopters, jet planes or nothing. If President Momoh wants assistance because of some reason, he can get it without having to fabricate.

RW Now the Sierra Leoneans have put on display a couple of people who said that they were members of your organisation. The two people were called [Kalupe] and [Nure]. Now do you know these two people?

CT Listen I've got, I've got a country here of more than 2 million people under my control. Look, I'm very concerned about Liberian citizens that are being arrested. Some of them I understand are being killed and imprisoned in Sierra Leone because President Momoh believes that we are involved in this thing. There is no such thing. And we cannot just sit by and permit Liberians to be humiliated, beaten and imprisoned by Sierra Leone or its Government because of some mere fabrication. It is my duty to protect Liberian citizens wherever they are and so I want to caution that Government about its display of Liberian citizens and its humiliating actions against our citizens. We will not tolerate this

kind of behaviour.

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RW One of them, [Kalupe], he produced an identity card, showed an identity card, his identification card which said, Member of NPFL and it apparently had your signature on it.

CT If the President of a nation has to sign an ordinary military ID cards, uh, you know what kind of country that is. You, you should be able to know the difference between a lie and the truth and how can I as President of this nation sign an individual ID card. Is that reasonable to you?

RW So you deny it totally?

CT Of course Robin.

Charles Taylor of the Liberian Patriotic Front.

Track 8: Taylor on the OAU Rebuff of his Envoys, 05.06.1991

Well the summit wasn't exactly an auspicious occasion for Charles Taylor's rebel National Patriotic Front of Liberia. Amos Sawyer, head of the Liberian interim Government which is steadfastly unrecognised by Taylor, went to Abuja and was given a warm welcome. The two delegates sent by Taylor were not allowed in. Nigeria's Ambassador in Monrovia said he had had talks to Charles Taylor and was disappointed that he had sent anyone to the summit.

Well, Charles Taylor called us up this afternoon and Robin White asked him what had happened to the delegates he sent to Nigeria.

CT They were warmly received by the protocol people and lodged at the Sheraton Hotel and told to wait. So after about a day they were told that they could not be permitted to enter the hall and they were put on a plane and sent back to Abidjan.

RW Now, does this annoy you?

CT Well, it is unfortunate that the heads of state at an important meeting of the Organisation of African Unity did not get the opportunity of really listening to the Liberian problem. We think that the procedures used over there were not very helpful and [hurt] the peace process.

RW Mr Taylor, I understand that today you spoke with Nigeria's Ambassador to Liberia. Did you protest to him about what had happened?

CT Yes, I made it very clear. He visited with me just a few minutes ago, ah, by the way, I want to be fair to him. This was a trip that had been pending for some time. He visited here and I made it very clear that we did not feel that the process over there was helpful.

RW What did he say?

CT Well, he feels that the process in Abuja does not hurt the peace process because everybody knows that there is a call for it in Liberia that is still not resolved. But you know our people do not understand things in these terms and I think we should have had the opportunity to present a very good case and what has happened has put us in a position where our people have a lot of questions, people are very jittery, they're very concerned, and it is very dangerous.

RW Do you feel that the fact that he has actually come and seen you in Gbarnga is a good sign that constitutes some kind of Nigerian recognition that you at least exist?

CT Well we appreciate the visit here. We think that Nigeria will gradually get to understand the true nature of what is going on in this country. We think that the former Ambassador did not present the true picture and the whole point of this new one is to gather information and I'm sure that decisions will be taken along the correct line. Instead of as happened before.

Charles Taylor of the rebel Patriotic Front of Liberia.

Track 9: Sam Bockarie, 06.01.1999

Well, the man behind the new crisis in Freetown seems to be RUF Commander Sam Bockarie alias 'Mosquito' who has been calling us regularly for ages promising the imminent downfall of President Kabbah.

On the line, Robin White asked him what he was trying to achieve today.

SB I can tell you and now we are in control of Freetown. We are in control of the situation.

RW Of the entire City?

SB Yes, only that some parts of the city where we have known that the politicians and Kabbah and maybe our leader also might be with them, we are trying to avoid that area, not to shell there or attack, not to kill innocently that's why we have kicked some strong defensives around them to see how best we can persuade them because we are not coming to revenge. We will only ask them to give up themself easily.

RW What do you believe President Kabbah should do now?

SB That's why earlier I said that Kabbah should, should step down. I said it earlier that, after the New Year, after the holiday, if Kabbah fails to step down we were going to attach and storm the City. You know it was only because we knew we did not want to kill innocent civilians that is why we did not even shell. We only tried to infiltrate as tactically as we are trained to see that we overrun their positions without killing innocent civilians.

RW And what is your understanding of the current stance of the ECOMOG forces in the City?

SB Ah, even the ECOMOG now we in fact we are actually trying to see how best we can try to get in touch with them to see that they keep calm and not to resist anymore as it is over. They cannot take us where we are, from where we are now.

So the fly in the ceasefire ointment seems to be Sam Bockarie alias – perhaps aptly – Mosquito. He's urging his rebels to go on the offensive we called him up and Robin White asked him why he wasn't taking this chance to work for peace with the President Kabbah Government.

SB That chances was there when Kabbah was in power. But he failed to do that. He said he was not going to talk to us, we are thieves and bandits and that he was going to kill all of us at the end of the year and he never succeeded that's why God has given us the upper hand to have overrun him and now he's gone.

RW But isn't this a golden opportunity for a peaceful solution?

SB There is an opportunity if they are ready.

RW But they say they're ready.

SB If they are ready, our leader cannot be under duress there, being humiliated, molested and then people asking us to cease-fire. We are trying to do everything possible that will secure his release.

RW Now I've just spoken to the Information Minister and he says that if you want to see your leader Foday Sankoh face-to-face he's sure that that can be arranged.

SB Oh, if he can do that then let him arrange that.

[sounds like gun shots in background]

SB I'm sorry Robin. My men are coming around me. They don't want any bush to shake around me.

RW So what are they doing?

SB They are coming the bush. I don't want any bush to shake. Any bush shake we're gonna come[1] there.

RW But I mean is anybody trying to attack you?

SB Yes, maybe somebody will attack, attempt an attack, attacking me.

RW Anyway you were saying about the possibility of you going to see Foday Sankoh face-to-face. You're game for that are you?

SB If he say he is ready to do that, then we are looking up to them but all we want an immediate release of Corporal Sankoh and to be turned over to us or to a neutral ground where we have suggested through the usual channel.

[1] "Come" in this context means 'shoot'.

You've called for you know a general offensive. Do you think your men are going to obey you?

SB It is happening now they are obeying me. This morning I got on the air and I asked if the offensive started last night and all of them answered me yes and as I'm speaking to you Tongo has fallen to us.

RW Where is that?

SB Tongo is another diamond ..., a rich diamond mining area

RW But what about the people in Freetown, are they going to obey you?

SB I tell you, you are the first people I spoken to. I called the task force commander on the air and I spoke to him who is Brigadier G who is commonly called as "Gullit". He is there. I told him that I asked him whether the offensive started since last night. He told me "yes".

RUF rebel commander Sam Bockarie.

Track 11: Sam Bockarie, 09.01.1999

Well the man whose been urging the rebels to ignore the ceasefire and go on the offensive is Sam Bockarie alias 'Mosquito'. He called us up to make some extraordinary claims about an imminent British intervention in the conflict.

Paul Bachibinga asked him what he wanted to say.

SB Yes I learned that simply because I've got an intelligence report that there are certain invaders on sea coming, British naval boats trying to land in Freetown, to invade and that we want to express ourselves that that is not going to be accepted and that if the British naval boats attempts that we are going to burn down all invading countries' embassies. First step. Second step, we will start burning State House and all banks and all of the Government offices and the electricity and water supply and all functionable, I mean buildings that have been functioning with the Government are going to be burned down.

PB What are your sources regarding this ship?

SB The ship, the British mercenaries who are coming to invade. And we have got this information and I also got an information from Mr. [???] the Foreign Minister of Ivory Coast telling me that the Nigerians are bringing more reinforcement and artillery pieces to come and join up with the British mercenaries to invade Freetown and if that is the case before we leave Freetown we are going to burn down all these areas that I have just mentioned to you after we have evacuated all civilians out of the town.

PB Are you saying that the battle is going against you at the moment?

SB The battle that is going on presently is the battle that where the Nigerians have occupied since we have overrun them in Freetown is only what is going on here but the British Naval boat is on the way coming and the mercenaries, the British mercenaries and the Nigerians also are bringing more reinforcements at Lungi and we have known their intention and if that is the case we will make Freetown a battlefield.

PB If you take such a rash decision of burning all embassies and burning buildings in Freetown don't you think you will turn the tide of international opinion against you?

SB The people are behind it. I'm not saying that I'm going to bomb all government embassies I mean all embassies but all the invading countries embassies. The embassies are going to be burnt down.

RUF rebel Commander Sam Bockarie.

FACT 104

Most of the ECOMOG forces remained in Liberia until about February 1998.

a.	Exh. 1.235	n/a	Profile: Economic Community of West African States (ECOWAS), at http://www.africa-union.org/Recs/ECOWASProfile.pdf at page 7.

State in Abuja on 30-31 October 1998 and the Programme for the Co-ordination of Assistance for Security and Development (PCASED), held in Bamako on 24 March 1999. Meeting in Abuja on 9 July 2001, ECOWAS heads of state and government extended the moratorium for another 3 years.

The ECOWAS Declaration of Political Principles in 1991 set out member states' commitment to uphold human rights, democracy and the rule of law. This was taken further in December 2001, with declarations on Child Rights and Human Trafficking, and most importantly, the Protocol on Democracy and Good Governance, which addresses root causes of conflict, such as corruption and instability. This is a supplementary protocol to the Protocol on the Mechanism for Conflict Prevention, Management and Resolution, Peace and Security, and deals with issues such as free, fair elections, civilian control of the military and unconstitutional changes of government.

Plans for the establishment of a regional criminal investigation and intelligence bureau were considered at meetings of the ECOWAS Police Chiefs on 23 September 2002 and the Interior Ministers on 26 September 2002 as part of efforts to combat cross-border criminal activities.

6.1 ECOMOG

ECOWAS Monitoring Group (ECOMOG) operations started in Liberia to prevent the overthrow of the unpopular government of President Samuel Doe by the National Patriotic Front of Liberia (NPFL) led by Charles Taylor. Doe called on the Community for help. His request would eventually split the Community when the Anglophone countries, led by Nigeria, decided to assist, while the Francophone countries largely opposed the military intervention.

The intervention force that landed in Liberia on 24 August 1990 consisted of troops contributed by Nigeria, Ghana, Guinea, Sierra Leone and The Gambia. Successive fighting, looting and killing was temporarily halted by a number of short-lived peace accords until the fourteenth peace accord was signed in Abuja in August 1996. ECOMOG oversaw the subsequent elections on 19 July 1997 that swept Taylor to power in a landslide victory. The Group departed in February 1998, having earned grudging respect for its role in the latter years.

The barbarity and cruelty seen in the NPFL operations in Liberia were mirrored in those of the Revolutionary United Front (RUF) under Foday Sankoh in neighbouring Sierra Leone from Liberia. RUF operations started in March 1991. In 1994 the Sierra Leonean and Nigerian governments signed a defence pact and ECOWAS soon extended the mandate of ECOMOG in Liberia to include Sierra Leone, and moved its headquarters from Monrovia to Freetown. A cease-fire between the government and the RUF eventually came into effect on 24 May 1998, followed by negotiations and a peace deal on 7 July 1999. ECOMOG would eventually reinforce its troops to almost 15 000 before the United Nations Assistance Mission in Sierra Leone (UNAMSIL), start taking over in accordance with the Lomé Accords.

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FACT 105

During the period 2 August 1997 until about 18 January 2002, the President of the Republic of Liberia was vested with the executive power of the Republic of Liberia and served as Commander-in-Chief of the Armed Forces of Liberia. These powers automatically vested to the President pursuant to Article 50 of the Constitution of Liberia.

a.	Exh. 1.276	n/a	Constitution of the Republic of Liberia, Ch. VI, Art. 50
b.	Exh. 1.243	n/a	Liberian Codes Revised, Vol. III, Chapter 24, §24.2

Article 49

The House of Representative shall elect once every six years a Speaker who shall be the presiding officer of that body, a Deputy Speaker, and such other officers as shall ensure the proper functioning of the House. The speaker, the Deputy Speaker and other officers so elected may be removed from office for cause by resolution of a two-thirds majority of the members of the House.

CHAPTER VI

THE EXECUTIVE

Article 50

The Executive Power of the Republic shall be vested in the President who shall be Head of State, Head of Government and Commander-in-Chief of the Armed Forces of Liberia. The president shall be elected by universal adult suffrage of registered voters in the Republic and shall hold office for a term of six years commencing at noon on the third working Monday in January of the year immediately following the elections. No person shall serve as President for more than two terms.

Article 51

There shall be a Vice–President who shall assist the President in the discharge of his functions. The Vice–President shall be elected on the same political ticket and shall serve the same term as the President. The Vice–President shall be President of the Senate and preside over its deliberations without the right to vote, except in the case of a tie vote. He shall attend meetings of the cabinet and other governmental meetings and shall perform such functions as the President shall delegate or deem appropriate; provided that no powers specifically vested in the President by the provisions of this Constitution shall be delegated to the Vice–President.

Article 52

No person shall be eligible to hold the office of President or Vice–President, unless that person is:

a) a natural born Liberian citizen of not less than 35 years of age:

b) the owner of unencumbered real property valued at not less than twenty-five thousand dollars; and

c) resident in the Republic ten years prior to his election, provided that the President and the Vice–President shall not come from the same County.

Article 53

a) The President and the Vice–President shall, before entering on the execution of the duties of their respective offices, take a solemn oath or affirmation to preserve, protect and defend the Constitution and laws of the Republic and faithfully execute the duties of the office. The oath or affirmation shall be administered in joint convention of both Houses of the Legislature by the Chief Justice or, in his absence, the most senior Associate Justice.

b) In an emergency where the Chief Justice and the Associate Justice are not available, such oath or affirmation shall be administered by a judge of a subordinate court of record.

Article 54

The President shall nominate and, with the consent of the Senate, appoint and commission —

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CONSTITUTION OF THE REPUBLIC OF LIBERIA

PREAMBLE

CHAPTER I STRUCTURE OF THE STATE

CHAPTER II GENERAL PRINCIPLES OF NATIONAL POLICY

CHAPTER III FUNDAMENTAL RIGHTS

CHAPTER IV CITIZENSHIP

CHAPTER V THE LEGISLATURE

CHAPTER VI THE EXECUTIVE

CHAPTER VII THE JUDICIARY

CHAPTER VIII POLITICAL PARTIES AND ELECTIONS

CHAPTER IX EMERGENCY POWERS

CHAPTER X AUTONOMOUS PUBLIC COMMISSIONS

CHAPTER XI MISCELLANEOUS

CHAPTER XII AMENDMENTS

CHAPTER XIII TRANSITIONAL PROVISIONS

SCHEDULE

PREAMBLE

We the People of the Republic of Liberia:

Acknowledging our devout gratitude to God for our existence as a Free, Sovereign and Independent State, and relying on His Divine Guidance for our survival as a Nation;

Realizing from many experiences during the course of our national existence which culminated in the Revolution of April 12, 1980, when our Constitution of July 26, 1847 was suspended, that all of our people, irrespective of history, tradition, creed, or ethnic background are of one common body politic;

Exercising our natural, inherent and inalienable rights to establish a framework of government for the purpose of promoting unity, liberty, peace, stability, equality, justice and human rights under the rule of law, with opportunities for political, social, moral, spiritual and cultural advancement of our society, for ourselves and for our posterity; and

Having resolved to live in harmony, to practice fraternal love, tolerance and understanding as a people and

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being fully mindful of our obligation to promote African unity and international peace and cooperation,

Do hereby solemnly make, establish, proclaim, and publish this Constitution for the governance of the Republic of Liberia.

CHAPTER I

STRUCTURE OF THE STATE

Article 1

All power is inherent in the people. All free governments are instituted by their authority and for their benefit and they have the right to alter and reform the same when their safety and happiness so require. In order to ensure democratic government which responds to the wishes of the governed, the people shall have the right at such period, and in such manner as provided for under this Constitution, to cause their public servants to leave office and to fill vacancies by regular elections and appointments.

Article 2

This Constitution is the supreme and fundamental law of Liberia and its provisions shall have binding force and effect on all authorities and persons throughout the Republic.

Any laws, treaties, statutes, decrees, customs and regulations found to be inconsistent with it shall, to the extent of the inconsistency, be void and of no legal effect. The Supreme Court, pursuant to its power of judicial review, is empowered to declare any inconsistent laws unconstitutional.

Article 3

Liberia is a unitary sovereign state divided into counties for administrative purposes. The form of government is Republican with three separate coordinate branches: the Legislative, the Executive and Judiciary. Consistent with the principles of separation of powers and checks and balances, no person holding office in one of these branches shall hold office in or exercise any of the powers assigned to either of the other two branches except as otherwise provided in this Constitution; and no person holding office in one of the said branches shall serve on any autonomous public agency.

CHAPTER II

GENERAL PRINCIPLES OF NATIONAL POLICY

Article 4

The principles contained in this Chapter shall be fundamental in the governance of the Republic and shall serve as guidelines in the formulation of legislative, executive and administrative directives, policy-making and their execution.

Article 5

The Republic shall:

a) aim at strengthening the national integration and unity of the people of Liberia, regardless of ethnic, regional or other differences, into one body politic; and the Legislature shall enact laws promoting national unification and the encouragement of all citizens to participate in government;

b) preserve, protect and promote positive Liberian culture, ensuring that traditional values which are compatible with public policy and national progress are adopted and developed as an integral part of the growing needs of the Liberian society;

c) take steps, by appropriate legislation and executive orders, to eliminate sectionalism and

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tribalism, and such abuses of power as the misuse of government resources, nepotism and all other corrupt practices.

