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The Fortunate Ones and the Ones Still Waiting: Reparations for War Victims in Sierra Leone

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Summary

This report presents the voices of victims of the civil war in Sierra Leone with regards to their perceptions of a reparations program conducted from 2008 to 2013. A civil war raged in Sierra Leone from 1991 to 2002 that left more than 50,000 dead and thousands more suffering from amputations and mutilations inflicted as weapons of terror, sexual violence and displacement. In academia and in practice, reparations are widely regarded as the most direct means to provide rehabilitation for victims. Therefore, an individual 'right to reparations' has been codified as a principle in international law as part of a set of victims' rights that grant greater attention to victims' needs and demands following a violent conflict. These rights define a certain relationship between the population and the state, referring to its democratic and, in turn, responsive character. In this regard, reparations offer recognition for the harm endured and likewise communicate responsiveness on behalf of the state. Reparations should also entail a learning effect on behalf of the victims in that they perceive themselves as citizens who are entitled to rights and protection. Furthermore, reparations are expected to have a reconciling effect by changing the existing economic and social relationships and helping victims reintegrate into society.

The case of the reparations program in Sierra Leone serves as a practical test for these assumptions. Since reparations programs never constitute an ideal-type realization of victims' rights, in order to assess the potential effects such a program can have, it is necessary to take into account the specific design of a reparations program as well as the way it is implemented. In addition, taking into account the experiences victims have with such programs and their interpretations serve to reveal whether reparations live up to their promises. In Sierra Leone, victims demanded reparations right after the war, especially those who had few prospects of overcoming their physical victims' status due to amputations. From 2002 to 2004, the *Sierra Leone Truth and Reconciliation Commission* (SLTRC) recommended putting in place a comprehensive reparations program. In 2008, the United Nations Peacebuilding Fund finally provided funding for initiating such a program. Over the years, the program received 8.5 million USD in funds that were invested into measures such as one-time interim relief payments, medical operations for serious injuries, vocational training and micro-grants. Due to the high number of victims, benefits were distributed selectively to specific target groups, such as amputees and sexually abused women, leaving the bulk of victims with a one-time payment of roughly 100 USD. Additionally, several weaknesses in the design and implementation of the program turned it into a negative experience for most of the victims, some even refusing to collect their benefits in the end.

As this report shows, the effects attributed to the legal principles of a 'right to reparations' are difficult to accomplish through concrete reparations programs on account of high numbers of victims, limited funding and the structural challenges of post-conflict societies. In the case of Sierra Leone, the program did not communicate a new relationship between state and society but was interpreted as demonstrating disinterest and neglect on the side of the state. Since the registration phase was very short and

sensitization campaigns limited, the program did not provide recognition to those who had been severely harmed; rather, those considered as 'being lucky' received some support. The program was therefore in line with pre-existing experiences of inadequate and poorly managed support programs from the pre-war and post-war period. The way the program was implemented also led victims to experience the very power-relations that reparations were meant to alleviate. The fact that many had abused the registration phase was interpreted as a strategy by chiefs and other stakeholders to distribute the benefits to their political followers and families. Moreover, victims compared their benefits to the support other groups had received after the war and perceived themselves as overlooked by the government and the International Community. Particularly with regard to combatants who received support through a disarmament, demobilization and reintegration program, victims concluded that those who had harmed them were now better off, suggesting that it would have been more beneficial to be a threat to society if one wanted their demands met. In this regard, the program also produced social envy among the different groups of victims who regarded the benefits other victims had received as unfair. Accordingly, a reconciling effect promoted by reparations could not be identified in interviews with victims of the civil war in Sierra Leone.

The report concludes with a number of recommendations for governments as well as for international organizations that provide the funding and technical expertise for such an endeavor. If the aim of a reparations program is to achieve the communication of recognition and entitlements, governments should utilize the effort to establish long-term structures able to provide measures of rehabilitation over a longer period. In order to do so, cooperation with respective ministries, such as the ministry of health and the ministry of labor, must be established. Reparations programs should also have a legal basis in order to make the right to reparations legally enforceable and to enable victims to learn about their entitlements. Oversight of the implementation of the program by those it is meant to compensate should be guaranteed by including victim representatives in evaluation processes. During decisions about which kind of reparations are to be provided, an assessment of victims' needs should be included along with an assessment of what other societal groups have received in support. Furthermore, promises of comprehensive reparations should not be made during sensitization campaigns unless funding for the corresponding measures has been secured. Donor organizations and international funding mechanisms should make use of oversight in the entire implementation process to make sure that those eligible for reparations receive the promised benefits. In addition, the regulations of international funding mechanisms and donor organizations should include the flexibility necessary to guarantee that registration covers as many individuals eligible for reparations as possible and that victims are consulted about the design of the program. Finally, it is crucial not to raise expectations among victims too high by promising efforts that differ from those that the actual reparations program can provide.

However, as is also pointed out by the data presented in this report, the concept of reparations itself is overloaded with expectations meant to mobilize support both among the population affected as well as among international donor agencies. In order to render reparations meaningful, a more modest and realistic reconsideration of what this instrument of transitional justice is actually able to accomplish is urgently needed.

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1. Introduction¹

“When I hear in the radio how much money we get, I decide that is not worth [it]. Travel one day [to] go there, travel one day [to] come back and money for sleep at my uncle’s house, I come back with nothing. What for? I tell you, the day they tell us we shall go to Kailahun [town] I go away with my head high. This is against my dignity.”²

On the long and difficult path of coming to terms with the legacy of a civil war reparations are, within both academia and practice, often regarded as the most direct means for providing rehabilitation to the victims. In this context, the potential held by reparations includes the acknowledgement of victims’ suffering, their inclusion into society and their entitlement to the state. However, as the statement made by a potential beneficiary of the reparations program in Sierra Leone cited above demonstrates, this is not necessarily the case. Instead, the woman in the quote refused to collect her benefits since she felt that the government was mocking her by merely offering 100 USD for what she had gone through, at the same time not even providing the structures necessary for victims to collect their benefits. As this study about victims’ perceptions of the reparations program in Sierra Leone reveals, the assumption that reparations automatically lead to positive effects in post-conflict societies overlooks the structural context in which reparations are provided as well as the challenges that such programs face during implementation. As much as reparations may serve as a tool for creating positive effects by recognizing suffering and communicating entitlements, they can also have the unintended side effect of demonstrating indifference and neglect on behalf of the government. Furthermore, they can expose abusive and exclusive relationships at the local level that they were initially designed to alleviate. In order to assess the potential effects of reparations, this report argues that it is necessary to understand how beneficiaries interpret respective program. Only when the target group of such programs recognize positive changes in their lives do reparations have a chance to live up to their promises. Finally, the challenges presented here beg the question of which effects identified in existing literature are actually attainable within the context of a reparations program.

Research on reparations up to now has mostly addressed questions of the design and implementation of reparations programs as well as victims’ demands for a certain remedies – all crucial factors for the impact such programs can have (Magarell 2003;

- 1 This study would not have been possible without the help of many people to whom I wish to express my gratitude. I would first like to thank my research assistant Fayiah Mark Fallah who not only opened many doors for me in the Kailahun district but also contributed to the study with many helpful ideas and background information. I would also like to thank Mohammed Dumbuya and Peter Buema, without whom my research outside of Kailahun town would not have been possible. Last, but not least, I want to thank the GIZ team in Kailahun town, Abu Bakar Fallah, Abu Jalloh, Mambu Vankdi, Lansana Fofannah, Pa Momoh and Nymah M’bayoh who not only hosted and took care of me but also turned my stay in Kailahun town into a most memorable experience.
- 2 Interview with a woman who was registered for the reparations program in Daru, Kailahun district, 1 April 2012.

Roht-Arriaza/Arriaza 2009; Robbins 2011; Van der Auweraert 2012). However, few studies have dealt with the relation between the expected effects of reparations and potential beneficiaries' perceptions of such programs.³ This study adopts this view with regard to the reparations program in Sierra Leone, implemented in the wake of a civil war that lasted from 1991 to 2002. The war in Sierra Leone left more than 50,000 people dead and gained international attention on account of horrendous atrocities committed against the civil population, including mutilation and the amputation of limbs (UNDP 2006: 4). The data for this study stems from ninety-six interviews conducted during a three-month research stay in Sierra Leone in 2012. In Sierra Leone, the district of Kailahun was chosen as the context for an in-depth analysis of the program's implementation and victims' experiences with the program. Sierra Leone constitutes a case that is representative for post-conflict societies in general: Within the non-ideal setting of post-conflict societies in which state structures are lacking and demand for support on behalf of victims is high, the task of implementing a 'right to reparations' in a meaningful way proves especially challenging. At the same time, international organizations such as the United Nations deem the support of reconciliation and the restoration of victim's confidence in the state to be especially promising (Annan 2004, art. 54; OHCHR 2006: 30). As such, these organizations supply the means required for such programs as part of their peacebuilding agenda. This has likewise been the case in Sierra Leone, where the United Nations Peacebuilding Fund financed such a program.

Insights gained from seventy-five interviews conducted in Sierra Leone between February and May 2012 demonstrate that a positive interpretation of the program on behalf of the victims has not occurred beyond a mere acknowledgement of the program as a short-term support measure. Victims tend to interpret the program rather as a demonstration of the government's persistent disinterest in people's needs than as a way to communicate recognition or restore people's trust in state institutions. Additionally, this has led to growing tensions among victim groups concerning the question of who deserves the various sorts of benefits. Reparations have also failed to reduce social envy towards other groups in society, such as former combatants who received financial and material support through a disarmament, demobilization and reintegration program – an insight that challenges the assumption of the reconciling effect of reparations. Instead, an analysis of the interviews reveals persistent social envy among various groups of victims based on who received which benefit.

This report starts with an introduction to the development and the institutional setting for an individual's 'right to reparations' at the international level. The first chapter deals with effects attributed to reparations. The report argues that the specific design and implementation of a reparations program as well as an assessment of how victims perceive it must be taken into account when assessing the effects of a reparations program.

3 Notable exceptions are the studies by Claire Moon (2012) and Yael Danieli (2009) that highlight the exertion of social control via reparations and how reparations programs have inhibited compensation to victims.

The second chapter provides an overview of the socio-economic situation in pre-war Sierra Leone, the civil war, and the concrete post-conflict situation. In addition, the work of the *Sierra Leone Truth and Reconciliation Commission* is discussed, an effort that led to the establishment of the reparations program in Sierra Leone in the first place. The third chapter presents an analysis of the program concerning its design and the problems that surfaced during its implementation. The chapter presents differing narratives among victims groups and deduces the program's effects according to the interpretations of its beneficiaries. The report concludes with a presentation of policy options for improving the reparations program both in Sierra Leone and for reparations programs in general.

2. The institutional setting of a 'right to reparations'

Reparations paid to the individual victims of massive human rights violations usually comprise part of the concept of transitional justice. The term transitional justice includes a set of mechanisms and instruments established after the end of an authoritarian regime or civil war to deal with past human rights violations within a society in order to avoid a future recurrence (Minow 1998: 25-28). The most common instruments for transitional justice are tribunals, truth commissions, vetting⁴ and reparations. Tribunals are set up in order to prosecute those responsible for mass crimes while truth commissions focus on the establishment of a historical record about the violent past and serve to foster reconciliation within society. As they are meant to create reform recommendations for and serve as a means to support those who have suffered most from human rights violations, these instruments are not only a tool for inquiry but likewise serve as a basis for political change and the improvement of state-society relations (Hazan 2006: 21). Reparations programs often form part of these recommendations and are therefore not implemented immediately after the end of a conflict or authoritarian regime but rather only once truth commissions have finalized their mandate.

