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SCSL-03-01-T
(21822-21901)

21822

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

Before: Justice Teresa Doherty, Presiding
Justice Richard Lussick
Justice Julia Sebutinde
Justice El Hadji Malick Sow, Alternate Judge

Registrar: Mr. Herman von Hebel

Date filed: 31 October 2008

SPECIAL COURT FOR SIERRA LEONE	
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THE PROSECUTOR

Against

Charles Ghankay Taylor

Case No. SCSL-03-01-T

PUBLIC

**PROSECUTION MOTION FOR ADMISSION OF EXTRACTS OF THE REPORT OF THE TRUTH AND
RECONCILIATION COMMISSION OF SIERRA LEONE**

Office of the Prosecutor:

Ms. Brenda J. Hollis

Ms. Leigh Lawrie

Counsel for the Accused:

Mr. Courtenay Griffiths Q.C.

Mr. Andrew Cayley

Mr. Terry Munyard

Mr. Morris Anyah

I. INTRODUCTION

1. The Prosecution files this motion under Rule 73 of the Rules of Procedure and Evidence (“**Rules**”) to request that the Trial Chamber admit into evidence the portions of the Report of the Truth and Reconciliation Commission of Sierra Leone (“**TRC Report**”) identified in **Annex A** and provided in **Annex B** of this motion pursuant to: (i) Rule 89(C); or, in the alternative, (ii) Rules 89(C) and 92*bis*, should the Chamber find that Rule 92*bis* is also applicable.
2. The Prosecution is mindful of this Chamber’s decision that, where a document is not being tendered through a witness, then the application should be made under Rule 92*bis*.¹ The Prosecution’s motion for leave to appeal that decision is pending.²
3. Notwithstanding the foregoing, in the first instance, the Prosecution maintains that the portions of the TRC Report at issue are admissible under Rule 89(C) alone for three reasons: Rule 89(C) is the general rule governing admission of evidence and has been used to tender documents absent a witness in other proceedings; Rule 92*bis* has been amended such that it is now limited to witness statements and transcripts; and Rule 92*bis* as amended and limited does not apply to documents which were not prepared for the purposes of legal proceedings. In the alternative, Rules 89(C) and 92*bis* allow the admission of the documentary evidence discussed herein.

II. APPLICABLE LAW

Admission under Rule 89(C)

4. Rule 89(C) provides that the Chamber “may admit any relevant evidence.” While no Rule specifically governs the admission of documentary evidence at the Special Court for Sierra Leone (“**SCSL**”), Rule 89(C) has been used to admit such evidence alone³ and in combination with Rule 92*bis*.⁴ However, as the extract of the TRC Report is not being admitted *in lieu of oral testimony*, the Prosecution seeks admission directly under Rule 89(C).
5. Rule 89(C) allows experienced professional judges to receive into evidence relevant written

¹ *Prosecutor v. Taylor*, SCSL-03-01-T, Trial Transcript, 21 August 2008, page 14253, lines 1-6.

² *Prosecutor v. Taylor*, SCSL-03-01-T-568, “Confidential Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents”, 25 August 2008.

³ *Prosecutor v. Sesay et al.*, SCSL-04-15-T-620, “Decision on Prosecution Motion to Admit into Evidence a Document Referred to in Cross-Examination”, 2 August 2006, p. 4 (“**Sesay 89(C) Decision**”).

⁴ See, for example, *Prosecutor v. Sesay et al.*, SCSL-04-15-T-618, “Decision on Prosecution Notice Pursuant to Rule 92*bis* to Admit Information into Evidence”, 2 August 2006, p.5 (“**Sesay 92*bis* Decision**”).

material without “compulsory resort to a witness serving only to present documents”,⁵ subject to the necessary safeguards to prevent any undue prejudice to the Defence.⁶ Indeed, “there is no requirement in international criminal law to produce documents through a witness.”⁷

6. SCSL jurisprudence clearly establishes that the Rules “favour a flexible approach to the issue of admissibility of evidence.”⁸ Therefore, unlike the equivalent ICTY and ICTR Rules, the test for admissibility of evidence under Rule 89(C) is relevance only. There is no requirement that the evidence be both relevant and probative.⁹ This flexible approach to admissibility has been found to be the one best suited to trials where the proceedings are conducted by professional judges.¹⁰ The SCSL Appeals Chamber has found that:

“Rule 89(C) ensures that the administration of justice will not be brought into disrepute by artificial or technical rules, often devised for jury trial, which prevent judges from having access to information which is relevant. Judges sitting alone can be trusted to give second hand evidence appropriate weight, in the context of the evidence as a whole and according to well-understood forensic standards. The Rule is designed to avoid sterile legal debate over admissibility ...”¹¹

⁵ “In this respect, it is appropriate to point out that the Trial Chamber authorised the presentation of evidence without its being submitted by a witness. The Trial Chamber relied on various criteria for this. ... the proceedings were conducted by professional Judges with the necessary ability for first hearing a given piece of evidence and then evaluating it so as to determine its due weight with regard to the circumstances in which it was obtained, its actual contents and its credibility in light of all the evidence tendered. Secondly, the Trial Chamber could thus obtain much material of which it might otherwise have been deprived. Lastly, the proceedings restricted the compulsory resort to a witness serving only to present documents. In summary, this approach allowed the proceedings to be expedited whilst respecting the fairness of the trial and contributing to the ascertainment of the truth”, *Prosecutor v. Blaskić*, IT-95-14, Judgment, 3 March 2000, para. 35.

⁶ *Sesay* 89(C) Decision, p.4.

⁷ *Sesay* 89(C) Decision, p. 3. See also *Prosecutor v. Delalić et al.*, IT-96-21, “Decision on the Motion of the Prosecution for the Admissibility of Evidence”, 19 January 1998, para. 22: “there is no blanket prohibition on the admission of documents simply on the ground that their purported author has not been called to testify.” This approach was endorsed in *Prosecutor v. Brđjanin & Talić*, IT-99-36-T, “Order on the Standards Governing the Admission of Evidence”, 15 February 2002, para. 20.

⁸ *Sesay* 92bis Decision, p. 3, quoting with approval *Prosecutor v. Sesay et al.*, SCSL-04-15-T-391, “Ruling on Gbao Application to Exclude Evidence of Prosecution Witness Mr. Koker”, 23 May 2005 (“**Gbao Ruling**”), para. 4.

⁹ *Prosecutor v. Brima et al.*, SCSL-04-16-T, “Decision on Joint Defence Motion to Exclude all Evidence from Witness TF1-277 Pursuant to Rule 89(C) and/or Rule 95”, 24 May 2005, para. 13.

¹⁰ A flexible approach conforms to one of the basic principles underlying the admissibility of evidence in large international trials: the applicable rules must “promote a fair and expeditious trial and the Trial Chambers must have the flexibility to achieve this goal.” (see *Prosecutor v. Aleksovski*, IT-95-14/1, “Decision on Prosecutor’s Appeal on Admissibility of Evidence”, 16 February 1999, para. 19).

¹¹ *Prosecutor v. Norman et al.*, SCSL 04-14-T, “Fofana – Appeal against Decision Refusing Bail”, 11 March 2005, para. 26 (“**Fofana Bail Appeals Decision**”).

7. Issues of reliability are properly considered by the SCSL Trial Chamber at the end of the trial as “[e]vidence is admissible once it is shown to be relevant: the question of its reliability is determined thereafter, and is not a condition for its admission.”¹²
8. Admissibility of relevant evidence under Rule 89(C) is subject to: (i) the Chamber’s “inherent jurisdiction to exclude evidence where its probative value is *manifestly* outweighed by its prejudicial effect”;¹³ and (ii) Rule 95 which provides that “[n]o evidence shall be admitted if its admission would bring the administration of justice into *serious* disrepute”.¹⁴ The test, therefore, favors admissibility. Regarding the first limb of this test, as noted by Trial Chamber I, “[w]hat is crucial in any such determination, where it is alleged that the probative value of the evidence under scrutiny is outweighed by its prejudicial effect, is whether admitting the evidence will impact adversely and unfairly upon the integrity of the proceedings before the Court.”¹⁵ It is evident, therefore, that a very high standard must be met before relevant evidence is excluded.
9. An additional reason for admission of the extract of the TRC Report under Rule 89(C) alone is that, for the reasons given below, the amendments to Rule 92*bis* narrow its focus, making the Rule now more suited to the admission of witness statements and trial transcripts and Rule 89(C) more suited to the admission of documents.
10. Certainly, Rule 92*bis* has also been used at the SCSL to admit documentary evidence¹⁶ pursuant to the stated intention that Rule 92*bis* at the SCSL be deliberately different from the corresponding ICTY and ICTR Rules.¹⁷ However, the amendments made to the SCSL Rule in May 2007 appear to have their origin in the jurisprudence and practice of the *ad*

¹² *Fofana* Bail Appeals Decision, para. 24.

¹³ *Gbao* Ruling, para. 7 (emphasis added).

¹⁴ Emphasis added.

¹⁵ *Gbao* Ruling, para. 8 (emphasis added). ICTR/ICTY Rule 89(D) provides that evidence may be excluded if its probative value is **substantially** outweighed by the need to ensure a fair trial (emphasis added).

¹⁶ Indeed in this trial, as acknowledged above at paragraph 2 and footnote 1, this Chamber has ruled that Rule 92*bis* is applicable when a document is not tendered through a witness. In addition, the Trial Chamber has, for the most part, not allowed the Prosecution to tender documentary evidence through a witness where the witness is not familiar with the document, but rather with the content of the document.

¹⁷ As noted by the Appeals Chamber, “SCSL Rule 92*bis* is different to the equivalent Rule in the ICTY and ICTR and deliberately so. The judges of this Court, at one of their first plenary meetings, recognized a need to amend ICTR Rule 92*bis* in order to simplify this provision for a court operating in what was hoped would be a short time-span in the country where the crimes had been committed and where a Truth and Reconciliation Commission and other authoritative bodies were generating testimony and other information about the recently concluded hostilities. The effect of the SCSL Rule is to permit the reception of “information” – assertions of fact (but not opinion) made in documents or electronic communications – if such facts are relevant and their reliability is “susceptible of confirmation.” (*Prosecutor v. Norman et al.*, SCSL-04-14-AR73, “Fofana – Decision on Appeal Against “Decision on Prosecution’s Motion for Judicial Notice and Admission of Evidence”, 16 May 2005 (“*Fofana Appeals Decision*”), para. 26, footnotes omitted).

hoc tribunals and, thus, have had the effect of narrowing the SCSL Rule's scope.¹⁸

11. Prior to May 2007, Rule 92*bis* permitted the reception of "information" into evidence; there was no prohibition on admission of "information" which went to proof of the acts and conduct of the accused.¹⁹ Indeed, it was noted that Rule 92*bis* was enacted in its original form specifically as a vehicle by which information collected by the Truth and Reconciliation Commission could be admitted into evidence.²⁰ However, in May 2007, Rule 92*bis* was amended, in terms similar to the *ad hoc* tribunals' rules, to refer to the reception of witness statements and transcripts and to exclude the admission of information including written statements and transcripts that go to proof of the acts and conduct of the accused.²¹ This limitation has been strictly defined and the jurisprudence is clear that the plain and ordinary meaning must be given to the phrase "acts and conduct of the accused". Accordingly, the acts and conduct of alleged subordinates and co-perpetrators do not "represent [the Accused's] own acts".²²
12. As Rule 92*bis* at the *ad hoc* tribunals was never intended to deal with the reception of "information" as it is broadly defined, the SCSL Rule's assimilation with the equivalent at these tribunals has had the effect of narrowing its scope within the practice of the SCSL. Rule 92*bis* at ICTY and ICTR deals with the admission of witness statements and transcripts. However, notably at the ICTY the Rule "has no effect upon hearsay material

¹⁸ Prior to May 2007, Rule 92*bis*(A) read: "A Chamber may admit in evidence, in whole or in part, information in lieu of oral testimony". Rule 92*bis*(A) now provides: "In addition to the provisions of Rule 92ter, a Chamber may, in lieu of oral testimony, admit as evidence in whole or in part, information including written statements and transcripts, that do not go to the proof of the acts and conduct of the accused."

¹⁹ Until 14 May 2007, Rule 92*bis* "in contrast to its counterpart in the Rules of the ICTY and ICTR, [did] not limit the type of evidence admissible under [it] to mere background evidence that does not go to proving the acts and conduct of the Accused" (see *Prosecutor v. Sesay et al.*, SCSL-04-15-T-557, "Decision on the Prosecution Notice under 92*bis* to Admit the Transcripts of Testimony of TF1-256", 23 May 2006, p. 4).

²⁰ See footnote 17 above.

²¹ The influence of the *ad hoc* tribunals on SCSL's Rule 92*bis* is apparent from the fact that, prior to May 2007, SCSL decisions cite the passage from *May and Wierda* that "[...] [A]s a matter of practice the Trial Chambers still prefer to hear evidence on the acts and conduct of the accused from live witnesses who can be cross-examined. [...] The trend which may, therefore, be discerned is for a preference for live testimony on matters pertaining directly to the guilt or innocence of the accused. This practice allows the accused to examine witnesses against him [...]" (see Judge Richard May and Marieke Wierda, *International Criminal Evidence* (Transnational Publishers, Inc., New York: 2002), para. 10.54). However, these comments relate to the practice of the ICTY and ICTR where Rule 92*bis* is limited to the admission of witness statements and transcripts and where Rule 89(c) deals with the admission of documentary evidence. Therefore, the preference for live testimony applies where the choice is between a live witness and a witness who will provide evidence on paper through prior statements and/or testimony. Cf May and Wierda on the admission of documentary evidence through witnesses – see footnote 41 below.

²² *Prosecutor v. Galić*, IT-98-29-AR73.2, Decision on Interlocutory Appeal Concerning Rule 92*bis* (C), 7 June 2002, para. 9 ("**Galić Decision**").

which was not prepared for the purposes of legal proceedings.”²³ Therefore, at the *ad hoc* tribunals, evidence such as public documents which have not been prepared for legal proceedings and are not being offered as a substitute for live testimony, are received into evidence under Rule 89(C), which is drafted in similar terms to its SCSL counter-part.²⁴

13. In this instance, the portions of the TRC Report listed in **Annex A** are not being offered in lieu of oral testimony. Therefore, the Prosecution seeks their admission directly under Rule 89(C), subject to the conditions for admissibility discussed below. Such an approach does not run counter to SCSL jurisprudence as documentary evidence has been admitted under this Rule alone in other proceedings²⁵ and, since the Rule was amended, the SCSL has only considered Rule 92bis in the RUF Trial²⁶ in relation to the admission of witness statements and transcripts.²⁷

Alternative request for relief: Admission under Rules 89(C) and 92bis

14. Assuming, *arguendo*, Rule 92bis is applicable to the admission of the relevant parts of the TRC Report, then the requirements of Rules 89 and 92bis must be satisfied. For evidence comprising public documents to be admitted pursuant to both Rules, the evidence must be relevant, its reliability susceptible of confirmation and its admission not unfairly prejudice the Accused.
15. However, the qualification that the evidence must “not go to proof of the acts and conduct of the accused” does not apply to the extracts of the TRC Report which are the subject of this motion. Rather, this qualification applies only to evidence which would normally be given by a witness and so only to that part of the Rule regarding “witness statements and transcripts”. The qualification does not apply to the broader definition of “information” for which there is no obvious live witness alternative. To hold otherwise would: (i) frustrate the Rule’s original purpose; and (ii) mean that the SCSL, unlike its sister tribunals, would be denied the ability to receive into evidence public documents from sources such as the

²³ *Ibid*, para. 31.

²⁴ See, for example, *Prosecutor v. Prlić*, IT-04-74-T, “Public Decision on Motion to Dismiss Certain Prosecution Motions for Admission of Documentary Evidence as an Abuse of Process”, 27 September 2007 which rejected the Defence motion requesting that the Chamber dismiss the Prosecution’s seven motions for admission of documentary evidence under Rule 89(C). The documentary evidence which the Prosecution sought to admit amounted to 1, 667 documents.

²⁵ See *Sesay* 89(C) Decision.

²⁶ *Prosecutor v. Sesay, Kallon and Gbao*, SCSL-04-15-T (“RUF Trial”).

²⁷ See, for example, *Prosecutor v. Sesay et al.*, SCSL-04-15-T-1125, “Decision on Sesay Defence Motion and Three Sesay Defence Applications to Admit 23 Witness Statements under Rule 92bis”, 15 May 2008 and *Prosecutor v. Sesay et al.*, SCSL-04-15-T-1162, “Decision on the Kallon Defence Application for the Admission of the Witness Statements of Buhari Musa and Amara Essy under Rule 92bis”, 30 May 2008.

UN and the TRC which contain *inter alia* evidence relating to the acts and conduct of the accused but where the author of the documents may not be readily identifiable or may be too numerous to realistically call to testify live. As regards the Rule's original purpose, as noted above, the SCSL Rule was drafted originally so that it could receive testimony and information from bodies such as the TRC.²⁸ The TRC Report is notable for its inclusion of information which refers to the acts and conduct of the Accused. While the portions of the TRC Report at issue in this request do not include proof of acts and conduct of the Accused, if the original purpose is to be preserved, the interpretation of the amended Rule must be as stated in this paragraph.

16. Further, and as noted at paragraph 11 above, if the acts and conduct qualification is found to be applicable to non-testimonial documents, not prepared for the purposes of litigation, then the term must be given its ordinary meaning. As noted by this Chamber recently, "there must be a distinction made between 'the acts and conduct of those others who commit the crimes for which the Indictment alleges that the accused is individually responsible' and 'the acts and conduct of the accused as charged in the Indictment which establish his responsibility for the acts and conduct of others;' and that only written statements which go to proof of the latter are excluded by Rule 92bis."²⁹ The jurisprudence also indicates that acts and conduct of "immediately proximate subordinates" would be subject to the limitations of Rule 92bis.³⁰ However, the *Galić* Decision was in reference to witness statements and was made in the context of a procedural framework at the ICTY which receives reports similar to the one at issue under a different rule, Rule 89(C).
17. The phrase "susceptible of confirmation" contained in Rule 92bis(B) has been interpreted to mean that "proof of reliability is not a condition of admission: all that is required is that the information should be capable of corroboration in due course."³¹ In this regard, "capable of corroboration" as defined by the Appeals Chamber must be given a liberal interpretation. The material may not require corroboration at all, or at the very least, a

²⁸ See *Fofana* Appeals Decision, para. 26, referred to at footnote 17 above.

²⁹ *Prosecutor v. Taylor*, SCSL-01-03-T-556, "Decision on Prosecution Notice under Rule 92bis for the Admission of Evidence Related to *Inter Alia* Kenema District And on Prosecution Notice under Rule 92bis for the Admission of the Prior Testimony of TF1-036 into Evidence", 15 July 2008, p. 4, citing with approval para. 9 of the *Galić* Decision and referring also to *Prosecutor v. Sesay et al.*, SCSL-04-15-T-1049, "Decision on Defence Application for the Admission of the Witness Statement of DIS-192 Under Rule 92bis, or in the alternative, Under Rule 92ter", 12 March 2008, p. 2-3.

³⁰ *Galić* Decision, paras. 13-16

³¹ *Fofana* Appeals Decision, para. 26.

scintilla of corroboration.

III. SUBMISSIONS ON ADMISSIBILITY OF EVIDENCE

18. As required by SCSL jurisprudence,³² the Prosecution has made every effort to save the Court from wading through a mountain of material³³ or a mass of undigested paperwork.³⁴ **Annex A** includes a table describing each portion of the TRC Report and indicating the relevant portions to be admitted.³⁵ **Annex B** contains a copy of each extract and also Appendix 1 of the TRC Report (from which the extracts are taken) in full to provide context. The relevant passages in respect of which admission is sought are identified by inclusion within a box and with accompanying notations in the margins.

Application for Admission under Rule 89(C)

19. The relevance of the extracts to the current proceedings and the Second Amended Indictment is identified in **Annex A**. As noted therein, the extracts relate to: (i) the chapeau requirements of the crimes charged, including the widespread and systematic nature of the crimes as opposed to the crimes being isolated incidents committed by individuals; (ii) the several forms of liability alleged by the Prosecution in this case; and (iii) Count 1 (Terrorizing the Civilian Population).
20. The extracts are public and are taken from the TRC Report. Therefore, the material does not impact adversely and unfairly *upon the integrity of the proceedings* nor is it of such a nature that its admission would bring the administration of justice into serious disrepute. In accordance with the AFRC Judgment,³⁶ a copy of Appendix 1 of the TRC Report is provided as an accurate reproduction of the original.
21. This Chamber has noted that it “has a discretion under Rule 89(C) to admit any relevant evidence” and “the inability of the Defence to cross-examine such witnesses is a matter that

³² See the Separate Opinion of Justice Robertson to the *Fofana* Appeals Decision, at para. 31: “All relevant material is admissible, but that is not an invitation to the parties to deluge the court [...] The wider admissibility provisions in the SCSL carry a concomitant duty to the parties to narrow the documentary material they seek to introduce and to identify only those passages which are relevant to the case [...]”. See also the direction of this Chamber given in *Prosecutor v. Taylor*, SCSL-03-01-T-369, “Decision on Prosecution’s Motion for Admission of Material Pursuant to Rules 89(C) and 92bis”, 7 December 2007, at p.3.

