

CHAPTER FIVE

Methodology and Processes

Introduction

1. The Truth and Reconciliation Commission Act of 2000 (the Act or the TRC Act) charged the Commission with the sole authority to determine its operating procedures and mode of work, especially with regard to conducting investigations, research, statement taking and hearings. To engage in these activities as well as to produce an impartial Final Report, the Commission developed a philosophical and procedural framework, which ensured that the appropriate rigour and fairness standards were complied with in all aspects of its work. The policies and procedures that guided the Commission's work are discussed below in detail.

Policies

Women and Children

2. Section 6(2) of the TRC Act stipulates that the Commission should give special attention to the subject of sexual abuse and to the experiences of children in the armed conflict. Section 7(4) of the Act enjoins the Commission to implement special procedures to address the needs of victims such as children, those who have suffered sexual abuse and child perpetrators of abuses or violations.
3. During the conflict, women and children were the victims of the most brutal violations and abuses. It was necessary that they participated in all the activities of the Commission to ensure that their voices were heard. There was no single body or group representing victims' interests in Sierra Leone. There are instead various institutions and agencies, both local and international, providing services to women and children victims of the war. Many of these agencies existed long before the TRC was established and have been documenting violations and abuses, providing psychosocial support services and carrying out school enrolment and training programmes for women and children. The Commission worked closely with many such organisations. Furthermore, in 2001, UNICEF organised a consultation on the participation of children in the work of the Commission. That consultation supported the participation of children in the work of the Commission and outlined a number of measures to ensure the protection of participating children.
4. The Commission entered into agreements with key partner organisations for the provision of technical support. A Project Co-ordination Agreement was signed in November 2002 between the Commission and United Nations Fund for Women (UNIFEM). This partnership with UNIFEM was intended to ensure that gender-based violence was properly accounted for during the Commission's work. It also served to encourage the fullest possible

participation from women's groups in Sierra Leone in the work of the Commission.

5. A second framework agreement was signed between the Commission, UNICEF and some Child Protection Agencies to provide the Commission with technical assistance to during statement taking and hearings in which children were participating.
6. The framework agreements entered into by the Commission with UNIFEM and UNICEF respectively are discussed in detail in the relevant sections of this report. As a public institution, the Commission felt that it was necessary to develop further policies to underpin its work with women and children, often after consultations with civil society and other stakeholders. Some of these policies are outlined below.

General policy

7. The Commission paid specific attention to the security and well-being of the children who appeared before it. Furthermore the Commission acted in a gender-sensitive manner by ensuring that women were well represented on its staff and by reaching out to women so that they could participate fully in all of its phases and processes.

Policies relating to statement taking and hearings

8. The Commission took testimonies from women and girls with an emphasis on the gender-specific nature of the violations and abuses they suffered. The Commission ensured that all its staff members were sensitive in their dealings with gender-based violence and that its statement takers, in particular, were properly briefed and trained. In conjunction with experts in gender-based violence, the Commission drew up a set of guidelines for dealing with victims of sexual violence in the statement-taking programme.¹
9. All the children who appeared in hearings did so in closed or confidential sessions. The Commission organised special public hearings on children and sexual violence to bring the issues around their experiences to the centre of public discourse. The physical and psychological security of children participating in the Commission's activities was paramount.²

Policies relating to report writing

10. The Commission ensured that gender-based violations and abuses were properly investigated and given extensive attention in its final report. The partnership with UNIFEM was to result in a dedicated chapter on the experiences of women. The Commission kept disaggregated data in respect of gender-based violence. The Commission also requested submissions and recommendations from institutions working with women and girls and those focussed on sexual violence issues. These materials would enable the

¹ More detail on the training of statement takers can be found in the Processes section later in this chapter.

² Special measures to protect children were implemented in collaboration with UNICEF and the Child Protection Agency Network. More detail on such measures can be found in the sections on statement taking and hearings in this chapter.

Commission to formulate recommendations on the issues most pertinent to women and girls.

11. The Commission included in its Final Report a special section on children, along with a range of recommendations specifically designed to address the needs of children. The Commission also produced a child-friendly report with the support of UNICEF.³

Statement Taking⁴

12. In Sierra Leone, violations and abuses were committed on a wide scale and by all the factions in the conflict. It was not possible for the Commission to investigate all the violations and abuses that were committed during the civil war. Consequently the statement taking exercise aimed at representing the general spread of human rights violation and abuses. This enabled the Commission to obtain a sample of violations and abuses that occurred, such that “many people could relate to the narratives and the experiences told by those who testified before the Commission”.⁵

Media and Civil Society Participation

13. A TRC process is by nature a public process. Its success depends on public participation. The Commission organised its public interactions according to several principles. The most important of which was the need for public ownership and participation in the Commission’s activities and processes, as emphasised in both the Lome Peace Accord and the TRC Act. The media was an important tool in that respect.
14. Based on this philosophy of public ownership and participation, the Commission relied extensively on civil society to carry out the public education and sensitisation of its activities. The Commission developed partnerships with Sierra Leonean civil society organisations for public education on the different phases of its work. The implementation of the recommendations and in particular the reparations programme will depend in large measure on how civil society engages the government and other state institutions.
15. The media policy of the Commission was designed to ensure that:
 - a. The Commission was accessible to the public at all times. It also conducted many open processes that allowed the public to be aware of the activities.
 - b. Public education about the TRC process was a joint responsibility that the Commission shared with its civil society partners.
 - c. The radio, being the most popular means of communication in Sierra Leone, was utilised as much as possible for sensitisation and public education. Radio is often the only way in which remote communities

³ More detail on the children’s version of the report can be found later in this chapter and in the chapter on Children in Volume Three B of this report.

⁴ Throughout this chapter, the term Statement Taker refers to a TRC employee who recorded statements on behalf of the Commission. The term Statement Giver refers to a victim, perpetrator or witness who made a statement to the Commission.

⁵ See Lax, Ilan; “Strategies and Methodologies for Finding the Truth”, A compilation of Articles on the Sierra Leone Truth and Reconciliation Commission; Human Rights Section, UNAMSIL, Freetown; December 2001; at page 75.

are connected to the rest of the country. The level of illiteracy prevented the print media from reaching out to the general population.

16. Following the principle of popular ownership of the TRC process, a National Vision campaign was organised to invite Sierra Leoneans to construct their images of a future Sierra Leone in the form of scholarly and artistic submissions. The National Vision for Sierra Leone will give impetus to the Commission's recommendations.

Reconciliation

17. Civil society had been doing much work on reconciliation prior to the start of the Commission. Through the efforts of UNICEF and the Child protection Agencies a number of child combatants were settled back into their communities after the performance of traditional ceremonies. Communities performed traditional cleansing ceremonies and other rituals. The faith community was also very strong in promoting reconciliation in the communities. The Commission wished to build on these efforts and encourage them. Within the time frame available to the Commission, it would not be able to actively engage in reconciliation activities all over the country.
18. The Office of the High Commissioner for Human Rights, (OHCHR) in Geneva, had commissioned a preliminary study on traditional methods of reconciliation and conflict resolution in Sierra Leone by a local NGO, Manifesto 99. The report of that study indicated the tremendous roles chiefs, elders and religious institutions could play in facilitating and promoting reconciliation in the communities. The challenge before the Commission was how to mobilise these institutions and bring them together under one umbrella to strengthen the potential for reconciliation in the communities. The Truth and Reconciliation Act also enjoined the Commission to seek assistance from chiefs and religious leaders in promoting reconciliation.
19. After a number of visits to all the districts in the country and widespread consultations with chiefs, civil society representatives, religious leaders and members of community organisations, between August and November 2002, the Commission decided to establish district support committees. These committees would be composed of members of civil society in the district, including chiefs, religious leaders and members of the armed factions. The aim was to replicate these committees in the chiefdoms. The work of the district support committees was to facilitate the Commission's engagement with people in the districts during statement taking, hearings and reconciliation activities. The Commission would refer any conflicts or potential conflicts to a district support committee. It was recognised by all relevant stakeholders that the Commission could not visit every community to organise hearings or facilitate the resolution of any existing disputes. These committees would have the responsibility for further engaging in "community palava management sessions" at their respective "barrays". At these sessions, each community would decide what it considered most important to engage in to promote reconciliation and it would be the work of these committees to support that effort.

Issues of Confidentiality

20. According to the TRC Act, “at the discretion of the Commission, any person shall be permitted to provide information to the Commission on a confidential basis and the Commission shall not be compelled to disclose any information given to it in confidence.”⁶ This provision allowed witnesses to testify confidentially, at the discretion of the Commission. Also, it protected the Commission from having to reveal the information it collected to third parties.
21. In relation to confidential testimony, the Act further states that the Commission was to “take into account the interests of victims and witnesses when inviting them to give statements, including the security and other concerns of those who may wish to recount their stories in public.”⁷ The Commission could conduct interviews and hearings in private, when it considered it necessary.
22. In designing its policy on confidentiality, the Commission had three major concerns: fulfilling its truth seeking purpose, ensuring the security of witnesses, and addressing its healing mandate. Truth seeking entails that the information collected from witnesses is used for investigation and will appear in the Final Report. Security and healing considerations require the Commission to take into account the personal history of each witness. For instance, some witnesses may wish their information to remain confidential in order to avoid persecution by perpetrators. Some witnesses might require confidentiality because of fear of rejection by their communities.
23. The Commission had to consider the impact of the Special Court on the willingness of perpetrators to come forward. Some perpetrators were afraid of either being indicted by the Court or being called as witnesses to testify against their former commanders. By extending confidentiality to them, the Commission hoped to convince them to reveal valuable information that would enable the Commission construct the truth about the conflict.
24. Where the statement giver had requested confidentiality, his or her name as well as any details permitting the identification of the statement giver, were not to be captured in the database or the Commission’s Final Report. The Commission would use the information without reference to the identity of the witness.
25. The TRC Act also states that: “the Commission may implement special procedures to address the needs of such particular victims as children or those who have suffered sexual abuses, as well as in working with child perpetrators of abuses or violations.”⁸ The Commission decided that child statement givers would be granted confidentiality automatically, without having to request it and those children would only appear in closed hearings. Children are vulnerable and the Commission felt it was its duty to extend a special protection to them. Women victims of sexual abuse were also encouraged to appear in closed hearings.

⁶ See Section 7(3) of the Truth and Reconciliation Commission Act 2000.

⁷ See Section 7(4) of the Truth and Reconciliation Commission Act 2000.

⁸ See Section 7(4) of the Truth and Reconciliation Commission Act 2000.

26. The agreement entered into by the Commission with UNICEF and the Child Protection Agencies was to ensure that children had the full protections at all stages of their participation in the work of the Commission. Child protection agencies oversaw the process of children testifying before the Commission. The participation of these agencies in statement taking offered assurance, comfort and security to the children. Counselling and psychosocial assistance was on hand for children. It was important that the children's emotional and physical well-being was assured at every stage of their participation in the work of the Commission.