Reparations have traditionally been an issue during peace negotiations at the interstate level (Buxbaum 2005: 317); victor states demanded reparations while the concerns of the population who bore the brunt of the war were only indirectly incorporated into these negotiations (Buxbaum 2005: 333). As a result of the legal codification of human rights, state sovereignty has become closely connected to the protection of and respect for the rights of the individual and, in turn, for the protection of victims' rights (Bonacker et al. 2012: 283). In 1985, the United Nations presented a collection of victim's rights, adopted by the UN-General Assembly as "Basic Principles of Justice for Victims of Crime and

4 Vetting as an instrument of transitional justice includes background-checks and potential dismissal of public employees due to their involvement in human rights abuses during a former autocratic regime or civil war.

Abuse of Power”.⁵ In the same year, a *Special Rapporteur on the Right to Reparations for Victims of Gross Violations of Human Rights* was established. According to these principles, victims are entitled to a ‘right to know’ while the respective state is obliged to provide information about the whereabouts of a victims’ relatives. Victims also obtained a ‘right to justice’, meaning that the state is obliged to prosecute those responsible for massive human rights violations. The last of these rights constitutes a ‘right to reparations’, which consists of restitution, compensation and assistance provided by the state.⁶ The first *Special Rapporteur on the Right to Reparations*, Theo van Boven, developed a new version of these principles in which the ‘right to reparations’ was laid out in greater detail. These “Basic Principles and Regulation on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights and Humanitarian Law” (Basic Principles) were adopted through a resolution by the UN-General Assembly in December 2005.⁷ These principles lay out that victims have the right to restitution of their property as well as of employment and citizenship if they were forced to leave the country. Victims must also be compensated for the loss of any economically assessable damage such as savings, property and salaries.⁸ They are additionally entitled to rehabilitation including legal, medical and psychological services and satisfaction constituting symbolic measures such as memorials, public apologies, the search for the whereabouts of relatives and full public disclosure of information on human rights violations.⁹ The last principle of reparations, a guarantee of non-recurrence, encompasses changes at the systemic level such as democratic control of security forces and reform of the judicial sector.¹⁰

The increase in international attention on reparations for victims of massive human rights violations brought with it an increase in funding from international organizations. The United Nations Peacebuilding Fund (UNPBF) set up in 2005, as an example, provides funding for truth commissions and reparations programs as part of its priority area that seeks to “promote co-existence and peaceful resolution of conflict”.¹¹ The European Union also provides funding in this area as part of their ‘Instruments for Stability’ (IfS) and the ‘European Instrument for Democracy and Human Rights’ (EIDHR) (Davis 2010: 15).¹²

5 UN Doc A/40/34 (29 November 1985).

6 See UN Doc A/40/34, Annex, para 8-17.

7 UN Doc A/60/147 16 December 2005.

8 Op cit. Article 20(c).

9 Op cit. Article 21, 22.

10 Op cit. Article 23.

11 See www.unpbf.org/what-we-fund/ (15.10.2014).

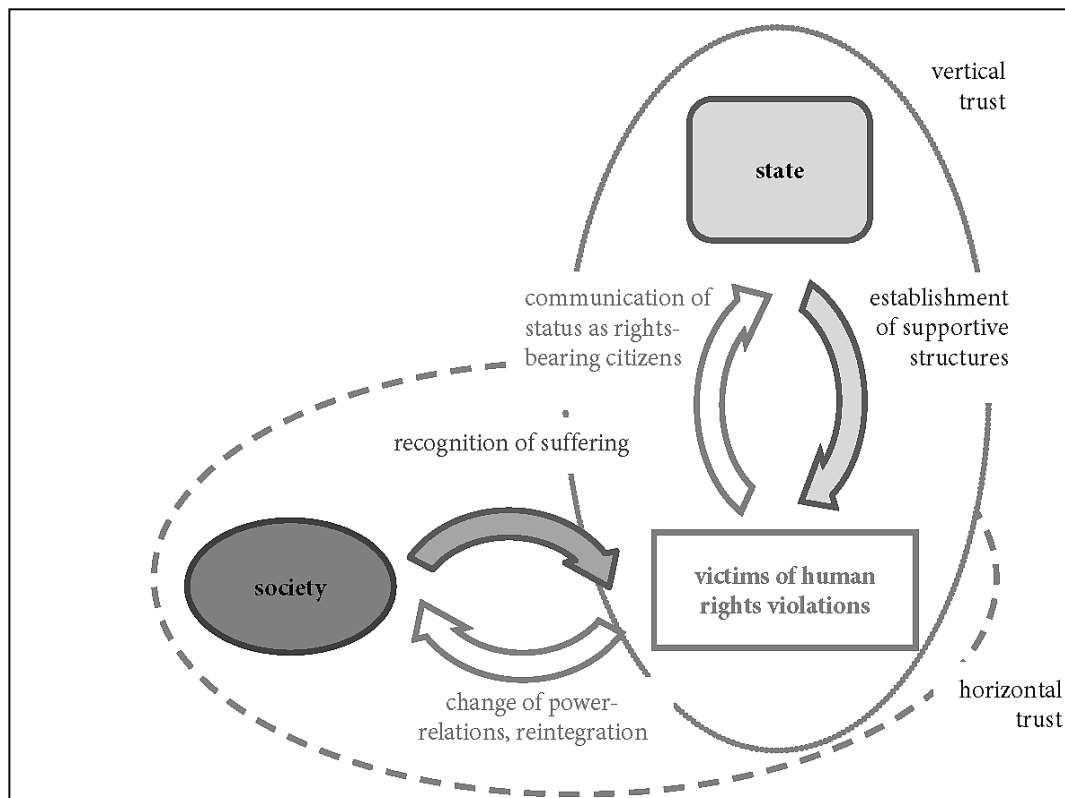
12 See www.eidhr.eu/files/dmfile/AAP2013.pdf (17.11.2014); in July 2008, the European Commission established an extra fund of 12 million EUR for ad hoc tribunals and other measures of transitional justice, drawing special attention to this issue. See European Commission press release “European Commission supports additional assistance for reconciliation of societies affected by human rights abuses,” <http://bit.ly/1xcKBuv> (15.10.2014).

As already laid out in this description of the overall developments in the area of transitional justice, reparations over the past ten years have become a well-established instrument of transitional justice and are therefore supported through corresponding institutional structures at the international level. According to the United Nations Basic Principles of 2005, the entire transitional justice agenda – consisting of prosecution of perpetrators, recognition of victims’ suffering through symbolic acts, and democratic reforms that can prevent a recurrence of future violations – has been regrouped under the heading of reparations. However, the following account regarding the effects of reparations along with data presented in this report consider a ‘classic’ understanding of reparations as measures that provide material and symbolic support for individuals or groups of victims. As such, reparations may consist of payments, education, vocational training, the provision of medical services, and broader infrastructure development projects or symbolic acts such as public apologies and commemoration events. The following chapter provides a systematic overview of the various effects ascribed to reparations both in academia and in practice.

2.1 The promise of reparations

Even when conceptualized according to a narrow definition, reparations as laid out above can be attributed to a number of effects. According to Pablo de Greiff (2007: 153-167), effects may be grouped within two main functions: the creation of trust in the rest of society, called ‘horizontal trust’, and of trust in the state, called ‘vertical trust’.

The effects of reparations



Although reparations may not be able to comprehensively reconstitute the losses of every single individual, they are still expected to improve the living conditions of beneficiaries through enhanced access to medical services, vocational training or by providing financial support for economic activity (de Greiff 2007: 156; ICTJ 2009a: 1). At the societal level, reparations may have a reconciling effect in terms of demonstrating solidarity and acknowledging victims' suffering on behalf of the rest of society. Such effects are necessary as victims often feel excluded from society on account of past trauma and finding themselves in a vulnerable economic situation (Roht-Arriaza/Popkin 1995: 275-276; Stanley 2009: 33).¹³ Moreover, reparations may function as a tool for empowerment by offering victims a greater say on the local as well as national levels:

A well-designed reparations program can help rebalance local power. Most obviously, it can put much-needed resources into the hands of the worst off, which in turn may underscore and make public the state's evaluation of who was wronged. But even services such as schools, roads, or health centers, which benefit everyone living in the area, may help rebalance power in favor of victims. (ICTJ 2009a: 3)

This implies that it is not society in general that plays the active role in reintegrating victims on its own terms; rather, a change in the status of victims within society has direct political and economic consequences. Inclusion is achieved when victims have gained 'horizontal trust' and assumed status as members of a political or social community (de Greiff 2007: 160).

In regards to the relationship with the newly established democratic state, reparations are likewise a means through which victims become entitled to a new status, receiving respect and protection from the state. On the one hand, the state recognizes the special needs of victims and provides structures to alleviate the repercussions of massive human rights violations – this helps victims regain trust in state institutions. On the other hand, victims assume the position of rights-bearing citizens vis-à-vis the state. This experience may have spill-over effects for other issue areas, which, in turn, can foster growing demand for a transparent and responsive government (Roht-Arriaza/Orlovsky 2009: 174).

2.2 From a 'right to reparations' to a reparations program

As this conceptual framework implies, existing literature envisages reparations as encompassing and producing profound effects on a society's social and political parameters. However, as this report highlights, such an assumption should be questioned. Instead, the effects of reparations depend on various decisions and structural factors in terms of the design and implementation of such programs. In order to properly assess the effects that reparations can actually have, it is necessary to analyze how the legal

13 Exclusion or marginalization by society takes place because people do not want to be confronted with violence that is incomprehensible or that could have easily been inflicted on them (Stanley 2009: 32). As Stanley (2009: 33) points out, members of society who have been spared by the violence start to explain their own advantageous situation by ascribing guilt to the victims for what has happened to them or an implication in the atrocities.

principles of a 'right to reparations' are manifested in reparations programs; the concrete situation in which a program is implemented; and how a program is perceived by its potential beneficiaries. The following discussion argues that the very effects attributed to reparations are overloaded and require reconceptualization according to the evidence that exists.

Concerning structural factors that influence the effectiveness of reparations, a demonstration of legal entitlements from the state is only viable in the presence of minimally responsive state structures – or if such structures can be established through a reparations program (Roht-Arriaza 2004: 157). However this is often not the case: Post-conflict societies are forced to deal with the same dysfunctional institutions and non-existent basic services as existed prior to the war. In order to create a sustainable demonstration effect, establishing a legal basis for such a program that makes the right to reparations legally enforceable for individual or collective claimants is helpful. In addition, answering the question of who qualifies as a victim is crucial but often not easy. The term 'victim' tends to be associated with those innocently caught between warring factions instead of actively taking part in the fighting. In a post-conflict situation, this definition could well be applicable to the majority of the population (Bonacker et al 2013: 292). However, in civil wars, the divide between victims and perpetrators is often blurred; some people are forcefully conscripted and claim compensation for what they had to endure during the war just as their victims do (Roht-Arriaza/Arriaza 2009: 154-156). Since the definition of who qualifies as a victim is generally contested, the probability that reparations will be used as a means to reward political followers remains high unless qualification is based on a certain degree of violations irrespective of a political victim's affiliation. Furthermore, the measures ultimately chosen as reparations are likewise paramount. The legacy of the war in post-conflict situations affects everybody, and any sort of reconstruction and development effort may be labelled as reparations. As several authors have pointed out, the nature of reparations is, first and foremost, legal entitlement meaning that the recognition of harm done to individuals distinguishes reparations from other social policies (Van der Auweraert 2012; Murcia 2013: 197; Roht-Arriaza/Orlovsky 2009: 172). Yet the question remains as to how this message can effectively be communicated through the measures reparations programs provide.