³³ See *Prosecutor v. Brima et al.*, SCSL-04-16-T-423, Decision on the Prosecution Motion for Judicial Notice and Admission of Evidence, 25 October 2005, para. 71.

³⁴ See Separate Opinion of Justice Robertson to the *Fofana* Appeals Decision, para. 30.

³⁵ **Annex A** describes the document, summarises the relevant information, sets out the relevance of the document or section thereof, relates this relevance to the Indictment and states which portion of the report the Prosecution seeks to have admitted into evidence.

³⁶ *Prosecutor v. Brima et al.*, SCSL-04-16-T, Judgement, 20 June 2007, para. 140 relying on *Fofana* Bail Appeals Decision, para. 24.

goes to the weight of the evidence, not its admissibility.”³⁷ In addition, at the ICTY, a report from a member of a commission of experts was admitted despite defence complaints that they were being: “denied the right to cross-examine a paper witness.”³⁸ In the face of such objections, the Chamber did “take entirely the point made by the Defence, that they cannot cross-examine the 400 witnesses on whose statements this evidence will be based.” But found that “in this Tribunal we admit all types of evidence. The hearsay rule does not apply, but the issue of how much weight is given to this evidence is very much a matter for the Tribunal.”³⁹ Trial Chamber I has also admitted evidence on a similar basis as the “Chamber is composed of professional judges who are certainly capable of not drawing inferences without proper evidentiary basis or foundation and that the matter of weight to be given to any piece of evidence will be determined at the appropriate time in light of all of the evidence adduced at trial.”⁴⁰ It is, therefore, clear that no undue prejudice to the Accused arises from the fact that a document is produced without calling a witness.⁴¹

Alternative request for relief: Application for Admission under Rules 89(C) and 92bis

22. Assuming, *arguendo*, Rule 92bis is applicable, the Prosecution seeks in the alternative to have the Documents admitted under Rules 89(C) and 92bis.
23. In relation to relevance, the Prosecution refers to paragraph 19 above.
24. As regards susceptibility of confirmation, the Prosecution is not required to prove that the evidence is in fact reliable at this stage, only that the reliability of the evidence is susceptible of confirmation.⁴²
25. In relation to “undue prejudice to the Accused”, the Prosecution refers to paragraphs 20-21 above.
26. Assuming further, *arguendo*, that the qualification regarding evidence going to proof of the acts and conduct of the accused is still applicable to open source documents not prepared

³⁷ See *Prosecutor v. Taylor*, SCSL-03-01-T-543, “Decision on Defence Application to Exclude the Evidence of Proposed Prosecution Expert Witness Corinne Dufka, or in the alternative, to Limit its Scope And on Urgent Prosecution Request for Decision”, 19 June 2008, para. 25, in relation to Defence objections regarding the admission of witness testimonies collected by Ms Dufka.

³⁸ *Prosecutor v. Kovačević*, IT-97-24, Trial Transcript, 6 July 1998, pp. 74-75 where the Defence elaborated that “We cannot cross-examine a piece of paper, 600 or whatever amount of pages in this record or this tendered exhibit, is nothing more than a paper witness. It's not this witness that is testifying. She has no knowledge of any fact contained in the document.”

³⁹ *Ibid*, p. 75.

⁴⁰ *Sesay* 89(C) Decision, p. 4.

⁴¹ See Judge Richard May and Marieke Wierda, *International Criminal Evidence* (Transnational Publishers, Inc., New York: 2002), para. 7.97 which notes that the “procedure [of producing documents without calling a witness] has the advantage of expediting the trial without being detrimental to fairness.”

⁴² *Fofana* Appeals Decision, para. 27.

for the purposes of legal proceedings notwithstanding the May 2007 amendments, the extracts which the Prosecution seeks to admit do not go to proof of the acts and conduct of the Accused as that term is defined and limited by the jurisprudence. In addition, the extracts do not concern the acts and conduct of “immediately proximate subordinates” of the Accused.

27. Finally, these extracts from a public source document are not being presented to a lay jury, and so will not “impact adversely and unfairly upon the integrity of the proceedings.” Rather, it is in the interests of justice that this relevant evidence is brought before the Chamber, and that the Chamber be allowed to assess the appropriate weight to be given to it at the conclusion of the case.

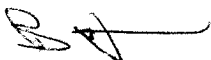
IV. CONCLUSION

28. The Prosecution requests that the Trial Chamber admit into evidence the portions of the TRC Report identified in **Annex A** and provided in **Annex B** pursuant to: (i) Rule 89(C) as this rule alone has been used at the SCSL to tender documents absent a witness and Rule 92*bis* has been amended such that it is now limited to witness material and does not apply to documents not prepared for legal proceedings; or, in the alternative, (ii) Rules 89(C) and 92*bis* (Rule 92*bis* being interpreted as set out in paragraphs 15-16).

Filed in The Hague,

31 October 2008,

For the Prosecution,



Brenda J. Hollis
Principal Trial Attorney

LIST OF AUTHORITIES

SCSL**Prosecutor v. Taylor – Case No. SCSL-03-01**

Prosecutor v. Taylor, SCSL-03-01-T-369, “Decision on Prosecution’s Motion for Admission of Material Pursuant to Rules 89(C) and 92bis”, 7 December 2007

Prosecutor v. Taylor, SCSL-03-01-T-543, “Decision on Defence Application to Exclude the Evidence of Proposed Prosecution Expert Witness Corinne Dufka, or in the alternative, to Limit its Scope And on Urgent Prosecution Request for Decision”, 19 June 2008

Prosecutor v. Taylor, SCSL-01-03-T-556, “Decision on Prosecution Notice under Rule 92bis for the Admission of Evidence Related to *Inter Alia* Kenema District And on Prosecution Notice under Rule 92bis for the Admission of the Prior Testimony of TF1-036 into Evidence”, 15 July 2008

Prosecutor v. Taylor, SCSL-03-01-T, Trial Transcript, 21 August 2008

Prosecutor v. Taylor, SCSL-03-01-T-568, “Confidential Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents”, 25 August 2008

Prosecutor v. Brima et al. – Case No. SCSL-04-16

Prosecutor v. Brima et al., SCSL-04-16-T, “Decision on Joint Defence Motion to Exclude all Evidence from Witness TF1-277 Pursuant to Rule 89(C) and/or Rule 95”, 24 May 2005

Prosecutor v. Brima et al., SCSL-04-16-T-423, “Decision on the Prosecution Motion for Judicial Notice and Admission of Evidence”, 25 October 2005

Prosecutor v. Brima et al., SCSL-04-16-T, Judgement, 20 June 2007

Prosecutor v. Norman et al. – Case No. SCSL-04-14

Prosecutor v. Norman et al., SCSL-04-14-AR65, “Fofana – Appeal Against Decision Refusing Bail”, 11 March 2005

Prosecutor v. Norman et al., SCSL-04-14-AR73-398, “Fofana – Decision on Appeal Against ‘Decision on Prosecution’s Motion for Judicial Notice and Admission of Evidence’, 16 May 2005

Prosecutor v. Sesay et al. – Case No. SCSL-04-15

Prosecutor v. Sesay et al., SCSL-04-15-T-391, Ruling on Gbao Application to Exclude Evidence of Prosecution Witness Mr. Koker, 23 May 2005

Prosecutor v. Sesay et al., SCSL-04-15-T-557, “Decision on the Prosecution Notice under 92bis to Admit the Transcripts of Testimony of TF1-256”, 23 May 2006

Prosecutor v. Sesay et al., SCSL-04-15-T-618, “Decision on Prosecution Notice Pursuant to Rule 92bis to Admit Information into Evidence”, 2 August 2006

Prosecutor v. Sesay et al., SCSL-04-15-T-620, “Decision on Prosecution Motion to Admit into Evidence a Document Referred to in Cross-Examination”, 2 August 2006

Prosecutor v. Sesay et al., SCSL-04-15-T-1049, “Decision on Defence Application for the Admission of the Witness Statement of DIS-192 Under Rule 92bis, or in the alternative, Under Rule 92ter”, 12 March 2008

Prosecutor v. Sesay et al., SCSL-04-15-T-1125, “Decision on Sesay Defence Motion and Three Sesay Defence Applications to Admit 23 Witness Statements under Rule 92bis”, 15 May 2008

Prosecutor v. Sesay et al., SCSL-04-15-T-1162, “Decision on the Kallon Defence Application for the Admission of the Witness Statements of Buhari Musa and Amara Essy under Rule 92bis”, 30 May 2008

ICTY Cases

Prosecutor v. Delalić et al., Case No. IT-96-21-T, Decision on the Motion of the Prosecutor for the Admissibility of Evidence, 19 January 1998
<http://www.un.org/icty/celebici/trialc2/decision-e/80119EV21.htm>

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<http://www.un.org/icty/transe24Kovacevic/980706.htm>

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(Copy of Chapters 7 and 10 provided in previous filing - see Prosecutor v. Taylor, SCSL-03-01-T-510, "Public Prosecution Motion for Admission of Document Pursuant to Rule 89(C)", 19 May 2008)

ANNEX A

TABLE DESCRIBING EXTRACTS TO BE ADMITTED

ANNEX A

ADMISSION OF EXTRACTS OF THE TRC REPORT PURSUANT TO RULE 89(C) OR, IN THE ALTERNATIVE, RULES 89(C) & 92bis

Extract #	TRC Report, Appendix 1: Page & Para. to be admitted	Summary of Info. contained in highlighted text	Relevance	Indictment
1.	P. 1-2, section headed "Introduction"	Introduction to the statistical findings available in the TRC's database. Database based on the 7,706 statements collected by the Commission. Notes that information was extracted from the statements about each of the human rights violations documented to develop the statistics that describe the nature and extent of the violations experienced and perpetrated by the statement-givers.	Provides necessary bases and methods for the statistical analysis included in Appendix 1 of the TRC Report, from which the extracts are taken.	--

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ANNEX A

ADMISSION OF EXTRACTS OF THE TRC REPORT PURSUANT TO RULE 89(C) OR, IN THE ALTERNATIVE, RULES 89(C) & 92bis

Extract #	TRC Report, Appendix 1: Page & Para. to be admitted	Summary of Info. contained in highlighted text	Relevance	Indictment
2.	P. 2-8, section headed "Background and Methodology"	Provides a description of the background and methodology for the processing, entry, and storage of the information contained in the TRC statements. Explains the concept and scope of special coding studies. Provides notes about the nature of the TRC's sample and the limits of the statistical interpretation.	Provides expanded information regarding the bases, methodology used for the statistical analysis included in Appendix 1 of the TRC Report, from which the extracts are taken.	--

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ANNEX A

ADMISSION OF EXTRACTS OF THE TRC REPORT PURSUANT TO RULE 89(C) OR, IN THE ALTERNATIVE, RULES 89(C) & 92bis

Extract #	TRC Report, Appendix 1: Page & Para. to be admitted	Summary of Info. contained in highlighted text	Relevance	Indictment
3.	P. 15, Figure 4.A1.11: Proportion and Ratio of Perpetrator Responsibility by Sex & following 3 paragraphs	Table and analysis of the table provides information on violations by perpetrator and sex. Information on the proclivity of groups to target women victims.	Chapeau requirements of CAH ¹ , in particular the widespread and systematic nature of the crimes, as opposed to isolated acts by individuals, and chapeau requirements of CA3 ² & OSV ³ . ICR ⁴ : shows the pattern and long-term, ongoing nature of the crimes – all relevant to intent, knowledge, awareness of Accused; and reasonable foreseeability of crimes. Crime base: Count 1 (Terrorizing the Civilian Population)	Counts 1-11 (5; 9; 14; 18; 22; 23; 28) ICR (33, 34) Specific Counts 1 (5)

¹ “CAH” – Crimes Against Humanity.

² “CA3” – Violations of Article 3 Common to the Geneva Conventions and of Additional Protocol II. However, in relation to the chapeau requirements for CA3, it should be noted that Judicially Noticed Fact C states that “There was an armed conflict in Sierra Leone from about March 1991 until about 18 January 2002”.

³ “OSV” – Other Serious Violations of International Humanitarian Law. See comment in footnote above regarding Judicially Noticed Fact C which is also relevant to the chapeau requirements of OSV.

⁴ “ICR” – Individual Criminal Responsibility.

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ANNEX A

ADMISSION OF EXTRACTS OF THE TRC REPORT PURSUANT TO RULE 89(C) OR, IN THE ALTERNATIVE, RULES 89(C) & 92bis

Extract #	TRC Report, Appendix 1: Page & Para. to be admitted	Summary of Info. contained in highlighted text	Relevance	Indictment
4.	P. 24 – 31, sections headed “Perpetrator Responsibility for Violations over Time and Space” and “Correlations Between Perpetrator Groups”	Provides analysis and accompanying graphs showing the the responsibility of various groups for violations by year and district/geographic location. Information (including graphs) is also provided showing how patterns of documented violations were similar or different by violation type.	Chapeau requirements of CAH, in particular the widespread and the systematic nature of the crimes, as opposed to isolated acts by individuals, and chapeau requirements of CA3 & OSV. ICR: shows pattern, long term, ongoing nature of the crimes – all relevant to intent, knowledge, awareness of Accused; and reasonable foreseeability of crimes. Crime base: Count 1 (Terrorizing the Civilian Population)	Counts 1-11 (5; 9; 14; 18; 22; 23; 28) ICR (33, 34) Specific Counts 1 (5)

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ANNEX B**TRC REPORT – APPENDIX 1 (EXTRACTS + COPY IN FULL)****Part 1:**

Extracts taken from Appendix 1 of the TRC report: -

1. Extract 1: Pages 1-2, section headed “Introduction”
2. Extract 2: Pages 2-8, section headed “Background and Methodology”
3. Extract 3: Page 15, Figure 4.A1.11: Proportion and Ratio of Perpetrator Responsibility by Sex & following 3 paragraphs
4. Extract 4: Pages 24 – 31, sections headed “Perpetrator Responsibility for Violations over Time and Space” and “Correlations Between Perpetrator Groups”

Part 2:

1. Appendix 1: Statistical Appendix to the Report of the Truth and Reconciliation Commission of Sierra Leone

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Part 1:

Extracts 1 & 2



Introduction

To fulfill its mandate, the Sierra Leone Truth and Reconciliation Commission (TRC) collected as many statements as possible from the victims, witnesses and perpetrators of human rights violations committed during the 1991–2000 period of conflict in Sierra Leone. The Commission collected 7,706 statements of Sierra Leoneans, living in Sierra Leone and also as refugees in Gambia, Guinea and Nigeria. The statements they gave offer detailed insight into the experience of particular victims or perpetrators, and every statement therefore deserves careful study.

It is also valuable to study what the statements can mean in the aggregate. This means to extract information from the TRC statements about each of the human rights violations they document, enter this information into a database, and develop statistics that describe the nature and extent of the violations experienced and perpetrated by the statement-givers as a whole. The resulting dataset enables an overview of the nature and extent of human rights violations experienced during the conflict.

The analyses presented here reviews the broad dimensions of data available from the the TRC's database. In a general sense, the analysis is guided by the overall research questions the Commission was charged to investigate, as well as specific questions posed by TRC researchers. However, this section does not offer original interpretation of what the graphs and tables mean — that analysis has already been presented in the main body of the report.

Instead, this appendix simply offers the interested reader additional detail about the statistical findings available in the database. It is more like a statistical abstract than it is like an independent report. In a very real sense, this chapter is an invitation to historians, journalists, social scientists and others to pursue further quantitative inquiry by downloading the TRC's statistical dataset. The statistical dataset is available on the Internet at <http://www.hrdag.org>. All of the personal information about victims and statement-givers has been removed from the published dataset, but the dataset offers a rich resource for continuing analysis of statistical patterns of human rights violations in Sierra Leone documented by the TRC.

In the first two sections of this appendix, we describe the background and methodology for the processing, entry, and storage of the information contained in the TRC statements. We

also explain the concept and scope of special coding studies that were conducted when the standard information coded from the statements was insufficient to answer certain questions, or when a particular aspect of the conflict merited closer study. This section concludes with notes about the nature of the TRC's sample and the limits of the statistical interpretation.

The third section presents a descriptive analysis of the statistical patterns in the statements given to the Commission. The section examines the demographic patterns of the statement-givers, patterns of different types of violations over time and space, patterns in the age and sex of the victims, and the relationship of different perpetrator groups to these dimensions.

The fourth section examines the study of redress and reparations.

Background and Methodology

The conflict in Sierra Leone began in March 1991. The number of warring factions proliferated with the emergence of civil militias, employment of international mercenaries, regional and international interventions, military coups at home, and incursions by foreign soldiers and irregulars. While initially confined to the South and East, the conflict eventually engulfed the entire country, culminating in an attack of the capital Freetown by the Armed Forces Revolutionary Council (AFRC), in January 1999. Where previous attempts to broker peace had failed, the 7 July 1999 Lome Peace Agreement succeeded, and included a clause allowing for the creation of the Truth and Reconciliation Commission¹. Due to resurgent violence in May 2001, the Commission's work did not begin until the latter half of 2002.

Statements

One of the first phases of the Commission's work was to gather as many victim and perpetrator statements as was possible given the time and funding constraints. While not every victim or perpetrator was interviewed, the statement-takers tried to be as comprehensive as possible, attempting to reach every chiefdom in Sierra Leone in order to record the experiences of the population, including experiences of specific groups such as women, children and amputees. Because of security and accessibility issues, 9 of the 149 districts in Sierra Leone were not reached for interviews.

Figure 4.A1.1a: Count of Statement-givers by District

Region	District	Statement Count				Percent		Region Total
		Total	Male	Female	Unknown	Male	Female	
West	West Area	1357	680	659	18	51	49	1357
	Bombali	494	354	137	3	72	28	
	Koinadagu	484	362	120	2	75	25	
	Tonkolili	463	317	140	6	69	31	
	Kambia	392	299	86	7	78	22	
North	Port Loko	257	168	82	7	67	33	3447
East	Kenema	875	585	281	9	68	32	1802
	Kono	496	274	215	7	56	44	
	Kailahun	431	281	144	6	66	34	
	Pujehun	686	404	272	10	60	40	
South	Bo	679	478	193	8	71	29	2280

¹For further information, see the "Military and Political History of the Conflict" Chapter of the Final Report of the Sierra Leone Truth and Reconciliation Commission.

	Bonthe	481	310	162	9	66	34	
	Moyamba	434	287	141	6	67	33	
Unknown	Unknown	2	1	1	0	50	50	2
	Nigeria	70	35	33	2	51	49	
	Gambia	58	20	38	0	34	66	
Foreign	Guinea	47	23	24	0	49	51	175
	Total	7706	4878	2728	100	64	36	

Source: Sierra Leone Truth and Reconciliation Commission's Database

From Figure 4.A1.1a, it is clear that there were substantial numbers of statements taken across Sierra Leone and neighboring countries. Women gave approximately one-third of the statements, while men gave approximately two-thirds.

Figure 4.A1.1b: Percent of Statement-givers by Source Type and Sex

Source Type	Deponent Sex			Total
	Female	Male	Unknown	
Direct Victim	78.6	83.9	72	81.85
Familiar Witness	16.0	10.4	8	12.34
Hearsay Witness	3.1	1.9	4	2.36
Other Witness	1.2	1.5	3	1.43
Unspecified	1.1	1.3	12	1.38
Direct Perpetrator	0.0	1.0	1	0.65
Total (count)	2728	4878	100	7706
Total (percent)	100	100	100	100

Source: Sierra Leone Truth and Reconciliation Commission's Database

Both male and female deponents gave statements with roughly equal proportions of motivations. Males were slightly more frequently direct victims of violations, while females were similarly slightly more likely to be witnesses to violence against family members.

Figure 4.A1.1c: Percent of Statement-givers by Age and Sex

Age category	Deponent Sex			Total
	Female	Male	Unknown	
0-4	0.1	0.0	0.0	0.1
5-9	0.4	0.4	0.0	0.4
10-14	2.4	2.5	0.0	2.4
15-19	8.5	5.8	3.9	6.7
20-24	9.9	5.3	7.7	6.9
25-29	10.7	7.1	3.9	8.3
30-34	11.6	8.6	7.7	9.6
35-39	12.1	10.7	19.2	11.2
40-44	10.3	9.8	11.5	10.0
45-49	7.9	9.8	11.5	9.2
50-54	7.8	9.0	11.5	8.6
55-59	4.7	7.9	15.4	6.8
60-64	5.4	8.0	0.0	7.1
65-69	2.8	5.2	0.0	4.3
70-74	2.3	4.3	3.9	3.6
75-79	1.6	2.6	0.0	2.2
80+	1.5	3.2	3.9	2.7
Total (count)	2728	4878	100	7706
Total (percent)	100	100	100	100

Source: Sierra Leone Truth and Reconciliation Commission's Database

Male deponents are slightly older than female deponents, as Figure 4.A1.1c shows. A higher proportion of female deponents than male deponents are in each of the age categories up to age 45–49. So, for example, while 8.5% of female deponents were of ages 15–19, 5.8% of male deponents were 15–19 years old. However, 8.0% of male deponents were 60–64, while 5.4% of female deponents were in this category.