Article 6

The Republic shall, because of the vital role assigned to the individual citizen under this Constitution for the social, economic and political well being of Liberia, provide equal access to educational opportunities and facilities for all citizens to the extent of available resources. Emphasis shall be placed on the mass education of the Liberian people and the elimination of illiteracy.

Article 7

The Republic shall, consistent with the principles of individual freedom and social justice enshrined in this Constitution, manage the national economy and the natural resources of Liberia in such manner as shall ensure the maximum feasible participation of Liberian citizens under conditions of equality as to advance the general welfare of the Liberian people and the economic development of Liberia.

Article 8

The Republic shall direct its policy towards ensuring for all citizens, without discrimination, opportunities for employment and livelihood under just and humane conditions, and towards promoting safety, health and welfare facilities in employment.

Article 9

The Republic shall encourage the promotion of bilateral and regional cooperation between and among Liberian and other nations and the formation and maintenance of regional organizations aimed at the cultural, social, political and economic development of the peoples of Africa and other nations of the world.

Article 10

The Republic shall ensure the publication and dissemination of this Constitution throughout the Republic and the teaching of its principles and provisions in all institutions of learning in Liberia.

CHAPTER III

FUNDAMENTAL RIGHTS

Article 11

a) All persons are born equally free and independent and have certain natural, inherent and inalienable rights, among which are the right of enjoying and defending life and liberty, of pursuing and maintaining and security of the person and of acquiring, possessing and protecting property, subject to such qualifications as provided for in this Constitution.

b) All persons, irrespective of ethnic background, race, sex, creed, place of origin or political opinion, are entitled to the fundamental rights and freedoms of the individual, subject to such qualifications as provided for in this Constitution.

c) All persons are equal before the law and are therefore entitled to the equal protection of the law.

Article 12

No person shall be held in slavery or forced labor within the Republic, nor shall any citizen of Liberia nor

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any person resident therein deal in slaves or subject any other person to forced labor, debt bondage or peonage; but labor reasonably required in consequence of a court sentence or order conforming to acceptable labor standards, service in the military, work or service which forms part of normal civil obligations or service exacted in cases of emergency or calamity threatening the life or well-being of the community shall not be deemed forced labor.

Article 13

a) Every person lawfully within the Republic shall have the right to move freely throughout Liberia, to reside in any part thereof and to leave therefrom subject however to the safeguarding of public security, public order, public health or morals or the rights and freedoms of others.

b) Every Liberian Citizen shall have the right to leave and to enter Liberia at any time. Liberian citizens and non-Liberian residents may be extradited to foreign country for prosecution of a criminal offense in accordance with the provisions of an extradition treaty or other reciprocal international agreements in force. Non-Liberian residents may be expelled from the Republic of Liberia for cause.

Article 14

All persons shall be entitled to freedom of thought, conscience and religion and no person shall be hindered in the enjoyment thereof except as may be required by law to protect public safety, order, health, or morals or the fundamental rights and freedoms of others. All persons who, in the practice of their religion, conduct themselves peaceably, not obstructing others and conforming to the standards set out herein, shall be entitled to the protection of the law. No religious denomination or sect shall have any exclusive privilege or preference over any other, but all shall be treated alike; and no religious tests shall be required for any civil or military office or for the exercise of any civil right. Consistent with the principle of separation of religion and state, the Republic shall establish no state religion.

Article 15

a) Every person shall have the right to freedom of expression, being fully responsible for the abuse thereof. This right shall not be curtailed, restricted or enjoined by government save during an emergency declared in accordance with this Constitution.

b) The right encompasses the right to hold opinions without interference and the right to knowledge. It includes freedom of speech and of the press, academic freedom to receive and impart knowledge and information and the right of libraries to make such knowledge available. It includes non-interference with the use of the mail, telephone and telegraph. It likewise includes the right to remain silent.

c) In pursuance of this right, there shall be no limitation on the public right to be informed about the government and its functionaries.

d) Access to state owned media shall not be denied because of any disagreement with or dislike of the ideas express. Denial of such access may be challenged in a court of competent jurisdiction.

e) This freedom may be limited only by judicial action in proceedings grounded in defamation or invasion of the rights of privacy and publicity or in the commercial aspect of expression in deception, false advertising and copyright infringement.

Article 16

No person shall be subjected to interference with his privacy of person, family, home or correspondence except by order of a court of competent jurisdiction.

Article 17

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All persons, at all times, in an orderly and peaceable manner, shall have the right to assemble and consult upon the common good, to instruct their representatives, to petition the Government or other functionaries for the redress of grievances and to associate fully with others or refuse to associate in political parties, trade unions and other organizations.

Article 18

All Liberian citizens shall have equal opportunity for work and employment regardless of sex, creed, religion, ethnic background, place of origin or political affiliation, and all shall be entitled to equal pay for equal work.

Article 19

No person other than members of the Armed Forces of Liberia or of the militia in active service shall be subject to military law, or made to suffer any pains or penalties by virtue of that law, or be tried by courts-martial.

Article 20

a) No person shall be deprived of life, liberty, security of the person, property, privilege or any other right except as the outcome of a hearing judgment consistent with the provisions laid down in this Constitution and in accordance with due process of law. Justice shall be done without sale, denial or delay; and in all cases not arising in courts not of record, under courts-martial and upon impeachment, the parties shall have the right to trial by jury.

b) The right of an appeal from a judgment, decree, decision or ruling of any court or administrative board or agency, except the Supreme Court, shall be held inviolable. The legislature shall prescribe rules and procedures for the easy, expeditious and inexpensive filing and hearing of an appeal.

Article 21

a) No person shall be made subject to any law or punishment which was not in effect at the time of commission of an offense, nor shall the Legislature enact any bill of attainder or ex post facto law.

b) No person shall be subject to search or seizure of his person or property, whether on a criminal charge or for any other purpose, unless upon warrant lawfully issued upon probable cause supported by a solemn oath or affirmation, specifically identifying the person or place to be searched and stating the object of the search; provided, however, that a search or seizure shall be permissible without a search warrant where the arresting authorities act during the commission of a crime or in hot pursuit of a person who has committed a crime.

c) Every person suspected or accused of committing a crime shall immediately upon arrest be informed in detail of the charges, of the right to remain silent and of the fact that any statement made could be used against him in a court of law. Such person shall be entitled to counsel at every stage of the investigation and shall have the right not to be interrogated except in the presence of counsel. Any admission or other statements made by the accused in the absence of such counsel shall be deemed inadmissible as evidence in a court of law.

d) (i) All accused persons shall be bailable upon their personal recognizance or by sufficient sureties, depending upon the gravity of the charge, unless charged for capital offenses or grave offenses as defined by law.

(ii) Excessive bail shall not be required, nor excessive fines imposed, nor excessive punishment inflicted.

e) No person charged, arrested, restricted, detained or otherwise held in confinement shall be subject to torture or inhumane treatment; nor shall any person except military personnel, be kept or confined in any military facility; nor shall any person be seized and kept among convicted prisoners or treated as a convict, unless such person first shall have been convicted of a crime in court of competent jurisdiction. The Legislature shall make it a criminal offense and provide for

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appropriate penalties against any police or security officer, prosecutor, administrator or any other public or security officer, prosecutor, administrator or any other public official acting in contravention of this provision; and any person so damaged by the conduct of any such public official shall have a civil remedy therefor, exclusive of any criminal penalties imposed.

f) Every person arrested or detained shall be formally charged and presented before a court of competent jurisdiction within forty-eight hours. Should the court determine the existence of a prima facie case against the accused, it shall issue a formal writ of arrest setting out the charge or charges and shall provide for a speedy trial. There shall be no preventive detention.

g) The right to the writ of habeas corpus, being essential to the protection of human rights, shall be guaranteed at all times, and any person arrested or detained and not presented to court within the period specified may in consequence exercise this right.

h) No person shall be held to answer for a capital or infamous crime except in cases of impeachment, cases arising in the Armed Forces and petty offenses, unless upon indictment by Grand Jury; and in all such cases, the accused shall have the right to a speedy, public and impartial trial by a jury of the vicinity, unless such person shall, with appropriate understanding, expressly waive the right to a jury trial. In all criminal cases, the accused shall have the right to be represented by counsel of his choice, to confront witnesses against him and to have compulsory process for obtaining witnesses in his favor. He shall not be compelled to furnish evidence against himself and he shall be presumed innocent until the contrary is proved beyond a reasonable doubt. No person shall be subject to double jeopardy.

i) The right to counsel and the rights of counsel shall be inviolable. There shall be no interference with the lawyer-client relationship. In all trials, hearings, interrogatories and other proceedings where a person is accused of a criminal offense, the accused shall have the right to counsel of his choice; and where the accused is unable to secure such representation, the Republic shall make available legal aid services to ensure the protection of his rights.

There shall be absolute immunity from any government sanctions or interference in the performance of legal services as a counselor or advocate; lawyers' offices and homes shall not be searched or papers examined or taken save pursuant to a search warrant and court order; and no lawyer shall be prevented from or punished for providing legal services, regardless of the charges against or the guilt of his client, no lawyer shall be barred from practice for political reasons.

j) Any person who, upon conviction of a criminal offense, was deprived of the enjoyment of his civil rights and liberties, shall have the same automatically restored upon serving the sentence and satisfying any other penalty imposed, or upon an executive pardon.

Article 22

a) Every person shall have the right to own property alone as well as in association with others; provided that only Liberian citizens shall have the right to own real property within the Republic.

b) Private property rights, however, shall not extend to any mineral resources on or beneath any land or to any lands under the seas and waterways of the Republic. All mineral resources in and under the seas and other waterways shall belong to the Republic and be used by and for the entire Republic.

c) Non-citizen missionary, educational and other benevolent institutions shall have the right to own property, as long as that property is used for the purposes for which acquired; property no longer so used shall escheat to the Republic)

d) The Republic may, on the basis of reciprocity, convey to a foreign government property to be used perpetually for its diplomatic activities. This land shall not be transferred or otherwise conveyed to any other party or used for any other purpose, except upon the expressed permission of the Government of Liberia. All property so conveyed may escheat to the Republic in the event of a cessation of diplomatic relations.

Article 23

a) The property which a person possesses at the time of marriage or which may afterwards be acquired as a result of one's own labors shall not be held for or otherwise applied to the liquidation

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of the debts or other obligations of the spouse, whether contracted before or after marriage; nor shall the property which by law is to be secured to a man or a woman be alienated or be controlled by that person's spouse save by free and voluntary consent.

b) The Legislature shall enact laws to govern the devolution of estates and establish rights of inheritance and descent for spouses of both statutory and customary marriages so as to give adequate protection to surviving spouses and children of such marriages.

Article 24

a) While the inviolability of private property shall be guaranteed by the Republic, expropriation may be authorized for the security of the nation in the event of armed conflict or where the public health and safety are endangered or for any other public purposes, provided:

(i) that reasons for such expropriation are given;

(ii) that there is prompt payment of just compensation;

(iii) that such expropriation or the compensation offered may be challenged freely by the owner of the property in a court of law with no penalty for having brought such action; and

(iv) that when property taken for public use ceases to be so used, the Republic shall accord the former owner or those entitled to the property through such owner, the right of first refusal to reacquire the property.

b) All real property held by a person whose certificate of naturalization has been cancelled shall escheat to the Republic unless such person shall have a spouse and/or lineal heirs who are Liberian citizens, in which case the real property shall be transferred to them in accordance with the intestacy law.

c) The power of the Legislature to provide punishment for treason or other crimes shall not include a deprivation or forfeiture of the right of inheritance, although its enjoyment by the convicted person shall be postponed during a term of imprisonment judicially imposed; provided that if the convicted person has minor children and a spouse, the spouse or next of kin in the order of priority shall administer the same. No punishment shall preclude the inheritance, enjoyment or forfeiture by others entitled thereto of any property which the convicted person at the time of conviction or subsequent thereto may have possessed.

Article 25

Obligation of contract shall be guaranteed by the Republic and no laws shall be passed which might impair this right.

Article 26

Where any person or any association alleges that any of the rights granted under this Constitution or any legislation or directives are constitutionally contravened, that person or association may invoke the privilege and benefit of court direction, order or writ, including a judgment of unconstitutionality; and anyone injured by an act of the Government or any person acting under its authority, whether in property, contract, tort or otherwise, shall have the right to bring suit for appropriate redress. All such suits brought against the Government shall originate in a Claims Court; appeals from judgment of the Claims Court shall lie directly to the Supreme Court.

CHAPTER IV

CITIZENSHIP

Article 27

a) All persons who, on the coming into force of this Constitution were lawfully citizens of Liberia shall

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continue to be Liberian citizens.

b) In order to preserve, foster and maintain the positive Liberian culture, values and character, only persons who are Negroes or of Negro descent shall qualify by birth or by naturalization to be citizens of Liberia.

c) The Legislature shall, adhering to the above standard, prescribe such other qualification criteria for the procedures by which naturalization may be obtained.

Article 28

Any person, at least one of whose parents was a citizen of Liberia at the time of the Person's birth, shall be a citizen of Liberia; provided that any such person shall upon reaching maturity renounce any other citizenship acquired by virtue of one parent being a citizen of another country. No citizen of the Republic shall be deprived of citizenship or nationality except as provided by law; and no person shall be denied the right to change citizenship or nationality.

CHAPTER V

THE LEGISLATURE

Article 29

The legislative power of the Republic shall be vested in the Legislature of Liberia which shall consist of two separate houses: A Senate and a House of Representatives, both of which must pass on all legislation. The enacting style shall be: "It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled."

Article 30

Citizens of Liberia who meet the following qualifications are eligible to become members of the Legislature.

a) for the Senate, have attained the age of 30 years and for the House of Representatives, have attained the age of 25 years;

b) be domiciled in the country or constituency to be represented not less than one year prior to the time of the election and be a taxpayer.

Article 31

Each member of the Legislature, before taking his seat and entering upon the duties of office, shall take and subscribe to a solemn oath of affirmation, before the presiding officer of the House to which such person was elected and in the presence of other members of that House, to uphold and defend the Constitution and laws of the Republic and to discharge faithfully the duties of such office.

Article 32

a) The Legislature shall assemble in regular session once a year on the second working Monday in January.

b) The President shall, on his own initiative or upon receipt of a certificate signed by at least one-fourth of the total membership of each House, and by proclamation, extend a regular session of the Legislature beyond the date for adjournment or call a special extraordinary session of that body to discuss or act upon matters of national emergency and concern. When the extension or call is at the request of the Legislature, the proclamation shall be issued not later than forty-eight hours after receipt of the certificate by the President.

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Article 33

Simple majority of each House shall constitute a quorum for the transaction of business, but a lower number may adjourn from day to day and compel the attendance of absent members. Whenever the House of Representatives and the Senate shall meet in joint session, the presiding officer of the House of Representatives shall preside.

Article 34

The Legislature shall have the power:

a) to create new counties and other political sub-division, and readjust existing county boundaries;

b) to provide for the security of the Republic;

c) Armed Forces of the Republic, and to make appropriations therefor provided that no appropriation of money for that use shall be for a longer term than on year; and to make rules for the governance of the Armed Forces of the Republic;

d) to levy taxes, duties, imports, exercise and other revenues, to borrow money, issue currency, mint coins, and to make appropriations for the fiscal governance of the Republic, subject to the following qualifications:

(i) all revenue bills, whether subsidies, charges, imports, duties or taxes, and other financial bills, shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills. No other financial charge shall be established, fixed, laid or levied on any individual, community or locality under any pretext whatsoever except by the expressed consent of the individual, community or locality. In all such cases, a true and correct account of funds collected shall be made to the community or locality;

(ii) no monies shall be drawn from the treasure except in consequence of appropriations made by legislative enactment and upon warrant of the President; and no coin shall be minted or national currency issued except by the expressed authority of the Legislature. An annual statement and account of the expenditure of all public monies shall be submitted by the office of the President to the Legislature and published once a year;

(iii) no loans shall be raised by the Government on behalf of the Republic or guarantees given for any public institutions or authority otherwise than by or under the authority of a legislative enactment;

e) to constitute courts inferior to the Supreme Court, including circuit courts, claims courts and such courts with prescribed jurisdictional powers as may be deemed necessary for the proper administration of justice throughout the Republic;

f) to approve treaties, conventions and such other international agreements negotiated or signed on behalf of the Republic;

g) to regulate trade and commence between Liberia and other nations;

h) to establish laws for citizenship, naturalization and residence;

i) to enact the election laws;

j) to establish various categories of criminal offenses and provide for the punishment thereof;

k) to enact laws providing pension scheme for various categories of government officials and employees in accordance with age and tenure of service; and

l) to make other laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the Republic, or in any department or officer thereof.

Article 35

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Each bill or resolution which shall have passed both Houses of the Legislature shall, before it becomes law, be laid before the President for his approval. If he grants approval, it shall become law. If the President does not approve such bill or resolution, he shall return it, with his objections, to the House in which it originated. In so doing, the President may disapprove of the entire bill or resolution or any item or items thereof. This veto may be overridden by the re-passage of such bill, resolution or item thereof by a veto of two-thirds of the members in each House, in which case it shall become law. If the President does not return the bill or resolution within twenty days after the same shall have been laid before him it shall become law in like manner as if he had signed it, unless the Legislature by adjournment prevents its return.

No bill or resolution shall embrace more than one subject which shall be expressed in its title.

Article 36

The Senators and Representatives shall receive from the Republic remuneration for their services to be fixed by law, provided that any increase shall become effective at the beginning of the next fiscal year.