Varying forms of benefits that comprise reparations programs raise the issue of how to design such a program in consideration of the large amount of victims as well as limited funding. Support from international funding mechanisms could help establish a reparations program, though this does not overcome the problem of limited funding compared to the high numbers of victims or the limited scope of remedies people can expect. It is therefore crucial to clarify which measures can realistically be implemented among those identified as effective for the communication of rights and eligibility. Additionally, academics and practitioners alike have argued that besides a focus on the outcome of such a program, the ways in which victims have been included into decisions about a program's design and its implementation also generate the expected effects (UNWOMEN 2012: 2; Robbins 2011; OHCHR 2006: 29). Here, the learning effect created through a positive experience of ownership in the design and implementation of respective instruments should be stressed (Gready/Robbins 2014: 3). Furthermore,

experts have argued that for decisions on how to implement reparations, certain principles such as non-discrimination and gender-equality must be considered in order to effectively change the social, political and economic situation of the beneficiaries (UNWOMEN 2012: 2).¹⁴

As this section has argued, the ‘right to reparations’ itself does not serve as a sufficient blue-print against which reparations programs can be measured. Rather, the implementation of these ideal-type prescriptions underlies a number of conditions that have an influence on the question of whether the program will achieve expected effects or not. Moreover, the respective program must also be evaluated in relation to the perceptions and interpretations of those it is meant to empower. If potential beneficiaries deem it either ineffective in the long run (see Berghs 2012: 178-180) or as a negative experience in itself – as the data presented here suggests –, then the chances of communicating entitlements or of a fundamental change in local power-relations will be low. Therefore, victims’ perceptions of the program entail another condition that has a strong influence on whether such programs will have any effect.

This leads to a conceptual distinction that demands clarification: The report combines information about the design and implementation of the reparations program in Sierra Leone with victims’ experiences in the program. This implies that an evaluation of the program not only depends on how potential beneficiaries have perceived it. Rather, an interpretation of general information about the program collected through interviews with stakeholders, NGO representatives and administrative personnel, and conclusions victims draw from their experiences are combined and analyzed along with effects attributed to reparations in existing literature. Most beneficiaries were unaware of these potential effects and were grateful for the support they received. Still, the effects expounded in existing literature cannot simply be attributed to the program itself on account of the way support has been interpreted by victims. Combining the data in this way raises the question of whether victims’ perceptions would have been any better if the program had been designed differently. The report answers this question with a definitive “yes”; however this should not suggest that recognition of victims such a program provides depends on the scope of the material benefits they receive. Rather, the data presented here points to the fact that people’s perceptions of their general treatment within the program is the criteria that has profoundly impaired a communication of recognition and entitlement.

Apart from the conditions that contribute to or take from the effectiveness of reparations, the data presented here also suggests a need for a more profound discussion about the effects of reparations. The statement by Naomi Roht-Arriaza and Katharine Orlovsky (2009: 3) cited above is representative of most studies, implying that it is merely a

14 By respecting these principles, reparations will also be conducted in a fair manner, which, according to the *Office of the High Commissioner for Human Rights* (OHCHR) (2006: 29), provides a viable substitute for the unattainable principle of a restoration of the victim to the situation which would have prevailed had no injury been sustained (*restitutio in integrum*).

question of how well reparations programs are designed to generate these effects. However, with regard to what these effects encompass, one may draw the conclusion that the concept itself is riddled with unwarranted assumptions about the developments it initiates. This suggests that it is not only the condition of translating legal principles into a concrete program, as presented above, that limit a program's scope. Instead, the effects deducted from an ideal theory are misleading for the reason that they raise expectations that reparations cannot per se fulfill (Vermeule 2013: 152). While this report uses conditions identified as necessary in its evaluation of the design and implementation of a program, it also argues for a more modest and realistic conceptualization of these potential effects so as to not raise expectations that reparations are unable to fulfill. Creating such expectations is comprehensible in two regards: On the one hand, it may, to a certain degree, be necessary vis-à-vis the victims – it might otherwise prove difficult to convince people to testify in a truth commission or a tribunal. However, these instruments strongly depend on witness accounts made by victims. On the other hand, such an overload might be necessary in order to mobilize the respective financial support internationally. However, as the data presented here highlights, the repercussions that these unfulfilled expectations have on the way that potential beneficiaries interpret reparations are strong enough to marginalize any positive effect of reparations.

3. Setting the ground for reparations in Sierra Leone

This chapter analyzes the process through which the reparations program in Sierra Leone was established. First, the situation in Sierra Leone both before and after the civil war will briefly be discussed in order to provide a structural context for the program's implementation. Second, the role of the *Sierra Leone Truth and Reconciliation Commission* (SLTRC) will be analyzed in regards to its advocacy for reparations. The final part of the chapter discusses the concrete design of the reparations program.

3.1 The civil war and its legacy

Sierra Leone became independent in 1961 following over 150 years of British colonial rule. The extraction of diamonds and other minerals served as the main interest for the colonizing power, a focus that remained in place during subsequent governments installed after independence. The political elite used revenues from mining to consolidate political alliances instead of investing them into the development of the country. Corruption, collusion and rent-seeking politics were rampant while service-oriented state structures were not established (Keen 2005: 22). In rural areas, chiefs who had acted as judicial and administrative heads of sub-districts since colonial times exploited their powerful positions to generate income and impose forced labor and high bride prices, fostering a

great degree of frustration, especially among the youth (Abdullah 1997; Richards 2005: 578).¹⁵ State-society relations in Sierra Leone prior to the civil war can therefore be described as a form of neglect, at best, if not downright exploitation. Scholars have therefore identified a deteriorating socio-economic situation among the wider population as a contributing factor to the outbreak of the war as well as the conflict's persistence (Richards 2005; Archibald/Richards 2002).

The war started in 1991 when the RUF (*Revolutionary United Front*) – a rebel movement consisting of Sierra Leonean dissidents and members of the Liberian military – entered the country from Liberia. The front was led by Foday Sankoh, a close ally of Liberian president Charles Taylor.¹⁶ Although the RUF proclaimed the liberation of Sierra Leone from its kleptocratic one-party system, it soon started to terrorize the population and base its rule on plundering diamond mines and villages and conscripting children into its forces (Gberie 2005: 10; Keen 2005: 39). In 1992, a coup took place by junior officers of the armed forces who vowed to fight the rebels. However, with the prospect of diamond mining, members of the armed forces eventually turned into 'sobels' – soldiers by day, rebels by night – who committed atrocities against the civilian population and cooperated with the rebels (Keen 2005: 134-151; Gberie 2005: 91). Local militias such as the Kamajors in the southeast started fighting the rebels using traditional warfare, likewise recruiting children into their forces (Gberie 2005: 81). In 1996, presidential elections were held; Ahmed Tejan Kabbah – a former acting director of the *United Nations Development Programme* in West Africa and leader of the *Sierra Leone People Party* (SLPP) – was victorious. But within one year, another junta seized power, the AFRC (*Armed Forces Revolutionary Council*), this time inviting the RUF to form part of the government. The junta was ousted by ECOMOG forces (*Economic Community of West African States Monitoring Group*) in 1998 but returned with a horrendous attack on the capital of Freetown, on 6 January 1999, resulting in over 6,000 deaths and thousands more mutilated or abducted (Gberie 2005: 131-133). The United Nations pressed the junta and the Kabbah government to sign a peace accord in Lomé in July 1999. When this accord failed, an international intervention force (*United Nations Mission in Sierra Leone – UNAMSIL*) disarmed the rebels and enforced the peace accord, installing itself in Sierra Leone in October 1999. The war was officially declared over in January 2002.

As this brief overview of the war in Sierra Leone shows – and as is the case in many civil wars – the civilian population was the group which suffered the most. The majority of the warring factions – including the rebels, members of the Sierra Leone Army and the

15 The system of chieftaincy already existed before the British colonial administration, however, the colonial rulers stripped the system off its checks and balances in order to guarantee the chiefs' cooperation in the extraction of minerals and the exploitation of cash crops (Meyer 2007: 7). This transformed system was introduced in 1896 by empowering a set of paramount chiefs to be the sole authority of local government in the British protectorate (Reed/Robinson 2013). Today, there are 149 chiefdoms in Sierra Leone headed by paramount chiefs.

16 Sankoh had spent several years in jail in Sierra Leone for supporting a coup against the then Sierra Leonean president Siaka Stevens in 1978 (Gberie 2005: 37).

militias – not only engaged in plundering, in order to survive in a country with practically no food supply, but also committed extreme atrocities against the civilian population. Official counts put the number of deaths at between 50,000 and 70,000 (UNDP 2006; Human Rights Watch 1999) along with two third of the population being displaced in the wake of the war. The number of women and girls who experienced sexual violence was estimated to be between 50,000 and 60,000 (PHR 2002: 3). In the disarmament, demobilization and reintegration (DDR) program, 6,700 children within the warring factions were disarmed (UNICEF 2005). The number of people who were mutilated is estimated at between 4,000 and 7,000 (Berghs 2012: 15; Dougherty 2004: 41).

In the post-conflict situation in Sierra Leone, few of the devastating conditions that existed before the war have changed in any profound degree (Hanlon 2005). Sierra Leone still ranks 183 out of 187 countries on the Human Development Index (HDI 2014: 19). State structures in rural areas hardly exist in terms of social services and infrastructure. The peacebuilding mission UNAMSIL – in an attempt to finalize its state building mandate in Sierra Leone as quickly as possible – further contributed to the problem by re-installing the system of chieftaincy despite a proven record of exploitative practices that had fueled the civil war in the first place (Hanlon 2005: 461). International corporations now own concessions for extracting mineral resources, barring the broader population from direct benefits of related revenues.¹⁷ Primary school enrollment has caught up over the last years, yet only 40% of children are enrolled in secondary schooling (UNICEF 2013). Despite a redoubling of efforts over the last years to improve the public health care sector, medical treatment in the rural areas and especially in the eastern part of the country is extremely basic, with only three hospitals providing tertiary health care (BAMF 2014: 11, 12). This proved disastrous in May 2014 when the Ebola virus broke out in the eastern districts and quickly spread across the country. Considering this rather frustrating record of reconstruction and development activities, Sierra Leone still falls under the classification of a post-conflict society. As such, the ways in which the government and the international community have responded to the needs of civil war victims and the ways in which respective programs have been interpreted by the affected population provide insights into post-conflict societies in general.

3.2 Reparations in the Sierra Leone Truth and the Reconciliation Commission

The groundwork for transitional justice in Sierra Leone was laid out by the Peace Accord of Lomé signed by the government of Sierra Leone and representatives of the rebel/military junta AFRC in 1999. While the accord included a comprehensive amnesty provision for the combatants of all warring factions, the United Nations insisted that this provision should

¹⁷ Sierra Leone was also suspended from the Extractive Industries Transparency Initiative (EITI) implementation process in April 2013 after the government's report differed dramatically from mining companies' reports about payments. See <http://goxi.org/profiles/blogs/second-eiti-validation-uneartsh-whopping-6m-discrepancy-leads-to> (23.9.2014).

not cover those responsible for genocide, war crimes and crimes against humanity (UN 2000: 7). Therefore, in 2001, the *Special Court for Sierra Leone (SCSL)* was established, trying thirteen persons from all leading factions deemed to hold greatest responsibility for the atrocities committed in Sierra Leone.¹⁸ The Peace Accord of Lomé also included the provision for a truth commission (Lomé Accord, Art 26, 1), though it took two years for the *Sierra Leone Truth and Reconciliation Commission (SLTRC)* to commence work under the leadership of the *UN Office of the High Commissioner for Human Rights* in Geneva (Dougherty 2004: 41). Apart from its mandate to create an impartial historical record about human rights violations in Sierra Leone since 1991, the SLTRC was to recommend “measures which would respond to the needs of victims and promote healing and reconciliation” (GoSL 2000).

