CHAPTER FOUR

Children and the Armed Conflict in Sierra Leone

Introduction

1. Sierra Leone is one of the smallest countries on the African continent, but also one of the most richly endowed. Seasonal rainfalls make the terrain of its hinterland lush and green; its inland perimeter is characterised by rolling mountains and dense forests; and its coastline is dotted with idyllic beaches. Several parts of Sierra Leone boast rich seams of mineral resources, including gold, bauxite, titanium ore and, famously, diamonds in the east and southeast.

2. The abundant potential of Sierra Leone's natural landscape is mirrored in its population of just 4.5 million people. The inhabitants of the Provinces represent a culturally and demographically diverse heritage, with seventeen indigenous ethnic groups spread across 149 chiefdoms. The capital city, Freetown, originally a settlement for emancipated slaves, hosts the oldest university in the region and gained a reputation as the "Athens of West Africa". Most important of all, despite the trials and tribulations of history, Sierra Leoneans are resilient and resourceful, such that each new generation of children of Sierra Leone brings with it fresh hope, fresh direction and fresh human resources for the country.

3. British colonial rule in the nineteenth and twentieth centuries divided Sierra Leone into two entities: the Colony, which was the name assigned to Freetown and its environs; and the Protectorate, which encompassed all the Provinces in the interior. There was a degree of unease in relations between the inhabitants of these two entities, partly premised on the stark inequalities in access to education, social services and economic resources that British rule had created in favour of the Freetown-based Krios. As independence was attained on 27 April 1961, however, political disagreements soon became the main reason for rivalries. Within little more than a decade of self-rule, Sierra Leone had seen fiercely controversial elections, poisonous "personality politics" and various successful and unsuccessful military coups.

4. The country's longest-serving Head of State, Siaka Stevens of the All Peoples' Congress (APC) party, epitomised bad governance during his 17 years at the helm, from 1968 to 1985. Stevens entrenched his own executive power in a one-party state and suppressed opposition from any quarter. The entire political elite played a part in the desperate decline of Sierra Leone, seeking personal patronage and profit rather than advancement in the common national interest. It was during the 30 years immediately after independence that Sierra Leone sunk to being one of the least developed countries in the world.

5. After a handful of violent flashpoints in the 1970s and 1980s, arising out of elections, anti-government demonstrations and local uprisings, conflict finally
broke out in Sierra Leone in March 1991. The eleven years of brutal war that followed saw this beautiful country and its people torn apart.

6. At the onset of the conflict in 1991, Sierra Leone was quite literally a nation of children. The graph at Figure 1, below, illustrates that approximately half of the estimated 4.5 million population was composed of children, i.e. males and females under 19 years of age. The graph shows a considerable “tapering off” in the size of the adult population between the ages of 29 and 79, which reflects the high adult mortality rate and results in astonishingly low average life expectancy. When war began in Sierra Leone, children formed the largest category of people in the population, while adults constituted a minority.¹

![Figure 1: Population of Sierra Leone in 1991 (in thousands) divided according to age category and sex](image)

Source for Figure 1: US Census Bureau, International Data Base, available at the following website: [http://www.census.gov/ipc/www/idbnew.html](http://www.census.gov/ipc/www/idbnew.html).

7. The conflict in Sierra Leone impacted heavily on children, as their rights were systematically violated by all of the armed factions. Children suffered abduction, forced recruitment, sexual slavery and rape, amputation, mutilation, displacement and torture. They were also forced to become perpetrators and carry out aberrations violating the rights of other civilians. In assessing the experiences of children in the conflict in Sierra Leone, the United Nations Children’s Fund, UNICEF, submitted as follows:

> Particularly vulnerable to abuse were children, as they were violated in deep and lasting ways, some too awful to be adequately

¹ The statistics used in Figure 1 emerge from population estimates maintained by the United States Bureau of the Census. The Bureau uses existing censuses along with health and other data collected by international NGOs. See the website: [http://www.census.gov/ipc/www/idbnew.html](http://www.census.gov/ipc/www/idbnew.html).
described... In some ways, it is as if a new level of cruelty has been attained in this war, setting the bar lower than ever imagined…\textsuperscript{2}

\textsuperscript{2} See the United Nations Children’s Fund (UNICEF), Submission to the Sierra Leone Truth and Reconciliation Commission on the occasion of TRC Thematic Hearings on Children, 17 June 2003 (hereinafter “UNICEF submission to TRC”), at page 2.
8. Children themselves made the following statement to the Commission:

“... Concerns amongst us children in Sierra Leone are that the war was targeted at us. A brutal conflict which we did nothing to bring about but suffered and lost everything in it.”

9. There are no accurate statistics to determine the number of children associated with the fighting forces, either as child soldiers or utilised in other capacities. According to a local NGO, Caritas Makeni, more than 5,000 children under the age of 18, of both sexes and with some as young as five years old, were combatants in the conflict. The United Nations Assistance Mission in Sierra Leone (UNAMSIL) puts the number at 10,000 who were associated with the fighting forces in one form or the other. The United Nations Children’s Fund (UNICEF) estimated that more than 6,000 children were conscripted into the fighting forces over the years. The discrepancies in these numbers are probably explained by the different criteria used by these organisations in arriving at their figures. The National Committee for Demobilisation, Disarmament and Reintegration (NCDDR) confirmed in its submission to the Commission that more than 6,774 children entered the DDR programme.

10. While the total number of children associated with the fighting forces will in all probability never be completely accurate, the submissions of the various agencies to the Commission attest to the widespread use of children in this conflict, in total contravention of the rules applicable to conventional warfare.

11. The parties to the peace talks at Lomé in 1999 recognised that the children of Sierra Leone were vulnerable as a result of the armed conflict. Accordingly the Lomé Peace Agreement declared that children are entitled to special care and that their rights to life, survival and development are in need of protection in accordance with the provisions of the Convention on the Rights of the Child.

12. The Lomé Peace Agreement laid the foundations for the Act establishing the Truth and Reconciliation Commission (“TRC” or “the Commission”). Article 30 of the Lomé Peace Agreement explicitly provides that the Government of Sierra Leone shall accord particular attention to the issue of child soldiers and that the special needs of children should be addressed in the disarmament, demobilisation and reintegration process. The TRC Act 2000 provided that the Commission would be required to give special attention to the experiences of children within the armed conflict. The Sierra Leone TRC is the first truth commission that has been required explicitly to do so.

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4 See Caritas Makeni; Submission to the Truth and Reconciliation Commission on the occasion of TRC Thematic Hearings on Children, 16 June 2003, at page 3.
7 Some of these organisations estimated only on the basis of children who were actual combatants, while others added all the children associated with the fighting forces in various capacities such as cooks, porters, spies, sex slaves, manual labourers and others.
8 See the National Committee for Disarmament, Demobilisation and Reintegration (NCDDR); submission to the Sierra Leone Truth and Reconciliation Commission, 4 August 2003, at page 3.
9 See the Preamble to the Lomé Peace Agreement of 7 July 1999.
10 See the Truth and Reconciliation Commission Act 2000, at Section 6(2)(b).
13. This chapter will examine the traditional place of children in Sierra Leone and explore their status before and since the war in all the major spheres that affect them, such as education and health, as well as economic, legal and socio-cultural issues. A brief overview of the national and international human rights instruments impacting on and protecting children's rights is included. More importantly, the chapter will also attempt to convey the impact of the armed conflict on children, as well as their diverse experiences within the various armed groups, in the terms that children testified about them to the TRC. The status of children since the conflict will also be described, together with interventionary measures taken by both state and non-state actors in attempting to respond to their needs. The chapter will also highlight the Commission’s main findings and recommendations on children.\(^{11}\)

**Interpreting the Commission’s mandate**

14. In interpreting its mandate the Commission wanted to ensure that the voices of children would be heard and taken into account at every stage of its proceedings, in the various versions of the final report and in the recommendations it made in respect of the future well being of children. The Commission also wanted to ensure that the identity of children who testified would remain confidential. The Commission thus faced a delicate balancing act, which required the development of a number of policies guiding its work.

15. The Commission was fortunate enough to have recourse to a report prepared by UNICEF, reflecting the outcomes of a consultative process that UNICEF had organised in 2001 to consider the participation of children in the work of the Commission. The report confirmed the support within the children’s sector for children’s experiences to be fully accounted for in the work of the Commission. It also highlighted challenges and areas of concern and proposed a variety of measures designed to protect children. The Commission took these proposals into account when designing its operational policies.

16. The Commission resolved that it would reach out proactively to children so as to ensure their full participation in all aspects of the Commission’s work. This approach would include sensitising children as to the role of the TRC, taking statements from them, having them participate in hearings and involving them in special hearings on children. The Commission’s main objective in respect of children was to ensure that their voices should be heard, particularly in the final report and recommendations. The Commission also enacted policies to protect the security and well-being of children.

17. The Commission decided as a matter of policy that all children would be treated equally as witnesses whose experiences needed to be captured by the Commission, irrespective of whether they had perpetrated violations.

\(^{11}\) The Commission’s comprehensive findings and recommendations on children can be found under ‘Children’ in the chapters on Findings and Recommendations in Volume Two of this report.
Methodology

18. The Commission then had to devise a methodology to implement the policies it had agreed upon. It trained its statement-taking staff on how to take testimonies from children, with particular guidance on how to deal sensitively with those who had been sexually violated and those who had been combatants in the conflict.

19. The Commission also decided that it would hold special public hearings that would focus on the experiences of children, as well as in camera hearings for children under the age of 18 and victims of sexual violence.

20. The Commission then began a series of discussions with UNICEF and the Child Protection Agencies (CPAs), which culminated in an agreement that was signed in 2002. Under the terms of the agreement, UNICEF and the CPAs provided technical assistance to the Commission during statement taking as well as assisting with children during the hearings phase. A fundamental principle underpinning the agreement was that the physical and psychological security of the children should be paramount at all times. In this regard, counsellors from the CPAs assisted the Commission in all its activities.

21. The Commission decided quite early on that it would keep disaggregated data on children as well as on victims of sexual violence and that it would in its final report have a special section dealing with the experiences of children. The Commission also decided to publish a special “child friendly” report. Both reports would contain recommendations on how to improve the quality of life of children in the country.

22. In implementing these decisions, the Commission was assisted by the Special Assistant to the SRSG for Sierra Leone,\textsuperscript{12} as well as UNICEF and the Child Protection Agencies in Sierra Leone.

23. In terms of the agreement between the Commission and the CPAs, the practice of the Commission was to hand over a list of child witnesses to the CPAs before a hearing was held. The CPAs conducted vulnerability and safety assessments and consulted with the children and their families. If approval was obtained from the families and the child was willing to testify, the children were prepared for the hearing. Social workers would also be present at hearings ready to offer emotional support if necessary. Once a hearing had taken place, the social workers would conduct further visits to the children in order to ensure that they had not suffered any adverse effects due to their participation in the Commission’s processes.

\textsuperscript{12} The Commission wishes to acknowledge the consistent support and guidance it received from Mr. Bert Theuermann, former Special Assistant to the SRSG for Sierra Leone on children’s issues. Mr. Theuermann and his colleagues in the Child Protection Unit at UNAMSIL were instrumental in ensuring that children’s issues were treated appropriately by all parties in the TRC process.
THE STATUS OF CHILDREN BEFORE THE CONFLICT

CHILDREN AND EDUCATION

24. The Commission received numerous submissions on the nature of the education system that prevailed in Sierra Leone before the conflict. The current Minister of Education commented in his submission that:

“At independence, Sierra Leone inherited a western type of education system aimed largely at the urban middle class. The system was biased... In essence the system was aimed at nurturing civil servants and government administrators in the colonial and independent government. Yet the majority of Sierra Leoneans, unable to afford formal education, were excluded from the education system... Given the exclusive nature of the country’s education system, it is not surprising that literacy levels remained as low as 8% at independence, or that in the 1970s fewer than 15% of children aged between 5 and 11 years attended school, or that only 5% of children between 12 and 16 years were in secondary school.”

25. Historically, the colonial government had mainly concerned itself with educating the sons of Chiefs in the provinces and the sons of the elite and the Krios in the western areas, as these groups were intended to provide future civil servants for the colonial government. The majority of the population was largely left to remain illiterate. The unforeseen consequence of this kind of policy meant that the majority were not able to access education.

26. The decline in the economy during the 1970s and the imposition of the structural adjustment policy in the 1980s impacted on spending and led to a further deterioration in education levels. The corresponding rise in school fees had a negative effect on the accessibility of education. Primary school enrolment declined from an average annual increase of 6% between 1970 and 1985 to only 2% between 1985 and 1990. By 1990, of the total number of girls who qualified as the potential school going population, only 12% were enrolled at secondary schools. In the case of boys, only 22% of all boys of school going age were enrolled. In the case of tertiary education, according to figures for 1996, only 13% of both girls and boys made it through.

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14 See Ministry of Education, Closing the Gap, at page 2.
15 See UNESCO Statistical Yearbook 1996, at page 49.
27. A number of other factors including corruption and unsound governance, as well as political and cultural factors, also contributed to the decline in education. Education policy in Sierra Leone determined where schools were cited and built. Self-interested government officials and corrupt politicians routinely ignored the prevailing policy, however, resulting in schools being built with scant regard to issues of need or efficacy. Instead, schools were placed according to cynical political ploys to advance the individual interests of politicians who sought to gain votes from their constituencies.

Building of Schools

28. In order to encourage the building of schools, the Government provided development grants to private individuals or organisations that built schools. While in essence this was a good practice, it became rife with abuse. Many unscrupulous persons abused the practice and misappropriated the funds that had been allocated to them. The funds were regularly not used for the purposes for which they were intended. Many of those who had been allocated grants built schools in unsuitable locations, without the approval of the Ministry of Education, Science and Technology (MEST), only to foist these schools on government at a later stage without having regard to areas of need or the financial implications. Such recklessness caused increasing frustration on the part of the children and youths of school-going age. An official in the employ of the Ministry of Education, Science and Technology (MEST) made the following remark to the Commission:

“Some schools were built which were ultimately inhabited by cockroaches and rats.”

The teaching profession

29. The teaching profession itself was in disarray. Teachers’ strikes intensified due to several factors: first, the general economic malaise in the country; and second, as administrative blunders led to the elimination of their names from the teachers’ payroll, thus leading to lengthy periods of delay or non-payment of salaries. All of these factors contributed to the growing rot in the system.

30. The standard of teaching varied between the urban capital and the provinces. The standard of education in Freetown was fairly high, while that in the provinces lagged behind. In part, the disparity was due to the fact that government was unable to attract and retain qualified teachers to schools in the rural districts.

31. The enrolment of girls in schools was affected by both economic and cultural pressures, which favoured the education of male children to the exclusion of girls. Many families, compelled by economics to choose which of their children they would educate, chose to educate boys, believing that education was wasted on girls as they would eventually get married into another family. In addition, educating boys improved the earning abilities of future breadwinners. This was certainly characteristic of the Northern and Eastern parts of the country where the education of boys over girls was preferred. Sadly this state of affairs in these two regions prevails even today.

16 See TRC interviews with officials of various ranks in the Ministry of Education, Science and Technology; interviews conducted in Freetown, 20 August 2003.
32. When the conflict broke out, illiteracy in Sierra Leone was at an all-time nadir of 88.75% for girls and 69.3% for males.\textsuperscript{17} Less than 45% of all children of school-going age entered primary schools, of which only 9% entered secondary schools and 1% made it through to tertiary institutions.\textsuperscript{18}

33. The state of education in Sierra Leone before the conflict was unmistakably in decline. In the words of the Minister:

“The period of the late 1970s, but more the 1980s, was characterised by a nosedive of the Sierra Leone economy, largely as a consequence of bad governance, corruption and the Breton Woods structural adjustment programmes… Living standards of the poor masses and poverty generally were ignored. Education, like other sectors, was not spared the general malaise, as the education budget shrank from an average 21% to 12% to 8% in the 1960s, 1970s and 1980s respectively.”\textsuperscript{19}

34. A major factor that the RUF has cited as a reason for starting the conflict was the inability of the government to provide free education to all children in Sierra Leone. This accusation resonated in the hearts and minds of much of the population and partially accounts for the initial acceptance of the RUF by some communities. The irony, of course, is that it is the very conflict started by the RUF that led to the complete destruction of the education system, as the RUF destroyed schools and educational facilities all over the country.

**THE SOCIO-CULTURAL STATUS OF CHILDREN**

35. Socially and culturally Sierra Leone is typical of most African countries where children sit, at best, on the fringes of decision-making. Usually in African societies, hierarchy and authority determine how decisions are reached. In the case of children, adults make decisions for them. In the African context, which in this instance is certainly true of Sierra Leone, an explanation often offered is that it is borne of a desire to protect children and to guide them into adulthood rather than to injure them or take away their rights.

36. This practice has led to many children having their lives shaped for them by adults, who are well meaning and who honestly believe that they are acting in the best interests of the child. While this may be true in the majority of cases, it is also clear that decisions made on the basis of patriarchy and authoritarianism have affected many children’s lives negatively.

37. One cultural practice in Sierra Leone perceived to be particularly abhorrent is the inclination not to educate girl children, a practice that is prevalent in the north and east of the country. Coupled with the practice of early marriages for girls and the practice of female genital mutilation, this denial of educational opportunities to girls has negatively impacted on their future prospects.

\textsuperscript{17} See Plan Ireland, “The Importance of Education in Disaster Rehabilitation – Rapid Education Programme in Sierra Leone”, found at the website: www.plan-ireland.org/pdfs/childrenindisasters.

\textsuperscript{18} See Plan Ireland, “The Importance of Education in Disaster Rehabilitation – Rapid Education Programme in Sierra Leone”, found at the website: www.plan-ireland.org/pdfs/childrenindisasters.

\textsuperscript{19} See the Ministry of Education, Science and Technology; Submission to the Truth and Reconciliation Commission, September 2003 (hereinafter “Ministry of Education submission to TRC”), at pages 4 and 5.
38. In Sierra Leone children are not allowed to speak for themselves before the elders and chiefs. In the course of its work, the TRC received testimony from many youths who had been sanctioned for contravening this rule. The offenders were not allowed to speak in their own defence and became embittered at the exceedingly onerous punishments often imposed on them by the Chiefs and elders for defying this custom. Punishment often included the levying of exorbitant fines and resulted in many offenders working as slave labour in order to defray the costs. Many discontented youth fled their villages in order to avoid such punishments and when the conflict broke out became easy converts to the cause of the RUF. Their embitterment also manifested itself in acts of revenge against elders and Chiefs during the conflict.

CHILDREN AND HEALTH

39. The state of health in Sierra Leone has been on a steady decline throughout the post-colonial period. In 1960, the infant mortality rate stood at 220 per 1,000 live births, while by 2000 the under-five mortality rate was 390 per 1,000 children. The decline in economic growth in the 1980s affected the health sector negatively. The surge in 1983 of both the infant and under five mortality rates, as well as other negative indicators for the country, led the United Nations to classify Sierra Leone as the least developed country in the Human Development Index of that year. Sierra Leone has had the dubious distinction of holding this title consecutively from 1983 to 2004. According to the World Bank:

“While the recent conflict exacerbated the situation by destroying health facilities and displacing (or worse) staff, the public health sector has not performed well for more than a decade; with inadequate financing. The Ministry of Health and Sanitation (MOHS) could not supervise and support technically the public health facilities country-wide.”

40. It is clear however that while the conflict in Sierra Leone impacted on the health sector, this was not the only reason for the decline in the public health system. Endemic mismanagement, corruption and inadequate strategies also contributed to the failure of the public health system in the country long before the conflict began.

41. A declining health system almost always affects children and women with devastating effect. This was certainly true of Sierra Leone before the conflict.

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22 See World Bank, Project Appraisal Document on a Proposed Grant in the amount of US$20 Million Equivalent to the Republic of Sierra Leone, for a Health Sector Reconstruction and Development Project; 22 January 2003, at page 5.
THE ECONOMIC STATUS OF CHILDREN

42. Sierra Leone had endured two decades of economic and social decline before the conflict. The net effect of corruption and mismanagement resulted in depleted national institutions with hardly any programmes to address the poverty the population was experiencing. Not surprisingly, women and children were the most vulnerable. In most traditional societies, children are expected to carry out certain domestic tasks such as cooking, shopping, cleaning, laundry duties, fetching water and caring for younger children. Helping out in the fields is also commonplace. The use of children in this way should not be perceived as exploitative, but should rather be seen as doing one's bit to assist family and community, thus contributing to the total functioning of the family. In African societies, enhancing the family’s social and economic status has a positive impact on the whole family. The roles and responsibilities of children in African societies help to entrench a sense of family and community rather than individualism. This outcome was certainly true for Sierra Leone as well.

43. Notwithstanding the above, the decline in the economy in the 1980's and the resulting poverty that most families found themselves in compelled many children to work out of necessity. The employment of children has had an adverse effect on them both educationally and socially.

44. The position of children in Sierra Leone at all levels – education, health and socio-cultural – was already in decline before the outbreak of the conflict. This backward trend gave rise to huge dissatisfaction amongst the youth, many of whom became disenchanted with successive governments and their poor delivery. Sierra Leone had become a place where many had lost hope long before the outbreak of a conflict. Marginalisation and exclusion from society led many youth to take up arms. In many TRC hearings, youth who took up arms testified to the Commission that their dissatisfaction with their social and economic conditions led them to join the RUF.

NATIONAL AND INTERNATIONAL LAW PERTAINING TO CHILDREN IN SIERRA LEONE

45. The eleven-year conflict in Sierra Leone involved the systematic violation of the rights of children in Sierra Leone. The violations that children suffered included abductions, forced conscription, rape, sexual violence and abuse, forced slavery, torture, slave labour, amputations, mutilations, killings, forced displacement and cruel and inhuman treatment. Having examined the violations committed against children, it is clear to the Commission that most of the armed factions pursued a deliberate policy to target children and violate them. The Commission in this section highlights national and international law that has specific application to children.

46. Children in Sierra Leone did not fully enjoy their basic human rights even before the war broke out. The breakdown of democratic institutions, the collapse of the rule of law and the mismanagement of the country’s resources impacted on the rights of the children of Sierra Leone. Laws relating to children were outdated, uninformed and grossly inadequate to guarantee the protection and promotion of their rights. Crimes against children including rape and sexual violence generally went unpunished, further contributing to the culture of silence and impunity that prevailed.

47. Given that the war has ended and with the systematic manner in which the rights of children were violated, there is an urgent need to review national law with a view to ensuring that the Government of Sierra Leone fulfils its obligations in terms of international law. National law must be brought into line with international law and custom and, in particular, the Convention on the Rights of the Child. There is a great need to ensure the effective implementation of appropriate laws and customs, procedures and policies in respect of children, which are necessary for the restoration of the dignity of children in post-war Sierra Leone.

CHILDREN AND INTERNATIONAL LAW IN SIERRA LEONE

A brief overview of the international instruments on children and the level of their incorporation in Sierra Leone national law

48. The use of regional and international human rights mechanisms in responding to the egregious crimes that occurred in Sierra Leone during the last decade is significant to the development of international human rights law. Sierra Leone became a member of the United Nations in 1961 and is a signatory to most of the major human rights instruments including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic Cultural and Social Rights (ICECSR), the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of the Child (CRC), the African Charter on Human and People’s Rights and the African Charter on the Rights and Welfare of the Child.

49. The Government of Sierra Leone has ratified the Convention on the Rights of the Child and the optional protocol. The ICECSR, the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) are also instruments that recognise: the right to life;\(^{31}\) to privacy;\(^{32}\) to be free from sex discrimination;\(^{33}\) to the highest attainable standard of physical health;\(^{34}\) to health care services;\(^{35}\) to decide on the number and spacing of their children and to have access to the information and means to do so;\(^{36}\) to the elimination of discrimination against women in all matters relating to marriage and family relations;\(^{37}\) and to be free from sexual violence, abuse, exploitation, prostitution and trafficking.\(^{38}\) These instruments require Government to commit itself to develop preventive health care, guidance for parents and family planning education and services; prenatal and postnatal and to ensure access to information, counselling and services concerning family planning;\(^{39}\) to appropriate services to ensure safe pregnancy;\(^{40}\) Government undertakes to eliminate traditional practices prejudicial to the health of children.\(^{41}\)

**The African Charter on Human And People’s Rights**

50. The African Charter on Human and People’s Rights entered into force in October 1986. Article 18 (3) of the charter states that “the state shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions”. By this Article, the African Charter has incorporated all of the international declarations and conventions that relate to women. There is a protocol on the Rights of African Women approved in July 2003 that offers wide protection for the rights of women. Sierra Leone needs to ratify this protocol, which will allow the rights provided in it to be enjoyed in Sierra Leone.

**The Convention on the Rights of the Child (CRC)**

51. The Government of Sierra Leone by ratifying the Convention of the Rights of the Child is obliged to ensure that the children of Sierra Leone enjoy the rights in the Convention, which include civil and political, economic, social and cultural rights. Four important principles in the Convention are: non-discrimination; the best interests of the child; the right to life, survival and development; and respect for the views of the child.\(^{42}\)

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\(^{31}\) See CRC, at Article 6(1).
\(^{32}\) See CRC, at Article 16(1).
\(^{33}\) See CEDAW, at Articles 1 and 3. See also ICECSR, at Article 2(2).
\(^{34}\) See ICECSR, at Article 12(1). See also CRC, at Article 24(1).
\(^{35}\) See CRC, at Article 24(1).
\(^{36}\) See CEDAW, at Article 16(1).
\(^{37}\) See CEDAW, at Article 16(1).
\(^{38}\) See CEDAW, at Articles 5(a) and 6. See also CRC, at Articles 19(1) and 19(3).
\(^{39}\) See CEDAW, at Articles 10(h), 12(1) and 14(2).
\(^{40}\) See CEDAW, at Article 12(2).
\(^{41}\) See CRC, at Article 24(1).
\(^{42}\) See CRC, at Articles 2, 3, 6 and 12.
52. The government is also obliged to take all appropriate legislative, administrative and other measures in order to ensure implementation of the rights recognised in the Convention. In respect of the economic, social and cultural rights the government is obliged to undertake such measures to the maximum extent of the available resources and, where needed, within the framework of international co-operation.

53. The President of Sierra Leone is responsible for the execution of all treaties, agreements or conventions in the name of Sierra Leone but if they are within the legislative competence of Parliament or alter any existing law, they must be ratified by parliament by an enactment or a resolution.33 International law is operative in Sierra Leone by two processes of ratification, one by the executive and the other by the legislature.44

54. There is presently in existence a draft bill incorporating the provisions of the Convention on the Rights of the Child into national law. The draft was prepared and discussed nationally even before the end of the war. The Government of Sierra Leone should honour its obligations to the children of Sierra Leone by having this bill passed into law immediately.

55. There are two Optional Protocols to this Convention: the Optional Protocol on the Involvement of Children in Armed Conflict and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. There is a Committee on the Rights of the Child that monitors States’ compliance with the Convention and considers the periodic report States are obliged to submit to the Committee on measures they have adopted to give effect to the provisions of the Convention and progress made in the enjoyment of these rights.45

Children and the transitional justice institutions in Sierra Leone

56. Children were explicitly referred to in the Lomé Peace Agreement and have been explicitly referred to in the mandates of both transitional justice institutions created afterwards, namely the Truth and Reconciliation Commission and the Special Court for Sierra Leone. An earlier section of this chapter sets out how the Commission has resolved to include children in its work and how it interpreted its mandate.

The role of children in the Special Court for Sierra Leone

57. The Parliament of Sierra Leone, following an agreement on 16 January 2002 between the Government of Sierra Leone and the United Nations, enacted the Statute of the Special Court.46 This court was established to try those that bear “the greatest responsibility” for the atrocities committed in Sierra Leone after 30 November 1996. The court deals with war crimes committed against children, as well as violations of international humanitarian law. The recruitment of child soldiers and crimes of rape and sexual violence will be among the crimes prosecuted. While children also perpetrated crimes against the people of Sierra Leone, the Special Court will not prosecute children under the age of 18. The major role for children in proceedings will be to testify to the atrocities they witnessed and experienced both as victims and perpetrators.

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43 See the Constitution of Sierra Leone 1991, at Section 40(1)(d).
44 See the Constitution of Sierra Leone 1991, at Section 40(1)(d).
45 See CRC, at Articles 43 and 44.
46 See the Special Court Agreement (Ratification) Act 2002.
Other international instruments impacting on children during armed conflict

58. Both the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child contain provisions that apply to children seeking refugee status or who are considered a refugee or internally displaced. Under Article 34 of the Convention on the Rights of the Child, as well as Article 27 of the African Charter on the Rights and Welfare of Child, all states have an obligation to protect children from sexual abuse or exploitation. They also have the right to be free from sexual exploitation and other hazardous forms of labour.

59. Sierra Leone is a party to the Geneva Conventions of 1949 and the Additional Protocols. The conduct of all combatants is governed under this international humanitarian law, also known as the laws of war: the 1949 Geneva Conventions and their two Protocols. A cardinal principle of humanitarian law is that civilian persons who are at the mercy of a party to the conflict are entitled to be treated humanely in all circumstances and to benefit from a series of fundamental guarantees without any discrimination. Under the laws of war the following acts in particular are prohibited: murder, torture, corporal punishment and mutilation, outrages upon personal dignity in particular humiliating and degrading treatment, enforced prostitution, rape and any form of indecent assault, the taking of hostages, collective punishment and threats to commit any such acts.

60. There are a number of other international instruments that seek to protect the rights of children, particularly during armed conflicts. The jurisprudence of the ICTY and ICTR has reinforced the principle that serious violations of these provisions constitute war crimes. The violations committed against women and children in Sierra Leone have been documented by a number of agencies and NGOs. While a few of the major perpetrators are likely to be prosecuted by the Special Court, the vast number of them who committed these violations are likely to go unpunished.

The International Criminal Court (ICC)

61. Sierra Leone is also a signatory to the permanent International Criminal Court (ICC). The Rome Statute of the ICC does not apply to the events occurring in Sierra Leone, as the treaty is not retroactive. The Rome Statute of the ICC lists a significant range of sexual crimes as both war crimes and acts constituting crimes against humanity. These acts include rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilisation and any other form of sexual violence.