Article 37

In the event of a vacancy in the Legislature caused by death, resignation, expulsion or otherwise, the presiding officer shall within 30 days notify the Elections Commission thereof. The Elections Commission shall not later than 90 days thereafter cause a by-election to be held; provided that where such vacancy occurs within 90 days prior to the holding of general elections, the filling of the vacancy shall await the holding of such general elections.

Article 38

Each House shall adopt its own rules of procedure, enforce order and with the concurrence of two-thirds of the entire membership, may expel a member for cause. Each House shall establish its own committees and sub-committees; provided, however, that the committees on revenues and appropriations shall consist of one member from each County. All rules adopted by the Legislature shall conform to the requirements of due process of law laid down in this Constitution.

Article 39

The Legislature shall cause a census of the Republic to be undertaken every ten years.

Article 40

Neither House shall adjourn for more than rive days without the consent of the other and both Houses shall always sit in the same city.

Article 41

The business of the Legislature shall be concluded in the English language or, when adequate preparations shall have been made, in one more of the languages of the Republic as the Legislature may by resolution approve.

Article 42

No member of the Senate or House of Representatives shall be arrested, detained, prosecuted or tried as a result of opinions expressed or votes cast in the exercise of the functions of his office. Members shall be privileged from arrest while attending, going to or returning from sessions of the Legislature, except for treason, felony or breach of the peace. All official acts done or performed and all statement made in the

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Chambers of the Legislature shall be privileged, and no Legislator shall be held accountable or punished therefor.

Article 43

The power to prepare a bill of impeachment is vested solely in the House of Representatives, and the power to try all impeachments is vested solely in the Senate. When the President, Vice President or an Associate Justice is to be tried, the Chief Justice shall preside; when the Chief Justice or a judge of a subordinate court of record is to be tried, the President of the Senate shall preside. No person shall be impeached but by the concurrence of two-thirds of the total membership of the Senate. Judgements in such cases shall not extend beyond removal from office and disqualification to hold public office in the Republic; but the party may be tried at law for the same offense. The Legislature shall prescribe the procedure for impeachment proceedings which shall be in conformity with the requirements of due process of law.

Article 44

Contempt of the Legislature shall consist of actions which obstruct the legislative functions or which obstruct or impede members or officers of the Legislature in the discharge of their legislative duties and may be punished by the House concerned by reasonable sanctions after a hearing consistent with due process of law. No sanctions shall extend beyond the session of the Legislature wherein it is imposed, and any sanction imposed shall conform to the provisions on Fundamental Rights laid down in the Constitution. Disputes between legislators and non-members which are properly cognizable in the courts shall not be entertained or heard in the Legislature.

Article 45

The Senate shall composed of Senators elected for a term of nine years by the registered voters in each of the counties, but a Senator elected in a by-election to fill a vacancy created by death, resignation, expulsion or otherwise, shall be so elected to serve only the remainder of the unexpired term of office. Each county shall elect two Senators and each Senator shall have one vote in the Senate. Senators shall be eligible for re-election.

Article 46

Immediately after the Senate shall have assembled following the elections prior to the coming into force of this Constitution, the Senators shall be divided into two categories as a result of the votes cast in each county. The Senator with the higher votes cast shall be the Senator from a county shall be placed in the same category. The seats of Senators of the first category shall be vacated at the expiration of the ninth year. In the interest of legislative continuity, the Senators of the second category shall serve a first term of six years only, after the first elections. Thereafter, all Senators shall be elected to serve a term of nine years.

Article 47

The Senate shall elect once every six years a President Pro Tempore who shall preside in the absence of the President of the Senate, and such shall officers as shall ensure the proper functioning of the Senate. The President Pro Tempore and other officers so elected may be removed from office for cause by resolution of a two-theirs majority of the members of the Senate.

Article 48

The House of Representatives shall be composed of members elected for a term of six years by the registered voters in each of the legislative constituencies of the counties, but a member of the House of Representatives elected in a by-election to fill a vacancy created by death, resignation or otherwise, shall be elected to serve only the remainder of the unexpired term of the office. Members of the House of Representatives shall be eligible for re-election.

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Article 49

The House of Representative shall elect once every six years a Speaker who shall be the presiding officer of that body, a Deputy Speaker, and such other officers as shall ensure the proper functioning of the House. The speaker, the Deputy Speaker and other officers so elected may be removed from office for cause by resolution of a two-thirds majority of the members of the House.

CHAPTER VI

THE EXECUTIVE

Article 50

The Executive Power of the Republic shall be vested in the President who shall be Head of State, Head of Government and Commander-in-Chief of the Armed Forces of Liberia. The president shall be elected by universal adult suffrage of registered voters in the Republic and shall hold office for a term of six years commencing at noon on the third working Monday in January of the year immediately following the elections. No person shall serve as President for more than two terms.

Article 51

There shall be a Vice–President who shall assist the President in the discharge of his functions. The Vice–President shall be elected on the same political ticket and shall serve the same term as the President. The Vice–President shall be President of the Senate and preside over its deliberations without the right to vote, except in the case of a tie vote. He shall attend meetings of the cabinet and other governmental meetings and shall perform such functions as the President shall delegate or deem appropriate; provided that no powers specifically vested in the President by the provisions of this Constitution shall be delegated to the Vice–President.

Article 52

No person shall be eligible to hold the office of President or Vice–President, unless that person is:

a) a natural born Liberian citizen of not less than 35 years of age:

b) the owner of unencumbered real property valued at not less than twenty-five thousand dollars; and

c) resident in the Republic ten years prior to his election, provided that the President and the Vice–President shall not come from the same County.

Article 53

a) The President and the Vice–President shall, before entering on the execution of the duties of their respective offices, take a solemn oath or affirmation to preserve, protect and defend the Constitution and laws of the Republic and faithfully execute the duties of the office. The oath or affirmation shall be administered in joint convention of both Houses of the Legislature by the Chief Justice or, in his absence, the most senior Associate Justice.

b) In an emergency where the Chief Justice and the Associate Justice are not available, such oath or affirmation shall be administered by a judge of a subordinate court of record.

Article 54

The President shall nominate and, with the consent of the Senate, appoint and commission —

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a) cabinet ministers, deputy and assistant cabinet ministers;

b) ambassadors, ministers, consuls; and

c) the Chief Justice and Associate Justice of the Supreme Court and judges of subordinate courts;

d) superintendents, other county officials and officials of other political sub-divisions;

e) members of the military from the rank of lieutenant of its equivalent and above; and

f) marshals, deputy marshals, and sheriffs.

Article 55

The President shall appoint and commission Notaries Public and Justices of the Peace who shall hold office for a term of two years but may be removed by the President for cause. They shall be eligible for appointment.

Article 56

a) All cabinet ministers, deputy and assistant cabinet ministers, ambassadors, ministers and consuls, superintendents of counties and other government officials, both military and civilian, appointed by the President pursuant to this Constitution shall hold their offices at the pleasure of the President.

b) There shall be elections of Paramount, Clan and Town Chiefs by the registered voters in their respective localities, to serve for a term of six years. They may be re-elected and may be removed only by the President for proved misconduct. The Legislature shall enact laws to provide for their qualifications as may be required.

Article 57

The President shall have the power to conduct the foreign affairs of the Republic and in that connection he is empowered to conclude treaties, conventions and similar international agreements with the concurrence of a majority of each House of the Legislature.

Article 58

The President shall, on the fourth working Monday in January of each year, present the administration's legislative program for the ensuing session, and shall once a year report to the Legislature on the state of the Republic. In presenting the economic condition of the Republic the report shall cover expenditure as well as income.

Article 59

The President may remit any public forfeitures and penalties suspend and fines and sentences, grant reprieves and pardons, and restore civil rights after conviction for all public offenses, except impeachment.

Article 60

The President and the Vice–President shall receive salaries which shall be determined by the Legislature and be paid by the Republic. Such salaries shall be subject to taxes as defined by law and shall neither be increased nor diminished during the period for which the President and the Vice–President shall have elected.

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Article 61

The President shall be immune from any suits, actions or proceedings, judicial or otherwise, and from arrest, detention or other actions on account of any act done by him while President of Liberia pursuant to any provision of this Constitution or any other laws of the Republic. The President shall not, however, be immune from prosecution upon removal from office for the commission of any criminal act done while President.

Article 62

The President and the Vice–President may be removed from office by impeachment for treason, bribery and other felonies, violation of the Constitution or gross misconduct.

Article 63

a) Whenever a person elected to the office of President dies or is otherwise incapacitated before being inaugurated into office, the Vice–President elected shall succeed to the office of President, and this accession shall commence a term.

b) Whenever the office of the President shall become vacant by reason of death, resignation, impeachment, or the President shall be declared incapable of carrying out the duties and functions of his office, the Vice–President shall succeed to the of the President to complete the unexpired term. In such a case, this not constitute a term.

c) The Legislature shall, no later than one year after the coming into force of this Constitution, prescribe the guidelines and determine the procedure under which the President, by reason of illness, shall be declared incapable of carrying out the functions of his office.

d) Whenever the office of the Vice–President becomes vacant by reason of death, resignation, impeachment, inability or otherwise, the President shall, without delay, nominate a candidate who, with the concurrence of both Houses of the Legislature, shall be sworn in and hold office as Vice–President until the next general elections are held. Whenever the Vice–President elect dies, resigns, or is incapacitated before being inaugurated, the President elected on the same ticket with him, shall, after being inaugurated into office, nominate without delay a candidate who, with the concurrence of both Houses of the Legislature, shall be sworn in an hold office as Vice–President until the next general elections are held.

Article 64

Whenever the office of the President and of the Vice–President shall become vacant by reason of removal, death, resignation, inability or other disability of the President and Vice–President, the Speaker of the House of Representatives shall be sworn in as Acting President until the holding of elections to fill the vacancies so created. Should the Speaker be legally incapable or otherwise unable to assume the office of Acting President, then the same shall devolve in order upon the Deputy speaker and members of the Cabinet in the order of precedence as established by law. The Elections Commission shall within ninety days conduct elections for a new President and a new Vice–President.

CHAPTER VII

THE JUDICIARY

Article 65

The Judicial Power of the Republic shall be vested in a Supreme Court and such subordinate courts as the legislature may from time to time establish. The courts shall apply both statutory and customary laws in accordance with the standards enacted by the Legislature. Judgements of the Supreme Court shall be final and binding and shall not be subject to appeal or review by any other branch of Government. Nothing in this Article shall prohibit administrative consideration of the Justiciable matter prior to review by a court of competent jurisdiction.

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Article 66

The Supreme Court shall be final arbiter of constitutional issues and shall exercise final appellate jurisdiction in all cases whether emanating from courts of record, courts not of record, administrative agencies, autonomous agencies or any other authority, both as to law and fact except cases involving ambassadors, ministers, or cases in which a country is a party. In all such cases, the Supreme Court shall exercise original jurisdiction. The Legislature shall make no law nor create any exceptions as would deprive the Supreme Court of any of the powers granted herein.

Article 67

The Supreme Court shall comprise of one Chief Justice and four Associate Justice, a majority of whom shall be deemed competent to transact the business of the Court. It a quorum is not obtained to enable the Court to hear any case, a circuit judge in the order of seniority shall sit as an ad hod justice of the Supreme Court.

Article 68

The Chief Justice and Associate Justice of the Supreme Court shall, with the consent of the Senate, be appointed and commissioned by the President; provided that any person so appointed shall be:

a) a citizen of Liberia and of good moral character; and

b) a counselor of the Supreme Court Bar who has practiced for at least 5 years.

Article 69

The judges of subordinate courts of record shall, with the consent of the Senate, be appointed and commissioned by the President, provided that any person so appointed shall be:

a) a citizen of Liberia and of good moral character; and

b) an Attorney-at-Law whom has practiced for at least 3 years, or a counselor of the Supreme Court Bar.

Article 70

The Chief Justice and the Associate Justices of the Supreme Court and all judges of subordinate courts shall, before assuming the functions of their office, subscribe to a solemn oath or affirmation to discharge faithfully and impartially the duties and functions of their office and to preserve, protect and defend the Constitution and laws of the Republic. The oath or affirmation shall be administered by the president or his designee.

Article 71

The Chief Justice and Associates Justices of the Supreme Court and the judges of subordinate courts of record shall hold office during good behavior. They may be removed upon impeachment and conviction by the Legislature based on proved misconduct, gross breach of duty, inability to perform the functions of their office, or conviction in a court of law for treason, bribery or other infamous crimes.

Article 72

a) The Justices of the Supreme Court and all other judges shall receive such salaries, allowances

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and benefits as shall be established by law. Such salaries shall be subject to taxes as defined by law, provided that they shall not otherwise be diminished. Allowances and benefits paid to Justices of the Supreme Court and judges of subordinate courts may by law be increased but may not be diminished except under a national program enacted by the Legislature; nor shall such allowance and benefits be subject to taxation.

b) The Chief Justice and the Associate Justices of the Supreme Court and judges of subordinate courts of record shall be retired at the age of seventy; provided, however, that a justice of judge who has attained that age may continue in office for as long as may be necessary to enable him to render judgement or perform any other judicial duty in regard to proceedings entertained by him before the attained that age.

Article 73

No judicial official shall be summoned, arrested, detained, prosecuted or tried civilly or criminally by or at the instance of any person or authority on account of judicial opinions rendered or expressed, judicial statements made and judicial acts done in the course of a trial in open court or in chambers, except for treason or other felonies, misdemeanor or breach of the peace. Statements made and acts done by such officials in the course of a judicial proceeding shall be privileged, and, subject to the above qualification, no such statement made or acts done shall be admissible into evidence against them at any trial or proceeding.

Article 74

In all matters of contempt of court, whether in the Supreme Court or in other courts, the penalties to be imposed shall be fixed by the Legislature and shall conform to the provision on Fundamental Rights laid down in this Constitution.

Article 75

The Supreme Court shall from time to time make rules of court for the purpose of regulating the practice, procedures and manner by which cases shall be commenced and heard before it and all other subordinate courts. It shall prescribe such code of conduct for lawyers appearing before it and all other subordinate courts as may be necessary to facilitate the proper discharge of the court's functions. Such rules and code, however, shall not contravene any statutory provisions or any provisions of this Constitution.

Article 76

a) Treason against the Republic shall consist of:

(1) levying war against the Republic;

(2) aligning oneself with or aiding and abetting another nation or people with whom Liberia is at war or in a state of war;

(3) acts of espionage for an enemy state;

(4) attempting by overt act to overthrow the Government, rebellion against the Republic, insurrection and mutiny; and

(5) abrogating or attempting to abrogate, subverting or attempting or conspiring to subvert the Constitution by use of force or show of force or any other means which attempts to undermine this Constitution.

The Legislature shall have the power to declare the punishment for treason; provided, however, that such punishment shall not include a deprivation or forfeiture of the right of inheritance by the convicted person of any property although he may not be entitled to enjoyment thereof for as long as he continues to serve the term of imprisonment imposed after conviction in a court of competent jurisdiction. The right to enjoyment of any property inherited or otherwise conveyed to or acquired by such convicted person shall be automatically restored upon serving the term of

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imprisonment or other punishment, or upon an executive pardon by the President. No punishment shall preclude the inheritance and enjoyment, or cause the forfeiture by others entitled thereto, of any property which the convicted person at the time of any conviction or subsequent thereto may have possessed or been seized.

CHAPTER VIII

POLITICAL PARTIES AND ELECTIONS

Article 77

a) Since the essence of democracy is free competition of ideas expressed by political parties and political groups as well as by individuals, parties may freely be established to advocate the political opinions of the people. Laws, regulations, decrees or measures which might have the effect of creating a one-party state shall be declared unconstitutional.

b) All elections shall be by secret ballot as may be determined by the Elections Commission, and every Liberian citizen not less than 18 years of age, shall have the right to be registered as a voter and to vote in public elections and referenda under this Constitution. The Legislature shall enact laws indicating the category of Liberians who shall not form or become members of political parties.

Article 78

As used in this Chapter, unless the context otherwise requires, an "association" means a body of persons, corporate or other, which acts together for a common purpose, and includes a group of people organized for any ethnic, social, cultural, occupational or religious objectives; a "political party" shall be an association with a membership of not less than five hundred qualified voters in each of at least six counties, whose activities include canvassing for votes on any public issue or in support of a candidate for elective public office; and an "independent candidate" shall be a person seeking electoral post or office with or without his own organization, acting independently of a political party.

Article 79

No association, by whatever name called, shall function as a political party, nor shall any citizen be an independent candidate for election to public office, unless:

a) the association or independent candidate and his organization meet the minimum registration requirements laid down by the Elections Commission and are registered with it. Registration requirements shall include filing with the Elections Commission a copy of the constitution of the association and guidelines of the independent candidate and his organization, a detailed statement of the names and addresses of the association and its officers or of the independent candidate and the officers of his organization, and fulfillment of the provision of sub-sections (b), (c), (d) and (e) hereof. Registration by the Elections Commission of any association or independent candidate and his organization shall vest in the entity or candidate and his organization so registered legal personality, with the capacity to own property, real, personal or mixed, to sue and be sued and to hold accounts. A denial of registration or failure by the Elections Commission to register any applicant may be challenged by the applicant in the Supreme Court;

b) the membership of the association or the independent candidate's organization is open to every citizen of Liberia, irrespective of sex, religion or ethnic background, except as otherwise provided in this Constitution.

c) the headquarters of the association or independent candidate and his organization is situated:

(i) in the capital of the Republic where an association is involved or where an independent candidate seeks election to the office of President or Vice–President;

(ii) in the headquarters of the county where an independent candidate seeks election as a Senator; and

(iii) in the electoral center in the constituency where the candidate seeks election as a member of

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the House of Representatives or to any other public office;

d) the name, objective, emblem or motto of the association or of the independent candidate and his organization is free from any religious connotations or divisive ethnic implications and that the activities of the association or independent candidate are not limited to a special group or, in the case of an association, limited to a particular geographic area of Liberia;

e) the constitution and rules of the political party shall conform to the provisions of this Constitution, provide for the democratic elections of officers and/or governing body at least once every six years, and ensure the election of officers from as many of the regions and ethnic groupings in the country as possible. All amendments to the Constitution or rules of a political party shall be registered with the Elections Commission no later than ten days from the effective dates of such amendments.