The same year as the truth and reconciliation commission started its work, the *Sierra Leone Amputees and War Wounded Association (AWWA)* was founded. This organization demanded the payment of pensions and additional government services such as housing and scholarships for the children of amputees and other persons affected by the war (IPS News 2002a; IPS News 2002b). The truth and reconciliation commission strongly relied on cooperation with the war victims in collecting information about human rights violations.¹⁹ Victims thus expected to receive reparations in return for their statements (IRIN News, 15 September 2005). As this was not the case, the amputees threatened to boycott the truth and reconciliation commission if the government did not meet their demands (IPS News 2002b). The commission collected over 7,000 statements in public and disclosed hearings from all over the country, publishing a final report in October 2004.²⁰

The SLTRC’s final report identified bad governance, endemic corruption and the denial of basic human rights as the causes that had prompted thousands of young people to join the war (SLTRC 2004, vol. I: 10). It provided comprehensive recommendations concerning the democratic control of state institutions, the allocation of revenues from natural resources, and the establishment of a reparations program for the victims of war (SLTRC 2004, vol. II, ch. 4). Concerning the nature of reparations, the commission did not recommend providing cash funds but rather housing, free access to physical and mental health care, scholarships for education and vocational training. It also recommended the payment of pensions for individuals severely affected by human rights violations, such as amputees, in addition to community reparations in the form of technical assistance and infrastructural rehabilitation. The commission likewise proposed

18 The most prominent case was the trial against the former Liberian President Charles Taylor that took place in The Hague for security reasons, ending in Taylor’s conviction in 2013 for arming and abetting the rebel force RUF.

19 This was especially the case because most the fighters were afraid to testify, fearing that the commission was collaborating with the Special Court and would hand over their cases to the tribunal (ICTJ 2002).

20 Of all 149 chiefdoms in Sierra Leone, in nine chiefdoms the Sierra Leone Truth and Reconciliation Commission did not take any statements. This was partly due to problems of accessibility as well as to security issues since rebels still controlled areas on the border to Liberia (SLTRC 2004, vol. I: 169).

symbolic reparations such as public apologies by authorities involved in the conflict as well as the establishment of monuments and commemoration days.²¹ It based its recommendations on an assessment of victims' needs and demands that were collected during the statement-collection phase. Every victim the commissioners talked to was asked about the kind of reparations they deemed most necessary. The exclusion of individual cash payments therefore reflected victims' views on reparations, expressing a strong need for the establishment of social services.²² In this regard, the commission proved to be an instrument that was responsive to the views of victims. It also placed a focus on peoples' entitlement to economic and social rights and the state's obligation to take care of those most in need. This was expressed in the remaining recommendations by the SLTRC that largely focused on enhancing accountability, transparency and responsiveness of the Sierra Leone state to its citizens. This included the introduction of a peace tax from mining revenues in order to finance reparations programs.²³

Acknowledging that "many if not all of the people in Sierra Leone suffered during the war" (SLTRC 2004, vol. II, chapter 4: 33), the commission formulated guiding principles for assessing the eligibility of victims for reparations. Individuals affected by war were categorized into five groups according to their vulnerability: amputees; other war-wounded persons; children affected by war, such as orphans and child soldiers who had not benefited from the disarmament, demobilization and reintegration (DDR) program; war-wounded children; and sexually abused women and widows. The commission made clear that ex-combatants were not excluded from the program per se and that reparations should be paid regardless of any political association during the war. However, it also stressed the need to avoid double benefits and therefore decided to exclude ex-combatants if they had benefited from other initiatives such as the DDR program.²⁴

3.3 The establishment and design of the reparations program

The government's first response to the final report by the SLTRC came eight months after the official handover ceremony. In a white paper issued in June 2005, the government accepted the report's findings and recommendations in principle (GoSL 2005). It also accepted the recommendation for a reparations program and agreed to "use its best endeavors to ensure the timely implementation" of such a program (GoSL 2005: 16). However, the white paper also made clear that the government expected international donor organizations to create a corresponding reparations program since state funds were unavailable (IRIN News, 15 September 2005). The *Amputees and War Wounded Association*,

21 SLTRC 2005, vol. 2, ch. 4, art. 103-209.

22 As the data the SLTRC provides in its final report makes clear, those willing to make a statement mostly demanded shelter (49%) as well as medical services (27%) and education (41%). In contrast, the demand for justice through trials was as little as 2% and the demand for cash payments was also considerably low (18%) (SLTRC 2004, vol. 2, ch. 4, art. 30).

23 SLTRC 2005, vol. 2, ch. 4, art. 227(c).

24 Ibid. ch. 4, art. 245.

with the support of national and international human rights organizations, kept drawing attention to this issue until the government agreed to apply for funding through the United Nations Peacebuilding Fund (UNPBF) in 2007. The government also set up a steering committee for reparations consisting of staff of the state agency for social policy, NaCSA (*National Commission for Social Action*), commissioners from the *Sierra Leone Truth and Reconciliation Commission*, civil society representatives and the then UN-mission in Sierra Leone, UNIOSIL (*United Nations Integrated Office in Sierra Leone*).

In August 2008, the UN Peacebuilding Fund provided 3 million USD for a reparations program. The fund constituted a start-up mechanism that provided support for the creation of an administrative unit within NaCSA that would facilitate the implementation of a reparations program in the long term.²⁵ This required NaCSA to develop a strategic five-year plan for such a unit, after which the government would take over full responsibility of the program. The 3 million USD in funds were provided to set up the necessary administrative structures – including a Special Fund for War Victims and a database of war-affected people in Sierra Leone –, to sensitize stakeholders and civil society, and to ultimately implement reparations.²⁶ According to UN Peacebuilding Fund regulations however, the funds had to be spent within one year, and 75% of the budget had to be spent directly as a benefit for victims (ICTJ 2009b: 1). The International Organization for Migration (IOM), with funding from the German government, supported the program with expertise and technical support in the creation of the victim database. The government of Sierra Leone contributed the sum of 246,000 USD, mainly by providing the necessary personnel and office space.²⁷

The government's initial five-year plan consisted of pensions, free health care and educational as well as economic micro-grants as program benefits. However, due to the urgency of the matter and the limited funding, a payment of 300,000 Leones (at that time roughly 100 USD) was agreed upon as an interim relief payment.²⁸ Additionally, operations for victims who were still suffering from injuries, symbolic reparations in the form of memorials combined with spiritual cleansing of victims and perpetrators, and reconciliation were to be set up in all chiefdoms across the country.²⁹ Registration was scheduled to take place from December 2008 to March 2009 in every district capital. A sensitization campaign for the registration was to be done via stakeholder meetings as well as over the radio. The registration required the respective person to come forward and provide a detailed account of what had happened to him or her during the war. Understandably, this was difficult, especially for victims of sexual violence who feared stigmatization by their family and communities. The statement was verified by either

25 Peacebuilding Fund Emergency Window – PBF-SLE-A-4 Pro Doc, 3 May 2008.

26 Peacebuilding Fund Emergency Window – PBF-SLE-A-4 Pro Doc, 3 May 2008.

27 Ibid.

28 According to IOM officials, the original design of the program was based on an estimated budget of 20 million USD. Interview on 27 February 2012 in Freetown.

29 Interview with Amadu Bangura, NaCSA office Freetown, Sierra Leone, 7 March 2012.

cross-referencing the victim's name on an official list of victims or by verifying a letter from an official person such as a chief or local councilor.³⁰ Since early turn-out for the registration was very low, the period to register was extended to the end of June 2009. It was also moved to chiefdom headquarter towns and the locations where massacres had been committed (ICTJ 2009b: 4). All in all, 29,733 people registered, roughly half of the number that NaCSA had anticipated in its five-year strategic plan (ibid.). The registration process drew strong criticism with national and international civil society organizations who demanded another round of registration (ICTJ 2009b: 14). In December 2009, the president of Sierra Leone also officially launched a War Victims Trust Fund to collect resources for reparations from public and private actors (IRIN News, 9 December 2009).

In the first phase of implementation, 300,000 Leones were handed out to 20,107 war victims from all five categories. This left more than 9,000 people without payment while another 1,600 were left out because of problems verifying ID documentation. In January 2011, another 450,000 USD were provided by the UN Peacebuilding Fund to pay the remaining victims who had not received a payment. Due to strong lobbying done by the *Amputees and War Wounded Association*, the fund was also used to finance a micro-grant of 200 USD for amputees.³¹ In December 2011, the UNPBF again donated 1 million USD and the UN agency for women, UNWOMEN, allocated funding from the UN Trust Fund to provide extra benefits for sexually abused women and girls.³² This 1 million USD fund was exclusively used to provide a six-month skills training for 650 women in addition to a payment of 60 USD per month and a start-up kit of 500 USD per person. Women and girls could choose among tie-dyeing, soap-making, sowing and hair-dressing as economic skills to be trained in. In 2013, one year after this research was conducted, an additional 2.5 million USD in funds were allocated by the UN Multi-Partner Trust Fund for reparations in Sierra Leone (Sierra Leone MPTF 2013: 18).³³ The program provided cash grants to amputees and persons severely wounded by the war (1,298 people in total) combined with workshops for managing these grants (Sierra Leone MPTF 2013: 63). These initiatives accounted for a sum worth nearly 8.5 million USD of reparations for war victims in Sierra Leone. The following chart summarizes the funds made available for the program, along with the funding agency and the reparations measure provided:

30 The list of victims by the SLTRC as well as the list of amputees by the National Red Cross qualified as official lists. See Sierra Leone Reparations Programme, Validation Regulation, International Organization for Migration 2009, on copy with the author.

31 Interviews with officials from the International Organization for Migration (IOM), 28 April 2012.

32 The UN Trust Fund to End Violence Against Women provides grants that are awarded annually to support projects that increase access for women and girl survivors of violence to social services. www.unwomen.org/how-we-work/un-trust-fund/ (9.10.2014).

33 The UN Multi-Partner Trust Fund was set up in 2003 to support humanitarian relief, as well as peace- and state-building activities and to assist UN agencies and national governments in establishing and administering pooled financing mechanisms of multiple donors. <http://mptf.undp.org/overview/office> (15.11.2014).

Funding of the Reparations Program

Year	Agency	Funding	Measure
2009	UNPBF	3 million USD	Interim relief payment of 300,000 Leones per person ³⁴
2009	GoSL	246, 000 USD	Personell, office buildings, infrastructure ³⁵
2010-2011	UNWOMEN	1 million USD	Skills training and start-up kit for 650 Women ³⁶
2010-2012	War Victims Trust Fund	50, 000 USD	Interim relief Payment of 300,000 Leones, operations for war-wounded and sexually abused women ³⁷
2011	UNPBF	450, 000 USD	Interim relief payment for the remaining beneficiaries, 200 USD extra grant for amputees ³⁸
2012	UNPBF	1.1 million USD	Interim relief payment for remaining beneficiaries ³⁹
2013	UNMDTF	2.5 million USD	Start-up grants for 1,298 amputees and war-wounded persons ⁴⁰
Total		8.446 million USD	

34 Peacebuilding Fund Emergency Window Project Document Cover Sheet, 5.3.2008, <http://bit.ly/1M8YReG> (9.10.2014).

35 Ibid.

36 PBF Sierra Leone Final Report 2012. <http://mptf.undp.org/factsheet/project/00066685> (9.10.2014). <http://news.sl/drwebsite/exec/view.cgi?archive=7&num=17525> (17.1.2015).

37 Ibid.

38 See MPTF Official Final Programme Narrative Report. Reporting Period from January 2011 to December 2012, <http://mptf.undp.org/document/download/10815> (10.10.2014).