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62. The Elements of Crime document annexed to the Rome Statute designed as a non-binding guide to the Court, which details the suggested elements for each crime, makes it clear that crimes of sexual violence can also be prosecuted as other crimes of violence, such as torture or mutilation, thus adopting the approach of the ad hoc tribunals.

CHILDREN AND NATIONAL LAW IN SIERRA LEONE

63. The laws of Sierra Leone include the 1991 Constitution, the English common law and customary law. Customary laws, largely unwritten, are the rules of law, which by custom are applicable to particular communities in Sierra Leone.

Defining and understanding ‘when one is considered a child’

64. The laws and customs relating to children are in urgent need of reform, as in many instances they are archaic and inconsistent. Both law and custom relating to children are in conflict with international law on the rights of children, particular in their definition and understanding of when one is considered a child.

Age of Majority

65. The age of majority in Sierra Leone is 21 years old, based on the common law, which was adopted from English law under colonial rule and maintained after independence to present day. Under the 1991 Constitution a citizen who is 18 years old has voting rights. Criminal responsibility starts at ten years of age. The Children and Young Persons Act Chapter 44 of the Laws of Sierra Leone, the main legislation on children and juvenile justice, defines a child as a person under the age of 14 years and a young person as a person who is above 14 years and under the age of 17 years.
66. Under customary law, the age of majority is not fixed. It varies depending on the purpose for which it is considered and from one ethnic group to another. A common practice and belief that exists in traditional society is to perform traditional initiation ceremonies on boys who have reached puberty, marking their entry into the male society and into full adulthood. However a girl child who has reached puberty and has been initiated into the female society does not attain the status of full adulthood, as she is always under the guardianship of the male members of her family while unmarried, or of her husband when married. Modern customary practice has seen some departure from the views of traditional customary law to a certain extent to adapt with current trends. Such departure of course depends on how progressive a family or community is and is therefore rather arbitrary.

67. Given the numerous definitions around what constitutes a "child", a great deal of uncertainty exists in law as to whether a particular law is applicable to children or not. This uncertainty affects the legal capacity of children both at a civil and criminal level as it is not clear whether they are entitled to receive protection as children or be treated as adults.

State policy on the welfare of children

68. One of the fundamental principles of state policy set out in the 1991 Constitution is that the State should direct its policies towards ensuring that the care and welfare of the young are actively promoted and safeguarded. The fundamental principles of State policy impose a duty on every citizen to ensure the proper upbringing of his children and wards. Another fundamental principle is that the Government should strive to eradicate illiteracy and direct its educational policy to ensure that there are equal rights and adequate educational opportunity for all citizens at all levels by, among other things: safeguarding the rights of vulnerable groups such as children; securing educational facilities; and directing its educational policy towards achieving free compulsory basic education at primary and junior secondary school level.

69. While these provisions in the Constitution provide a basis for the Government to promote and advance the rights and welfare of children through its laws, policies and programmes, they have largely remained unused and ignored.

70. Since the 1991 Constitution came into effect, successive Governments in Sierra Leone have paid little or no attention to addressing the welfare and the interests of children in Sierra Leone. The Commission heard often that successive governments and political parties pay attention to the plight of children and, more especially, youths only during election periods when they are campaigning.

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Section 2 of the Local Courts Act 1963, Act No. 20 of 1963, defines customary law as: “any rule, other than a rule of general law, having force of law in any chieftdom of the Provinces”.


See the Constitution of Sierra Leone 1991 (Act No. 6 of 1991), at Chapter II.

See the Constitution of Sierra Leone 1991, at Section 13(h).

See the Constitution of Sierra Leone 1991, at Sections 9(1) (a) and (b).
Laws relating to the general welfare of children

71. Violence against children constitutes a crime under the general law which applies to all persons irrespective of age, and includes murder under the common law, assault, wounding and other crimes other the Offences Against the Persons Act 1861. There are also laws specifically prohibiting cruel treatment and violence against children.

Prevention of Cruelty to Children Act
(Chapter 31 of The Laws Of Sierra Leone 1960)

Cruelty

72. This Act applies throughout Sierra Leone and defines a child as a person under the age of 16 years. The Act makes it a criminal offence to commit acts of cruelty to children, including sexual and other related offences against children. Under this Act it is a crime punishable by imprisonment or a fine if any person over the age of 16 years who has the custody, charge or care of any child, “wilfully assaults, ill-treats, neglects or abandons, or exposes such a child or causes or procures such a child to be assaulted, ill-treated, neglected abandoned or exposed, in a manner likely to cause such child unnecessary suffering or injury to health (including injury to or loss of sight, hearing, or limb or organ of the body and any mental derangement)...”.

73. A parent or other person who is legally liable to maintain a child and who neglects the child in a manner likely to cause injury to the child’s health can be punished under this statute. A guardian also commits an offence if he or she fails to provide adequate clothing, medical aid and lodging for the child.

Unlawful carnal knowledge and abuse of girls

74. It is a criminal offence punishable by imprisonment for a period not exceeding 15 years if anyone is found to be guilty of unlawful carnal knowledge or abuse of any girl under the age of 13 years, with or without her consent. Anyone found guilty of committing this same crime in respect of a girl above 13 years but less than 14 years, with or without her consent, is liable to be punished with imprisonment for a period not exceeding two years.

75. Usually in Sierra Leone, perpetrators who rape children are prosecuted under this law. The distinction between the punishment of the offenders of girls under age 13 and the offenders of girls above 13 but under 14 is not clear and is not consistent with the objectives of justice. It has contributed to the trivialisation of sexual crimes committed against girls and is an example of the Government’s breach of its obligation to prevent the sexual abuse of children. The two years’ penalty for perpetrators found guilty of raping a girl who is above 13 but under 14 is inappropriate and insufficient to deter the commission of such crimes.

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63 See the Prevention of Cruelty to Children Act 1960, at Section 4.
64 See the Prevention of Cruelty to Children Act 1960, at Section 6.
65 See the Prevention of Cruelty to Children Act 1960, at Section 7.
Allowing children to be in brothels

76. It is a criminal offence punishable by a fine or imprisonment not exceeding six months if anyone allows a child above the age of four to reside in or frequent a brothel. 67

Indecent assault and attempt to have carnal knowledge

77. It is a criminal offence punishable by imprisonment for a period not exceeding two years if any person commits an indecent assault on or attempts to have carnal knowledge of any girl under 14 years. 68

Prostitution

78. It is a criminal offence punishable by imprisonment for a period not exceeding two years if anyone procures or attempts to procure any child, not being a common prostitute, or of known immoral character, to have unlawful carnal knowledge of any girl under 14 years. 69 The problem with this legal provision it that by exempting “common prostitutes” and “immoral” girls from the protection of the law it implies that those deemed to fall into these categories are not entitled to the protection of the law. Perpetrators have been able to use this loophole in the law to deny guilt, by imputing the character of the complainant.

Abduction of a girl for immoral purposes

79. It is a criminal offence punishable by a period not exceeding two years if anyone intentionally removes an unmarried girl under 16 years from the possession and against the will of her father or mother or any other person having the lawful care or charge of such a girl for immoral or carnal purposes.

80. Further provisions under this Act include an acknowledgment of the right of a parent, teacher or other person under the lawful control of the child to administer punishment to the child and the arrest and protection of children. 70 Other crimes provided for by the Act are the encouragement of seduction by guardian, procurement of a child for immoral purposes, owning or occupying or acting or assisting in the management or control of premises used for immoral purposes.

81. Before the war, abduction, while not a common occurrence, was under-reported. The under-reporting and limited prosecution of this crime may not have reflected its prevalence. The consent of the victim is not necessary to prosecute this crime. The aftermath of the war has left many girls and women who were abducted still living with their captors, which technically constitutes a crime under this Act.

67 See the Prevention of Cruelty to Children Act 1960, at Section 8.
69 See the Prevention of Cruelty to Children Act 1960, at Section 10.
71 See the Prevention of Cruelty to Children Act 1960, at Part III.
Evidence required to prove the sexual offences in this Act

82. The evidentiary rules regarding the prosecution of sexual crimes under this Act, provides that the evidence of one witness is insufficient and requires corroboration. In the context of rapes committed during the conflict it would be almost impossible to prosecute those who committed these crimes as the prevailing rules of evidence set thresholds which victims or complainants would be unable to satisfy.

Defences to crimes under this Act

83. The consent by a child under the age of 14 does not constitute a defence to a charge of indecent assault on a child under 14 years. However the Act was amended in 1963 to include the following provision:

“Section (9)(a): Where a marriage has been formally concluded either under customary law or otherwise, the invalidity of the marriage does not make the husband guilty of an offence under Section 6, 7, or 9 because he has or attempts to have sexual intercourse with a girl or indecently assaults her, if he believes her to be his wife and has reasonable cause for that belief.”

84. This provision legitimises the rape of a young girl by her husband in law or custom. It also legitimises early marriages involving girls who are under the age of 13 years. This provision is therefore a violation of the right of the girl child to be free from physical and sexual violence and is a clear violation of the provisions of CEDAW and the Convention on the Rights of the Child.

Rape

85. Rape is an offence under the common law in Sierra Leone. Rape consists in having unlawful sexual intercourse with a woman without her consent by force, fear or fraud.

Sexual offences under customary law

86. Under traditional customary law, the consent of the woman or girl for the purposes of sex is immaterial. Consequently if a girl is raped or indecently sexually assaulted, her parents can maintain an action under customary law for compensation. If the girl is a virgin the amount of compensation includes “virgin money”. It is immaterial if the offender is a prospective husband of the victim. If the girl is married her husband can maintain an action for compensation commonly referred to as “woman damage”.

75 See Joko Smart, H. M.; Sierra Leone Customary Family Law, Freetown, 1983, at page 182.
76 See Joko Smart, H. M.; Sierra Leone Customary Family Law, Freetown, 1983, at page 5.
Protection Of Women And Girls Act
(Chapter 30 of The Laws Of Sierra Leone 1960)\textsuperscript{77}
Procuring Girls and Women for Prostitution within and without Sierra Leone

87. Under the Protection of Women and Girls Act, any person who procures or attempts to procure a girl or woman under 21 years who is not a common prostitute or of known immoral character to have sex with another person within or without Sierra Leone commits a crime and shall be imprisoned for a period not exceeding two years. Any person who uses threats or intimidation to do such an act commits a crime and shall be imprisoned for the same period.

88. The current provision both in the common law and under customary law in Sierra Leone reduce sexual crimes and the crime of rape to a civil action in which damages can be claimed without any regard to the victims/complainant. Many of the laws also place a premium on the morality of a victim or a complainant and allow defences that impute honour. The laws relating to punishment are also contradictory and inconsistent as can be seen from the following example: the punishment for a violator of unlawful carnal knowledge of a girl under 13 years is liable to face imprisonment not exceeding 15 years but a perpetrator of the same offence committed against a girl above 13 years will only face imprisonment for a period not exceeding two years. Similarly an indecent assault committed on a girl or an attempt to do so is punishable only by a period not exceeding two years that in my humble opinion is inappropriate to cause a deterrence of these sexual offences.

89. The evidentiary rules relating to the prosecution of rape and sexual violence are also problematic. They are onerous and will lead to prosecutors making decisions not to prosecute, as they cannot meet the high evidentiary burden that is set. Corroboration of crimes of rape and sexual violence is impossible given the nature and the context in which the crime is carried out. In addition, until recently there was only one police doctor providing medical services to victims and the required report to the court. The reluctance of the police to prosecute these offences has perpetuated the culture of impunity and silence to the extent that most violations of this nature go unreported.

90. Sierra Leone also does not have a law that specifically makes incest a crime. In addition, the laws relating to sexual offences in most instances refer to girls. Sexual assaults against boys are not expressly provided for in the same way as sexual assaults against girls.

91. Custom and tradition in Sierra Leone have permitted the practice of female genital mutilation, which is performed on girls from the age of four onwards. This practice constitutes a violation of the rights of girls and young women and could conceivably be interpreted as constituting cruelty against children and prosecuted under the Prevention of Cruelty to Children Act as assault under the general law. If death results it could be prosecuted as murder or manslaughter under the general law.

\textsuperscript{77} See the Protection of Women and Girls Act (Chapter 30 of the Laws of Sierra Leone 1960), as amended by the Protection of Women and Girls Amendment Act 1972.
92. Girls have a right to be free from all forms of gender discrimination, the right to life and physical integrity and the right to health. Young girls are not able to make choices about gender discriminatory practices and cannot make informed decisions about this practice and that is why it becomes necessary for States to enact legislation to protect them. In terms of international law, signatories to the Convention on the Rights of a Child and the Convention on the Elimination of all Forms of Discrimination against women, oblige governments to enact laws which will protect children from all forms of violence including gender based violence.

93. Since 1995 several countries in Africa have passed legislation that criminalises the practice of female genital mutilation. In 1999, Senegal amended its penal code to provide that “any person who violates the integrity of the genital organs of a female person.... shall be punished by imprisonment from six months to five years.” The Government of Sierra Leone needs to enact legislation to protect girls from this cruel practice.

JUVENILE JUSTICE

Children and Young Persons Act
(Chapter 44 of The Laws of Sierra Leone 1960)

94. Here again is an area of Sierra Leone law that requires urgent reform, as it is out of date with modern developments in law relating to children and juveniles. A further problem is that the justice system does not adequately cater for the rehabilitation of juvenile offenders in Sierra Leone. There is only one approved school and remand home to service the entire country. It is in a deplorable condition and does not cater for the needs of the juvenile accused or offender. Many of the juveniles accused of crimes have been abandoned by their parents or guardian and even when granted bail, they have nobody to give them the support and assistance they need during trial.

Adoption Law

95. In Sierra Leone adoptions take place under both law and custom. The Adoption Act does not recognise adoptions carried out under customary law. In effect, practices that have existed under customary law for a number of years do not have any effect in law. The effects of adoption under customary law are different to that under the common law system as they confer no rights and no protection to either adoptive parents or the children adopted.

96. A further problem is the practice of fostering which involves a child becoming the ward of a person regarded as a guardian. The guardian or foster parent has custody of the child but in the absence of a law specifically providing for this process, their rights are rather tenuous.

97. After the war thousands of children were orphaned, leading to the establishment of many orphanages and foster homes in the country. However most of these facilities are private enterprises not regulated by law. In order to avoid abuse and trafficking in children, it is important to regulate this new industry and to ensure that the rights and responsibilities of the proprietors are set out to protect the best interests of the child account properly for donor funds. Law reform in this area is needed desperately.

78 See the Criminal Code of Senegal (CRLP –R), as amended in 1999.
Marriage and family law

Early Marriages

Early marriages pose a major challenge to the government of Sierra Leone as early marriages are permitted under customary law systems in Sierra Leone and involve the marriages of girls under the age of 18. There are four types of marriage in Sierra Leone: Christian marriage, Civil Marriage, Mohammedan Marriage and Customary law marriage. There is no minimum age of marriage applicable throughout Sierra Leone. Under Mohammedan and customary law even prepubescent girls below the age of 10 may be given in marriage.

Studies confirm that early marriages impact negatively young girls by affecting her full development, particularly in terms of education, economic autonomy, and physical and psychological health. Most adolescents who marry young are pressured to begin child bearing prior to psychological maturity, which contributes to the high levels of maternal and infant mortality. Furthermore when a child or adolescent is compelled to marry at a young age and she refuses to consent to sexual relations or is too young to consent, such marriages may result in sexual violence.

In terms of customary law, girls as young as ten are permitted to marry and are capable of consenting to marriage, given their levels of maturity. Families usually coerce them into these marriages. There is often a significant difference in age between these young girls and the spouses chosen for them.

The Commission has found that the practice of early marriage has contributed to the high levels of sexual abuse of girls and has led to society’s condoning of a practice that is detrimental to the development of young girls. It is also in clear contravention of international law to which the government of Sierra Leone is signatory to. The Commission finds that the different legal systems need to be harmonised and brought into line with international law. The Commission addresses the issue of early marriages and the age of consent in its recommendations.

Economic and social rights of children

Child Labour

The Employers and Employed Act Chapter 212 of the Laws of Sierra Leone 1960 determines a minimum age of employment for children. The Act prohibits the employment of children who appear to be under the age of 12 years, except where they have been employed by a family member and approved by a competent authority, in agriculture, horticultural or domestic work as a member of the family.

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79 See the Christian Marriage Act in the Laws of Sierra Leone, at Cap 96.
80 See the Civil Marriage Act in the Laws of Sierra Leone, at Cap 97.
81 See the Mohammedan Marriage Act in the Laws of Sierra Leone, at Cap 96.
82 See the Employers and Employed Act (Chapter 212 of the Laws of Sierra Leone), at Section 51.
103. Even when children are legally permitted to work, the hours of work are restricted and the work must not be of a nature that will cause injury to the child. Children under 15 years are prohibited from working in any public or private industry or in a vessel unless it is one in which family members are employed. The Act prohibits the employment of a girl or woman or a boy under 16 in a mine.\(^83\) The Act prohibits employment of children under 18 for employment at night in any public or private place. These laws are hardly enforced or implemented given the prevalence of children engaged in street trading and mining.

104. The Military Forces Act 1961 prohibits the recruitment of a child below the age of seventeen and a half unless the person’s parents or guardian or other competent authority gives consent.\(^84\) In terms of the Geneva Conventions, the conscription of persons who are below 15 is prohibited.

105. Both the pro government forces and the opposition forces forcibly recruited children as combatants in clear contravention of international law. The Commission urges that this practice be reviewed and that those violating international law be held accountable.

106. The Commission finds that the Government of Sierra Leone before the conflict broke out did not monitor the practice of employing children below the minimum age prescribed by the Act and in so doing has violated the rights of children. A further abuse is the failure to remunerate children appropriately. An exception is in the mining field where the government has taken some measures to regulate the employment of children.

Inheritance law

107. Under the general law children born within marriage are entitled to one third of their father’s estate.\(^85\) They are not entitled to anything from their mother’s estate, as the husband is entitled to all of her property. This distribution operates on intestacy where neither parent has made a will. Children whose parents are unmarried are not entitled to property, as they are considered illegitimate. While there have been some challenges to this position, no law reform has taken place in this area. The President did make certain pronouncements about doing away with the concept of illegitimate children but has failed to take the matter further.

108. Under customary law and Mohammedan law, male children have more rights of inheritance than their female counterparts and in some customs female children do not have any right of inheritance. The Commission finds that the practice of discriminating against children on the basis of illegitimacy is in clear violation of international law and that urgent law reform in this area is desperately needed to ensure that the rights of children are not violated.

\(^{83}\) See the Employers and Employed Act (Cap 212 Laws of Sierra Leone), at Sections 47(1) and 54.

\(^{84}\) See the Sierra Leone Military Forces Act (Act No. 34 of 1961), at Section 16(2).

\(^{85}\) See rules of distribution in the second schedule of the Administration of Estates Act Chapter 45 of the Laws of Sierra Leone 1960.
Maintenance of children

109. A father of an illegitimate child does not have a legal obligation to maintain that child without a court order to this effect, unless he has adopted that child. The Bastardy Laws Amendment Act 1872 enables the mother of an illegitimate child to apply to a Magistrate court for an affiliation order against the man alleged to be the father of that child for weekly payment to be made to her to maintain the child. Presently the applications for an affiliation order are under the Bastardy Laws (Increase of Payment) Act 1988. This Act entitles the court to order the father to pay an amount not exceeding Le100.00 a week for the maintenance of that child until he is 16 years.

110. The Commission finds that the Bastardy laws are discriminatory and in clear violation of the Government’s obligations to protect children and treat them with dignity. The Commission recommends that this law be abolished with immediate effect and that laws be enacted which do not discriminate against children on the basis of birth or marriage.

Application of National Law to Violations during the Conflict

111. Children suffered numerous violations during the war. These include abduction, forced recruitment, detention, forced displacement, forced labour, assault, torture, forced drugging, amputation, forced cannibalism, forced separation, rapes, sexual slavery, sexual abuse, and death. While most of these violations constitute crimes under Sierra Leone’s criminal law, it is unlikely that national prosecutions will ever happen given the amnesty provision in the Lomé Peace Agreement and the capacity of the current judicial system to take on perceived political crimes.

112. It is unlikely that accountability would be achieved even if prosecutions took place, though, as it would be extremely difficult to prosecute under such a high evidentiary burden. Sexual crimes would be even more difficult to prosecute under the current laws, especially as these crimes were committed in the context of a conflict. These crimes were committed in period of incredible violence by multiple groups of perpetrators making it very difficult for women to identify their perpetrators.

113. The national legal system shifts the evidentiary burden to the complainant for crimes of sexual violence and rape. In addition, the high evidentiary threshold renders conviction almost impossible. Under national law, the crimes of rape, unlawful carnal knowledge, indecent assault, abduction for immoral purposes, and procurement for prostitution are inherently crimes against the honour, dignity and chastity of the victim, her family or the community. They do not adequately present the violence involved in these crimes, particularly when committed during a conflict situation. They rather focus on the moral aspect, which could lead to a further stigmatisation of the victim. It is highly unlikely that prosecutions would take place given that the national legal system did not manage to prosecute these crimes even during peacetime.
CONCLUSION ON THE LEGAL STATUS OF CHILDREN

114. The Commission finds that the laws in force for the protection of the rights of a child are hardly enforced or implemented. In addition, the laws relating to the definition of child are confusing and contradictory. No uniform age of majority applies throughout the country.

115. The Commission finds that while legislation exists to cover adoptions, the practices of adopting under custom and tradition, as well as the practice of fostering, are not regulated by law. Lack of regulation gives rise to abuse and a lack of protection for children and the adoptive parents. During the conflict, these loopholes led to many children being taken out of the country without going through a proper legal process. The government needs to pass legislation to regulate the private institutions that have been established as orphanages and homes for children. Urgent law reform is required in this area.

116. The laws relating to the welfare of children do not adequately provide for their needs. Employment practices and law need to be brought in line with the provisions of the Convention on the Rights of the Child.

117. Regrettably the laws on sexual violence are not comprehensive and also place the evidentiary burden on the victim, or complainant. Customs and practice also contribute to the culture of silence and impunity that prevails in the country. Prosecutors of these crimes encounter great difficulty in prosecuting them because of the high evidentiary burden that needs to be satisfied.

118. The dual legal system existing in Sierra Leone since before the conflict has impacted negatively on the rights of children. In many instances, both law and custom are in clear contravention of international law, particularly the Convention on the Rights of the Child. Traditional customs and practices have also exacerbated the position of children, particularly girl children. The conflict and the cleavages in the society led to the complete debasement of children, the effects of which are being felt in Sierra Leone today. However the aftermath of the conflict presents civil society with an opportunity to lobby government for wholesale reforms, which are necessary at the level of both law and custom.

119. The Commission is of the view that the Child Rights Bill needs to be passed into law as a matter of urgency.
ROLES AND EXPERIENCES OF CHILDREN DURING THE CONFLICT IN SIERRA LEONE

VIOLATIONS AND ABUSES AGAINST CHILDREN

120. Children in Sierra Leone suffered immeasurably during the eleven-year conflict that engulfed the country. The conflict was characterised by wanton destruction, loss of life and massive violations of human rights. The violence was pervasive, with children of all ages throughout the country suffering horrible and unimaginable atrocities. The levels of violations endured throughout the conflict period. A 15-year-old girl testified to the Commission during closed hearings in Freetown of the following acts:

“When the rebels attacked Kingtom, we ran into hiding but unfortunately, someone told the rebels that we were in the mosque…. They located us, killed six people, chopped off my sister’s head, raped me, tied me up and amputated my foot… for four days I was there alone and maggots started coming from my foot… Later I was rescued by some ECOMOG soldiers who took me to the hospital where I learnt I had become pregnant and had to do an abortion.”

86 Confidential testimony received during TRC Closed Hearings, Freetown, 23 April 2003.

121. Submissions to the Commission confirm that the majority of human rights violations committed against children during the conflict took place under circumstances where the perpetrators had absolute control over their victims and had them totally at their mercy. While these violations were mainly meted out against children by their adult captors, in many instances the violations were carried out by children themselves against friends and family members. The conflict was responsible for producing child perpetrators. One of the horrors of the conflict took place in Pujehun in 1991, when pupils of St. Paul’s Secondary School, who had been abducted and drugged, were forced to slaughter their own parents.

88 This event is recounted in secondary sources, including: Africa Development, “Lumpen Youth Culture and Political Violence: Sierra Leoneans Debate the RUF”, Vol. XXII, 1997.

122. Describing the experiences of children in Sierra Leone, UNICEF stated:

“Children have been forcibly abducted from their families and held in abominable conditions, mistreated both physically and sexually, and denied basic human needs. They have been forcibly conscripted into military and paramilitary activities and forced to commit heinous acts against others, often drugged, all the while undergoing brutal treatment by their superiors. Girls have been captured as sex slaves to serve as “wives” to combatants who treated them with the utmost cruelty. Children of all ages have been separated from their families, in many cases never to be reunited. Many children have grown up in abominable conditions, both in Sierra Leone and in neighbouring countries.”

89 See UNICEF submission to TRC, at page 3.
123. During the conflict, all of the armed factions, including the pro-government forces, committed gross human rights violations against children. In its submission, UNICEF noted that:

“The RUF and the AFRC were responsible for the bulk of violations committed against children. Nonetheless, systematic and horrific abuses were committed by the pro-government CDF and their powerful Kamajors, as well as by ECOMOG forces.”

124. In a submission made by a children’s group to the Truth and Reconciliation Commission, children themselves made this poignant statement:

“Every child in this country has got a story to tell: a heartbreaking one. Unfortunately, only a handful of these stories will be told and made known to the world. But the devastating impact lingers and endures all the time. It continues to linger in the minds and hearts of young people.”

125. The TRC database recorded violations against children in every one of its violations categories. In certain categories, children suffered disproportionately high levels of violations, leading to the conclusion that children were deliberately targeted. These categories included abduction, forced recruitment, rape and sexual slavery, as illustrated by the graphs in Figure 2, below.

**Figure 2:** Selected violations categories in which children were targeted
(violations reported to TRC, according to age / sex of victims)

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90 See UNICEF submission to TRC, at page 6.
91 See Children’s Forum Network submission to TRC, at page 2.
ABDUCTION AND FORCED RECRUITMENT

126. A unique feature of the conflict in Sierra Leone was the forcible enlistment and use of child soldiers by all of the armed factions, including the pro-government forces. Among the chief perpetrator factions were the Revolutionary United Front (RUF), the Armed Forces Revolutionary Council (AFRC), the Sierra Leone Army (SLA) and the Civil Defence Forces (CDF).

127. The RUF was the first to abduct and forcibly recruit child soldiers.92 With the passage of time, the RUF established a separate children’s unit known as the Small Boys Unit (SBUs) and Small Girl’s Unit (SGUs) under various commanding officers. The government soon followed suit during the NPRC regime of Captain Valentine Strasser (1992-1996), significantly expanding the Army in part by bringing in children as recruits.93 Certain units of the Civil Defence Forces (CDF), the pro-government militia, also made use of children in their prosecution of the war.

128. Thousands of children were abducted in villages and towns during raids and attacks carried out by the RUF. In the month of January 1999, it has been estimated that more than 4,000 children were abducted during the AFRC-led incursion into Freetown.94 Many children were also conscripted into the CDF on the basis of “patriotism”. In the case of the CDF, parents volunteered and paid for the initiation of their children into the Kamajor militia. While in most instances parents volunteered their children, many were also forced into putting them forward out of fear of very powerful initiators.95 They were told that initiation would confer upon their children mystical powers, which would make them impervious to bullets and would protect them from the enemy.

129. Abduction was often the first violation committed against a child and was usually followed by forced recruitment or another form of “adoption” into a faction. Children were abducted and removed from their families or communities to locations under the control of an armed group. A ten-year-old boy told the Commission of his experiences at the time of his abduction:

   “During the NPRC period, one early morning, my mother and I were on the farm. Six armed men entered the farm and hid themselves in the hut. We entered... and saw them dressed in SLA uniforms. We were captured and detained with their guns against our heads... The commander of the group was Colonel Mohammed Sesay... he said to me that I should join them or they will kill my mother and myself. I choose to join them since I had no option... I joined them unwillingly at an early age of 10 years. On our way to Kailahun I was given a weapon called AK-47 and taught how to shoot on sight. We attacked so many villages I could not remember their names, until we reached Kailahun, which was the headquarter town of the RUF.”96

92 More detail on the emergence of the violation of forced recruitment in the RUF can be found in the chapter on the Military and Political History of the Conflict in Volume Three A of this report.
95 More detail on the roles and violations of initiators within the CDF can be found in the chapter on the Military and Political History of the Conflict in Volume Three A of this report.
96 TRC confidential statement recorded in Freetown, 12 January 2003.
130. Abduction and forced recruitment were also followed by other violations, as illustrated by the testimonies of these child witnesses:

"In 1993, I was abducted by rebels and taken to the bush... My sister and I were taken away from my grandmother... I cannot tell for now whether my grandmother and sister are alive... I went to stay with the rebels in a village... I used to carry loads on my head, such as looted properties, for long distances. I was taken with others to be trained in another rebel base, for about two months... we were then sent to different areas. They used to kill us SBU, or small soldiers... we used to go out on food-finding trips to villages. When we brought the food, it was only for the commanders and we were given just cassava to eat. I and other abductees were not getting enough food to eat... they told us that if we attempt to escape they will kill us... they used to beat me and others if we failed to carry out their orders... I was with them till 1999..."[97]

[and]

"...I was attending the St. Francis Primary School Makeni, I was in class three... During the 1998 intervention period, RUF Colonel Kole Boot came with five armed men to my house, they started beating all of us and raping my mother, sisters and aunts in front of me. When they finished, the Colonel turned to me and said I should choose between death and following them. I followed them to Kamakwe; there he injected me, cut my face with a blade and plastered the drug into the wound. I became unconscious and fell on the ground. When I regained my consciousness, he showed me how to fire, dismantle and couple up a gun... he took me to Colonel Alabama for training. I trained for two months and passed out... I later joined SLA Major Palmer, who led me in several battles."[98]

[and]

"...We were taken to another house where we were raped... they gave us their luggage to carry to Fadugu. On the way they flogged us. Upon our arrival we were distributed to different rebels to be married to. When we refused, they flogged us. We were raped by two or three men daily... we eventually got married to them. They gave us drugs like marijuana to smoke... they looted properties whilst we carried their ammunitions..."[99]

131. Children soon found that gender and age did not matter to their perpetrators as they were used in various roles for the war effort. In addition to being used as fighters, girl-children were also used as sex slaves and domestic labour. A ten-year-old girl told her story of capture at the time of an attack:

"It was sometime in 1997 during the first attack in Fadugu... I was in the house when the door was broken open and three of us including a boy and a girl were abducted. I was taken by one Amadu Koroma, an RUF member, to be a helper to his wife, who was pregnant... in Kono..."