Figure 4.A1.1d: Percent of Statement-givers by Spoken Language

<i>Ethnicity</i>	<i>Count</i>	<i>Percent</i>
Mende	3417	44.3
Temne	1581	20.5
Kono	472	6.1
Unknown	432	5.6
Limba	431	5.6
Koranko / Kurakor	321	4.2
Loko	222	2.9
Madingo / Malinke	158	2.1
Susu	155	2.0
Fula / Fulah / Peul	145	1.9
Sherbro	112	1.5
Krio / Creole	81	1.1
Lalunka / Yalunka	59	0.8
Other	58	0.8
Kissi	53	0.7
Liberian English (pidgin)	7	0.1
English	2	0.0
Total	7706	100.2

Source: Sierra Leone Truth and Reconciliation Commission's Database

The largest ethnic group among the statement-givers were the Mende, with 44.3% of all deponents coming from this group. A smaller but substantial number — 20.5% — of deponents came from the Temne, while smaller numbers of statements were given by members of other groups.

Statement-taking was completed in March 2003 with 7,706 human rights narratives collected. Subsequently the statements were coded, so that the victims, perpetrators and abuses in each statement were identified and listed on forms in accordance with the selected data model, which is described below. When coding was complete, the coded statements were entered into a database designed specifically to capture this information while preserving the relationships between the perpetrators, victims, and abuses given in the statements.

Database

The model adopted by the Commission was based on the concepts in “Who Did What to Whom”.² This data model is designed to account for the fact that a data source, such as a collection of statements, can include information about one or many victims and/or perpetrators, and each victim can suffer one or many human rights violations. It is a model that has been used to provide statistical results presented by other truth commissions and human rights documentation projects, including the truth commissions of Guatemala, Haiti, South Africa, Perú, and East Timor.

²Who Did What to Whom? Planning and Implementing a Large-Scale Human Rights Data Project, Patrick Ball (1996), AAAS: Washington, DC, USA.

Perpetrators were classified as follows:

RUF	Revolutionary United Front
AFRC	Armed Forces Revolutionary Council including Westside Boys
SLA	Sierra Leone Army
CDF	Civil Defense Force
ECOMOG	Economic Community of West African States Military Observer Group
GAF	Guinean Armed Forces
ULIMO	United Liberation Movement for Democracy
Police	Police officers including SSD division
AFRC/SLA	Abuses committed in 1997 allegedly committed by soldiers but the date information is insufficient to determine if the abuses should be attributed to the SLA or the AFRC
Miscellaneous	Minor perpetrator groups
Rebels	Abuses attributed to rebels where the statement-giver was unable to name a specific faction. Typically the term describes RUF fighters and ex-SLA fighters loyal to the AFRC

The TRC statements were coded into fourteen violation types using a controlled vocabulary set in order to apply standard definitions in a consistent manner. The violation types and the abbreviations used for them in tables in this appendix are as follows:

ABDU	Abduction
AMPU	Amputation
DETN	Arbitrary Detention
ASLT	Assault/Beating
DEST	Destruction of Property
DRUG	Drugging
EXTO	Extortion
CANN	Forced Cannibalism
FODI	Forced Displacement
FOLA	Forced Labour

FREC	Forced Recruitment
KILL	Killing
LOOT	Looting
TORT	Physical Torture
RAPE	Rape
SXAB	Sexual Abuse
SXSL	Sexual Slavery

After all of the coded statements were recorded in the database, the data underwent a matching procedure. Many statements identified people and events that were also identified in other statements. In order to count each violation only once, we identified which people and violations were reported more than once — the process is called “matching” — and we counted them appropriately. To prepare for matching, analysts looked for discrepancies in the data that may have been a result of coding or data entry errors. Changes made to the database were catalogued to determine if the original data was preserved or not in case the corrections themselves were applied incorrectly.

We matched the corrected data by looking at the victim’s name, age, ethnicity, and sex. Taking into account the potential for spelling variations and data entry errors, matches were considered where fields were the same or relatively similar. The acceptable tolerance for age differences was ± 3 years. Where age or name fields were empty, they were considered acceptable to match the record to another record (if the non-missing fields matched). While this practice may have missed some matches because witnesses’ memories of dates was not precise, it avoided overmatching records of individuals with the same name. Location information was also used to make judgments about whether or not records reported the same victim, perpetrator and act. Tolerances for distance were kept to small areas within a district to also prevent overmatching of records.

The final result of these steps — coding, data entry, and matching — is the database from which the Commission’s statistics were calculated. The final table from which the Commission’s statistics are generated contains 40,242 violations.³

Special Coding Exercises

On a number of occasions, TRC researchers asked questions that were beyond the scope of the information quantified via the standard statement coding. Also, the results from the conventional coding occasionally suggested aspects of the conflict that merited further, more detailed research. To deal with these situations, a series of special coding analyses were devised:

- ECOMOG (Economic Community of West Africa Military Observer Group) Abuses Study

³For more detail on the creation of the TRC database, see Volume 1, Methodology and Processes Chapter of the Final Report of the Sierra Leone Truth and Reconciliation Commission.

- RUF–NPFL (National Patriotic Front of Liberia) Study
- Assistance and Redress Study

ECOMOG Abuses Study

The ECOMOG intervention force was distinct in that the abuses attributed to it in the statements had a relatively high proportion of killings. The special coding study considered the nature of these killing violations and why the ECOMOG behaviour was distinct.

RUF–NPFL Study

It is widely believed that the initial RUF incursion into Sierra Leone in 1991 included forces from the Liberian NPFL.⁴ The special coding looked at the ethnicity of the perpetrators in statements identifying the RUF in the early years of the conflict. This information was used to determine the years in which Liberian forces were committing violations in Sierra Leone and the proportion of RUF abuses that could more properly be attributed to the NPFL.

Assistance and Redress Study

The TRC statements contain a number of questions designed to elicit information on the current circumstances and attitudes of victims and perpetrators, and the forms of assistance from which they, their families, their community, or society as a whole might benefit. This special coding study considered these questions primarily focusing on reparations and reconciliation.

Each of these studies were done with a subset of the TRC statements. The main database was used to select the study statements according to specific criteria. Where possible, all applicable statements were used. If the number of statements was more than could be coded in the time available, the analysis was limited to a random sample of the collected statements.

These studies were done during various stages of the main data entry task. This means that the analyses are representative of the statements entered into the database at that time. Because the statements were entered into the main database in a random order, the special coding study results can be considered as representative of the TRC statement collection as a whole, within the calculated margin of error.

For all studies, the coding aimed to avoid any possibility of bias or exaggeration. Any assumptions made by the coders tended to the more cautious option.

The specific methodology and results of each study are presented in various sections of this report.

Notes about the nature of the sample

Due to the fact that the TRC database represents neither a complete census of human rights violations nor a random sample of these violations, conclusions drawn from this analysis may only apply to the database and not to the general population. Each statistical argument in the report must therefore be understood as “according to statements presented to the Commission, ...”

⁴For further information please see the Military Chapter section on Context, Build-up and Dynamics on Bomaru.

An analysis of the contents of the database indicates the type, and to some degree, the extent of violations. In some cases, the data on certain violations was not sufficient to analyze the patterns (over time, space, perpetrator, or type of victim) for that violation type; forced drugging and forced cannibalism are the violations for which the data are inadequate.

The TRC statement-takers attempted to complete a census of the human rights violations experienced during the conflict, locating and recording the statements of as many victims as possible. According to clause 6 of the Peace Agreement, the principal function of the Commission is to "create an impartial historical record of the events in question." As such, they strove to take statements in areas that they knew were the sites of severe or numerous violations. It was the intention of the statement-takers to visit every chiefdom in Sierra Leone. Although this target was not attained, interviews were taken in 141 of the 149 chiefdoms as well as in Gambia, Guinea, and Nigeria where refugees from Sierra Leone were living.

Due to a combination of factors, the district of Port Loko in the Northern Province was under-sampled, with the staff taking relatively few statements in its chiefdoms, compared to other districts. Statement-taking in the Western Region was concentrated in Freetown. Furthermore, sexual violations were almost certainly under-reported, and violations for which no witnesses remain could not have been captured by the TRC data collection process. These problems notwithstanding, the Commission's sample is so large that it represents the experiences of a substantial pool of people, men and women from all of Sierra Leone's ethnicities, geographically distributed across Sierra Leone.

We do not expect the proportions derived from the database to be precise measurements of the violations suffered by the people of Sierra Leone. There are several limitations on how these data can be interpreted. First, the Commission's database is not a random sample. Percentages calculated from the Commission's database cannot be assumed to represent percentages among the population of Sierra Leone more generally. There is no sampling error associated with these calculations. The imprecision associated with the proportions derived from the database is due first to who chose to respond when Commission interviewers invited them to make statements. Other potential statement-givers chose not to speak with the Commission. Other errors include intentional or unintentional inaccuracies in the testimonies provided by the statement-givers, data recording mistakes, data coding mistakes, and data entry mistakes. Direct measurement of these various errors is not possible and estimation of this error is very difficult. For these reasons, creating a margin of error for these statistics using an assumption of simple or complex sampling error would be misleading. We therefore only include margins of error for statistics created from data collected via the special coding exercises. Our assumption in those cases is that these margins of error represent the accuracy of the statistics as they represent all the statements given to the Commission.

To conclude, the statistical findings in this and the other chapters of the Commission's report should be understood as representing the statements provided to the Commission.

Exploratory Data Analysis

There are several ways to count the number of violations in the TRC database. The highest-level unit is a statement. The statement-giver can describe one or more victims, each of whom may suffer one or more violations. Note that each victim may suffer several violations, including the same violation more than once (except killing). Each victim who suffers a particular violation is counted once in the statistical descriptions that follow.

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Extract 3

	Unknown	4885	2479	1.97	7364
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Source: Sierra Leone Truth and Reconciliation Commission's Database

As before, a high ratio in Figure 4.A1.10 indicates that relatively more of the victims are males, while a low ratio indicates that relatively more of the victims are females. There is a similar pattern among districts, where the male to female ratio varies from a low of 1.32 in the Western district to a high of 2.82–2.86 in districts in the Northern region. The Western district (containing Freetown) has the relatively highest proportion of female victims of any district. With the existing data, it is impossible to determine whether the relatively larger number of female victims in the Western district is the result of more women recounting their stories in this part of Sierra Leone, or whether this pattern shows that a truly higher proportion of the victims in Freetown were women.

Figure 4.A1.11: Proportion and Ratio of Perpetrator Responsibility by Sex

Perpetrator	Males	Females	Ratio M/F
RUF	16058	8208	1.96
AFRC	2627	1313	2.00
SLA	2092	627	3.34
CDF	1825	588	3.10
ECOMOG	232	73	3.18
GAF	140	42	3.33
ULIMO	92	27	3.41
Police	59	13	4.54
Rebels	2619	1351	1.94
SLA/AFRC	430	166	2.59
Misc.	88	26	3.38
Missing	1254	768	1.63

Source: Sierra Leone Truth and Reconciliation Commission's Database

In Figure 4.A1.11 Shows the number of documented violations by perpetrator and sex, including a ratio of male to female. Especially interesting is the column of ratios and what it tells us about the proclivity of the various perpetrator groups to target abuses against women.

The ratio for the Police of 4.54 means that for every 4.54 documented violations targeted against men by the Police, only one violation is targeted against women. In contrast, for the RUF, for every 1.96 documented committed against male victims, one violation is committed against female victims. In other words, the RUF is more than twice as likely to commit a violation with a female victim than are the Police. The pattern of the AFRC is similar to the RUF, while most of the other perpetrator groups fall in between.

Together, the top four perpetrator groups along with rebels make up over 90% of all of the documented violations against women where the sex of the victim is known. The RUF bears the majority of the responsibility, attributed with 62% (8208/13202) of the total number of violations against females.

Patterns by Victims' Age

The analysis of age will first present summary statistics by type of violation, time, space, and perpetrator. More finely disaggregated analyses of age and sex by type of violation will then be presented in a series of graphs.

Figure 4.A1.12: Counts of Violations of Adults and Children by Type of Violation

Violation	Adult	Child	Missing	Total	Ratio A/C
Forced Displacement	4328	711	2944	7983	6.09

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Extract 4

Assault / Beating	1920	410	257	110	15	36	8	6	405	46	4	264	3404
Looting of Goods	1843	326	254	175	2	18	11	11	236	49	9	173	3044
Physical Torture	1136	235	141	217	19	7	8	0	168	39	10	84	2051
Forced Labour	1250	208	102	43	4	4	6	1	133	27	8	60	1834
Extortion	666	145	116	182	4	1	8	1	93	31	5	50	1273
Rape	420	60	20	25	0	2	0	0	57	6	2	36	626
Sexual Abuse	285	60	38	46	6	1	1	2	25	5	4	15	486
Amputation	154	105	25	6	4	1	0	0	54	9	0	22	378
Forced Recruitment	249	30	14	9	0	0	1	0	25	3	4	2	331
Sexual Slavery	138	22	8	4	0	0	0	0	14	2	0	6	191
Drugging	41	12	1	1	0	0	0	0	3	1	0	0	59
Forced Cannibalism	6	2	3	6	0	0	0	0	2	1	0	0	19
Total	24353	3950	2724	2419	309	183	119	72	3987	597	114	2029	40242

Source: Statements given to the Truth and Reconciliation Commission of Sierra Leone

In terms of volume, the RUF committed the greatest number of violations for every violation type.

The RUF, rebels, AFRC, and SLA, follow roughly similar patterns of proportions of particular types of violations. Documented forced displacement and abduction violations constitute the highest proportion of all of the documented violations attributed to each of these four perpetrators. They also share nearly equal proportions of documented detention violations from 10.6% (421/3987) for the rebels to 11.8% (465/3950) for the AFRC, 12% for the RUF (2924/24353), and 12.3% for the SLA (327/2724).

The CDF follows a different pattern of violation types. The highest proportion, 16.6% (402/2419), of CDF documented violations is abduction, not forced displacement as is the case for the perpetrator groups discussed in the paragraph above. The proportion of documented CDF violations is higher than the other perpetrator groups for several violations types including assault/beatings, torture, detention, extortion, and sexual abuse. However, the CDF committed proportionally fewer property destruction violations.

The RUF accounts for 67.1% (420/626) of documented rape violations.

Out of the documented abuses attributed to the AFRC, amputations constitute a proportionally higher (2.7%, 105/3950) number of their violations compared with the other perpetrator groups. However, the proportion of killing violations is lower for the AFRC (7.4%, 292/3950) than for the RUF (10.8%, 2618/24353) or the SLA (12.3%, 335/2724).

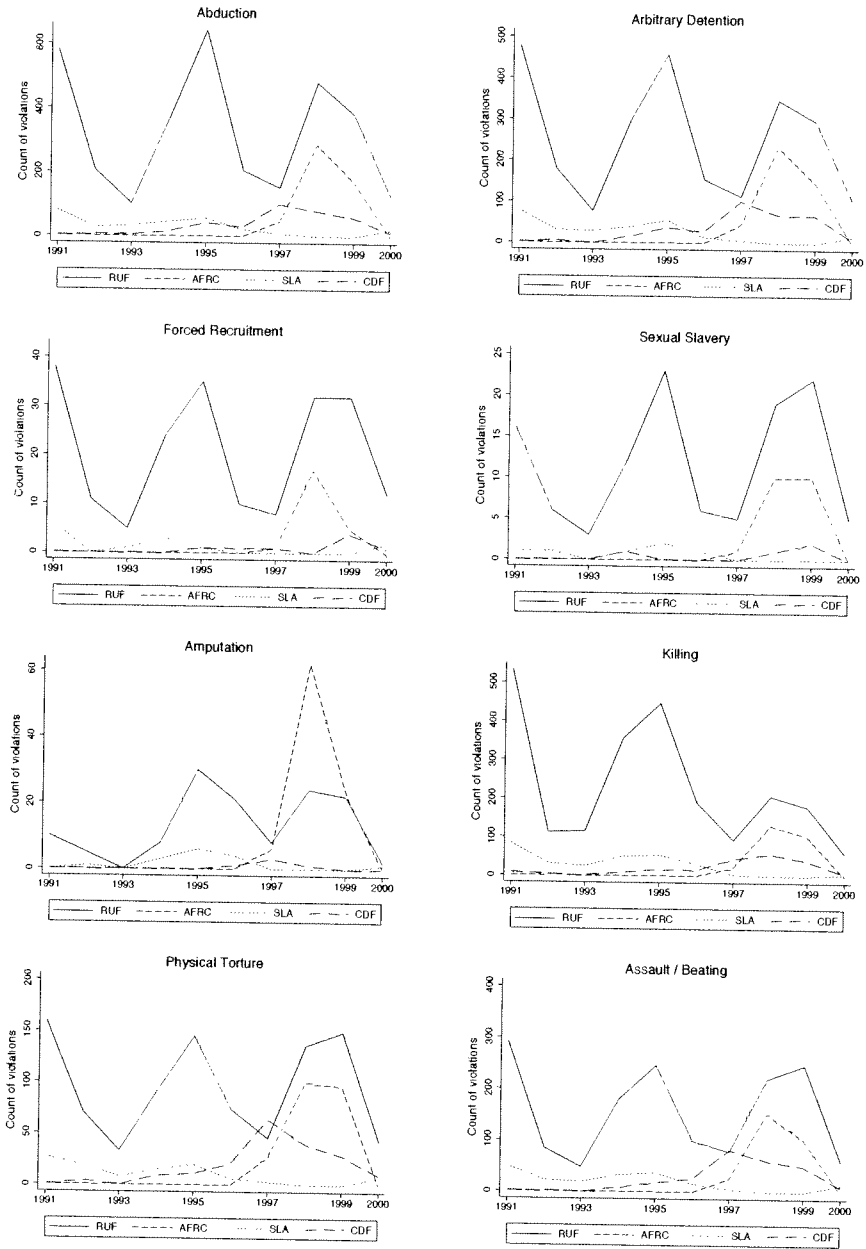
Perpetrator Responsibility for Violations over Time and Space

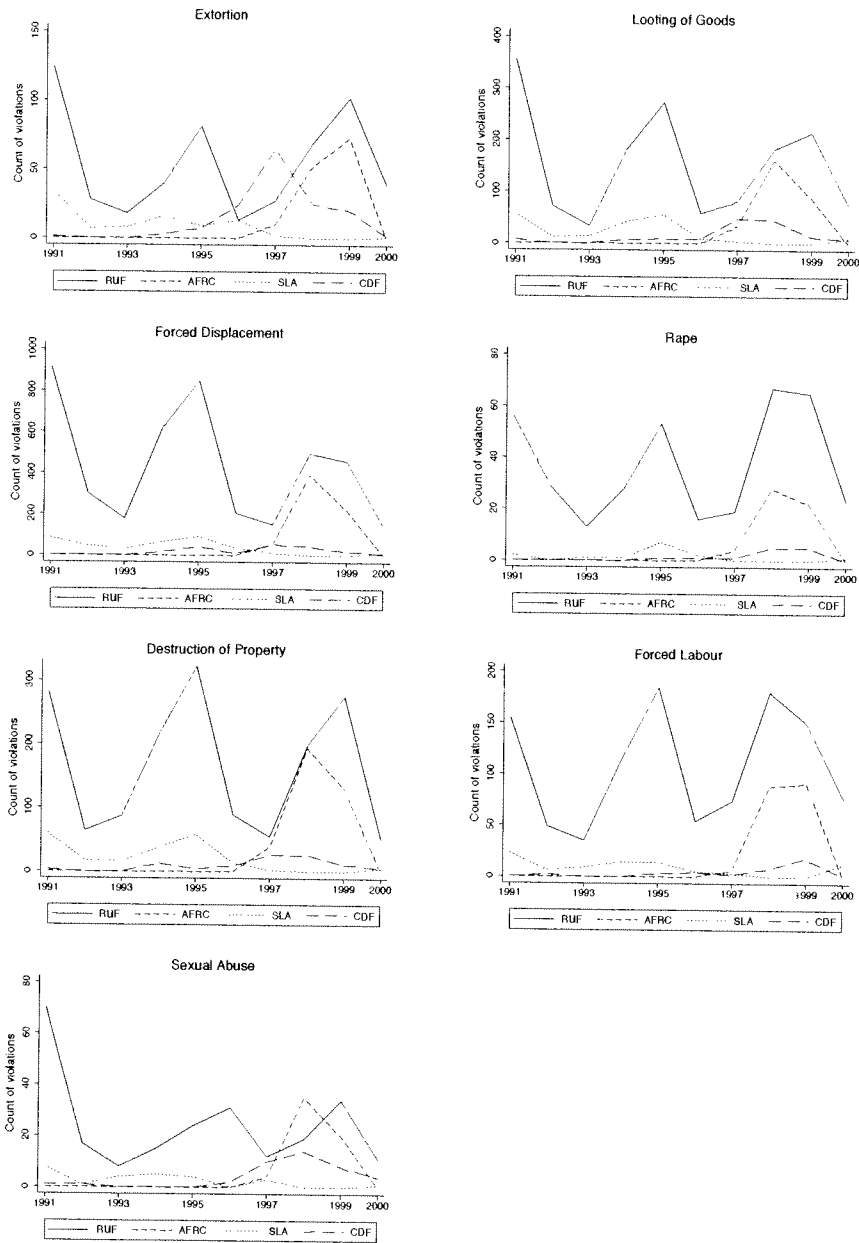
The RUF's dominance over all violation types is not true in every period. In the graph series, Figures 4.A1.26a–o, below, the episodic nature of the conflict is clear for nearly every perpetrator, violation type, and year combination. That is, the violation counts start high in 1991 at the beginning of the war, drop in the early 1990s and then rise to the 1995 peak, after which the intensity drops. Violence increases during the expulsion of the AFRC from Freetown, their tour of the Northern districts and their eventual return to attack the capital in January 1999.