Article 80

a) Parties or organizations which, by reason of their aims or the behavior of their adherents, seek to impair or abolish the free democratic society of Liberia or to endanger the existence of the Republic shall be denied registration.

b) Parties or organization which retain, organize, train or equip any person or group of persons for the use or display of physical force or coercion in promoting any political objective or interest, trained or equipped, shall be denied registration, or if registered, shall have their registration revoked.

c) Every Liberian citizen shall have the right to be registered in a constituency, and to vote in public elections only in the constituency where registered, either in person or by absentee ballot; provided that such citizen shall have the right to change his voting constituency as may be prescribed by the Legislature.

d) Each constituency shall have an approximately equal population of 20,000, or such number of citizens as the legislature shall prescribe in keeping with population growth and movements as revealed by a national census; provided that the total number of electoral constituencies in the Republic shall not exceed one hundred.

e) Immediately following a national census and before the next election, the Elections Commission shall reapportion the constituencies in accordance with the new population figures so that every constituency shall have as close to the same population as possible; provided, however, that a constituency must be solely within a county.

Article 81

Any citizen, political party, organization, or association, being resident in Liberia, of Liberian nationality or origin and not otherwise disqualified under the provisions of this Constitution and laws of the land, shall have the right to canvass for the votes for any political party or candidate at any election, provided that corporate and business organizations and labor unions are excluded from so canvassing directly or indirectly in whatsoever form.

Article 82

a) Any citizen or citizens, political party association or organization, being of Liberian nationality or origin, shall have the right to contribute to the funds or election expenses of any political party or candidate; provided that corporate and business organizations and labor unions shall be excluded from making and contribution to the funds or expenses of any political party. The Legislature shall by law prescribe the guidelines under which such contributions may be made and the maximum amount which may be contributed.

b) No political party or organization may hold or possess any funds or other assets outside of Liberia; nor may they or any independent candidates retain any funds or assets remitted or sent to them from outside Liberia unless remitted or sent by Liberian citizens residing abroad. Any funds or other assets received directly or indirectly in contravention of this restriction shall be paid over or transferred to the Elections Commission within twenty-one days of receipt. Information on all

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funds received from abroad shall be filed promptly with the Elections Commission.

c) The Elections Commission shall have the power to examine into and order certified audits of the financial transactions of political parties and independent candidates and their organizations. The Commission shall prescribe the kinds of records to be kept and the manner in which they shall be conducted by a certified chartered public accountant, not a member of any political party.

Article 83

a) Voting for the President, Vice–President, members of the Senate and members of the House of Representatives shall be conducted throughout the Republic on the second Tuesday in October of each election year.

b) All elections of public officers shall be determined by an absolute majority of the votes cast. If no candidate obtains an absolute majority in the first ballot, a second ballot shall be conducted on the second Tuesday following. The two candidates who received the greatest numbers of votes on the first ballot shall be designated to participate in the run-off election.

c) The returns of the elections shall be declared by the Elections Commission not later than fifteen days after the casting of ballots. Any party or candidate who complains about the manner in which the elections were conducted or who challenges the results thereof shall have the right to file a complaint with the Elections Commission. Such complaint must be filed not later than seven days after the announcement of the results of the elections.

The Elections Commission shall, within thirty days of receipt of the complaint, conduct an impartial investigation and render a decision which may involve a dismissal of the complaint or a nullification of the election of a candidate. Any political party or independent candidate affected by such decision shall not later than seven days appeal against it to the Supreme Court.

The Elections Commission shall within seven days of receipt of the notice of appeal, forward all the records in the case to the Supreme Court, which not later than seven days thereafter, shall hear and make its determination. If the Supreme Court nullifies or sustains the nullification of the election of any candidate, for whatever reasons, the Elections commission shall within sixty days of the decision of the Court conduct new elections to fill the vacancy. If the court sustains the election of a candidate, the Elections Commission shall act to effectuate the mandate of the Court.

d) Every political party shall, on September 1 of each year, and every candidate of such political party and every independent candidate shall, not later than thirty days prior to the holding of an election in which he is a candidate, publish and submit to the Elections Commission detailed statements of assets and liabilities. These shall include the enumeration of sources of funds and other assets, plus lists of expenditures. Where the filing of such statements is made in an election year, every political party and independent candidate shall be required to file with the Elections Commissions additional detailed supplementary statements of all funds received and expenditures made by them from the date of filing of the original statements to the date of the elections. Any political party or independent candidate who ceases to function shall publish and submit a final financial statement to the Elections Commission.

Article 84

The Legislature shall by law provide penalties for any violations of the relevant provisions of this Chapter, and shall enact laws and regulations in furtherance thereof not later than 1986; provided that such penalties, laws or regulations shall not be inconsistent with any provisions of this Constitution.

CHAPTER IX

EMERGENCY POWERS

Article 85

The President, as Commander-in-Chief of the Armed Forces, may order any portion of the Armed Forces into a state of combat readiness in defense of the Republic, before or after the declaration of a state of emergency, as may be warranted by the situation. All military power or authority shall at all times, however,

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be held in subordination to the civil authority and the Constitution.

Article 86

a) The President may, in consultation with the Speaker of the House of Representatives and the President Pro Tempore of the Senate, proclaim and declare and the existence of a state of emergency in the Republic or any part thereof. Acting pursuant thereto, the President may suspend or affect certain rights, freedoms and guarantees contained in this Constitution and exercise such other emergency powers as may be necessary and appropriate to take care of the emergency, subject, however, to the limitations contained in this Chapter.

b) A state of emergency may be declared only where there is a threat or outbreak of war or where there is civil unrest affecting the existence, security or well-being of the Republic amounting to a clear and present danger.

Article 87

a) Emergency powers do not include the power to suspend or abrogate the Constitution, dissolve the Legislature, or suspend or dismiss the Judiciary; and no constitutionals amendment shall be promulgated during a state of emergency. Where the Legislature is not in session, it must be convened immediately in special session and remain in session during the entire period of the state of emergency.

b) The writ of habeas corpus shall remain available and exercisable at all times and shall not be suspended on account of any state of emergency. It shall be enjoyed in the most free, easy, inexpensive, expeditious and ample manner. Any person who suffers from a violation of this right may challenge such violation in a court of competent jurisdiction.

Article 88

The President shall, immediately upon the declaration of a state of emergency, but not later than seven days thereafter, lay before the Legislature at its regular session or at a specially convened session, the facts and circumstances leading to such declaration. The Legislature shall within seventy-two hours, by joint resolution voted by two-thirds of the membership of each house, decide whether the proclamation of a state of emergency is justified or whether the measures taken thereunder are appropriate. If the two-thirds vote is not obtained, the emergency automatically shall be revoked. Where the Legislature shall deem it necessary to revoked the state of emergency or to modify the measures taken thereunder, the President shall act accordingly and immediately carry out the decisions of the Legislature.

CHAPTER X

AUTONOMOUS PUBLIC COMMISSIONS

Article 89

The following Autonomous Public Commissions are hereby established:

A. CIVIL SERVICE COMMISSION;

B. ELECTIONS COMMISSION; and

C. GENERAL AUDITING COMMISSION

The Legislature shall enact laws for the governance of these Commissions and create other agencies as may be necessary for the effective operation of Government.

CHAPTER XI

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MISCELLANEOUS

Article 90

a) No person, whether elected or appointed to any public office, shall engage in any other activity which shall be against public policy, or constitute conflict of interest.

b) No person holding office shall demand and receive any other perquisites, emoluments or benefits, directly or indirectly, on account of any duty required by Government.

c) The Legislature shall, in pursuance of the above provision, prescribe a Code of Conduct for all public officials and employees, stipulating the acts which constitute conflict of interest or are against public policy, and the penalties for violation thereof.

CHAPTER XII

AMENDMENTS

Article 91

This Constitution may be amended whenever a proposal by either (1) two-thirds of the membership of both Houses of the Legislature or (2) a petition submitted to the Legislature, by not fewer than 10,000 citizens which receives the concurrence of two-thirds of the membership of both Houses of the Legislature, is ratified by two-thirds of the registered voters, voting in a referendum conducted by the Elections Commission not sooner than one year after the action of the Legislature.

Article 92

Proposed constitutional amendments shall be accompanied by statements setting forth the reasons therefor and shall be published in the Official Gazette and made known to the people through the information services of the Republic. If more than one proposed amendment is to be voted upon in a referendum they shall be submitted in such manner that the people may vote for or against them separately.

Article 93

The limitation of the Presidential term of office to two terms, each of six years duration, may be subject to amendment; provided that the amendment shall not become effective during the term of office of the encumbent President.

CHAPTER XIII

TRANSITIONAL PROVISIONS

Article 94

a) Notwithstanding anything to the contrary in this Constitution, any person duly elected to any office provided for under this Constitution and under the laws in force immediately before the coming into force of this Constitution shall be deemed to have been duly elected for the purpose of this Constitution and to have assumed the position so occupied on the date of coming into existence of this Constitution.

b) Notwithstanding anything to the contrary in this Constitution, elections for the President, Vice–President and members of the Legislature, prior to the coming into force of this Constitution, shall be held on the 3rd Tuesday in January 1985. The person so elected President of Liberia shall be inaugurated on the 12th day of April 1985. The President, Vice–President and members of the Legislature who are elected for the first term prior to the coming into force of this Constitution, shall serve their respective terms less approximately three months. This Constitution shall come into force simultaneously with that inauguration.

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c) Notwithstanding anything to the contrary in this Constitution, the People's Redemption Council shall by decree convene a session of the newly elected Legislature before the 12 th day of April 1985, to enable the Senate and House of Representatives to organize and elect their officers. Such elections shall be conducted in accordance with the rules and procedures laid down by the Legislature under the suspended Constitution until changed by the new Legislature.

d) Any person who, under the laws extant immediately before the coming into force of this Constitution, held an appointment or was acting in an office shall be deemed to have been appointed, as far as it is consistent with the provisions of this Constitution, to hold or to act in the equivalent office under this Constitution until appointments otherwise provided for under this Constitution shall have been made.

Article 95

a) The Constitution of the Republic of Liberia which came into force on the 26th day of July 1847, and which was suspended on the 12th day of April 1980, is hereby abrogated. Notwithstanding this abrogation, however, any enactment or rule of law in existence immediately before the coming into force of this Constitution, whether derived from the abrogated Constitution or from any other source shall, in so far as it is not inconsistent with any provision of this Constitution, continue in force as if enacted, issued or made under the authority of this Constitution.

b) All treaties, executive and other international agreements and obligations concluded by the Government of the People's Redemption Council or prior governments in the name of the Republic prior to the coming into force of this Constitution shall continue to be valid and binding on the Republic unless abrogated or cancelled or unless otherwise inconsistent with this Constitution.

c) All foreign and domestic debts or other loans and obligations contracted by the Government of the People's Redemption Council or Prior governments or any agency or other authority in the name of the Republic of Liberia prior to the coming into existence of this Constitution, shall continue to be binding on the enforceable by the Republic of Liberia.

Article 96

Notwithstanding anything to the contrary in this Constitution:

a) The People's Supreme Court of Liberia and all subordinate courts operating prior to the effective date of this Constitution shall continue to so operate, and the Chief Justice, Associate Justices of the People's Supreme Court and judges of subordinate courts holding appointments in such courts shall continue to hold such appointments after the coming into existence of this Constitution until their successors are appointed and qualified; provided, however, that all judges of subordinate courts shall remain and preside in their respective resident circuits pending the reconstruction of the Supreme Court. The appointment by the President, with the consent of the Senate, of the Chief Justice and Associate Justices of the Supreme Court and judges of subordinate courts, shall be made as soon as possible after the coming into force of this Constitution. The Chief Justice and Associate Justices of the People's Supreme Court and judges of subordinate courts holding office prior thereto, unless reappointed, shall cease to hold office and their function shall automatically devolve upon the newly appointed Chief Justice, Associate Justices of the Supreme Court and judges of subordinate courts, respectively.

b) Where any legal or administrative proceeding has been commenced, or a person seeks action by any authority or one acting under the authority of the Government, that matter may be carried on and completed by the person or authority having power or by his successor-in-office; and it shall not be necessary for any such proceeding to be commenced *de novo*. Any act completed by any person or authority having power under the existing law shall not be made the subject of review or commenced anew by anyone assuming the authority of that office after the coming into force of this Constitution.

Article 97

a) No executive, legislative, judicial or administrative action taken by the People's Redemption

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Council or by any persons, whether military or civilian, in the name of that Council pursuant to any of its decrees shall be questioned in any proceedings whatsoever; and, accordingly, it shall not be lawful for any court or other tribunal to make any order or grant any remedy or relief in respect or any such act.

b) No court or other tribunal shall entertain any action whatsoever instituted against the Government of Liberia, whether before or after the coming into force of this Constitution or against any person or persons who assisted in any manner whatsoever in bringing about the change of Government of Liberia on the 12th day of April, 1980, in respect of any act or commission relating to or consequent upon:

(i) The overthrow of the government in power in Liberia before the establishment of the government of the People's Redemption Council;

(ii) The suspension of the Constitution of Liberia of July 26, 1847;

(iii) The establishment, functioning and other organs established by the People's Redemption Council;

(iv) The imposition of any penalties, including the death penalty, or the confiscation of any property by or under the authority of the People's Redemption Council under a decree made by the Council in pursuance of but not limited to the measures undertaken by the Council to punish persons guilty of crimes and malpractices to the detriment of the Liberian nation, the people, the economy, or the public interest; and

(v) The establishment of this Constitution.

SCHEDULE

1. This Schedule shall form and be an integral part of this Constitution and shall have the same force as any other provision thereof.

2. All public officials and employees, whether elected or appointed, holding office of public trust, shall subscribe to a solemn oath or affirmation as follows:

"I, _____, do solemnly swear (affirm) that I will support, uphold, protect and defend the Constitution and laws of the Republic of Liberia, bear true faith and allegiance to the Republic, and will faithfully, conscientiously and impartially discharge the duties and functions of the office of _____to the best of my ability. SO HELP ME GOD."

COMPLETED THIS 19TH DAY OF OCTOBER, A. D. 1983
IN THE CITY OF GBARNGA, BONG COUNTY, REPUBLIC OF LIBERIA
BY THE CONSTITUTIONAL ADVISORY ASSEMBLY

Edward Binyah Kesselly (Lofa County)
Chairman

Charles H. Williams (Grand Bassa County)
Deputy Chairman

The Liberia 1986 Constitution replaced the Liberia 1847 Constitution which was suspended on April 12, 1980, following the coup d'etat which overthrew the presidency of H. E. William R. Tolbert, Jr. The process of writing a new constitution began on April 12, 1981, when Dr. Amos Sawyer, political scientist at the University of Liberia, was appointed chairman of the National Constitution Committee (NCC), the 25-member body that was given the responsibility of drafting a new constitution for Liberia. The NCC completed its work in December 1982, and submitted the draft constitution to the The People's Redemption Council (PRC) in March 1983; subsequently, the PRC published the draft Constitution for public debate. The PRC also appointed a 59-member Constitutional Advisory Committee (CAA) to review the draft constitution. The CAA completed its work on October 19, 1983. On July 3, 1984, the new constitution was submitted to a national referendum and approved. On January 6, 1986 the Constitution came into force.

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Chapter 24. MINISTRY OF NATI

§ 24.1. Establishment of Ministry; appoint
§ 24.2. Duties of Minister of National Defe
§ 24.3. Deputy Minister for Administration
§ 24.4. Assistant Minister of National Defe
Affairs.
§ 24.5. Assistant Minister of National Defe
§ 24.6. Organization of Ministry.

§ 24.1. Establishment of Ministry; appoint

There is hereby established in the Exec
Government a Ministry of National Defense
of the Ministry, subject to the authority and
as Commander-in-Chief, shall be vested in
Defense, who shall be appointed by the Pres
advice and consent of the Senate.[99]

§ 24.2. Duties of Minister of National D

1. Authority over Ministry. Subject to the au
the President as Commander-in-Chief, the
Defense shall have complete authority o
Liberia, including all matters relating to
administration, logistic support and
welfare, preparedness and effectiveness. The
make all military appointment.

2. Report. The annual report by the Min
the Legislature shall contain abstracts of

---

99 *Prior legislation:* 1956 Code 13:300; L. 1899-190
L. 1897-98, 20(1st), L. 1971-72.

unit commander.[100]

§ 24.3. Deputy Minister of National

The President, by and with the advice and
appoint a Deputy Minister of National
who shall be the principal assistant
perform such duties as the Minister
prescribe. In the case of the absence,
of the Minister of National Defense, the
otherwise directed by the President, perform
until a successor is appointed or
duties.[101]

§ 24.4. Assistant Minister of National
Affairs.

The President, by and with the advice and
appoint an Assistant Minister of National
Affairs. It shall be the duty of the
authority and direction of the Minister
supervise the operation of the Coast
activities with other branches of the armed
other duties as the Minister of National

---

100 *Prior legislation:* 1957-58 Supp.
(1st sent.), 301,302; L. 1949-50, ch.
1899-1900, 47, § 1, 2, 3, 5, 8; L. 1898-99,
L. 1893-94, 4(2nd), L. 1971-72.

101 *Prior legislation:* L. 1959-60, ch.

102 *Prior legislation:* 1957-58 Supp.