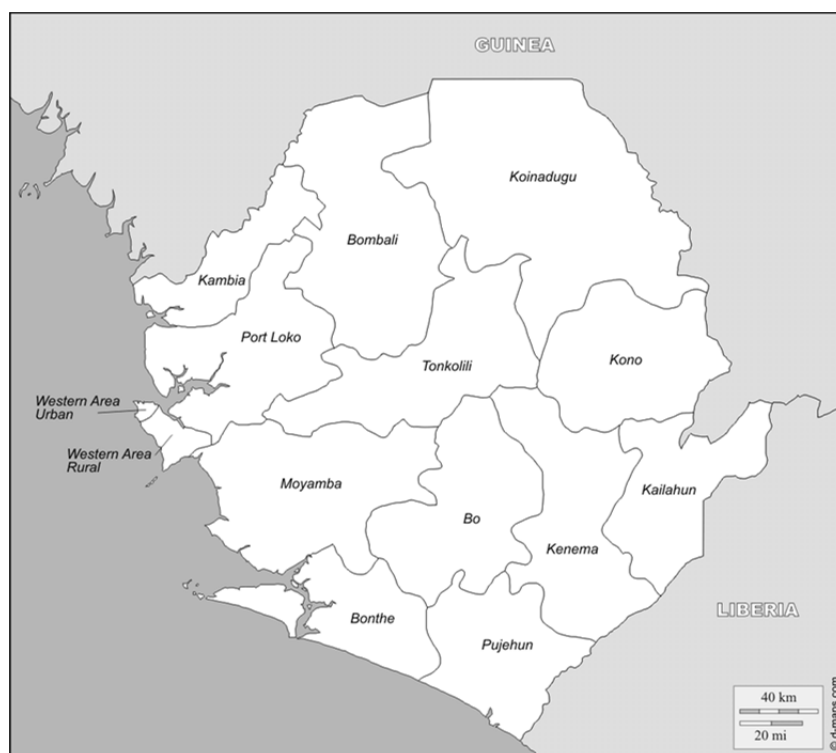
39 Ibid.

40 Updated Consolidated Report on Projects Implemented under the Sierra Leone Multi-Donor Trust Fund. <http://mptf.undp.org/document/download/12832> (31.1.2015).

4. Views from the ground: beneficiaries' experiences with the program

This chapter presents an analysis of the reparations program in terms of its design as well as the challenges it faced during implementation. The narratives that the program triggered among its beneficiaries are also presented with regards to the eastern-most district of Sierra Leone, the Kailahun district. In Kailahun district research was conducted in March and April 2012 while the research stay in Sierra Leone lasted from February until May 2012.⁴¹

Map of Sierra Leone – The capital Freetown is located in Western Urban Area district



Source: © d-maps.com: www.d-maps.com/carte.php?num_car=4918&lang=de (12.3.2015)

Kailahun district suffered from the war for the longest period of time due to the fact that the intrusion by RUF rebels in 1991 started here; the area was also a stronghold for the rebels during their withdrawal in 2002. Nowadays, Kailahun district is the most left-behind region in terms of development, though the government has launched an initiative to improve infrastructure in the region. The district was selected for an in-depth study of

41 In Kailahun district, interviews were conducted in Kailahun town and other towns namely Borbu, Buedu, Bomaru, Jojoima, Baiwalla, Daru, Mobai, Pendembu, Sandialu and Mandupulahun.

the implementation of the reparations program and victims' experiences with it. The existence of structural factors that created expectations served as the reason for choosing this region, namely: support by the government was strongly needed compared to other regions, and, second, support by the government was least expected. Under these conditions, a positive demonstration effect should have been easier to accomplish here than in other regions. When analyzing the findings, one must take into account that the program's implementation in other districts will have been easier on account of better infrastructure and accessibility for the local population. However, because of two aspects, the data presented here can still be taken as representative for the case of Sierra Leone as a whole: Firstly, the benefits that victims received were the same across the country, as was the way sensitization for the program and registration of the victims was organized. Therefore, it stands to reason that most of the structural problems that occurred during the implementation phase were comparable all across the country. Secondly, the fact that the government and its implementing agency, NaCSA, did not take into account the special problems that have arisen in the victims' ability to take part in the program in this district sheds light on the status considerations of inclusion, ownership and accessibility had in the program's design.

This report presents findings from interviews conducted with seventy-five people, among them fifty-one individuals who had registered for reparations or who claimed to have missed the registration phase. Additionally, interviews were conducted with sixteen stakeholders involved in the implementation of the program as well as nine interviews with representatives from organizations involved in the design of the program or who significantly guided its origination process (see Annex).⁴² A research assistant helped organize access to potential program beneficiaries. The assistant was selected on the grounds that he was not involved in any NGO activity related to this issue area, preventing a biased selection of interviewees. Moreover, NaCSA, the outreach officer from the *Special Court for Sierra Leone* that is responsible for the Kailahun district, and NGOs working on this issue area provided contact to victims. As such, access to the field was provided by organizations that can be classified as independent and others which can be classified as coopted by state structures, also preventing a biased selection of interviewees. The first part of the present chapter provides an analysis of the program's design and the problems it faced during its implementation phase. The second part discusses beneficiaries' interpretations of their experiences with the program. The point to bear in mind here is that in order to communicate rights and recognition, any such message must likewise be received by a target group – reparations require a corresponding interpretation among their beneficiaries and the people eligible for reparations in order to be deemed anticipated effects.

42 These stakeholders consisted of personnel from local authorities, NaCSA personnel, members of registration teams, NGOs and the director of the radio station who did the sensitization campaign.

4.1 Analysis of the program's design

Following recommendations by the SLTRC, the program had a solid basis in terms of enabling conditions for the expected effects of reparations. With the five groups of victims that were delineated, the SLTRC provided a comprehensive definition of a victim based on the degree of injury and suffering incurred. In addition, the commission had already laid the groundwork for a responsive program by asking victims what they demanded most in terms of support. An inclusion of the victims' voices had therefore already taken place and the commission's recommendations concerning reparations were formulated accordingly. However, several weaknesses in the design of the actual program can be identified, which pre-empted the expected effects attributed to reparations. First, the design circumvented the communication of people's entitlements owing to the fact that the program had not been established through a law by the Sierra Leonean parliament; this, in turn, means that reparations were not legally enforceable. Instead, the bulk of the program came in the form of an interim relief payment based on limited funding, which, for most victims, was not followed up by any other measures. Consequently, the recommendations made by the SLTRC that had been based on consultation with the victims were essentially ignored. Furthermore, the regulation of the UN Peacebuilding Fund prevented any extensive registration phase as funds had to be spent within one year and spent directly on benefits rather than registration efforts; this made any meaningful consultation with victims an impossible endeavor. These structural constraints relegated the program to a mere delivery of services, reducing the people eligible for reparations to recipients of benefits that the government had decided upon in consultation with other stakeholders.

4.2 Structural problems in the implementation phase

In addition to the above-mentioned structural problems in the program's design, implementation was marred by further structural and technical problems. First, transparency in the program's establishment and the spending of funds was already limited on the head-quarter level. NaCSA, on the brink of bankruptcy at the time, tried to use funds from the UNPBF for rehabilitating its own structures: the agency attempted to assign its own 'Commissioner for Reparations' – whose position was funded by the UN-Peacebuilding Fund – with the position of a 'Commissioner of Humanitarian Assistance', diminishing his work-capacity for reparations to 50%. This was not compatible with UNPBF regulation stating that funds had to be spent directly on reparations and the program's administrative structure. Ultimately, criticism from civil society organizations prevented this practice from being installed.⁴³ Oversight was lacking with regards to the implementation process by the reparations steering committee. The steering committee was only invited to meetings in 2009 and 2010; by the time the interviews were being

43 Interview with John Caulker, member of the Reparations Task Force, chairman of the TRC working group, 12 March 2012 in Freetown.

conducted in 2012, there had not been any meetings for more than a year, despite the fact that a third round of payments had just been initiated by NaCSA.⁴⁴ Insufficient transparency has also been an issue with the War Victims Trust Fund. Neither the identity of the individuals and corporations who contributed to it nor the amount of money donated were ever made public. In interviews with NaCSA personnel, they stated that the full amount of all donations had been spent on the 300,000 Leones payments as well as for operations and medical assistance for war-wounded persons and sexually abused women. However, public reports do not exist and representatives of the AWWA have complained that they never received any information regarding this issue.⁴⁵

Beyond these problems on the headquarter level, other structural problems became apparent during implementation in the field. Despite the sensitization campaign by NaCSA and the respective stakeholders, many victims had not been informed or were informed about the program too late, causing them to miss the registration period. At the time the interviews were conducted, the third and final round of payments for the remaining beneficiaries was to be conducted in the following month, and people were requested to travel to the NaCSA offices in the district headquarter towns to verify their eligibility for reparations. However, none of the people interviewed outside of the district capitals had known about a subsequent round of payments. Even stakeholders in Kailahun town, which were to sensitize the population, had not known about the plans.⁴⁶ Moreover, many sexually abused women had not dared to register since they were afraid of public stigmatization should their experiences become public. This did not change much when the mandate was extended; additional female interviewers were recruited to ensure that women were only interviewed by other women (ICTJ 2009 b: 5).

Additional structural problems became apparent upon distribution of the grants. In order to receive a grant, individuals were requested to travel to the district capitals where checks were handed out and they could collect the money at a bank. This meant that people had to travel for hours and stay overnight at the district headquarter town in order to collect their grants. Furthermore, it was not made clear to the victims that not all of them would receive their grants in the first round of payments. Therefore, people took the effort to come to the district headquarter town only to realize that they would not receive a payment. Ultimately, not only did people *not* receive any benefits but they likewise wasted money they could hardly afford on the effort to travel there. The registration teams also allegedly took advantage of their position for personal gain. Two thirds of the interviewees reported that they had to provide the registrations officers with extra payments. While some interviewees explained that they had to provide food for the

44 Ibid.; Sriram makes the same point in her report of a research trip to Sierra Leone conducted in June 2011 (Sriram 2013: 276).

45 Interview with a NaCSA official, 8 March 2012 in Freetown, Sierra Leone.

46 Interview with the town chief of Kailahun town and the paramount chief of Jawei chiefdom, Daru, 18 April 2012.

registration teams, others were told that a registration fee was collected.⁴⁷ Half of the interviewees who received their payment said that they had received less than 300,000 Leones. Women who had taken part in the skills-training program financed by UNWOMEN received a considerably smaller amount of monthly scholarships than the 60 USD initially envisaged, being told that their teachers had also suffered and needed compensation for their efforts.⁴⁸

As this analysis shows, it was not only the program's design as a short-term delivery of cash payments that hampered the potential effectiveness of the reparations program in terms of a communication of rights and recognition. Rather, the program was implemented in a way that lacked transparency and meaningful communication with those who should have been informed about their rights. The program's credibility was also severely impaired by a framework that required many beneficiaries to invest a large sum of money for a comparably small benefit, in addition to rent-seeking and exploitation by program personnel.

4.3 Interpretations of neglect and misuse

As structural and practical problems outlined above imply, the reparations program was ill-equipped to provide a communication of rights or recognition of the suffering. Rather, the program was regarded as being similar to experiences people had had with the poor provision of social services in the past, which were likewise hampered by weak state-structures, endemic corruption and clientelism. It therefore did not change people's evaluation of state-society relations but confirmed already negative impressions.

The fact that so many people had missed the chance to register was interpreted as a strategy by the stakeholders responsible for raising awareness among the population. One third of the interviewees explained that the chiefs had selectively told people to register in order to make sure that their political followers and families would benefit.⁴⁹ This interpretation was supported by the fact that it was generally the chiefs who conducted registration verification, thus being able to control who was eligible for reparations. The same pattern of explanation occurred with regard to NaCSA personnel: people assumed that the registration officers registered their own families and friends and turned down other applicants in order to keep numbers down.⁵⁰

"I know the people who got reparations. They no dare [to] say but we all know. It's the chief and his family. But they are all well. I have been working in the bush, no know anything. That day I

47 Interviews in Borbu, Mandupulahun, Mobai, Daru and Sandialu.

48 Interview with participants of a skills training program in Kailahun town and Sandialu.

49 Interviews in Bomaru, Daru, Mobai and Jojoima. All in all, 14 interviewees reported of respective practices; though whether or not their interpretation was correct could not be verified.