For the following violations, the reported counts for the RUF are higher than any other perpetrator category during every year: sexual slavery, rape, looting, killing, forced recruitment, forced displacement, abduction, forced labour, assault, destruction of property, and arbitrary detention. The exceptions to the RUF's predominance are rare enough that they are noted here. For extortion and torture, the CDF shows peaks in 1997 which exceed the RUF counts of reported violations in that year. The AFRC count of reported acts of sexual

abuse exceed the RUF in 1998, and the AFRC count of acts of amputation is greater than for the RUF in 1998.

Figures 4.A1.26a-o: Number of Violations over Time by Perpetrator





Source: Sierra Leone Truth and Reconciliation Commission's Database

There are clear differences between the perpetrators in terms of the timing of violations. The RUF has the most documented violations attributed to them in all years of the war, though the number of violations in 1998 and 1999 attributed to the AFRC are substantial. Whilst the SLA is involved in the conflict from the start, the AFRC coup in 1997 changes the nature and allegiance of the army. As a result, the AFRC is treated as a separate perpetrator group, active in the third phase. The SLA is responsible for significant numbers of documented violations during the second phase of the war, and the CDF is responsible for a significant number of violations in the third phase.

The RUF, CDF, and SLA play constant and distinct roles throughout the conflict, while the roles of ULIMO, the AFRC, ECOMOG, and GAF are confined to specific phases of the

conflict. Prior to 1996, local militia groups were not coordinated under regional or national structures, but were active in the districts touched by the war. When the Sierra Leone Peoples Party (SLPP) government formed the CDF in 1996, it became common practice to refer to all such militias as CDF groups. The majority of CDF members were so-called Kamajors.⁷ The Kamajor force mobilized on a grand scale in the third phase of the war, from 1997 onwards. Seventy-four percent (1505/2031) of the recorded violations, with year documented that are attributed to the Kamajors, occur in 1997 or later.

The relatively minor perpetrator groups are those whose participation in the conflict is limited to specific years and geographical areas. Ninety-five percent (260/275) of the documented violations in the Commission's database (where year is known) attributed to the ECOMOG intervention force, occur between 1997 and 2000. ECOMOG was not deployed by the Economic Community of West African States (ECOWAS) until 1997. The TRC recorded 201 violations attributed to the GAF, of which 155 had known year; of those with known year, 90% (140/155) occurred in 1999 and 2000. 91.8% (89/97) of the violations attributed to ULIMO, where the year is known, occur in 1991. 96% (105/109) of ULIMO violations, where district is known, occur in Bo, Kailahun, Kenema, or Pujehun.

In Figures 4.A1.27–30, we explore the patterns of violations across districts and time for the four factions that are responsible for the highest number of documented violations: the RUF, the AFRC, the SLA, and the CDF.

Figure 4.A1.27: Number of RUF Violations by Year and District

Region	District	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Missing	Total
West	Western	11	5	3	3	25	22	39	57	646	3	119	933
	Port Loko	1	0	4	18	93	35	38	155	141	17	62	564
	Kambia	14	14	0	12	128	30	30	69	291	190	187	965
North	Bombali	6	22	8	39	45	28	66	398	307	24	221	1164
	Koinadugu	10	3	2	161	4	12	36	469	180	129	110	1116
	Tonkolili	1	21	42	318	121	63	65	227	311	62	179	1410
	Kenema	334	171	138	406	222	100	82	69	45	14	372	1953
East	Kailahun	1013	354	78	146	100	97	155	75	41	7	289	2355
	Kono	24	270	54	151	81	67	104	526	146	168	155	1746
	Bo	351	81	144	646	527	201	50	58	48	19	350	2475
South	Pujehun	1426	118	146	136	73	27	23	13	19	9	375	2365
	Moyamba	81	14	4	61	581	222	64	17	30	4	142	1220
	Bonthe	94	5	11	36	1152	50	21	18	18	0	197	1602
	Unknown	689	163	124	417	670	277	153	535	416	185	856	4485
	Total	4055	1241	758	2550	3822	1231	926	2686	2639	831	3614	24353

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.28: Number of AFRC Violations by Year and District

Region	District	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Missing	Total
West	Western	0	0	0	0	0	0	34	110	543	0	33	720
	Port Loko	0	0	0	0	0	0	13	76	120	0	15	224
	Kambia	0	0	0	0	0	0	4	41	55	0	4	104
	Bombali	0	0	0	0	0	0	32	258	95	0	51	436
North	Koinadugu	0	0	0	0	0	0	4	447	145	0	73	669
	Tonkolili	0	0	0	0	0	0	0	79	45	0	5	129
	Kenema	0	0	0	0	0	0	52	123	12	0	32	219
East	Kailahun	0	0	0	0	0	0	34	80	19	0	11	144
	Kono	0	0	0	0	0	0	8	254	23	0	37	322
	Bo	0	0	0	0	0	0	7	42	6	0	24	79
South	Pujehun	0	0	0	0	0	0	19	29	9	0	29	86
	Moyamba	0	0	0	0	0	0	4	30	28	0	9	71
	Bonthe	0	0	0	0	0	0	44	11	3	0	2	60

⁷For information on the formation of the CDF, refer to Phase II of the "Military and Political History of the Conflict" Chapter of the Final Report of the Sierra Leone Truth Commission.

Unknown	0	0	0	0	0	0	0	70	363	209	0	45	687
Total	0	0	0	0	0	0	0	325	1943	1312	0	370	3950

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.29: Number of SLA Violations by Year and District

Region	District	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Missing	Total
West	Western	15	12	2	3	15	3	2	0	0	1	53	106
	Port Loko	1	0	0	1	52	4	4	0	0	14	21	97
North	Kambia	7	0	0	4	0	0	0	0	0	8	12	31
	Bombali	6	0	9	2	8	14	1	0	0	1	25	66
	Koinadugu	1	0	0	22	0	1	0	0	0	54	20	98
	Tonkolili	2	6	4	38	33	7	4	0	0	1	13	108
	Kenema	52	38	37	39	33	15	15	0	0	0	76	305
East	Kailahun	88	19	31	16	9	6	1	0	0	0	27	197
	Kono	2	36	9	17	15	10	0	0	0	0	17	106
	Bo	53	21	23	86	63	39	8	0	0	2	48	343
	Pujehun	195	54	48	25	11	15	0	0	0	0	44	392
	Moyamba	4	0	2	21	105	22	3	0	0	4	31	192
South	Bonthe	33	0	4	1	57	13	8	0	0	1	26	143
	Unknown	138	36	28	93	68	23	5	0	0	24	125	540
Total		597	222	197	368	469	172	51	0	0	110	538	2724

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.30: Number of CDF Violations by Year and District

	District	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Missing	Total
West	Western	0	0	0	0	0	0	0	14	75	3	11	103
	Port Loko	0	0	0	8	2	0	0	7	6	2	1	26
	Kambia	0	0	0	3	9	0	1	17	11	5	5	51
	Bombali	0	0	0	8	2	0	19	10	8	4	9	60
	Koinadugu	0	0	0	0	0	0	0	2	1	0	3	6
North	Tonkolili	0	2	0	1	0	0	1	25	70	10	39	148
	Kenema	14	7	5	23	19	56	73	50	9	2	54	312
East	Kailahun	0	2	0	2	4	3	8	22	1	1	6	49
	Kono	0	5	1	1	0	5	6	14	7	10	12	61
	Bo	1	0	1	13	40	18	26	58	28	13	27	225
	Pujehun	9	0	0	1	6	5	53	36	2	0	28	140
	Moyamba	0	0	0	1	18	21	84	27	70	10	33	264
South	Bonthe	3	0	0	8	49	41	230	79	7	6	78	501
	Unknown	2	8	2	24	42	31	101	112	57	12	82	473
Total		29	24	9	93	191	180	602	473	352	78	388	2419

Source: Sierra Leone Truth and Reconciliation Commission's Database

The Kamajor CDF force (a subset of the violations listed here as CDF) was largely confined to the South of the country: 62.2% (1089/1752) of the violations attributed to the Kamajor CDF militia, where the district in which the violation is known, occurred in the Southern region⁸; 23.1% (405/1752) in the Eastern, 9.2% (161/1752) in the Northern, and 5.5% (97/1752) in the Western. During the third phase of the conflict in the Bonthe district, the CDF are alleged to have committed the majority of the documented violations, 58.2% (322/553) in all.⁹

Patterns of documented violations attributed to the RUF appear similar in the first and second phases of the war. The exceptions are documented cases of sexual slavery and amputations which increase in the second phase when compared to the first phase, and documented cases of sexual abuse (Stripping/Naked Humiliation), which decrease in the second phase compared to the first.

⁸Note that geographically, the Eastern region is in the Southern half of the country.

⁹See Figure 4.A1.7 for the figures for Bonthe.

The rise in documented sexual slavery in 1993 and 1994 coincides with the transition in the RUF to guerrilla tactics. The RUF fighters adopted a mode of fighting revolving around camps and bases within the bush where they abducted women and kept them as so-called "bush wives" in remote locations.¹⁰

Figure 4.A1.31: Amputations by Perpetrator by Year

	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Missing	Total
RUF	10	5	0	8	30	21	8	24	22	2	24	154
AFRC	0	0	0	0	0	0	6	62	23	0	14	105
SLA	0	1	0	3	6	4	0	0	0	1	10	25
CDF	0	0	0	0	0	1	3	1	0	0	1	6
ECOMOG	0	0	0	0	0	1	1	2	0	0	0	4
GAF	0	0	0	0	0	0	0	0	1	0	0	1
ULIMO	0	0	0	0	0	0	0	0	0	0	0	0
Police	0	0	0	0	0	0	0	0	0	0	0	0
Rebels	0	0	1	1	4	2	1	29	12	1	3	54
SLA/ AFRC	0	0	0	0	0	0	9	0	0	0	0	9
Misc	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	1	0	1	3	11	3	0	3	22
Totals	10	6	1	13	40	30	31	129	61	4	55	380

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.31 shows amputations by Perpetrator by Year. The first substantial rise in documented amputations occurs in 1995 and is attributable to the RUF. "Operation Stop Elections" is widely believed to be the first campaign of amputations by the RUF, occurring in late 1995 and early 1996 in order to coincide with the moves by civil society towards multi-party elections. Although there are a few reported amputations before 1995, in this year the reported count more than triples earlier totals. The rise in 1995 is consistent with the view that the RUF engaged in a limited campaign to warn civilians to "take their hands off the war," in the wake of a failed NPRC peace initiative.¹¹

It is interesting to note that while the RUF is responsible for the greatest number of violations reported to the Commission for each year of the conflict, in 1998, the database shows that the AFRC is responsible for the largest proportion — 48% (62/129) — of the recorded amputations.

Figure 4.A1.32: Counts of Violations by Perpetrator by District/Region

Region	West		North					East			South				UNKN	Total
	West	PORT	KAMB	BOMB	KOIN	TONK	KENE	KAIL	KONO	BO	PUJE	MOYA	BONT			
RUF	933	564	965	1164	1116	1410	1953	2355	1746	2475	2365	1220	1602	4485	24353	
AFRC	720	224	104	436	669	129	219	144	322	79	86	71	60	687	3950	
Rebels	310	154	138	462	114	230	483	178	308	274	310	178	129	719	3987	
Unknown	250	213	99	265	64	99	91	80	74	111	126	114	37	406	2029	
ECOMOG	177	22	10	22	16	4	2	11	4	9	0	4	0	28	309	
SLA	106	97	31	66	98	108	305	197	106	343	392	192	143	540	2724	
CDF	103	26	51	60	6	148	312	49	61	225	140	264	501	473	2419	
SLA/AFR C	23	31	14	41	11	13	111	31	31	33	62	42	73	81	597	
Misc.	16	0	0	2	1	2	1	31	8	12	1	15	3	22	114	
Police	15	0	3	1	3	0	1	2	0	8	25	0	4	10	72	

¹⁰For more information on the switch to guerrilla warfare, associated objectives and strategies, see Phase II of the "Military and Political History of the Conflict" Chapter of the Final Report of the Sierra Leone Truth and Reconciliation Commission.

¹¹See Phase II of the "Military and Political History of the Conflict" Chapter of the Final Report of the Sierra Leone Truth and Reconciliation Commission.

GAF	0	0	111	7	0	0	0	0	14	0	0	2	1	48	183
ULIMO	0	0	0	0	0	0	54	12	0	14	25	0	4	10	119
Total	2600	1298	1508	2501	2063	2109	3487	3050	2671	3503	3456	2069	2543	7384	40242
Region	2600					9479			9208				11571		

Source: Sierra Leone Truth and Reconciliation Commission's Database

Note: the columns do not sum to the total because responsibility for any violation might be shared among several perpetrators.

Figure 4.A1.33: Percent of Violations by Perpetrator by District/Region

	West		North				East			South				UNKN
	West	PORT	KAMB	BOMB	KOIN	TONK	KENE	KAIL	KONO	BO	PUJE	MOYA	BONT	
RUF	35.9	43.5	64.0	46.5	54.1	66.9	56.0	77.2	65.4	70.7	68.4	59.0	63.0	60.7
AFRC	27.7	17.3	6.9	17.4	32.4	6.1	6.3	4.7	12.1	2.3	2.5	3.4	2.4	9.3
Rebels	11.9	11.9	9.2	18.5	5.5	10.9	13.9	5.8	11.5	7.8	9.0	8.6	5.1	9.7
Unknown	9.6	16.4	6.6	10.6	3.1	4.7	2.6	2.6	2.8	3.2	3.6	5.5	1.5	5.5
ECOMOG	6.8	1.7	0.7	0.9	0.8	0.2	0.1	0.4	0.1	0.3	0.0	0.2	0.0	0.4
SLA	4.1	7.5	2.1	2.6	4.8	5.1	8.7	6.5	4.0	9.8	11.3	9.3	5.6	7.3
CDF	4.0	2.0	3.4	2.4	0.3	7.0	8.9	1.6	2.3	6.4	4.1	12.8	19.7	6.4
SLA/AFRC	0.9	2.4	0.9	1.6	0.5	0.6	3.2	1.0	1.2	0.9	1.8	2.0	2.9	1.1
Misc	0.6	0.0	0.0	0.1	0.0	0.1	0.0	1.0	0.3	0.3	0.0	0.7	0.1	0.3
Police	0.6	0.0	0.2	0.0	0.1	0.0	0.0	0.1	0.0	0.2	0.7	0.0	0.2	0.1
GAF	0.0	0.0	7.4	0.3	0.0	0.0	0.0	0.0	0.5	0.0	0.0	0.1	0.0	0.7
ULIMO	0.0	0.0	0.0	0.0	0.0	0.0	1.5	0.4	0.0	0.4	0.7	0.0	0.2	0.1
Total	2600	1298	1508	2501	2063	2109	3487	3050	2671	3503	3456	2069	2543	7384

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figures 4.A1.32 and 4.A1.33 highlight the counts and percentages of violations in each region that are attributed to particular perpetrators. The RUF is alleged to have committed the majority of documented violations in all districts. It is noteworthy that the RUF is alleged to have committed a larger proportion of documented violations, 77.2% (2355/3050), in Kailahun, the district in which the war started, than in any other district. The AFRC is alleged to have committed its largest proportion of violations, 32.4% (669/2063), in Koinadugu, and the CDF is alleged to have committed 18.5% (462/2501) of the documented violations in Bonthe. ULIMO only has violations attributed to it that occurred in the Eastern or Southern regions.

Correlations Between Perpetrator Groups

This section examines the correlations between different perpetrators; in other words, how their patterns of documented violations were similar or different by violation type.

Figure 4.A1.34: Correlations Between Perpetrator Groups

	RUF	SLA	AFRC	ARMY	REBEL	CDF	POLICE	GAF	ULIMO	ECOMOG	UNKNOWN	MISC
RUF	1.00											
SLA	0.97	1.00										
AFRC	0.97	0.97	1.00									
ARMY	0.98	0.98	0.98	1.00								
REBEL	0.97	0.94	0.93	0.93	1.00							
CDF	0.78	0.83	0.79	0.87	0.67	1.00						
POLICE	0.77	0.81	0.79	0.82	0.67	0.79	1.00					
GAF	0.86	0.91	0.90	0.86	0.87	0.67	0.76	1.00				
ULIMO	0.77	0.85	0.71	0.80	0.78	0.75	0.63	0.73	1.00			
ECOMOG	0.72	0.78	0.67	0.76	0.68	0.86	0.67	0.65	0.83	1.00		
UNKNOWN	0.91	0.94	0.89	0.87	0.96	0.63	0.63	0.91	0.83	0.69	1.00	
MISC	0.80	0.79	0.79	0.86	0.67	0.90	0.76	0.63	0.67	0.73	0.57	1.00

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.34 shows the correlations between counts of documented violations for perpetrator type over violation type. To interpret this information, keep in mind that a value of one means perfect correlation, and values near zero mean no correlation. In the context of

this table, a positive correlation means that as the first category count of violations goes up, the second category count of violations also goes up.

For example, the high correlation between RUF and AFRC in Figure 4.A1.34 (0.97) means that the proportions of RUF documented violations by violation type are highly correlated with the proportions of AFRC documented violations by violation type (e.g., the ratio of amputations to forced recruitments is similar for the two groups). In other words, in terms of the types and relative frequency of the documented violations, the behaviour of RUF and AFRC is broadly similar. In contrast, ECOMOG and GAF show much less correlation (0.65) over violation type.

The patterns of correlations in Figure 4.A1.34 suggest that, within the context of the Commission's database, the AFRC, Sierra Leone Army (SLA), and RUF constitute a group of perpetrators whose documented abuses for most of the violation types, follow roughly similar patterns, although the volume of violations is different. Furthermore, the rebels behave similarly to this cluster of perpetrators. These patterns, however, do not inform us as to whether the violations are correlated by perpetrator group over time or not. The number of documented forced recruitments, acts of cannibalism, incidents of sexual slavery, and druggings in the TRC database are not large enough for correlation analysis. Perpetrator responsibility for particular violations types is discussed further on violations types more frequently reported in the Commission's database.

Patterns of documented violations attributed to Liberian perpetrators

To examine the statements for Liberian responsibility at the beginning of the conflict in documented violations, a special coding study was conducted. The special coding was prepared when 6,740 of the TRC statements had been entered into the database.

The criteria was based on a section of the form used by the TRC for statement-taking that gathered demographic information of the perpetrator group, namely their ethnic origin, place of origin, and the languages they spoke. Some statements contained several incidents involving different groups of perpetrators; therefore it was not possible to determine to which group the perpetrator description applied. Inclusion in the study was limited to statements involving one incident, in which the alleged perpetrator is the RUF, with the events occurring between 1991 and 1994. A total of 1,073 of these statements met the required criteria.

A random sample of these statements was taken and stratified according to the year of the abuse. In total, 357 statements — approximately one-third of those available — were coded. For many statements, there was insufficient information to determine the origin of the perpetrators; these statements were not included in the study. The results of the study can be considered as representative of all statements containing one incident attributed to the RUF in the selected period, within the TRC database.

From each statement, the following fields were used to compile the statistics: Year (the year of the incident in which the RUF violations are alleged); Sierra Leoneans Included, (coded true if the statement indicated that the perpetrator group included persons of Sierra Leonean origin); and Liberians Included, (coded true if the statement indicated that the perpetrator group included persons of Liberian origin).¹²

¹²Statements meeting any of the following criterion were attributed to the NPFL; The statement indicates that the perpetrators were Liberian or Burkinabey, or from a Liberian ethnic group (Mano, Ngio or Pelle), or the

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Part 2:

**Appendix 1: Statistical Appendix to the Report of the Truth and Reconciliation
Commission of Sierra Leone**

APPENDIX 1

Statistical Appendix to the Report of the Truth and Reconciliation Commission of Sierra Leone

A Report by the Benetech Human Rights Data Analysis Group to the Truth and Reconciliation Commission

5 October 2004

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Introduction

To fulfill its mandate, the Sierra Leone Truth and Reconciliation Commission (TRC) collected as many statements as possible from the victims, witnesses and perpetrators of human rights violations committed during the 1991–2000 period of conflict in Sierra Leone. The Commission collected 7,706 statements of Sierra Leoneans, living in Sierra Leone and also as refugees in Gambia, Guinea and Nigeria. The statements they gave offer detailed insight into the experience of particular victims or perpetrators, and every statement therefore deserves careful study.