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97 TRC confidential statement recorded in Makeni, Bombali District, 12 December 2002.
98 TRC confidential statement recorded in Freetown, 22 December 2002.
99 Confidential testimony received during TRC Closed Hearings, Koinadugu District; 14 May 2003.
On the way going, the elder brother called Mohammed said he wants me to be his wife. Amadu then said the girl is small. When Amadu left for the usual patrol, his brother raped and virginated me... I was used as a domestic labourer for the wife of Amadu Koroma... we were then recalled to Makeni by Superman. I was then given an ammunition box to carry on my head..."  

132. Younger children were not initially used to fight and instead were used as load carriers and domestic labour. Later on they graduated to becoming sex slaves and fighters in the case of girls, or fighters in the case of boys.

133. Some of the children abducted by the RUF, from Yambama (Bo), Ngegbema (Kailahun) and Njagbwema Faima (Kono) respectively, recounted their experiences in the following terms:

"Every morning there will be a roll call to share duties between different groups: one group to find food for them; another group to carry out fishing; others to cook; others were sex workers. Little children were responsible to carry loads, whether heavy or not. After all the day's work, we don't eat their food; we only live on cassava."  

[and]

"When I was sent on missions, I used to capture young boys and girls and train them as child soldiers... After all my successes; I was called Merciful Killer and later transferred to join the RUF high commander Colonel Issa Sesay."  

[and]

"I was captured by the RUF at a very small age (seven years) in 1994. No sooner was I given my own weapon, I was forced to go to the war front with my colleagues to attack our enemies. Sometimes I was under drugs, because it is not easy for somebody to join the movement if you are not introduced to drugs."  

134. Child soldiers lived in a hostile and extremely violent environment. They became conditioned to violence and committed heinous crimes, often under the influence of dependence-inducing substances.

135. Child soldiers were often forced by their captors to commit heinous atrocities in order to demonstrate loyalty to them and their cause. Atrocities often included carrying out the killings, amputations and rape of loved ones, community members, relatives and peers. Atrocities against family and community made it extremely difficult for child soldiers to escape and return home. Unsuccessful escapes met with swift and violent reprisals intended to ensure that no child combatant attempted escape in the future. Some of the child witnesses testified to the commission of their experiences:

"In the evening, they gathered all of us youngsters and we were put in chains. We were taken to the secondary school for training. Later, I escaped with a brother called Juana. He was caught and shot on sight..."  

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100 TRC confidential statement recorded in Fadugu Kasunko Chiefdom, 14 January 2003.
101 TRC confidential statement recorded in Bo District, 28 January 2003.
102 TRC confidential statement recorded in Kailahun District, 21 January 2003.
103 TRC confidential statement recorded in Kono District, 15 January 2003.
104 TRC confidential statement recorded in Freetown, 7 December 2003.
"I was captured together with five other girls at Sierra Rutile and taken to a base at Mattru Jong... I was thirteen years old at the time... Later we tried to escape but we were caught, beaten and brought back to the base. We were then trained for about six months."\(^{105}\)

[and]

"I was captured by the RUF whilst my parents and I were trying to escape from Kailahun. I was taken to a base outside Kailahun for training and I decided to escape. When they caught me, I was stabbed on the head with a military knife, beaten and taken back to the training base."\(^{106}\)

136. Most of the armed factions used children at checkpoints. They set them up and manned them in conjunction with adults. This trait was one violation the RUF and the CDF had in common. Many civilians who came before the Commission told of their fear of the children at checkpoints.

137. Another aspect to the forced recruitment of children was "re-recruitment" after the disarmament process. During 1998 when the disarmament process commenced, many of the children disarmed were re-recruited back by the same armed groups. This was especially true of children who did not have a safe and secure home environment, even before the war. Children who fell into this category often had no safe place to go following demobilisation, particularly when their allotted times in the Interim Care Centres (ICCs) were up.\(^{107}\) The failure to take this factor into account impacted negatively on the demobilisation and disarmament process.

138. Many of the abducted children often had siblings and relatives who had also been abducted. All family members learnt very quickly not to expose their relationships to their captors as the possibility existed that they might be held responsible for the actions of the other, especially if the other escaped. In such instances they would be severely punished. A child witness testified as follows:

"The rebels attacked Serabu and we fled into the bush... I ran away with my brother and sister. Unfortunately for us, we were captured and taken to the town... the following morning, one of the rebels came into search for us but he did not see my brother and sister. They threatened to kill me because they thought I had incited them to escape. I understood later that my brother had escaped... I was singled out and asked to lie down under the sun... Whilst standing outside, I was shot on my left foot..."\(^{108}\)

139. Statistics in Sierra Leone are problematic to obtain. The exact number of children who were abducted and forcibly recruited is difficult to ascertain. According to the TRC database, 28.3% of the victims who suffered forced recruitment were 12 years or younger at the time of abduction; 52.5% were 15 years or younger; and 63.1% were 18 years or younger.\(^{109}\) The number of children who made statements to the Commission is not, however, reflective of all the children whose rights were violated during the conflict period.

\(^{105}\) TRC confidential statement recorded in Cline Town, 13 January 2003.
\(^{106}\) TRC confidential statement recorded in Kailahun District, 19 February 2003.
\(^{107}\) See UNICEF submission to TRC, at page 18.
\(^{108}\) Confidential testimony received during TRC Closed Hearings, Kenema District, 28 May 2003.
\(^{109}\) More detail on violations rates and the levels of different violations experienced by children can be found in the Statistical Report produced as an Appendix to this report.
140. The Children’s Forum Network in its submission to the Commission expressed children’s current plight in the following excerpt:

“Adults, who were disgruntled and acted through the senseless and indiscriminate atrocities, were unable to reach what was supposed to be their real targets and decided to take advantage of our vulnerability to exploit and destroy the future base of this nation, which they claimed to have been fighting for.... It goes without saying that we the children bore the brunt of the conflict and witnessed the worst episode of man’s ruthlessness probably ever in man’s history.”

FORCED DISPLACEMENT

141. The fear of attack and subsequent violations, as well as widespread intimidation during the conflict, resulted in people fleeing their homes for more secure areas both in and out of the country. The mayhem and confusion that always accompanied attacks led to massive forced displacement within communities, towns and villages, as well as forced separation of families. Forced displacement in Sierra Leone during the conflict period was not a one-off occurrence, but rather became a way of life for many victims:

“I was living in a village at Jawi Chiefdom in Kailahun District when RUF rebels attacked us in 1991. At that time I was staying with my father, my mother and other relatives... we moved to Tongo and stayed there for one year. In 1992, RUF attacked Tongo Town, at that time my mother had an eight months pregnancy, and she was killed by a stray bullet. After that, I and my father ran to Kenema Town [and]

"...I was living in Kawoya village, Moyamba District with my parents. One day the RUF rebels attacked our village in 1995. I left our village with my parents and went to smaller villages to hide. We were also attacked in one of these smaller villages, my parents, sisters and brothers fled to the bush to hide. I was captured alone in the village by plenty of rebels..."  

142. The people worst affected by sudden and forced displacement were usually in the most vulnerable groups: children, women and the aged. As these testimonies illustrate, families were often broken up as they sought safety:

“It happened in the year 1997 when there was a series of factions attacking Koindu. Unfortunately... one afternoon the attack that happened by the group of SLA caused my separation from my family members, that is my father and my mother. It was very much sorrowful at the time I was separated from my mother. It was not easy at all and by then I was just 11 years old, very immature... I finally separated from my family members and went into the jungle...”

110 See Children’s Forum Network submission to TRC, at page 1.
111 TRC confidential statement recorded in Freetown, 14 January 2003.
113 TRC confidential statement recorded in a refugee camp in Kissidougou, Guinea, 27 May 2003.
"Rebels attacked us in this town, Kunundu, and I ran for my life with my mother and sister. On our way going to Guinea… we met another rebel group RUF at Kulumbaya town, which is located along the border of Sierra Leone and Guinea… After capturing us, they instructed my mother and sister to go and leave me because the C. O. was not going to release me. He attempted to kill my mother when she refused to go… the man then took me to Koidu and my mother was headed for Guinea…"\[114\]

The Ministry of Social Welfare, Gender and Children Affairs (MSWGCA) estimates that more than 15,000 children suffered separation from their families and communities during the eleven-year war.\[115\] Separation resulted in children becoming refugees in countries such as Liberia, Guinea, Gambia, Ivory Coast, Nigeria and other West African states. Many became internally displaced persons within the country.\[116\] The Women’s Commission for Refugee Women and Children estimated that by 1996, there were more than 700,000 internally displaced persons in IDP camps across Sierra Leone.\[117\]

"I was staying with my parents when the RUF attacked us here in Koidu Town. My father took us to Njagbema Fiama bush… we were again attacked in the bush by RUF rebels and captured… All of us were given loads to carry, including my dad. On our going my other sister was given load not equivalent to her strength… the sooner she announced it to them that she cannot continue, her hand was amputated… because of the nature of her profuse bleeding, we were given passage to cross to Guinea…"\[118\]

UNICEF has estimated that the war displaced 1.8 million Sierra Leoneans from their homes. This of course only refers to that category of displaced persons who could be counted in refugee or IDP camps. It did not count the remaining 2.4 million people who fled to parts of the “bush”. They were affected and displaced “in the bush”.\[119\]

Many children found themselves alone without kith or kin in both refugee camps and camps for the internally displaced. Their experiences were very harrowing. The lack of a normal family structure amidst the difficult new environment was a bewildering experience for children. Sadly many suffered even further violations in these camps perpetrated by those meant to protect them. Many children did not survive these experiences. The sexual exploitation of Sierra Leone children in refugee camps has been well documented in the UNHCR and Save the Children UK report of February 2002.\[119\] In addition, they also suffered other violations such as economic exploitation and slave labour. Children were forced into adulthood before their time.

\[114\] TRC confidential statement recorded in Kunundu Town, Lei Chiefdom, 27 January 2003.
\[115\] See the Ministry of Social Welfare, Gender and Children’s Affairs, Submission to the Truth and Reconciliation Commission on the occasion of TRC Special Thematic Hearings on Children; 16 June 2003 (hereinafter “Ministry of Gender and Children’s Affairs submission to TRC”).
\[116\] Ministry of Gender and Children’s Affairs submission to TRC.
\[117\] Report by Women’s Commission for Refugee Women and Children.
\[118\] TRC confidential statement recorded in Samandu, Gbense Chiefdom, 4 February 2003.
FORCED LABOUR

146. Children were also used as forced labour by the armed groups. They were used as porters in both military and civilian capacities. The role of porters, or “human caravans”, included moving the properties of the armed groups, carrying looted properties away after raids and carrying arms and ammunitions to and from the war front. This practice began with the RUF and, in the jargon of the RUF, these children were part of what was referred to as “manpower”:

“...Each time they went to go and fight, we were forced to go with them... we were forced to carry the ammunition boxes and cartridge boxes on our heads...”\textsuperscript{120}

147. Children were often made to carry heavy loads for long distances, making escape difficult, especially for younger children who could not trace their way back home. In many instances, children were abducted and immediately used as forced labour:

“I was in Kono when the RUF attacked Kono. It was the time when the South Africans were in Kono...I was among some thirty-seven girl-children who was captured by Superman's boys...I was given load to carry on my head from Kono to Makeni. I used to carry loads every day from Kono to Makeni”\textsuperscript{121}

[and]

“I was in Fadugu in November 1999 when rebels of the AFRC attacked the town... I was captured and abducted... During my stay with Savage and his troops, I was used as a porter for their looted items. They raided several villages and farms on looting missions... in the process, they captured creatures such as goats, cows, sheep, fowls and food stuffs like rice, groundnuts and others.”\textsuperscript{122}

148. Children were forced to carry out domestic chores and would be assigned to “wives” of Commanders and to work for them on a daily basis.

“... While we were at Lunsar; I used to work with the women in the kitchen. I used to go and fetch water...”\textsuperscript{123}

\textsuperscript{120} TRC confidential statement recorded in Pendembu Town, Kailahun, 24 January 2003.
\textsuperscript{121} TRC confidential statement recorded at Check Point, Magbenma, 12 December 2002.
\textsuperscript{122} TRC confidential statement recorded in Kabala Town, Koinadugu District; 17 December 2002.
\textsuperscript{123} TRC confidential statement recorded at Check Point, Magbenma, 12 December 2002.
149. Many children testified to the Commission of how hard they had to work, often on an empty stomach. They were punished for the slightest infraction and any perceived “misdemeanours”. They then suffered further violations. It was mostly girls and very young children who were used in this way. Some of the children testified of their experiences as load carriers and domestic slaves:

“Rebels got to Tarinahun Pesseh one afternoon in 1993, on a Wednesday… I was caught, tied and given a big bag of things to carry to Pujehun…. As a small boy, I suffered under the load from Tarinahun to Pujehun…. At Pujehun… they used to beat me every morning, I had barely enough food to eat… I used to launder for them and their girl friends. I was taken to almost all of the nearby villages to get food and fowls for them. I was punished if I failed… one day I was sent to find food together with a few others… on our way, I was bitten by a snake. Only God knew how I was cured…”

150. Children were later used by many of the armed factions to work in the diamond mines under the most appalling, back-breaking conditions.

151. Children generally worked in conditions that were extremely violent and where the slightest mistake was severely punished, often resulting in death.

**SEXUAL VIOLATIONS AGAINST CHILDREN**

**(RAPE, SEXUAL SLAVERY AND SEXUAL ABUSE)**

152. The Commission has not been able to establish conclusively how many children were raped or suffered sexual violence and sexual slavery due to the difficulties with statistics in Sierra Leone. However the Commission’s database and the testimonies recorded during TRC hearings confirm that all of the armed forces perpetrated rape, sexual slavery and sexual violence. The Commission’s database points to the systematic nature of sexual violence during the conflict period and how it affected mostly girl children.

153. From the commission’s data, 25% of rape victims with ages documented were 13 years of age or younger and 25% of sexual slaves with ages documented were children aged 12 or under. Also, 50% of sexual slaves with ages documented were children aged 15 or under at the time they were abducted. The most targeted age range for this violation comprised girls and women aged between ten and 25 years.

154. While women who have been sexually violated usually bear a stigma all over the world, it is even worse in a country like Sierra Leone where the prevailing culture is a deeply traditional and secretive one. Victims tend not to disclose their experiences, as they fear stigmatisation from family members and their communities. Historically women in Sierra Leone did not disclose rape. This pattern has remained true even for the conflict period and its aftermath.

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124 TRC confidential statement recorded in Pujehun Town, 28 February 2003.
125 More detail on violations rates and the levels of different violations experienced by children can be found in the Statistical Report produced as an Appendix to this report.
126 See the Statistical Report produced as an Appendix to this report.
127 See the Statistical Report produced as an Appendix to this report.
Had it not been for the efforts of FAWE and other women’s NGOs, as well as the sheer number of girls and women who suffered sexual violations, particularly during the invasion of Freetown, there would not have been much exposure of this category of violations. Despite all efforts to date, full disclosure has still not been achieved. It is important to note that the Commission’s data is only a small representation of the problem and does not do justice to the total number of women who have suffered sexual violence.

**RAPE**

During the conflict, girls were subjected to indiscriminate rape as a matter of course. They were raped whenever and wherever a member of an armed group encountered them, if the opportunity presented itself. Rape took place everywhere, both in and outside houses and in the bushes. The circumstances of rape depended on the whim or mood of the perpetrator and whatever pleased him. Girls suffered crushing dehumanisation in the course of even the most familiar daily routine situations:

“When the RUF rebels captured us, they took us to Kailahun… They beat us and sent us to fetch firewood and food… when we went to fetch fire wood, the rebels that went with us raped me… After the signing of the peace, the rebel Colonel Akim told his men to take all the children they have captured back to their people… on our way the man that captured me raped me again.”

Girls were raped at times when they were highly vulnerable, left without proper protection and taken advantage of:

“…At one time, Mummy Peoples went on a journey and left me in care of another lady called Marion. While she was away, a rebel called Abdul virginated me. We were over 20 in number. All of us were virginated by different rebels. I became seriously ill and paralysed…”

Several girls testified that they had become lost in the forest after ambushes, captured and raped:

“In 1998, in the forest at Yardu Sandor, the rebels captured me and my sister…At midnight one of the rebels enter into the room and said “let us have sex”. So we told him that we do not know what he is talking about. He went outside and brought his gun… he then entered to us again, with his gun and raped three of us. I was bleeding seriously…”

A man from Kailahun told the Commission of his role in rape violations:

“I was appointed to lead the civilians as town commander. Rebel soldiers of the RUF informed me that they needed girls to have sex and sleep with. With not much ado, I collected ten girls including a 14 year old.”

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128 TRC confidential statement recorded in Boroma Gbense, 7 December 2002.
129 TRC confidential statement recorded in Kissy, Freetown, 12 February 2003.
130 TRC confidential statement recorded in Gbense Chiefdom, 4 February 2003
131 TRC confidential statement recorded in Kailahun District, 20 February 2003.
160. A victim of rape testified of her ordeal as she was attacked in what ought to have been the safety of her own home:

“During the war when the rebels entered Madina a man met me sleeping. This man woke me up from sleep and told me he was going to rape me. This man asked me to choose whether he was to rape me or to kill me. Indeed, he raped me.”

161. Girls were subjected to individual or gang rapes by their captors. The Commission’s database also confirms that a significant number of these girls suffered multiple rapes. Rape was not a violation suffered in isolation as it was often committed in the presence of others and perpetrated together with other violations.

“We were attacked on the road, on a vehicle and I was captured again…. along with some other people, we were taken into the bush… afterwards they went to attack and we were left with some other rebels. These rebels forcefully had sex with us. All the women and girls were raped…”

162. Girls were also tortured and assaulted before being raped. Many died of injuries sustained because of the rape.

“In 1992, my village Foindu Mawie was attacked by the RUF rebels… on their way going; they captured a young girl called Musu who was newly initiated into the women’s society. She was taken to a village called Juhun in the Upper Bambara chiefdom, where she was raped by the rebels. Her vagina became swollen and there was no medical treatment at that time. She later died of pains because she was newly initiated…”

163. Many of the girls raped were also forced into becoming fighters for the armed factions. Becoming part of the fighting forces did not protect them from being raped or from falling pregnant. A girl who suffered rape at Koinadugu at the hands of an RUF member testified thus:

“I was taken in 1998 by a boy called lieutenant Put Fire, who I later came to know as Edward Kamara. He raped me under threat. By then I was only 14 years old and I had just been involved in sexual intercourse, but was not used to it. I was with them for three months. We the captives were trained to fire guns and I also witnessed the attack on Fadugu the second time; several people were killed and houses burnt down. I became pregnant later on and got a baby boy.”

132 Confidential testimony received during TRC Closed Hearings in Bombali District; 28 May 2003
133 More detail on the manner and circumstances in which girls suffered sexual violations can be found in the results of the Commission’s special coding exercises on sexual violations included in the Statistical Report produced as an Appendix to this report.
134 TRC confidential statement recorded at Check Point, Magbenma, 12 December 2002.
135 TRC confidential statement recorded at a secret society house, Peje Bongre, 11 March 2003.
164. Girls were not only viciously raped, but also suffered further violations and harm by having objects such as sticks, bayonets, pepper and burning coals inserted into their vaginas by depraved perpetrators. Many of the girls suffered even more horrible injuries because of the insertion of objects into their vaginas. In many instances this kind of rape led to their deaths or permanent vaginal and uterine injuries.

165. Displaced children in refugee camps and displaced camps were also vulnerable to rape and sexual violence. According to the UNHCR / Save the Children UK report on sexual violations and exploitation, children were most vulnerable and experienced attempted rapes in locations such as the toilet and bathroom areas in the camps. Bathing and toilet areas, while divided on gender lines, were usually communal and were often located in the same vicinity. Adult male predators usually lay in wait for the girls, followed them and raped them. Children hawking goods or running errands such as fetching firewood were also attacked and raped. Sadly many of the children were attacked and raped by their adult guardians. Humanitarian workers meant to protect the children carried out the most deplorable violations.\textsuperscript{136}

166. A major characteristic of sexual violence in Sierra Leone, including rape, has been the systematic breaking of all taboos by the perpetrators. They have respected neither age nor custom. Many of the children raped were pre-pubescent and had not begun menstruating. Yet they were still raped and taken as sexual slaves. Acts of rape and sexual violence were often carried out in the presence of helpless family members, who in turn were forced to watch. In other instances, family members were forced to commit such acts against one another.

167. A victim who attempted to oppose being raped invariably met with more violations. Perpetrators did not heed calls for mercy and often treated refusal with utter contempt, not only committing the rape but also following it with acts of greater violence. Family members who tried to stop such acts usually met with brutal reactions and often ended up being killed.

168. According to a girl who left Freetown with her family for safe haven in Tikonko:

"When the junta attacked our village, we fled to the bush for hiding and were caught. Two men took me aside and deflowered me. When my mother tried to stop them, she was shot dead."\textsuperscript{137}

169. The lowest age of a rape victim recorded by the Commission’s database was four years old.

\textsuperscript{136} More detail of the gross violations perpetrated against children in refugee camps, including rape by their adult guardians, can be found in the following report: Save the Children – UK and UNHCR, “Sexual Violence and Exploitation: The Experience of Refugee Children in Liberia, Guinea and Sierra Leone”, April 2002.

\textsuperscript{137} TRC confidential statement recorded in Sakiema Dea Chiefdom, 19 December 2002.
SEXUAL SLAVERY

170. Girls were captured, abducted, detained and used as sexual slaves throughout the course of the conflict in Sierra Leone. Many of the girls were detained for longer periods and were forced to move around with their captors. In many instances they were compelled against their will to become members of the armed groups. Most girls abducted by the RUF and the AFRC were forced by their captors to be "sexual slaves". Armed combatants would be assigned a woman who had been captured to use for the purposes of sex. These girls were compelled to be available to their captors for sex. This form of sexual slavery was peculiar to the RUF and AFRC and resulted in the "bush wife" phenomenon. Even girls who were detained for short periods of time by their captors were forced into sexual slavery. The Commission reveals testimony given to it by some of the girls who suffered this experience:

"On 6 March 1994, on a Sunday morning at about 10 am, I was in my house… Immediately, I saw so many rebels which I cannot state their number… at least, five of them ran after me and held me… one of their commander called C.O Koroma…said he the C.O was going to have me as his wife."138

[and]

"It happened during the January 1999 rebel invasion, on a Friday… I was a virgin little girl that time. We went and hid in a mosque. From there, I was captured by the juntas. When they went to our mosques, they took us away…"139

171. While some of the girls were assigned and attached to one partner, such attachment did not prevent other perpetrators from using them, particularly if the combatant they were attached to was not a senior commander. As the following testimony indicates, sexual slaves had to be available to all:

"On our arrival we were assigned to the wives of commanders and later given to commanders or fighters to be their bush wives. As a bush wife, my duties were to provide for him anything he requested, including sex at any time of the day. I was used as a sex slave for each commander when they came to our camp, especially because my bush husband was not a senior commander. I was with them for six years."140

138 TRC confidential statement recorded in Pendembu Town, Upper Bambara; 24 January 2003.
139 TRC confidential statement recorded in Freetown, 5 December 2002.
140 TRC confidential statement recorded in Moyamba Town, Kaiyamba Chiefdom, 14 June 2003.
172. “Bush wives” suffered sexual abuse at the hands of third party perpetrators, particularly when their assigned “husbands” were away. In other instances abuse by others took place with the agreement of their captors. Girls soon lost their innocence and were robbed of their childhood. One young girl had this ordeal to report to the Commission:

“I lost my virginity to this C. O. Koroma, who was 45 years old. I was kept in a locked room always ready for him to sex me. Sometimes when he is away, his junior boys will come and open the door, sometimes three, sometimes four men. They will force me, telling me if I refuse them they will kill me. As a small girl I will allow them to satisfy themselves till they leave me hopelessly…”

141

173. A girl often found herself being passed around to other fighters if her “partner” was killed in battle. Testimony given to the Commission by girls who were forced to become “bush wives” speaks of a desperate existence:

“When I was captured, we used to go on attacks and food raids... whenever my husband was not around, his colleagues would come and rape me... sometimes five, even up to ten of them would rape me for the day... They used to give me cocaine... we had to fight and kill people before we could get food from them... sometimes we ate mud and drank human blood.”

[and]

“...On our way going, some of our companions died...its only God and sacrifices that saved my life... The boy that abducted me to Makeni impregnated me, but he was killed by another rebel...”

142

174. Many of the girls became pregnant and had children from their captors. Pregnancy did not protect them from suffering violations at the hands of their perpetrators, however. Many girls testified that their ill treatment at the hands of their captors if anything intensified during their pregnancies. A girl who was 12 years old at the time of her capture told the commission of her experiences:

“The second bush husband who took me was too jealous. He used to sex me all the time and the day I said I was unable or tired, he would beat me up mercilessly. I was denied food each time there was confusion between us. I stayed with Morray Kamara until the year 2000. While I was pregnant, he would beat me up and at one time when I tried to run away from him, he chased me, caught me and dragged me up. My left hand wrist got sprained, up till now. I finally escaped from him, leaving the two children behind.”

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141 TRC confidential statement recorded in Pendembu Town, Upper Bambara; 24 January 2003.
142 TRC confidential statement recorded in Moyamba District, 18 March 2003.
143 TRC confidential statement recorded in Freetown, 5 December 2002.
144 TRC confidential statement recorded in Limba, Bagbo Chiefdom, Bo, 10 February 2003.
AMPUTATION

175. Amputation is the violation that most of the world associates with the conflict in Sierra Leone. The Revolutionary United Front and the AFRC became notorious for carrying out amputations, which became their gruesome trademark. Neither of these perpetrator groups paid any heed to the age or gender of their victims, as even the hands and limbs of young children and babies were hacked off. The youngest baby amputee recorded on the Commission’s database was only four months old.¹⁴⁵ Some were made single amputees, others double amputees of either hands or legs. Children testified to the Commission of their experiences of amputations as follows:

“At about 2.00 a.m. the rebels attacked our town Batkanu… We were asleep…as I woke up, I wanted to run away but unfortunately I met a rebel at the door… they continued to capture other girls…they had to put us all in the same place… they sent one boy who was just a little taller than me… to go and bring a mortar… I was the third person they called… they said I should lay my hand on the mortar… I placed my right hand and they chopped off the hand… they asked me to lay my left hand and they chopped it three times; the fourth time I had to remove it by force. The machete was dull, otherwise the hand would have come off… I was twelve years old then.”¹⁴⁶

[and]

“I was attending the Ahmadiyya Muslim Secondary School, I was in Form 1. I was 14 years old. On 8 January 1999, RUF and AFRC soldiers came to my house… they captured me and some boys… They used a fence stick and hung me up like a goat. The handicapped rebel among them used a blunt axe and struck it twice on my left hand and broke my bone… one of the rebels came with a dispenser who cut off my hand without anaesthetic. My hand was given to my mother and she threw it into the sea…”¹⁴⁷

[and]

“…I was captured alone… by plenty of rebels. They asked me to choose between death and amputation. I did not reply them. They began to decide among themselves what to do to me. They finally agreed to cut off one of my feet. They brought a bulky stick and placed my foot on it… they first used a cutlass but it was blunt, they finally used an axe to amputate my right foot and went away. I was left lying on the ground unconscious until when my parents came in the morning…”¹⁴⁸

176. As medical care during this period was generally unavailable anywhere in the country, many of the children who suffered amputations, particularly in the provinces, did not survive their injuries.

¹⁴⁵ More detail on the manner and circumstances in which amputations were carried out can be found in the Amputations Report produced as an Appendix to this report. See also the Statistical Report produced as an Appendix to this report for details of the scope of victims of each violation.
¹⁴⁶ Confidential testimony received during TRC closed hearings in Makeni, 28 May 2003.
¹⁴⁷ TRC confidential statement recorded in Aberdeen Amputee Camp, 19 March 2003.
¹⁴⁸ TRC confidential statement recorded in Aberdeen Amputee Camp, 24 March 2003.
177. Amputation has had a significant impact on its victims, affecting them physically, psychologically and economically. A common sight on the street corners of Freetown is the presence of limbless children begging as a means of obtaining daily sustenance. A boy who was 14 years old at the time of his amputation told the Commission of the effect on him today:

“…When I was discharged [from hospital], I was ashamed to go to my area, I always lock myself up in my house so that people could not notice me. I have also stopped attending school…”

178. In a country where poverty, unemployment and disaffection afflict even the able-bodied youth, the plight of amputees is compounded by severe physical discomfort, emotional turmoil and discrimination from others.

MUTILATION

179. Mutilation was another form of abuse inflicted by the fighting forces on the children of Sierra Leone. The acronyms of the armed factions, most commonly in forms such as “RUF”, “AFRC” and “Ex-SLA”, were branded or carved on children’s bodies, including on their chests, foreheads, arms and backs. A number of children testified to the Commission of their experiences:

“After we had been captured and trained, they forced us to take up guns and we attacked several villages… All those who tried to run away were caught and labelled “RUF” with knives, blades or sharp sticks.”

[and]

“One Saturday night, I was sleeping when the rebels attacked Bafodia at about 6.30 am in the morning. They surrounded the village and they knocked on our doors… the rebels asked for the children… they forced the door open and captured eight of us… in the morning they took us to another house where they inscribed “RUF” on our bodies.”

180. The Commission is of the view that the main purpose of mutilation in this fashion was to mark children in order to prevent them from escaping from their captors. The branding served as an identification mark, as armed groups used it to identify and recapture children who escaped. Moreover, children with such marks came to know that if they fell into the hands of the opposing forces, they would be identified as enemy combatants and often end up being killed. Many children also died as a result of the act of branding, when their scars became infected and did not heal.