Research and Investigations

27. Section 6 (2) (a) and (b) of the TRC Act stipulates that the Commission should "investigate and report on the causes, nature and extent of the violations and abuses [...] by undertaking investigations and research into the key events, causes, patterns of abuse or violation and the parties responsible". The first issue was to identify the key events, causes to the conflict and parties involved.
28. The UN Office of the High Commissioner for Human Rights (OHCHR), Geneva, commissioned a preliminary investigation into the violations and abuses perpetrated in the conflict, to provide background information to the Commission as it determined its research and investigation priorities. The project was contracted by OHCHR to a consultant working with the Campaign for Good Governance (CGG), a Sierra Leonean NGO. The project consisted of a statement-taking exercise in which 1,316 statements were collected throughout the country. In addition, several interviews were conducted with selected individuals who provided in-depth insights into the conflict and reasons behind the violations committed. The report into this 'Mapping Project' was a comprehensive preliminary assessment of the nature and extent of the violations committed.⁹ The report was used by the Commission to determine the categories of violations to be used in its database and to attain an overview of the key events of the conflict. 'Window cases' for investigation were partly derived from the information provided by the CGG report.¹⁰
29. The Ford Foundation provided financial support for a preliminary research on the "Antecedents of the Rebel War" by the Research and Publication Bureau the Fourah Bay College, University of Sierra Leone for the Truth and Reconciliation Commission. This research provided the Commission with background information on the district and local dynamics and historical antecedents of the conflict. The report assisted the Commission in developing some of the themes that constituted its research agenda.

⁹ Many of the preliminary conclusions reached in the CGG Mapping Project were subsequently borne out by the more expansive studies undertaken by the TRC. For instance, the CGG report attributed the majority of violations to the RUF faction, a conclusion which was subsequently validated by statistical analysis of the statements collected for the TRC. More detail can be found in the Findings chapter in Volume Two of this report.

¹⁰ A full list of 'window cases' used by the TRC can be found in the section on Investigations later in this chapter.

30. In understanding and analysing the conflict, the Commission deemed it necessary to devise a periodisation of the conflict that adequately reflected its main phases. To the extent that the greatest preponderance of key events in the military and political history of the conflict, not to mention the overwhelmingly majority of violations and abuses stemming from them, were driven by the combatants of the Revolutionary United Front of Sierra Leone, it was considered appropriate that the periodisation should reflect the evolving character of the conflict as it was prosecuted by that faction. The phases determined by the Commission for its own purposes were as follows:
- *Phase I: Conventional Target Warfare:* from immediate antecedents until 13 November 1993.
 - *Phase II: Guerrilla Warfare:* from 13 November 1993 until 2 March 1997.
 - *Phase III: Power Struggles and Peace Efforts:* from 2 March 1997 until the conclusion of the conflict on 18 January 2002.

Research

31. Themes of research were designed in accordance with the Commission's mandate, as set out in Section 6 (2) of the TRC Act. The Commission decided on twelve research themes, each of which has contributed one chapter to either Volume Three A or Volume Three B of this Report. The themes address the antecedents and causes of the conflict, the context in which the violations and abuses occurred and the question as to whether those violations and abuses were the result of deliberate planning, policy or authorisation by any government, group or individual. Themes were also devoted to women, children and youth, as well as the role of external actors in the conflict.

Primary and secondary sources

32. The Commission used both primary and secondary sources to write its Report. Primary sources are the statements, testimonies given at hearings, unpublished material received from different sources in particular, the Office of the Attorney General and Minister of Justice and the Criminal Investigation Department of the Sierra Leone Police Services, submissions and interviews conducted by researchers and investigators. All of these materials have enabled the Commission conduct a comprehensive documentation of human rights violations in the country. Secondary sources used are reports from international and national organisations, books, articles from journals and other publications. Primacy was given to original sources in order to capture and integrate the experiences of the people of Sierra Leone.

Investigations

33. The methodology chosen for investigations was to focus on a selection of 'window cases'. The Commission decided to identify patterns and peculiarities in the conflict that enabled the roles played by all relevant actors to be highlighted. The window cases had to be representative of the different experiences, group affiliations and human rights violations that the Commission would report on. The investigations were designed to complement the research activities of the Commission by providing specific information on the important events and junctures in the conflict.

34. There are thousands of incidents and personal experiences that could warrant classification as window cases, but the Commission based its selection on the following criteria:
- The nature of human rights abuses and violations experienced in different Regions and Districts;
 - The range of victims and/ or perpetrators, including state and non-state actors, who suffered and/ or participated in such abuses and violations;
 - The various ethnic groupings of victims and/ or perpetrators;
 - The significance of particular incidents or events within the broader context of the conflict;
 - The impact of particular incidents, events or actors on a significant number of people or on the course of the conflict; and
 - Particular dynamics or types of behaviour among the fighting factions that required to be explained, either because of their systematic nature or because they figure prominently in the public consciousness of the conflict.

35. According to these criteria, the Commission was able to identify a total of sixteen window cases during the course of its investigations. Each window case is described briefly below:

The events at Bomaru

36. Bomaru is the town in Eastern Sierra Leone where violent conflict first started. The Commission found it necessary to document exactly what happened in the first few days of the conflict in order to understand the parties and their involvement in the conflict. This investigation also focused on the origins, the training and the incursion into Sierra Leone of the RUF.

Transformation of the Civil Defence Forces (CDF) into a fully-fledged fighting force and the establishment of Base Zero

37. This inquiry looked at the formation of the CDF and the establishment of Base Zero, reputed to be the main headquarters and training station for the Kamajors. Allegations of human sacrifice and cannibalism, as well as large-scale human rights abuses including summary executions, had to be investigated to offer deeper understanding of the CDF and its operations.

The NPRC executions of December 1992

38. It was alleged by the NPRC regime that a coup had been attempted against the government on 28 December 1992. On the basis of this allegation, 29 persons were arrested and executed. A large segment of the Sierra Leonean public had always doubted the veracity of the NPRC's allegation that a coup was attempted. There were also persistent claims that those executed were not given a fair trial. This became an important window case for investigating the human rights situation under the NPRC government.

The destruction of Koribundo

39. The CDF was alleged to have destroyed the town of Koribundo in 1998 because the townspeople allegedly supported a detachment of AFRC soldiers based there during the AFRC junta regime. Very senior officers of the CDF were alleged to have visited the town and told the people that the town was being destroyed as punishment for their perceived support of the AFRC.

The role of mercenaries in the conflict and the role of ULIMO

40. This investigation sought to determine at what points external parties got involved in the conflict. It also focused on the nature and impact of the involvement of mercenaries. These two window cases provided a lens for highlighting the military activities of non-Sierra Leonean actors in the conflict.

The role of the Special Security Division (SSD) in the conflict

41. The paramilitary wing of the police, known as the SSD, was charged with maintaining public order. It became a tool of abuse and manipulation by politicians and eventually got sucked into the war, fighting as one of the pro-government forces. The transmutation of the SSD and the lessons that flow from its involvement in the war made it an important window case.

Mass graves

42. The Commission sent investigators to several Districts in Sierra Leone in order to identify mass graves. These missions were not meant to produce an exhaustive survey of mass graves in the country. The goal was rather to give Sierra Leoneans a sense of the human loss in the conflict in different parts of the country, along with existing or potential measures to protect these sites, including the construction of memorials in remembrance of the dead.

The role of ECOMOG

43. ECOMOG entered Sierra Leone to provide general security as a peacekeeping force. ECOMOG got sucked into the conflict and fought on behalf of the government. It eventually became the only conventional military force in the service of the government. This inquiry investigates how this anomalous situation came to pass.

The invasion of Freetown on 6 January 1999

44. The 1999 invasion of Freetown is the event that finally forced the world to acknowledge the atrocities against civilians in Sierra Leone. It catalysed international intervention. There had been socially accepted truths about who was responsible for attacking and defending the city. It was necessary to uncover the plenitude of actors, experiences and dynamics behind an invasion that occurred when ECOMOG was said to be in full control of Freetown.

The role of the media in the conflict, especially Radio 98.1 FM

45. Media organs became tools of propaganda during the conflict. At a time when the elected government was in exile, one of its major challenges was how to keep up the morale of the populace and counter the propaganda of the AFRC regime through the state media. This inquiry focused on whether certain branches of the media exacerbated the conflict through their reporting and commentary.

The Westside Boys' hostage taking of 11 British army officers and one Sierra Leonean army officer in August 2000

46. This incident dramatised the fragile nature of the peace agreement signed at Lomé on 7 July 1999 and questioned the commitment of elements of the AFRC to sustaining the peace. It also raised questions about the capacity and willingness of the international community to respond to the challenges posed by the precarious peace that existed in the country.

The hostage taking of UN Peace Keepers in May 2000 and the demonstrations of 6 to 8 May 2000

47. These two, virtually concurrent events seriously undermined the Lomé Peace Agreement. There has been a widely accepted social truth about the events of May 2000 as they unfolded in Freetown and in the Provinces. It was necessary to establish whether this social truth matched the facts.

The Detentions, Treason Trials and Executions of 1998

48. This window case interrogated the weaknesses and challenges facing the judiciary during its most trying moments in the conflict. How did the judiciary respond to pressures from the ruling elite in the face of widespread public sentiments for victor's justice? Did the detentions, trials and executions of 1998 deviate from accepted judicial and procedural protections?

Corroboration Issues

49. Statement takers were asked to corroborate material information received in the statements. For instance, if a statement giver mentioned witnesses, victims or perpetrators who were part of the events described in the narrative, statement takers were required to try to find the named persons and corroborate the information given. If the named persons resided in another District, they were to request the District Co-ordinator there to ensure that follow-up interviews were conducted. Statement takers were also tasked to collect any supporting document that statement givers wished to bring to the attention of the Commission. They were to make a special note if they identified a site of interest, such as a massacre or torture site, or a mass grave. This information was subsequently used for further investigations.
50. The Commission also used its official database as a tool for corroboration. Events were coded according to location, time and the actors involved. Common links between the statements could therefore be identified and several accounts of the same event could be examined together.

51. In practice, several problems arose with regard to corroboration. Many statement givers who mentioned the names of witnesses did not know their whereabouts. Full details about witnesses were often missing. For instance, people who were abducted together by armed factions often hardly knew each other and were only bound by their common experiences. Many witnesses had moved, sometimes from displaced camps back to their communities. Time constraints prevented the conduct of extensive corroboration activities.