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TITLE 15: GENERAL CONSTRUCTION LAW

TITLE 16: INSURANCE LAW

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Liberian Human Rights Commission

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statute which provides a different penalty, the provi
shall prevail.[6]

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neral; appointment and duties of Deputy
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§ 2.46. Independence of Service from Gen
financial arrangements.

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6 *Prior legislation:* 1956 Code 13:13; L. 1916, 6(2nd)

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§ 2.55. Employees of Bu
§ 2.56. Independence of
financial arrange
§ 2.57. Retirement and

Subchapter A

§ 2.1. Minister of St

The President by and
appoint an official wi
Minister of State for
Cabinet and shall se
shall serve at the p
following duties:

(a) Follow th
Executive;

(b) Organize,
be responsibl
meetings;

(c) Exercise
the President

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§ 2.8. Liaison and Relations Officers.

The President is hereby authorized to appoint
Relations Officers in the respective counties,
of the Republic as may be required for the pre
activity and dissemination of dangerous propag
functions of such Officers shall be prescribed
by the President.[11]

Subchapter B. OFFICE OF NATIO

§ 2.30. Office established; appointment a
General; appointment and duties of Deput

There is hereby created in the Office of the
National Security, which shall be headed by
appointed by the President, by and with the ad
Senate. It shall be the duty of the
intelligence and security briefs for
guidance on behalf of the President
various security services, primarily
tions and the counter intelligence
of the security services. He shall coordinate
security and law enforcement services in
shall prepare and implement rules and
personnel finance, logistics, training, oper
necessary for the efficient operation of
to the approval of the President. The Pres
and with the advice and consent of the
General who shall be the principal assistant
and shall perform such duties as shall be

---

11 *Prior legislation.* 1956 Code 13:12;1. 1990

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Director General.

§ 2.31. **Organization.**

The Office of National S
and with such personne
General, subject to the ap

Subchapter C. SB

§ 2.40. **Service establis**

There is hereby create
Security a Service to be
functions of the Service

(a) To protect and se
other officials and
President;

(b) To protect the

(c) To protect all
informatory mat

(d) To security
addressed to or

(e) To security
President, his

(f) To check th
permanent to

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(g) To serve as liaison with other security agen
pertaining to the screening of persons to be e
Executive Mansion and for other services of the

(h) To perform such other functions as may from
assigned by the President.[12]

§ 2.41. Appointment and duties of Director.

The President with the advice and consent of the Sen
an administrative head of the Service, who shall be d
Director. He shall be responsible to the President thro
General of National Security for the administration
Security Service but shall report directly to the P
President so direct. The duties of the Director sha

(a) To report directly to the President on
operation of the Service and all matters
Service, as may be required or as directed

(b) To develop all operations required to ca
of the Service;

(c) To select, investigate, hire and train per
and

(d) To call on other security agencies fo
whenever the need may arise for reinfo
Such agents, detectives, policemen and
Service in accordance with the reques

12 *Prior legislation:* L. 1966-67, ch. (An act to
Special Security Service) 13:1256, 1257; L. 1969

under the comple

§ 2.42. Appointment

The President with the
an Assistant Director
principal assistant to
may be assigned to hi

§ 2.43. Other office

The Director may app
Service as he may dee
the approval of the P

§ 2.44. Disclosure

Officers and emplo
deemed trustees of
life of the Presiden
mation of the Go
secrecy of such in
Service, and any p
may be dismissed
for not more than

---

13 *Prior legislation:*
Special Security Ser

14 *Prior legislation:*
Special Security Ser

15 *Prior legislation:*
Special Security Ser

both.[16]

§ 2.45. Power of officers and members to arrest

Officers and members of the Special Security Service [illegible] power to arrest vested in peace officers by the [illegible] Law.

§ 2.46. Retirement and death benefits.

1. Retirement benefits, Any officer or member of the [illegible] Service who ---

(a) Has served with good conduct for at least 20 [illegible] or

(b) Has attained the age of 55, provided such [illegible] has served in the Special Security Service [illegible] at least 15 consecutive years; or

(c) Because of an injury or disability incurred [illegible] permanently disabled from performing his [illegible] Security Service may be honorably retired [illegible] receive for the remainder of his life a pension [illegible] to fifty percent of the compensation he was [illegible] of his retirement. An officer or member [illegible] Service shall be given credit toward retirement [illegible] employed in the Service prior to the [illegible] retirement system.

---

16 *Prior legislation:* L. 1966-67, ch. (An Act to [illegible] Special Security Service, 13:1261.

2. Death benefits. officer or member of appropriations from the Service's own checking depository. The Service its own procurement those of the general as the systems of the audited yearly by an that specific purpose clearance in accordance

§ 2.47. Retirement

1. Retirement benefits Service who ---

(a) Has served years; or

(b) Has attained has served in at least 15 con

(c) Because of permanently Security Ser receive for th to fifty perc of his retire Service shall employed retirement

2. Death benefits. Any dependent or decedents of a
or member of the Special Security Service shall
amount of any pension being paid to the decedent a
death under the provisions of this section or, if dec
result of injuries or disability incurred in line of du
commencement of pension payments, the dependen
shall receive the full amount of the pension to whic
would have been entitled under paragraph 1 of this
lived. As used in this paragraph, the term "depende
widow of the decedent so long as she remains unma
is no widow or the widow remarries, the surviving
of the decedent during their minority.[17]

Subchapter D. EXECUTIVE ACTIO

§ 2.50. Bureau established; appointment of D

There is hereby created and established in the
Security a Security Service to be known as the
Bureau. The Executive Action Bureau shall be
direction and general supervision of a Dir
appointed by the President by and with the advi
Senate. The Director small be responsible to
the Director General of National Security for
Bureau, but shall report directly to the Presid
so direct.[18]

---

17 *Prior legislation:* L. 1966-67, ch. (An Act to
Special Security Service, (13:1262).

18 *Prior legislation:* L. 1960-61, ch. LV (13:1

the effective date of the retirement system.

2. *Death benefits.* Any dependent or depe
officer or member of the Executive Action Bur
full amount of any pension being paid to the dec
his death under the provisions of this section; or
as a result of injuries or disability incurred in
the commencement of pension, payments,
dependents shall receive the full amount of the
decedent would have been entitled under paragr
had he lived. As used in this paragraph, the term
the widow of the decedent so long as she rema
there is no widow or the widow remarries, the
children of the decedent during their minority.

Chapter 3. POWERS OF THE P

§ 3.1. Correction of situations arising out of
discrimination statutes.
§ 3.2. War powers.
§ 3.3. Power during internal emergency.
§ 3.4. Delegation of functions.

§ 3.1. Correction of situations arising
racial discrimination statutes.

The President of Liberia is hereby authori
steps to counteract any harmful economic
enforcement of the provisions of the Pe
segregation and discrimination:

(a) To adopt such measures as may
any decline in revenues, such a

reduction of salaries

(b) To float bonds
may be necessary
Government and of

(c) To make arra
establishment for
producers, the sale
closing down of an
been engaged in
producers, and for
business establish
purchase produce

§ 3.2. War powers.

In the event of war
Republic, and a public
the President shall hav

(a) To call the
defense of the

(b) To mobiliz
the ages of 16
exempt by law;

(c) To mobi
population,
industrial, and
war or defens

deemed sufficient to perform such work; and
sufficient persons are unavailable for employ
the necessary number to perform such work
and just compensation;

(d) To establish and maintain recruiting cente
barracks, camps, and compounds, and to
deemed necessary to be a defense area and
which the Minister of National Defense or
military commander may issue applicable to
purpose of national defense;

(e) To make any monetary arrangement for the
he shall deem necessary for defense purposes
ment to secure such capital sums as may be
available in the public treasury;

(f) To requisition such materials, supplies,
transportation or communication or other
tion or equipment or real property as
permanent use in defense of the nation;
just compensation shall be paid for such
with the provisions of Chapter III, Article

(g) To apprehend, restrain,
Liberia as enemy aliens any
subjects of a hostile nation or

(h) To evacuate or
dangerous area to a

(i) To increase the police constabu
strength as shall be deemed necess
areas;

(j) To ce
deemed se

(k) Where nece
Republic or any pa
to appoint commi
who may in any
safety of the nation
to suspend the priv
person until the ce
year whichever sha

(l) To take all
protection the
the Presiden
abrogating
him by the

§ 3.3. Power during

Whenever there occu
violence, or natural dis
the President is empo
emergency:

(a) To establis
camps, or other
affected by the

---

24 *Prior legislation*: L.
President); L. 1965-66,
powers granted the Pre
ch. I; 1956 Code 13-2
V; L. 1948, ch. XXI,

(b) To requisition such materials, equipment, ...
tation or communication or other public util...
equipment, and real property as are necessary ...
emergency; provided, that fair and just compe...
paid for such property in accordance with ...
Chapter III, Article 24, of the Constitution.

(c) To summon any able-bodied male of ...
perform emergency services to suppress, mitig...
arrest the spread of the conditions creating ...
provided that persons who perform services in ...
summons shall be paid in return therefor ...
compensation;

(d) To declare in effect curfews or requirements ...
vaccination, evacuation of dangerous areas, ...
police measures;

(e) To order any persons involved in ...
aggravating the emergency to disperse and ...
their abodes within a limited time, and ...
obeyed, to direct such units of the armed ...
considers necessary to aid the civil authorities ...
emergency. If necessary for the restoration ...
President may proclaim an internal emergency ...
tial law in effect in the area affected by ...
the emergency; and for the duration of ...
period not exceeding one year, suspend ...
of habeas corpus as to persons arrested ...
orders.[25]

---

25 This provision has been superseded by Article ... Constitution which prohibits the suspension of the ... emergency declared by the President.

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§ 3.4. Delegation of [illegible]

1. *Functions which* [illegible] authorized to designa[illegible] agency in the executive [illegible] who is required to be [illegible] of the Senate, to perf[illegible] President by statute [illegible] herein shall relieve the [illegible] acts of any such head [illegible] such functions.

2. *Method of* [illegible] authorization shall be [illegible] Official Gazette, sha[illegible] limitations as the [illegible] revocable at any tim[illegible]

3. *Scope of delegati*[illegible] section shall apply to [illegible] or regulation if su[illegible] prohibit delegation [illegible] provided for, or sp[illegible] it may be delegate[illegible] derogate from any [illegible] delegate the perfo[illegible] nothing herein sha[illegible] case in which [illegible] by authorization [illegible]

4. *Definition of* [illegible] "function" embra[illegible] vested in the Pre[illegible]

diate direction of the Dep

§ 21.9. **Organization**

The Ministry of Finance
such personnel as shall
approval of the Presiden

Chapter 22.

Subchapter A. Organi

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§ 22.14. Organizati

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68 *Prior legislation:* 195
13:121, 122; L. 1952-53,
L. 1914, 39, §§ 3, 4; L. 19

69 *Prior legislation:* L. 19

Subchapter B. National Bureau of
§ 22.50. Bureau established.
§ 22.51. Duties of Director.
§ 22.52. Personnel.
§ 22.53. Retirement and death bene

Subchapter C. National Central Bur
§ 22.60. Bureau created; Director; fu

Subchapter D. National Police Force
§ 22.70. Director
§ 22.71. Headquarters and field posts
§ 22.72. Personnel,
§ 22.73. Retirement and death bene

Subchapter E. National Police A
§ 22.90. Establishment; direction
§ 22.91. Functions.
§ 22.92. Expense of training.

Subchapter A. Organ

§ 22.1. Creation of Ministry; M

There shall be in the Executive B
of Justice, which shall be heade
appointed by the President by and
Senate.[70]

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70 *Prior legislation:* L. 1960-61, ch. XIII, s
L. 1933-34, ch. III, § 4; Rev. Stat., § 956;
1971-72.

§ 22.2. Duties of Min

It shall be the duty of the

(a) Procure the pro
defend all suits and
Republic of Liberia
a party or may be in

(b) Institute all legal

(c) Furnish opinio
requiring legal sk
executive branch

(d) Oversee the co
editing and printing
of the opinions
valuable for prese

(e) Supervise the
treatment of pris

(f) To the exte
administer the la
naturalization
Liberia;

(g) Supervise the
tion, the National

(h) Oversee all
and control of

(i) Direct the administration of the

§ 22.3. Deputy Minister of Justice for Public Safety.

The Deputy Minister of Justice for Admin
shall be appointed by the President by
consent of the Senate. He shall be the
Minister of Justice and shall perform such
delegated to him by the Minister of Justice
death, resignation or removal of the Minister
Minister of Justice for Administration and
to the duties of Minister of Justice as Act
the Minister of Justice shall return to his

§ 22.4. Solicitor General.

The President, by and with the advice
appoint an officer learned in the law
Subject to the direction and control
Solicitor General shall ---

(a) Prepare and argue before
which the Government of Liberia
officer, is a party; provided
himself conduct any case if
Government requires him to

(b) Have immediate supervi

---

71 *Prior legislation:* L. 1960-61, ch. XLII;
IV; L. 1933-34, ch. III, § 1, 2, 4; Rev. Stat.
§ 1; L. 1971-72.

72 *Prior legislation:* L. 1971-72.

involving the G
the County, Ter

§ 22.5. Assistant M

The President, by and
appoint an Assistant M
the immediate supe
Minister of Justice, as
prosecution of crimina
which the Republic is
Territorial, and Distric
for Litigation shall al
misconduct by Justice
duties as may be assig

§ 22.6. Deputy Min

The President, by and
appoint a Deputy
immediate supervisio
Minister of Justice,

(a) Review all

---

73 *Prior legislation:* L
III, § 5; (1922-23, ch.

74 *Prior legislation:* L

75 The position of Dep
Council (PRC) decree
PRC decree No. 34 am
for the position of A
Assistant Minister p
Codification.

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the Minister of Justice under

(b) Prepare memoranda on
agencies of the executive branch;

(c) Render such other legal
agencies of the Executive Branch;

(d) Be in charge of codification
tion for publication of Supreme

(e) Recommend from time to
reforms in the statutory law as
or eliminate antiquated and
in practice and procedure.

(f) Supervise and maintain
library of the Ministry of Justice.

§ 22.7. Assistant Minister of

The President, by and with the
appoint an Assistant Minister of
under the direction and control
administer the correctional
the treatment and rehabilitation

---

76 *Prior legislation:* L. 1960-61, ch. XL
L.1955-56, ch. XVI; L. 1971-72. The posi
tion was created by People's Redemption

77 *Prior legislation:* L. 1960-61, ch. XL

7683

§ 22.8. Assistant Mi[illegible] Public Safe[illegible]

1. Appointment; duties[illegible] the Ministry of Justice [illegible] Justice for Administra[illegible] by the President by [illegible] Administration of the [illegible] Bureau shall also be [illegible]

2. Motor Vehicle Bureau[illegible] function as a sub-agency [illegible] be under the authority [illegible] Director of Motor Vehi[illegible] by and with the advice [illegible] shall be, subject to [illegible] Minister of Justice for [illegible] the administration of [illegible] to the extent therein [illegible] appoint, by and with [illegible] Director who shall per[illegible] the Director.

3. Fire Services Bure[illegible] of Justice a Fire Ser[illegible] supervision of a Di[illegible] with the advice and [illegible] Director, subject to [illegible] and the immediate [illegible] Administration and [illegible]

(a) to oversee [illegible] tion and take [illegible] control;

(b) Inspect all public and private
are fire hazards and in so far
conditions;

(c) Assist the National Police

(d) Establish fire control units

(e) Prepare statistical reports
fires.

§ 22.9. Assistant Minister of Justice

The President, by and with the advice
appoint an Assistant Minister of
under the direction of the Minist
duty of enforcing the Tax Laws
directing and handling all legal qu
tax delinquencies and prosecutio
Laws. The Division of Taxatio
services and duties as may be
Justice.[78]

§ 22.10. Deputy Minister of Ju
Assistant Minister of Justi

The President, by and with the ad
appoint a Deputy Minister of Ju
Assistant Minister of Justice for C
under the direction of the Mi
handling on behalf of the Liberia

78 *Prior legislation:* L. 1971-72.

all legal questions arising
maritime matters, in which
Commercial Transactions
duties as may be assigned

§ 22.11. Commissioner

The President, by and with
appoint a Commissioner
shall be in immediate charge
Minister of Justice for
naturalization, admission

§ 22.12. County, Territorial

1. Appointment and (illegible)
and consent of the Senate
chartered district an attorney
the Ministry of Justice
Minister of Justice, he

(a) Conduct all
which the Republic

(b) Exercise vigilance
and prosecute all
property;

(c) Perform such

---

79 *Prior legislation:* L.
(13:162, 163, 164, 165,

80 *Prior legislation:* L.
ch. XVI, § 2; L. 1941-42,

7686

Minister of Justice;

2. Performance of duties in pers
District Attorney shall perform h
becomes necessary to have tempor
Minister of Justice. Any County, T
shall secure assistance without ap
shall be guilty of official miscondu
tion under the appropriate provisi

3. Percentage of value of property
Territorial and District Attorne
provided by law, receive from Go
of all property escheated by his ef
made of the property.[81]

§ 22.13. Assistant County Atto

There shall be appointed b y the P
consent of the Senate, an Assistan
County who shall assist the Cou
his duties. He shall act for the Co
or disability.[82]

§ 22.14. Organization of the M

The Ministry of Justice shall be
such other competent lawyers

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81 *Prior legislation:* L. 1960-61, ch. XLII,
§ 7; Rev. Stat.,§ 592; L. 1882-83, 16, § 2;

82 *Prior legislation:* 1960-61, ch. XLII, §
XXI.

7687

determined by the Minis

Subchapter B.

IN

Sections 22.50 to 22.5

Subchapter C. NA

§ 22.60. Bureau creat

There is hereby created
Bureau, which shall be
by the President, by and
The Director shall be
and subject to his direct
Bureau to keep in cons
Interpol in Paris and
concerning crimes and

Subchapter D.