181. A major problem for many children after the war was the stigma attached to their being marked in this way. Families and communities shunned them as having belonged to the “rebels”. They were stigmatised, causing them great long-term shame and fear. Even today, many children hide these scars by wearing clothes that cover them.

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149 TRC confidential statement recorded in Aberdeen Amputee Camp, 19 March 2003.
150 TRC confidential statement recorded in Cline Town, Freetown, 13 January 2003.
151 Confidential testimony received during TRC closed hearings in Koinadugu District, 14 May 2003.
152 See TRC interviews with former child combatants, Family Homes Movement, 7 August 2003.
TORTURE

182. Children were subjected to both mental and physical torture during the conflict. Severe beatings and punishment were inflicted on them, resulting in physical injuries, bleeding and internal injuries, permanent disability and in some cases death. Mothers suffered the mental anguish of watching their children being tortured and killed. A mother told the Commission of her experiences:

"Rebels attacked us in Teblahun on 19 January 1995... from that point we became their captives... At Baoya, we met heavy fighting. During that fighting, my daughter Soffie's fingers from both hands were cut off. Three fingers from one hand and two from the other; by then she was only twelve years old... After that, they took us to a place called Lekono. On our arrival, we were all told to enter one house, which we did and they set it on fire... two of my children were burnt in it. Both of them were girls, one was three and the other was five years old... At another time, my grandchild, a boy of about seven years old called Mustapha, was stabbed in the stomach and his intestines came out."  

183. Children were tortured when caught and detained. In those instances when their parents were detained, they were detained with them. They also suffered torture whilst in detention. A child described his experiences in detention to the Commission:

"...We were all captured, by the RUF and were taken to Congo Bridge. I was stripped naked, tied up and put into their "detention container". We were there for two days, naked and without food. I was beaten severely with the butts of guns by three men... I managed to escape...but I was again caught... I was then beaten even more severely..."

184. Children also testified to the Commission of the inhuman and degrading treatment to which they were subjected. They were forced to eat human excrement, drink human blood and participate in forced cannibalism. Some of the victims of these aberrations testified to the Commission:

"I was at Mordavies with my father... I was sitting in front of the house when I saw a lot of people coming led by my father’s brother Usman Kamara... I was then tied together with my father... they took a stone and hit the face of my father and he was then killed and they removed his blood and put it in a cup and said “drink this blood or else we will kill you”; so I have no alternative but to drink the blood..."

[and]

"When I was captured, I was given toilet to eat and when they saw that I had developed a swollen stomach, one of them said they should bayonet me, which they did on my navel."

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154 Kangboi Nyallay, TRC statement, Sahn Bumpe, Bo District, 4 February 2003.
155 TRC confidential statement recorded in Koidu Town, Kono; 12 December 2002.
156 Confidential testimony received during TRC closed hearings in Moyamba District, 11 June 2003.
157 Confidential testimony received during TRC closed hearings in Makeni Town, 28 May 2003.
185. Children testified of the horrors of being forced to participate in cannibalism:

“On 6 January 1999, RUF and SLA rebels attacked my house near Kissy Mental Hospital... they shot my sister at the top of her head and all her blood spilled over my body. I had wanted to cry, but they told me that if I do they would kill me also. The rebels also gave me human flesh to eat. After they have killed my sister, they cut off her head and they told me to dance and laugh; having done that, they released me.”¹⁵⁸

[and]

“On 17 June 1999, my friends and I went to Sittia to buy cassava. I was fourteen years old then. We were caught by the Kamajors on the way... while we were there they told us to sit under the sun... they questioned us, asking “why did our parents send us to buy cassava at a time of war?” We said it was because of hunger... While we were sitting a Kamajor by the name of Mboi came and took one of our brothers under a palm tree in a corner and killed him, cooked his body and served it as food. They gave it to us to eat, but we refused their food... they said they would kill us...”¹⁵⁹

186. Many children died while undergoing combat training in the hands of the armed factions. While the acts entailed in training were presumably meant to toughen children up as soldiers, they also doubled as forms of punishment for perceived wrongdoings. Children told the Commission of how they were forced to undergo various ordeals, including lying face up in the mid-day sun, crawling on the ground and having bullets whiz past one’s head if it was raised even slightly, being made to go hungry for days on end and enduring sustained beatings and assaults.¹⁶⁰ One former child combatant told the Commission about his experiences with the RUF during training:

“I was captured in Kambia Town in 1999 and then taken to Madina and from there to Makeni. We the captives were held in Makeni for three months... we left for Madina-Wuke... we were to go for more training before proceeding further... We were not allowed to sleep in a house and had to wake up early in the morning as we also acted as their guards... Even during the course of the training, we were mercilessly flogged... all sorts of treatment were meted out to us. For instance, they hit us on our backs with sticks and kicked us all over our bodies...”¹⁶¹

187. Children also suffered psychological torture from the many atrocities they witnessed and were themselves forced to commit. They witnessed the killing of parents, siblings, peers, relations, community members and also strangers. Driven often into being the perpetrators, many of them have been damaged indelibly and will need long-term therapy to help them heal.

¹⁵⁸ TRC confidential statement recorded in Kissy, Freetown, 14 February 2003.
¹⁵⁹ TRC confidential statement recorded in Bonthe Town, 9 December 2002.
¹⁶⁰ See TRC interviews with former child combatants, Family Homes Movement, 7 August 2003.
¹⁶¹ TRC confidential statement recorded at Kambia Check Point, Magbema, 14 December 2002,
188. UNICEF, in its submission to the TRC, made the following comments about the legacies of torture against children:

“The wounds, both physical and psychological, inflicted upon children will leave permanent marks on them and their families, as well as on the entire Sierra Leonean community and indeed all of humanity. In some ways it is as if a new level of cruelty has been attained in this war, setting the bar lower than ever imagined…”162

KILLING

189. Thousands of children were killed during the conflict in Sierra Leone. Given their physical weaknesses and their vulnerability, they were often the first to die. While children were deliberately targeted by the armed forces, hunted down and killed, many also died in the crossfire. Others died because of their injuries and the fact that they had no access to any health care. A witness who testified before the Commission said the following:

“It was during the January 1999 invasion of Freetown, in the evening of a Wednesday. There was a curfew and we were all sitting together as a family in our house. We were discussing on how to get a safer place to hide, when we heard the sound of gunshots coming from the Mabela end where the rebels and ECOMOG soldiers were fighting… We were about to dash down on the floor, when I noticed that [my sister] Adamsay had been shot. After we went to rescue her, she died a few minutes later.”163

190. According to UNICEF, in its commentary on the killing of children:

“Children were routinely and relentlessly targets of summary killings by rebel forces and pro-government troops throughout the war, in flagrant violation of the international law… Children became victims of both deliberate and arbitrary killings, which often were the final steps in a barrage of other violations they suffered. Abducted children were tortured, sexually abused, forced to commit heinous violations against others, mutilated or amputated and finally killed.”164

191. UNICEF cited the following examples of mass suffering on the part of children in its submission:

“Between 15 and 24 February 1998 alone, 111 children were killed in the Bo area during rebel RUF / AFRC attacks. 1 April and 20 June 1998, out of 265 war-wounded patients brought to Connaught Hospital in Freetown, one quarter were children.”165

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162 See UNICEF submission to TRC, at page 2.
163 TRC confidential statement recorded in Freetown West I, 7 December 2002.
164 See UNICEF submission to TRC, at page 7.
165 See UNICEF submission to TRC, at page 7.
192. Many children died as a result of the chaos that ensued when the armed factions launched attacks, either on their villages or on the diamond fields. A family member who testified of her son’s death had this to say:

“Since the start of the war, I never had any problem that directly affected me until when the Kamajors took over Tongo Field and killed my son Gibril, who was 17 years old, in 1998. This occurred as a result of an attack made by the Kamajors against Tongo diamond fields… we decided to run… my son suggested that he go to our house and collect my belongings and money… According to one old man, Pa Santigie, with whom we were all residing in the same house, my son succeeded in reaching and packing some of the properties… just on the height of leaving, the Kamajors came along and cutlassed him until he died.”

193. When villages were attacked, most of the villagers would flee from the conflict as their houses were burnt. Many lost their lives in the midst of trying to escape. A witness who testified to the Commission had this to say:

“I was living in a village called Mamusa… On 2 December 1998, we heard that rebels had attacked a village called Kabata… by then my wife was pregnant and at that time she was with her grandmother and our first child… As I was about to sleep, I heard the first gunshot, which was my first time to hear of a rebel attack in that village… Because I was in a panic state, my first intention was to run to my wife in the next village… On the way I met my wife in the bush, I asked her for the baby and she told me that the baby was with her grandmother… At 9 am the following day, I was able to see the grandmother, and I asked her for the child… I went to the house and found out that the house had been burnt down. When I entered the house, I saw chaff and some tiny bones. The child was burnt in the house. The child was exactly 10 months old at that time. He was born on 3 February 1998 and killed on 3 December 1998.”

194. Many families attempted to stop the killing of their children upon being attacked, often losing their own lives in the process. Children were also forced to witness the brutal killing of their own family members. A young girl, who was only eight years old at the time, described the brutal killing of her family members:

“One day in late 1991, we were hiding together with my step-mother, my brothers, my father and many other people. The rebels attacked us by surprise, selected people among us… together with my brothers, father and step mother, making a total of eight, took them away few yards from us… and fired them all… buried them in one place. Even today, I can remember where they were all buried…”

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166 TRC confidential statement recorded in Masongbala Chiefdom, 13 January 2003.
167 Hassan G. Kanu, testimony during TRC public hearings in Port Loko District; 30 April 2003.
168 TRC confidential statement recorded in Telikoro Refugee Camp, 4 April 2003.
FORCED DRUGGING

195. Most members of the armed factions have admitted that they took a variety of dependence-inducing substances by habit. The Commission also received testimony of how children were forced into taking drugs, particularly before the onset of a battle or an attack. Testimony confirms that almost all of the commanders in most of the armed factions ensured that children were continuously drugged in order to keep control of them:

"...At the age of six, Commander Gbondema took me to Camp Zogoda for training. After my passing out, I began to go to the front... Before I was sent on the front, C.O Gbondema used to inject me with cocaine on my forehead; he also gave me marijuana and alcohol to drink..."\(^{169}\)

196. The dependence-inducing substances prevalent in the conflict included cocaine, heroin, cannabis, hallucinogenic drugs, gunpowder, "brown-brown" and an assortment of others. Children who appeared before the Commission told of how they were introduced to drugs and constantly kept in a drug-affected state. Many of them also testified to the acts they committed while under the influence of drugs:

"One night in 1997 armed SLA soldiers entered our house in Makeni and took me away. I was aged 7 at the time. I was injected with cocaine on my right hand by my commander Col. Martin. I still have the scar on my hand\(^{170}\)

[and]

"Sometimes in 1995, whilst in the bush fetching wood, the rebels captured me together with some other girls. I was drugged with cocaine and asked to murder some villagers. I was also raped several times."\(^{171}\)

197. Most of the testimonies made to the Commission confirmed that children carried out the most atrocious violations while under the influence of these drugs. The capacity of children to take responsibility for their acts remains an issue open for debate.

198. The Commission has deliberately chosen to treat children neutrally as witnesses, seeking to understand their experiences as both victims and perpetrators. Both roles are reflected in the following statement:

"In May 1996, I was captured by the RUF in Koya and taken to Masiaka; I was given a heavy load to carry, and later an AK-47 gun and was trained to shoot by my boss. In Warayma, he ordered me to kill people and I did... I was later given a tablet, which made me see people like birds. I then became perfect in using the gun and killed a lot of people in every attack."\(^{172}\)

\(^{169}\) Confidential Statement; No. 4/150/7130 ; St Michaels Lodge, Lakka; 28 March 2003
\(^{170}\) Confidential Statement; No. 1/150/994; Saw pit, Long Step, Freetown; 7 December 2003,
\(^{171}\) Confidential Statement; No. 7/143/7436; Moyamba Town, Kayamba Chiefdom; 29 March 2003.
\(^{172}\) Confidential Statement; No. 3/78/4507; Caritas, Falaba Road, Mafarki, Port Loko ; February 26 2003.
199. It can be argued that many child combatants still committed violations without having to be drugged. The heat and tension of the conflict, the group violence already present in the conflict and peer pressure could also act as powerful narcotics. Nonetheless, the issue of diminished capacity remains a key factor to be considered.

200. In most countries, children under the age of 18 are not regarded as having the legal capacity to be responsible for their actions (doli capax). The Rome Statute of the ICC uses 18 as the age of legal capacity and children’s rights advocates argue that most national jurisdictions should be adjusted accordingly. It is highly unlikely that children under the age of 18 fully comprehend the consequences of their actions.

201. There is no doubt that the drugs did have an impact on children who have a lower threshold to withstand the effects than adults. Coupled with the conflict situation, peer pressure and fear of death, drugs are powerful inducements to commit the most heinous crimes.

202. Describing the violations that children generally suffer in conflicts, the United Nations has given the following analysis:

“…More and more of the world is being sucked into a desolate moral vacuum. This is a space devoid of the most basic human values; a space in which children are slaughtered, raped, and maimed; a space in which children are exploited as soldiers; a space in which children are starved and exposed to extreme brutality. Such unregulated terror and violence speak of deliberate victimisation. There are few further depths to which humanity can sink.”

203. In examining the violations of which children were the victims during the conflict, there can be little doubt that the children of Sierra Leone suffered the most cruel and inhuman experiences at the hands of the armed factions. They were robbed of their youth, their innocence and their hope for the future. Many of them will never return.

204. Rape and sexual violence have scarred many of the girls for life. Amputations have ensured that many of them will never be able to lead a normal life. The Commission and the country are faced with serious overarching questions: Why the children of Sierra Leone? What did they do to deserve such fate? Their only crime was being children.

205. Many of those who have helped the Commission in seeking answers to these questions have advanced as reasons the innate characteristics of children: their vulnerability; their malleability; their capacity to be manipulated through peer pressure; the easy availability of light weapons which they can carry and their extraordinary ability to imitate adult behaviour. Of course a major reason is the fact that they their lives were cheap and expendable to the cynical breed of war profiteers who drove the conflict forward.

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206. Children, by virtue of being in a developmental process at their age, are very malleable. The transition from childhood to adulthood is a learning process that happens through teaching and also observation. Humans are conditioned to learn through these processes, which comes with the expectation that one eventually fits into society. Thus children are guided and moulded until they attain this desired state of social conformity.

207. The malleability and vulnerability of children were exploited by the different fighting forces in the country during the conflict period. Thus armed groups deliberately engineered children into becoming perpetrators, forcing them to commit atrocities or themselves be killed. Once they committed the violations, there was almost no way of turning back. Children were compelled into flouting accepted social behaviour and practices.

208. Children make obedient soldiers who ask fewer questions, generally follow orders and do as they are instructed because they are easily intimidated. Older soldiers are more independent and often hold opinions that are contrary to those of the leadership of the armed groups. They may question superiors, disobey orders or even desert.

209. Children, however, rarely exercise such options and under most circumstances seek to please their elders, for a variety of reasons. These include issues of safety, as well as attracting affirmation and attention. Their desire to please has often been exploited by commanders, who force children into committing the most egregious violations. Children have been rewarded by being given the most bizarre names, a sign of the warped nature of many of their commanders. Most of the names given to children glorified their actions and goaded them into committing even more atrocities. Some of the names of child combatants reported to the Commission included: “Merciful Killer”, “Small Pepper”, “Burn House”, “Cut Hand”, “Kill Man No Blood”, “Dirty Box” and “Dead Man No Count”.

210. Young children have no real sense of danger. Their immaturity also encourages them to take on additional risks. Their oblivion to the danger in a situation coupled with drug abuse meant that children could easily be exploited by using them in the most hazardous situations during the conflict. Commanders testified that small children were routinely used as scouts and in the front lines. Many lost their lives in this way. Some of these children have testified that when under the influence of drugs they had no fear or inhibition and committed many atrocities.

211. Children were easier to manage and maintain, especially in that they made fewer demands of their captors. They were also less likely to escape. Since many children were separated at a young age from their parents and familiar surroundings, the only home for many of them was the base of their particular armed faction.
212. Many of the abducted children cannot recall where they come from. The only family they have are the members of their unit or armed group. Their commanders took the place of their parents. Thus between these children and their commanders, as well as the fighting force to which they were affiliated, this nucleus had become their only “family”:

“By drawing children into their military organisations, the RUF and the national army deprived them of the protection, sustenance and authority of their families, communities and social institutions… the institution thus became their surrogate parents… Once within military institutions, the children came under the heavy and despotic hand of older soldiers and combatants… The military institutions took over the role of “disciplining”, or more exactly, manipulating these young minds to serve a variety of purposes.”

213. The proliferation of light weapons such as the Soviet-made AK-47 or the American M-16 has been advanced as a further reason for why children are used as soldiers. Long gone are the heavy weapons of the past that weighed tonnes and were very cumbersome, needing adults to manipulate and handle them. UNICEF has described the new, lighter weapons in the following terms:

“These weapons are very easy to use. The AK-47 can be stripped and reassembled by a child of ten years old. The rifles have also become much cheaper and more widely available. Since they have fewer moving parts, they are extremely durable and have steadily accumulated in war zones.”

214. In the particular case of Sierra Leone, child soldiers displayed an amazing aptitude and dexterity in using these light weapons, as evidenced during the demobilisation and disarmament period. In addition, easily available, locally manufactured instruments were used by the different fighting groups in the conflict, such as cutlasses, axes and knives as well as inflammable liquids such as petrol and kerosene. These local instruments and some of the inflammable liquids were quite familiar to many children, as they used them in their daily activities prior to the war. These everyday objects were converted into instruments of terror by the fighting forces. The ability of children to handle these instruments explains why, with very little training, children could become effective combatants during the conflict period.

215. Adults usually have the maturity to think through survival mechanisms in difficult situations. It is therefore possible for adults to attempt to escape when captured. Escaping is usually considered difficult for certain children and nearly impossible for the younger ones to conceive or carry out. As the war dragged on and the adults witnessed the senseless violations committed by the armed groups, it then became an increasingly attractive option for adults to attempt to escape notwithstanding the repercussions when recaptured.


216. The death of adult combatants required that the numbers in the armed factions be maintained. Children became a useful alternative source from which to replenish soldiers, so that the prosecution of the conflict could continue. Thus, children became a ready and easily accessible pool of potential soldiers for the different armed groups. Some academics have corroborated this view:

"Why did the RUF and the RSLMF (or the Sierra Leone Army) use children in support and combat roles? What were the reasons they gave to support the recruitment of children? The first reason was the shortage of able-bodied male to fight for the RUF and the RSLMF. The high death toll, the wretched conditions of service, the meagre salary that forced some soldiers to augment their pay through looting or mining, the summary executions, and above all, the senselessness of the war, discouraged responsible adults from enlisting on either side. Unable to tap the labour of the adult population, the two main fighting factions turned to children and the under-aged. As the war progressed, more children and under-age combatants were recruited to serve in various capacities, so that by 1998, close to about 25% of the fighting forces were children and the under-aged."  

217. Most of the armed factions were deeply criticised for their use of child soldiers. Many have complained of the high level of indiscipline exhibited by them and the scant regard they had for international rules regarding the conduct of war and the treatment of civilians in war situations. It is highly unlikely that any of the armed forces that deployed child soldiers would have taken the time to deal with the laws of war and how civilians should be treated:

"The RUF, the National Army (SLA) and the CDF share one thing in common: they were highly undisciplined. They lacked clear ideological focus, esprit de corps or guidelines on the conduct of war. For the RUF, its membership, long-marginalised and alienated from mainstream society, felt no compulsion to conform to internationally agreed standards of war which protect innocent civilians, especially women and children... as the rate of its attrition among its combatants increased with the prolongation of war, the RUF gradually lowered the age-range of its recruits... There were no child soldiers amongst its ranks when the RUF entered Bomaru in 1991. Yet by 1997 when they occupied Freetown in alliance with the AFRC, half of their combatants were under-aged. The National Army (SLA) which was supposed to be the professional standing army of the country, behaved no better than the RUF... Like the RUF, the SLA also recruited under-aged boys to create an auxiliary army of irregulars... In character and behaviour, these irregulars were no different from the combatants of the RUF. The morale and professionalism of the army declined... The irregulars prosecuted the war with the same brutality and disregard for the civilian population as the RUF combatants. They became "sobels": soldiers by day and rebels by night."
218. Many children, particularly those belonging to the pro-government forces, have indicated that they wanted to fight to preserve their communities and their cultural identities. Many of the children, not unlike the adults they modelled themselves on, saw themselves as fighting for social justice, for patriotism as well as their religious beliefs. Many others also fought in order to revenge the deaths of their parents, brothers or sisters.\textsuperscript{178}

219. Such analysis is particularly true for the CDF, the pro-government forces who also recruited children to fight during the armed conflict. During recruitment by the CDF, quotas were given to various communities to fill, as they were perceived to be carrying out their mission in defence of their communities and the country.

220. Children were made to feel that they were obliged to assist in the defence of their communities. In some instances, parents volunteered their children to the CDF, not only on "patriotic" grounds but also as a means of ensuring protection for their children.\textsuperscript{179} Nonetheless, according to the United Nations:

\begin{quote}
"It is misleading to consider [such forms as enlistment] voluntary. While young people may appear to choose military service, the choice is not exercised freely. They may be driven by any one of several forces, including cultural, social, economic or political reasons."\textsuperscript{180}
\end{quote}

221. In long, drawn-out conflicts, joining an armed group is sometimes the only way to survive the conflict. The adage "if you can’t beat them, join them" becomes the reality for unprotected children in conflict situations. The irony of this course of action is that armed groups did not provide the expected solace for children, because even as members they continued to suffer violations.

222. The Commission points out that the notion of children “volunteering” their services as part of war effort, as some of them did in the case of the CDF and the SLA, cannot be condoned and constitutes a violation of international law.

223. It is important to reiterate that children, as the most vulnerable group in any conflict situation, are entitled to be protected from war. In particular, they are not meant to participate in the conflict themselves as child soldiers or in any other capacity.

224. Regrettably, the armed factions in Sierra Leone violated the rights of children by forcibly recruiting them as child soldiers and compelling them to carry out acts of incredible violence. In addition children’s rights were continuously violated in a myriad of ways.\textsuperscript{181}

\begin{flushleft}
\textsuperscript{178} See UNICEF, \textit{State of the World’s C.}

\textsuperscript{179} See Simon Arthy, former DFID and EEC Reintegration Officer in the Southern Region, TRC interview conducted in Freetown, 8 August 2003. Mr. Arthy, who worked as a consultant for the UK Government’s development agency in the Southern Province of Sierra Leone, talked about his project to normalise relations between civilians and the CDF in the Southern Province. He stated that some parents had their children, especially male children, initiated into the CDF (Kamajors) because they felt that the magical powers that initiates were said to acquire on initiation, such as the non-penetration of bullets into their bodies, would help secure their children’s lives.

\textsuperscript{180} See UNICEF, \textit{State of the World’s C.}, “Impact of Armed Conflict on Children”.

\textsuperscript{181} See Abdullah and Rashid, \textit{Smallest Victims, Youngest Killers}, at page 241.
\end{flushleft}
CHILDREN AS “VICTIM-PERPETRATORS”

225. The conflict in Sierra Leone forced children into assuming “dual identities” of both victim and perpetrator. While the Commission chose to treat children who had been involved in the conflict as neutral witnesses, the Commission was also determined to explore the fullness of their experiences in order to understand the motivations for what they did and whether they had the capacity to understand all of it. Examining their role as perpetrators is an important step in this direction. The Commission is not seeking to explore guilt; on the contrary, it strives to understand how children came to carry out violations as part of an important learning curve in preventing future conflicts.

226. In their roles as perpetrators, children became direct participants in the conflict and were involved in all aspects of modern warfare, ranging from serving as human shields, spies, messengers and porters to wielding guns as soldiers on the front lines and commandos in the jungles of the countryside.

227. Children witnessed the perpetration of violations during the conflict and in turn perpetrated gross human rights violations against others. Initially, they had to be coerced into committing abuses but soon many of them began to initiate heinous atrocities without having to be compelled to do so. After being absorbed into an armed faction, children often behaved absolutely without inhibition. Living in the violent reality of conflict soon deadened their senses, which were already impaired by continued drug abuse.

NATURE OF VIOLATIONS PERPETRATED BY CHILDREN

228. Child perpetrators carried out many of the same human rights violations to which they themselves had been subjected. They committed violations including killing, abduction, amputation, mutilation, extortion, looting and destruction, rape and sexual violence, abduction and forced recruitment, forced displacement, forced detention, assault, torture, beating and forced labour.

229. The commission of these violations by children needs to be put in context against the turmoil of the conflict-ridden world they lived in. They were compelled to carry out such violations in order to survive. Refusal to carry out an order was simply not countenanced. Death or other violent reprisal for refusal to carry out the order was almost instantaneous. Thus most children were forced to carry out violations or become the victims of violations. Their physical size and their incredible vulnerability made them succumb quite easily.

230. One recurring pattern to emerge from testimonies is that children often had to become even more ruthless than their captors in order to survive. Given the violent nature of the members of the armed group, a ruthless streak usually guaranteed safety and “respect”. Children learnt very quickly that the more violently they behaved, the more they would be assured of protecting themselves within their group and surviving. This was particularly characteristic of the loosely bound, unconventional armed groups such as the RUF, AFRC and the West Side Boys.

231. Many of the adults within the armed groups were incredibly depraved and used the children to play out some of their sick fantasies which had the effect of forcing the children into committing these violations watched by the adults, who derived a macabre amusement from it.
232. Peer pressure also played a major part in the violations committed by children. The need for group acceptance and affirmation ensured that many of these children committed violations. Conformity gave them a sense of belonging and pride, as their peers and their superiors lauded them for proving that they were not afraid to confront violence.

233. In any heterogeneous society, there are always certain groups of persons who are more vulnerable than others. They are characterised as “vulnerable” because they are more likely than others, to suffer negative consequences in the event of severe emotional trauma.\footnote{182} Children are usually a class regarded as vulnerable as they are usually subject to greater risks in any conflict irrespective of which side they belong to. There is no doubt that the new characteristics and patterns of contemporary armed conflicts have increased the risks for children. Again this is certainly true of the conflict in Sierra Leone which destroyed the lives of children.

234. The Commission has found that the abduction of children by the armed groups and in particular the RUF and the AFRC and their forcible recruitment as child soldiers constitutes a grave violation of international law for which the leadership must be held accountable. The Commission also finds that the notion of children ‘volunteering’ to join the armed groups such as occurred mainly with the CDF but also in the SLA completely unacceptable as children do not have the ability or the capacity to ‘volunteer’. Simply put ‘they have no choice’. The Commission finds that the recruitment of children within the armed factions as soldiers constitutes a violation of international law for which the leadership must be held accountable. In the course of recruiting children as child soldiers, the rights of children have been violated.

235. The Commission condemns in the strongest terms the forcible recruitment of children as combatants. According to the United Nations:

   "War violates every right of a child – the right to be with family and community, the right to health, the right to development of the personality and the right to be nurtured and protected. Many of today’s conflicts last the length of a “childhood”, meaning that from birth to early adulthood, children will experience multiple and accumulative assaults. Disrupting the social networks and primary relationships that support children’s physical, emotional, moral, cognitive and social development in this way, and for this duration, can have profound physical and psychological implications."\footnote{183}
EXPERIENCES OF CHILDREN WITHIN ARMED GROUPS

Figure 3: Annual rates of forced recruitment violations reported to TRC (comparing the violations of the four main perpetrator factions)

236. It is widely acknowledged that each of the armed factions, to differing extents, forced their abductees, including children, to become combatants. The graph in Figure 3, above, illustrates that the RUF forcibly recruited the highest number of combatants throughout the ten years for which the TRC recorded statistics. In the latter years of the conflict, the amount of reported incidents of forced recruitment attributed to both the AFRC and the CDF showed small increases.

Figure 4: Numbers of forced recruitment violations reported to TRC (according to the age category and sex of the victims)

237. The most relevant point about forced recruitment is that its victims were predominantly children. This aspect of the violation becomes most vividly clear from the graph in Figure 4, above. Boys between the ages of 10 and 14 years were disproportionately targeted for forced recruitment. The disproportionate rate of victimisation among boys in this age category leads to the conclusion that the armed groups deliberately sought to enlist them as fighters.\(^\text{184}\)

238. This section aims to paint a broad picture of the kind of life that a child combatant endured during the conflict within the main armed groups.

\(^{184}\) More detail on violations rates and the levels of different violations experienced by children can be found in the Statistical Report produced as an Appendix to this report.
REVOLUTIONARY UNITED FRONT (RUF)

Recruitment

239. The RUF was the first of the fighting forces to utilise child combatants in the conflict in Sierra Leone. In fact, there were even a few children among the RUF “vanguard” combatants who trained in Liberia in advance of the insurgency in March 1991. Children had been abducted and enlisted by the NPFL faction to swell its own numbers as it fought the war in Liberia. The RUF copied many of the NPFL’s tactics and patterns of behaviour as its fighters were trained to enter Sierra Leone. Thus, from before the first shots were fired in 1991, Sierra Leonean children were drawn directly into the conflict. Having come into the country, the RUF deployed a strategy of “enlisting” civilians, including children, from the areas it entered. However the RUF really stepped up this policy at the end of its ill-fated first phase of conventional warfare, when it transformed into a guerrilla force. From late 1993 until early 1996, the RUF conducted a massive campaign of abductions and the forced training of civilians and children to become armed combatants.