Report writing

52. The major product of a truth and reconciliation commission's inquiry is its Final Report. The Commission's mandate included the creation of an impartial historical record. This required the Commission to be independent from all the actors in the contested history, including government and all political parties. The Commission had to demonstrate that with regard to the perpetration of violations, irrespective of who committed them, it had examined all violations and commented on them in the same balanced way.
53. In order to create an authoritative account of the history of the conflict, the Commission had to cover the full breadth of violations carried out during different time periods. It was not enough to look only at violations of civil and political rights; it was also necessary to focus on the structural nature of economic dispossession insofar as they constitute causes of conflict.
54. The project document produced by the Office of the High Commissioner for Human Rights, Geneva envisaged the creation of six departments including research. The Commission decided that research could not be separated from investigations. Research and investigations are not ends in themselves. Rather, they are means for producing the final Report of the Commission. They feed and reinforce each other. The Commission decided to create an operational unit that would collate all information available to the Commission, be responsible for analysing them, and integrating them into the final Report. An Information Management Unit was created to supervise the research, investigations and data management units of the Commission. This would be the channel for processing information received by the Commission and passing them on to the Commissioners. This unit would also be responsible for producing the final Report of the Commission.
55. The project document on the Commission assumed that the staff would be responsible for producing the final Report and that the Commissioners would also participate in the production of the Report. The project document had anticipated a scaling down of the staff component of the Commission as certain phases in the work of the Commission were finalised.
56. The final decision on what went into the Report rested with the Commissioners. The Commissioners were tasked with ensuring that the final Report accords with the injunction in the TRC Act to produce an impartial historical record.

Internal Decision-Making Processes and Consultations

57. The report writing personnel included researchers, investigators, data analysis staff, unit heads and Commissioners. They were divided into thematic groups for each of the research themes. Each group had to create a management plan with detailed timeframes for the achievement of research and investigation objectives. The narrative and the analysis of each research theme was discussed in monthly plenary meetings organised by the Information Management Unit and at thematic group meetings that took place on a regular basis.
58. With the conclusion of hearings on 5th August 2003, a report writing workshop and a conference involving all the Commissioners and staff was held at the Sierra Guest House from 26th to 30th August 2003. The Commission grappled with the question of what its report was meant to achieve and the philosophical approach it would take in relation to the final Report. Volumes and size were also deliberated on. The objectives and format of each of the chapters were discussed and agreed upon.
59. At the report writing conference, which took place at Lakka Beach, from 30th August to 3rd September 2003, each of the themes constituting the final Report was unpacked to deal with issues such as meaning; context; content; resources; impact; time frame and outcome. The Commission grappled with the question of how to reflect its mandate in the final report and the peculiarities of its experience relative to the literature on the operational work of truth commissions. Other important issues that engaged the Commission at the conference included the question of reparations and how to deal with the accountability and responsibility of perpetrators. The discussions were open and free flowing. While the final responsibility for the conclusions rested with the Commissioners, they sought the views of the staff on what would be appropriate, fair and legal.
60. Where appropriate, the Commission invited relevant stakeholders to make presentations on relevant issues and on what would be appropriate recommendations. In this connection, the Commission invited a number of ministers to discuss possible recommendations in relation to the work of their ministries. The Commission also held extensive discussions with the leadership of the security forces. Many of the submissions received by the Commission dealt with reform of the security institutions. Civil society made substantial inputs into the recommendations, and in particular the reparations programme.
61. An extensive amount of time was devoted to deliberations on findings and recommendations. Workshops were held throughout November and December 2003 between Commissioners, senior staff and the researcher responsible for each chapter. Researchers proposed findings and recommendations based on the work they had done and in consultation with their thematic groups. Based on the feedback received during the meetings, each researcher conducted further research or provided further justification for the proposed conclusions. This process continued until the Commissioners were satisfied that all the issues had been analysed including the role of the different actors, and that the conclusions derived from the narrative represented an objective analysis of the issues.

Accountability and Naming of Names

62. The issue of naming individual perpetrators is always controversial. Truth commissions have used several approaches depending on their resources, the specific context and their different mandates.
63. In the Sierra Leonean context, the major arguments in favour of the naming of individual perpetrators were:¹¹
- a. *The need for accountability, especially considering the amnesty clause under the Lomé Peace Agreement.* Truth commissions usually address impunity as part of their mandates. This becomes paramount when, as in the case of Sierra Leone, there was a general amnesty provision that prevented perpetrators from being prosecuted. The naming of names was seen as a way of attributing responsibility for human rights abuses and violations committed.
 - b. *The need to address the victims' healing.* The TRC Act required the Commission to pay special attention to the needs of victims. Naming perpetrators provides acknowledgement for the victims' suffering and recognition of the wrongs that have been done to them.
 - c. *Accuracy of the historical record.* Attributing responsibilities for human rights violations and abuses committed enhances the accuracy of the understanding of the conflict. In the case of Sierra Leone, the role of many perpetrators is poorly known and myths have been created around them.
64. However, there were arguments against the naming of names. These included:
- a. *Lack of resources.* The strongest argument was the lack of time and human resources to engage in the investigations necessary for naming perpetrators. The process of naming perpetrators would include notifying them of the allegations against them, providing all necessary proof and giving them sufficient time to respond.
 - b. *The danger to appear arbitrary.* Due to its limited life span, the Commission could not engage in considerable investigation of every aspect of the conflict. While conclusions can still be extracted from the evidence collected, the naming of individual perpetrators requires extensive and conclusive evidence on every allegation. While the Commission possessed strong evidence against certain individuals, it would have been unable to name others. It therefore ran the risk of being perceived as partial.
65. Several perpetrators appeared in public hearings and were named or identified in their communities by victims or witnesses. The Commission gave them the opportunity to respond publicly to these allegations. Many victims were able to identify their perpetrators. Where the perpetrators were named in the victims' narratives, the Commission sought to corroborate specific allegations.

¹¹ See "Issues of accountability and naming names in the final TRC report"; briefing paper submitted to the TRC by the International Center for Transitional Justice; 27 October 2003.

66. In presenting the narrative of the conflict, the Commission made several findings concerning the responsibility of the respective factions and certain individuals. These findings were based on empirical evidence linking the perpetrators to the violations. Where the evidence was inconclusive, the Commission declined to make a finding. Most of the Commission's findings were made against the armed factions that participated in the conflict rather than against individual perpetrators. However, where the information at the disposal of the Commission pointed conclusively to the role of an individual in the conflict the person in question was named. The Commission published the names of all the leaders of the respective factions in its Findings chapter.¹² The Commission holds all these leaders accountable for the violations and abuses that were committed by members of their respective factions.

Organisation of the Report

67. There were two competing perspectives before the Commission on how to organise the final Report. One perspective was to write a report of 200 pages or less which would summarise the narrative and present the Commission's conclusions and findings. This was an attractive option considering the resource constraints under which the Commission operated. The Commission rejected this option for a number of reasons.
68. The Commission felt that a brief report would do injustice to the range of issues that account for the conflict in Sierra Leone. While a number of issues triggered the conflict, there were clear structural issues dating back to the time of colonialism. If these issues were not addressed in detail, the Commission would not have met its broad ranging mandate. The individual, factional and institutional fluidities assist an understanding of the dynamics of the war. Without this nuanced interpretation, the real history may have been lost in a summary. A nuanced interpretation required that the narrative be discussed in depth, including the roles and experiences of people, institutions and the respective factions.
69. The Commission recognised that a truth commission report speaks to different targets and audiences. Some may be interested in a statistical summary while others want a simplified version of what happened. The Commission accordingly decided that its report would be published in several volumes. The Commission collected thousands of hours of video testimony as it travelled around the country engaging the people of Sierra Leone. Selected footage has been incorporated into a groundbreaking video version of the report. The Commission entered into a partnership with WITNESS, an international NGO based in New York to produce the video report. The video version of the Report will be an important tool for purposes of public education in relation to the report and its recommendations.
70. In recognition of the limited time it had for its operational work, the Commission decided that many of its materials should be made available to the public as a basis for encouraging further research and inquiry. It was decided that all the public testimony and submissions should be published in an appendix volume. Since these documents ran to some 3,000 pages in total, the Commission decided that the testimonies and submissions should be published in electronic format only, on a CD-Rom accompanying this report.

¹² See the Findings chapter in Volume Two of this report.

71. At a technical meeting on “Children and the Truth and Reconciliation Commission for Sierra Leone” convened in June 2001 by UNICEF, the National Forum for Human Rights and UNAMSIL Human Rights Section, it was resolved that the Commission should publish a simplified version of the Commission’s Report for children. During the Commission’s thematic hearings on children, the Children’s Forum Network (CFN) called on the Commission to produce “a child-friendly version of the Truth and Reconciliation Commission Report, which could be used by teachers and children’s organisations, such as the Children’s Forum Network, to disseminate the findings and recommendations of the Commission to the children of Sierra Leone.”¹³ The Truth and Reconciliation Commission Act 2000 further required the Commission to pay special attention to the needs and experiences of children during the armed conflict. The Commission was accordingly mindful of the need to involve children in all aspects of its work.
72. Building upon its partnership with UNICEF and the CPAs, the Commission decided to create a “child-friendly version” of its report. It sought and received technical assistance from UNICEF and the Child Protection Unit of UNAMSIL, which assisted the Commission’s staff in the writing of the child-friendly version. The members of the Children’s Forum Network also collaborated with the Commission in the writing of the Report. At a Children’s Parliament convened in Freetown by the Ministry of Gender, Women and Children’s Affairs in Freetown in December 2003, the Commission made a presentation to the representatives who had assembled from all over the country on the key philosophical and conceptual issues around the child-friendly version. The Commission received substantive input from the Children’s Parliament on how to make the report attractive to children and the kinds of issues they would wish to see discussed.
73. The publication of a child-friendly report is the first such initiative by a truth commission. The Commission was imbued with a sense of history in undertaking this significant exercise. It was important that the report be accessible to children and that the contents not traumatise them. The Commission is satisfied that its partnership with UNICEF, UNAMSIL and the CPAs in this undertaking has led to the production of an outstanding report that will prove to be an important educational tool for children in Sierra Leone.

¹³ See Children’s Forum Network; Submission to the Thematic Hearings on Children by the Truth and Reconciliation Commission; YWCA Hall, Freetown; 16 June 2003.

Processes

74. The following section discusses the processes in which the Commission engaged in the course of its work. These included public education and media relations, statement taking, hearings and the creation of a database.

Public Education and Media Relations

The Interim Phase of the Commission

75. In August 1999, a coalition of human rights NGOs, professional groups and development organisations was created under the direction of the National Forum for Human Rights (NFHR). The coalition was named the Truth and Reconciliation Commission Working Group,¹⁴ with Forum of Conscience as the focal point. The purpose of the Working Group was to involve Sierra Leonean civil society in the TRC process and to ensure that civil society's concerns would be addressed in the design of the TRC Act and in the ways in which the Commission was going to undertake its task.
76. The events of May 2000 put a hold on the establishment of the TRC. In November 2000 and June 2001, NFHR and UNAMSIL Human Rights Section organised two conferences on the Truth and Reconciliation Commission to put the Commission back on the agenda of civil society.
77. The TRC Working Group received funding from the Office of the High Commissioner for Human Rights in Geneva to conduct sensitisation and public education campaigns on the TRC. Its central purpose was to prepare the ground for the establishment of the Commission. Despite some problems between the Working Group and OHCHR due to perceived poor management on the part of the Working Group, the following activities were undertaken:
- a. A national consultation on attitudes towards the TRC process, organised in Freetown in July 2000;
 - b. Different workshops and sensitisation activities throughout the country to galvanise public interest and involvement in the setting up of the TRC;
 - c. Several radio and television programmes broadcast in Freetown and in the Provinces for purposes of public education, with members of the Working Group sitting in as panellists; and
 - d. Starting in March 2001, the publication of a monthly magazine named "The Truth Bulletin", aimed at educating the public on the developments in the TRC and its processes.
78. NFHR subsequently received separate funding from UNAMSIL to conduct training for chiefs and NGOs in the provincial areas. The National Commission for Democracy and Human Rights (NCDHR) received funding from the OHCHR to produce a booklet on the TRC and to translate it into several local languages.