It is also valuable to study what the statements can mean in the aggregate. This means to extract information from the TRC statements about each of the human rights violations they document, enter this information into a database, and develop statistics that describe the nature and extent of the violations experienced and perpetrated by the statement-givers as a whole. The resulting dataset enables an overview of the nature and extent of human rights violations experienced during the conflict.

The analyses presented here reviews the broad dimensions of data available from the the TRC's database. In a general sense, the analysis is guided by the overall research questions the Commission was charged to investigate, as well as specific questions posed by TRC researchers. However, this section does not offer original interpretation of what the graphs and tables mean — that analysis has already been presented in the main body of the report.

Instead, this appendix simply offers the interested reader additional detail about the statistical findings available in the database. It is more like a statistical abstract than it is like an independent report. In a very real sense, this chapter is an invitation to historians, journalists, social scientists and others to pursue further quantitative inquiry by downloading the TRC's statistical dataset. The statistical dataset is available on the Internet at <http://www.hrdag.org>. All of the personal information about victims and statement-givers has been removed from the published dataset, but the dataset offers a rich resource for continuing analysis of statistical patterns of human rights violations in Sierra Leone documented by the TRC.

In the first two sections of this appendix, we describe the background and methodology for the processing, entry, and storage of the information contained in the TRC statements. We

also explain the concept and scope of special coding studies that were conducted when the standard information coded from the statements was insufficient to answer certain questions, or when a particular aspect of the conflict merited closer study. This section concludes with notes about the nature of the TRC's sample and the limits of the statistical interpretation.

The third section presents a descriptive analysis of the statistical patterns in the statements given to the Commission. The section examines the demographic patterns of the statement-givers, patterns of different types of violations over time and space, patterns in the age and sex of the victims, and the relationship of different perpetrator groups to these dimensions.

The fourth section examines the study of redress and reparations.

Background and Methodology

The conflict in Sierra Leone began in March 1991. The number of warring factions proliferated with the emergence of civil militias, employment of international mercenaries, regional and international interventions, military coups at home, and incursions by foreign soldiers and irregulars. While initially confined to the South and East, the conflict eventually engulfed the entire country, culminating in an attack of the capital Freetown by the Armed Forces Revolutionary Council (AFRC), in January 1999. Where previous attempts to broker peace had failed, the 7 July 1999 Lome Peace Agreement succeeded, and included a clause allowing for the creation of the Truth and Reconciliation Commission¹. Due to resurgent violence in May 2001, the Commission's work did not begin until the latter half of 2002.

Statements

One of the first phases of the Commission's work was to gather as many victim and perpetrator statements as was possible given the time and funding constraints. While not every victim or perpetrator was interviewed, the statement-takers tried to be as comprehensive as possible, attempting to reach every chiefdom in Sierra Leone in order to record the experiences of the population, including experiences of specific groups such as women, children and amputees. Because of security and accessibility issues, 9 of the 149 districts in Sierra Leone were not reached for interviews.

Figure 4.A1.1a: Count of Statement-givers by District

Region	District	Statement Count				Percent		Region Total
		Total	Male	Female	Unknown	Male	Female	
West	West Area	1357	680	659	18	51	49	1357
	Bombali	494	354	137	3	72	28	
	Koinadagu	484	362	120	2	75	25	
	Tonkolili	463	317	140	6	69	31	
	Kambia	392	299	86	7	78	22	
North	Port Loko	257	168	82	7	67	33	3447
East	Kenema	875	585	281	9	68	32	1802
	Kono	496	274	215	7	56	44	
	Kailahun	431	281	144	6	66	34	
	Pujehun	686	404	272	10	60	40	
South	Bo	679	478	193	8	71	29	2280

¹For further information, see the "Military and Political History of the Conflict" Chapter of the Final Report of the Sierra Leone Truth and Reconciliation Commission.

	Bonthe	481	310	162	9	66	34	
	Moyamba	434	287	141	6	67	33	
Unknown	Unknown	2	1	1	0	50	50	2
	Nigeria	70	35	33	2	51	49	
	Gambia	58	20	38	0	34	66	
Foreign	Guinea	47	23	24	0	49	51	175
	Total	7706	4878	2728	100	64	36	

Source: Sierra Leone Truth and Reconciliation Commission's Database

From Figure 4.A1.1a, it is clear that there were substantial numbers of statements taken across Sierra Leone and neighboring countries. Women gave approximately one-third of the statements, while men gave approximately two-thirds.

Figure 4.A1.1b: Percent of Statement-givers by Source Type and Sex

Source Type	Deponent Sex			
	Female	Male	Unknown	Total
Direct Victim	78.6	83.9	72	81.85
Familiar Witness	16.0	10.4	8	12.34
Hearsay Witness	3.1	1.9	4	2.36
Other Witness	1.2	1.5	3	1.43
Unspecified	1.1	1.3	12	1.38
Direct Perpetrator	0.0	1.0	1	0.65
Total (count)	2728	4878	100	7706
Total (percent)	100	100	100	100

Source: Sierra Leone Truth and Reconciliation Commission's Database

Both male and female deponents gave statements with roughly equal proportions of motivations. Males were slightly more frequently direct victims of violations, while females were similarly slightly more likely to be witnesses to violence against family members.

Figure 4.A1.1c: Percent of Statement-givers by Age and Sex

Age category	Deponent Sex			
	Female	Male	Unknown	Total
0-4	0.1	0.0	0.0	0.1
5-9	0.4	0.4	0.0	0.4
10-14	2.4	2.5	0.0	2.4
15-19	8.5	5.8	3.9	6.7
20-24	9.9	5.3	7.7	6.9
25-29	10.7	7.1	3.9	8.3
30-34	11.6	8.6	7.7	9.6
35-39	12.1	10.7	19.2	11.2
40-44	10.3	9.8	11.5	10.0
45-49	7.9	9.8	11.5	9.2
50-54	7.8	9.0	11.5	8.6
55-59	4.7	7.9	15.4	6.8
60-64	5.4	8.0	0.0	7.1
65-69	2.8	5.2	0.0	4.3
70-74	2.3	4.3	3.9	3.6
75-79	1.6	2.6	0.0	2.2
80+	1.5	3.2	3.9	2.7
Total (count)	2728	4878	100	7706
Total (percent)	100	100	100	100

Source: Sierra Leone Truth and Reconciliation Commission's Database

Male deponents are slightly older than female deponents, as Figure 4.A1.1c shows. A higher proportion of female deponents than male deponents are in each of the age categories up to age 45–49. So, for example, while 8.5% of female deponents were of ages 15–19, 5.8% of male deponents were 15–19 years old. However, 8.0% of male deponents were 60–64, while 5.4% of female deponents were in this category.

Figure 4.A1.1d: Percent of Statement-givers by Spoken Language

Ethnicity	Count	Percent
Mende	3417	44.3
Temne	1581	20.5
Kono	472	6.1
Unknown	432	5.6
Limba	431	5.6
Koranko / Kurakor	321	4.2
Loko	222	2.9
Madingo / Malinke	158	2.1
Susu	155	2.0
Fula / Fulah / Peul	145	1.9
Sherbro	112	1.5
Krio / Creole	81	1.1
Lalunka / Yalunka	59	0.8
Other	58	0.8
Kissi	53	0.7
Liberian English (pidgin)	7	0.1
English	2	0.0
Total	7706	100.2

Source: Sierra Leone Truth and Reconciliation Commission's Database

The largest ethnic group among the statement-givers were the Mende, with 44.3% of all deponents coming from this group. A smaller but substantial number — 20.5% — of deponents came from the Temne, while smaller numbers of statements were given by members of other groups.

Statement-taking was completed in March 2003 with 7,706 human rights narratives collected. Subsequently the statements were coded, so that the victims, perpetrators and abuses in each statement were identified and listed on forms in accordance with the selected data model, which is described below. When coding was complete, the coded statements were entered into a database designed specifically to capture this information while preserving the relationships between the perpetrators, victims, and abuses given in the statements.

Database

The model adopted by the Commission was based on the concepts in “Who Did What to Whom”.² This data model is designed to account for the fact that a data source, such as a collection of statements, can include information about one or many victims and/or perpetrators, and each victim can suffer one or many human rights violations. It is a model that has been used to provide statistical results presented by other truth commissions and human rights documentation projects, including the truth commissions of Guatemala, Haiti, South Africa, Perú, and East Timor.

²Who Did What to Whom? Planning and Implementing a Large-Scale Human Rights Data Project, Patrick Ball (1996), AAAS: Washington, DC, USA.

Perpetrators were classified as follows:

RUF	Revolutionary United Front
AFRC	Armed Forces Revolutionary Council including Westside Boys
SLA	Sierra Leone Army
CDF	Civil Defense Force
ECOMOG	Economic Community of West African States Military Observer Group
GAF	Guinean Armed Forces
ULIMO	United Liberation Movement for Democracy
Police	Police officers including SSD division
AFRC/SLA	Abuses committed in 1997 allegedly committed by soldiers but the date information is insufficient to determine if the abuses should be attributed to the SLA or the AFRC
Miscellaneous	Minor perpetrator groups
Rebels	Abuses attributed to rebels where the statement-giver was unable to name a specific faction. Typically the term describes RUF fighters and ex-SLA fighters loyal to the AFRC

The TRC statements were coded into fourteen violation types using a controlled vocabulary set in order to apply standard definitions in a consistent manner. The violation types and the abbreviations used for them in tables in this appendix are as follows:

ABDU	Abduction
AMPU	Amputation
DETN	Arbitrary Detention
ASLT	Assault/Beating
DEST	Destruction of Property
DRUG	Drugging
EXTO	Extortion
CANN	Forced Cannibalism
FODI	Forced Displacement
FOLA	Forced Labour

FREC	Forced Recruitment
KILL	Killing
LOOT	Looting
TORT	Physical Torture
RAPE	Rape
SXAB	Sexual Abuse
SXSL	Sexual Slavery

After all of the coded statements were recorded in the database, the data underwent a matching procedure. Many statements identified people and events that were also identified in other statements. In order to count each violation only once, we identified which people and violations were reported more than once — the process is called “matching” — and we counted them appropriately. To prepare for matching, analysts looked for discrepancies in the data that may have been a result of coding or data entry errors. Changes made to the database were catalogued to determine if the original data was preserved or not in case the corrections themselves were applied incorrectly.

We matched the corrected data by looking at the victim’s name, age, ethnicity, and sex. Taking into account the potential for spelling variations and data entry errors, matches were considered where fields were the same or relatively similar. The acceptable tolerance for age differences was ± 3 years. Where age or name fields were empty, they were considered acceptable to match the record to another record (if the non-missing fields matched). While this practice may have missed some matches because witnesses’ memories of dates was not precise, it avoided overmatching records of individuals with the same name. Location information was also used to make judgments about whether or not records reported the same victim, perpetrator and act. Tolerances for distance were kept to small areas within a district to also prevent overmatching of records.

The final result of these steps — coding, data entry, and matching — is the database from which the Commission’s statistics were calculated. The final table from which the Commission’s statistics are generated contains 40,242 violations.³

Special Coding Exercises

On a number of occasions, TRC researchers asked questions that were beyond the scope of the information quantified via the standard statement coding. Also, the results from the conventional coding occasionally suggested aspects of the conflict that merited further, more detailed research. To deal with these situations, a series of special coding analyses were devised:

- ECOMOG (Economic Community of West Africa Military Observer Group) Abuses Study

³For more detail on the creation of the TRC database, see Volume 1, Methodology and Processes Chapter of the Final Report of the Sierra Leone Truth and Reconciliation Commission.

- RUF–NPFL (National Patriotic Front of Liberia) Study
- Assistance and Redress Study

ECOMOG Abuses Study

The ECOMOG intervention force was distinct in that the abuses attributed to it in the statements had a relatively high proportion of killings. The special coding study considered the nature of these killing violations and why the ECOMOG behaviour was distinct.

RUF–NPFL Study

It is widely believed that the initial RUF incursion into Sierra Leone in 1991 included forces from the Liberian NPFL.⁴ The special coding looked at the ethnicity of the perpetrators in statements identifying the RUF in the early years of the conflict. This information was used to determine the years in which Liberian forces were committing violations in Sierra Leone and the proportion of RUF abuses that could more properly be attributed to the NPFL.

Assistance and Redress Study

The TRC statements contain a number of questions designed to elicit information on the current circumstances and attitudes of victims and perpetrators, and the forms of assistance from which they, their families, their community, or society as a whole might benefit. This special coding study considered these questions primarily focusing on reparations and reconciliation.

Each of these studies were done with a subset of the TRC statements. The main database was used to select the study statements according to specific criteria. Where possible, all applicable statements were used. If the number of statements was more than could be coded in the time available, the analysis was limited to a random sample of the collected statements.

These studies were done during various stages of the main data entry task. This means that the analyses are representative of the statements entered into the database at that time. Because the statements were entered into the main database in a random order, the special coding study results can be considered as representative of the TRC statement collection as a whole, within the calculated margin of error.

For all studies, the coding aimed to avoid any possibility of bias or exaggeration. Any assumptions made by the coders tended to the more cautious option.

The specific methodology and results of each study are presented in various sections of this report.

Notes about the nature of the sample

Due to the fact that the TRC database represents neither a complete census of human rights violations nor a random sample of these violations, conclusions drawn from this analysis may only apply to the database and not to the general population. Each statistical argument in the report must therefore be understood as “according to statements presented to the Commission, ...”

⁴For further information please see the Military Chapter section on Context, Build-up and Dynamics on Bomaru.

An analysis of the contents of the database indicates the type, and to some degree, the extent of violations. In some cases, the data on certain violations was not sufficient to analyze the patterns (over time, space, perpetrator, or type of victim) for that violation type; forced drugging and forced cannibalism are the violations for which the data are inadequate.

The TRC statement-takers attempted to complete a census of the human rights violations experienced during the conflict, locating and recording the statements of as many victims as possible. According to clause 6 of the Peace Agreement, the principal function of the Commission is to "create an impartial historical record of the events in question." As such, they strove to take statements in areas that they knew were the sites of severe or numerous violations. It was the intention of the statement-takers to visit every chiefdom in Sierra Leone. Although this target was not attained, interviews were taken in 141 of the 149 chiefdoms as well as in Gambia, Guinea, and Nigeria where refugees from Sierra Leone were living.

Due to a combination of factors, the district of Port Loko in the Northern Province was under-sampled, with the staff taking relatively few statements in its chiefdoms, compared to other districts. Statement-taking in the Western Region was concentrated in Freetown. Furthermore, sexual violations were almost certainly under-reported, and violations for which no witnesses remain could not have been captured by the TRC data collection process. These problems notwithstanding, the Commission's sample is so large that it represents the experiences of a substantial pool of people, men and women from all of Sierra Leone's ethnicities, geographically distributed across Sierra Leone.

We do not expect the proportions derived from the database to be precise measurements of the violations suffered by the people of Sierra Leone. There are several limitations on how these data can be interpreted. First, the Commission's database is not a random sample. Percentages calculated from the Commission's database cannot be assumed to represent percentages among the population of Sierra Leone more generally. There is no sampling error associated with these calculations. The imprecision associated with the proportions derived from the database is due first to who chose to respond when Commission interviewers invited them to make statements. Other potential statement-givers chose not to speak with the Commission. Other errors include intentional or unintentional inaccuracies in the testimonies provided by the statement-givers, data recording mistakes, data coding mistakes, and data entry mistakes. Direct measurement of these various errors is not possible and estimation of this error is very difficult. For these reasons, creating a margin of error for these statistics using an assumption of simple or complex sampling error would be misleading. We therefore only include margins of error for statistics created from data collected via the special coding exercises. Our assumption in those cases is that these margins of error represent the accuracy of the statistics as they represent all the statements given to the Commission.

To conclude, the statistical findings in this and the other chapters of the Commission's report should be understood as representing the statements provided to the Commission.

Exploratory Data Analysis

There are several ways to count the number of violations in the TRC database. The highest-level unit is a statement. The statement-giver can describe one or more victims, each of whom may suffer one or more violations. Note that each victim may suffer several violations, including the same violation more than once (except killing). Each victim who suffers a particular violation is counted once in the statistical descriptions that follow.

Figure 4.A1.2: Counts and Proportions of Violations and Victims by Violation Type

<i>Violation Type</i>	<i>Percent of violations</i>	<i>Count of violations</i>	<i>Percent of victims</i>	<i>Count of victims</i>	<i>Ratio violations per victim</i>
Forced Displacement	19.8	7983	41.6	6241	1.28
Abduction	14.8	5968	36.4	5456	1.09
Arbitrary Detention	12.0	4835	29.3	4401	1.10
Killing	11.2	4514	30.1	4514	1.00
Destruction of Property	8.5	3404	21.5	3231	1.05
Assault / Beating	8.1	3246	19.9	2977	1.09
Looting of Goods	7.6	3044	18.4	2761	1.10
Physical Torture	5.1	2051	12.8	1917	1.07
Forced Labour	4.6	1834	11.2	1675	1.09
Extortion	3.2	1273	7.7	1149	1.11
Rape	1.6	626	3.9	581	1.08
Sexual Abuse	1.2	486	3.2	474	1.03
Amputation	0.9	378	2.2	336	1.12
Forced Recruitment	0.8	331	2.2	324	1.02
Sexual Slavery	0.5	191	1.2	186	1.03
Drugging	0.1	59	0.4	57	1.04
Forced Cannibalism	0	19	0.1	19	1
Total		40242		14995	

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.2 shows for each type of violation, the number and proportion of violations, the proportion of victims for that violation type, and a ratio of violations to victims documented in the TRC's Database. Forced displacement and abduction are the most common violations in the Commission's database, at 19.8% (7983/40242) and 14.8% (5968/40242), respectively. Together with the third highest violation type, arbitrary detention at 12% (4835/40242), these three violations make up nearly half of all documented violations. Killing and destruction of property follow at 11.2% (4514/40242) and 8.5% (3404/40242), respectively.

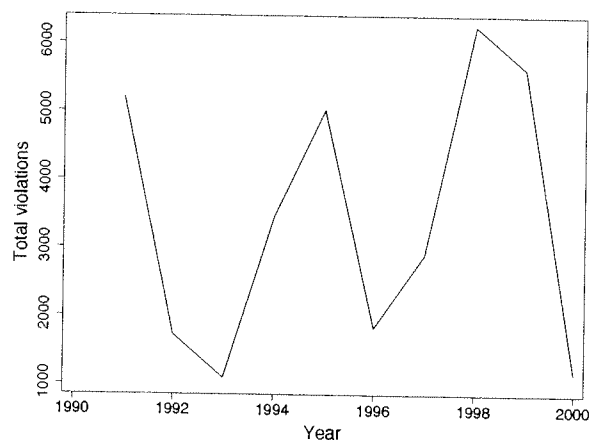
There are 14,995 victims in the TRC database. The proportion of victims who suffer each violation sums to much more than 100% because each victim could suffer more than one kind of violation. They might also suffer the same violation more than once. The ratio column shows that for most violation categories the ratio of violations to victims falls between 1 and 1.12, while the ratio of violations to victims for the forced displacement category is 1.28. This means that victims who suffer forced displacement tend to suffer, on average, a higher number of forced displacements each.

The statements indicated various reasons for forced displacements; some take flight out of fear, anticipating an attack, while others are obliged to leave because an armed faction has destroyed their home.

It is known that the act of abduction was over-coded; more abductions are listed in the database than actually were recorded in the statements received by the Commission. Originally abduction was intended to indicate that the victim was kidnapped and taken to another location under the control of the perpetrators. Misinterpretation by the coders led to abduction being coded for other instances in which the victims are at the mercy of the perpetrators, for example when stopped at a checkpoint or caught in an ambush.

Patterns of documented violence over time and space

Figure 4.A1.3: Graph of Total Violations by Year



Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.3 is a plot of the total number of documented violations over time. The TRC in its Military and Political History of the Conflict Chapter defines the first phase as March 1991 to November 1993, which covers the initial RUF and NPFL assault, primarily in Kailahun, Pujehun, Kenema, Bo, and later Kono. The second phase, from November 1993 to March 1997, reflects the second major RUF assault in which the faction was active in all districts except the Western Area. The third phase, from March 1997 to the end of the conflict, considers the most complex period of activity. It encompasses the formation of the AFRC military government and the rise of the Kamajor militia in the South. The TRC also considers the year 2000 resurgence and demise of the RUF.

Because of the incompleteness of the date information in the TRC database, the phases in this chapter have been rounded to the nearest year. The first phase is 1991 to 1993 inclusive, the second phase is 1994 to 1996 inclusive, and the third phase is 1997 to 2000.