50 Interviews in Borbu, Buedu, Kailahun town and Mandupulahun.

come back from the bush they tell me: Oh you are too late. They tell me NaCSA will come again tomorrow but I wait all day and nobody comes.”⁵¹

All in all, people were especially outraged by the poor management of information throughout the program. Individuals had made the effort to travel to the district capitals because they expected to receive the benefits that they had been told about at the sensitization meetings, including housing, education grants and free health care. Upon arriving, they were informed that not everybody would receive money in the first round of payments. Unrest erupted in Kailahun town when people realized that they had made the trip in vain; it subsided once NaCSA announced that there would be another round of payments.⁵² These problems led to simple calculations among the beneficiaries: for a day traveling and an overnight stay in the district headquarter town, people spent half of the money they were to receive. A second trip therefore made the whole endeavor senseless for many people, and they decided not to collect their money at all.

Instead of creating a sense of vertical trust by way of a responsible government institution, these structural problems were interpreted in the contrary way:

“NaCSA are the real Amputees, they eat our reparations.” (Interview with an amputee in the amputees’ camp, Aberdeen Road, Freetown)

“They mock us. For them it’s fun to see how we take the effort and then we get nothing. They sit in Freetown and they laugh at us.” (Interview with a war wounded person in Kailahun town)

“They come here they promise a lot. So many things have they told us but in the end nothing happens.” (Interview with the town chief of Bomaru, Kailahun district)

As a consequence, the predominantly negative experience with the program fit into a pre-existing framework of experiences with negative state-society relationships; it also corroborated the negative perception of the state as being unresponsive towards peoples’ needs.⁵³ During the interviews, people started recounting other experiences with government services, and especially NaCSA, during which they had not received the expected benefits or during which they had to bribe stakeholders to have their claims recognized. As the second statement cited above demonstrates, some even interpreted the program as a deliberate act meant to demonstrate to the victims that nobody actually cares for them. The decision not to collect a payment was therefore seen as an act of emancipation from dependency on non-existent state structures.

When I hear in the radio how much money we get, I decide that is not worth [it], travel one day [to] go there, travel one day [to] come back and money for sleep at my uncle’s house, I come back with nothing. What for? I tell you, the day they tell us we shall go to Kailahun I go away with my head high. This is against my dignity. They took it once they not take it again ever.⁵⁴

51 Interview with a woman in Mobai who was not able to register.

52 Interview with Sah James, director of Radio Moa community station, Kailahun district, 3 April 2012.

53 Another factor that contributes to this interpretation of the program might lie in the fact that NaCSA took the top spot in the Corruption Perception Index in Sierra Leone in 2010 and several people referred to this fact in personal communication. However, the information has not yet been verified.

54 Interview with a potential beneficiary in Daru, 18 April 2012.

The reparations program therefore not only neglected decisive measures for communicating certain rights to victims of war, it also prevented a positive learning effect on behalf of beneficiaries in regards to a state willing to provide functioning structures, oversight and accountability for such a program. Additionally, beneficiaries did not view the program as a means to change existing power structures within their communities. Instead, the interviewees interpreted the program's execution as a means of reinforcing these very power structures – another experience meant to sustain dependency on the goodwill of chiefs and stakeholders.⁵⁵

4.4 Narratives of good luck and social envy

As the experiences discussed above demonstrate, the receipt of reparations relied on circumstances that were not defined by people's eligibility. In addition to an interpretation of neglect and abuse, the term 'good luck' was prominent in many interviews. People used the terms 'fortunate' and 'unfortunate' to differentiate between those who had received their payments and those who had not been successful.⁵⁶

"You see I was fortunate, but he and she were not fortunate. But we don't know why. I have received a benefit. She still has a registration slip while he got not registration. But why? Why is it like this? We are all suffering."⁵⁷

Since people were well aware of who had received reparations, unable to comprehend the terms on which other persons had received the benefits, the program was interpreted as another opportunity to receive a benefit, irrespective of the fact of whether the person had been eligible to reparations or not. The program therefore could not provide recognition for the harm done to the victims of war or for their suffering.

An assessment of how the symbolic reparations have been dealt with points a lack of a communication of recognition as seen previously. In Kailahun district, a total of five memorials were planned to be set-up in chiefdoms in 2009.⁵⁸ When the interviewees were asked about the symbolic reparations, they remembered that a feast had taken place and that the whole town had gathered to attend a ceremony.⁵⁹ The memorials themselves did not receive any attention. People expressed a lack of understanding as to why the memorials were placed at the center of town when the sites of massacres were outside of town. Except for the memorials in Bomaru, Upper Bambara, and in Mandu chiefdom, the places were used as sites to dry laundry or post advertisements. People were generally

55 Interviews in Buedu, Daru and Jojoima.

56 Interviews were conducted in Krio and Mende, the most wide-spread languages in the eastern area of Sierra Leone. Since three different research assistants used these terms in their translation, I am confident that I have been able to capture the correct translation.

57 Interview with a beneficiary in Mandupulahun, 21 April 2012.

58 These chiefdoms were Luawa, Dea, Yewei, Jawei, and Upper Bambara. However, when I went to the Dea chiefdom to have a look at the memorial in Baiwalla, I was told that plans to build the memorial in 2009 had been cancelled by the NGO responsible, Hope Salone.

59 Interviews with beneficiaries in Jojoima, Kailahun town and Daru.

unaware of their function and statements concerning the memorials pointed to the fact that the money would have been better spent on a water pump or other technical assistance.⁶⁰

The memorial in Joijoima, used to dry laundry. A plaque stating what the memorial stands for has never been added.



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The memorial in Daru, covered by an advertisement for the 50th anniversary of Sierra Leone.



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60 Interviews with the town chief in Bomaru, beneficiaries in Joijoima and Kailahun town.

The memorial in Mandu with text about its purpose and the donors who provided funding.



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Another issue that emerged during the interviews was a kind of social envy concerning both other groups in society as well as other groups of victims. When complaining about the numerous promises and the small degree of actual help received through the program, interviewees very often referred to the disarmament, demobilization and reintegration (DDR) program when comparing benefits. In contrast to the reparations program, in which most people had only received the 'interim relief payment', the DDR process was described as comprehensive – providing shelter, skills training and education grants. During several conversations, this was interpreted as a reward to the combatants for what they had done to the victims.⁶¹

⁶¹ This issue mainly came up during interviews in chiefdom headquarter towns and the district capital. In smaller communities, people did not use the term combatant and instead referred to support programs in general, from which they had been excluded.

“The combatants, they fight, they kill, they do so many bad things. And today they are well. They get money, they get shelter because everybody is afraid they got to war again. But for us? We suffered so much and after the war we still suffer. You only get benefits if people are afraid of you. That is the truth. If not you have to beg all your life.”⁶²

One victim in Kailahun town said that a housing project by the Norwegian NGO ‘Norwegian Friends of Sierra Leone’, originally designed to shelter war victims, was now “full of combatants while we, the victims, have to fight every day to survive”.⁶³ One must bear in mind, of course, that the DDR program was far from comprehensive and has been widely criticized. Many combatants did not receive the benefits promised or their benefits were appropriated by their commanders. Female fighters were neglected in particular and did not receive proper assistance for their reintegration (Human Rights Watch 2005; McKenzie 2012). However, for the victims of war who compared these benefits with those of the reparations program, it reiterated the logic of ‘us against them’. Since funds were obviously limited and the combatants posed a larger threat to the stability of the country, they received better support. This logic led people to propose that it is “more useful to be a threat to the nation instead of a victim because at least then the government cares about you”.⁶⁴ The prevalence of this interpretation, at least among amputees, is also demonstrated by the fact that the AWWA had supposedly threatened to disrupt the election if their demand for extra support was not met.⁶⁵

This logic of ‘us against them’ also became apparent when victims spoke of other victim groups and the differing benefits they had received. The expectation of a reconciliatory effect of reparations was therefore not confirmed by the interviewees. Rather, the question of who received what from the program and on which terms obviously evoked social envy, not only towards other groups in society but likewise in between groups of victims. First of all, the fact that sexually abused women received skills training and a start-up kit – and therefore better benefits than other victims – was deemed by interviewees to be unfair in terms of other groups of victims. Secondly, beneficiaries from the other groups were discontent about the fact that amputees had received more money in the second round of payments:

“Ah you know those amputees. It is always for the amputees. They are very strong. But we receive nothing and they get everything. But we suffer, too. I cannot work anymore but I am not an Amputee. So they forget about me.”⁶⁶

62 Interview with a beneficiary in Kailahun town, 16 April 2012.

63 This comparison had been brought up by the AWWA in its early demands for reparations and the fact that the program brought so little benefits only confirmed people’s impressions (IPS News 19 August 2002; IPS News 12 September 2002; Concorde Times 31 August 2005).

64 Interview with an amputee in the amputee camp at Aberdeen Road, Freetown, 10 May 2012.

65 This threat was given to me as an explanation of why amputees received an extra grant of 200 USD in the second round of payments (undisclosed interviews with the staff at an NGO in Freetown Sierra Leone 10.04.2012).

66 Interview with a woman who belongs to the category of a war-wounded victim, Kailahun town, 16 April 2012.

In addition to jealousy among individuals in regards to the benefits other groups of victims had received, the interviewees also expressed negative views of other victim groups. Amputees, for example, were construed as a victim group into which many ex-combatants had entered after the war.⁶⁷ On the other hand, sexually abused women were perceived by other victims as the category most prone to cheating as no one would be able to verify any evidence.⁶⁸ The category of sexually abused women was therefore presented as the category in which all the family members of the NaCSA personnel had erroneously registered.⁶⁹ This stance was reinforced by the fact that sexually abused women are generally not perceived as victims in Sierra Leone. Especially the so-called ‘bush wives’, who had been abducted by rebels, are not attributed victim status in society.⁷⁰

5. Conclusion and Recommendations

5.1 Conclusion

One prominent conclusion concerning the immediate effects of the program that can be drawn is that most victims who actually did receive benefits appreciated them but, concurrently, considered them to be a short-term support measure unable to improve their situation in the long run. Most of the beneficiaries interviewed explained that they had to spend the money on immediate needs such as schooling for their children or maintenance repairs for their homes. This was also the case for amputees who had received 200 USD, a considerably greater sum than other beneficiaries.⁷¹ Only women who were able to take part in the skills training programs expected the benefit to have a greater impact on their economic situation.

As this report has pointed out, the reparations program in Sierra Leone serves as a praxis test for the implementation of the legal principles of a ‘right to reparations’ in the form of a concrete reparations program and as a test of the effects that such a program can actually have for its intended beneficiaries. Weaknesses in the reparations program in

67 This was due to the fact that many combatants also lost limbs during the war because their injuries were not properly treated or because amputation and the blinding of people had been used as a punishment among the rebel groups.

68 Interview with an amputee in the amputee camps at Aberdeen Road, Freetown, Sierra Leone.

69 Interviews with beneficiaries in Kailahun town, Mobai, Daru and Buedu as well as with beneficiaries in Freetown.

70 Interview with Elise Schanke, Norwegian Friends of Sierra Leone, in Freetown 14 May 2012; Interview with Jamesina King, commissioner of the Sierra Leone Human Rights Commission, 5 March 2012 and Melrose Kargbo, officer of UNWOMEN, Sierra Leone country office, 10 April 2012 in Freetown.

71 In another study on the situation of the amputees in Sierra Leone, Maria Berghs (2012: 177-180) cites several amputees who were able to buy land with the money, which can be seen as measure with a high potential to improve their economic situation in the long run.