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¹⁴ The TRC Working Group was later renamed the Truth and Reconciliation Working Group, in recognition of the hope that its work should continue beyond the lifespan of the Commission itself.

¹⁵ See 'Evaluation of Sierra Leone Working Group on the Truth and Reconciliation Commission', Report by Brandon Hamber Consulting, commissioned under Article 19; 8 January 2001.

79. OHCHR provided funding to the International Human Rights Law Group to conduct an assessment of the requirements of an effective sensitisation and public information campaign on the TRC process.
80. Following consultations by the International Human Rights Law Group (“the Law Group”) and Sierra Leonean civil society, a Steering Committee was created that included representatives of the TRC Working Group, the Inter-Religious Council, the Law Group itself, NFHR, NCDHR and the Human Rights Section of UNAMSIL, to serve as the implementing mechanism for the Law Group project.
81. The outcome of the Law Group consultation was a consensus on the way forward. It was decided to build a framework for the TRC sensitisation campaign. A four-day workshop was organised from 7 to 10 August 2001 and was attended by 15 human rights activists representing key organisations involved in promoting the TRC process. Participants developed a unified approach to sensitisation on the TRC, emphasising consistent messages and a framework for community meetings. Activities were planned in four areas: radio and television; print media; community sensitisation; and sensitisation of critical stakeholders. Focal points were designated for each area and a coalition was created for the sensitisation campaign that included the National Forum for Human Rights, the Inter-Religious Council, the National Commission for Democracy and Human Rights and UNAMSIL.

Supporting implementation of the TRC sensitisation campaign

82. The Steering Committee provided training to implementing organisations which were encouraged to submit project proposals to the Steering Committee. These projects included:
 - a. General sensitisation: public awareness and education;
 - b. Targeted sensitisation: specially designed programmes aimed at particular audiences such as combatants and ex-combatants, refugees, women and children; and
 - c. Critical stakeholders: in-depth programmes aimed at ensuring understanding and support from traditional, community, and religious leaders, DDR, humanitarian organisations and media providers.

Enhanced co-ordination of sensitisation efforts

83. The Steering Committee was to co-ordinate sensitisation activities by all parties involved in the campaign, including private media, NGOs, government institutions and people involved in the disarmament and reintegration activities, ensuring that all these parties sent a clear and consistent message on the TRC.
84. Due to management problems, the Steering Committee could not implement the projects identified in its operational plan. The Committee was revitalised with the setting up of the Interim Secretariat of the TRC in late March 2002. The Interim Secretariat facilitated several meetings where the contentious issues to effective sensitisation activities were ironed out. Numerous sensitisation and public education activities were carried out, such as radio programmes, publication of literature on the TRC, training programmes for

local chiefs and the appointment of co-ordinators for each of the districts whose role was to conduct sensitisation and organise public meetings on the TRC throughout their respective districts.

85. The Law Group assisted in the formation of a Women's Task Force, a coalition of women's groups, which advocated for the creation of an enabling environment for the participation of women in both the TRC and the Special Court processes.
86. The Interim Secretariat visited all the districts in June 2002. The purpose of these visits was to identify local partners for the Commission and discuss collaboration on sensitisation with the district co-ordinators and other stakeholders in the districts and to monitor the activities undertaken by the members of the Steering Committee.
87. The Law Group project was to have ended in late 2001. It was carried over into 2002 because of the problems already identified. In essence, while there was an Interim Secretariat for the Truth and Reconciliation Commission, it didn't have any funds to engage in public education and sensitisation activities. Rather it had to depend on civil society initiatives to inform the public about the work of the Interim Secretariat and of the Commission, in the first few months following the establishment of the Commission. The initial successes of the Law Group and other interventions were not sustained. In the absence of continued funding, these organisations could not continue their programmes. This was at a time when the Commission had begun to outline its objectives and what it intended to do during its preparatory phase.

The Preparatory Phase of the Commission

88. Public education during the Preparatory Phase work focused on explaining its mandate and role, the kinds of processes involved in a truth and reconciliation commission, the areas of participation of the public and how the Commission was different from the Special Court, which had also been established by this time.
89. The Steering Committee organised weekly radio and television programmes on SLBS Radio and television. A skit was also produced and broadcast on SLBS radio and television in Freetown and Bo. The Steering Committee developed TRC slogans, which were produced in posters and leaflets and printed in the local newspapers. A weekly 30-minute programme on the TRC was commenced at Radio UNAMSIL. Following public demand, this was extended to an hour-long live magazine programme, with a repeat broadcast during the week. This scheduling continued throughout the lifespan of the Commission.
90. The Commission engaged in scheduled meetings with a range of institutions and groups, including the Ministry of Information. These meetings were ongoing throughout the preparatory phase. A number of media organisations like Radio UNAMSIL, the SLBS, Radio Democracy, the Talking Drum Studio and a host of newspapers also dedicated programmes and news to the Commission.

91. Regular media and NGO briefings were organised at the Commission's offices to keep the public informed of its activities. These briefings also allowed the Commission to respond to public concerns or inquiries.
92. The Commission faced many challenges in conducting effective public sensitisation. The establishment of the Special Court for Sierra Leone raised the fears of many witnesses concerned about the relationship between the TRC and the Special Court. Commission staff had to go to great lengths to explain to ex-combatants that the two institutions were independent of one another, that they would not share information and that testifying before the TRC would not lead to being called by the Special Court to give testimony.¹⁶
93. The Commission initiated many workshops and information sessions to educate people on the benefits of the truth seeking process and the role the TRC could play in helping people recover from their suffering.
94. The Barray Phase was a weeklong awareness-raising exercise in each district carried out in November 2002.¹⁷ Each Commissioner was assigned to visit a number of districts and / or the Western Area. The objective of these visits was to introduce the Commission, its policies and procedures to the public and to undertake the following tasks:
 - a. Create a support structure for the Commission in each district by convening meetings of representatives of chiefs, local structures, religious groups and NGOs, and receive public input on the reconciliation procedures the Commission intended to implement;
 - b. Identify focal points such as reputable NGOs that could serve as focal points for the Commission in each district. The focal point would co-ordinate the activities of the support structure and possibly provide the team leader for the statement taking teams; and
 - c. Explain the operations, methods and procedures of the Commission for statement taking and hearings, as well as announcing the views of the Commission on other areas of potential concern, such as reparations, relationship with the Special Court, confidentiality, issues of justice and impunity.
95. Commissioners visited a range of people and institutions in each district, including the Senior District Officers (the public administrators in charge of the respective districts), Chiefs, Town Officials, provincial ministers and secretaries, NGOs and religious groups. Town meetings were held. A final meeting for the district was then held at the district headquarters to which representatives came from all over the district. At this final meeting a District Support Committee was established to which the relevant institutions nominated representatives.
96. Overall, the visits were not well planned. Too many visits were crammed into a short time period because the Commission did not have the resources for extended stays in the districts. This resulted in lost opportunities to meet a wide range of people and limited the impact of the effort.

¹⁶ More detail on the challenges posed by the co-existence of the Special Court can be found in the chapter on the TRC and the Special Court for Sierra Leone in Volume Three B of this report.

¹⁷ A 'barray' is a gathering place in the centre of a community, roughly equivalent to a town hall.

97. In most of the districts, the District Support Committees were filled with volunteers from civil society organisations, many of whom lacked the financial resources to commit to the work of the Committees. These Committees were supposed to provide the support structure for the Commission's activities, including statement taking and hearings. However, lack of funding and poor management impinged on the work of the Committees and no real work was accomplished. In addition, the Committees were supposed to be co-ordinated by the Interim Secretariat of the Commission, but a staffing crisis prevented the Secretariat from accomplishing this task. These support structures had to be re-established during the hearings phase.

The Deployment Phase of the Commission

Statement Taking

98. Jingles and slots for radio and television were produced and aired on SLBS. The skits and jingles contained appropriate messages mobilizing people to come out and give statements to the statements takers. Posters with appropriate messages were also produced and distributed nationwide through the Commission's NGO partners and community-based organisations. Slogans produced by the TRC Steering Committee were used extensively.
99. Sensitisation during the statement-taking phase focused on explaining the role of statement takers, the procedure for statement taking and the fact that all statements were to be made on a purely voluntary basis. The statement takers themselves handled the bulk of the sensitisation, apart from the radio programmes and advertisements. Each trip to a village or a town would start with a visit to the Chief and elders to explain the role of the Commission and the purpose and process of statement taking. When an agreement was reached with the Chief, statement takers would address the village or town population and begin taking individual statements.

Hearings

100. A memorandum of understanding was signed between the Commission and the Ministry of Information concerning airing of the Commission's programmes. On the basis of this agreement, the Opening Ceremony of the hearings in Freetown was aired live on SLBS radio and television. It was also broadcast live on Radio UNAMSIL. Other hearings in Freetown and the district headquarter towns were broadcast live on Radio UNAMSIL and SLBS radio. The Talking Drum Studios recorded hearings in Freetown and the districts. On selected nights of public hearings, SLBS broadcast a 45-minute television highlights programme featuring footage of the proceedings.

The Report Writing Phase

101. Sensitisation during the Report Writing Phase started with the Commission's 18th media briefing, held on Wednesday 17 September 2003. Discussion programmes were arranged on radio and television to sensitise the public on the report-writing phase of the Commission's work. During this phase, most of the Commission's activities were closed to the public. It was necessary to keep the TRC and its work in the public mind, so that people would be aware of the measures being taken by the Commission to complete its mandate
102. A workshop was organised by UNIFEM and the Commission with the participation of civil society organisations and women from the provinces to garner input from them on the recommendations that the Commission should make on women. A conference on reparations was organised by the TRC Working Group to make suggestions for recommendations to the Commission. The International Centre for Transitional Justice and the International Human Rights Law Group also facilitated a series of civil society consultations on the possible recommendations that the Commission should make. The outcome document was formally presented by civil society to the Commission at a public briefing organised by the Commission in December 2003.