Figure 4.A1.3 shows that the conflict was episodic; the majority of violations occur around three specific periods or episodes of violence. The level of violations was not constant during the conflict. Note that the peak in the first phase occurs in 1991 at the beginning of the conflict. In the second phase the peak is 1995 during a major RUF assault, and the third phase represents the invasion of Freetown in 1999.

Figure 4.A1.4: Violation Type by Year

Year	FODI	ABDU	DETN	KILL	DEST	ASLT	LOOT	TORT	FOLA	EXTO	RAPE	SXAB	AMPU	FREC	SXSL	DRUG	CANN	Total
1991	1089	740	617	713	392	384	472	201	197	165	60	89	10	45	17	1	1	5193
1992	412	282	246	190	89	128	100	97	69	37	29	19	6	11	8	3	1	1727
1993	245	163	116	159	115	76	54	47	49	27	15	14	1	6	3	1	0	1091
1994	809	481	385	532	312	233	256	126	138	63	35	20	13	31	13	4	1	3452
1995	1078	831	631	573	431	332	379	204	231	107	72	29	39	38	29	11	3	5018
1996	310	297	217	281	132	154	99	113	68	50	20	34	30	11	7	3	1	1827
1997	454	460	400	277	205	269	228	199	122	146	41	36	31	15	9	2	4	2898
1998	1201	998	757	528	581	501	459	335	306	170	114	72	129	56	35	8	1	6251
1999	961	795	654	509	559	517	387	335	291	244	120	85	61	43	37	20	5	5623
2000	200	176	144	92	82	99	99	75	93	46	28	16	4	15	5	3	0	1177
Miss.	1224	745	668	660	506	553	511	319	270	218	92	72	54	60	28	3	2	5985
Total	7983	5968	4835	4514	3404	3246	3044	2051	1834	1273	626	486	378	331	191	59	19	40242

Source: Sierra Leone Truth and Reconciliation Commission's Database

The number of violations, broken down by type and by year is shown in Figure 4.A1.4. The number of violations of every violation type follow the overall peaks in documented violations in 1991, 1995 and 1998 demonstrated in Figure 4.A1.3. The greatest peak occurs in forced displacements in 1998.

Figure 4.A1.4 also shows the overall increase of violations in almost every violation type over time. With each of the episodic increases (in 1991, 1995, and 1998–1999), for most violations, the peaks grow larger. Forced displacement is perhaps most responsive to increases in broad levels of violence, as it both rises and falls at a higher proportional rate than other violation types.

Killing is an exception. Documented killings are at their maximum in 1991 (713), which is much higher than the next highest year for documented killing violations in 1995 at 573. Sexual abuse violations also peak in 1991 with 89 documented violations. This number is closer to the totals documented in other years such as 1998 and 1999 at 72 and 85 respectively.⁵

Violations over space

The Commission’s database cannot be used directly to analyze patterns of human rights violations with respect to space. We can look at the different proportions of human rights violations in the database, but as explained in the introduction to this appendix, this information will represent the proportions of these violations in the actual districts only as well as the statements given to the Commission represent the experiences of all the people in these districts. If people in some districts felt especially uncomfortable with the Commission, then fewer people from those districts would have come to the Commission relative to other districts where more people trusted the Commission. There are patterns across districts which seem consistent with hypotheses advanced on the basis of qualitative arguments elsewhere in the report. It is for this purpose that the following tables are presented.

Figure 4.A1.5: Number of Violations by Violation Type and District

Region	Western	North					East			South				Miss.	Total
Violation Type	WEST	PORT	KAMB	BOMB	KOIN	TONK	KENE	KAIL	KONO	BO	PUJE	MOYA	BONT		
FODI	474	234	338	483	327	395	864	484	646	711	775	378	515	1359	7983
ABDU	331	195	193	357	326	305	494	487	480	514	439	315	421	1111	5968
DETN	285	145	144	269	259	232	401	417	348	378	346	243	340	1028	4835
KILL	294	142	113	220	125	227	490	417	270	501	419	254	262	780	4514
DEST	330	111	175	297	222	171	253	168	98	294	366	182	212	525	3404
ASLT	218	123	115	224	163	148	255	307	220	269	223	141	194	646	3246
LOOT	161	90	140	188	196	186	210	158	107	288	421	170	229	502	3044
TORT	140	65	71	120	96	124	182	173	148	169	132	127	112	392	2051
FOLA	69	78	73	103	184	133	133	130	134	137	122	81	92	365	1834
EXTO	128	27	79	77	64	61	84	93	43	104	119	54	100	240	1273
RAPE	51	31	20	49	27	47	22	61	63	44	26	39	20	126	626
SXAS	44	8	10	24	10	26	47	63	36	28	39	37	22	92	486
AMPU	49	24	5	54	29	18	27	11	35	38	9	12	2	65	378
FREC	11	6	19	24	19	18	16	50	27	15	10	15	10	91	331
SXSL	8	13	6	12	11	11	5	26	15	11	10	10	9	44	191
DRUG	5	6	7	2	4	6	4	3	1	2	0	6	0	13	59
CANN	2	0	0	0	1	1	0	2		0	0	5	3	5	19
Total	2600	1298	1508	2501	2063	2109	3487	3050	2671	3503	3456	2069	2543	7384	40242

⁵Sexual abuse was found by the Commission to be a policy of some insurgent factions that deliberately singled out men in the communities they entered to be stripped naked and otherwise humiliated in front of their communities. This policy was found by the TRC to be an element of the insurgents’ efforts to take control of “target” towns and villages in the first phase of the conflict.

every district of Sierra Leone was substantially affected by the war's violence. Freetown, which was largely unaffected until 1999, is the site of the war's most intense attacks in January 1999.

Patterns of documented violations by victim characteristics

Many of the hypotheses considered by the Commission's researchers posited whether there were systematic campaigns against women, children, or people of certain ethnic groups. This section examines statistical patterns over these social dimensions.

This analysis presented here includes only victims for whom the age at time of the violation is known. Of the 40,242 total violations reported to the Commission, 22,041 have the exact age of the victims documented. Although the findings presented here might be weakened by the inclusion of all the ages (if they were known), this effect cannot be assessed with the existing data. Using internationally accepted definitions, the Commission considers a person under the age of 18 to be a child. The majority, 82% (18040/22041) of the documented violations where the victim's age is known to the Commission database are perpetrated against adults. A smaller proportion of violations, 18% (4001/22041) were perpetrated against children age 17 and under. There were 18,201 violations with the age missing.

There are 40,103 documented violations in the Commission's database for which sex of the victim is known. Of these violations 33% (13038/40103) are committed against females and 67% (27065/40103) are committed against males; 139 violations did not have the victim's sex recorded. These violations represent the experiences of 14,995 victims; 33% (4931) of these victims are female and 67% (9993) of these victims are male.

There are 3,995 (out of 4001) documented violations against children where the sex of the victim is known. Of these violations, 48% (1923) are against girls and 52% (2072) are against boys, with 6 child victims whose sex is unknown to the witness. In contrast, of the 18,040 documented violations against adults where the sex of the victim is known, 29.2% (5272) are against women and 70.6% (12737) are against men. The total numbers of documented violations against girls and boys are nearly equal, while in contrast, the number of documented violations against women is less than half the number of documented violations against men. In short, adult victims tend to be men, while children victims are approximately equally likely to be boys or girls. This pattern will be considered in more detail in the sections below.

Victim Sex

Males and females do not suffer the same kinds of violations. In Figure 4.A1.8, it is clear that many violations follow the general 1/3 female : 2/3 male pattern (forced displacement, abduction, assault). Other violations are suffered exclusively by female victims (rape, sexual slavery), and some violations are overwhelmingly perpetrated against male victims (e.g., forced recruitment, forced labour, killing).

Figure 4.A1.8: Violation counts by type and sex of the victim

Violation Type	Males		Females		Ratio M/F
	Count	Percent	Count	Percent	
Forced Displacement	5020	63.1	2941	36.9	1.71
Abduction	3888	65.4	2058	34.6	1.89
Arbitrary Detention	3235	67.2	1581	32.8	2.05
Killing	3333	74.4	1149	25.6	2.90

Destruction of Property	2406	70.9	988	29.1	2.44
Assault / Beating	2330	72.0	905	28.0	2.57
Looting of Goods	2126	70.0	911	30.0	2.33
Physical Torture	1517	74.1	529	25.9	2.87
Forced Labour	1347	73.5	485	26.5	2.78
Extortion	931	73.3	339	26.7	2.75
Rape	0	0.0	626	100.0	0.00
Sexual Abuse	299	61.5	187	38.5	1.60
Amputation	276	73.8	98	26.2	2.82
Forced Recruitment	295	89.1	36	10.9	8.19
Sexual Slavery	0	0.0	189	100.0	0.00
Drugging	47	79.7	12	20.3	3.92
Forced Cannibalism	15	78.9	4	21.1	3.75
Total	27065		13038		

Source: Sierra Leone Truth and Reconciliation Commission's Database

In Figure 4.A1.9, below, we examine the count of documented violations by year and the sex of the victims. On average, there are approximate 2 violations suffered by male victims for each violation suffered by female victims. This pattern is only roughly consistent over time, with some variation, from a high of 2.66 in 2000 to a low of 1.64 in 1992.

Figure 4.A1.9: Violation Counts by Year and Victim Sex

Year	Males	Females	Ratio M/F	Total
1991	3618	1549	2.34	5167
1992	1067	651	1.64	1718
1993	747	344	2.17	1091
1994	2340	1100	2.13	3440
1995	3320	1669	1.99	4989
1996	1195	630	1.90	1825
1997	2003	890	2.25	2893
1998	4268	1969	2.17	6237
1999	3571	2035	1.75	5606
2000	855	321	2.66	1176
Missing	4081	1880	2.17	5961
Total	27065	13038	2.08	40103

Source: Sierra Leone Truth and Reconciliation Commission's Database

The number of reported violations against women follow basically the same pattern as violations against men, peaking in 1991, 1995 and 1998–99. The worst year for women, 1999, is the third worst year for men, trailing far after 1998 and more closely after 1991.

Figure 4.A1.10: Number of violations, by district and sex of the victim

Region	District	Males	Females	Ratio M/F	Total
West	Western	1472	1119	1.32	2591
North	Port Loko	844	446	1.89	1290
	Kambia	1099	405	2.71	1504
	Bombali	1839	652	2.82	2491
	Koinadugu	1524	533	2.86	2057
	Tonkolili	1437	671	2.14	2108
East	Kenema	2514	967	2.6	3481
	Kailahun	1996	1031	1.94	3027
	Kono	1590	1077	1.48	2667
South	Bo	2394	1091	2.19	3485
	Pujehun	2317	1127	2.06	3444
	Moyamba	1428	638	2.24	2066
	Bonthe	1726	802	2.15	2528

Unknown	4885	2479	1.97	7364
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Source: Sierra Leone Truth and Reconciliation Commission's Database

As before, a high ratio in Figure 4.A1.10 indicates that relatively more of the victims are males, while a low ratio indicates that relatively more of the victims are females. There is a similar pattern among districts, where the male to female ratio varies from a low of 1.32 in the Western district to a high of 2.82–2.86 in districts in the Northern region. The Western district (containing Freetown) has the relatively highest proportion of female victims of any district. With the existing data, it is impossible to determine whether the relatively larger number of female victims in the Western district is the result of more women recounting their stories in this part of Sierra Leone, or whether this pattern shows that a truly higher proportion of the victims in Freetown were women.

Figure 4.A1.11: Proportion and Ratio of Perpetrator Responsibility by Sex

Perpetrator	Males	Females	Ratio M/F
RUF	16058	8208	1.96
AFRC	2627	1313	2.00
SLA	2092	627	3.34
CDF	1825	588	3.10
ECOMOG	232	73	3.18
GAF	140	42	3.33
ULIMO	92	27	3.41
Police	59	13	4.54
Rebels	2619	1351	1.94
SLA/AFRC	430	166	2.59
Misc.	88	26	3.38
Missing	1254	768	1.63

Source: Sierra Leone Truth and Reconciliation Commission's Database

In Figure 4.A1.11 Shows the number of documented violations by perpetrator and sex, including a ratio of male to female. Especially interesting is the column of ratios and what it tells us about the proclivity of the various perpetrator groups to target abuses against women.

The ratio for the Police of 4.54 means that for every 4.54 documented violations targeted against men by the Police, only one violation is targeted against women. In contrast, for the RUF, for every 1.96 documented committed against male victims, one violation is committed against female victims. In other words, the RUF is more than twice as likely to commit a violation with a female victim than are the Police. The pattern of the AFRC is similar to the RUF, while most of the other perpetrator groups fall in between.

Together, the top four perpetrator groups along with rebels make up over 90% of all of the documented violations against women where the sex of the victim is known. The RUF bears the majority of the responsibility, attributed with 62% (8208/13202) of the total number of violations against females.

Patterns by Victims' Age

The analysis of age will first present summary statistics by type of violation, time, space, and perpetrator. More finely disaggregated analyses of age and sex by type of violation will then be presented in a series of graphs.

Figure 4.A1.12: Counts of Violations of Adults and Children by Type of Violation

Violation	Adult	Child	Missing	Total	Ratio A/C
Forced Displacement	4328	711	2944	7983	6.09

Abduction	2263	828	2877	5968	2.73
Arbitrary Detention	1938	642	2255	4835	3.02
Killing	868	203	3443	4514	4.28
Destruction of Property	1950	107	1347	3404	18.22
Assault / Beating	1564	311	1371	3246	5.03
Looting of Goods	1836	102	1106	3044	18.00
Physical Torture	998	189	864	2051	5.28
Forced Labour	820	334	680	1834	2.46
Extortion	738	56	479	1273	13.18
Rape	194	178	254	626	1.09
Sexual Abuse	254	40	192	486	6.35
Amputation	134	21	223	378	6.38
Forced Recruitment	90	154	87	331	0.58
Sexual Slavery	50	83	58	191	0.60
Drugging	9	38	12	59	0.24
Forced Cannibalism	6	4	9	19	1.50
Total	18040	4001	18201	40242	4.51

Source: Sierra Leone Truth and Reconciliation Commission's Database

The counts specific violations suffered by adults and children are given in Figure 4.A1.12. Among the victims with ages known to the Commission, the relationships between adult and child victims for some violations are logical. For example, the violations involving property (destruction, extortion, looting) are overwhelmingly adult violations. Other age patterns reflect the particular focus of some violations on children: forced recruitment and sexual slavery are majority child, and rape is nearly equally divided between adult and child victims.

Figure 4.A1.13 offers another way of examining the age distribution for each violation type. Note that "Min" stands for the minimum age, "Q1" stands for the age at which 25% of the cases are that age or younger, "Median" means the age at which 50% of the cases are that age or younger, "Mean" stands for the average age of the victims for that violation type, "Q3" stands for the age at which 75% of the cases are that age or younger, and "Max" stands for the maximum age. The "Missing" column gives the percent of all violations for which the age of the victim is unknown to the Commission.

Figure 4.A1.13: Victims' Age Distribution, by Violation Types

Violation type	Min	Q1	median	Mean	Q3	Max	Total	Missing Age %
Forced Displacement	1	24	36	37	50	97	7983	36.9
Abduction	1	16	29	32	44	100	5968	48.2
Arbitrary Detention	1	18	30	32	45	100	4835	46.6
Killing	1	21	33	37	52	111	4514	76.3
Destruction of Property	2	31	42	43	55	100	3404	39.6
Assault / Beating	1	21	33	35	46	100	3246	42.2
Looting of Goods	2	30	41	42	54	100	3044	36.3
Physical Torture	1	22	33	35	46	100	2051	42.1
Forced Labour	1	16	27	30	42	96	1834	37.1
Extortion	7	27	39	40	51	100	1273	37.6
Rape	6	13	18	21	25	69	626	40.6
Sexual Abuse	4	23	31	35	45	97	486	39.5
Amputation	1	24	35	37	48	80	378	59.0
Forced Recruitment	4	11	14	19	22	73	331	26.3
Sexual Slavery	7	12	15	17	21	44	191	30.4
Drugging	7	10	12	15	16	77	59	20.3
Forced Cannibalism	8	14	22	33	57	83	19	47.4

Source: Sierra Leone Truth and Reconciliation Commission's Database

Looking at individual violation types in Figures 4.A1.12 and 4.A1.13 perpetrated against adults and children we find that for documented amputation, assaults/beatings, destruction of property, extortion, forced displacement, killing, looting of goods, physical torture, and sexual abuse violations, the distribution of age of victim is solidly centered on adults.

The results in Figure 4.A1.21 demonstrate that documented victims of forced recruitment, sexual slavery and rape were younger than the other violation types. Specifically, the following conclusions can be drawn:

- 50% of the victims of forced recruitment with age documented were 14 years of age or younger when they were forcibly recruited.
- 25% of rape victims with age documented were 13 years of age or younger.
- 50% of sexual slaves with age documented were children age 15 or under when they were abducted.
- 25% of the victims of forced recruitment with age documented were 11 years of age or younger when they were abducted.

The next analysis considers the patterns of victims' ages over time.

Figure 4.A1.14: Counts of Violations by Age Category and Year

Year	Children	Adults	Missing	Total	Ratio A/C
1991	363	2585	2245	7184	7.12
1992	175	931	621	3719	5.32
1993	106	565	420	3084	5.33
1994	336	1500	1616	5446	4.46
1995	455	1896	2667	7013	4.17
1996	148	821	858	3823	5.55
1997	257	1408	1233	4895	5.48
1998	709	3017	2525	8249	4.26
1999	777	2709	2137	7622	3.49
2000	176	559	442	3177	3.18
Missing	499	2049	3437	5985	4.11
Total	4001	18040	18201	40242	

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.14 shows the counts of violations against adults and children by year. It is striking in this table that the ratio of adults to children tends to decline over time: the highest ratio (indicating the largest number of adults suffering relative to each child) is in 1991, and the lowest is in 2000. This trend briefly reverses in 1996, a year during which the conflict is relatively moderate. However, after the reversal, the trend returns to relatively more child victims per adult victim.

Figure 4.A1.15: Counts of Violations for Districts by Age Category

Region	District	Children	Adults	Unknown	Total	Ratio A/C
West	Western	362	1275	963	2600	3.52
North	Port Loko	160	560	578	1298	3.50
	Kambia	145	710	653	1508	4.90
	Bombali	249	862	1390	2501	3.46
	Koinadugu	214	1130	719	2063	5.28
	Tonkolili	258	881	970	2109	3.41
East	Kenema	263	2033	1191	3487	7.73
	Kailahun	362	1366	1322	3050	3.77

	Kono	468	1336	867	2671	2.85
South	Bo	228	1197	2078	3503	5.25
	Pujehun	185	1773	1498	3456	9.58
	Moyamba	144	911	1014	2069	6.33
	Bonthe	172	809	1562	2543	4.70
	Unknown	791	3197	3396	7384	4.04
	Total	4001	18040	18201	40242	

Source: Sierra Leone Truth and Reconciliation Commission's Database

There are some surprises in the relative numbers of children and adult victims shown in Figure 4.A1.15. The ratio between adults and children varies widely, from 9.58 to 2.85. By substantial margins, Pujehun (9.58) and Kenema (7.73) have relatively fewer violations against children than other districts, while Kono (2.85) has relatively more child victims per adult. The variation is shown in more detail below, in Figure 4.A1.16.

Figure 4.A1.16: Counts and Percents of Violations for Districts by Age and Sex

District	Male: Count		Male: %		Female: Count		Female: %		Missing Age/Sex	Total
	Child	Adult	Child	Adult	Child	Adult	Child	Adult		
WEST	177	715	10.8	43.8	182	560	11.1	34.3	966	2600
PORT	94	382	13.1	53.4	66	174	9.2	24.3	582	1298
KAMB	94	548	11	64.2	51	161	6	18.9	654	1508
BOMB	119	689	10.7	62	130	173	11.7	15.6	1390	2501
KOIN	119	896	8.9	66.7	95	234	7.1	17.4	719	2063
TONK	138	667	12.1	58.6	120	214	10.5	18.8	970	2109
KENE	155	1522	6.8	66.4	105	509	4.6	22.2	1196	3487
KAIL	192	885	11.1	51.2	170	480	9.8	27.8	1323	3050
KONO	206	889	11.4	49.3	262	445	14.5	24.7	869	2671
BO	133	819	9.4	57.9	95	367	6.7	26	2089	3503
PUJE	90	1188	4.6	60.7	95	584	4.9	29.8	1499	3456
MOYA	74	659	7	62.5	70	252	6.6	23.9	1014	2069
BONT	77	573	7.8	58.4	95	236	9.7	24.1	1562	2543
UNKN	404	2305	10.2	57.9	387	883	9.7	22.2	3405	7384
Total	2072	12737			1923	5272			18238	40242

Source: Sierra Leone Truth and Reconciliation Commission's Database

Kono stands out as having the highest proportion of documented violations suffered by female children. The Western Area has relatively more adult females suffering violations, and relatively fewer adult males than other districts.