§ 22.70. Director.

Subject to the general

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83 *Prior legislation:* L. 19

84 *Prior legislation:* L. 19

Justice, the Director of the Natio
National Police (LNP)] shall di
National Police. The Director sha
and with the advice and consent

§ 22.71. Headquarters and fie

The Liberian National Police shall
and as many field posts locate
necessary to carry out its function

§ 22.72. Personnel.

Members of the Liberian Nationa
to rotation from place to place. A
Police shall receive, as a prereq
course of four months at the Na
two year probationary period wh
for basic training shall be require
in the Force shall be determined
within grades, performance of du
examination to be administered

§ 22.73. Retirement and death

1. Retirement benefits. Any offic
Force who--

(a) Has served with good c

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85 *Prior legislation:* L.1960-61, ch. XLI

86 *Prior legislation:* L. 1960-61, ch. XL

87 *Prior legislation:* 1960-61, ch. XLII,

years; or

(b) Has attained the a
has served in the Na
least 15 consecutive y

(c) Because of an inj
permanently disable
National Police, may
receive a pension a
compensation he wa
the remainder of his li
National Police sha
time he was emplo
date of the retirem

2. *Death benefits.* Any
or member of the Libe
amount of any pensio
death under the provi
a result of injuries or
commencement of p
shall receive the ful
would have been e
lived. As used in thi
widow of the decede
is no widow or the w
of the decedent dur

88 *Prior legislation:* L.
XLIII, & 1.

1690

Subchapter E. NATIONA

§ 22.90. Establishment; direction

There shall be established in the Min
the Liberian National Police a
Academy shall be under the direction
shall be that of a Deputy Inspector in
Commandant shall be directly respon
Liberian National Police.[89]

§ 22.91. Functions.

The National Police Academy shall

(a) To train all members of the
various phases of law enforce

(b) To train under special
Academy all members of such
of Investigation, the Bureau
the Fire Services Bureau o
personnel involved in interna
the Republic for whom s
prescribed.[90]

§ 22.92. Expenses of training.

Except for the use of the physical
incurred in the technical training

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89 *Prior legislation:* L. 1960-61, ch. XL

90 *Prior legislation:* L. 1960-61, ch. LX

Chapter 24. MINISTRY OF

§ 24.1. Establishment of Ministry; ap
§ 24.2. Duties of Minister of National
§ 24.3. Deputy Minister for Adminis
§ 24.4. Assistant Minister of National
Affairs.
§ 24.5. Assistant Minister of National
§ 24.6. Organization of Ministry.

§ 24.1. Establishment of Ministry;

There is hereby established in the
Government a Ministry of National D
of the Ministry, subject to the author
as Commander-in-Chief, shall be res
Defense, who shall be appointed by
advice and consent of the Senate.[99]

§ 24.2. Duties of Minister of Nat

1. Authority over Ministry. Subject
the President as Commander-in-C
Defense shall have complete auth
Liberia, including all matters rel
administration, logistic support
welfare, preparedness and effecti
make all military appointment.

2. Report. The annual report by
the Legislature shall contain ab

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99 *Prior legislation:* 1956 Code 13-38
L. 1897-98, 20(1st), L. 1971-72.

unit commander.[100]

§ 24.3. Deputy Minister of

The President, by and with
appoint a Deputy Minister
who shall be the principal
perform such duties as
prescribe. In the case of the
of the Minister of National
otherwise directed by the
until a successor is appointed
duties.[101]

§ 24.4. Assistant Minister
Affairs.

The President, by and with
appoint an Assistant Minister
Affairs. It shall be the duty
authority and direction
supervise the operation
activities with other branches
other duties as the Minister

---

100 *Prior legislation:* 1957-58
(1st sent.), 301,302; L. 1949-
1899-1900, 47, § 1, 2, 3, 5,
L. 1893-94, 4(2nd), L. 1971-

101 *Prior legislation:* L. 1954-

102 *Prior legislation:* 1957-

§ 24.5. Assistant Minister of National Affairs.

The President, by and with the advice and
appoint an Assistant Minister of National
Such official hall have the following du

(a) To supervise the operation of the
activities with the national defense

(b) To perform such other duties
Minister of National Defense.[103]

§ 24.6. Organization of Ministry.

The Ministry of National Defense sha
and with such personnel as shall be
subject to the approval of the Presiden

Chapter 25. MINISTRY OF

§ 25.1. Ministry Created.
§ 25.2. Duties of the Minister.
§ 25.3. Liaison officer for Liberian
§ 25.4. Organization of the Ministry

§ 25.1. Ministry Created.

There is hereby created and est
the Government a Ministry

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103 *Prior legislation:* L. 1959-60, ch.

FACT 106

During the period 2 August 1997 until about 18 January 2002, pursuant to the executive power vested in him and in his role as Commander-in-Chief of the Armed Forces of Liberia, the President had legal authority over Liberian government forces including the following (in alphabetical order):

a.	**Name**	**Acronym**		**Source(s)**
b.	Armed Forces of Liberia	AFL	Exh. 1.276	Constitution of the Republic of Liberia, Ch. VI, Art. 50.
c.			Exh. 1.243	Liberian Codes Revised, Vol. III, Chapter 24, §24.2
d.	Antiterrorist Unit	ATU	Exh. 1.352	IRIN-WA Weekly Round-up 26 covering the period 26 June – 2 July 1999, at pp. 4-5, available at http://www.africa.upenn.edu/Newsletters/irinw7399.html.
e.	Liberia National Police	LNP	Exh. 1.243	Liberian Codes Revised, Vol. III, Chapter 22, Subchapter D, §22.70.
f.	Marine Division		Exh. 1.243	Liberian Codes Revised, Vol. III, Chapter 24, §§24.1-24.2. (§24.1 establishes the Ministry of National Defense, subject to the authority and direction of the President as Commander-in-Chief, vested in the Minister of National Defense, who shall be appointed by the President. §24.2: "Subject to the authority and direction of the President as Commander-in-Chief, the Minister of National Defense shall have complete authority over the armed forces of Liberia …")
g.	Navy Rangers		Exh. 1.243	Liberian Codes Revised, Vol. III, Chapter 24, §§24.1-24.2.
h.	Special Operations Division	SOD	Exh. 1.243	As part of the Liberia National Police, legal authority over the SOD was established in Liberian Codes Revised, Vol. III, Chapter 22, Subchapter D, §22.70.
i.	Special Security Service	SSS	Exh. 1.243	Liberian Codes Revised, Vol. III, Chapter 2, Subchapter C.
j.	National Security Agency	NSA	Exh. 1.274	An Act Repealing Sub-Chapter D of Chapter 1, Part 1 and Sub-Chapter B of Chapter 22, Part II of the Executive Law in Relation to the Executive Action Bureau and the National Bureau of Investigation

				and Creating the National Security Agency, Sub-Chapter D, 20 May 1974.

Article 49

The House of Representative shall elect once every six years a Speaker who shall be the presiding officer of that body, a Deputy Speaker, and such other officers as shall ensure the proper functioning of the House. The speaker, the Deputy Speaker and other officers so elected may be removed from office for cause by resolution of a two-thirds majority of the members of the House.

CHAPTER VI

THE EXECUTIVE

Article 50

The Executive Power of the Republic shall be vested in the President who shall be Head of State, Head of Government and Commander-in-Chief of the Armed Forces of Liberia. The president shall be elected by universal adult suffrage of registered voters in the Republic and shall hold office for a term of six years commencing at noon on the third working Monday in January of the year immediately following the elections. No person shall serve as President for more than two terms.

Article 51

There shall be a Vice–President who shall assist the President in the discharge of his functions. The Vice–President shall be elected on the same political ticket and shall serve the same term as the President. The Vice–President shall be President of the Senate and preside over its deliberations without the right to vote, except in the case of a tie vote. He shall attend meetings of the cabinet and other governmental meetings and shall perform such functions as the President shall delegate or deem appropriate; provided that no powers specifically vested in the President by the provisions of this Constitution shall be delegated to the Vice–President.

Article 52

No person shall be eligible to hold the office of President or Vice–President, unless that person is:

a) a natural born Liberian citizen of not less than 35 years of age:

b) the owner of unencumbered real property valued at not less than twenty-five thousand dollars; and

c) resident in the Republic ten years prior to his election, provided that the President and the Vice–President shall not come from the same County.

Article 53

a) The President and the Vice–President shall, before entering on the execution of the duties of their respective offices, take a solemn oath or affirmation to preserve, protect and defend the Constitution and laws of the Republic and faithfully execute the duties of the office. The oath or affirmation shall be administered in joint convention of both Houses of the Legislature by the Chief Justice or, in his absence, the most senior Associate Justice.

b) In an emergency where the Chief Justice and the Associate Justice are not available, such oath or affirmation shall be administered by a judge of a subordinate court of record.

Article 54

The President shall nominate and, with the consent of the Senate, appoint and commission —

Chapter 24. MINISTRY OF N

§ 24.1. Establishment of Ministry; appo
§ 24.2. Duties of Minister of National D
§ 24.3. Deputy Minister for Administra
§ 24.4. Assistant Minister of National D
Affairs.
§ 24.5. Assistant Minister of National D
§ 24.6. Organization of Ministry.

§ 24.1. Establishment of Ministry; a

There is hereby established in the
Government a Ministry of National D
of the Ministry, subject to the authori
as Commander-in-Chief, shall be vest
Defense, who shall be appointed by
advice and consent of the Senate.[99]

§ 24.2. Duties of Minister of Nation

1. Authority over Ministry. Subject
the President as Commander-in-Chief
Defense shall have complete authori
Liberia, including all matters relati
administration, logistic support and
welfare, preparedness and effectiven
make all military appointment.

2. Report. The annual report by the
the Legislature shall contain a

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99 *Prior legislation:* 1956 Code 13:300,
L. 1897-98, 20(1st), L. 1971-72.

unit commander.[100]

§ 24.3. Deputy Minister of

The President, by and with the
appoint a Deputy Minister
who shall be the principal
perform such duties as the
prescribe. In the case of the
of the Minister of National
otherwise directed by the
until a successor is appointed
duties.[101]

§ 24.4. Assistant Minister
Affairs.

The President, by and with
appoint an Assistant Minister
Affairs. It shall be the duty
authority and direction
supervise the operation
activities with other branches
other duties as the Minister

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100 *Prior legislation:* 1957-58
(1st sent.), 301,302; L. 1949-50
1899-1900, 47, § 1, 2, 3, 5,
L. 1893-94, 4(2nd), L. 197

101 *Prior legislation:* L. 195

102 *Prior legislation:* 1957

7699 ICJ

means" and "inform the Court of Equatorial Guinea's legal rights and interests so that these may remain unaffected as the Court proceeds to address the question of the maritime boundary between Cameroon and Nigeria", the ICJ said in a communique on Wednesday.

All three countries have been exploiting and exploring for oil in the area.

NIGER: Referendum date set for 18 July

Niger's ruling Conseil de Reconciliation nationale (CRN) has announced that a referendum on a new constitution, originally set for 11 July, will be held on 18 July, news reports said. The CRN also said the draft constitution to be decided by the referendum was a semi-presidential one, in which power is shared between the president and prime minister.

SENEGAL: Separatists Want Ceasefire

Some 100 delegates from various factions of Senegal's separatist Mouvement des Forces democratiques de Ca nance (MFDC) agreed on 25 June to negotiate peace with the government in Dakar, according to news reports.

In a communique issued at the end of a four-day meeting in Banjul, The Gambia, they also called on their fighters and the Senegalese army to cease hostilities immediately in Senegal's southern area of Casamance, PANA reported.

The meeting reappointed Reverend Augustin Diamacoune Senghor as leader of the MFDC, who is to name delegates to two new MFDC bodies created to conduct national and international negotiations.

Unions end pay strike

Senegalese unions ended a general strike for more pay and other benefits on Tuesday, following a tentative agreement with government on improved conditions for public and private sector workers, a union leader in Da r told IRIN.

The accord calls for an increase in family allowances from 1,000 francs cfa to 1,500 fcfa (US $1.66 to US $2.5) per child for the first six children, the establishment of a social security fund and a health insurance scheme, and an end to the system of issuing consumers with electricity bills based on estimates instead of metred consumption.

The strike, by seven unions, started on Monday and was the first in seven years. It halted most economic activity and shut down the international airport in the capital, Dakar.

LIBERIA: Elite troops deployed near US Embassy

Liberia said it deployed elite Anti-Terrorist Unit troops near the US Embassy in Monrovia on Wednesday

in response to fears raised by the US State Department of a possible terrorist threat, news reports and diplomatic sources said on Thursday.

However, Sarah Morrison, the head of the US Information Service in Monrovia, told IRIN, "we have quite a bit of security around the embassy", although she also said, "we appreciate the concern of the Liberian government".

Fears of a terrorist attack had prompted Washington to close its embassies in six African countries, including Liberia, on Thursday through Saturday last week.

MALI-MAURITANIA: Herders, farmers clash along border

About a dozen people died in communal clashes earlier this month along the border between Mauritania and Mali, according to various reports.

A media source in Bamako told IRIN the conflict started when herdsmen in Missira-Samoura, a village in we rn Mali populated mainly by farmers, refused to allow a Mauritanian horseman to use a watering hole. The horseman rode off and returned with some of his clansmen, attacking the village on 20 June. AFP reported that two people died in that raid.

The villagers retaliated two days later by attacking the horseman's village, Naime, in south-eastern Mauritania. According to the media source in Bamako, 11 Mauritanians died in that attack.

Soldiers complete peacekeeping course

Forty-one Malian soldiers concluded a one-month peacekeeping training session at the National Gendarmerie School in Bamako on 25 June, Radio-Television Malienne reported. The training course was part of the African Crisis Response Initiative (ACRI), a programme mounted by the US military and aimed at helping African nations produce peacekeepers capable of facing crises in Africa and worldwide.

NI(RIA: Cabinet sworn in, ethics code for ministers

Nigeria's new cabinet was sworn in on Wednesday after the senate approved the last seven of the ministerial nominees submitted to it by President Olusegun Obasanjo.

The approval of the seven had been held up by allegations within the House that nominees had bribed members of some parties so as to secure confirmation.

Earlier in the week, the 42 ministers-designate and 12 presidential advisers whom the senaate had approved previously adopted a code of conduct designed to ensure probity, transparency and accountability in government, news reports said.

Nigerian President Olusegun Obasanjo last Sunday described the adoption of the code as "a landmark in the

IRIN-WA Weekly Round-up 26-1999 [19990703]

UNITEDNATIONS

Office for the Coordination of Humanitarian Affairs Integrated Regional Information Network for West Africa

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WEST AFRICA: IRIN-WA Weekly Round-up 26 covering the period 26 June - 2 July 1999

SIERRA LEONE: Disarmament

A team of three World Bank experts on disarmament, demobilisation and reintegration (DDR) told participants in the Lome peace talks that 33,000 to 40,000 combatants in Sierra Leone will need to be disarmed and reintegrated into civil society once the civil war is ended, the UN Observer Mission in Sierra Leone (UNOMSIL) said on Wednesday.

The World Bank has opened a multidonor trust fund to solicit contributions towards the US $33 million to $35 million the DDR requires for the programme now under preparation. Britain has pledged US $10 million and the World Bank US $9.1 million to the programme, UNOMSIL said.

Postal employees return to work

Postal employees returned to work on Wednesday after striking for better pay and benefits, AFP reported. The workers, who earn the local equivalent of between US $10 and $20 a month, were also demanding more promotions and medical benefits. Leaders of the Union of Postal and Telecommunications Services, which called the strike, refused to say whether they obtained their demands.

SIERRA LEONE: Malnutrition reported in eastern town

A team from Medecins sans Frontieres (MSF) that travelled last weekend to Daru, near Sierra Leone's border with Liberia, saw signs of severe malnutrition in the eastern town, MSF said.

The team went to assess the humanitarian situation in the town, which is controlled by ECOMOG. Visual observation of a small group of children, which was not necessarily representative of the entire population, showed that about 20 suffered from severe malnutrition, an MSF official said on Monday. "This is not an emergency but it is very close," the MSF representative said.

Militia pledges to stop recruiting children

Sierra Leone's pro-government Kamajor militia has pledged to stop recruiting children and will send home those already serving in its ranks, a UNICEF official told IRIN on Tuesday.

UNICEF estimates that 3,000 children are with the anti-government Revolutionary United Front (RUF) and 1,500 with the Kamajors. UNICEF has documented 3,867 children abducted by the RUF when the guerrillas occupied eastern Freetown in January. So far 700 of the children have been returned to their families, UNICEF said.

In another development, the UN Observer Mission in Sierra Leone, UNOMSIL, has denied a media report that it had received complaints from the Kamajors about 1,000 RUF guerrillas attacking the militia's positions on Saturday in Rima, near the diamond-rich town of Kono.

"We received no complaint," a senior UNOMSIL officer told IRIN on Tuesday. "We will investigate further."

GUINEA: Government denies banning Sierra Leonean men

Guinea has denied a news report published on Thursday that it has banned Sierra Leonean men from entering the country by sea. Alhousseine Thiam, chairman of Guinea's Bureau national de coordination des refugies (National Refugee coordination office) told IRIN on Thursday: "Guinea has never, never restricted (the entry of) Sierra Leonean males."

The French news agency, AFP, had quoted boat operators in Freetown as saying on Wednesday that Guinea had stopped adult males from entering the country, in the wake of a spate of cross-border attacks by a rebel splinter group calling itself the Sierra Leonean People's Army.

AFRICA: Forum recommends strategies for resolving conflicts

The innovative approaches to conflict management that women's groups have developed need to be appreciated, participants in the Third Forum on Governance in Africa, held in Bamako, Mali, from 28 to 30 June, recommended.