240. The Commission has encountered during its research some children who were so young at the time of their abduction that they could not recall how old they were. According to statements included in the TRC database, some of those abducted were as young as five at the time of their capture. The RUF is responsible for the highest number of abductions of children reported to the Commission. It is also responsible for the largest number of children who were forcibly recruited into any armed faction. The tally of 3,710 children who belonged to the RUF and who were disarmed and demobilised by the National Committee for Demobilisation, Disarmament and Rehabilitation (NCDDR) seems to validate the Commission’s figures. The RUF had the highest number of children amongst all the factions who participated in the programme. Former high-ranking officials of the RUF have also confirmed the RUF’s policy of using children as soldiers. M. M. Kosia, the RUF’s first senior General Staff Officer, gave the Commission an account of the RUF’s training that took place in Koidu and in various other areas of Kailahun District in 1991:

“When these areas were taken under control by these [RUF] people, a lot of civilians were captured or abducted and they were forced to undergo training... men, women – even old people and children”.191

185 See TRC Confidential Interviews with former RUF “vanguard” commanders; Freetown, Bo and Kailahun Districts, June to September 2003. More detail on the involvement of “small boys” in the original RUF insurgency and in various other armed groups can be found in the chapter on the Military and Political History of the Conflict in Volume Three A of this report.
186 See S. Y. B. Rogers, late Secretary-General of the RUF, excerpts of an interview contained in the “Children and War Newsletter” in Africa Confidential, 26 May 2000.
187 See the Statistical Report produced as an Appendix to this report.
188 More detail on the violations rates of the particular perpetrator factions can be found in the Statistical Report produced as an Appendix to this report.
189 See the National Committee for Disarmament, Demobilisation and Reintegration (NCDDR); submission to the Sierra Leone Truth and Reconciliation Commission, 4 August 2003.
190 Jonathan Kposowa, former Adjutant General of the RUF and present Secretary General of the RUF; TRC interview conducted at TRC Headquarters, Freetown; 23 June 2003.
191 Moigboi Moigande Kosia, former General Staff Officer-1 of the RUF, TRC interview conducted at TRC Headquarters, 30 May 2003.
242. The primary *modus operandi* of the RUF in gathering child recruits was to raid the civilian population and separate the children, who would then be taken to the various training bases of the RUF. The RUF also attacked and abducted children from schools, especially in the provinces. Another strategy employed by the RUF, when they attacked and looted towns and villages, was to take children along with them as porters to carry looted goods. These child porters would eventually become child soldiers.

"Every time a town is newly captured, we expect them to bring back captives. Most of these captives they bring back are people they use as porters, and when once they came to the rear... that is the liberated zone... they would not allow them to go back to their area."

243. Former RUF members have claimed that, at the initial stages of the conflict, many young boys voluntarily joined the RUF because of their beliefs in the cause of the RUF's "revolution". Another reason advanced by the RUF was that many of the enlisted children were attracted and enticed by the looted goods they saw their peers in the RUF taking and keeping.

244. However most of the interviews conducted by the Commission with ex-combatant children in fact confirmed that the majority of them were abducted and forcibly recruited into the RUF.

245. The former Adjutant General of the RUF, Mr. Jonathan Kposowa, reluctantly confirmed the realities of abduction when testified to the Commission:

"These RUF commanders were so many that they needed small boys to be behind them or to use them as you know... or shall I say ... doing their odd jobs and just to follow them... or either their wives or concubines will ask them that they should capture or abduct small girls... to assist them in their houses."

**Training**

246. The RUF organised child soldiers by gender into units, which they then called "Small Boys Units" (SBUs) and "Small Girls Units" (SGUs). Training of child soldiers was sometimes carried out at officially designated training camps. While some jungle bases like Camp Zogoda lasted for the duration of the RUF’s guerrilla warfare campaign, from 1993 to 1996, many other camps were temporary or transient in nature, set up purely to train a new batch of recruits and then disbanded when the combatants were sent to the front.
247. The RUF seemed not to possess a standard training course or module. While by all accounts the RUF was said to possess a training manual that included ideological training, little evidence exists of children being trained using this manual or given lessons in the ideology of the RUF, particularly among the recruits of the later years of the conflict. In most instances, former child combatants have stated that they were taught only the RUF’s reasons for starting the conflict, while other children have indicated that they were completely in the dark about the motives for their collective actions.\textsuperscript{199} Of all the child ex-combatants interviewed by the Commission, only a handful have mentioned being given “ideology” lessons in between training. Ideological input and direction was always fairly arbitrary within the ranks of the RUF.\textsuperscript{200}

248. In contrast, all of the former child combatants interviewed have confirmed that they were given some form of military training.\textsuperscript{201} Their courses consistently involved being taught how to dismantle and assemble guns, as well as how to use them. Some of the children described the training they received:

"At Madina in the Tonko Limba Chiefdom, we were given tough training. I trained along with the others... we used to run with heavy sticks on our shoulders. I was personally trained by RUF Colonel Emmanuel to operate a G-3 weapon with the Third RUF Battalion. After the training, which was very short, we do the hard running..."\textsuperscript{202}

[and]

"We were taught a few things that included how to make an ambush, how to dismantle and reassemble your weapons in case of any blockage and how to shoot your weapon. It was after this brief training session that we proceeded to attack Madina-Wula in neighbouring Guinea."\textsuperscript{203}

249. Mock battle scenes were sometimes simulated for the recruits. Again this element was not as a matter of course but remained fairly arbitrary. A female ex-combatant described some aspects of the training she received as a child:

"After taking us to their base in Mattru Jong, we were trained to become fighters for six months... in the mornings and evenings, we jogged for about 45 minutes... we were also taught how to crawl and other war techniques... and if anyone made as if they were tired, he or she was killed."\textsuperscript{204}

250. There have been some reports of child soldiers receiving little or no training whatsoever before being forced into battle. Such cruel abuse on the part of the perpetrator groups contributed to the death of many children, as they were thrust into the heat of battle without understanding how to protect themselves.\textsuperscript{205} This situation was quite rare among the former RUF fighters who testified to the Commission, but occurred in all the factions at certain points, particularly when an urgent need for manpower at the warfront outweighed all other considerations.

\textsuperscript{199} See TRC interviews with former child combatants, Family Homes Movement, 7 August 2003.
\textsuperscript{200} See TRC interviews with former child combatants, Family Homes Movement, 7 August 2003.
\textsuperscript{201} See TRC interviews with former child combatants, Family Homes Movement, 7 August 2003.
\textsuperscript{202} TRC confidential statement recorded in Rokupr, Magbema Chiefdom; 22 January 2002.
\textsuperscript{203} TRC confidential statement recorded at Kambia Check Point, Magbema, 14 December 2002.
\textsuperscript{204} TRC confidential statement recorded in Wardu Town, 5 March 2003.
\textsuperscript{205} TRC confidential statement recorded in Freetown, 27 February 2003.
251. Training seems to have been ad hoc and arbitrary, particularly with regard to its duration. While some RUF functionaries have alluded to a training manual stating that training was to last for six months, evidence received by the Commission suggests this timeframe was a very loose guide. Training depended on the particular conditions the RUF found itself in and could last anywhere between one week and six months. For instance if the RUF was under attack, training would be cut short as everybody would be sent out to the front line.

252. The lack of organisational structure within the RUF was also evidenced by the arbitrary manner in which some commanders brought children for training. According to a former RUF official, individual commanders who abducted children could bring them singly or in groups for training. At completion of training, the same commanders would come to fetch them. One peculiarity of the hierarchy within the RUF was that the larger the number of child combatants a commander had under his control, the greater the prestige the commander enjoyed among his peers.

253. The RUF made no distinction in its training practices as to age or gender, so young boys and girls as well as adults were trained in the same manner. The general conditions that existed during these trainings were fairly spartan and only children who were really tough survived. According to a former high-ranking RUF official, children slept on bare floors, went without bathing for weeks and wore torn and tattered clothes. Also, feeding during this period was reduced to scavenging, since part of the training required the children to demonstrate that they were able to fend for themselves. The RUF training regime restricted food intake even where they had the children locked up:

"Most times, these people are being starved… I can definitely tell you that they have to find their own food, even when they are locked up, there is nothing like food to give them… So the boys were starved on the base, even the SBUs… and then somebody had a leaf or paper wherein you just put one spoon for the boys… so some of them died… some were so thin …"

254. The training was harsh and brutal and accounted for the deaths of a large number of children.

Command structure

255. The two children’s units were run on a similar basis with very slight variations. In the case of the SBUs, on becoming full-fledged combatants, they were put under the immediate command of a fellow child commander. The child commander would in turn report to the Town or Ground Commander, who was the overall supervisor of all the fighters in the area in which the particular SBU existed.

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206 Jonathan Kposowa, former Adjutant General of the RUF and present Secretary General of the RUFP; TRC interview conducted at TRC Headquarters, Freetown; 23 June 2003.
207 Moigboi Moigande Kosia, former General Staff Officer-1 of the RUF; TRC interview conducted at TRC Headquarters, 30 May 2003, at page 42 of the manuscript.
208 Moigboi Moigande Kosia, former General Staff Officer of the RUF, TRC interview, 30 May 2003.
209 Moigboi Moigande Kosia, former General Staff Officer of the RUF, TRC interview, 30 May 2003.
210 Moigboi Moigande Kosia, former General Staff Officer of the RUF, TRC interview, 30 May 2003.
211 Moigboi Moigande Kosia, former General Staff Officer of the RUF, TRC interview, 30 May 2003.
256. The Town or Ground Commander liaised with and passed on orders to the Commander of the SBUs. Needs and instructions were subsequently passed down the line. The overall responsibility for running the entire group including the SBUs was vested in the hands of the regional or field commander for that territory, who had overarching powers. All authorisations and orders to the SBU emanated from him with the exception of the authorisation for an attack, which would be in the domain of the central command.\textsuperscript{212}

257. By all accounts, elevation within the RUF from the rank of ordinary member to an SBU Commander was based mostly on account of being recognised as a “ruthless fighter”, or in the jargon of the RUF “a wild boy or hard boy.”\textsuperscript{213} In reality this recognition signalled the ability to commit human rights violations with complete abandonment. When asked the conditions for appointing a child as an SBU Commander, an erstwhile member of the RUF delicately described it as depending on when the child became:

“… more criminally minded, that is, able to take care of certain issues that are required of a group, he is made a commander.”\textsuperscript{214}

258. According to a former high-ranking official of the RUF\textsuperscript{215} there were other requirements that had to be satisfied before an SBU could be elevated to commander status. First was long-standing membership of the RUF and a demonstrated ability to carry out the mandate of the RUF. It is entirely unclear what constituted “carrying out the mandate of the RUF”, however. Finally, obedience and loyalty to existing commanders could guarantee an elevation.

259. The Small Girls Units (SGUs) were structured along the same lines as the SBUs. Both units received the same training as adult combatants, with girls being treated in the same way without any regard for their gender. The only apparent structural difference between SBUs and SGUs was that the SGU Commanders were drawn from among the older women of the Women Auxiliary Corps (WACS), rather than from among the girls themselves.\textsuperscript{216}

260. According to the testimony of a female former child combatant:

“After the Kamajors attacked us, we moved to Jimmy Bagbo and were left in the hands of older women commanders who greatly maltreated us…. we were all trained to fight and given only a handful of dry gari per day… we were also sent to raid neighbouring villages to loot food… If anyone disobeyed you were cruelly beaten up.”\textsuperscript{217}

\textsuperscript{212} Moigboi Moigande Kosia, former General Staff Officer-1 of the RUF, TRC interview conducted at TRC Headquarters, 30 May 2003.
\textsuperscript{213} See TRC interviews with former child combatants, Family Homes Movement, 7 August 2003.
\textsuperscript{214} Patrick Beinda, former RUF G-2 commander and prominent RUF representative in the Eastern Province, TRC interview at TRC Headquarters, Freetown, 18 June 2003.
\textsuperscript{215} Jonathan Kposowa, former Adjutant General of the RUF and present Secretary General of the RUFP; TRC interview conducted at TRC Headquarters, Freetown; 23 June 2003.
\textsuperscript{216} Jonathan Kposowa, former Adjutant General of the RUF and present Secretary General of the RUFP; TRC interview conducted at TRC Headquarters, Freetown; 23 June 2003.
\textsuperscript{217} TRC confidential statement recorded in Bo District, 9 December 2003.
261. The WACS commanders also took orders from the ground or town commanders, who in turn took orders from the central command. Command responsibility for the violations and abuses carried out by child combatants lay with the adult commanders in the High Command of the RUF, given that almost every operation and military order, including those in which SBU's and SGU's participated, was directed by them.

Nature of discipline

262. "Discipline" within the RUF did not follow any all-encompassing rules and regulations. Former RUF officials have alluded to attempts to produce a manual for discipline, which failed due to a number of reasons connected to the general sense of indiscipline that pervaded the movement. Thus, there were no clear-cut directives as to what constituted offences in terms of RUF rules and no evidence to suggest that there were regulations governing the conduct of child combatants, far less adult combatants.

263. The experience of child combatants was that they were punished arbitrarily for perceived transgressions. In their testimonies many children have indicated that punishments were arbitrarily applied in the guise of discipline. Punishments took the form of beatings, torture, starvation, mutilation or branding and others. Killing was also a form of punishment, but it was supposedly reserved for grave offences such as desertion if apprehended.

264. The treatment of child combatants in the RUF was characterised by extreme cruelty. Living in an environment of total paranoia and oppression, where survival depended on being even more brutal than one's captors, led to the kinds of atrocities that Sierra Leone witnessed on such a terrifying scale. In the process, many children became hardened and immune to the savagery they were inflicting on others. They experienced a deep sense of dislocation and disjuncture from society. The scars that have been left lie deep and need urgent and concerted efforts to help them heal.

CIVIL DEFENCE FORCES (CDF)

265. The Civil Defence Forces (CDF) incorporated various ethnic groups of fighters into a national militia network supported by the SLPP Government of President Ahmad Tejan Kabbah. The Kamajors, a reinvented secret society that recruited thousands of fighters across the south and east of the country, comprised the bulk of the CDF membership. Other CDF units included the Tamaboros in Koinadugu District, the Gbethe and Kapras in the other northern Districts, the Donsos in Kono District and the Organised Body of Hunters' Societies in the Western Area. CDF militiamen were initially deployed in and around their own local communities, but as the conflict dragged on they increasingly operated in other areas, sometimes far from their origins.

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218 Jonathan Kposowa, former Adjutant General of the RUF and present Secretary General of the RUFP; TRC interview conducted at TRC Headquarters, Freetown; 23 June 2003.

219 See TRC interviews with former child combatants, Family Homes Movement, Lakka and Calaba Town, 7 and 8 August 2003. Most of the child combatants interviewed said that they were punished arbitrarily, perhaps when they did do something wrong but equally also when they did not. Thus an example could be for them to be punished for not carrying out an order (including an order to commit violations) or punished as a sort of vicarious entertainment for older combatants.
Recruitment

266. The presence of children as members of the CDF, particularly the Kamajors, has always attracted attention and has been a bone of contention for the Kamajors. The Kamajors have denied that they ever had child soldiers in their midst, although these denials have always been qualified. According to a high-ranking CDF official in the north, the Gbethes and the Tamaboros asserted that they too did not use children in their groups.

267. The Kamajors’ claim that they did not train children as fighters was debunked during the post-conflict demobilisation and disarmament process. The NCDDR, which co-ordinated the registration of disarmed fighters, listed 2,026 children as having belonged to the Civil Defence Forces. The overwhelming majority of this total was made up of child Kamajors. Indeed, the CDF put the second largest number of children of all the factions through the DDR process.

268. Even before the DDR process began, efforts were made at leadership level to stop the CDF from using children as soldiers, further validating the presence of children in the armed group. In a public statement issued by the then Deputy Minister of Defence, Chief Hinga Norman, who was also a member of the National Co-ordinating Committee of the CDF, it was made clear that the initiation of children, which was a precursor to their becoming Kamajors, should cease altogether. Hinga Norman also demanded that children who had already been initiated as soldiers should no longer be used in battle. He further ordered that weapons should be taken away from children and the use of children by the CDF in undertaking security duties should be discontinued. All of these calls for remedial action put to rest the denial by the CDF that there were child soldiers in their ranks.

269. According to UNICEF, child recruitment within the CDF was often instigated at the behest of village elders, who were politically pressured to hand over a certain “quota” of children as soldiers or risk damage to their credibility within the community. The children themselves were often brainwashed into believing that fighting to defend their communities was their “civic duty.”

\[220\] See Hassan Jalloh, former CDF commander of the Kamajors on the eastern border, TRC interview conducted in Freetown, 8 August 2003. See also Dr Albert Joe Demby, Former Vice-President of the Republic of Sierra Leone, submission to TRC Thematic Hearings on Militias and Armed Groups, August 2003.

\[221\] See M. S. Dumbuya, Northern Commander of the Civil Defence Forces, TRC interview conducted at TRC Headquarters in Freetown, 1 July 2003.

\[222\] See Executive Secretariat of National Committee for Disarmament, Demobilisation and Reintegration (NCDDR), Total Number of Children Disarmed, 9 September 2003.

\[223\] There is a high degree of scepticism around the numbers of combatants who disarmed under the auspices of having fought for the CDF. Many writers speculate that the Kamajors purposely swelled their ranks at the time of the DDR process in order to obtain maximum possible benefits.

\[224\] See Simon Arthy, former Sierra Leone-based consultant with DFID, the UK Government’s international development agency, TRC interview conducted in Freetown, 8 August 2003. Mr. Arthy provided the Commission with a variety of documents reflecting Hinga Norman’s public statements on actions to be taken to eliminate the use of child soldiers in the CDF.

\[225\] See Simon Arthy, former Sierra Leone-based consultant with DFID, the UK Government’s international development agency, TRC interview conducted in Freetown, 8 August 2003.

\[226\] See UNICEF submission to TRC, at page 20.
270. Many male children were initiated into the Kamajor faction of the CDF at the request of their parents.\(^{227}\) The Commission noted that parents were often compelled to provide their children to the CDF, as they feared the wrath of the initiators and their Chiefs. Some children have indicated in their testimonies to the TRC that they ‘willingly’ joined so as to protect their villages and towns from attack by opposing forces, but authoritative witnesses have confirmed that in most cases great pressure from their elders was brought to bear on them.\(^{228}\)

271. In order to join the CDF and its Kamajor Society, both children and adults had to pay the initiation fee. According to a Kamajor member, some of the children paid a sum of four or five thousand Leones (approximately $2) to undergo the initiation rites. In some cases, the initiation fees were partly paid in kind with items such as palm oil, chickens and rice by the parents. On completion of the initiation rites, the children and others were given amulets, which were believed to bestow magical powers of protection upon their holders.\(^{229}\)

**Training**

272. While CDF combatants carried out most of their “training” in their respective home communities, the CDF faction also established major training bases such as Base Zero and the Gendema base during the effort to restore the SLPP Government in 1997 and early 1998. A unique feature of the recruitment and training of the Kamajors was the initiation ritual, which all prospective members had to undergo. The components for this Kamajor initiation did not derive from the age-old spiritual and cultural beliefs of the traditional hunting societies, as many Kamajors claimed. On the contrary, the Kamajor society represented a cynical abuse of the good faith of its initiates, using techniques of physical and psychological manipulation for no other purpose than to assemble a fighting force. The leadership of the CDF, especially its initiators, created hysteria around the need for communities and their people to “protect themselves” by initiating their men folk into the Kamajors. People responded in their droves by putting themselves and their family members forward for initiation, sometimes even multiple initiations. Children in particular were coerced into joining the Kamajors, innocent of the fate that awaited them as combatants at the warfront.

273. While members of the CDF received rudimentary instruction in the handling and care of weapons such as machetes, knives and small arms, they often forfeited proper military training in favour of acquiring “protections”. Thus Kamajor initiates were tutored in the art of “magic” and herbs as part of their rituals, which promised various special powers when they went into battle.\(^{230}\) In reality these tactics were foolhardy and put many young lives in danger.

274. The phenomenon of initiation for the purposes of conflict was the creation of the Kamajors. None of the other CDF constituent groups had their own such ceremonies,\(^{231}\) but some militiamen from non-Kamajor parts of the country, including the north, underwent initiations in their desire for “protections”\(^{232}\).

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\(^{227}\) See Simon Arthy, former Sierra Leone-based consultant with DFID, the UK Government’s international development agency, TRC interview conducted in Freetown, 8 August 2003.

\(^{228}\) See Dr Albert Joe Demby, Former Vice-President of the Republic of Sierra Leone, submission to TRC Thematic Hearings on Militias and Armed Groups, August 2003.

\(^{229}\) See Simon Arthy, former Sierra Leone-based consultant with DFID, the UK Government’s international development agency, TRC interview conducted in Freetown, 8 August 2003.

\(^{230}\) Allieu Moseray, former combatant in the Kamajors, TRC interview at Telu, 13 September 2003.

\(^{231}\) See M. S. Dumbuya, Northern Commander of the Civil Defence Forces, TRC interview conducted at TRC Headquarters in Freetown, 1 July 2003.
Command structure

275. Children in the CDF had no official command responsibilities within their units. They were usually placed under the command and supervision of older combatants who assigned various duties to them. A major complaint from civilians was that children were frequently deployed in general security duties, such as the manning of checkpoints.232 Their adult supervisors in these roles would goad them into committing arbitrary abuses, particularly beatings, against civilians who tried to pass while going about their daily business.

276. Most Kamajors were loyal to the powerful initiators who brought them into the society, rather than to the commanders under whom they served. Inevitably a dual leadership structure emerged, which led to rivalries between initiators and commanders and eventually threatened the whole command structure. As the conflict progressed, some of the initiators became so powerful – at least in the eyes of those they initiated – that they began openly to flout the law and disregard the authority of the constituted chiefdom authorities. They became involved in arresting people, holding kangaroo courts and arbitrarily punishing people. They used their Kamajor initiates, including children, as conduits or agents for these acts.233 Aside from the erratic orders of initiators, the children lived in an environment devoid of rules and directions. It proved difficult for the Commission to relate the violations and abuses of child Kamajors to any express strategies or policies from a coherent command structure.

277. Away from their duties in conflict, Kamajor children presented a whole range of challenges to the wider community, largely connected with their warped ideas of authority and their self-perceptions of power. Testimonies to the Commission told of school pupils who were Kamajor members refusing to take orders from their teachers to perform chores such as sweeping the classroom. The children would advance a reason connected to their society membership, for instance that it was taboo for a Kamajor to touch or come in contact with a broom. It is understandably problematic for communities to reintegrate such children into the normal structures and institutions of peacetime.

Nature of discipline

278. The Kamajors within the CDF had their own belief system, rules and regulations, which governed their conduct and to which they were usually bound by oath. Flouting these rules would incur a consequence or punishment, usually administered by initiators. Kamajors have testified that such punishment would extend to children as well. In serious cases such as killings, the cases were referred to higher quarters.234 Another Kamajor member stated that in his unit, unlawful killing of civilians led to arrests and jail for every member.235 Later in the conflict, however, initiates were not sanctioned for acts such as arbitrary killings, rape and looting, providing they paid to undergo a further initiation ceremony to “cleanse” them of their misdeeds. Such a response to abuses made a mockery of Kamajor claims to a disciplinary code.

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232 See Simon Arthy, former DFID and EEC Reintegration Officer in the Southern Region, TRC interview conducted in Freetown, 8 August 2003.
233 See Simon Arthy, former DFID and EEC Reintegration Officer in the Southern Region, TRC interview conducted in Freetown, 8 August 2003.
234 TRC confidential interview with a junior Kamajor commander, Pujehun District, 7 August 2003.
235 TRC confidential interview with a former Kamajor combatant, Bo District, 7 August 2003.
SIERRA LEONE ARMY (SLA)

Recruitment

279. The recruitment of children into the Sierra Leone Army started during the rule of President Joseph Saidu Momoh, who advocated for the use of vigilante groups in the prosecution of the war. President Momoh advised chiefs and other traditional leaders to organise the civilian population into vigilante groups to defend their localities, based on his prognosis that the Sierra Leone Army was not able to prosecute the war on its own.\(^{236}\) Communities were supplied with guns and ammunition accordingly. Vigilante fighters, including the so-called Sierra Leone Border Guards (SLBGs), were later integrated into the Army. The Commission heard the view that this method of recruitment was inappropriate and allowed unprofessional, unconventional soldiers to serve the SLA.\(^{237}\)

280. However the major recruitment of child soldiers into the Sierra Leone Army took place during the reign of the NPRC government, whose military leaders felt that the “national emergency” at the warfront warranted it:

“During the NPRC, the strength of the military was small and the strategy of the RUF was one that really wanted to allow it to spread its activities all over the country... and that definitely required the NPRC as a government to respond by heavily populating the Army...”\(^{238}\)

281. A primary source for recruitment was those vigilante groups in existence from the time of President Momoh, most of whose members were no older than 15 years. The incorporation of teenage vigilantes into the Army was completely at odds with the standard policy of recruiting at the age of 18 years.\(^{239}\)

282. Proper recruitment procedures were not followed given the urgency of the conflict situation and the need to bolster the numbers of soldiers dealing with the insurgency. The NPRC government responded with a massive recruitment drive, drawing mainly upon youths and children from the urban sprawl of Freetown.\(^{240}\) One of the main reasons for the recruitment of children was the failure of Army headquarters to prescribe a minimum age for recruitment.\(^{241}\) The absence of proper screening procedures meant that children found their way into the service of the state, just as many RUF infiltrators and other unscrupulous characters also became soldiers.

283. Children joined the Army for a variety of reasons. For some, it was a means of finding some form of employment in a time of extreme hardship and poverty. Others were swept into service by the surge of youthful “patriotism” that accompanied the NPRC’s coming to power. By some estimates, up to 16,000 recruits, including children, joined the Army under the NPRC regime.\(^{242}\)

\(^{236}\) See Honourable Mrs. Elizabeth Lavallie, Deputy Speaker of Parliament, submission to TRC Thematic Hearings on Militias and Armed Groups, Freetown, 19 June 2003.

\(^{237}\) See Honourable Mrs. Elizabeth Lavallie, Deputy Speaker of Parliament, submission to TRC Thematic Hearings on Militias and Armed Groups, Freetown, 19 June 2003.

\(^{238}\) Lieutenant Colonel Simeon N. Sheriff, officer in the Sierra Leone Army (SLA), TRC interview conducted at Defence Headquarters, Freetown, 12 September 2003.

\(^{239}\) Lieutenant Colonel Simeon N. Sheriff, officer in the Sierra Leone Army (SLA), TRC interview conducted at Defence Headquarters, Freetown, 12 September 2003.

\(^{240}\) More detail on the NPRC recruitment drive can be found in the chapter on the Military and Political History of the Conflict in Volume Three A of this report.

\(^{241}\) Lieutenant Colonel Simeon N. Sheriff, officer in the Sierra Leone Army (SLA), TRC interview, Freetown, 12 September 2003.

\(^{242}\) Lieutenant Colonel Simeon N. Sheriff, officer in the Sierra Leone Army (SLA), TRC interview, Freetown, 12 September 2003.
During the conflict period, children continued to be recruited into the Army in the most bizarre circumstances. One method of identifying child recruits was through their participation in school sports or other physical exercise. Children would be subjected to activities such as long-distance running. Their ability to finish in an impressive time would see them awarded a place in the Army, as they were considered sufficiently energetic and fit for the job.

There were also reports of the Army capturing civilians, including children, and sending them into action against their will. Children were commonly deployed on logistics duty in warring zones.

According to an Army officer who testified to the TRC, children were also recruited upon the death of existing soldiers and given the official roll numbers of the deceased without going through proper procedures of recruitment. Such “back-door” enlistment was one of the prime means through which senior military officials embezzled money during the war: the children were not paid for their illegal roles in the Army, so the salaries and benefits of the “ghost soldiers” whose places they filled were appropriated by the officers and top administrators who recruited them:

"By 1993, the war had become a profitable business for the senior military officials in the NPRC. Millions of dollars were requisitioned and allocated for the Army, which never found its way to its intended recipients. Some of them were “ghost soldiers, many of them irregulars who had never been formally registered as recruits into the Army… Apprenticed to an Army officer, these child soldiers never got paid or received any benefit. And the senior military officials rarely accounted for the allocations set aside for the irregulars who included the child soldiers, who were officially not on the Army pay roll."

Training

Most children who joined the SLA during the conflict period did not receive proper regimental training. The batch that entered under the NPRC received a three-month “crash course” instead of the nine months of training that was the standard minimum in the Army before the outbreak of the conflict.

The training regime was the same irrespective of age and included the handling and firing of weaponry. Training camps were situated in major centres such as Bo, Pujehun, Kenema, Zimmi, Daru, Kailahun, Baiwalla and Freetown.

Command structure

Child soldiers were absorbed into the normal Army hierarchy as private soldiers and as such did not have any responsibility for commanding other soldiers. On the contrary, as low ranking, vulnerable new recruits, many children were made to perform the dirty work of others and, if anything, suffered harsher application of the rules and procedures that applied to other SLA soldiers.

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284. See, for example, the article in *The New Breed* newspaper entitled “Protests at Army Recruitment”, Freetown, 8 July 1992 (hereinafter “*New Breed, Protests at Army Recruitment*”).
287. See Abdulla and Rashid, *Smallest Victims, Youngest Killers*, at page 233 and 234.
288. Lieutenant Colonel Simeon N. Sheriff, officer in the Sierra Leone Army (SLA), TRC interview conducted at Defence Headquarters, Freetown, 12 September 2003.
Nature of discipline

290. There is no doubt that the lax and inconsistent recruitment procedures of the Sierra Leone Army, particularly under the NPRC regime, allowed people of dubious character to enlist. The influx of unruly urban youths and the departure from the tenets of military professionalism inevitably had an impact on levels of discipline in the Army. SLA officers testified as to the context in which these shifts in the character of the Army took place:

"During the war years also, the cherished gate of the military was thrown open to good citizens, criminals and hooligans alike... in the hope of flooding the war front with enough manpower to prosecute the war. These undeserving individuals quickly exploited their uniforms and guns for personal, sectional and other selfish interests."[246]

[and]

"Like I said, you really need to look at the age target of the recruits... and at the time we did not really have a mechanism in place to filter people, to screen people. We only looked at people who were willing... and those who came forward to say: "we can go"... Characters were not questioned at all..."[249]

291. This kind of recruitment brewed indiscipline throughout the Army. Military personnel complained that some of the recruits were very difficult to control and that the behaviour of the rebels against whom the Army was fighting also affected the conduct of soldiers at the warfront. A copy-cat syndrome developed in the conflict, whereby government soldiers started behaving in the same manner as their insurgent enemies.[251]

292. Nevertheless military personnel up to the then Commander-in-Chief have claimed that despite all the problems of recruitment they were able to maintain combat discipline throughout the NPRC regime. The Commission also received testimony that child soldiers were punished according to their physical size and that the punishments meted out were designed to be “corrective” in nature.[253]

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246 Major-General Tom. Carew, Chief of Defence Staff, Republic of Sierra Leone Armed Forces, submission to TRC Thematic Hearings on Militias and Armed Groups, Freetown, 10 June 2003.
248 Lieutenant Colonel Simeon N. Sheriff, officer in the Sierra Leone Army (SLA), TRC interview conducted at Defence Headquarters, Freetown, 12 September 2003.
250 Sergeant Jonathan Showers, officer in the SLA and formerly in the AFRC, TRC interview conducted at TRC Headquarters, Freetown, 31 July 2003.
251 See, for example, Captain (Retired) Valentine E. M. Strasser, Former Head of State and Chairman of the National Provisional Ruling Council (NPRC) from 1992 to 1996; testimony before TRC Thematic Hearings held in Freetown, 30 July 2003.
USE OF DRUGS AND OTHER SUBSTANCES

293. One prominent characteristic of the conflict that is often related to children was the apparent widespread use of drugs by each of the combatant groups. In particular, the Commission learned early in its operations of the wide scale on which drugs were administered to child soldiers, mostly against their will. In many quarters, the atrocities committed by child soldiers have to a significant extent been attributed to the influence of these drugs. The only specialist psychiatrist in the country, who witnessed the war and remained in the country throughout the conflict period, was responsible for treating many of the former combatants affected by drug abuse. He had this to say to the Commission:

“Drug abuse was used by all the warring factions and those controlling them as a sort of mind control [tactic]… wherein these young people… they give them drugs and tell them to commit the atrocities which they actually committed.”