Figure 4.A1.17: Counts of Violations by Perpetrator by Age Category

Perpetrator	Children	Adults	Unknown Age or Sex	Ratio A/C
RUF	2736	10640	10977	3.89
AFRC	429	1993	1528	4.65
SLA	117	1384	1223	11.83
CDF	124	1133	1162	9.14
ECOMOG	29	164	116	5.66
GAF	14	71	98	5.07
ULIMO	9	67	43	7.44
Police	0	45	27	0.00
Rebels	346	1639	2002	4.74
SLA/AFRC	62	310	225	5.00
Misc.	15	47	52	3.13
Unknown	168	847	1014	5.04

Source: Sierra Leone Truth and Reconciliation Commission's Database

In Figure 4.A1.17, it can be seen that relative to other perpetrator groups, the RUF and the AFRC have different victim profiles with respect to age category. While the ratio of adult to child victims is 3.89–4.65 for these two groups, for the SLA and CDF the ratios are more than double at 9.14 and 11.83, respectively. This means, for example, that for every 3.89 violations the RUF allegedly committed against an adult, they committed one against a child. Whereas the SLA committed one violation against a child for every 11.83 violations committed against an adult.

Figure 4.A1.18: Counts and Percents of Violations for Perpetrators by Age and Sex Categories of the Victims

Perpetrator	Male				Female				Unknown Age or Sex
	Count		Percentage		Count		Percentage		
	Children	Adults	Children	Adults	Children	Adults	Children	Adults	
RUF	1432	7382	69.1	58.0	1301	3241	67.7	61.5	10997
AFRC	223	1381	10.8	10.8	206	611	10.7	11.6	1529
SLA	45	1099	2.2	8.6	72	281	3.7	5.3	1227
CDF	66	898	3.2	7.1	58	235	3.0	4.5	1162
ECOMOG	17	131	0.8	1.0	12	33	0.6	0.6	116
GAF	10	66	0.5	0.5	4	5	0.2	0.1	98
ULIMO	7	55	0.3	0.4	2	12	0.1	0.2	43
Police	0	36	0.0	0.3	0	9	0.0	0.2	27
Rebels	172	1103	8.3	8.7	171	528	8.9	10.0	2013
SLA/AFRC	36	254	1.7	2.0	26	55	1.4	1.0	226
Misc	13	35	0.6	0.3	2	12	0.1	0.2	52
Unknown	76	521	3.7	4.1	92	326	4.8	6.2	1014
Total	2072	12737			1923	5272			18238

Source: Sierra Leone Truth and Reconciliation Commission's Database

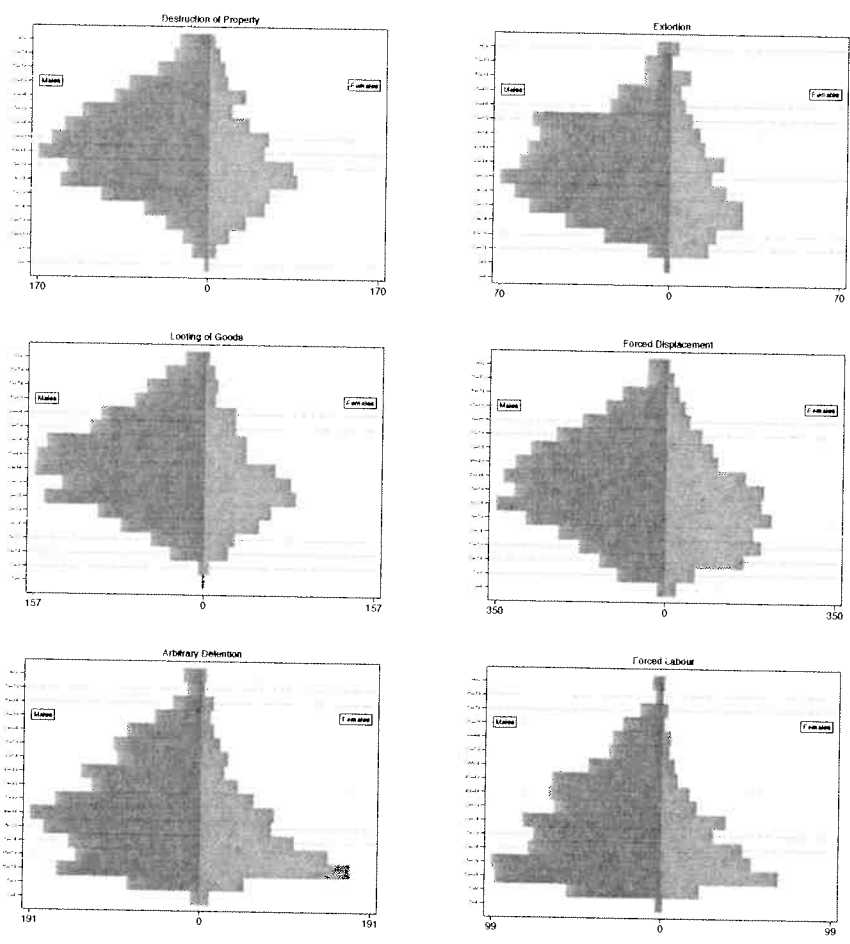
Patterns by Victims' Age and Sex

This section combines the analysis of the previous two sections. By considering the distribution of victims' age and sex simultaneously, this analysis can unpack the broad age categories in the previous section to show the specific ages that suffered each violation. At the same time, the analysis shows how each violation affected males or females at different ages.

All of the analysis here could be considered in terms of the population rates of each violation's occurrence. That is, the counts of each violation for each age and sex category could be divided into the total number of Sierra Leoneans of that age and sex. The resulting figures can then be compared across different age and sex categories, simultaneously considering both the count of the violations and the age and sex distribution of the population. Analysis of this kind was presented in the Children's Chapter in the discussion of rape, sexual slavery, and forced recruitment. For simplicity, the data are presented here as simple counts.

The first group of graphs considers violations against property and the freedom to live in security.

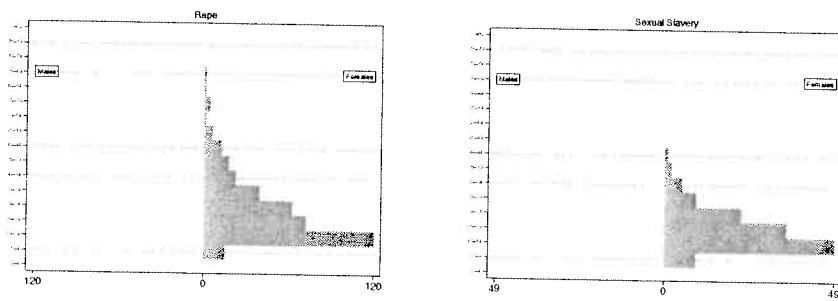
Figures 4.A1.19a–f: Violations by Type, Age, and Sex

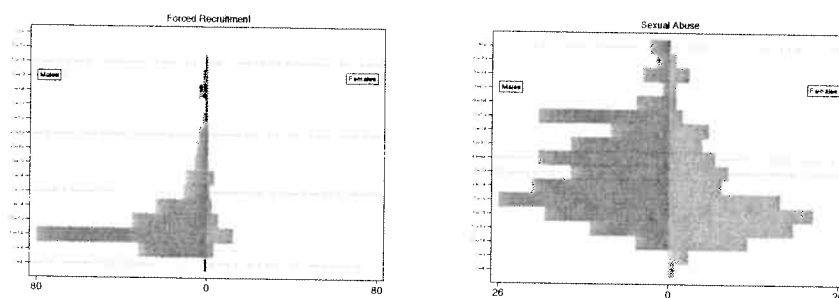


Source: Sierra Leone Truth and Reconciliation Commission's Database

These six graphs encompass destruction of property, extortion, looting of goods, forced displacement, arbitrary detention, and forced labour. Documented violations of the first four types are primarily committed against adults, and mostly against males. Male victims of arbitrary detention and forced labour also tend to be adults, but the female victims are most frequently younger, in the 10–14 age category.

Figures 4.A1.20a–d: Violations by Type, Age, and Sex

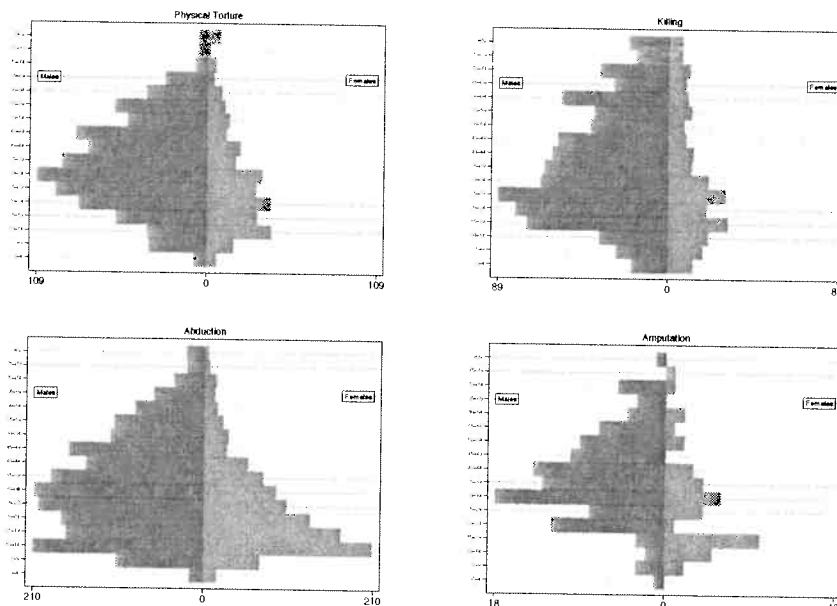




Source: Sierra Leone Truth and Reconciliation Commission's Database

The violations most often against adolescents 10–14 years old are sexual slavery and rape (against girls) and forced recruitment (against boys). These violations should not be confused with sexual abuse, which was interpreted by the Commission primarily as the forced stripping of adult as a means of humiliation. Sexual abuse was most often perpetrated against adult males, while the other two sexual violations were most frequently committed against girls 10–14.⁶

Figures 4.A1.21a–d: Violations by Type, Age, and Sex



Source: Sierra Leone Truth and Reconciliation Commission's Database

Torture, killing, and amputation are directed principally against adult men. Abduction is more complicated with both adult men and adolescent boys subjected to this violation. However, among female victims, girls 10–14 are considerably more frequently subject to abduction than younger girls or older women. Amputation is also directed most frequently at adult men, but among women and girls, the most common age category is 15–19.

⁶For a discussion of “targeting” of girls and boys in these violations, see the Children's Chapter.

Patterns of documented violations by victims' ethnicity

This section addresses the question of systematic targeting of particular ethnicities for human rights abuses by the various perpetrator groups. Southern ethnicities are defined as Mende, Sherbro, Krim, Vai, Kissi. Northern ethnicities are defined as Koranko, Limba, Loko, Temne and Yalunka. First, in Figure 4.A1.22, we present the number of violations by type and by ethnicity of the victims.

Figure 4.A1.22: Number of Violations by Violation Type and Ethnicity

Violation type	South	North	Foreign	Other	Unknown	Total
Forced Displacement	3765	2321	10	986	901	7983
Abduction	2363	1594	8	756	1247	5968
Arbitrary Detention	1976	1289	7	592	971	4835
Killing	1570	886	1	350	1707	4514
Destruction of Property	1418	1184	6	303	493	3404
Assault / Beating	1390	927	2	395	532	3246
Looting of Goods	1418	986		299	341	3044
Physical Torture	872	572	2	271	334	2051
Forced Labour	681	662	4	218	269	1834
Extortion	551	390		150	182	1273
Rape	200	201	2	111	112	626
Sexual Abuse	220	113		61	92	486
Amputation	87	151		46	94	378
Forced Recruitment	117	117	3	49	45	331
Sexual Slavery	81	51		30	29	191
Drugging	13	30		8	8	59
Forced Cannibalism	8	4		1	6	19
Total	16730	11478	45	4626	7363	40242

Source: Sierra Leone Truth and Reconciliation Commission's Database

In Figure 4.A1.23 below, responsibility for the violations against each of the ethnicities is shown across the perpetrator categories.

Figure 4.A1.23: Percent of Violations by Violation Type and Ethnicity

Perpetrator	North	South	Foreigner	Other	Unknown
RUF	52.7	66.2	48.9	60.4	60.1
AFRC	17.3	4.1	13.3	13.9	8.5
SLA	4.0	9.4	8.9	4.8	6.5
CDF	4.3	6.9	2.2	3.3	8.4
ECOMOG	1.3	0.2	2.2	1.2	1.0
GAF	0.9	0.0	0.0	0.8	0.5
ULIMO	0.0	0.5	0.0	0.0	0.5
Police	0.1	0.2	0.0	0.1	0.2
Rebels	11.6	8.9	17.8	10.7	8.8
SLA/AFRC	0.8	2.0	0.0	1.3	1.5
Misc	0.2	0.3	13.3	0.3	0.3
Unknown	8.2	3.0	2.2	4.2	5.3
Total	11478	16730	45	4626	7363

Source: Sierra Leone Truth and Reconciliation Commission's Database

Other analysis of ethnic patterns is presented in the chapter on the Nature of the Conflict.

Patterns of documented violations by alleged perpetrator

Prior sections have considered perpetrators' patterns over space, and with respect to victims age, sex, and ethnicity. This section considers the patterns of perpetrators with respect to type of violation and time.

Figure 4.A1.24: Table of Proportion of Violations and Victims and the Ratio of Violations to Victims, by Perpetrator Group

Perpetrator group	Percent Violations	Percent Victims	Ratio Violations/Victim
RUF	59.2	61.5	2.58
Rebels	9.9	12.3	2.16
AFRC	9.8	10.3	2.57
SLA	6.8	8.9	2.05
CDF	5.9	6.6	2.40
Unknown	5.0	7.5	1.78
SLA/AFRC	1.5	1.8	2.17
ECOMOG	0.7	1.3	1.50
GAF	0.5	0.7	1.76
ULIMO	0.3	0.4	1.95
Misc	0.3	0.3	2.33
Police	0.1	0.2	2.07
Total	40242	14995	

Source: Sierra Leone Truth and Reconciliation Commission's Database

Note: The percentages of victims and violations sum to more than 100% because the same violations may be shared by different perpetrators.

The counts of victims, violations, the number of victims per violation, and the proportions of violations attributable to each perpetrator type are given in Figure 4.A1.24. Of the 40,242 violations in the TRC's database, the RUF has by far the most violations 23,823 (59.2%) and the most victims 61.5%, attributed to them. The RUF also has the highest number of documented violations per victim 2.58; followed by the AFRC with 2.57 violations per victim.

There may be a negative bias against the RUF because the database measures the statement-givers' perception of who was committing the abuses that they suffered or witnessed. Given the relatively high proportion of violations attributed to rebels, it is clear that there was some confusion in identifying the factions definitively. In terms of dress and behaviour, the RUF and AFRC fighters were virtually indistinguishable; both had ready access to SLA uniforms but commonly combined military fatigues with civilian clothing. In addition, identifiers such as headbands and sticking plasters were shared among factions. During the second phase, the civilian population developed the expression "sobels" to characterize perpetrators whom they believed to be "soldiers by day, rebels by night". It is possible that many of the violations attributed to the rebels may be more accurately attributed to the RUF, AFRC or even the SLA, but we were not able to clearly quantify this phenomenon in the data. However, it is discussed in detail in the Military and Political History Chapter.

Perpetrator Responsibility for Particular Violations

Figure 4.A1.25: Counts of Violation Types by Perpetrator

Violation type	RUF	AFRC	SLA	CDF	ECOMOG	GAF	ULIMO	Police	Rebels	SLA/AFRC	Misc	Unknown	Total
Forced Displacement	5092	711	477	231	31	30	14	9	994	103	11	442	7983
Abduction	3728	547	361	402	49	25	13	12	572	91	23	205	5968
Arbitrary Detention	2924	465	327	388	55	22	13	19	421	78	15	168	4835
Killing	2618	292	335	246	67	23	27	6	580	60	9	342	4514
Destruction of Property	1883	320	245	328	53	13	9	5	205	46	10	160	3246

Assault / Beating	1920	410	257	110	15	36	8	6	405	46	4	264	3404
Looting of Goods	1843	326	254	175	2	18	11	11	236	49	9	173	3044
Physical Torture	1136	235	141	217	19	7	8	0	168	39	10	84	2051
Forced Labour	1250	208	102	43	4	4	6	1	133	27	8	60	1834
Extortion	666	145	116	182	4	1	8	1	93	31	5	50	1273
Rape	420	60	20	25	0	2	0	0	57	6	2	36	626
Sexual Abuse	285	60	38	46	6	1	1	2	25	5	4	15	486
Amputation	154	105	25	6	4	1	0	0	54	9	0	22	378
Forced Recruitment	249	30	14	9	0	0	1	0	25	3	4	2	331
Sexual Slavery	138	22	8	4	0	0	0	0	14	2	0	6	191
Drugging	41	12	1	1	0	0	0	0	3	1	0	0	59
Forced Cannibalism	6	2	3	6	0	0	0	0	2	1	0	0	19
Total	24353	3950	2724	2419	309	183	119	72	3987	597	114	2029	40242

Source: Statements given to the Truth and Reconciliation Commission of Sierra Leone

In terms of volume, the RUF committed the greatest number of violations for every violation type.

The RUF, rebels, AFRC, and SLA, follow roughly similar patterns of proportions of particular types of violations. Documented forced displacement and abduction violations constitute the highest proportion of all of the documented violations attributed to each of these four perpetrators. They also share nearly equal proportions of documented detention violations from 10.6% (421/3987) for the rebels to 11.8% (465/3950) for the AFRC, 12% for the RUF (2924/24353), and 12.3% for the SLA (327/2724).

The CDF follows a different pattern of violation types. The highest proportion, 16.6% (402/2419), of CDF documented violations is abduction, not forced displacement as is the case for the perpetrator groups discussed in the paragraph above. The proportion of documented CDF violations is higher than the other perpetrator groups for several violations types including assault/beatings, torture, detention, extortion, and sexual abuse. However, the CDF committed proportionally fewer property destruction violations.

The RUF accounts for 67.1% (420/626) of documented rape violations.

Out of the documented abuses attributed to the AFRC, amputations constitute a proportionally higher (2.7%, 105/3950) number of their violations compared with the other perpetrator groups. However, the proportion of killing violations is lower for the AFRC (7.4%, 292/3950) than for the RUF (10.8%, 2618/24353) or the SLA (12.3%, 335/2724).