It is essential for women to be involved in national affairs at a very early stage and at all levels, they said. This could be done, they added, through measures targeting their economic and political empowerment, and through their participation in governmental decision-making.

The competencies of governments, civil society and regional and subregional organisations in the area of conflict analysis and management need to be consolidated, they recommended.

Governments should intensify their efforts to control illicit arms trafficking, they noted, adding that a

moratorium the Economic Community of West African States (ECOWAS) has placed on the trade in and manufacture of light arms should be extended gradually to the rest of the continent.

UN urged to do more for African refugees

A United Nations of the 21st Century could make a greater effort to help African countries that face economic and social disruption in hosting large numbers of refugees, participants in a panel discussion at the UN Economic Commission for Africa (ECA) said.

Participants in the discussion, held at the 24-25 June African Regional Hearing on the Millennium Assembly, noted that the UN's response to the refugee crisis in Kosovo had far outweighed its work in helping Africa's refugees, who make up over a quarter of the world's roughly 12 million refugees.

Inadequate political will, the participants added, meant that international standards were not employed in establishing refugee camps in Africa. The UN, they charged, failed to give the required attention to human rights violations in camps.

The two-day hearing was convened as an open forum to share views and elaborate proposals on the type of United Nations that Africans want to see in the next millennium.

WESTERN SAHARA: Voter identification

Morocco and the Polisario Front have been cooperating with the identification of voters in preparation for a referendum on the future of Western Sahara, UN Secretary-General Kofi Annan said in a new report on the situation in the territory.

In May, the two sides accepted a UN-brokered package of measures to allow preparations for the referendum to go ahead. The process of identification of eligible voters for the referendum resumed on 15 June. So far, the total number identified since the process began in August 1994 is nearly 150,000.

The first part of the provisional voters' list will be published on 15 July, after which the appeals process will begin.

Under an August 1998 Settlement Plan, the UN Mission for the Referendum in Western Sahara (MINURSO) was set up to monitor a ceasefire and identify and register qualified voters for the referendum on whether the former Spanish colony would gain independence or become part of Morocco.

WEST AFRICA: Equatorial Guinea wants in on Cameroon-Nigeria issue

Equatorial Guinea has applied to the International Court of Justice (ICJ) for permission to intervene in the Cameroon-Nigeria border dispute in a bid to safeguard its territorial and oil interests.

It said the purpose of the intervention was "to protect (its) legal rights in the Gulf of Guinea by all legal

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means" and "inform the Court of Equatorial Guinea's legal rights and interests so that these may remain unaffected as the Court proceeds to address the question of the maritime boundary between Cameroon and Nigeria", the ICJ said in a communique on Wednesday.

All three countries have been exploiting and exploring for oil in the area.

NIGER: Referendum date set for 18 July

Niger's ruling Conseil de Reconciliation nationale (CRN) has announced that a referendum on a new constitution, originally set for 11 July, will be held on 18 July, news reports said. The CRN also said the draft constitution to be decided by the referendum was a semi-presidential one, in which power is shared between the president and prime minister.

SENEGAL: Separatists Want Ceasefire

Some 100 delegates from various factions of Senegal's separatist Mouvement des Forces democratiques de Casamance (MFDC) agreed on 25 June to negotiate peace with the government in Dakar, according to news reports.

In a communique issued at the end of a four-day meeting in Banjul, The Gambia, they also called on their fighters and the Senegalese army to cease hostilities immediately in Senegal's southern area of Casamance, PANA reported.

The meeting reappointed Reverend Augustin Diamacoune Senghor as leader of the MFDC, who is to name delegates to two new MFDC bodies created to conduct national and international negotiations.

Unions end pay strike

Senegalese unions ended a general strike for more pay and other benefits on Tuesday, following a tentative agreement with government on improved conditions for public and private sector workers, a union leader in Dakar told IRIN.

The accord calls for an increase in family allowances from 1,000 francs cfa to 1,500 fcfa (US $1.66 to US $2.5) per child for the first six children, the establishment of a social security fund and a health insurance scheme, and an end to the system of issuing consumers with electricity bills based on estimates instead of metred consumption.

The strike, by seven unions, started on Monday and was the first in seven years. It halted most economic activity and shut down the international airport in the capital, Dakar.

LIBERIA: Elite troops deployed near US Embassy

Liberia said it deployed elite Anti-Terrorist Unit troops near the US Embassy in Monrovia on Wednesday

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in response to fears raised by the US State Department of a possible terrorist threat, news reports and diplomatic sources said on Thursday.

However, Sarah Morrison, the head of the US Information Service in Monrovia, told IRIN, "we have quite a bit of security around the embassy", although she also said, "we appreciate the concern of the Liberian government".

Fears of a terrorist attack had prompted Washington to close its embassies in six African countries, including Liberia, on Thursday through Saturday last week.

MALI-MAURITANIA: Herders, farmers clash along border

About a dozen people died in communal clashes earlier this month along the border between Mauritania and Mali, according to various reports.

A media source in Bamako told IRIN the conflict started when herdsmen in Missira-Samoura, a village in western Mali populated mainly by farmers, refused to allow a Mauritanian horseman to use a watering hole. The horseman rode off and returned with some of his clansmen, attacking the village on 20 June. AFP reported that two people died in that raid.

The villagers retaliated two days later by attacking the horseman's village, Naime, in south-eastern Mauritania. According to the media source in Bamako, 11 Mauritanians died in that attack.

Soldiers complete peacekeeping course

Forty-one Malian soldiers concluded a one-month peacekeeping training session at the National Gendarmerie School in Bamako on 25 June, Radio-Television Malienne reported. The training course was part of the African Crisis Response Initiative (ACRI), a programme mounted by the US military and aimed at helping African nations produce peacekeepers capable of facing crises in Africa and worldwide.

NIGERIA: Cabinet sworn in, ethics code for ministers

Nigeria's new cabinet was sworn in on Wednesday after the senate approved the last seven of the ministerial nominees submitted to it by President Olusegun Obasanjo.

The approval of the seven had been held up by allegations within the House that nominees had bribed members of some parties so as to secure confirmation.

Earlier in the week, the 42 ministers-designate and 12 presidential advisers whom the senaate had approved previously adopted a code of conduct designed to ensure probity, transparency and accountability in government, news reports said.

Nigerian President Olusegun Obasanjo last Sunday described the adoption of the code as "a landmark in the

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revival of just and honest government in Nigeria".

The precepts of the 14-point code include selflessness, integrity objectivity, openness, honesty and leadership. It comes in addition to a code of conduct for public officers contained in the 1999 constitution, Nigerian radio reported.

Anti-corruption bill before the Senate

Also, Obasanjo has presented an anti-corruption bill to the Senate proposing a seven-year prison term for offenders, news reports said on Wednesday.

If passed into law, any public official who asks for or receives property or favours, or is found to have indulged in other forms of corruption will be guilty of a felony, AFP reported quoting 'This Day', a Nigerian newspaper.

Abidjan 2 July 1999; 17:35 GMT

[ENDS]

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Item: irin-english-1159

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Editor: Ali B. Ali-Dinar

determined by the Minister, [illegible] the [illegible]

Subchapter B. NATIONAL BUREAU OF INVESTIGATION

Sections 22.50 to 22.53 - REPEALED

Subchapter C. NATIONAL CENTRAL BUREAU [INTERPOL]

§ 22.60. Bureau created; Director, function.

There is hereby created in the Ministry of Justice a [illegible] Bureau, which shall be headed by a Director who [illegible] by the President, by and with the advice and consent [illegible] The Director shall be directly responsible to the [illegible] and subject to his direction and control. It shall be [illegible] Bureau to keep in constant contact with the headquarters [illegible] Interpol in Paris and to exchange with that [illegible] concerning crimes and criminals [illegible] Liberia and [illegible]

Subchapter D. LIBERIAN NATIONAL [illegible]

§ 22.70. Director.

Subject to the general authority [illegible] supervision [illegible]

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83 *Prior legislation:* L. 1971-72.

84 *Prior legislation:* L. 1960-61, ch. [illegible]

Justice, the Director of the National Police
National Police (LNP)] shall direct all
National Police. The Director shall be ap
and with the advice and consent of the Se

§ 22.71. Headquarters and field posts.

The Liberian National Police shall have its
and as many field posts located throughout
necessary to carry out its functions.[86]

§ 22.72. Personnel.

Members of the Liberian National Police
to rotation from place to place. All membe
Police shall receive, as a prerequisite for
course of four months at the National Po
two year probationary period which shall
for basic training shall be required of all
in the Force shall be determined strictly
within grades, performance of duty, and
examination to be administered from time

§ 22.73. Retirement and death benefits.

1. Retirement benefits. Any officer or m
Force who--

(a) Has served with good conduct

85 *Prior legislation:* L.1960-61, ch. XLII, §

86 *Prior legislation:* L. 1960-61, ch. XLII, §

87 *Prior legislation:* 1960-61, ch. XLII, §

Chapter 24. MINISTRY OF N

§ 24.1. Establishment of Ministry; appo
§ 24.2. Duties of Minister of National D
§ 24.3. Deputy Minister for Administra
§ 24.4. Assistant Minister of National D
Affairs.
§ 24.5. Assistant Minister of National D
§ 24.6. Organization of Ministry.

§ 24.1. Establishment of Ministry; appo

There is hereby established in the E
Government a Ministry of National Defe
of the Ministry, subject to the authority a
as Commander-in-Chief, shall be vested
Defense, who shall be appointed by the
advice and consent of the Senate.[99]

§ 24.2. Duties of Minister of National

1. Authority over Ministry. Subject to
the President as Commander-in-Chief
Defense shall have complete authority
Liberia, including all matters relating
administration, logistic support and
welfare, preparedness and effectiveness
make all military appointment.

2. Report. The annual report by the
the Legislature shall contain abstracts

---

99 *Prior legislation:* 1956 Code 13:300; L.
L. 1897-98, 20(1st), L. 1971-72.

unit commander.[100]

§ 24.3. Deputy Minister of N

The President, by and with the
appoint a Deputy Minister of
who shall be the principal as
perform such duties as the
prescribe. In the case of the ab
of the Minister of National Defe
otherwise directed by the Presid
until a successor is appointe
duties.[101]

§ 24.4. Assistant Minister
Affairs.

The President, by and with the
appoint an Assistant Minister
Affairs. It shall be the duty of
authority and direction of
supervise the operation of
activities with other branches
other duties as the Minister

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100 *Prior legislation:* 1957-58
(1st sent.), 301,302; L. 1949-50
1899-1900, 47, § 1, 2, 3, 5, 8;
L. 1893-94, 4(2nd), L. 1971-72

101 *Prior legislation:* L. 1949-50

102 *Prior legislation:* 1957-58

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AN ACT REPEALING SUB-CHAPTER D OF CHAPTER 1, PART 1 AND SUB-CHAPTER B OF CHAPTER 22, PART II OF THE EXECUTIVE LAW IN RELATION TO THE EXECUTIVE ACTION BUREAU AND THE NATIONAL BUREAU OF INVESTIGATION AND CREATING THE NATIONAL SECURITY AGENCY

It is enacted by the Senate and House of Representatives of the Republic of Liberia, in Legislature Assembled:

Section 1. Sub-Chapter D of Part 1, Chapter 1 and Sub-Chapter B of Part II, Chapter 22 of the Executive Law are hereby repealed and a New Sub-Chapter D of Part 1, Chapter I substituted in lieu thereof:

SUB-CHAPTER D. NATIONAL SECURITY AGENCY

Section 2.50 AGENCY CREATED; APPOINTMENT OF DIRECTOR.

There is hereby created to be established within the Republic a Security Service to be known as the National Security Agency. The operations of the National Security Agency shall be conducted under the direction and general supervision of a Director, who shall be appointed by the President by and with the advice and consent of the Senate. The Director shall be responsible to the President through the Minister of Justice for the administration of the Agency, but shall report directly to the President should the President so direct.

Section 2.51 DUTIES OF THE DIRECTOR: NATIONAL SECURITY AGENCY (NSA)

The duties of the Director shall be as follows:

(a) It shall be the duty of the Director to prepare intelligence and security briefs for the President;

(b) To report to the President through the Minister of Justice on all matters affecting the work of the Agency, as circumstances may require or as directed by the President;

(c) To carry out all operations assigned him;

(d) To select, investigate, hire and train according to rigid standards all personnel required for the secure [illegible] of the Agency; and

(e) To protect intelligence sources and methods of operation from unauthorized disclosure.

Section 2.52. FUNCTIONS OF AGENCY. The functions of the National Security Agency shall be (1) to develop plans; (2) collect, analyze and disseminate overt political, economic, cultural and sociological intelligence for the Republic of Liberia, and (3) provide all possible means for the adequate protection of the Government and the people of the Republic against subversion, espionage, sedition, adverse propaganda and sabotage. The Minister of Justice shall issue orders and regulations with the approval of the President with regards to the performance of such additional functions as circumstances may dictate for securing the safety of the State.

Section 2.53. OTHER PERSONNEL

In addition to the Director, the President may also appoint as many deputies and other persons as he may deem necessary to carry out effectively the functions of the Agency. Such additional personnel shall also be investigated and trained according to rigid professional standards.

Section 2.54. AUTHORITY OF THE AGENCY.

In order to perform its duties effectively, the National Security Agency, shall, whenever it shall deem it necessary and subject to the approval of the President or his designee, have free and immediate access to all officials and employees of the Government and to all files, records and documents of any agency of the Government. The National Security Agency shall also be the recognized National Body of the Government of Liberia with the sole authority to coordinate the activities of all National Intelligence collecting services and receive, evaluate and disseminate the data as directed. The members of the Agency shall have police, subpoena or law enforcement powers in view of the fact that their jurisdiction includes the internal security of the Nation. No activities of this Agency will be publicized unless so directed by the President or his designee.

Section 2.55 OFFICERS AND EMPLOYEES OF THE AGENCY AS TRUSTEES OF STATE SECRETS.

Every officer and employee of the National Security Agency shall be deemed a trustee of the secrets of the Republic and when entering the duties of the service, shall be sworn by the Director

not to divulge any information which has come to his knowledge by reason of his employment with the Agency except as required in the course of duty. A violation of the oath required by this section shall subject the offender to a fine of Ten Thousand Dollars or up to seven years imprisonment or both.

Section 2.56 INDEPENDENCE OF THE AGENCY FROM GENERAL GOVERNMENT FINANCIAL ARRANGEMENTS.

To preserve the National Security Agency from public disclosure of its operations, the Agency is authorized to withdraw to the extent necessary for the maintenance of secrecy, its yearly appropriations thru the Ministry of Finance and deposit them in the Agency's own checking account in a Bank within the Republic to be designated by the President as the legal depository. The Agency is also authorized to develop and maintain its own procurement, accounting and auditing system separate from those of the general Government, but having the same control effect as the systems of the general Government. Its accounts shall be audited yearly or as circumstances may require by an auditor appointed by the President of Liberia.

Section 2.57. RETIREMENT AND DEATH BENEFITS.

1. Retirement — Any officer or member of the National Security Agency who:–

   (a) Has served with good conduct for 25 consecutive years; or

   (b) Has attained the age of 60, provided such officer or member has served in the National Security Agency or within other Security Agencies with good conduct for at least 15 consecutive years; or

   (c) Because of an injury or disability incurred in line of duty is permanently disabled from performing his duties in the National Security Agency, may be honourably retired, shall receive a pension in an amount equal to fifty percent of the compensation he was receiving at the time of his retirement for the remainder of his life. An officer or member of the Natonal Security Agency shall be given credit toward retirement for the time he was employed in the Agency prior to the effective date of the retirement system.

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Section 2.58. DEATH BENEFITS.

Any dependent or dependents of a deceased officer or member of the National Security Agency shall receive one half the amount of any pension being paid to the decedent at the time of his death under the provisions of this section; or if the decedent died as a result of injuries or disability incurred in line of duty and before the commencement of pension payment, the dependent or dependents shall receive one half the amount of the pension to which the decedent would have been entitled under Paragraph 1 of this section had he lived. As used in this Paragraph, the term "dependent" means the widow of the decedent so long as she remains unmarried; or if there is no widow or the widow remarries or dies, the surviving child or children of the decedent during their minority.

Section 2. This Act shall take effect immediately upon publication in hand-bills.

Any law to the contrary notwithstanding.

Approved: May 20, 1974.

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FACT 107

Amnesty International Report 2001, which covered the period January to December 2000, set out that:

(a) Sierra Leonean refugees, including former child soldiers, were reportedly recruited by the Sierra Leone armed opposition which was supported by the Liberian government (p. 1).

(b) The international community continued to accuse the Liberian government of providing arms, ammunition and fighters, in violation of a 1998 UN embargo, to armed opposition forces in neighbouring Sierra Leone which had been responsible for large scale atrocities against civilians (p. 1).

(c) In June, the European Union expressed concern about Liberia's role in the illicit diamond trade from Sierra Leone and its failure to stop arms reaching rebel forces in Sierra Leone through Liberian territory, and threatened to suspend aid to Liberia (p. 1).

(d) A UN panel of experts, established in August [2000] to investigate the link between the diamond trade and the conflict in Sierra Leone, published its report in December (p. 1).

(e) The panel found evidence of the Liberian government's support for rebel forces in Sierra Leone, including military training and weapons transfers, and of trafficking of diamonds through Liberia from rebel-held areas (p. 1).

(f) The panel made recommendations, including for an embargo on diamonds from Liberia and a travel ban on Liberian officials by UN members states (p. 1).

(g) Amnesty International called for diamond trading in western Africa to be investigated and regulated in order to stop diamonds from rebel-held areas of Sierra Leone financing the purchase of arms used to kill and mutilate civilians in Sierra Leone (p. 1).

a.	Exh. 1.217	n/a	Liberia: Amnesty International Report 2001, AI Index POL 10/001/2001, available at www.amnesty.org.