The National Vision for Sierra Leone

103. Towards the end of its mandate, the Commission launched a National Vision Campaign calling for contributions from the people of Sierra Leone on their ideas and inspirations on the future of their country. The campaign was advertised in print and electronic media.
104. The following guidelines were published for contributions:
 - a. Describe the kind of society the contributor would like to live in;
 - b. Suggest how to make Sierra Leone a better place to live in;
 - c. Set out the contributor's hopes and aspirations for Sierra Leone;
 - d. Where the contributor would like to see Sierra Leone in 5 or 10 years;
 - e. Devise slogans for a national vision;
 - f. Supply poems, songs, paintings and photographs that symbolise the new Sierra Leone;
 - g. Provide anything creative that inspires peace and unity - and pride in being Sierra Leonean; and
 - h. Supply anything creative that symbolises the future of Sierra Leone.
105. Hundreds of contributions were received. They were divided into categories, including visual art forms, written contributions and theatre. Prizes were awarded to the most original contributions based on their visionary content, aesthetics, creativity and effort.
106. An exhibition of the contributions was formally launched at the National Stadium in December 2003. Subsequently, the exhibition was put on display in Freetown at the National Museum. The exhibit was viewed by hundreds of Sierra Leoneans, including President Kabbah and a number of government Ministers.

Statement Taking

107. The first component of the operational phase of the Commission was the statement taking exercise. The TRC Act states that the Commission should take individual statements as part of its information gathering exercise.¹⁸ The purpose was to reach out to every part of Sierra Leone to capture the experiences of the population, including specific groups such as women, children and amputees.
108. The Commission started its statement-taking phase on 4 December 2002 at Bomaru, Kailahun District, where the first attack of the conflict had been reported on 23 March 1991. The statement taking exercise officially lasted for four months, until 31 March 2003. At the formal end of the exercise, 7706 statements had been collected.

The Statement Form

109. The statement taking form had four major sections: victims, witnesses, perpetrators and those who wished to give a statement on behalf of someone else. Separate sections were required because the nature of the questions varied from one group of statement givers to the other. For example, in the perpetrator section, the Commission needed to ask the statement giver about the command structure of the armed faction he or she belonged to.
110. Several consultations were held with civil society organisation on the design of the form, to ensure that it was user friendly and contained all the relevant questions to which the Commission needed to collect answers. Groups consulted included Pride, Campaign for Good Governance, Manifesto 99, the National Forum for Human Rights, Caritas Makeni, several women's groups and UNIFEM.
111. After these consultations, Commissioners and staff reviewed the draft form and designed the final product. The statement form was composed of eight sections, designed to provide information on basic issues around the mandate of the Commission (including its confidentiality provisions) and to record the personal details of the statement giver and the narrative he or she told the statement giver.
112. The statement form is reproduced in its entirety as an appendix to this chapter. The statement form was printed in English, but the testimonies were recorded in any language chosen by the statement giver and subsequently translated into English by the statement taker.

Categorisation

113. The Commission categorised statement givers into victims, witnesses, perpetrators and those making statements on behalf of others. The rationale behind the categorisation was to make the information collected more accessible for the subsequent selection of cases for hearings and for the Commission's longer-term investigation and research activities.

¹⁸ See Section 7 (1) (c) of the Truth and Reconciliation Commission Act 2000.

114. Statement givers were entitled to fill more than one section of the form if they considered themselves to belong to more than one category. Indeed, many people in Sierra Leone were victims, perpetrators and witnesses at the same time. An example is the case of a child soldier. If the child was forcibly enlisted, he was a victim. On the other hand, after his forced recruitment, he was likely to have committed human rights violations during his time as a combatant, thus qualifying him as a perpetrator. Furthermore, the child soldier was likely to have been a witness to atrocities committed by others.

The Hiring of Statement Takers

115. In addition to suggestions on reformulation of the draft statement form, NGOs and partners provided the Commission with suggestions on how to conduct the statement-taking exercise and especially on how to encourage people to make statements. Statement taking was conducted on the basis of the following inputs:
- a. Sensitisation should occur prior to the commencement of statement taking in order to increase awareness among the general population. Sensitisation should include: explanation of the differences between the TRC and the Special Court; reassurance for ex-combatants that the two bodies were completely independent of one another and would not share information; and the purposes of the TRC, which included creating an impartial historical record and making recommendations to the government and other institutions;
 - b. The Commission should hire at least two women as statement takers in each district to take statements from women victims of sexual abuse. The hiring policy was to reflect gender balance among the statement takers. This policy was largely fulfilled, except in Kambia District, where only one woman applied to be a statement taker;
 - c. Statement takers should be hired from the district in which they lived and should take statements for the Commission in their home districts. Statement takers should be well known in the community, in order for people to feel comfortable speaking to them. They should speak the local languages of the district, in order to give confidence to statement givers and to protect the confidentiality of their testimony by reducing the need to resort to interpreters;
 - d. Statement takers should be trained to explain carefully to statement givers what confidentiality means and allow statement givers to request confidentiality based on an informed choice; and
 - e. All statements from children should be declared confidential.
116. Three Regional Co-ordinators were hired for each of the three provinces. They were to supervise statement taking in their respective provinces. Five statement takers were appointed for each district, one of whom would act as the District Co-ordinator. The role of the District Co-ordinator was to supervise the daily taking of statements by developing a work and deployment plan, as well as managing the resources provided by the Commission. Resources supplied included a 4x4 vehicle, audio and video recorders. Co-ordinators were required to liaise with the police and the Chiefs in each district to make communities aware of their presence and ensure the safety of their teams.

Training and Deployment

117. Prior to deployment, District Co-ordinators and Statement takers received a three-day training workshop. The first training took place in Kenema for statement takers from the Eastern and Southern regions from 26 to 28 November 2002. The second one took place in Freetown for the Northern region and the Western Area from 30 November to 2 December 2002. Commission staff, UNAMSIL and NGO partners conducted the training programmes.
118. The training was divided into three modules. The first module addressed the mandate and functions of the Commission. The second module provided an understanding of human rights issues, interviewing techniques, confidentiality and corroboration issues, and how to use the Commission's statement form. The third module was composed of special interview techniques for specific groups: women and girls, victim of sexual violence, children and ex-combatants. Specific instruction was given on how to deal with post-traumatic stress experience by interviewees. All the modules included exercises and interactive role-playing. Statement takers were instructed to use the one on one interview technique. Statement takers were provided with a Manual for guidance and reference (see appendix section).
119. At the end of the training, the teams were deployed for a pilot phase of statement taking which took place from 4 to 20 December 2002. This was followed by a review session from 7 to 9 January 2003. After analysing the problems and challenges faced in the pilot phase, modifications were made to the statement form and statement taking resumed. The second period extended from 9 January to 31 March 2003.
120. The statement form was accessible on the Internet for Sierra Leoneans living abroad. The Commission also engaged in statement taking in neighbouring countries to reach out to Sierra Leonean refugees in Guinea, Ghana, Gambia and Nigeria. During the exercise, 46 statements were collected from Guinea, 59 from The Gambia and 70 from Nigeria (making a total of 175). Since there was a high concentration of refugees from Sierra Leone in refugee camps in Guinea, the Commission sent a District Co-ordinator who spent two months on the ground. UNHCR Sierra Leone, through its office in Guinea, provided logistical support for this exercise.

On-going Monitoring and Assessment

121. In order to ensure quality, evaluate performance, identify problems and implement remedial measures, the Commission engaged in on-going reviews, assessments and monitoring of the statement taking process. Commission officials made several field trips to monitor the work of statement takers. Meetings with Regional Co-ordinators, District Co-ordinators, Statement takers, Commissioners and NGO partners were held on a regular basis to assess the logistical and substantive problems encountered on the ground. Those attending the meetings reported problems with logistics, difficulty using the statement form and the need for more sensitisation.

122. A second evaluation conducted early in February 2003 showed significant improvement in the quality of the narratives recorded. Some problems were identified which included: statement takers were not asking enough details about the perpetrators and the armed factions they belonged to; and more details were needed concerning the actual circumstances of the interview itself. The Commission needed to know why some interviews were stopped before the end. Did the statement giver decide to stop? Did security concerns require the statement taker to interrupt it? These problems were addressed in subsequent meetings with the statement takers. The Head of Information Management also travelled to all the districts to meet statement taking teams and address problems specific to each district.
123. Perpetrators were reticent to talk to the Commission for various reasons. The main reasons articulated were the fear of being indicted by the Special Court or being called as a witness by the Court and the fear of reprisals from their communities. To remedy the problem, a sensitisation project targeted at ex-combatants was carried out by the local NGO, PRIDE, with funding from the International Centre for Transitional Justice. The project lasted for three weeks in March 2003. During the sensitisation, PRIDE employees accompanied by statement takers travelled to areas with high concentrations of ex-combatants. They conducted sensitisation sessions with ex-combatants, which were immediately followed by statement taking. The Commission felt strongly that an accurate narrative of the conflict could not be developed if ex-combatants refused to participate in the statement taking process.
124. In order to address the low level of statements given by members of the Republic of Sierra Leone Armed Forces (RSLAF), Campaign for Good Governance (CGG), another Sierra Leonean NGO, organised awareness-raising campaigns in March 2003 for soldiers in various regions of the country. Commissioners and senior staff, together with representatives of CGG, travelled to many military installations. The purpose was to give more detailed information on the TRC and its processes to the military and their dependents in order to facilitate their participation. Copies of the TRC Act and leaflets featuring questions and answers on the TRC were distributed. The CGG also assisted in the airing of jingles on statement taking on various radio stations in Freetown and in the provinces in March 2003.
125. Although the TRC obtained full co-operation from the RSLAF authorities, the number of statements given by members of the military remained low. However, some military personnel gave testimony during the hearings and others participated in confidential interview sessions with the Commission.
126. The Commission also collaborated with UNICEF and the Child Protection Agencies (CPAs). A Framework for Co-operation was developed which led to social workers of the CPAs identifying children to make statements to the Commission.¹⁹ Following the development of this framework, another training programme was carried out for statement takers in the three regional headquarter towns and in Freetown on how to take statements from children, and to introduce the statement takers to the social workers from the CPAs.

¹⁹ More detail on the role of CPAs in assisting children who gave testimony to the Commission can be found in the section on Procedures for Hearings later in this chapter.