294. Numerous testimonies like these from ex-combatant children provide anecdotal evidence to corroborate the psychiatrist’s viewpoint:

“I was abducted in Makeni, injected with cocaine and sent for training at Kabala… After the training, I was sent on a mission to attack the Guinean troops in Kalia.”

[and]

“… Before I was captured, the rebels shot my father and mother in front of me… and having killed them, one of the commandos grabbed me by the throat, tied both of my hands, cut parts of my body with blade and placed cocaine in it… I had no option but to join them because I no longer had parents.”

TYPES OF DRUGS AND OTHER SUBSTANCES

295. Some of the known drugs used include heroin or “brown brown”, cocaine, crack, cannabis sativa or marijuana or “jamba”. Cannabis was the drug most commonly used according to the Commission’s enquiries. The use of alcohol was also widespread during the conflict. Combatants commonly drank palm wine, beer, liquors such as whisky and brandy, locally manufactured “omole” and mixtures of these in great excess. A senior administrator confirmed that alcoholic drinks and drugs were staple fare in the RUF.

296. Drugs were administered to child soldiers in various ways. Some were smoked, others added into food without the child’s knowledge. Various substances were snorted, interjected and drunk. Cocaine was administered by interfusion, which entails cutting open the skin and placing the drug into the flesh wound. Heroin was smoked and snorted. Other drugs such as pills were forced down children’s throats. Even gunpowder was administered to children, by mixing it into their food or through cuts made in their skin.

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254 See Dr. Edward Nahim, Sierra Leonean psychiatrist and commentator on use of drugs during the conflict, TRC interview conducted at Kissy Mental Hospital, Freetown, 30 July 2003; at page 5.
255 TRC confidential statement recorded at Saw Pit, Freetown, 7 December 2002.
256 TRC confidential statement recorded at Lumpa Displaced Persons Camp, 6 February 2003.
257 See Dennis Luseni, The Use of Drugs by Combatants in the Sierra Leone Conflict, internal report prepared for the Truth and Reconciliation Commission, Freetown, 2004 (hereinafter “Luseni, Use of Drugs by Combatants in the Sierra Leone Conflict”), at page 4.
AVAILABILITY OF DRUGS

297. The high levels of consumption during the conflict suggested that drugs were fairly readily accessible to the various armed groups. Dr Edward Nahim, the psychiatrist in charge of the government’s mental hospital, attributed the quantities of drugs on the market to a total breakdown of regulatory institutions:

“These drugs were easily available... easily available in the sense that... because of the war, people smuggled a lot of drugs into the country... and then there was no control. The police couldn’t function and the customs also couldn’t function. So it was more or less like a free-for-all situation. Those who wanted drugs got them easily... sometimes even for free.”[299]

298. Drugs were brought into the country through the air and seaports, as well as through the overland border entry points from Guinea and Liberia. Sierra Leone became a transit point for drugs to be shipped onwards to Europe and America.[260] Traffickers allegedly paid for shipping services with drugs, which was one of the means through which drugs came into the hands of members of the armed groups. The primary alleged route through which drugs passed, though, was by land transport from neighbouring countries. A brisk barter trade was said to be in existence in places such as “Bo Waterside” and Kabala for drugs from Liberia and Guinea respectively.[262] Natural produce such as cocoa, as well as looted goods and diamonds, were exchanged from Sierra Leoneans for drugs, medicines, rice, livestock and other items from over the border.[263] In addition, the Nigerian soldiers who arrived under ECOMOG were said to have brought various drugs, especially cocaine, with them into Sierra Leone.[264]

299. Describing the different scenarios, a confidential source told the Commission:

“I think some of the combatants brought in drugs, sold the drugs to the rebels in exchange for diamonds and money. So it was more or less an internal as well as an external trade. Internally, drugs were sold to the combatants and paid for with diamonds or money. Externally, the drugs were brought in and out as a transit point... to be sold overseas in Europe and America. So it was quite prevalent... and I think those engaged in the drugs trade made huge sums of money.”[265]

300. Marijuana was grown and harvested on different farms all over the country by the different fighting forces. Cultivation of marijuana in some cases supplanted crops that could have provided a source of food for a largely starving population. It was easy to grow and became readily available and cheap throughout the conflict period.[266]

[259] Dr. Edward Nahim, Sierra Leonean psychiatrist and commentator on use of drugs during the conflict, TRC interview conducted at Kissy Mental Hospital, Freetown, 30 July 2003; at page 6.

[260] Dr. Edward Nahim, Sierra Leonean psychiatrist and commentator on use of drugs during the conflict, TRC interview conducted at Kissy Mental Hospital, Freetown, 30 July 2003; at page 2.

[261] See Luseni, Use of Drugs by Combatants in the Sierra Leone Conflict, at page 14.

[262] See Luseni, Use of Drugs by Combatants in the Sierra Leone Conflict, at page 13.

[263] See Luseni, Use of Drugs by Combatants in the Sierra Leone Conflict, at page 13.


[265] TRC confidential interview with a state security official, conducted in Freetown, 22 August 2003.

[266] See Luseni, Use of Drugs by Combatants in the Sierra Leone Conflict, at page 2.
USE AND EFFECTS OF DRUGS

301. The Commission documented many instances of the violation of forced drugging, where a captive or child combatant was made to ingest narcotics, alcohol or another substance that altered his or her state of body or mind. According to the Commission’s database, 25% of victims of forced drugging whose ages were reported were 10 years or younger at the time of the violation; 50% of victims with age documented aged 13 or younger; and 75% of victims with age documented were 17 years or younger.267

302. The Commission received a number of statements and testimonies at hearings regarding drug usage. According to a 14-year-old ex-combatant girl she “used to take about thirty ‘blue boats’ (pills), ate ‘jamba placas’ (marijuana mixed in a sauce with local vegetables) and drank ‘jamba tea’ (marijuana distilled as tea) every day, except if they ran out of supplies.”268

303. The Sierra Leonean doctor who treated drug users during the conflict and in its aftermath recounted some of his experiences:

“… I admitted many patients. There were ECOMOG soldiers, there were Sierra Leone soldiers… child soldiers, civilians and most of them had drugs problems… During the January invasion and before any operation… that was a special operation… all of the frontline combatants were given drugs, either to eat, drink, smoke… or through injection, so that it will enter the blood stream directly… those that came to Freetown had cuts on their foreheads, which they rubbed with heroine and cocaine…”269

304. While drugs were initially administered to children by force, it is quite likely that the scenario changed later on in the conflict. Many children began taking drugs voluntarily, as a matter of habit or dependency. They were guaranteed easy access and their commanders were likely only to encourage them. The former Adjutant General of the RUF testified that as the conflict continued, so the trend evolved, with commanders forcing children to keep taking drugs after introducing them to the habit.270

305. In all probability the intention of commanders who administered drugs to children was to keep control of them so as to ensure compliance with orders regarding combat and the commission of violations. Drugs made the children more malleable and, in some instances, more liable to carry out acts of horrendous violence. Of greatest importance appears to have been the altered state of reality in which children found themselves. Having been abducted and removed from familiar surroundings, subjected to brutality and denied the chance to express themselves as children, their experiences were already cruelly intoxicating. Drugs merely enhanced the sense of emotional isolation and oppression that most children felt in the captivity of the armed factions.

267 More detail can be found in the Statistical Report produced as an Appendix to this report.
268 See TRC interviews with former child combatants, Family Homes Movement, 7 August 2003.
269 Dr. Edward Nahim, Sierra Leonean psychiatrist and commentator on use of drugs, TRC interview conducted at Kissy Mental Hospital, Freetown, 30 July 2003; at pages 8 and 9.
270 Jonathan Kposowa, former Adjutant General of the RUF and present Secretary General of the RUFP; TRC interview conducted at TRC Headquarters, Freetown; 23 June 2003.
306. The doctor at Sierra Leone’s state mental hospital shared his diagnosis of the problems that drug use during the conflict has caused:

   “Whenever you take drugs… it doesn’t matter whether it is marijuana, alcohol, heroin or cocaine, the effect is the same. What happens is that you become confused… you cannot concentrate very well. Your attention is not sustained… orientation for place and time is disturbed. That means you cannot even understand where you are, you cannot tell the time of the day or even the month…

   So as you can see many drug users are in a state of temporary insanity. They don’t have any judgment at all… they just walk by instinct and during that time anything you tell them to do… they don’t know that what they are going to do is wrong… They just blindly follow instructions. If you say go and shoot and kill… those under the influence of drugs wouldn’t have censure in their mind and brains… so in such cases, those taking drugs suffer from what is known as drug-induced confusion or psychosis… Of all the patients admitted to the Kissy Mental Hospital during the last ten years, 88% of them have been admitted for drugs problems…”

307. The leadership of the armed factions, particularly the RUF, must take responsibility for the high rate of drug abuse in the country. Refusal to take drugs on the part of a child captive or combatant was often accompanied by brutal beatings and starvation.

308. Testimony from many child soldiers confirmed that they were given drugs and then told to commit the most horrendous atrocities. Drugs were administered with contempt for the safety of the users and the civilians around them:

   “Gunpowder was cooked and put into their food and drinks were given to them… to make them feel high… Before any operation… most of these frontline fighters were young children… they are either injected with drugs like heroin or cocaine and given gunpowder to drink… and some of them carry drink, which they rub on wounds in their foreheads and so on. So in that state… the drug is affecting their brains and in a state of temporary mental insanity… their concentration is poor, they cannot think or reason properly. They committed atrocities like burning of houses, mutilating people, killing and raping.”

309. While drug abuse in the RUF was the result of compulsion, drug abuse was a more entrenched problem in the SLA. Many child soldiers had indulged in drug use of their own accord in the urban ghettos before joining the conflict and they simply continued upon entering the Army.

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271 Dr. Edward Nahim, Sierra Leonean psychiatrist and commentator on use of drugs during the conflict, TRC interview at Kissy Mental Hospital, Freetown, 30 July 2003; at pages 7 – 8.

272 Dr. Edward Nahim, Sierra Leonean psychiatrist and commentator on use of drugs during the conflict, TRC interview at Kissy Mental Hospital, Freetown, 30 July 2003; at page 5.

273 Lieutenant Colonel Simeon N. Sheriff, officer in the Sierra Leone Army (SLA), TRC interview conducted at Defence Headquarters, Freetown, 12 September 2003.
310. The impact of drug abuse has been varied and destructive. The violations committed by child soldiers under the influence of drugs represent the worst of its manifestations. It must be remembered that drugs were administered to children, whose sense of reasoning is not fully developed and who are already fairly susceptible to manipulation, peer pressure and fear. No sanction existed for commanders who pursued the practice of drugging child combatants.

311. The Commission finds that all of the armed factions deliberately pursued a policy of forcibly administering drugs to children in order to loosen their inhibitions, spur them on to commit gross human rights violations and to participate in the conflict without fear. The Commission finds further that many of the children committed the most heinous violations while under the influence of drugs. The Commission finds that none of the armed factions has acknowledged the widespread use of drugs, nor expressed any remorse for the long-term consequences of prolonged drug abuse on individuals and on the future prospects of the country as a whole.

IMPACT OF THE CONFLICT ON CHILDREN

312. In analysing the diverse effects of the conflict, the Commission has found that wanton violence impacted profoundly on the lives of the entire population of Sierra Leone. However its impact was most detrimental on children.

313. Children were not able to escape the most devastating negative effects of conflict. They found themselves assuming centre stage as both victims and perpetrators. Children have been affected at all levels in the fields of education and health, socio-economic considerations and the political sphere. Children lost the opportunity to enjoy their childhood. At a time they should have been playing and having fun, they were handling guns and were forced to endure the most awful violence. The United Nations has offered this analysis:

"Many of today’s conflicts last the length of a “childhood”, meaning that from birth to early adulthood, children will experience multiple and accumulative assaults. Disrupting the social networks and primary relationships that support children’s physical, motional, moral, cognitive and social development in this way, and for this duration, can have profound physical and psychological implications."

314. According to UNICEF, which has worked with children in Sierra Leone for several years:

"The extent of the damage has yet to be assessed. When we speak of children and the impact of such violations upon them, we cannot talk only of statistics or of apparent physical consequences. We talk about attempts at destroying the very humanity that these children have been born with. We talk about not only violating their rights as enshrined in international law, but about denying them the very right to exist as what they are – children. We have an obligation to protect them against future brutality, to protect their basic human rights, and if at all possible, to bring back their hope in a better future."


275 See UNICEF submission to TRC, at page 3.
DISPLACEMENT AND SEPARATION

315. One of the first consequences of any conflict is the massive migration of people that occurs as they try to flee from areas of violence to relative safety. In the course of this movement, enormous numbers of the population are uprooted. Those uprooted usually fall into two categories: internally displaced persons and refugees. Internally displaced persons, or IDPs, usually find temporary camps or safe havens within the country, while those who cross borders into neighbouring countries become refugees. Current figures estimate that more than fifty percent of all refugees are children.276

316. Displacement during conflict situations inevitably erodes and weakens many of the social and political structures designed to protect community members. When families are in flight, they can become separated easily. During the conflict in Sierra Leone, many children were separated from their parents in the chaos that followed attack or the threat of attack. A further cause of separation from family was the deliberate policy of abducting children practiced by all of the armed groups. Sadly many children have not been reunified with their families since the conflict ended. Many of them were taken away at such a young age that they do not remember who their family members are.277

317. UNICEF described the situation that many children found themselves in:

“Particularly despondent were the children who had been recruited as young as seven and demobilised as teenagers. These children often were confused, disoriented, conveyed facts and information wrongly, and were frequently unable to tell the difference between fantasy and reality… one 10-year-old boy claimed he himself was twenty years old. Others gave conflicting and confused information about their places of origin or the last known location of their relatives.”278

318. Sadly many refugees find themselves fleeing from one situation of violence to another. It has been estimated that more than 75% of the refugees that have so far left their homes have fled from one developing country to another.279 Refugees have placed an enormous strain on countries that already have problems caring for their own populations. They frequently attract a hostile or violent backlash from host communities and governments.

319. Sierra Leonean refugees have experienced such a backlash in Guinea. In September 2000, President Lansana Conté of Guinea made a public announcement accusing all refugees in Guinea of being rebels and/or harbouring rebels.280 This speech resulted in attacks and violations against Sierra Leone refugees, including children, by Guinean authorities and civilians alike. Refugee camps were attacked and non-camp –based refugees were detained en masse. Many refugee children were raped and many were killed or died in detention due to the abominable conditions in which they were held. Many refugees fled back to Sierra Leone, only to suffer further violations such as abductions and sexual slavery at the hands of the armed factions.281

277 TRC confidential statement recorded in Kono District, 7 December 2003.
278 See UNICEF submission to TRC, at page 18.
280 See UNICEF submission to TRC, at page 24.
281 See UNICEF submission to TRC, at page 24.
320. Life in the refugee camps in Guinea was fraught with violations such as arbitrary arrest and detentions, police abuse and lack of freedom of movement. A major problem in the camps was the commission of sexual violations against refugee women and girls. According to UNICEF:

“Throughout their time in these camps, refugee girls as young as five became victims of rape and other forms of sexual violence at an astonishing rate considering the ostensible civilian nature of the camp.”

321. Refugee camps are often squalid and inmates face severe deprivation. In this environment, children are most at risk to disease, hunger and human rights violations. In the camps children often suffer malnutrition and diseases such as scurvy, beriberi and pellagra. All of these factors contribute to high mortality rates. While no statistics are available as to how many children died during the conflict as a result of malnutrition, the UN Human Development Index has ranked Sierra Leone consistently in last place over recent years, particularly with regard to its infant and under-five mortality rates.

322. While displaced children are at greater risk than adults during conflict periods, unaccompanied minors face even greater risks. “Unaccompanied minors” are those who have been separated, lost or orphaned in the course of flight. UNICEF estimates that they probably account for more than 5% of the refugee population. While some children were taken in at the end of the war by extended family members, many others have found themselves languishing on the streets of Freetown.

323. Displacement is a harrowing experience for any human being. It is even more traumatic for children. In all cultures, one of the most important factors of societal existence is the cohesion of the family and community, and the degree of nurture and support that children are accorded. When support structures are threatened and subsequently destabilised, the foundation of the lives of children is put in serious jeopardy. According to UNICEF:

“Indeed, one of the most significant war traumas of all, particularly for younger children, is simply separation from parents... often more distressing than the war activities themselves.”

324. Children in Sierra Leone not only experienced separation and displacement but also suffered related violations of an intensely harrowing nature, which compounded their trauma. These experiences have left scars both mental and physical. Regrettably many children do not have access to social and economic resources that could possibly assist them to deal with their lives and heal the scars of the past.

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282 See UNICEF submission to TRC, at page 24.
ECONOMIC CONSEQUENCES ON CHILDREN

325. Internal conflicts usually have even more harmful effects on the country than international conflicts. Factors affecting the level of damage to the country include the duration of the conflict, the magnitude and geographical spread of hostilities and the nature of the warfare that has taken place. The eleven—year war affected the infrastructure of the country dramatically: the agriculture industry was destroyed; the wealth of the mineral resources was diverted and did not benefit the population; and the workforce was torn apart and incapacitated. In sum the war devastated the economy of Sierra Leone.

326. The conflict seriously affected economic activity, severely damaged the export base of the country, destroyed physical infrastructure and drained resources both human and capital, which were used to support war efforts. As such, there was a collapse in the revenue base of the country. Due to the war, by 1997, there was an 18% contraction in GDP, virtual stagnation during 1998, and a further fall of 8% in GDP in 1999.

327. The capacity of the population to cope with the dire economic situation in the aftermath of the conflict is significantly based on the characteristics of the economy before the war. In a sense, it is necessary to look at the situation of people before the conflict and whether they were above the poverty index. Unfortunately in the case of Sierra Leone, the economy was already precariously placed in the 1980s, a state of affairs that was not helped by the adoption of the structural adjustment programme, which destroyed most of the social services being provided by government. The conflict has only served to make the poor even more impoverished.

328. Most vulnerable groups in the face of severe economic pressure, devise "household survival strategies," or coping strategies. These strategies often rely on what is known as "job diversification", a shift onto the labour market of household members who were previously not necessarily needed to work. Such a process causes changes in traditional roles within households. Children of course are always affected, as their parents send them out to contribute to the family income. Almost as a matter of course, children find themselves doing paid labour during and after conflict periods.

329. Traditionally in Sierra Leone, children have been involved in domestic work, which includes household chores in towns and agricultural work in rural communities. The conflict has led to the loss of breadwinners through death, disability or sickness, so children have been forced to become economic contributors and in some cases providers for their families. The presence of so many children engaged in trading and other commercial activity on the streets of Freetown and other large towns is a clear indication that children have taken an active role in income generation for themselves and their families.

285 See the War-torn Societies Project (WSP-International), an initiative supported by the United Nations, for a more detailed analysis of conflict damage indicators. The website includes links to a Sierra Leone case study at the following address: www.wsp-international.org.

286 See the Institute for Security Studies, South Africa; Profile of the Sierra Leone Economy, including essential data on GDP and other economic indicators for the conflict period and beyond. More detail can be found at the website: www.iss.co.za/AF/profiles/SierraLeone/Economy.html#top.

287 See the War-torn Societies Project (WSP-International): www.wsp-international.org.

288 See the War-torn Societies Project (WSP-International): www.wsp-international.org.
330. According to the "multi-indicator cluster survey" conducted in 2000 in Sierra Leone, 48% of children were found to be engaged in unpaid work for someone other than a household member, and 10% of these children spent more than four hours a day on such tasks.\(^{289}\) It was also revealed that in the same year, 72% of Sierra Leonean children were working in some capacity; the figure includes those involved in domestic and agricultural work.\(^{290}\) Clearly the war has forced many children into joining the workforce of the nation.

331. Other survival strategies utilised by vulnerable groups involve the sale or pledge of their subsistence and production assets, such as land and livestock, or their personal assets, such as jewellery. In a post-conflict period, many families also resorting to pledging their children as labour.\(^{291}\)

332. The practice of using children for the purposes of labour is not new in Sierra Leone. A custom had developed long before the conflict of poor or illiterate parents sending their children away, to be brought up by relatives or friends whom they perceived as being better off, or better placed to care for the children. It is similar to fostering children to people the parents believe have more to offer than they have, largely for material reasons. Local jargon refers to this practice in Krio as "mehn pikin".

333. This system has being criticised because of the huge potential for exploitation:

> "...Generally [fostered children] do receive more severe beatings than children living with their mothers, and they perform the most physically arduous work. They receive less medical care compared to children with their mothers and their complaints of illness are often dismissed as faking to avoid work. Many receive little animal protein from their caretakers and are given food of poorer quality, such as the crusty, burnt rice at the bottom of the cooking pot. They must share a basin of food with large groups and with older, more competitive eaters... they receive few snacks, whether intentionally or through oversight. Foster children are punished frequently by food deprivation... leading many to forage largely for themselves... picking wild fruits, stealing... rates of malnutrition and deaths are highest among younger ones."\(^{292}\)

334. This informal practice of fostering in Sierra Leone is not strictly regulated. Its incidence is on the increase because of the conflict. In particular, children from the provinces, which include the most impoverished areas, are fostered to families in Freetown. According to the Government's survey of 2000, 10% of all children do not stay with their parents even though they are alive. This issue needs to be further investigated in order to ensure that the rights of children are not abused in the process of trying to find better care for them.\(^{293}\)

\(^{289}\) See Government of Sierra Leone; Report on the Status of Women and Children in Sierra Leone at the end of the Decade, November 2000, at page 60.


\(^{291}\) See the War-torn Societies Project (WSP-International): www.wsp-international.org/.


While children were used as labour in the diamond-mining industry even before the war, there has been a noticeable growth in the use of children in the mines both during and after the conflict. Having tracked this worrying trend, the NGO World Vision made the following submissions to the Commission:

"The war aggravated the involvement of children in mining activities. In Kono District and elsewhere, many children were captured and conscripted into the RUF and AFRC fighting forces. Those children captured... were forced to engage in mining activities, where they were used to provide slave labour. These child combatants and other abducted children were ultimately seeking fortunes for their commandos. Many of the children and youth who escaped capture by the RUF were later recruited by the CDF, the Kamajors. The children who were with the Kamajors were later to become miners too."

As at June 2003, there were more than 1,300 children between the ages of 11 and 18 working in the mines. At least 8% of those registered as working in the mines by World Vision were aged eight or younger. World Vision also found that 91% of mining labourers were males, mostly engaged in the digging and washing of the gravel, while less than 10% of them were girls, who did the cooking and other chores.

In its comprehensive survey produced in 2002, World Vision reported that 75% of the children stated that their main reason for working in the mining industry was to earn money. In terms of benefits that they had accrued, 43% said they were not realising much benefit from the mining activity, while 45% said they earned enough to meet their "basic needs". When asked the type of problems they encountered at the mines: more than 40% of the children said they do not benefit much from the proceeds of the sale of the diamonds derived from their labour; 13% claimed that they did not get adequate food; 28% said they were overworked; 7% felt they were not being properly cared for; and 9% suffered frequent illnesses. When asked how long they planned to continue mining: 66% said they would continue until they found an alternative; 15% indicated that they would continue until they got enough money; 14% was unsure; whilst 5% wanted to continue until asked by their parents to discontinue. When asked other preferences they would pursue if given the opportunity: 44% were interested in schooling; 40% in skills training; and 8% in farming. Tellingly, only 3% were interested in mining.

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294 See World Vision; Submission to the Truth and Reconciliation Commission on the occasion of the TRC Special Thematic Hearings on Children, 16 June 2003 (hereinafter "World Vision submission to TRC"), at page 3.
295 See World Vision submission to TRC, at page 3.
296 See World Vision submission to TRC, at page 5.
298 See World Vision submission to TRC, at pages 10, 11 and 12.
338. The World Vision survey revealed that children are not benefiting from their continued stay in the mines. Describing the problems associated with the use of children as miners, World Vision has stated that:

"[Children] are clearly not in the mines on their own volition. This is clearly an act of child abuse bordering on exploitation. Many of these children have abandoned all educational pursuits, including acquiring vocational skills. There are children who are being used by their parents, other relatives and greedy crew bosses purely for their own selfish gains. These children have limited access to health care and educational facilities... most of the benefits from their mining activities will only benefit the financiers, who are in places far away from the mine pits. Ultimately, these children will be abandoned at a time when it will be too late to acquire any skills or return to any formal educational institution... thereby making them social burdens putting much demands on society."\(^{299}\)

339. Another direct result of the dire economic circumstances in which children find themselves is the number of young girls who have been forced into the sex trade as a means of survival. These girls largely account for the marked growth all over the country in the sex trade, which is still rife with abuses.

340. A major area of concern is the phenomenon of the child-headed household in Sierra Leone, which results from children having lost parents or guardians in the war. The loss of a breadwinner has meant that many children have had to become involved in economic activities at the expense of their childhoods. The government is so convinced of a high number of orphans in the country that it declared the relatively low figure produced by its own survey in 2000 as unrepresentative.\(^{300}\) Some of the reasons given for the low figure included the many orphans living in care systems or on the street without adult caretakers. Since the survey was a house-hold survey, these children were not counted. There are no accurate statistics on child-headed households in Sierra Leone.

341. The involvement of children in aggressive economic activities such as street trading, mining, domestic servitude and commercial sex work is disconcerting and impacts negatively on their rights to enjoy their childhood and access education. Not being educated will affect them dramatically in the future, as it will determine their future livelihoods. It is important for society as a whole to grasp the many adverse consequences of putting its children to work, as the government noted in the report on its household survey:

"Children who are working are less likely to attend school and more likely to drop out. This pattern can trap children in a cycle of poverty and disadvantage... Working conditions for children are often unregulated with few safeguards against potential abuse. In addition, many types of work are intrinsically hazardous and others present less obvious hazards to children, such as exposure to pesticides in agricultural work, carrying heavy weights and scavenging in garbage dumps."\(^{301}\)

\(^{299}\) See World Vision submission to TRC, at pages 3 and 4.
\(^{301}\) See Government of Sierra Leone; Report on the Status of Women and Children in Sierra Leone at the end of the Decade, November 2000, at page 60.
SEXUAL EXPLOITATION OF CHILDREN

342. Another aspect of economic exploitation suffered by girl children in Sierra Leone has been sexual exploitation. Sexual exploitation has included the exchange of sex for food, money and medicine. Sex has also been bartered in order to access humanitarian assistance, to which children are legally entitled through the free provision of donor agencies and many of the United Nations organs. Sexual abuse by humanitarian workers has affected both internally displaced persons and those in refugee camps. A second aspect of sexual exploitation identified by the Commission is the wretched position that many girls find themselves in due to the conflict, forced to sell themselves for sex in order to make a living.

343. The Commission has noted the contents of the report on sexual exploitation in refugee camps as experienced by Sierra Leone girl-children and women, which was the result of the survey on sexual exploitation carried out by UNHCR and Save the Children UK. The report found that sex in exchange for money or gifts appeared to be widespread. The majority of the victims indicated that it was the only option they had in order to access money or receive food and other basic necessities. The majority of the children involved in this racket were girls between the ages of 13 and 18 years. Girls between the ages of four and 12 were also reported as being sexually harassed, either verbally or through the groping of their buttocks, breasts or genitals.

344. In describing the scenario, UNICEF provided the following insight:

"Each refugee camp contains several "ghettos" or drug bars... and brothels where men go to exchange money or goods for sex, often with minor girls."  

345. The survey found that those most vulnerable to sexual exploitation were unaccompanied children, children in child-headed households, orphaned children, children alone or in foster care, children living with extended family members and children living with single parents.

346. Items and services such as oil, bulgur, wheat, tarpaulin or plastic sheeting, medicines, transport, ration cards, loans, education courses, skills training, jobs and other basic services were exchanged for sex with girls.

347. The report indicates that it was the relatively prosperous elite, including the UN staff, peacekeepers, aid and NGO workers, whose resources were considerably more than those of the refugees, who frequently exploited the extreme disparity surrounding the refugee population by using the very humanitarian aid and services intended to benefit them as a tool for exploitation. These workers used their positions to withhold services that were meant to benefit children and others. Such services were held back and excuses made until sex was proffered, or demanded and given. Another group of persons that sexually exploited girls was, surprisingly, fellow male refugees who were appointed into caretaker or leadership positions among the refugees.

303 See UNICEF submission to TRC, at page 24.
305 Ibid.
348. Other factors that contributed to sexual exploitation of refugee children were lack of livelihood options and consequent inability to meet basic survival needs, insufficient food rations and supplies, and pressure from peers and parents.

349. Outside the refugee camps, the main group of persons that sexually exploit girls are men in positions of power or influence, or those with recourse to enough resources to buy sex. Included in this group are teachers, religious leaders, NGO workers, government officials and expatriates.  