Sierra Leone can be identified in structural terms, concerning design, as well as in terms of implementation. The rationale behind the program – including a broad, politically neutral definition of victims and a definition of measures initially deemed useful to provide support for the victims – demonstrates a commitment on behalf of the *Sierra Leone Truth and Reconciliation Commission*. The provision of the initial funding by the United Nations as a start-up mechanism to support the government in setting up sustainable structures for providing comprehensive support is also laudable. However, the government failed to set up the respective structures on a long-term basis. While it could be argued that the government kept its promise in providing more reparations over the years with the provision of micro-grants for amputees and war-wounded persons in the year 2013, this program was again funded by an international agency and did not entail strong commitment on the part of the government. The recommendation by the *Sierra Leone Truth and Reconciliation Commission* to introduce a peace tax on revenues from the extraction of natural resources has also not been implemented as of yet. Moreover, the government has not stuck to the plan of taking over the reparations program after its initial five-year phase, in the year 2013. Instead, the program was put on hold during the first five years until new funding was allocated. This again demonstrates the government's lack of willingness to provide the structures of support demanded by war victims or give the issue of reparations a legal foundation upon which claims made by victims can be legally enforceable. The program has been shelved following the Ebola outbreak in 2014, though it is highly probable that victims of war are especially prone to pandemic infection due to their physical as well as economic vulnerability.

The actual design of the program, providing a one-time cash payment of approximately 100 USD to most of its beneficiaries, and the way it was implemented, have rendered most of the initial good intentions with regards to a communication of rights and the recognition of suffering meaningless. If Sierra Leone serves as a praxis test for the impact of reparations in post-conflict societies, the conclusion must be that the program had a minimally positive effect on the living conditions of very few war victims in Sierra Leone due to the limited nature of the benefits. Moreover, it did not have any positive effect on the beneficiaries' perceptions of the state or their position as citizens within society and their communities. The program's design has led to be characterized as a mere delivery of services dictated by international organizations according to their capacity and the government's political will.

In addition to the problems concerning the design of the program, the weaknesses of the program's implementation amplified interpretations of the program failing to fulfill expectations of a change in power relations in society and lacking to show recognition or a state interested in restoring victims' trust. The problems related to registration and to reparations collection gave people the impression that the state and the respective stakeholders used the program to meet their own ends. Negative experiences with the program were therefore interpreted as another demonstration of the government's indifference towards their needs and of the politicized structures prevailing within their communities. As victims were unclear about who received which benefits and on what grounds, recognition of victims and their suffering was not provided. Particularly the assumption that chiefs and other stakeholders used the registration to divert benefits to their families and

followers reiterated experiences of inefficient service delivery, rampant corruption and nepotism that existed before and during the war. The legacy of the reparations program is therefore one of inequality and indifference on the local and national levels. Furthermore, the program was not able to communicate victimhood as a status that grants a special right to support from the government or to acknowledgement by society in general. Instead, the fact that various groups received different benefits provoked social envy and mistrust among the victims as well as towards other social groups who had supposedly received better benefits. This has prevented groups of victims from joining forces and mobilizing to demand greater support from the government on a broader basis in society. Consequently, the program was unable to achieve either a reconciling effect on behalf of the interviewees towards the rest of society or solidarity among various groups of victims.

5.2 Recommendations

Based on the analysis presented in this report, recommendations may be deduced on two levels. On the first level, recommendations that aim at improving the design and implementation of a respective program can be formulated that could enhance the program's potential to generate positive effects in accordance with expectations. In this context, a decision would have to be made in regard to how such effects might best be achieved. The following recommendations thereby stress that more than just ownership at the national level needs to be enhanced in order to turn a short-term intervention into a transformative instrument for empowering war victims at the societal and political levels. Rather, international institutions would also need to make greater efforts in ensuring that their funds are spent properly and that the design of the program prevents rent-seeking activities at the local level.

Governments that have decided to establish a reparations program should accept their obligation to provide reparations to the victims of war and codify it in a law approved by the parliament. Unless a reparations program is placed on a solid legal basis, it will remain difficult to communicate the validity of victims' rights to the beneficiaries. Otherwise, reparations remain an act of charity donated by international organizations and channeled through the government, one that victims can hope and wait for but cannot actively demand – this has rendered the creation of ownership among victims very low.

In addition to a legal codification of the right to reparations, **the respective government** should assume ownership of the program and establish the structures that will support its institutionalization in the long run. In the case of Sierra Leone, the peace tax, proposed by the *Sierra Leone Truth and Reconciliation Commission*, should be introduced to collect a minimum percentage of mining revenues for reparations and other rehabilitation measures as well as humanitarian assistance. Establishing cooperation between the Reparations Unit of NaCSA and selected ministries – such as the Ministry of Health, the Ministry of Education, and likewise the Ministry of Mines and Mineral Resources, the Ministry of Labour and Social Security and the Ministry of Social Welfare, Gender and Childrens' Affairs – would also prove useful.

While the provision of funding needed to establish a reparations program is invaluable, **the international community and the respective funding mechanisms** should also ensure that their commitments are matched by a commitment from the corresponding government. At every stage of the implementing process, the provision of funds should be conditioned upon the establishment of long-term structures and the institutionalization of a reparations program beyond a short-term intervention.

In the case of Sierra Leone's reparations program, **the regulations of the international funding mechanisms** have prevented a second round of registration for victims. This has caused many people who are eligible for reparations to be denied the opportunity to receive benefits. As additional funding has been allocated over time and more benefits were provided to the victims who had been able to register, the experience for those individuals who missed the registration becomes especially bitter and the potential for social conflict emerges. The regulations assumed by the funding mechanism should therefore provide the necessary flexibility for establishing a solid foundation for a reparations program in terms of registration of the victims.

A realistic assessment that considers the feasibility of collecting the funds needed to provide meaningful reparations should take place before a program is established; such an assessment should be made by the **funding mechanisms and the respective organizations** in particular. The promises made to the victims and the benefits other groups in society have already received should likewise be taken into account when deciding on the nature of reparations. This also applies to the timing of reparations: In the case of Sierra Leone, collecting funds immediately after the war would have attracted more international attention and likely greater willingness to provide funds on behalf of public and private parties.

As long as the payment of reparations as promised cannot be guaranteed, the promise of reparations should not be used to induce cooperation of the population with instruments of transitional justice such as truth commissions or tribunals. As soon as promises have been communicated to the population, it becomes difficult to curb frustrations when expectations are not met. While it is useful for truth commissions to recommend comprehensive reparations in order to set a standard for negotiations at a later stage, in sensitization campaigns a communication of those benefits already secured by funding only is more helpful.

Oversight by the international funding mechanisms should be provided comprehensively and should include national stakeholders from civil society. In order to communicate the meaning of rights to the beneficiaries, channels for oversight and the transparency of the program should be enhanced.

In addition **representatives of the victims groups** and non-governmental organizations working in this area should be included at all stages of the design and implementation process in order to provide an additional oversight mechanism. Such an inclusion of other stake holders especially during the sensitization phase, registration and during the disbursement of benefits – can help prevent a politicization and misuse of reparations to reward family members and political followers at the local level. While the inclusion of

chiefs to build awareness among the population is a laudable way to include traditional structures of local authority, these stakeholders should not be in a position to monopolize information about the program or the channel for selecting beneficiaries.

However, the insights presented here imply that the concept of reparations is overloaded with expectations that the instrument itself simply cannot fulfill. This brings up a recommendation concerning the conceptualization of the issue in both academia and in practice. While formulating the all-encompassing effects of a program might help mobilize support for the respective instrument at the local and national levels, an **empirical assessment of what reparations actually accomplish** proves far more critical. It will thus be necessary to more clearly distinguish between the potential 'immediate effects' of reparations and the 'indirect effects' they might have on victims and their status within society in the long run. More clearly identifying the conditions necessary to realize both of these different effects would be useful in order to be able to better assess the potential success or failure of the a corresponding program.

Abbreviations

AFRC	Armed Forces Revolutionary Council
AWWA	(Sierra Leone) Amputees and War Wounded Association
CAPS	Community Association for Psychosocial Services
DDR	Disarmament, Demobilization and Reintegration (Program)
ECOMOG	Economic Community of West African States Monitoring Group
EIDHR	European Instrument for Democracy and Human Rights
EITI	Extractive Industries Transparency Initiative
HDI	Human Development Index
ICTJ	International Center for Transitional Justice
IfS	Instruments for Stability
IOM	International Organization for Migration
NaCSA	National Commission for Social Action
NGO	Non-Governmental Organization
OHCHR	Office of the High Commissioner for Human Rights
PHR	Physicians for Human Rights
RUF	Revolutionary United Front
SCSL	Special Court for Sierra Leone
SLPP	Sierra Leone People Party
SLTRC	Sierra Leone Truth and Reconciliation Commission
UN	United Nations
UNAMSIL	United Nations Mission in Sierra Leone
UNDP	United Nations Development Programme
UNIOSIL	United Nations Integrated Office in Sierra Leone
UNPBF	United Nations Peacebuilding Fund

Bibliography

- Abdullah, Ibrahim* 1997: Bush Path to Destruction: The Origin and Character of the Revolutionary United Front, in: *Africa Development* 22: 45-76.
- Annan, Kofi* 2004: Report of the United Nations Secretary General: On Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies, UN Doc S/ 2004/616: United Nations General Assembly, 23 August 2004.
- Archibald, Steve/Richards, Paul* 2002: Conversion to Human Rights? Popular Debate About War and Justice in Central Sierra Leone, in: *Africa* 72, 339-367.
- BAMF* 2014: Country Fact Sheet Sierra Leone. Bundesamt für Migration und Flüchtlinge, <http://bit.ly/1M8LLb4> (20.4.2014).
- Berghs, Maria* 2012: War and Embodied Memory. Becoming Disabled in Sierra Leone, Farnham: Ashgate.
- Bonacker, Thorsten et al.* 2013: Valorising Victim's Ambivalences. Contemporary Trends in Transitional Justice, in: Bonacker, Thorsten/Safferling, Christoph (eds.), *Victims in International Crimes. An Interdisciplinary Discourse*, Heidelberg: Springer.
- Buxbaum, Richard M.* 2005: A Legal History of International Reparations, in: *Berkeley Journal of International Law*, 23: 2, 314-346.
- Concorde Times* 2005: Sierra Leone: Amputees Threaten To Sue SLPP Government, www.afrika.no/Detailed/10317.html (15.10.2014).
- Danieli, Yael* 2009: Massive Trauma and the Healing Role of Reparative Justice, in: Ferstman, Carla et al. (eds): *Reparations for Victims of Genocide, War Crimes and Crimes Against Humanity. Systems in Place and Systems in the Making*, Leiden/Boston: Martin Nijhoff Publishers, 40-77.
- Davis, Laura* 2010: The European Union and Transitional Justice. International Center for Transitional Justice, New York, NY, June.
- De Greiff, Pablo* 2007: Justice and Reparations, in: Miller John/Kumar, Rahul (eds.): *Reparations. Interdisciplinary Inquiries*, Oxford: Oxford University Press, 153-175.
- Dougherty, Beth* 2004: Right-Sizing International Criminal Justice: The Hybrid Experiment at the Special Court for Sierra Leone, in: *International Affairs*, 2: 311-328.
- Gberie, Lansana* 2005: *A Dirty War in West Africa. The RUF and the Destruction of Sierra Leone*, London: Hurstman & Company.
- GoSL* 2000: Peace Agreement Between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone. 25 May 1999, <http://peacemaker.un.org/sierraleone-lome-agreement99> (10.11.2014)
- GoSL* 2005. Government of Sierra Leone White Paper on the Truth and Reconciliation Commission. http://witness.typepad.com/gillian_in_salone/files/whitepaper2.pdf (15.7.2014).
- Gready, Paul/Robbins, Simon* 2014: From Transitional to Transformative Justice: A New Agenda for Practice, University of York, Center for Applied Human Rights. Briefing Note No. 1, June, <http://bit.ly/1Kr60vr> (30.10.2014).
- Hanlon, Joseph* 2005: Is the International Community Helping to Recreate the Preconditions for War in Sierra Leone?, in: *The Round Table* 94: 459-472.
- Hazan, Pierre* 2006: Measuring the Impact of Punishment and Forgiveness: a Framework for Evaluating Transitional Justice, in: *International Review of the Red Cross* 88: 19-47.
- HDI* 2014: Human Development Index. Country Report Sierra Leone, <http://bit.ly/1ALOYgq> (13.10.2014).