127. The framework agreement on children yielded mixed results. The level of co-operation between statement takers and social workers varied from district to district. In addition, a variety of practical problems emerged. For instance, children who were not recommended by social workers approached statement takers in order to make statements. In a number of cases, the statement takers decided to take the statements and contacted the social workers afterwards to conduct follow-up assessments on the children. In other cases, lack of time and other resources prevented social workers from referring a sufficient number of children, forcing statement takers to identify children themselves to ensure that the voices of children were adequately represented in the Commission's overall proceedings.
128. The last group that did not initially wish to collaborate with the Commission was the amputees. They insisted that their participation was subject to the fulfilment of certain conditions by the government. These conditions included the provision of housing, a monthly allowance in cash, rice allocations, education for their children, a reintegration allowance, medical treatment and assistance with transport.
129. The War Affected Amputee Association of the Aberdeen Road Camp, Freetown, issued a press statement in which they explained the reasons for their non-cooperation:
- "We understand that there is a provision in the Lomé Peace Accord for War Affected Amputees in this country. At this while, we have been waiting to see the implementation of this provision in the Lomé Peace Accord. We have had no statement from the Government and our living conditions are becoming very appalling. We want to draw the attention of those concerned and the Government of Sierra Leone, that a bill be passed which could be accepted as a law for better care for amputees. Otherwise, we are not prepared to talk to TRC. Finally, if these problems are not addressed, no amputee will appear before the TRC."²⁰
130. The Commission made considerable efforts to address these problems. A number of meetings took place between the Amputee Association and senior staff of the Commission. A meeting was organised by the TRC Working Group in February 2003 between representatives of the Amputee Association and the Commission, where all the issues relating to their participation were addressed. The amputees were sensitised to the fact that the Commission did not have a budget of its own to fulfil any of their demands. Furthermore, the Commission reiterated its independence from the government. The Commission sought to emphasise that participation in its proceedings would give amputees a forum to explain their plight and to make an input to the recommendations and reparations proposals.
131. These meetings resulted in an agreement between the Amputees Association and the Commission on 15 March 2003. Two members of the organisation were recruited as assistant statement takers, to take statements from amputees.

²⁰ Press Statement issued by the War Affected Amputee Association of the Aberdeen Road Camp, Freetown, December 2002.

132. Statement taking in the Amputee Camp in Freetown started on 19 March 2003. Joint sensitisation campaigns took place from 3 to 6 April 2003 in Bo, Kenema, Kono, Makeni and Masiaka. TRC staff and representatives of the Amputee Association of Freetown worked together to encourage amputees to give statements to the Commission. Sensitisation exercises were followed immediately by statement taking in the amputee camps in these locations.
133. Amputees and war wounded victims testified during hearings in all the districts of the country. The Amputees Association and the War Wounded Association both participated in the thematic hearings on reparations and reconciliation, making recommendations on how their concerns should be addressed in the Commission's final Report. The Amputees Association and the War Wounded Association participated actively in other Commission activities, such as the National Reconciliation March on 6 August 2003 and in the national and district workshops on reconciliation.²¹ Their local representatives were elected to the District Reconciliation Committees in many of the districts.
134. The Commission was uncertain as to whether women would be willing to testify about sexual violence and rape. A number of publications had referred to the "closed" nature of Sierra Leone's traditional societies and concluded that women would not be willing to testify about their experiences for fear of stigmatisation by their communities. To the Commission's surprise and satisfaction, women testified in large numbers and in great detail about their experiences. While women were advised that they could request to give their statements to a female statement taker, many of them declared that they did not mind talking to male statement takers. Such testimonies enabled the Commission to fully incorporate the experiences of women into its work.

Conclusion of Statement Taking

135. The statement-taking teams managed to cover the overwhelming majority of chiefdoms in what turned out to be a largely successful exercise. Nevertheless, logistical and time constraints impacted on the reach of the statement taking teams. The statement takers had to work under very tight time schedules and often under very difficult conditions.
136. Fewer than ten statements were collected from each of the following chiefdoms: Paki Masabong in Bombali District; Benducha, Kwamebai Krim, Nongoba Bullom and Dema in Bonthe District; Penguia and Kissi Tongi in Kailahun District; Gbane Kandor and Toli in Kono District; and Kagboro and Timdel in Moyamba District.
137. Nine chiefdoms out of the 149 in the Provinces were not covered at all by the initial statement taking teams (Kissi Teng and Kissi Kama in Kailahun District; Mambolo and Braiama in Kambia District; Gorama Mende in Kenema District; Neya in Koinadugu District; Mafindor in Kono District; Sanda Magblonthor in Port Loko District; and Mano Sakrim in Pujehun District). The reasons mainly pertained to accessibility. The chiefdoms in Kambia District are riverine and the Commission could not secure transport for its statement taking team because of time constraints. The chiefdoms in Kailahun, Koinadugu and Pujehun Districts are border areas with Liberia. The precarious security situation in those locations prevented the statement taking teams from visiting them.

²¹ More detail on the national and district workshops can be found in the chapter on Reconciliation in Volume Three B of this report.

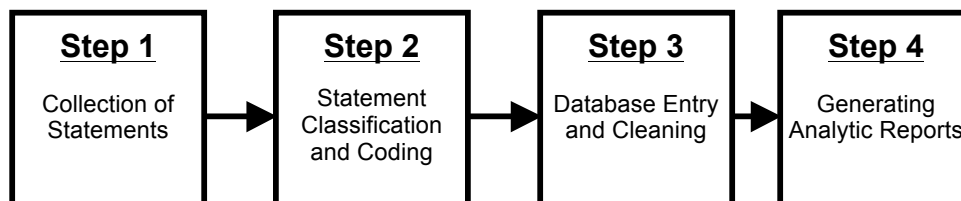
138. Of the total of 7,706 statements collected, 36% were collected from women and 5% from children. Statements were recorded in 15 different languages, with the major ones being Mende (40%), Krio (39%) and Temne (12%).²²

Data Processing

139. The TRC made use of the Human Rights Information Management System (HRIMS). This system is designed to perform the following functions:
- To document the complete list of statements gathered by the Commission;
 - To index the statements enabling researchers and investigators to access statements according to their own specific criteria, such as those that made mention of diamonds or those that named a certain perpetrator; and
 - To allow a statistical analysis of the statements in order to identify trends and patterns. Examples of analytical questions included ascertaining the typical age of a forced recruit or identifying the faction that targeted children to the greatest degree.

The Data Processing Pipeline

140. The data processing system comprised four basic steps. It was called a 'pipeline' because, for every statement, each step had to be completed before proceeding to the next.
141. The data processing steps are as follows:



Step 1 – Collection of Statements.

Step 2 – Classification and Coding: The statements were analysed by coders to identify the victims, perpetrators and violations. This information was recorded on paper forms.

Step 3 – Database Entry and Cleaning: The set of forms generated by each statement were inputted into the database. As mistakes were inevitable, each entry was double-checked. For example, if the forms indicated that a victim was killed twice then this anomaly was corrected. Persons and violations that were described more than once were merged to ensure that the numbers of abuses were not exaggerated.

²² These figures are derived from queries of the TRC database. Please note that the percentage figure for child statement givers is based on a count of those whose year of birth was after 1985.

Step 4 – Generating Analytical Reports: The information was extracted from the database in a form that could be used by a statistician. Graphs and statistics were used to answer research questions. These results were used to produce the statistical report included in the Appendices and the statistical information reflected in other chapters of the Commission’s report.

Classification and Coding

142. Classification and Coding was the second step in the data processing pipeline. Classification ensured that the database fitted the Sierra Leonean context. The classified violations had to be representative of those that typically occurred during the conflict. Once the classification system was complete, the coding proceeded.

Vocabularies

143. The classification system consisted of a number of “vocabularies”. A vocabulary, sometimes referred to as a “thesaurus” or “taxonomy”, is a controlled list of items. For example the “Sex” vocabulary has items “Male”, “Female” and “Unknown”. The vocabulary listing locations was arranged hierarchically. Each region contained a number of districts, each district contained a number of chiefdoms and, finally, chiefdoms contained towns and villages. Depending on the vocabulary the number of items varies: hence, there are only three items under the “Sex” list, while there are more than 4000 items for the “Locations” list. Coding is so named because each vocabulary item has an associated code. For example, the “Institutions” vocabulary contained a list of armed factions – the Revolutionary United Front has the code “arm/ruf” and the Sierra Leonean Army has the code, “arm/sla”. For brevity’s sake, it was these codes that were reflected on the coding forms.
144. By using a vocabulary, the facts within the narrative were reduced to a distinct and countable set of values. This allowed the free text narrative to be represented in the database and enabled the quantifying and statistical study of the data. The vocabularies and database are structured such that their use did not misrepresent or discard information in the narrative. Without the use of vocabularies, patterns within the data based on variables such as location, gender and ethnicity would not have been identified. Ultimately it was possible to illustrate the magnitude, trends and patterns of human rights violations.
145. The vocabularies were created and tested by the American Association for the Advancement of Science in March and April of 2002.²³ To ensure that the vocabularies were appropriate, a variety of sources were used. Sources included input from local experts and the examination of maps (supplied by the UN Office for the Co-ordination of Humanitarian Affairs), as well as statements gathered by the TRC during its preparatory phase of December 2002.

²³ The American Association for the Advancement of Science - Science and Human Rights Program (AAAS/SHR) provided funding and a field consultant to conduct this testing. The International Center for Transitional Justice (ICTJ) provided additional funding for this purpose.

Classifying and coding the violations

146. Care had to be taken to ensure that the item lists were complete and that they avoided ambiguity or overlap between possible selections. Given the large range of abuses perpetrated against victims, it was necessary to devise categories that covered a range of perpetrator behaviours. Without such categories, the list of violations would be unwieldy and it would be difficult to ensure that each abuse in the statement fitted into only one violation category. The Commission used a boundary condition to indicate what behaviour was considered to be a violation. For example, the assault violation boundary condition covered beating, kicking, punching, whipping, stabbing and dropping victims from a height.
147. It was noted that a victim could suffer most violations more than once, with the obvious exception of killing. Therefore a counting rule was required to ensure that the coders would count violation repetitions consistently.
148. Consider a victim who is being punched by one perpetrator. A second perpetrator then joins the attack, repeatedly kicking the victim. This event could be interpreted as either one assault by two perpetrators or, alternatively, as two assaults. With a counting rule that states that one sustained period of abuse counts as one violation, the example would count as one violation.
149. The example below illustrates the TRC assault violation with the associated boundary condition and counting rule:

Description/ Boundary Condition	<p>An assault consists of physical harm inflicted on a victim by punching, kicking, and/ or striking with an object or objects over a period of time. Also whipping, lashing, stabbing and shooting a victim. Committed by persons on the list of perpetrators.</p> <p>Assault is sufficient to cause bruising, bleeding and internal injury.</p> <p>Also includes dropping a child or pushing / shoving resulting in injury.</p> <p>Excludes incidental injuries such as those caused by a stray bullet.</p>
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Assault is sufficient to cause bruising, bleeding and internal injury.

Also includes dropping a child or pushing / shoving resulting in injury.

Description/ Boundary Condition	<p>An assault consists of physical harm inflicted on a victim by punching, kicking, and/ or striking with an object or objects over a period of time. Also whipping, lashing, stabbing and shooting a victim. Committed by persons on the list of perpetrators.</p> <p>Assault is sufficient to cause bruising, bleeding and internal injury.</p> <p>Also includes dropping a child or pushing / shoving resulting in injury.</p> <p>Excludes incidental injuries such as those caused by a stray bullet.</p>
Counting Rule	1 Continuous Assault = 1 Violation

150. Ultimately the use of boundary conditions and counting rules ensured that the coding of a violation was relatively objective.

Coding

151. Human rights data is initially generated as a 'free text' narrative. Within the narrative there may be mention of various violations, the places they occurred, when they happened and who was involved as a perpetrator or victim. Additional background facts about the various role players may be included such as their ethnicity, religion and occupation.