350. Describing this scenario, UNICEF commented as follows:

“Sexual exploitation in Sierra Leone is far more common than documented in the report [by UNHCR and Save the Children UK]… The inherent power differential between a man with access to resources, however minimal, and a young woman or girl with less or none renders any sexual relationship between the two non-consensual sexual exploitation. In particular in the context of the horrors of war, the desperate poverty and hunger, and the consequent enormity of the needs of civilians, men in positions of power, both Sierra Leoneans and expatriates, have systematically taken advantage of this situation for their own sexual gratification. Hiding behind the cloak of words such as “prostitution” and “commercial sex work” lurks the reality of young women who are survivors of a sickeningly widespread pattern of exchange of desperately-needed goods and services for sex.”

351. Many of the girls abused in Sierra Leone have suffered teenage pregnancies and have contracted sexually transmitted diseases as well as HIV / AIDS.

**IMPACT ON CHILDREN’S HEALTH**

352. The health sector in the country was already in straitened circumstances before the war. It was further devastated by the conflict, with heath care and delivery being steadily undermined as the general humanitarian situation worsened. Mass violations, coupled with the massive displacement of civilians, overwhelmed an already beleaguered health-care system. During the conflict, the country is estimated to have lost more than 50% of its health facilities, with the remaining facilities needing extensive repair and support.

353. Describing the general state of health in the country in 2001, UNICEF said:

“The protracted conflict has had a dramatic effect on the health of the country... Population movements, overcrowding and poor sanitary living conditions have exacerbated already high morbidity and mortality, and infectious disease, such as malaria, pneumonia, tuberculosis, bloody diarrhoea and HIV/AIDS... Routine childhood immunisation has almost completely collapsed in some areas of the country due to lack of access.”

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306. See UNICEF submission to TRC, at page 23.
307. See UNICEF submission to TRC, at page 24.
308. See UNICEF submission to TRC, at page 24.
309. See World Bank, Project Appraisal Document on a Proposed Grant in the amount of US$20 Million Equivalent to the Republic of Sierra Leone, for a Health Sector Reconstruction and Development Project; 22 January 2003, at page 5.
354. The impact of the conflict on the health of children has been even greater than for adults due to children’s innate vulnerability. Malnutrition was widespread because people were deprived of access to adequate food, clean water and health and sanitation facilities. Malnutrition continues to be a problem and is said to contribute significantly to the high infant mortality rates in the country. According to a report in 2001, 86% percent of pregnant women were anaemic, which has implications not only for safe motherhood, but also for immunity, growth and development of children. Due to lack of access to some parts of the country during the conflict, routine childhood immunisation almost completely collapsed leaving many children at the mercy of killer diseases.

355. Another impact of the war has been the massive destruction of the health infrastructure in the country, especially in the provinces, which have always been disadvantaged. Added to destruction is the lack of human resources due to the war. Some health providers left the unsafe provincial zones during the war for the relative safety of Freetown and to date have never returned. Their absence continues to impact on the welfare and survival of children, most of whom now lack access to health infrastructure and personnel.

356. Given the impact of the conflict on the economy, indigent families are finding it difficult to access basic health care for themselves and their children, even when it is available. The situation is most acute in the rural areas, where the greatest numbers of persons but also the poorest in the country reside. Thus health care has become one of the casualties of the conflict, placing the well-being of the country’s children in constant jeopardy as its legacy.

357. All of these factors are responsible for the continuously high infant and under-five mortality rates, placed at 170 and 316 respectively per 1000 live births. Furthermore, the country has an underweight, stunting and wasting prevalence of 27%, 34% and 10% respectively in children. Finally low birth weights of below 2.5kg stand at 52.5% of children born in Sierra Leone.

Physical health

358. Another consequence of the war on the health of children has been on their physical and psychosocial health. Physically some children were wounded in the war with guns knives, axes and such like, which resulted in bodily injuries. Of particular importance in this category are those children who suffered amputations and mutilations in the hands of the armed groups. Some of these children presently experience pain and other general discomfort due to these injuries sustained, to the extent that some of them might need help for the rest of their lives. These children are the visible legacies of the impact of the war on the health of children.

311 See World Bank, Project Appraisal Document on a Proposed Grant in the amount of US$20 Million Equivalent to the Republic of Sierra Leone, for a Health Sector Reconstruction and Development Project; 22 January 2003, at page 5.
312 See World Bank, Project Appraisal Document on a Proposed Grant in the amount of US$20 Million Equivalent to the Republic of Sierra Leone, for a Health Sector Reconstruction and Development Project; 22 January 2003, at page 6.
Psychosocial welfare

359. Children were subjected to many acts of violence and also witnessed horrific atrocities in the course of the conflict. Their experiences have impacted negatively on their psyche, leading to severe emotional and psychological suffering. Children’s abilities to exhibit appropriate and acceptable social behaviour, rational thought, good memory, learning ability, clear perceptions and understanding will in many cases remain questionable.

360. According to the results of a survey carried out by a donor agency on a sample of children to assess the levels of violence and psychological trauma experienced as a result of the 6 January 1999 invasion of Freetown: 71% of the children saw pictures of their worst experience in their minds; 94% thought about their worst experience even when they did not want to; 72% were plagued by nightmares and bad dreams; and 76%, unsurprisingly, worried that they might not live to be adults.316

361. According to UNICEF, some children in the Interim Care Centres were said to have exhibited intense fear, intrusive recollections, anxiety, sleep disturbances, nightmares, profuse sweating, hyper vigilance, lack of concentration and withdrawal from other persons because of their experiences. Other children displayed signs of aggression, were abusive, disruptive, troublesome, confrontational and found it difficult to form ties with people. There were also children who cared little for their appearance and personal hygiene.317

362. In present day Sierra Leone, many children are suffering the social effects of altered relationships due to the death of family members, separation and estrangement from family. The breakdown in family and community structures and the loss of social values have affected children materially. Children have also felt the impact of destitution caused by economic loss and material devastation and the resultant loss of social status.

363. The psychosocial effects of the conflict have had a definitive impact on the children of Sierra Leone. The repercussions of their experiences are far reaching and long term and will require careful psychosocial support in order to help heal them. The overall development of the children of Sierra Leone has been affected and will need major intervention if they are to take their rightful place in the world. UNICEF indicated in its submission that:

“The long lasting repercussions on these children of the violations they suffered cannot yet be assessed.”318

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316 See Plan Ireland, Children in Disasters programme, “The Importance of Education in Disaster Rehabilitation – The Rapid Education Programme in Sierra Leone”, 2000; available at the following website: www.plan-ireland.org/pdfs/childrenindisasters. In October 1999, Plan Ireland commissioned an assessment of the violence and psychological trauma experienced by 315 war-displaced children at four IDP camps in or near Freetown. In July 2000, it also carried out a “rapid” assessment of the psychosocial conditions of children in Moyamba District.

317 See UNICEF submission to TRC, at page 19.

318 See UNICEF submission to TRC, at page 17.
IMPACT OF SEXUAL VIOLATIONS ON CHILDREN

364. While many people knew of the war in the Sierra Leone and the amputations that had taken place, very few people knew that most of the affected women and girls had experienced sexual violations. The nature and extent of the sexual violations that women and girls suffered during the conflict remain as yet unknown. Most women and girls in Sierra Leone experienced sexual violations on account of their gender. UNICEF, in describing the impact of sexual violations on children, has stated:

“The precise number of child victims of sexual violence is extremely difficult to establish due to under-reporting and an absence of comprehensive medical statistics. Survivors may fear retaliation, stigmatisation or rejection, may experience guilt feelings, or may be psychologically unable to deal with the consequences of disclosure. What is clear however is that sexual violence during the Sierra Leone war was perpetrated on a horrifically wide scale, and in blatant violation of the precepts of international law.”319

365. The consequences of the systematic sexual violations that girls suffered in Sierra Leone have ranged from trauma, unwanted pregnancies and abortions, the contraction of deadly diseases, physical and internal injuries, to miscarriages. Girls who fell pregnant not only gave birth to children, but also suffered the additional trauma of seeing their new-born babies dying. Many also lost their lives during child birth. A family member recounted the experience of a girl-child:

“On 6 January 1999… during that time, the rebels were on the run from ECOMOG troops who were clearing them out… the rebels took her away into the bush and she spent more than six months with them. On her return she was pregnant. She delivered the baby but the baby died…”320

366. Many of the girls were incredibly young when sexually violated. Many fell pregnant while not quite mature. One of the medical implications of pregnancy by persons whose bodies are not yet fully developed or matured are the injuries that can occur in the course of delivery. Examples of these injuries are Vesico or Recto-Vaginal Fistula (VVF or RVF), which entail a breakdown of the tissues between the bladder and the vagina, resulting in urinary incontinence. Unfortunately, this condition may become permanent if there is no access to surgical assistance. It is one of the greatest indignities that girl-children suffer as a result of the sexual violations in the conflict. Other injuries experienced include abrasions and tearing of internal tissues, which in turn increase the chance of infections.

367. According to a medical director who treated some of the girls who were raped and sexually violated during the conflict, many of the victims had contracted sexually transmitted infections or diseases (STIs or STDs), including gonorrhoea, syphilis, chlamydia and even HIV / AIDS.321 For women and girls, all of these diseases, if left untreated, have grave repercussions.

319 See UNICEF submission to TRC, at page 8.
320 TRC confidential statement recorded in Freetown; 16 December 2002.
321 See Dr. Rashida Kamara, medical doctor based at Connaught Hospital, Freetown, TRC interview conducted in Freetown; 11 July 2003.
368. While there is an absence of statistical data to confirm the numbers of girls who contracted HIV / AIDS during the conflict, the existing information suggests that in all probability it is quite high. In addition, girls who have undergone female genital mutilation who have also been raped and sexually violated are at a greater risk of contracting HIV / AIDS due to the extensive genital damage done to them during the circumcision exercise. The United Nations Development Fund for Women (UNIFEM) has said that scarification caused by female genital mutilation increases the incidence of trauma and tearing during sex, which in turn exacerbates the possibility of contracting HIV / AIDS.

369. It is estimated that altogether more than 16,000 children are living with HIV / AIDS in Sierra Leone. It is also estimated that there were 42,000 HIV / AIDS orphans under the age of 15 at the end of 2001, which is about 5% of the population and indicates a rise of 2% since 1997. The increase is attributed to several aspects of the eleven-year conflict: the migration of people, rape, the influx of peacekeeping forces, poverty, ignorance, aversion to discussing sex in some communities, unsafe sexual practices and the prohibitive costs of AIDS medication.

370. Most girls have experienced the complete shattering of their lives because of the conflict. In the case of those girls who became mothers, early childbirth has prevented them from developing themselves in any meaningful way. They have been forced to stop schooling on account of their caring duties, which means that they do not acquire an education for themselves. Many girls have also stopped school because of early "marriage". Girls have been forced to curtail their own ambitions and aspirations because they have become wives and mothers before their time. Their childhoods have been unceremoniously cut short, as they have assumed adult responsibilities towards their children.

371. Sexual violations have therefore increased the level of poverty in which many girls live, as they have no training or opportunities to improve their earning skills due to the incapacities described above. They have been forced by circumstances to join the country's workforce as low-income earners, if at all. It is highly unlikely that their situations will improve, impacting adversely on their own lives and those of their children. The major effect of the conflict has been to plunge the girls into a never-ending cycle of poverty, which will attach from generation to generation.

372. In addition to all of the above consequences of sexual violations, most girls also have to face stigmatisation in their own communities. Girls have been rejected by their own families and have experienced their children being called "rebel children". The sense of rejection and isolation that such reception engenders in the minds of the affected girls has resulted in the re-traumatisation of many of them. Considerable numbers of girls choose to remain with their abductors due to rejection from their families and communities.

322 See Dr. Rashida Kamara, medical doctor based at Connaught Hospital, Freetown, TRC interview conducted in Freetown; 11 July 2003.
324 See the World Health Organisation (WHO), Epidemiological Fact Sheet on HIV / AIDS and Sexually Transmitted Infections, 2002 Update (hereinafter "WHO, Fact Sheet on HIV / AIDS").
325 See WHO, Fact Sheet on HIV / AIDS.
326 See WHO, Fact Sheet on HIV / AIDS.
373. UNICEF has attempted to put the impact of rape and sexual violations on children into context as follows:

“Gender-based violence committed against girls was more than an attack against the individual survivors; it was an attack against their families and communities. Indeed, it is an attack against their present and their future, destroying their ties with home, threatening if not destroying their hopes of normal family life and often taking away their possibility of having children. Gender-based violence is an attack against the survivors’ dignity, which they may never be able to regain. When committed on such a scale as was the case in Sierra Leone, it is indeed an attack against their very humanity.”

IMPACT OF DRUG USAGE ON CHILDREN

374. According to the only psychiatrist in Sierra Leone, drug abuse in the country is out of control to the point that he considers it a medical emergency. Children between the ages of 17 and 18 are worst affected. The prevailing situation has been attributed to the failure of the police to clamp down on the trafficking of drugs in the country, particularly during the conflict period.

375. Particular mention has been made of the prevalence and widespread use of cannabis sativa or marijuana. According to Dr. Nahim:

“Cannabis sativa is so commonly used or abused in Sierra Leone… that I don’t think people consider it a crime any more to use it… It is so easily available that all you want to do, if you want to smoke cannabis, you can go to any place where they drink alcoholic drinks. Nearby you can get cannabis easily available no deal… nobody will say any word. For less than Le 500, you can get a wrap that can make you feel high. As you can see, it is grown nearly everywhere in Sierra Leone today. You can get it anytime, anywhere, either for free or for a low fee.”

376. The impact of the use of drugs in the conflict is reflected in the psychological, social and physical problems exhibited by those children who have become addicts. According to the doctor, the psychological impact of the drug has led to many children suffering from schizophrenia.

377. Socially, many of these children are having problems getting by at school, resulting in a decline in their performances attributable to their drug habit. Of particular concern are the adolescents in tertiary institutions whose schooling has been affected. Also, some children have become outcast and vagrants who sleep in the street, without money, employment or family care and who are likely to fall foul of the law.

327 See UNICEF submission to TRC, at page 7.
328 Dr. Edward Nahim, Sierra Leonean psychiatrist and commentator on use of drugs during the conflict, TRC interview at Kissy Mental Hospital, Freetown, 30 July 2003; at pages 2 to 19. The statistics and perspectives in this section are those of Dr. Nahim, unless otherwise stated.
329 Dr. Edward Nahim, Sierra Leonean psychiatrist and commentator on use of drugs during the conflict, TRC interview at Kissy Mental Hospital, Freetown, 30 July 2003; at page 17.
Physically, these drugs have affected one system or the other in the young person’s bodies. A common example is the effect that persistent alcohol abuse, coupled with the use of a cocktail of drugs, has had on some young ex-combatants. Many of them display complaints relating to the malfunction of vital organs, such as the brain, heart and the central nervous system.  

In short, drug abuse has affected most children in the country, whether directly or indirectly, in an entirely negative way during and since the conflict.

**STIGMATISATION, OSTRACISATION AND ISOLATION**

A number of ex-combatant children are still bearing the brunt of their forced participation in the war. Their families and communities have rejected them because of their former affiliations with some of the armed factions and those violations they had committed while in the group. They are punished by their societies and “re-victimised” for having been forced into becoming soldiers in the conflict. Girls particularly have experienced both derision and rejection because they were forced to become “bush wives” or sexual slaves. In the case of those who came back with babies, both mother and child have been rejected and taunted. Ironically the society that failed to protect them from the violence of the conflict has revictimised them through not fault of their own. Sadly the fear of rejection has resulted in many of these children refusing to go back to their communities in the first place.

Many of the children victimised during the conflict have lost hope and faith in their society and have become enmeshed in a self-destructive lifestyle due to their total despondency. Others have ended up living rough and are now mired in the vices that accompany life on the streets. During the conflict, many children’s lives became a constant struggle. Now, the war may be over, but for most children the struggle continues. An example lies in the experiences of this ex-child combatant, who was rejected by his father on his attempted return to the family in Freetown:

“When I came to Freetown, I tried to stay with my father... he rejected me and now I am staying in the streets. He said that he is no longer my father because I was a rebel... I tried to explain to him that it was not my fault... but he could not listen to me. I am now a chain smoker... I smoke cigarettes, cannabis sativa and have sex with prostitutes’ everyday... I even drink alcohol.”

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330 Dr. Edward Nahim, Sierra Leonean psychiatrist and commentator on use of drugs during the conflict, TRC interview at Kissy Mental Hospital, Freetown, 30 July 2003; at page 18.
331 TRC confidential statement recorded in Freetown, 5 February 2003.
THE IMPACT ON CHILDREN’S EDUCATION

382. The conflict fuelled the decline and disarray of what was already a dysfunctional education system. Armed groups attacked and destroyed schools and colleges, decimating the already weak infrastructure of education. In 1997 and for an entire academic year, children stopped schooling altogether due to the levels of tension in the country. By the end of the conflict, a significant number of school-going children had outgrown school age, while others had lost two to three years of schooling. Today, many children ascribe their inability to access education to the protracted conflict:

“... We were with them until we were taken away from them by the Kamajors in 1996. Up to today, I did not get any education. I am a drop out in the village.”

383. Inexplicably, schools and other infrastructural facilities were targeted and destroyed by armed groups. An assessment carried out by the Ministry of Education, Science and Technology in 1996 revealed massive physical damage to schools. Plenty of school buildings were burnt down, while others were looted leaving nothing behind. Furniture and fittings such as windows, doors and even sheet roofing were stripped off the buildings. Some of the armed groups used looted furniture as firewood. Other equipment and teaching materials were destroyed. The few buildings that survived the carnage deteriorated due to abandonment and lack of maintenance.

384. Subsequently, another survey in 2001, entitled the National School Survey Report or NSSR, identified 3,152 schools with a total number of 4,854 school buildings. Out of these figures, the survey found that as many as 35% of classrooms needed full reconstruction, while 52% needed to be repaired or reconstructed. Only 13% were judged to be usable in the present condition in which they were found.

385. The destruction of the conflict, particularly across the provinces, has therefore resulted in an inability to provide adequate school premises and facilities for children. As a result of their lack of infrastructure, some schools were forced to relocate from the provinces to Freetown and were only able to move back at the end of 2002. Schools were forced to operate on a platoon basis so as to cope with the number of children who had re-started schooling. The resultant chaos meant that most children in the provinces could not begin school on time. The phased return of normality after the war contributed to the late re-opening of schools in the provinces.

332 See Plan Ireland, Children in Disasters programme, “The Importance of Education in Disaster Rehabilitation – The Rapid Education Programme in Sierra Leone”, 2000; available at the following website: www.plan-ireland.org/pdfs/childrenindisasters.
333 TRC confidential statement recorded in Pujehun Town, 28 February 2003.
334 TRC confidential statement recorded in Pujehun Town, 28 February 2003.
335 See World Bank, Project Appraisal Document on a Proposed Grant in the amount of US$20 Million Equivalent to the Republic of Sierra Leone for a Rehabilitation of Basic Education; 2003.
386. The conflict also left in its wake extensive damage to teacher’s accommodations, the free provision of which originally formed an incentive for teachers to go and teach in the provinces and the remote rural areas. Once again, children in these areas were short-changed, as it proved very difficult to attract trained and qualified teachers to live and teach in such areas without any accommodation or support structures. The area with the highest level of damage to staff houses was the Eastern district.  

387. The massive displacement that occurred during the conflict led to a situation where many people left the country, or migrated to areas of relative safety such as Freetown. Teachers were of course included among the exodus. In the NSSR report, the estimated number of displaced teachers accounted for 6% of the total teaching staff in the country. Therefore at the end of the conflict there was not only an imbalance in the concentration of teachers in certain areas but also complete loss of skills or “brain drain” due to forced migration.  

388. Another negative feature in the aftermath of the war consists in the problems associated with the financial state of some parents and guardians. Many are unable to afford the cost of education for their children and wards. The devastation of the economy has virtually wiped out the earning and spending power of the average parents. As such children of school age were not able to attend school immediately after the conflict even where such areas were liberated. Currently there are thousands of children who are still unable to attend school for a variety of reasons.  

389. It is impossible to measure the real impact of the conflict on children. In reality the consequences of the war are unimaginably diverse and widespread; they affect every facet of children’s lives. While this section has attempted to examine the consequences on children, it is impossible to provide a complete picture of the effect on their lives. Nonetheless, anecdotal testimony and authoritative analysis can convey a sense of their experiences and provide us with an understanding of how best to shape our responses.  

390. As expressed by the United Nations:

> “In countless cases, the impact of armed conflict on children’s lives remains invisible. The origin of the problems of many children who have been affected by conflicts is obscured. The children themselves may be removed from the public, living in institutions or as is true of thousands of unaccompanied and orphaned children, exist as street children or become victims of prostitution. Children who have lost parents often experience humiliation, rejection and discrimination. For years, they suffer in silence as their self-esteem crumbles away. Their insecurity and fear cannot be measured.”

339 See World Bank, Project Appraisal Document on a Proposed Grant in the amount of US$20 Million Equivalent to the Republic of Sierra Leone for a Rehabilitation of Basic Education; 2003 (hereinafter “World Bank, Project Appraisal on Rehabilitation of Basic Education”).

340 See World Bank, Project Appraisal on Rehabilitation of Basic Education, at page 8.

CONSEQUENCES OF THE CONFLICT FOR CHILDREN
AND RELATED INTERVENTIONS

391. This final section of the chapter examines the responses and interventionary mechanisms devised by various state and non-state actors in addressing children’s needs after the conflict. It includes line ministries and agencies under the umbrella of the Government of Sierra Leone, as well as its national and international partners such as the United Nations and the Child Protection Agencies (CPAs). The present status of children after accessing these interventionary measures will be included in the analysis.

DISARMAMENT, DEMOBILISATION AND REINTEGRATION
– THE DDR PROCESS

392. Following the restoration of the democratically elected government of Alhaji Ahmed Tejan Kabbah in March 1998, a number of important reform initiatives were introduced. There was widespread recognition at the end of such a tumultuous period of the conflict that a need existed to put structures in place to begin the transition to peace. One of these structures involved the process of demobilising, disarming and reintegrating former combatants, which was considered to be of the utmost importance.

393. The DDR process, as it was popularly known, began in July 1998 and involved ex-combatants from all of the armed factions including the RUF, the AFRC, elements of the SLA and the CDF. The overall objective of the DDR process was “to disarm and demobilise 45,000 combatants from the RUF, AFRC, CDF and SLA factions and support their reintegration into society”.

342 The National Committee for Disarmament, Demobilisation and Reintegration (NCDDR) carried out this operation in three phases, as well as an additional interim phase that came after the second phase was unexpectedly disrupted:

- August 1998 to December 1998  First phase
- October 1999 to May 2000  Second phase
- May 2000 to May 2001  Interim phase

394. In total, 6,774 children were put through the DDR process. Of this number 6,261 were male and 513 were female. Along factional lines, the division was as follows: 3,710 RUF; 2,026 CDF; 471 SLA; 427 AFRC; 84 from other factions; and 60 non-affiliated child combatants.

343 See Executive Secretariat of National Committee for Disarmament, Demobilisation and Reintegration (NCDDR), Total Number of Children Disarmed, 9 September 2003.

344 See the National Committee for Disarmament, Demobilisation and Reintegration (NCDDR); submission to the Sierra Leone Truth and Reconciliation Commission, 4 August 2003, at page 3.
After disarmament and demobilisation, the reintegration process started in February 2000. Children were divided into two groups. First, those below the age of 15 were sent to interim care centres in the care of UNICEF and their Child Protection Agency partners. These children were provided with services such as family tracing, psychosocial counselling, basic health care and, where possible, fostering and / or reunification. After reunification with their families or fostering, they were integrated into formal educational projects under the UNICEF-assisted Community Education and Investment Programme (CEIP).

Second, those between the ages of 15 and 17 were put in “group homes” or allowed independent living. They were provided skills training under the NCDDR’s Training and Employment Programme, which could last for up to nine months. During training they were provided with a basic monthly allowance of Le 15,000.00 and were also given training materials. At the end of their training, start-up kits were distributed to them. Some children were also put to work in agriculture and community-based initiatives. Although the offerings under agriculture were designed to cover crop production (food as well as cash crops), animal husbandry and fisheries, children were said to have opted only for upland farming and animal husbandry. In addition, referral and counselling services were provided. According to the NCDDR, children preferred to opt for skills training, primarily because most of them had never been to school or had very little education prior to the war. Some were also influenced by their parents to opt for skills training, whilst for others there was no formal school system in their area of reunification.

There is no doubt that the DDR programme succeeded in its main goal of disarming and demobilising thousands of ex-combatants from all of the different factions in the conflict, thereby promoting peace and security in the country. Nevertheless there were problems with the programme in certain areas. The most glaring of these problems was the absence of girls in significant numbers from the DDR process.

It was estimated that about 30% of the child soldiers in the Sierra Leone conflict were girls, but that only 8% of them benefited from the demobilisation and reintegration programmes of the NCDDR.

While many reasons have been advanced to explain the absence of girls from the programme, the reality of the way in which the programme unfolded did not allow for girls to participate properly. Most of the ex-combatant girls were considered to be “camp followers” and were not recognised as combatants in their own right. Accordingly they were not permitted to enter the DDR programme. Many other girl combatants, fearful of public exposure during demobilisation, refused to participate for fear of stigmatisation.

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345 See the National Committee for Disarmament, Demobilisation and Reintegration (NCDDR); submission to the Sierra Leone Truth and Reconciliation Commission, 4 August 2003, at page 13.
346 See Executive Secretariat of National Committee for Disarmament, Demobilisation and Reintegration (NCDDR); Child Reintegration; 8 January 2004, at page 12.
347 See Legrand, J-C. Child Protection Senior Regional Advisor for UNICEF, West and Central Africa; “Demobilisation and Reintegration of Child Soldiers: Why are we missing the girls?”; paper presented to a conference on child protection, Bonn, Germany; March 2003 (hereinafter “Legrand, Demobilisation and Reintegration of Child Soldiers”).
348 See Dr. Kellah and Mr. Lansana, former officials of the National Committee for Disarmament, Demobilisation and Reintegration (NCDDR), TRC interviews in Freetown, 8 January 2004.
Many commanders to whom the girls were attached deliberately prevented the girls from accessing the programme.\textsuperscript{49} It is clear when examining the practical side of DDR that gender was given scant regard by those who planned the programme. Between 1999 and April 2002, only 8\% of the total number of released and demobilised children were girls and this number sank to 3\% during the last demobilisation phase in November and December 2001.\textsuperscript{50} Commanders deliberately removed the guns from many of the girls and handed them to others whom they preferred, thus preventing the girls from entering the programme. One part of the requirements for accessing the benefits of the DDR programme was that you had to hand in your weapon first. Once weapons were taken away from the girls, they were sidelined.\textsuperscript{51} Many of the girls therefore remained with their captors, unable to leave because of the lack of alternative sources of support, especially in cases where they had children.

Girls were marginalised from the DDR process, as it did not take into account the gender-specific roles played by many of the girls in the conflict. It was premised on the concept of male combatants and their roles. The girls with the armed factions were not merely “camp followers”, since many of them had been with the armed groups for lengthy periods and had performed multiple roles during that time. If one were to accept the definition of a child soldier in the Cape Town Principles, it would include “any person under 18 years of age who is part of any kind of regular or irregular armed force or armed group in any capacity, including but not limited to cooks, porters, messengers and anyone accompanying such groups, other than family members.”\textsuperscript{52} Based on this definition, the majority of girls should have had full access to the DDR programme. While the girls had varying experiences, all of them had contributed in some way to the war. Many young girls started out as porters, later graduating to becoming fighters, as well as simultaneously acting as sex slaves, or “bush wives”, to their captors. Their very existence and the complexity of their situations were not considered in the conception of the DDR process and their needs were subsequently neglected.

Another contributing factor to the stereotyping that existed in the DDR process, leading to the exclusion of hundreds of females, was the nature of the images of war created and circulated by the media. It has been said, for example, that because young male children carrying weapons are visible, an immediate message about their plight can be conveyed, whereas young female victims of sexual violence are less immediately discernible and more difficult to relate to an existing image in one’s mind.\textsuperscript{53} The media has created a situation where we tend to associate the expression “child soldiers” with images of children carrying weapons and consequently to boys. Such one-track portrayals of the “child soldiers” issue in the media could also account for why girls in Sierra Leone were excluded from the DDR process.

\textsuperscript{49} See Dr. Kelllah and Mr. Lansana, former officials of the National Committee for Disarmament, Demobilisation and Reintegration (NCDDR), TRC interviews in Freetown, 8 January 2004.
\textsuperscript{50} UNICEF, Child Protection Report, April 2002
\textsuperscript{51} See Dr. Kelllah and Mr. Lansana, former officials of the National Committee for Disarmament, Demobilisation and Reintegration (NCDDR), TRC interviews in Freetown, 8 January 2004.
\textsuperscript{52} See Legrand, Demobilisation and Reintegration of Child Soldiers.
\textsuperscript{53} See Legrand, Demobilisation and Reintegration of Child Soldiers.
403. Logistics and geography also played a major role in the DDR process and contributed to the exclusion of many of the girls. In some parts of the country, children’s camps were situated in close proximity to adult camps. One example of such a set-up was in Lungi in Port Loko District. Many girls had not been given permission from their commanders to demobilise, so they were understandably fearful of joining up in case their commanders should find out. Many commanders or “bush husbands” – deeply suspicious of the motives behind the NCDDR – declared their readiness to take up physical violence against these girls if they should disobey them and participate in the DDR process.

404. Thus, while the DDR programme had a generally positive and rehabilitative effect on male ex-combatants, women and girls mostly lost out. While the DDR programme channelled assistance to selected combatants, it appeared to do so in a male-biased fashion. Meanwhile many of the girls who were designated “camp followers” found themselves in limbo between assistance programmes: they could not access DDR, yet they were also unable to access any services from the National Commission for Reconstruction, Resettlement and Rehabilitation (NCRRR), as they were not considered to be internally displaced persons. Unfortunately, girls in such a position were said to have outnumbered the “combatants” in the DDR process at a ratio of four persons to one.