- Human Rights Watch* 1999: Sierra Leone. Getting Away with Murder, Mutilation and Rape. Testimony from Sierra Leone, www.hrw.org/reports/1999/sierra/ (13.10.2014).
- Human Rights Watch* 2005: Problems in the Disarmament Programs in Sierra Leone and Liberia (1998-2005), www.hrw.org/reports/2005/westafrica0405/7.htm (7.11.2014).
- ICTJ* 2002: Ex-Combatants Views of the Truth and Reconciliation Commission and the Special Court for Sierra Leone. New York, NY: International Center for Transitional Justice, <http://bit.ly/1GnkSrE> (20.2.2014).
- ICTJ* 2009 a: A Complementary Relationship: Reparations and Development. International Center for Transitional Justice. New York, NY, July.
- ICTJ* 2009 b: Report and Proposals for the Implementation of Reparations in Sierra Leone. International Center for Transitional Justice. New York, NY, December.
- IRIN News* 2005: Sierra Leone: Civilian War Casualties Urge Government to Provide Reparations, 15 September, <http://bit.ly/1Kr76Hq> (12.12.2014).
- IRIN News* 2009: Sierra Leone: Lack of Funds for Amputees, Rape Survivors, War Widows, *IRIN News*, 3 February, <http://bit.ly/1Kr76Hq> (3.2.2013).
- IPS News* 2002a: Politics Sierra Leone – Reparations for Survivors, 19 August, <http://bit.ly/1EpSB1r> (22.9.2014).
- IPS News* 2002b: Amputees Threaten to Boycott Sierra Leone’s Truth Commission, 12 September, <http://bit.ly/1B7d1LE> (22.9.2014).
- Keen, David* 2005: Conflict and Collusion in Sierra Leone, New York, NY: Palgrave.
- Lomé Accord* 1999: Peace Agreement Between the Government of Sierra Leone and the Revolutionary United Front, 7 July, <http://www.sierra-leone.org/lomeaccord.html> (20.2.2014).
- Magarell, Lisa* 2003: Reparations for Massive or Widespread Human Rights Violations: Sorting Out Claims for Reparations and the Struggle for Social Justice, in: Windsor Yearbook on the Access to Justice, 22: 85-98.
- Mc Kenzie, Megan H.* 2012: Female Soldiers in Sierra Leone. Sex, Security, and Post-Conflict Development, New York, NY: New York University Press.
- Meyer, Stefan* 2007: Sierra Leone: Reconstructing a Patrimonial State. FRIDE Case Studies Empowerment, May, <http://bit.ly/1B7dhdx> (22.1.2015).
- Minow, Martha* 1998: Between Vengeance and Forgiveness, Boston, MA: Beacon Press.
- Moon, Claire* 2012: Who’ll pay Reparations on my Soul? Compensation, Social Suffering and Social Control, in: Social and Legal Studies 21: 187-199.
- Murcia, Luis Eduardo Pérez* 2013: Social Policy or Reparative Justice? The Challenges for Reparations in Contexts of Massive Displacement and Related Serious Human Rights Violations, in: Journal of Refugee Studies, 27: 2, 191-206.
- OHCHR* 2006: Rule-of-Law Tools for Post-conflict States. National consultations on transitional justice. United Nations Office of the High Commissioner for Human Rights, <http://bit.ly/1wJwSRg> (20.10.2014).
- Physicians for Human Rights* 2002: War Related Sexual Violence in Sierra Leone. A Population-Based Assessment, <http://bit.ly/1zP7ogb> (6.12.2014).
- Reed, Tristan/Robinson, James A.* 2013: Chiefdoms in Sierra Leone. Harvard University Department of Government, <http://scholar.harvard.edu/files/jrobinson/files/history.pdf> (15.1.2015).
- Richards, Paul* 2005: To Fight or to Farm? Agrarian Dimensions of the Mano River Conflicts (Liberia and Sierra Leone), in: Africa Affairs, 107: 571-590.
- Robbins, Simon* 2011: Towards Victim-Centered Transitional Justice. Understanding the Needs of Families of the Disappeared in Nepal, in: International Journal of Transitional Justice, 5: 75-98.

- Roht-Arriaza, Naomi/Popkin, Margaret* 1995. Truth as Justice: Investigatory Commissions in Latin America, in: Kritz, Neil (ed.): *Transitional Justice. How Emerging Democracies Reckon with Former Regimes. Vol I General Considerations*, New York, NY: United States Institute for Peace, 262-289.
- Roht-Arriaza, Naomi* 2004: Reparations Decisions and Dilemmas in: *Hastings International Comparative Law Review*, 27: 156-219.
- Roht-Arriaza, Naomi* 2006: The New Landscape of Transitional Justice, in: Roht-Arriaza, Naomi; Mariezcurrena, Javier (ed.): *Transitional Justice in the Twenty-First Century*. Cambridge: Cambridge University Press, 1-16.
- Roht-Arriaza Naomi/Arriaza, Laura* 2009: Social Repair at the Local Level: The Case of Guatemala, in: McEvoy, Kieran/Lorna McGregor (eds.): *Transitional Justice from Below. Grassroots Activism and the Struggle for Change*, Oxford: Hard Publishers, 143-166.
- Roht-Arriaza, Naomi/Orlovsky, Katharine* 2009: A Complementary Relationship. Reparations and Development, in: De Greiff, Pablo: *Transitional Justice and Development*, New York, NY: Social Science Research Council, 170-214.
- Sierra Leone MPTF* 2013: Updated Consolidated Report on Projects Implemented under the Sierra Leone Multi-Donor Trust Fund. Multi-Partner Trust Fund Office 31 May 2014, <http://bit.ly/1B7iAK1> (31.1.2015).
- SLTRC* 2004: *Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission*, Accra: Graphic Packaging Ltd.
- Sriram, Chandra Lekha* 2013: Victim-Centered Justice and DDR in Sierra Leone, in: Sriram, Chandra Lekha et al. (eds.): *Transitional Justice and Peacebuilding on the Ground. Victims and Ex-Combatants*, London: Routledge, 159-177.
- Stanley, Elizabeth* 2009: *Torture, Truth and Justice. The Case of Timor-Leste*. London: Routledge.
- UN* 2000: United Nations Security Council Resolution 1315, UN Doc S/RES/1315, 14 August 2000.
- UNDP* 2006: Evaluation of UNDP Assistance to Conflict-Affected Countries. Case Study Sierra Leone, <http://bit.ly/1FdTpVH> (15.9.2014).
- UNICEF* 2005: The Disarmament, Demobilization and Reintegration of Children Associated with Fighting Forces. Lessons Learned in Sierra Leone 1998-2002, <http://uni.cf/1FdPwAd> (2.12.2014).
- UNICEF* 2013: At a Glance: Sierra Leone, <http://uni.cf/1ALOrLr> (2.12.2014).
- UNWOMEN* 2012: Reparations, Development and Gender, <http://bit.ly/1MazXNC> (10.11.2014).
- Van der Auweraert, Paul* 2012: The Potential for Redress: Reparations and Large-Scale Displacement, in: Duthie, Roger (ed.): *Transitional Justice and Displacement*. New York, NY: Social Science Research Council.
- Vermeule, Adrian* 2013: Reparations as Rough Justice, in: de Greiff, Pablo et al. (eds.), *Transitional Justice*, New York, NY/London: New York University Press, 151-165.

Annex: List of interviews

Interviews with beneficiaries and potential beneficiaries

Bomaru, 23 March 2012	Interview with two potential beneficiaries
Baiwalla, 23 March 2012	Interview with a potential beneficiary (man) Interview with a beneficiary (man)
Borbu, 27 March 2012	Interview with three beneficiaries (one women and two men) and one potential beneficiary (man)
Jojoima, 29 March 2012	Interview with four potential beneficiaries (three men and one woman)
Buedu, 30 March 2012	Interview with one potential beneficiary (man) and three beneficiaries (one man and two women)
Kailahun Town, 2 April 2012	Interview with five participants (women) of skills training
Kailahun Town, 3 April 2012	Interview with three beneficiaries (one woman and two men) at the office of the Network Movement for Democracy and Human Rights Interview with one beneficiary (man) Interview with one beneficiary (woman)
Kailahun Town, 16 April 2012	Interview with four beneficiaries of the skill training (women) Interview with two beneficiaries at the Nakwah housing project for war victims
Daru, 18 April 2012	Interview with a potential beneficiary (woman) War wounded person whose operation was paid by NaCSA (woman) Interview with beneficiary (woman)
Mobai, 18 April 2012	Interview with five potential beneficiaries (four women and one man) and three beneficiaries (two men and one woman)
Sandialu, 21 April 2012	Interview with three potential beneficiaries (men)
Mandupulahun, 21 April 2012	Interview with two beneficiaries and one potential beneficiary
Freetown, 10 May 2012	Interview with two beneficiaries (men)

Interviews with stakeholders and administrative personnel of the reparations program

Freetown, 8 March 2012	Interview with Jusuf Jarka, former chairman of the <i>Amputees and War Wounded Association</i>
Freetown, 21 March 2012	Interview with the director of <i>Hope Salone</i> , the organization who was responsible for the set-up of the memorials in Kailahun district
Bomaru, 23 March 2012	Interview with the chief of Bomaru
Baiwalla 23 March 2012	Interview with the town chief of Baiwalla
Kailahun Town, 25 March 2012	Interview with the owner of a potential massacre site (slaughter house) which should have been transformed into a memorial
Kailahun Town, 26 March 2012	Interview with Peter Buema (Fambul Tok)
Kailahun Town, 26 March 2012	Interview with a NaCSA officer at the Kailahun district office
Kailahun Town, 28 March 2012	Interview with James Samuka, director of the Network Movement for Human Rights and Development
Kailahun Town, 28 March 2012	Interview with Councillor Fatmatah Sanoh
Kailahun Town, 31 March 2012	Interview with the director of CAPS (Community Association for Psychosocial Services)
Kailahun Town, 3 April 2012	Interview with Sah James, Radio Moa
Kailahun Town, 4 April 2012	Interview with the chairman of the Amputees and War Wounded Association for Kailahun district
Kailahun Town, 13 April 2012	Interview with two registration officers for the reparations program
Daru, 18 April 2012	Interview with the paramount chief of Daru
Kailahun Town, 23 April 2012	Interview with the town chief of Kailahun Town
Freetown, 10 May 2012	Interview with Edward Conteh, Chairman of the <i>Amputees and War Wounded Association</i> Sierra Leone

Interviews with other actors involved in the design of the program and who critically accompanied its origination process

Freetown, 5 March 2012	Interview with Jamesina King, Commissioner of the <i>National Human Rights Commission</i>
Freetown, 8 March 2012	Interview with personnel of the reparations unit at the <i>National Commission for Social Action (NaCSA)</i>
Freetown, 12 March 2012	Interview with John Caulker, director of <i>Fambul Tok</i>
Freetown, 16 March 2012	Interview with Sulaiman Jabati, <i>Coalition for Justice and Accountability</i>
Freetown, 10 April 2012	Interview with Melrose Kargbo UNWOMEN
Freetown, 30 April 2012	Interview with personnel of the <i>International Organization for Migration (IOM)</i>
Freetown, 8 May 2012	Interview with Tommy Ibrahim, director of the <i>Center for Accountability and Rule of Law</i>
Freetown, 14 May 2012	Interview with Elise Schanke, <i>Norwegian Friends of Sierra Leone</i>
Freetown, 16 May 2012	Interview with Bishop Humper, former chairman of the <i>Sierra Leone Truth and Reconciliation Commission</i>