152. The coding exercise for the TRC captured essentially “who did what to whom, when and where”. The “who” is the perpetrator. The “what” is the violation committed by the perpetrator. The “whom” is the victim who suffered the violation. The “when” is the date of the violation and the “where” is the location of the violation.

Coding Model

153. The model adopted by the TRC was based on that proposed by Dr. Patrick Ball in his book entitled 'Who did What to Whom?'.²⁴ It is a model proven to produce accurate statistical results. It has been used extensively by other truth commissions and human rights documentation projects, including the truth commissions in Haiti, Guatemala, South Africa and, most recently, in Peru. The model used by the TRC allows for the following complex situations:
- a. Many victims: the statement giver may describe violations that happened to one or many victims. The statement giver may himself be a victim. The list of victims may further include his friends, relatives, community members or even groups of strangers. The statement giver may, for example, discuss his own detention and subsequent torture in addition to his wife’s killing or the abduction of his son.
 - b. Many violations: each of the victims described in a particular statement may have suffered several violations. For example, the statement giver’s son may have been beaten and forced to work for his captors after his initial abduction. Violations may be isolated or can happen as part of a broader incident in which a sequence of abuses occurs.
 - c. Many perpetrators: several perpetrators may have committed each of the violations described in the statement. Furthermore, each of the identified perpetrators in the narrative may have been responsible for several violations. In other cases, though a perpetrator may not have directly committed a violation, the statement may identify him as the person who ordered the violation. Alternatively, where the names or nicknames of the perpetrators are not known, it may be possible to determine at least the responsible faction.
 - d. Many roles: an actor is a broad term for a person or group described by the statement. An actor can, at different times, be both a victim and a perpetrator. For example, the statement giver’s son was a victim when he was abducted, beaten and forced to do hard labour, but was a perpetrator when he committed violations after his captors trained him to fight.
 - e. Many facets: some details describing the profile of an actor can change over time – for example their age and occupation. A statement can contain several separate incidents in different years, with some actors involved in more than one incident.

²⁴ See Ball, Patrick; “Who Did What to Whom? – Planning and Implementing a Large-Scale Human Rights Data Project” (1996); published by AAAS: Washington, DC, USA.

154. The forms used by the TRC reflected the chosen coding model. Source and summary forms provided basic details such as the statement number, the date it was coded and a summary of the content. Person forms described each of the actors named in the statement. Group forms were used for groups of unnamed victims described in the statement. Incident forms were used to split the statement into distinct, isolated events. Incident forms also allowed persons to be identified as having authorised or ordered an incident.
155. Act forms are used to describe violations, including when and where they occurred and the responsible faction(s). Each act took place as part of an incident. Actors on both the person and group forms could be assigned as victims. Actors on the person forms could be assigned as perpetrators. Biography forms were used if a statement described more than one incident and reflected the changing circumstances of an actor, such as his age or occupation.

Coding Completeness

156. The coding exercise allowed for partial or incomplete information. A system for coding 'partial dates' allowed for a situation where the statement give knew only the month or year when the abuse occurred. For example the coded date '00/05/91' is the month of May in the year 1991 – the day is unspecified. This system of partial dates could also be applied to dates of birth.
157. Where the precise town or village where an event occurred was unknown, the coder attempted to indicate the chiefdom or district where such information was available.
158. Some background details, such as weapons used by the perpetrators or relationships between actors, were captured in a special 'remarks' section of the coding form.

Staffing

159. The Commission initially employed a team of 25 coders in March 2003. They worked until November 2003 and were responsible for the coding of over 9000 statements. They worked with all the statements gathered by the TRC, as well as those collected for the CGG mapping project.
160. Training of the coders took one week. Each trainee was provided with copies of the vocabularies, and a manual explaining the coding procedure. The training involved seminars, statement coding exercises, coding form evaluations, discussion groups and peer review sessions.
161. It was important that the work of the coders was consistent and reliable. For example, where two coders work with the same statement form they should identify the same victims and violations. The coders were given regular tests in which they were handed the same statement to code. The results were compared using a measure known as the 'overall proportion of agreement'. If the measure was 70%, this indicated that the coders would identify the same victims and violations 70% of the time. Experience has shown that it is realistic to attain measures above 80%. Initially the test was conducted every two days. One week after the training was completed, the 80% target was attained. Thereafter the tests were conducted on a monthly basis.

162. Since coding entails reading about a large number of atrocities, the coders also attended a workshop on vicarious trauma and methods of coping with such trauma.

Database Entry and Cleaning

163. Data Entry and Cleaning was the third stage of the data processing pipeline. In this step the coded forms were entered into the database system, where human rights violations data could be safely stored. Once a significant amount of information had been entered into the database, preliminary analysis began.

System Principles

164. Security was a major concern in setting up the computer network. The database contains names, addresses and contact details of statement givers. Furthermore, the statements often named those alleged to be responsible for abuses. The secrecy of such information had to be maintained, particularly since many statements had been given in the strictest of confidence.
165. As a general principle, the system used 'open source' software. Commercial software products are costly and sometimes contain "backdoors" that make it possible to gain entry to a computer system. In contrast, 'open source' software is free and tends to be more secure.
166. The following security measures were adopted by the TRC:
- The majority of the computers were 'client machines', meaning that they connected to and updated the database but did not store any violations information on their own hard-drives. All client machines were kept in one data processing room that was locked when not in use.
 - One primary machine, the database server, stored the database of human rights violations. The database server, statements and coding forms were all held inside a reinforced 'strong room'.
 - A network connected the client machines to the database server. The network was isolated so that no database-related machine could share information with other TRC computers or the Internet. Database output was printed and given only to those who required it.
 - All computers were protected by passwords. Each data entry clerk was assigned a unique user name so that changes to the database could be logged and audited if necessary.
 - Backups of the database were taken regularly to protect against fire and theft. This precaution included off-site backups that were sent abroad by secure means.

Hardware

167. The TRC used nine computers in total, combining those borrowed from UNAMSIL with those purchased by the IT Manager. All were desktop machines with 17" screens. Each was configured with a static IP address and was networked via a router to the database server. The server machine was provided by UNAMSIL. During the final months of the TRC's work, the server machine was returned and replaced by a more conventional desktop.
168. Some delays in establishing the network meant that each client machine maintained its own database for a short time. Once the network was established these disparate databases were merged onto the central server.

Software

169. The Human Rights Data Analysis Group (HRDAG) within the American Association for the Advancement of Science and Human Rights Programs (AAAS/HRP) provided the database and client software. The chosen system, 'Analyzer', is open source software specifically designed for the storage and processing of human rights violations data.²⁵ HRDAG was able to apply modifications to the software specifically to meet the requirements of the TRC.
170. All computers ran the operating system known as 'Red Hat Linux'. Originally Red-Hat 8 was used, later upgraded to Red-Hat 9. The server used the PostgreSQL Database Management System (DBMS) to store the data. The client programs for interacting with the database were written in Java script.
171. The data entry work was a relatively straightforward procedure. The database interface presented a series of forms. These corresponded to the various coding forms. All values on the coding forms were inputted into the database.

Data Cleaning and Quality Assurance

172. The coding work involved sustained periods of concentration, often dealing with complicated statements involving numerous actors and violations. The data entry work was repetitive. Due to the nature of the work it was understandable that, occasionally, the coders and data entry workers would make mistakes, such as those set out below:
 - a. Data Entry: After adding a violation, occasionally a data entry clerk would forget to add the victim or perpetrator, instead proceeding directly to the next violation. This oversight was easily solved, by producing a list of violations with missing victims or perpetrators, recovering the relevant coding forms and entering the missing information.
 - b. Coding: When working with a complex statement, a coder sometimes entered the wrong victim or perpetrator of an act. Such problems tended to be more difficult to fix, because it was necessary to re-read the whole statement and check all the coding thoroughly.

²⁵ More detail on the 'Analyzer' software can be found at the following Internet address:
http://www.hrdag.org/resources/data_software.shtml.

173. Some of the more elaborate accuracy checks on statements included:
- To ensure that the violations were geographically feasible. For example, in the first year of the conflict, the fighting was largely confined to Bo, Kenema, Pujehun and Kailahun Districts. Some statements reported abuses outside these areas. The statements were checked for location and date and corrected as appropriate.
 - To observe the lineage of ethnicity (through the father). In cases where the ethnicity of the father or a sibling was known, this ethnicity was applied to relatives as appropriate.
 - Where a violation had more than one perpetrator faction, to establish whether those factions collaborated to commit the act. If a statement implied collaboration between factions, it was checked to see if this combination of factions was consistent with known conflict trends.
174. The coding exercise aimed to reproduce the quantifiable content of the statements in a faithful manner. Corrections did not deviate from this principle.

Staffing

175. Initially five data entry workers were recruited in early May 2003. Training took two days under the direction of the Data Processing Officer. To ensure that the work would be completed on time, this team was expanded to eight people in October 2003. The data entry work was completed by the end of November 2003. The majority of the data cleaning and quality control was also completed during this period. Thereafter coders and data entry workers were employed occasionally to assist with remaining data entry and coding corrections. Correction work was completed by mid-February 2004.
176. In total 7700 statements were entered into the database. This covered all the statements collected by the TRC, both in Sierra Leone and internationally. Regrettably there was insufficient time to input the statements from the CGG Mapping Project, although they had been coded.

Data Matching and Judgement

177. The coded statements were entered into a 'Source Layer' in the database. In other words the database contains each item of information in isolation. To avoid the duplication of incidents mentioned in more than one statement the Commission employed a 'judgement process' to match the duplicate actors and violations. The matched data was stored separately in the database in a 'Judgement Layer'. An audit trail between the Source and Judgement layers ensured that matches were linked back to their origin in the statements. The Judgement Layer was used to compile the final statistical results.

The Judgement Process

178. In preparation of the judgement process, deliberations were held to establish what information was considered sufficient to assume that two actors or violations matched. Matching was conducted in two stages.
179. First, actors were matched based on details such as name, date of birth, ethnicity and, where appropriate, time and place of death. This was done by displaying the complete list of victims and repeatedly ordering the data by different variables so that potential matches would appear in adjacent rows.
180. Second, violation matching was applied to the matched actors. For example, supposing that two actors had been matched, the violations each actor suffered would be matched to determine whether they had any information such as time or place in common. Violation matching was largely automated.
181. A team from the Human Rights Data Analysis Group (HRDAG) of the Benetech Initiative (Palo Alto, California, USA) conducted the judgement process with the support of the American Bar Association, Central and East European Law Initiative (ABA/CEELI). The matching exercise took three weeks to complete.

Final Data

182. In total, raw information given to the TRC included 30,638 victims who suffered 64,297 violations. However, many of these victims were anonymous and their details could not be confirmed. The anonymous victims were removed, leaving 16,281 victims. In this group, some victims and their violations were reported to the TRC in more than one statement. When these duplicates were identified, the number was reduced to 15,143 victims who suffered 40,703 violations. This set was given an additional review, and a further 148 additional duplicate victims and their violations were identified. The final data therefore reflected 14,995 victims who suffered a total of 40,242 violations. This set of data was passed on for statistical analysis.