405. The absence of girls in such significant numbers from the DDR process contravened UNSC Resolution 1314 of August 2000, which demands that special attention be given to the needs of women and girls in the wake of armed conflict, including securing their rights, protection and welfare.

406. A significant number of girls who were entitled to access education, skills training and other opportunities have sadly not acquired these skills or accessed potential educational opportunities. Their exclusion has compromised their reintegration into society. Their economic and social needs have not been addressed; their lives are especially difficult given the prevailing economic and cultural situation in the country. Socially, the girls would have stood a better chance of acceptance if they had acquired the necessary skills or education, as they would have been perceived as potential contributors to the development of their families and communities. Instead, they are often regarded as unwanted economic burdens on their families and society.

407. Based upon this analysis, there is a dire need on the part of the authorities to provided girl ex-combatants with fresh opportunities to acquire skills and education. While the Commission acknowledges that the NCDDR has now wound up its activities, it is essential that the government should take note of the omission of girls from its programmes and act swiftly to make amends. Other public sector offices, as well as international and local NGOs, should channel their activities to support the government in addressing the needs of these forgotten girls.

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355 See Dr. Kelllah and Mr. Lansana, former officials of the National Committee for Disarmament, Demobilisation and Reintegration (NCDDR), TRC interviews in Freetown, 8 January 2004.


STREET CHILDREN

408. Another startling consequence of the war in Sierra Leone is the prevalence of orphaned, abandoned, unaccompanied and separated children, which has resulted in a dramatic rise in the number of street children in the country. Considering the widespread nature of violations such as displacement and killing in the conflict, one can only hazard a guess at the number of children whose families were destroyed by these violations. Thousands of children still do not have a home or family to go to and thus have found themselves in the streets. Unfortunately, there is no data on the number of children so affected.

409. Thousands more children live with their families but spend a large portion of their time in the streets. These children are mostly engaged in commercial activities and petty crime. Sometimes children are driven into the streets due to peer or family pressures, the latter often caused by disagreements with parents or guardians. A survey on street children and war-affected children found the following reasons for their presence on the street among its selected sample: 38% poverty; 24% displacement by the war; and 21% family pressure or disagreement.

410. Two subtly different terms have emerged to capture the two principal categories of street children: children “in the street” and children “of the street”. The numbers of children “in the street” seems to increase steadily, especially in urban areas where children seek menial work, beg for cash and attempt to hawk their wares, ranging from cigarettes and face towels to fruit and drinking water. For children “of the street”, uncompleted buildings, markets, churches, mosques and other communal places have become their homes. They often compete with stray dogs for scraps of food. Street children are emerging as one of the major child protection issues in Sierra Leone, as their numbers appear to be remaining stable, if not growing, despite interventional efforts.

411. In the survey sample of street children and war-affected children quoted above, about 80% of street children interviewed were male and 20% were female. About 69% of street children and 8% of other war-affected children had at least one parent dead or missing, while 4.8% of the war-affected children were orphans with both parents dead.

412. Life for children on the streets is unimaginably hard, continuously hazardous and prone to exploitation. The younger ones and the girls suffer from physical, sexual and psychological abuse. Children can be seen begging and hawking in the streets of Freetown and the provincial towns, which, in the case of girls especially, creates a pathway to involvement in other activities such as stealing and the sex trade. A study on commercial sexual exploitation reported that 60% of respondents to its survey of sex workers had been involved in street hawking or trading before they became involved in sex work.

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358 See Statistics Sierra Leone; Rapid Assessment Survey for Street Children and other War-Affected Children; report submitted to National Commission for War-Affected Children (NaCWAC), May 2003 (hereinafter “Rapid Assessment Survey for War-Affected Children”), at page vi.
359 See Rapid Assessment Survey for War-Affected Children, at page ix.
360 See Rapid Assessment Survey for War-Affected Children, at page vi.
361 See Rapid Assessment Survey for War-Affected Children, at page vii.
362 See Rapid Assessment Survey for War-Affected Children, at page vii.
413. Life on the streets can also lead children to engage in other forms of destructive behaviour, such as drug and substance abuse, criminal activity and confrontation with law enforcement officials. Many street children have been arrested during raids on urban hangouts. In addition, street children become prone to serious illness because of their exposure to infections in unsanitary living conditions and their limited access health-care facilities. Street life holds a certain irrational allure for some children, who believe that it guarantees independence from their often-troubled families and homes. Yet it is exactly this unbridled independence at such a formative stage of their lives that is the undoing of these children. The provision of guidance services to children and, of course, the concerted elimination of the factors that drive children onto the streets should be priority measures for the government and other stakeholders.

414. There is also a need for local councils, communities and faith-based organisations to be involved in the provision of support to these street children. Culturally, the African society has always been a communal society where children do not only belong to their parents but to the community at large. Such a sense of civic spirit was pre-eminent in Sierra Leone before the conflict. Individual Sierra Leoneans must endeavour to restore the communal ownership of children, so that street children can be nurtured into useful members of the communal instead of the perennial burden they are fast becoming.

415. The Ministry of Social Welfare, Gender and Children’s Affairs (MSWGCA) told the Commission that it has established a taskforce for street children and a parallel programme on children in conflict with the law, to co-ordinate and monitor activities related to street children. However, there is no noticeable evidence of the impact or effect of these programmes at the time of writing.

416. A National Commission for War Affected Children (NaCWAC) has also been established under an Act of Parliament. It should be encouraged as it pursues its responsibility to facilitate the reintegration and rehabilitation of children affected by the war – especially street children – into normal community life.

THE NATIONAL COMMISSION FOR WAR-AFFECTED CHILDREN (NaCWAC)

417. The National Commission for War Affected Children (NaCWAC) was an initiative of the SRSG on Children, Mr. Olara Otunu, and was created in law in January 2001. It became operational upon the opening of its secretariat in March 2002. The major thrust of NaCWAC’s work is centred on Advocacy and the Voice of Children, Policy and Institutional Links and Mechanisms for Children’s Empowerment.364

418. To date NaCWAC has been involved in the provision of skills training and education for war-affected children identified by its implementing partners. It is also building what it has called “trauma healing centres” in different parts of the country. Laudable though these projects are, NaCWAC seems to have lost focus on the essence of its primary duties as enunciated in the Act that established it.

364 See the National Commission for War Affected Children (NaCWAC), Strategic Planning Workshop Report, Freetown, May 2003, at page 2.
419. NaCWAC has been duplicating the work that child protection agencies have been doing since the cessation of hostilities. The fact that NaCWAC announced only in 2004 that it was starting an advocacy project for street and amputee children is a clear indication that it had been preoccupied with issues unrelated to its primary duties before this time.\textsuperscript{365} NaCWAC needs to refocus on its primary objectives as they are spelled out in its empowering act and for which it was originally established.

420. An example of where NaCWAC, in collaboration with the MSWGCA and other stakeholders, can redirect its efforts is the issue of the urgent Child Rights Bill. The Bill presents an ideal platform for the streamlining and harmonisation of the nation’s laws on children, in line with international standards. Advocacy towards the enactment of the Bill and sensitisation on other laws affecting children’s rights in the country is presently lacking. It would be immensely helpful to the children and the country if NaCWAC were to fill the gap.

421. There is a need for both the MSWGCA and NaCWAC to define their respective roles vis-à-vis one another with a view to ensuring that no overlap exists. The two institutions must avoid any duplication of programmes and related wastage of funds, especially in the vital areas pertaining to war-affected children.

CHILDREN’S FORUM NETWORK

422. The Children’s Forum Network (CFN) is an important tool for children’s advocacy in Sierra Leone. Its members maintain a strong and influential voice on issues affecting children. The organisation ensures children’s participation in national activities as is spelled out in the Convention on the Rights of a Child. Members of CFN were instrumental in producing the child-friendly TRC report.

UN ASSISTANCE MISSION IN SIERRA LEONE (UNAMSIL)

423. UNAMSIL is the first UN peacekeeping mission to have had staff deployed specifically in the fields of child protection and child rights issues directly in the office of its Special Representative of the Secretary General (SRSG). They comprise a department with a single, explicit mandate: the protection of children. The department became operational in January 2000 with a team headed by a Child Protection Adviser (CPA), joined later by a Child Protection Officer. The child protection office was placed within the SRSG’s office specifically to ensure that children’s issues would remain high on the mission’s agenda throughout the different phases of peacekeeping and peace consolidation in Sierra Leone. Thus the CPA has direct access not only to the SRSGs but also the Deputy SRSGs and senior UNAMSIL leadership.\textsuperscript{366}

424. The CPA, through the medium of the SRSG’s office, reports to the Department of Peacekeeping Operations (DPKO), UNICEF, and Office of the Special Representative of the Secretary-General for Children and Armed Conflict (SRSG/CAAC) at UN Headquarters.

\textsuperscript{365} TRC interviews with Executive Secretary and senior staff of the National Commission for War Affected Children (NaCWAC); interviews conducted in Freetown, 9 January 2004.

\textsuperscript{366} Bert Theuermann, Special Assistant to the SRSG and Child Protection Adviser, UNAMSIL; TRC interview conducted in Freetown, September 2003.
The activities of the UNAMSIL child protection office have included the “mainstreaming” of child protection issues throughout UNAMSIL by: identifying key child protection issues; developing advocacy strategies on these issues; advising the SRSG; supporting the monitoring of violations of children’s rights by participating in the development and work of UNAMSIL’s conduct committee; and reviewing disciplinary standards and procedures for responding to allegations of sexual abuse and exploitation of children and others. The office also provides training in child rights and child protection, monitoring and reporting for all UNAMSIL troops. The office participates in the work of UNAMSIL Trust Fund, which includes monitoring existing projects and identifying new projects, as well as advising force contingents on activities and programmes beneficial to children. It is significant to note that the CPA is a member of the overall UNAMSIL Project Approval Committee.

The CPA as a focal point and an interlocutor has assisted government agencies, line ministries and child protection agencies in developing close co-operation with UNAMSIL in addressing children’s issues. The office has contributed to the shaping of the national agenda on children, for instance by providing support in strengthening the National Child Protection Network and NaCWAC and by assisting the MSWGCA in increasing its capacity in child protection at all levels. The CPA is a member of the Child Protection Committee and the Core Management Group of major Child Protection Agencies. The CPA contributes as a member of the National Steering Committee on Child Protection to training for the Republic of Sierra Leone Armed Forces and Sierra Leone Police, with the main objective of ensuring that child rights and protection are incorporated into the regular training curricula of the RSLAF and the SLP.

UNAMSIL is involved through its outreach programmes in advocacy for the enhanced participation of children in the peace-building process. Thus the CPA is an ad-hoc member of the Advisory board for the Voice of Children. In conjunction with other stakeholders, UNAMSIL provides support and encouragement for children’s organisations like the Children’s Forum Network.

Finally, UNAMSIL has been providing technical advice and supporting the development of policies, procedures and activities for children’s involvement in the principal transitional justice mechanisms, the Truth and Reconciliation Commission (TRC) and the Special Court. UNAMSIL, with the help of the MSWGCA, UNICEF and other CPAs, was instrumental in providing logistics for children’s participation in the TRC Special Thematic Hearings on Children.

**UNITED NATIONS CHILDREN’S FUND (UNICEF)**

UNICEF has been the lead agency in Sierra Leone working with children in all circumstances and collaborating with other NGOs, CPAs and the Ministry of Gender, Social Welfare and Children Affairs. It has positioned itself as an advocate for the rights of children and as a conduit through which to deliver services for the fulfilment of these rights. UNICEF has always played a major and significant role in children’s development and has been supporting the government to plan, implement and monitor programmes relating to children.

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430. UNICEF runs child protection, education and health programmes for children throughout the country. In the course of the conflict, UNICEF ran various interventionary programmes even in the face of grave danger and difficulties.

431. UNICEF’s child protection interventions during and after the war have included: emergency care and reintegration of separated children; care, protection and reintegration of sexually exploited children; promotion of child rights; and monitoring and advocacy in the area of juvenile justice. In the midst of the hostilities, a child protection network partly co-ordinated by UNICEF and chaired by MSWGCA was formed. This network has been the focal point for co-ordination and collaboration in the area of child protection since 1996.

432. Thus in 1998, UNICEF supported 54 agencies to form the Child Rights Violations Network to monitor, document and advocate against continuing human rights violations against Sierra Leone’s children.

433. UNICEF has been the key agency providing care for demobilised Sierra Leonean children involved in the conflict. It was also designated to serve as the major agency for children in the Disarmament, Demobilisation and Reintegration (DDR) programme by being a member of the Technical Coordinating Committee of NCDDR. Describing the functions it undertook in the DDR process, UNICEF submitted to the TRC as follows:

"UNICEF and its child protection partners established structures for the demobilisation and reintegration of child soldiers... to identify, register, document and reunify unaccompanied children separated by war, poverty and abuse... and provide psychosocial support to children suffering psychologically and emotionally from their tragic experiences."

434. UNICEF has also been the key agency providing support in terms of funding and logistics for Family Tracing and Reunification of separated children with their families and communities under the office of the Child Welfare Secretariat of the MSWGCA. At the time of writing, the total recorded number of separated children is 7,311, of which 6,281 have been successfully reunified with their parents. As for the remaining children, UNICEF has stated that it continues to provide care and support mechanisms for them.

435. Nonetheless, there have been times when a child cannot be reunified with his or her family, due either to the failure of the tracing mechanisms, to the ongoing insecurity in the child’s region of origin, or to rejection of the child by his or her family. UNICEF and its partners have been doing their utmost to ensure proper and comprehensive long-term care for children in this tragic situation.

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368 See UNICEF submission to TRC, at page 1.
369 See UNICEF submission to TRC, at page 1.
370 See UNICEF submission to TRC, at page 1.
371 See UNICEF submission to TRC, at page 1.
373 See UNICEF submission to TRC, at page 2.
UNICEF has also instigated vital interventions in the area of education in response to the desperate state of education in the country after the conflict. In 2000, UNICEF partnered with the government and the Norwegian Refugee Council to establish the Rapid Response Education Programme, composed of special classes on numeracy and literacy skills, with additional teaching in peace building, human rights, religion and moral ethics. The programme was designed to enable children to make the adjustment back into formal classes. It typically focused on IDP settlements and communities that had just become accessible to human assistance, lasting for an intense period of six months.

Many school-going children experienced years of lost schooling during the conflict. It became clear that some children who had been in primary school before the outbreak of the conflict might not want to access education after the war because of the shame of going to school as relatively older children. Thus UNICEF sponsored the initiative known as Complementary Rapid Education for Primary Schools (CREPS). Allied to it was the Community Education Investment Programme (CEIP). This package of measures was designed to serve as an incentive for schools to take in ex-combatant children. It sought to help in facilitating the reintegration process for these children.

In a similar vein, UNICEF’s Non-Formal Primary Education (NPFE) project reached out to children, particularly girls, without access to formal primary education with the simple goal of reducing illiteracy levels. 437

In the area of health, UNICEF has also led several interventionary programmes. Due to the massive destruction inflicted on health infrastructure in the country, there was an immediate need to get substitute structures up and running. UNICEF has supported 352 Primary Health Units to become functional between 2000 and 2004. It has provided services in infant immunisation, measles vaccination and raising awareness on HIV / AIDS among adolescents and other vulnerable groups.

One of UNICEF’s most significant post-war interventions in the health sector was its scar removal project, carried out in conjunction with the International Medical Corps (IMC) and USAID. UNICEF’s implementing partner in the project was the Italian NGO Cooperazione Internazionale (COOPI). Some of the armed groups had branded their initials on abducted children. Acronyms like “RUF” and “AFRC” were carved into various parts of children’s bodies, including their foreheads, chests, arms and backs. It was an act of mutilation performed essentially for the purpose of preventing the children from escaping. At the close of the conflict, these markings became a source of danger for the scarred children, as opposing groups or members of their communities tended to regard them as dangerous members of the factions that had branded them. These physical scars hampered reintegration efforts and affected the children psychologically, as it seemed that they had been branded for life.
Thus an initiative to perform plastic surgery to remove or transform these scars was born. UNICEF’s scar removal project was implemented over a period of six months, beginning in August 2000. All the children involved were counselled by social workers before, during and after their operations. With the help of Child Protection Agencies, over 120 children with scars were identified, while 93 were recommended for the surgery. Eventually, 82 children, comprising 37 girls and 45 boys, successfully underwent the surgery and their scars surgically removed or transformed.

**INTERVENTIONS IN EDUCATION AND SKILLS TRAINING**

After the war, the need to rehabilitate the education system from the battering it suffered during the war became obvious. The government and other agencies have been at the forefront of the rehabilitation efforts in the education sector during and since the conflict.

After the reinstatement of the SLPP Government in 1998, the sum of 6.75 billion Leones was made available for the commencement of education reforms in the country. The government worked together with the UN, the World Bank and its NGO partners to conceive a variety of education projects.

One such programme is the World Bank project on the Rehabilitation of Basic Education, which is in progress throughout the country at the time of writing. The sectoral issues addressed by this programme in its rehabilitation of the school system include: monitoring the quality of education delivered; ensuring availability of infrastructure and furniture; lowering the level of teacher-to-pupil and classroom-to-pupil ratios to 40 and 30 respectively; providing trained teachers and teaching aids; and setting up school management committees at local level to monitor the schools.

The World Bank programme also seeks to provide support to private sector providers of education, as 85% of the schools in the country are administered by non-state bodies such as religious missions. Additionally, over 90% of the schools renovated since the war have received support from NGOs. The World Bank seeks to support the non-formal and emergency education programmes that have come about as a result of the war. School-based peace education and peace-building initiatives are also foreseen. Due to the threat that HIV / AIDS poses to education, the project offers support on a demand-driven basis to prevent and mitigate the spread of the disease. The project cooperates with the Ministry of Education, Science and Technology in building capacity for its planning and management of education services.

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377 See UNICEF submission to TRC, at page 23.
378 See UNICEF submission to TRC, at page 23.
379 See UNICEF submission to TRC, at page 23.
380 See TRC interviews with officials of various ranks in the Ministry of Education, Science and Technology; interviews conducted in Freetown, 20 August 2003.
382 See World Bank, *Project Appraisal on Rehabilitation of Basic Education*, at page 12.
384 See World Bank, *Project Appraisal on Rehabilitation of Basic Education*, at page 12.
446. The World Bank education project started in the middle of 2003 and is meant to run for four years. Resources will be allocated to the districts on the basis of a formula that takes into account the level of damage to the local schooling infrastructure and population. The allocation may be revised occasionally based on project progress or evidence of population movement.\(^{385}\)

447. Although the Commission cannot assess this programme comprehensively because it had commenced only six months prior to the writing of this report, the project has enormous potential to help in rejuvenating the education sector.

448. To encourage more access to education and to increase literacy levels, the government has initiated a programme of free education for all children at primary level and subsidies towards examination fees.\(^{386}\) The government has also been paying the school fees of all girls in junior secondary Class One who passed exams in the Eastern and Northern regions since September 2003. Finally teaching and learning materials, including furniture and textbooks, are now being provided to all government and government-assisted schools.\(^{387}\)

449. The Complimentary Rapid Education for Primary Schools (CREPS) project, which started in Lungi in 2000, was meant to cater for displaced children and ex-child combatants who had missed out on formal primary education for different periods on account of the conflict.\(^{388}\) It is a compressed three-year programme, designed to complement a six-year conventional primary school education. CREPS was supposed to enable the target group of 10 to 14 year-old children to advance more quickly towards educational levels consistent with their ages. At the time of conception, an estimated 500,000 children fell within this category, but the objective set at commencement was to enable 25,000 children in this age group to commence or recommence schooling. CREPS also committed to ensuring a gender gap less than 30%.\(^{389}\)

450. Recognising that children might be traumatised due to their experiences during the war and would therefore be ill-prepared for immediate formal schooling, the CREPS programme included in its curriculum such topics as psychosocial and health issues, including trauma healing, peace education, human rights, gender issues and HIV / AIDS.\(^{390}\)

451. By the end of 2001, 6,733 children, made up of 3,883 boys and 2,850 girls, were enrolled in the CREPS programme in three districts, with another 3,552 children enrolled in the complementary RREP programme.\(^{391}\) By 2002, the CREPS programme had spread to seven districts in the North and East and had a total enrolment in that year of 22,778 children. By the end of July 2003, a total of 26,646 children were enrolled in CREPS in these seven districts.\(^{392}\)

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390 See GoSL / UNICEF, *Information on Complementary Rapid Education for Primary Schools*.
391 See GoSL / UNICEF, *Information on Complementary Rapid Education for Primary Schools*.
392 See GoSL / UNICEF, *Information on Complementary Rapid Education for Primary Schools*.
452. Additional support under the CREPS programme came in the form of training for 665 teachers and orientation for 113 head teachers in CREPS concepts and methodology. Provision was made for teaching materials and temporary shelter for 225 CREPS classes. Logistics such vehicles, motor cycles and more than 50 bicycles were provided to the Ministry and NGOs to facilitate their monitoring and supervision of CREPS by July 2003.

453. The CREPS programme is still ongoing and a recent evaluation showed that demand remains very high. The quality of education is as good and in some cases better than in some of the formal schools. Nonetheless, the programme has had problems that have hampered its expansion and thus affected access for the many children who need its services.

454. These problems include the Ministry’s reluctance to accept ownership and responsibility for the implementation of the CREPS project. The Ministry lacks commitment to recruiting teachers and paying their salaries, which are two major stumbling blocks to the expansion of the programme. The Ministry has also failed to deliver support in providing text materials and fee subsidies to host schools. In addition, weak supervision and delays in UNICEF funding have posed problems for the project.

455. Apparently at the core of the Ministry’s reluctance to show ownership of CREPS is its perceived notion it is a UNICEF programme. UNICEF and the MEST need to work out this issue speedily in the interests of all school-going children. Still, it is important to stress that the greatest responsibility for the education of the children of Sierra Leone lies with the Ministry of Education.

456. The expansion of CREPS will continue to help children in accessing education. The government’s full and prompt payment of newly recruited teachers would be of immense help to the sustainability of the programme. Proper payment would in turn enhance the availability of teachers, as teachers are presently reluctant to join the programme due to non-payment of salaries. Another key part of the reintegration process for children was the Community Education Investment Programme (CEIP). This programme was largely a response to growing demand from the children themselves, who stated that going back to school was their greatest desire. Initiated by UNICEF and run by some of its implementing partners such as Norwegian Refugee Council (NRC), International Rescue Committee (IRC), Cooperazione Internazionale (COOPI) and Caritas Makeni, the programme was designed to enable mainly ex-combatant children to return to school in a manner beneficial to the entire school. It was intended to facilitate reintegration and minimise stigmatisation for the ex-combatant children by assisting the communities as a whole.

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393 See GoSL / UNICEF, Information on Complementary Rapid Education for Primary Schools.
394 See GoSL / UNICEF, Information on Complementary Rapid Education for Primary Schools.
395 TRC confidential interview with an official working in child protection, Freetown, October 2003.
396 See GoSL / UNICEF, Information on Complementary Rapid Education for Primary Schools.
397 See GoSL / UNICEF, Information on Complementary Rapid Education for Primary Schools.
398 TRC confidential interview with an official working in child protection, Freetown, October 2003.
399 See UNICEF, Lessons Learned on Child Protection in DDR, at page 50.
400 See Government of Sierra Leone / UNICEF, background document on Community-Based Reintegration Programmes, provided by UNICEF to the TRC, January 2004.
The CEIP programme provides a “standard package of material assistance to communities to support education efforts.” It gives supply packages rather than just money to schools that have accepted former child combatants as students. Schools were to choose from one of three options: a kit of recreational supplies for the entire school; a kit of teaching materials for 20 teachers; or a kit of learning materials for 200 students. Although CEIP was originally intended only to serve children who had DDR numbers, a group of the implementing partners wished to expand the programme to include other reintegrating children. As a result, CEIP was altered to provide educational access to about 10% of other children who were not ex-combatants.

The CEIP programme reached a substantial portion of children who had been demobilised and, although it was started as a pilot programme, it has quickly expanded and now represents a national model. CEIP has operated in all 13 districts and had more than 3,000 ex-combatants and separated children registered in over 500 primary and secondary schools at April 2003. The fear in some quarters is that communities might become dependent upon the programme, as many imagine that the assistance from CEIP will continue indefinitely. It should be remembered that CEIP was only intended to help children to recommence schooling. As such, government should be gearing itself up to take over the role that CEIP is presently filling.

Education has seen significant improvements all round since the cessation of hostilities. There has been a significant increase in the availability of primary schools throughout the country. From 2,336 primary schools in October 2001, the number of schools had increased to 5,177 by the end of July 2003. For secondary schools, the number of schools has increased from 185 in October 2001 to 237 in March 2003. There also has been a significant increase in access, which has led to increments in overall school enrolment.

In spite of the achievements, there are areas that require further improvement in the delivery of qualitative education to children across the country. With regard to enrolment, there still is significant under-representation of girls as compared to boys, a situation that the Ministry intends to address in a “phased and prioritised manner”. The need to attend to this gender imbalance cannot be emphasised enough if the female population is to be part of the growth and development of this country.

There are still problems too with the provision of adequate infrastructure for schools. Most schools, especially those outside Freetown, consist of either temporary structures, partly-damaged buildings, converted private homes or simply clearings of land under trees. Schools lack classroom furniture, teaching and learning materials and in many cases adequate sanitary provisions. There is also a shortage of qualified teachers in the provinces, as well as a severe shortfall of secondary schools throughout the country.

463. The government and all other stakeholders must ensure that the above-listed problems are addressed so that many more children than at present can benefit from the opportunity to access education in Sierra Leone.

464. It is imperative that improved literacy levels together with the need for education remain priorities, as these are major factors in rehabilitating societies emerging from conflict. Handing people the opportunity to be human again starts with re-educating their minds. For children, who represent the future, it is important to learn to deal with the horrors of the past in order to prevent a recurrence of the traumas they experienced. Government must educate the children – supporting them, guiding them and teaching them life skills – in order to catalyse the recovery of a society riven by conflict and poverty.

**SKILLS TRAINING PROGRAMMES**

465. Children over the age of 15 mostly opted for skills training over education when they demobilised under the Training and Employment Programme (TEP) of the NCDDR. The skills training programmes included lessons in carpentry, masonry, welding, blacksmithery, hairdressing, tailoring, auto mechanic work, driving, soap making, weaving, tie dying and other crafts. TEP offered a nine-month skills training programme supplemented with the payment of an allowance to every participant. Upon completion, each trainee was supplied with a start-up kit. By the time the TEP programme came to its end in 2003, a total of 2,658 children had benefited from the skills training.

466. Besides the TEP programme, many donor agencies and NGOs were also involved in the provision of skills training for children, including World Vision, Caritas Makenni, Christian Brothers, COOPI and the IRC. While they ran programmes of their own, many such agencies also served as implementing partners for projects led by NCDDR, UNICEF and others.

467. Not surprisingly the various skills training programmes have thrown up a host of contentious issues. A major issue was the fixed period of training and the failure to allow for the variances involved in teaching different skills. Soap making, for instance, required far less training time than acquiring auto mechanic skills. Critics are of the view that more flexibility in the duration of the various skills training programmes should have been accommodated from the outset. Another issue was whether the trainees were able to acquire sufficient knowledge of any of the skills they were being taught in such a short time.

468. Many ex-combatants, including children, were found to have sold their start-up kits issued to them upon completion of their training. While it is not uncommon for ex-combatants to sell what they are given in order to obtain quick funds, the possibility cannot be discounted that the skills training period was inadequate and resulted in many trainees being unable to practice their acquired skills with any degree of confidence or expertise.

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408 See Dr. Kelllah and Mr. Lansana, former officials of the National Committee for Disarmament, Demobilisation and Reintegration (NCDDR), TRC interviews in Freetown, 8 January 2004.

409 See Executive Secretariat of National Committee for Disarmament, Demobilisation and Reintegration (NCDDR); Presentation at the State of the Nation Symposium; October 2003.
469. A major factor that impacted on trainees was the incapacity of the economy. There is hardly a market for most of their skills because the economy has not yet recovered sufficiently. In planning and undertaking skills training programmes, an issue that is commonly overlooked is market access, which ultimately allows the trainees to utilise their skills. The Commission found that a lack of access to capital also prevented trainees from successfully putting their training into practice. While the DDR skills training initiative was well intentioned, it did not make provisions for either the participants or the country to reap maximum dividends from the trained skills. The gift of a start-up kit was on its own certainly not sufficient to start up a sustainable business. A female former child combatant presented her viewpoint to the Commission:

"I am begging the government to have mercy on us. We the children have suffered in the war. We have learnt the skills but haven’t got the capital to start to be self-reliant. We are appealing to the government to sympathise with our situation so that we cannot continue to suffer. We have learnt the skills but if we are not going to practice we will not benefit from it at all."\(^4\)\(^1\)

470. Older children given skills training were not properly prepared to begin earning their own living. The programme was short-sighted and did not take into account the economic realities of post-conflict Sierra Leone.\(^4\)\(^1\)

471. Skills training initiatives remain absolutely crucial to the development of youth affected by the conflict in Sierra Leone. However the sustainability of such initiatives must be given greater consideration. There is a need to locate skills training in the wider context of improving the economy. Skills training should be accompanied by carefully planned follow-up mechanisms, which would allow successfully trained to utilise their skills to their own economic advancement and the collective benefit of the nation.

CONCLUSION

472. Children deserve to be the single greatest priority for Sierra Leone. Notwithstanding the sterling efforts of UNICEF and the local and international agencies that form part of the Child Protection Network, a great deal still remains to be done to alleviate the problems children face and assist in their flourishing in the future. The Commission recommends that the Child Rights Bill be passed as a matter of urgency. This piece of legislation will go a long way to ensuring that a legislative framework exists to enhance and promote the rights of children. Moreover, government needs to give its own special attention to children’s issues when it ensures that the recommendations of the Commission are carried out. Implementation of the TRC recommendations in respect of children would represent a formidable commitment to improving the quality of life for Sierra Leone’s children, both today and in future generations.

\(^4\)\(^1\) Confidential testimony received during TRC closed hearings in Bombali District; 28 May 2003.
\(^4\)\(^1\) See UNICEF, Lessons Learned on Child Protection in DDR, at page 52.