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LIBERIA

REPUBLIC OF LIBERIA
Head of state and government: Charles G. Taylor
Capital: Monrovia
Population: 3.1 million
Official language: English
Death penalty: retentionist

Torture, ill-treatment and other human rights violations continued to be carried out by the security forces. Human rights defenders and journalists were arrested, assaulted and forced into exile. Political prisoners were sentenced to prison terms after trials which failed to meet international standards for fair trial. There was no progress in investigating past human rights abuses. The international community continued to accuse the Liberian government of assisting rebel forces responsible for atrocities in neighbouring Sierra Leone.

Fighting in Lofa County

In July armed opposition forces attacked Lofa County, northern Liberia; the government deployed the armed forces, the Anti-Terrorist Unit and war veterans against them. The government accused the Guinean government of allowing attacks on Liberia from bases in neighbouring Guinea. Thousands of people fled upper Lofa County. In December the Liberian authorities reported that about 100 soldiers had been killed in the fighting.

From September hostilities between armed groups along the borders between Liberia, Sierra Leone and Guinea resulted in massive population displacement. The Guinean authorities accused armed groups backed by Liberia and Burkina Faso, the armed opposition in Sierra Leone and Guinean dissidents of killing hundreds of people in attacks on border towns in the Macenta region of Guinea. The attacks resulted in massive displacement of Liberian and Sierra Leonean refugees and of Guinean nationals.

More than a hundred people, mostly belonging to the Mandingo ethnic group, were arrested by government security forces on suspicion of backing the incursion into Lofa County. Most of those arrested were held incommunicado without charge in unofficial detention centres, including the military base in Gbatala, and were tortured. Dozens were allegedly extrajudicially executed. The number of those held incommunicado and summarily executed could be higher. Sierra Leonean refugees, including former child soldiers, were reportedly recruited by the Sierra Leone armed opposition which was supported by the Liberian government. There were also reports of forcible recruitment of Liberian nationals by the Liberian security forces. Insurgents allegedly from Guinea were accused of carrying out abductions of civilians.

Ethnic clashes broke out following the incursion and members of the Mandingo community suspected of backing insurgents came under armed attack by civilians in Lofa and Nimba Counties, allegedly with the acquiescence of local security forces on at least one occasion.

Involvement in the Sierra Leone conflict

The international community continued to accuse the Liberian government of providing arms, ammunition and fighters, in violation of a 1998 UN embargo, to armed opposition forces in neighbouring Sierra Leone which have been responsible for large-scale atrocities against civilians.

The Liberian government continued to deny the allegations, accused the US and United Kingdom (UK) governments of seeking to destabilize Liberia, and called for an independent investigation.

In June the European Union expressed concern about Liberia's role in the illicit diamond trade from Sierra Leone and its failure to stop arms reaching rebel forces in Sierra Leone through Liberian territory, and threatened to suspend aid to Liberia. In July the UN Security Council imposed an embargo on diamond exports from Sierra Leone. In October the US government imposed visa restrictions on senior Liberian officials; the Liberian authorities announced reciprocal measures.

A UN panel of experts, established in August to investigate the link between the diamond trade and the conflict in Sierra Leone, published its report in December. The panel found evidence of the Liberian government's support for rebel forces in Sierra Leone, including military training and weapons transfers, and of trafficking of diamonds through Liberia from rebel-held areas. Other governments were found to have been implicated. The panel made recommendations, including for an embargo on diamonds from Liberia and a travel ban on Liberian officials by UN member states.

Amnesty International called for diamond trading in western Africa to be investigated and regulated in order to stop diamonds from rebel-held areas of Sierra Leone financing the purchase of arms used to kill and mutilate civilians in Sierra Leone.

Impunity

No progress was made by the authorities in bringing to justice the perpetrators of massive human rights abuses carried out during the seven-year civil war which ended in 1996. There were also no independent investigations into political killings and other human rights violations committed by the security forces or armed groups operating in support of the government since the return to constitutional rule in 1997. Those responsible for the killing of Samuel Dokie, a former government minister who was arrested and later found dead with three others in 1997, were not brought to justice.

No independent or thorough investigation was carried out into alleged extrajudicial executions, torture and other human rights violations against members of the Krahn ethnic group and others during fighting in September 1998 between forces loyal to President Taylor and supporters of Roosevelt Johnson, a former faction leader. A 1999 UN investigation into

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determined by the Min

Subchapter B.

Sections 22.50 to 22.53

Subchapter C.

§ 22.60. Bureau crea

There is hereby created
Bureau, which shall be
by the President, by and
The Director shall be
and subject to his direct
Bureau to keep in cons
Interpol in Paris and
concerning crimes and

Subchapter D.

§ 22.70. Director.

Subject to the gener

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83 *Prior legislation:* L.

84 *Prior legislation:* L.

LIB

Justice, the Director of the Natio
National Police (LNP)] shall di
National Police. The Director sha
and with the advice and consent

§ 22.71. Headquarters and fiel

The Liberian National Police shall
and as many field posts located
necessary to carry out its function

§ 22.72. Personnel.

Members of the Liberian Nationa
to rotation from place to place. Al
Police shall receive, as a prereq
course of four months at the Nat
two year probationary period wh
for basic training shall be require
in the Force shall be determined
within grades, performance of du
examination to be administered

§ 22.73. Retirement and death

1. Retirement benefits. Any offic
Force who--

(a) Has served with good c

---

85 *Prior legislation:* L.1960-61, ch. XLI

86 *Prior legislation:* L. 1960-61, ch. XL

87 *Prior legislation:* 1960-61, ch. XLII,

Director General.

§ 2.31. Organization.

The Office of National Secu
and with such personnel as
General, subject to the approva

Subchapter C. SPEC

§ 2.40. Service established.

There is hereby created and
Security a Service to be know
functions of the Service shall

(a) To protect and secure
other officials and visiti
President;

(b) To protect the Execu

(c) To protect all docume
informatory material;

(d) To security check
addressed to or for use

(e) To security check
President, his family,

(f) To check the resid
permanent to ensure

(g) To serve as liaison with other security agenc
pertaining to the screening of persons to be em
Executive Mansion and for other services of the P

(h) To perform such other functions as may from ti
assigned by the President.[12]

§ 2.41. Appointment and duties of Director.

The President with the advice and consent of the Senat
an administrative head of the Service, who shall be des
Director. He shall be responsible to the President throug
General of National Security for the administration o
Security Service but shall report directly to the Presid
President so direct. The duties of the Director shall be

(a) To report directly to the President on all
operation of the Service and all matters appe
Service, as may be required or as directed by the

(b) To develop all operations required to carry ou
of the Service;

(c) To select, investigate, hire and train personn
and

(d) To call on other security agencies for add
whenever the need may arise for reinforceme
Such agents, detectives, policemen and soldi
Service in accordance with the request of the

12 *Prior legislation:* L. 1966-67, ch. (An act to amend
Special Security Service) 13:1256, 1257; L. 1960-61, ch.

under the complete co

§ 2.42. Appointment and

The President with the advice
an Assistant Director of the
principal assistant to the Dire
may be assigned to him from

§ 2.43. Other officers and

The Director may appoint all
Service as he may deem nece
the approval of the Presiden

§ 2.44. Disclosure of secre

Officers and employees o
deemed trustees of unpubl
life of the President and
mation of the Governme
secrecy of such informa
Service, and any person
may be dismissed from
for not more than one

13 *Prior legislation:* L.
Special Security Service) (13

14 *Prior legislation:* L.
Special Security Service) (13

15 *Prior legislation:* L.
Special Security Service)

both.[16]

§ 2.45. Power of officers and members to arrest.

Officers and members of the Special Security Service [illegible] power to arrest vested in peace officers by the crimin[illegible] Law.

§ 2.46. Retirement and death benefits.

1. Retirement benefits, Any officer or member of the Spe[illegible] Service who ---

(a) Has served with good conduct for at least 25 conse[illegible] or

(b) Has attained the age of 55, provided such offic[illegible] has served in the Special Security Service with go[illegible] at least 15 consecutive years; or

(c) Because of an injury or disability incurred [illegible] permanently disabled from performing his duties [illegible] Security Service may be honorably retired and [illegible] receive for the remainder of his life a pension in a[illegible] to fifty percent of the compensation he was rece[illegible] of his retirement. An officer or member of the [illegible] Service shall be given credit toward retirement fo[illegible] employed in the Service prior to the effe[illegible] retirement system.

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16 *Prior legislation:* L. 1966-67, ch. (An Act to amend the [illegible] Special Security Service, 13:1261.

2. Death benefits. Any de
officer or member of the Spe
appropriations from the Min
Service's own checking accou
depository. The Service is a
its own procurement, accoun
those of the general Governm
as the systems of the gener
audited yearly by an auditor
that specific purpose. Such
clearance in accordance wi

§ 2.47. Retirement and d

1. Retirement benefits. An
Service who ---

(a) Has served with g
years; or

(b) Has attained the a
has served in the Spec
at least 15 consecutiv

(c) Because of an in
permanently disable
Security Service m
receive for the remain
to fifty percent of the
of his retirement. A
Service shall be give
employed in the
retirement system.

2. Death benefits. Any dependent or decedents of a dece... or member of the Special Security Service shall rece... amount of any pension being paid to the decedent at the... death under the provisions of this section or, if decede... result of injuries or disability incurred in line of duty and... commencement of pension payments, the dependent or... shall receive the full amount of the pension to which the... would have been entitled under paragraph 1 of this sec... lived. As used in this paragraph, the term "dependent... widow of the decedent so long as she remains unmarried... is no widow or the widow remarries, the surviving chil... of the decedent during their minority.[17]

Subchapter D. EXECUTIVE ACTION B...

§ 2.50. Bureau established; appointment of Direct...

There is hereby created and established in the Office... Security a Security Service to be known as the Execu... Bureau. The Executive Action Bureau shall be conduc... direction and general supervision of a Director, who... appointed by the President by and with the advice and... Senate. The Director small be responsible to the Pre... the Director General of National Security for the admi... Bureau, but shall report directly to the President shou... so direct.[18]

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17 *Prior legislation:* L. 1966-67, ch. (An Act to amend the ... Special Security Service, (13:1262).

18 *Prior legislation:* L. 1960-61, ch. LV (13:1100, 1101).

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LIBERIA

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The international community continued to accuse the Liberian government of providing arms, ammunition and fighters, in violation of a 1998 UN embargo, to armed opposition forces in neighbouring Sierra Leone which have been responsible for large-scale atrocities against civilians.

The Liberian government continued to deny the allegations, accused the US and United Kingdom (UK) governments of seeking to destabilize Liberia, and called for an independent investigation.

In June the European Union expressed concern about Liberia's role in the illicit diamond trade from Sierra Leone and its failure to stop arms reaching rebel forces in Sierra Leone through Liberian territory, and threatened to suspend aid to Liberia. In July the UN Security Council imposed an embargo on diamond exports from Sierra Leone. In October the US government imposed visa restrictions on senior Liberian officials; the Liberian authorities announced reciprocal measures.

A UN panel of experts, established in August to investigate the link between the diamond trade and the conflict in Sierra Leone, published its report in December. The panel found evidence of the Liberian government's support for rebel forces in Sierra Leone, including military training and weapons transfers, and of trafficking of diamonds through Liberia from rebel-held areas. Other governments were found to have been implicated. The panel made recommendations, including for an embargo on diamonds from Liberia and a travel ban on Liberian officials by UN member states.

Amnesty International called for diamond trading in western Africa to be investigated and regulated in order to stop diamonds from rebel-held areas of Sierra Leone financing the purchase of arms used to kill and mutilate civilians in Sierra Leone.

Impunity

No progress was made by the authorities in bringing to justice the perpetrators of massive human rights abuses carried out during the seven-year civil war which ended in 1996. There were also no independent investigations into political killings and other human rights violations committed by the security forces or armed groups operating in support of the government since the return to constitutional rule in 1997. Those responsible for the killing of Samuel Dokie, a former government minister who was arrested and later found dead with three others in 1997, were not brought to justice.

No independent or thorough investigation was carried out into alleged extrajudicial executions, torture and other human rights violations against members of the Krahn ethnic group and others during fighting in September 1998 between forces loyal to President Taylor and supporters of Roosevelt Johnson, a former faction leader. A 1999 UN investigation into

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the fighting obtained accounts of extrajudicial executions and other human rights violations by government security forces. They found that the dead and injured numbered several hundred and that ethnic Krahns had been targeted. The government had said 100 people had been killed or injured.

No training in international human rights standards was known to have been provided to the security forces, including special forces such as the Anti-Terrorist Unit which have been accused of serious human rights violations. Former combatants of the armed opposition group formerly headed by Charles Taylor, the National Patriotic Front of Liberia, which was implicated in major human rights violations, were recruited to the security forces without training in human rights.

Extrajudicial executions and torture

There were further reports of extrajudicial executions. The security forces continued to be responsible for torture and ill-treatment of political prisoners and criminal suspects. Liberian human rights organizations called for the closure of the Anti-Terrorist Unit base in Gbatala, central Liberia, where detainees have been tortured. Detention conditions in most police cells and prisons continued to be so harsh as to amount to cruel, inhuman and degrading treatment. Beatings and harassment of civilians by members of the security forces and former combatants continued, especially in rural areas.

In May the bodyguards of a government official reportedly beat and burned three people in Monrovia; they were suspected of stealing from the official. One of them, Gbaela Willie, died as a result of his injuries. Monrovia police reportedly arrested four bodyguards and opened an investigation into the death.

In September an army commander said that he had personally executed Aruna Boakai, an Anti-Terrorist Unit officer, in the town of Voinjama, Lofa County, for killing a soldier in August.

In November a Senate committee investigated allegations that a senator had ordered the security forces to detain illegally, beat and flog civilians in River Gee County, southeastern Liberia. The investigation had not been completed by the end of the year.

Attacks on the news media and human rights defenders

Journalists and human rights defenders were arrested, physically abused and threatened by the Liberian authorities.

In March Suah Deddeh, Chair of the Liberian Press Union, was arrested and questioned by security officers after criticizing the closure of two privately owned radio stations, Star Radio and Radio Veritas, by the authorities. He was released the next day without charge. After protests, Radio Veritas was allowed to reopen but Star Radio remained banned.

In late March James Torh, a prominent human rights activist, fled the country after Anti-Terrorist Unit officers twice came looking for him at his home at night. In December 1999 he had been briefly detained and charged with sedition for allegedly making remarks critical of the government. When he did not appear at a court hearing in April, the authorities ordered his rearrest.

In August, four journalists working for *Channel 4*, a UK television station — Sorious Samura, Gugulakhe Radebe, David Barrie and Timothy John Lambon — were detained for several days in Monrovia and accused of spying. The four were beaten following their arrest and one of them was threatened with death. They were released unconditionally after widespread protests.

In September, staff members of the independent *New Democrat*, including its editor Charles Jackson, fled Liberia following death threats, intimidation and harassment by the security forces.

In November armed men believed to be civil war veterans, who reportedly included a senior armed forces officer, attacked members of a non-governmental organization, the Centre for Democratic Empowerment (CEDE), in Monrovia. They stabbed and wounded Conmany Wesseh, and physically assaulted Amos Sawyer, formerly head of the Liberian interim government during the civil war and CEDE Chairman, and other staff. The armed forces officer and seven others were subsequently charged with aggravated assault and released on bail to await trial. However, others believed to be also responsible for the attack were not known to have been investigated by police. Local human rights activists called for an independent inquiry. Suspects arrested in connection with a 1999 attack on the home of Conmany Wesseh and death threats against his family had been released without charge or trial despite evidence against them.

Sedition and treason trials

One trial ended, another started and an appeal was heard in trials held in connection with the fighting in Monrovia in September 1998 between government forces and forces loyal to opposition leader Roosevelt Johnson.

In February a court martial convicted four army officers of sedition — General Joseph Jarlee, Major Alphonso Dubar, Master Sergeant Alexander Gee and Private Okpakakpu Monger — and sentenced them to 10 years' imprisonment. Five other officers were acquitted. There were concerns that the trial did not meet international standards for fair trial and about the alleged intimidation of defence lawyers. The defendants, who were reportedly beaten following their arrest, continued to be detained in harsh conditions at a military barracks. General Jarlee was reportedly denied adequate food or medical treatment.

In June the treason trial started of five civilians — Jardiah S. Farley, Charles C. Sobue, Kaye Gbagba, Alpha Massaley and Roosevelt Togba — suspected of supporting Roosevelt Johnson's forces. The trial had not concluded by the end of 2000.

In December the Supreme Court heard appeals by 13 people convicted of treason in April 1999 and by the

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prosecution in the same case which called for longer prison sentences. The Court increased the sentences from 10 to 20 years' imprisonment. In April 1999 the Criminal Court had given as its reason for a lenient sentence the "need for genuine reconciliation in the country". The trial had been marred by irregularities and some of the defendants had been beaten severely following their arrest. Most were former government officials serving 10-year prison sentences in the Central Prison, Monrovia, where they were reportedly harassed and denied adequate medical care.

In August the Liberian government issued an arrest warrant for Ellen Johnson-Sirleaf, an opposition leader in exile, to face treason charges, with 14 others, for allegedly supporting the insurgents. Of those charged, only Raleigh Seekie was arrested and was still in detention awaiting trial at the end of 2000. Several other civilians suspected of supporting the insurgents were reported to have been arrested in Monrovia and in other parts of the country. It was not known whether they had been released by the end of the year.

AI reports

- Liberia: Crackdown on media signals further repression of human rights defenders (AI Index: AFR 34/001/2000)
- Liberia: Attacks on media continue with the arrest of a foreign television crew (AI Index: AFR 34/002/2000)
- Liberia: Fear for safety of Conmany Wesseh and others (AI Index: AFR 34/004/2000)

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