Analytical Reporting

183. Analytical Reporting is the fourth and final stage of the data processing pipeline. The aim was to produce a statistical analysis of the magnitude and trends of violations during the course of the conflict. Whilst some initial analysis was conducted with Source Layer information, the final analysis used to compile information in the TRC report was done with matched data from the 'Judgement Layer' described above.
184. In addition to its quantitative outputs, the database provided a comprehensive index of violations and their associated victims and perpetrators. This information assisted in the qualitative work undertaken by the Commission's researchers.

Qualitative Research

185. To enable the database to support qualitative research work, the TRC Data Processing Officer built a 'reporting interface'. This tool was made available to the Commission's researchers and investigators so that they could query the database directly and generate simple reports showing the data they needed.
186. The reports displayed statement details, statement lists and lists of names. Researchers and investigators could input particular criteria into the reporting interface and generate lists of statements that matched those criteria. For example, before embarking on their missions to identify mass graves in a particular district, the investigators generated lists of statements involving killing violations with multiple victims in that district.
187. The most frequent use of this reporting system was in helping to identify violations against specific types of victim. The system was also used to extract poignant quotes and victim testimony for use in various chapters of the report.
188. In addition, researchers could search the statement summaries and remarks sections to identify specific words or phrases. These searches could generate a variety of interesting insights. In one instance, a search for statements mentioning the word 'diamond' revealed that the most frequently reported violation linked to diamonds was the extortion of diamonds from dealers and miners.

Initial Quantitative Research

189. All statistical work was done using 'flat files' extracted from the database. Each flat file was a comprehensive list of every violation against every victim along with all associated information, including:
 - Facets of the victim such as age, sex and ethnicity;
 - The violation, when it occurred and where it happened; and
 - The responsible faction or factions.
190. Prior to the judgement process it was possible to carry out some preliminary statistical work. Though these results were not used in the final report, the work was vital in gaining an understanding of the conflict and the factors influencing the violations. Typically graphs were produced to consider various key variables in relation to each other, such as:
 - Comparing age and sex of victims for each violation suggested that sexual slavery and forced recruitment violations were most frequent for children between the ages of 10 and 14 years old
 - Examining the prevalence of each violation through time, it became clear that amputations commenced considerably later than most other abuses
191. More specific graphing exercises were undertaken to test specific theories or concerns raised by the researchers. For example, the theory that the Kamajors faction had targeted victims of Northern origin was initially tested with the graphing application.

192. The preliminary graphing work was done by the Data Processing Manager and was completed by the end of November 2003. An initial report was presented to the Commissioners during the pilot phase.

Analytical Reporting

193. Reporting work was divided into two parts. The first part aimed to answer specific questions posed by the researchers. The second part was a refined version of the first, which produced a statistical chapter for inclusion in the TRC's final report. Both were completed with the assistance of a statistician and the HRDAG team provided as part of the ABA/CEELI's assistance to the TRC. Graphs, tables and other statistics were all produced using statistical software packages such as 'R' and 'Stata'.

Hearings

194. The second main component of the operational phase of the Commission was the conduct of hearings. Witnesses and experts were invited to testify before the Commission on their experiences of the conflict. A training session was organised for Commissioners and Commission staff by UNIFEM in March 2003. The training was aimed at giving a gender-balanced perspective to the hearings to prepare Commissioners and staff on how to deal with the gender issues that would arise during the hearings.
195. One of the goals of the hearings was to give victims an opportunity to relate their experiences. For many of them, it was the first time they had talked about what happened to them. The hearings enabled the Commission to catalyse a public debate about such issues as the causes of the conflict, the role of institutions and what needs to be done to transform Sierra Leone. The hearing phase started on 14 April 2003 and was concluded on 5 August 2003. Although attendance was somewhat sparse at the initial hearings in Freetown, audience numbers increased steadily, with large crowds gathering especially in the districts where most of the atrocities took place.

Types of hearings

196. One week in each district was devoted to public hearings for individual statement givers. Victims, witnesses and perpetrators came forward to give testimony on their experiences or roles in the conflict and to answer questions from the Commissioners and staff. The public hearings were held in the district headquarter towns, in appropriate venues such as school buildings or community centres.
197. Each set of district hearings included one day of closed hearings. These hearings were designed to allow children and victims of sexual abuse to testify in a private setting. Closed hearings were also arranged for alleged perpetrators or ex-combatants who were reluctant to speak before the public for security or other reasons.

198. The Commission also held a series of thematic, institutional and event-specific hearings in Freetown. These sessions were held in public and featured submissions and testimony from Government ministers, political parties, UN agencies, local and international NGOs, civil society institutions and other experts. The following subjects were addressed during these hearings:

- Governance in Sierra Leone, including the extent of participation in political processes and respect for human rights
- The role of civil society and immigrant communities
- Management of mineral resources
- Issues of corruption
- Women and girls²⁶
- Children and youths
- Militias and armed groups
- The role of external groupings and international actors
- The Sierra Leone Armed Forces and Police
- The civil service
- The judiciary, the legal profession and the rule of law
- The role of the media
- Promoting reconciliation and national reintegration

199. Hearings were also conducted on the following specific events:

- The NPRC 'coup trials' and executions of December 1992
- The AFRC coup of 25 May 1997
- The SLPP detentions, trials and executions of 1998
- The destruction of Koribundo
- The attack on Freetown in January 1999
- The taking of UN peacekeepers as hostages in May 2000

Selection of cases for hearings

200. Witnesses for hearings were initially selected from among those who made statements during the statement-taking phase. Statements were put forward for hearings according to the following criteria:

- Indication that the statement giver wished to appear in a hearing;
- Ensuring that a representative balance was achieved with regard to region, ethnic group, age group, political affiliation and gender of statement givers;
- Ensuring that a representative balance was achieved with regard to the range of violations that occurred in the conflict and the range of perpetrator factions;
- Fair and equal exposure for violations that were committed by, in the presence of, or with the knowledge of a faction leader or other key role player;
- Proper hearing for statement givers who had information about the administrative and military command structures, internal policing, policy making and sources of authority within the combatant groups; and
- Ensuring public acknowledgement of massacres, mass killings and other systematic violations through first-hand testimony at hearings.

²⁶ The Commission wishes to acknowledge the expertise of UNIFEM in providing guidance and assistance to women's groups in the preparation of their submissions for the TRC Thematic Hearings on Women and Girls.

201. After the initial selection of statements for hearings, District Co-ordinators and statement takers travelled across their districts to contact the relevant statement givers and schedule their appearances. Logistics and other constraints prevented the teams from locating all the witnesses selected. However, the publicity generated in the districts by the holding of hearings brought a whole range of new witnesses who had not given statements during the statement-taking phase and who wanted to testify in public. They were invited to make statements and, in appropriate cases, some of them testified.

Procedures for Hearings

202. The Commission published a set of guidelines on Hearings Procedures, which outlined the rules and processes to be followed, including the role of legal representatives of the parties. A truth commission hearing is a quasi-judicial process. While the Commission did not want to turn itself into a court of law, it was necessary that fair procedures be accorded to all persons appearing before it.
203. Prior to public hearings, the Commission's counsellors briefed individual witnesses on what they might expect from the experience. All witnesses were also debriefed after the hearings. Witnesses were encouraged to bring along a family member or a friend to provide emotional support during the hearings. Witnesses were able to testify in the language of their choice, with interpreters translating their testimonies into English, or into Krio or into the prevailing language in the district.
204. The seating arrangement for the podium party in public hearings resembled a semi-circle, with the witness facing the audience, sitting in the middle between the Commissioners and the leaders of evidence. The witness sat with a family member or friend, or with a counsellor provided by the Commission to offer psychosocial and emotional support. Everybody sat at the same floor level. All of these measures were designed to make TRC witnesses feel secure, relaxed and confident to tell their stories.
205. The presiding Commissioner at each hearing administered an oath to every witness before he or she proceeded to give testimony. After the testimony, the Commissioners and leaders of evidence asked questions of the witness. Finally, the witness was invited to ask the Commissioners questions if they so desired and to make suggestions for the Commission's recommendations.
206. When witnesses mentioned the names of perpetrators, Commission staff made all reasonable efforts to locate alleged perpetrators and invited them to make statements or to participate in a hearing and relay their own version of events. If the whereabouts of a particular perpetrator were not known, a public announcement was made at the hearing venues and letters written to their last known addresses to invite them to contact the Commission and respond to the testimony given about them. Victims were not asked directly by the Commission to forgive their perpetrators. However when victims expressed willingness to meet their perpetrators – and the perpetrators agreed – private meetings were organised by the Commission.

207. The Commission worked together with the Sierra Leone Police Force, the RSLAF and UNAMSIL to ensure the safety of witnesses during the hearings, as well as the security of TRC personnel and equipment. Red Cross volunteers and medical personnel from the district hospitals were also present at every hearing.
208. Only female Commissioners and staff members attended the closed hearings for victims of sexual violence. The dignity of such victims had to be respected and the trauma of their experiences appreciated. The electronic recording of their testimonies was done in such a way as to avoid their being identified. Counsellors were present during the hearings to offer emotional support.
209. The Commission advised women victims of sexual violence who indicated interest in appearing before the Commission to opt for a closed hearing. Nevertheless, some women insisted on appearing before the Commission in public. In such cases, the Commission undertook great efforts to explain to the women the possible consequences of such an appearance and sought to know if they had consulted their family members. Thus only in exceptional circumstances did victims of sexual violence give any testimony in public.
210. Further to the Framework for Co-operation established during statement taking between the Commission and the CPAs, an agreement was reached on the participation of children in hearings. The Commission provided a list of potential child witnesses. The CPAs conducted the necessary vulnerability and safety assessments and consulted with the children and their families. If approval was obtained, the children were prepared for a hearing. A social worker was always present at a child hearing, sitting next to the child and offering any emotional or other support required. After the hearing, the social worker conducted further visits to the child, to ensure no adverse consequences from his or her participation.

The use of subpoenas

211. Where individuals or organisations were unwilling to co-operate with the Commission in the fulfilment of its mandate, the Commission was compelled to resort to its powers of subpoena, as set out section 8(1) of the TRC Act. These powers were used very sparingly, since the spirit of co-operation was generally positive. The Commission preferred, wherever possible, to encourage full, voluntary participation from everyone.

Archiving of the Commission's Materials

212. As the Commission was winding up its activities, decisions had to be taken on the archiving and public accessibility of its source materials. The Commission resolved to make as much material as possible available to the public to encourage further research, debate and public education.
213. The Commission decided that the statements and transcripts from hearings that were not confidential should ultimately be made available to the public. A procedure for accessing these materials was also approved by the Commission. The Commission has recommended that its non-confidential materials be digitised and made available on a CD-Rom of 'Appendices' that will accompany the final report.