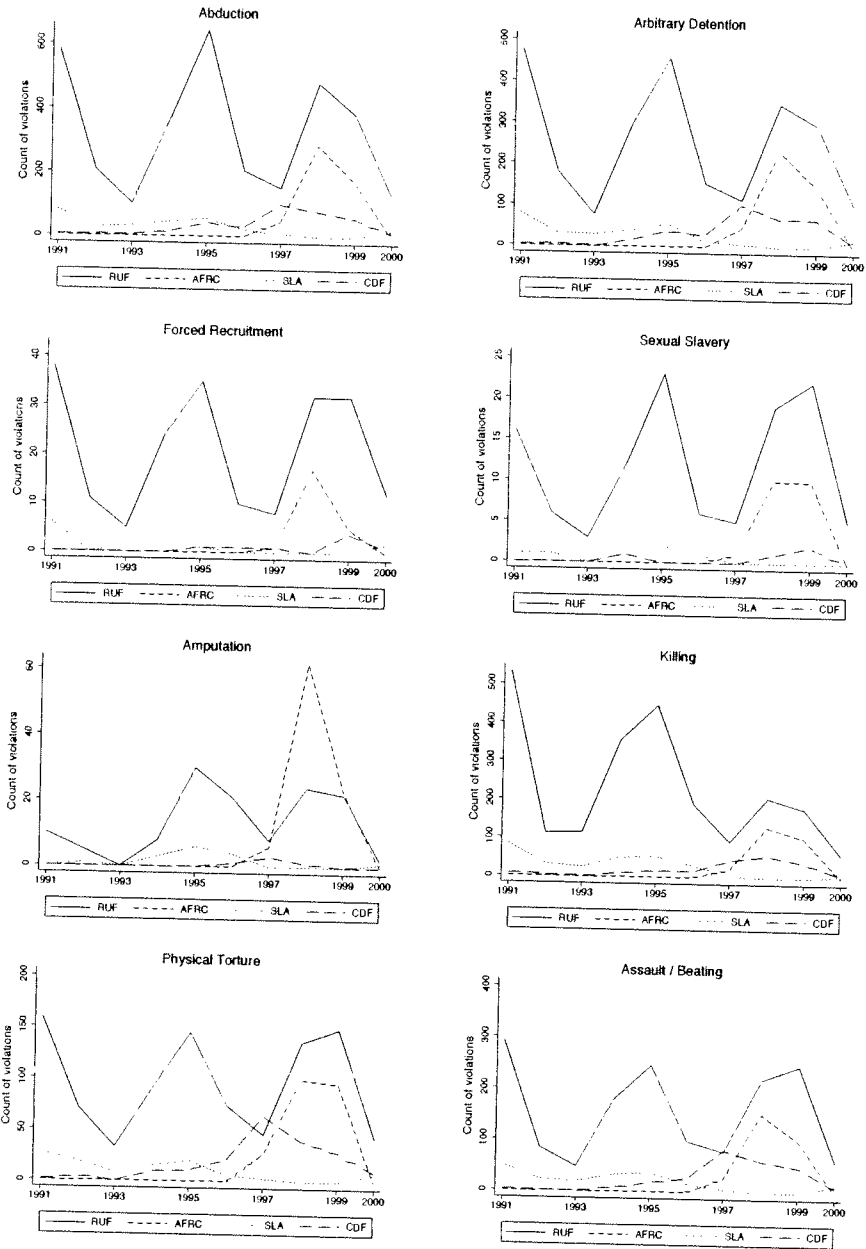
Perpetrator Responsibility for Violations over Time and Space

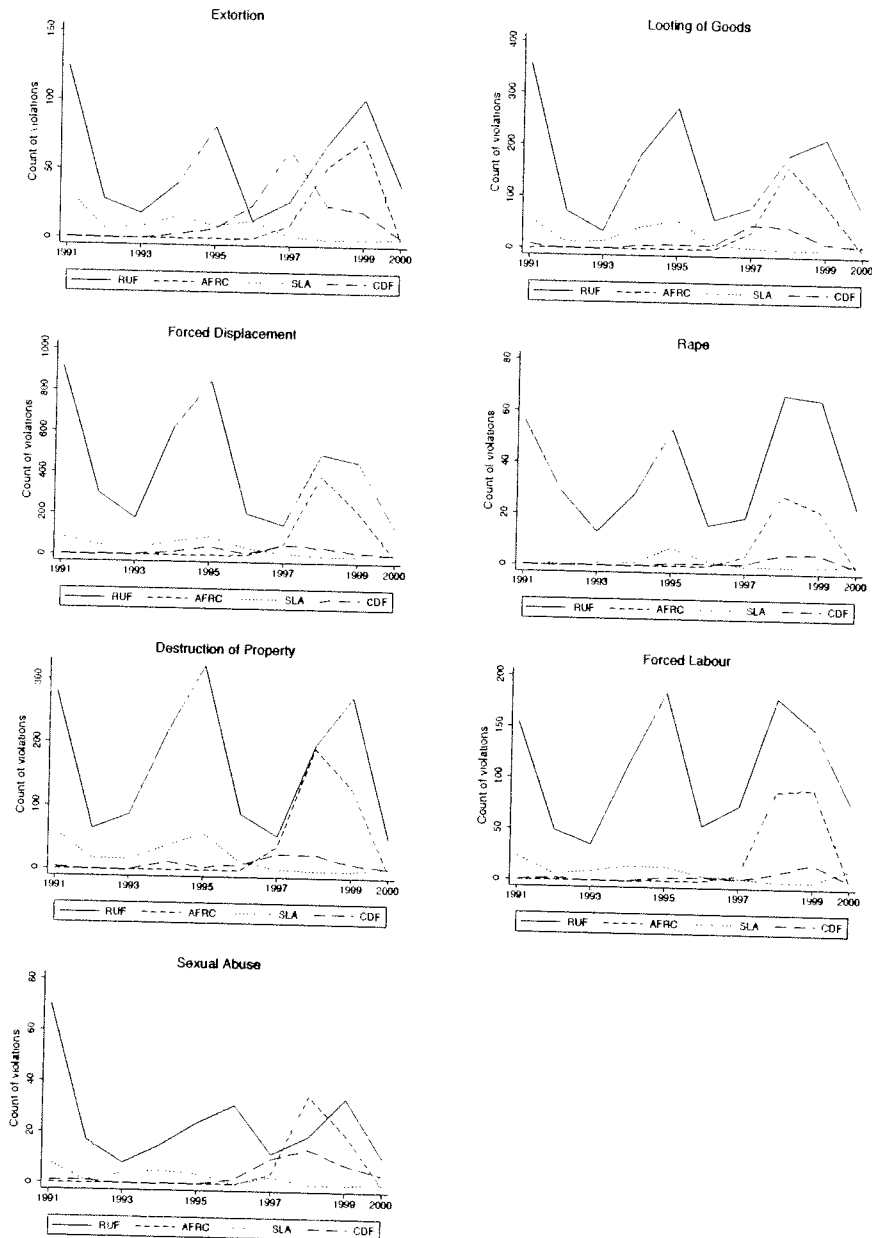
The RUF's dominance over all violation types is not true in every period. In the graph series, Figures 4.A1.26a-o, below, the episodic nature of the conflict is clear for nearly every perpetrator, violation type, and year combination. That is, the violation counts start high in 1991 at the beginning of the war, drop in the early 1990s and then rise to the 1995 peak, after which the intensity drops. Violence increases during the expulsion of the AFRC from Freetown, their tour of the Northern districts and their eventual return to attack the capital in January 1999.

For the following violations, the reported counts for the RUF are higher than any other perpetrator category during every year: sexual slavery, rape, looting, killing, forced recruitment, forced displacement, abduction, forced labour, assault, destruction of property, and arbitrary detention. The exceptions to the RUF's predominance are rare enough that they are noted here. For extortion and torture, the CDF shows peaks in 1997 which exceed the RUF counts of reported violations in that year. The AFRC count of reported acts of sexual

abuse exceed the RUF in 1998, and the AFRC count of acts of amputation is greater than for the RUF in 1998.

Figures 4.A1.26a-o: Number of Violations over Time by Perpetrator





Source: Sierra Leone Truth and Reconciliation Commission's Database

There are clear differences between the perpetrators in terms of the timing of violations. The RUF has the most documented violations attributed to them in all years of the war, though the number of violations in 1998 and 1999 attributed to the AFRC are substantial. Whilst the SLA is involved in the conflict from the start, the AFRC coup in 1997 changes the nature and allegiance of the army. As a result, the AFRC is treated as a separate perpetrator group, active in the third phase. The SLA is responsible for significant numbers of documented violations during the second phase of the war, and the CDF is responsible for a significant number of violations in the third phase.

The RUF, CDF, and SLA play constant and distinct roles throughout the conflict, while the roles of ULIMO, the AFRC, ECOMOG, and GAF are confined to specific phases of the

conflict. Prior to 1996, local militia groups were not coordinated under regional or national structures, but were active in the districts touched by the war. When the Sierra Leone Peoples Party (SLPP) government formed the CDF in 1996, it became common practice to refer to all such militias as CDF groups. The majority of CDF members were so-called Kamajors.⁷ The Kamajor force mobilized on a grand scale in the third phase of the war, from 1997 onwards. Seventy-four percent (1505/2031) of the recorded violations, with year documented that are attributed to the Kamajors, occur in 1997 or later.

The relatively minor perpetrator groups are those whose participation in the conflict is limited to specific years and geographical areas. Ninety-five percent (260/275) of the documented violations in the Commission's database (where year is known) attributed to the ECOMOG intervention force, occur between 1997 and 2000. ECOMOG was not deployed by the Economic Community of West African States (ECOWAS) until 1997. The TRC recorded 201 violations attributed to the GAF, of which 155 had known year; of those with known year, 90% (140/155) occurred in 1999 and 2000. 91.8% (89/97) of the violations attributed to ULIMO, where the year is known, occur in 1991. 96% (105/109) of ULIMO violations, where district is known, occur in Bo, Kailahun, Kenema, or Pujehun.

In Figures 4.A1.27–30, we explore the patterns of violations across districts and time for the four factions that are responsible for the highest number of documented violations: the RUF, the AFRC, the SLA, and the CDF.

Figure 4.A1.27: Number of RUF Violations by Year and District

Region	District	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Missing	Total
West	Western	11	5	3	3	25	22	39	57	646	3	119	933
	Port Loko	1	0	4	18	93	35	38	155	141	17	62	564
	Kambia	14	14	0	12	128	30	30	69	291	190	187	965
	Bombali	6	22	8	39	45	28	66	398	307	24	221	1164
	Koinadugu	10	3	2	161	4	12	36	469	180	129	110	1116
North	Tonkolili	1	21	42	318	121	63	65	227	311	62	179	1410
	Kenema	334	171	138	406	222	100	82	69	45	14	372	1953
	Kailahun	1013	354	78	146	100	97	155	75	41	7	289	2355
East	Kono	24	270	54	151	81	67	104	526	146	168	155	1746
	Bo	351	81	144	646	527	201	50	58	48	19	350	2475
South	Pujehun	1426	118	146	136	73	27	23	13	19	9	375	2365
	Moyamba	81	14	4	61	581	222	64	17	30	4	142	1220
	Bonthe	94	5	11	36	1152	50	21	18	18	0	197	1602
	Unknown	689	163	124	417	670	277	153	535	416	185	856	4485
	Total	4055	1241	758	2550	3822	1231	926	2686	2639	831	3614	24353

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.28: Number of AFRC Violations by Year and District

Region	District	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Missing	Total
West	Western	0	0	0	0	0	0	34	110	543	0	33	720
	Port Loko	0	0	0	0	0	0	13	76	120	0	15	224
	Kambia	0	0	0	0	0	0	4	41	55	0	4	104
	Bombali	0	0	0	0	0	0	32	258	95	0	51	436
	Koinadugu	0	0	0	0	0	0	4	447	145	0	73	669
North	Tonkolili	0	0	0	0	0	0	0	79	45	0	5	129
	Kenema	0	0	0	0	0	0	52	123	12	0	32	219
East	Kailahun	0	0	0	0	0	0	34	80	19	0	11	144
	Kono	0	0	0	0	0	0	8	254	23	0	37	322
South	Bo	0	0	0	0	0	0	7	42	6	0	24	79
	Pujehun	0	0	0	0	0	0	19	29	9	0	29	86
	Moyamba	0	0	0	0	0	0	4	30	28	0	9	71
	Bonthe	0	0	0	0	0	0	44	11	3	0	2	60

⁷For information on the formation of the CDF, refer to Phase II of the "Military and Political History of the Conflict" Chapter of the Final Report of the Sierra Leone Truth Commission.

Unknown	0	0	0	0	0	0	0	70	363	209	0	45	687
Total	0	0	0	0	0	0	0	325	1943	1312	0	370	3950

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.29: Number of SLA Violations by Year and District

Region	District	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Missing	Total
West	Western	15	12	2	3	15	3	2	0	0	1	53	106
	Port Loko	1	0	0	1	52	4	4	0	0	14	21	97
North	Kambia	7	0	0	4	0	0	0	0	0	8	12	31
	Bombali	6	0	9	2	8	14	1	0	0	1	25	66
	Koinadugu	1	0	0	22	0	1	0	0	0	54	20	98
	Tonkolili	2	6	4	38	33	7	4	0	0	1	13	108
East	Kenema	52	38	37	39	33	15	15	0	0	0	76	305
	Kailahun	88	19	31	16	9	6	1	0	0	0	27	197
	Kono	2	36	9	17	15	10	0	0	0	0	17	106
	Bo	53	21	23	86	63	39	8	0	0	2	48	343
	Pujehun	195	54	48	25	11	15	0	0	0	0	44	392
	Moyamba	4	0	2	21	105	22	3	0	0	4	31	192
South	Bonthe	33	0	4	1	57	13	8	0	0	1	26	143
	Unknown	138	36	28	93	68	23	5	0	0	24	125	540
	Total	597	222	197	368	469	172	51	0	0	110	538	2724

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.30: Number of CDF Violations by Year and District

Region	District	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Missing	Total
West	Western	0	0	0	0	0	0	0	14	75	3	11	103
	Port Loko	0	0	0	8	2	0	0	7	6	2	1	26
	Kambia	0	0	0	3	9	0	1	17	11	5	5	51
	Bombali	0	0	0	8	2	0	19	10	8	4	9	60
North	Koinadugu	0	0	0	0	0	0	0	2	1	0	3	6
	Tonkolili	0	2	0	1	0	0	1	25	70	10	39	148
East	Kenema	14	7	5	23	19	56	73	50	9	2	54	312
	Kailahun	0	2	0	2	4	3	8	22	1	1	6	49
	Kono	0	5	1	1	0	5	6	14	7	10	12	61
	Bo	1	0	1	13	40	18	26	58	28	13	27	225
	Pujehun	9	0	0	1	6	5	53	36	2	0	28	140
	Moyamba	0	0	0	1	18	21	84	27	70	10	33	264
South	Bonthe	3	0	0	8	49	41	230	79	7	6	78	501
	Unknown	2	8	2	24	42	31	101	112	57	12	82	473
	Total	29	24	9	93	191	180	602	473	352	78	388	2419

Source: Sierra Leone Truth and Reconciliation Commission's Database

The Kamajor CDF force (a subset of the violations listed here as CDF) was largely confined to the South of the country: 62.2% (1089/1752) of the violations attributed to the Kamajor CDF militia, where the district in which the violation is known, occurred in the Southern region⁸; 23.1% (405/1752) in the Eastern, 9.2% (161/1752) in the Northern, and 5.5% (97/1752) in the Western. During the third phase of the conflict in the Bonthe district, the CDF are alleged to have committed the majority of the documented violations, 58.2% (322/553) in all.⁹

Patterns of documented violations attributed to the RUF appear similar in the first and second phases of the war. The exceptions are documented cases of sexual slavery and amputations which increase in the second phase when compared to the first phase, and documented cases of sexual abuse (Stripping/Naked Humiliation), which decrease in the second phase compared to the first.

⁸Note that geographically, the Eastern region is in the Southern half of the country.
⁹See Figure 4.A1.7 for the figures for Bonthe.

The rise in documented sexual slavery in 1993 and 1994 coincides with the transition in the RUF to guerrilla tactics. The RUF fighters adopted a mode of fighting revolving around camps and bases within the bush where they abducted women and kept them as so-called "bush wives" in remote locations.¹⁰

Figure 4.A1.31: Amputations by Perpetrator by Year

	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Missing	Total
RUF	10	5	0	8	30	21	8	24	22	2	24	154
AFRC	0	0	0	0	0	0	6	62	23	0	14	105
SLA	0	1	0	3	6	4	0	0	0	1	10	25
CDF	0	0	0	0	0	1	3	1	0	0	1	6
ECOMOG	0	0	0	0	0	1	1	2	0	0	0	4
GAF	0	0	0	0	0	0	0	0	1	0	0	1
ULIMO	0	0	0	0	0	0	0	0	0	0	0	0
Police	0	0	0	0	0	0	0	0	0	0	0	0
Rebels	0	0	1	1	4	2	1	29	12	1	3	54
SLA/ AFRC	0	0	0	0	0	0	9	0	0	0	0	9
Misc	0	0	0	0	0	0	0	0	0	0	0	0
Unknown	0	0	0	1	0	1	3	11	3	0	3	22
Totals	10	6	1	13	40	30	31	129	61	4	55	380

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.31 shows amputations by Perpetrator by Year. The first substantial rise in documented amputations occurs in 1995 and is attributable to the RUF. "Operation Stop Elections" is widely believed to be the first campaign of amputations by the RUF, occurring in late 1995 and early 1996 in order to coincide with the moves by civil society towards multi-party elections. Although there are a few reported amputations before 1995, in this year the reported count more than triples earlier totals. The rise in 1995 is consistent with the view that the RUF engaged in a limited campaign to warn civilians to "take their hands off the war," in the wake of a failed NPRC peace initiative.¹¹

It is interesting to note that while the RUF is responsible for the greatest number of violations reported to the Commission for each year of the conflict, in 1998, the database shows that the AFRC is responsible for the largest proportion — 48% (62/129) — of the recorded amputations.

Figure 4.A1.32: Counts of Violations by Perpetrator by District/Region

Region	Counts of Violations by District/Region															
	West	North					East				South					
	West	PORT	KAMB	BOMB	KOIN	TONK	KENE	KAIL	KONO	BO	PUJE	MOYA	BONT	UNKN	Total	
RUF	933	564	965	1164	1116	1410	1953	2355	1746	2475	2365	1220	1602	4485	24353	
AFRC	720	224	104	436	669	129	219	144	322	79	86	71	60	687	3950	
Rebels	310	154	138	462	114	230	483	178	308	274	310	178	129	719	3987	
Unknown	250	213	99	265	64	99	91	80	74	111	126	114	37	406	2029	
ECOMOG	177	22	10	22	16	4	2	11	4	9	0	4	0	28	309	
SLA	106	97	31	66	98	108	305	197	106	343	392	192	143	540	2724	
CDF	103	26	51	60	6	148	312	49	61	225	140	264	501	473	2419	
SLA/AFR C	23	31	14	41	11	13	111	31	31	33	62	42	73	81	597	
Misc	16	0	0	2	1	2	1	31	8	12	1	15	3	22	114	
Police	15	0	3	1	3	0	1	2	0	8	25	0	4	10	72	

¹⁰For more information on the switch to guerrilla warfare, associated objectives and strategies, see Phase II of the "Military and Political History of the Conflict" Chapter of the Final Report of the Sierra Leone Truth and Reconciliation Commission.

¹¹See Phase II of the "Military and Political History of the Conflict" Chapter of the Final Report of the Sierra Leone Truth and Reconciliation Commission.

GAF	0	0	111	7	0	0	0	0	14	0	0	2	1	48	183	
ULIMO	0	0	0	0	0	0	54	12	0	14	25	0	4	10	119	
Total	2600	1298	1508	2501	2063	2109	3487	3050	2671	3503	3456	2069	2543	7384	40242	
Region	2600	9479						9208			11571					

Source: Sierra Leone Truth and Reconciliation Commission's Database

Note: the columns do not sum to the total because responsibility for any violation might be shared among several perpetrators.

Figure 4.A1.33: Percent of Violations by Perpetrator by District/Region

	West		North				East			South				
	West	PORT	KAMB	BOMB	KOIN	TONK	KENE	KAIL	KONO	BO	PUJE	MOYA	BONT	UNKN
RUF	35.9	43.5	64.0	46.5	54.1	66.9	56.0	77.2	65.4	70.7	68.4	59.0	63.0	60.7
AFRC	27.7	17.3	6.9	17.4	32.4	6.1	6.3	4.7	12.1	2.3	2.5	3.4	2.4	9.3
Rebels	11.9	11.9	9.2	18.5	5.5	10.9	13.9	5.8	11.5	7.8	9.0	8.6	5.1	9.7
Unknown	9.6	16.4	6.6	10.6	3.1	4.7	2.6	2.6	2.8	3.2	3.6	5.5	1.5	5.5
ECOMOG	6.8	1.7	0.7	0.9	0.8	0.2	0.1	0.4	0.1	0.3	0.0	0.2	0.0	0.4
SLA	4.1	7.5	2.1	2.6	4.8	5.1	8.7	6.5	4.0	9.8	11.3	9.3	5.6	7.3
CDF	4.0	2.0	3.4	2.4	0.3	7.0	8.9	1.6	2.3	6.4	4.1	12.8	19.7	6.4
SLA/AFRC	0.9	2.4	0.9	1.6	0.5	0.6	3.2	1.0	1.2	0.9	1.8	2.0	2.9	1.1
Misc	0.6	0.0	0.0	0.1	0.0	0.1	0.0	1.0	0.3	0.3	0.0	0.7	0.1	0.3
Police	0.6	0.0	0.2	0.0	0.1	0.0	0.0	0.1	0.0	0.2	0.7	0.0	0.2	0.1
GAF	0.0	0.0	7.4	0.3	0.0	0.0	0.0	0.0	0.5	0.0	0.0	0.1	0.0	0.7
ULIMO	0.0	0.0	0.0	0.0	0.0	0.0	1.5	0.4	0.0	0.4	0.7	0.0	0.2	0.1
Total	2600	1298	1508	2501	2063	2109	3487	3050	2671	3503	3456	2069	2543	7384

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figures 4.A1.32 and 4.A1.33 highlight the counts and percentages of violations in each region that are attributed to particular perpetrators. The RUF is alleged to have committed the majority of documented violations in all districts. It is noteworthy that the RUF is alleged to have committed a larger proportion of documented violations, 77.2% (2355/3050), in Kailahun, the district in which the war started, than in any other district. The AFRC is alleged to have committed its largest proportion of violations, 32.4% (669/2063), in Koinadugu, and the CDF is alleged to have committed 18.5% (462/2501) of the documented violations in Bonthe. ULIMO only has violations attributed to it that occurred in the Eastern or Southern regions.

Correlations Between Perpetrator Groups

This section examines the correlations between different perpetrators; in other words, how their patterns of documented violations were similar or different by violation type.

Figure 4.A1.34: Correlations Between Perpetrator Groups

	RUF	SLA	AFRC	ARMY	REBEL	CDF	POLICE	GAF	ULIMO	ECOMOG	UNKNOWN	MISC
RUF	1.00											
SLA	0.97	1.00										
AFRC	0.97	0.97	1.00									
ARMY	0.98	0.98	0.98	1.00								
REBEL	0.97	0.94	0.93	0.93	1.00							
CDF	0.78	0.83	0.79	0.87	0.67	1.00						
POLICE	0.77	0.81	0.79	0.82	0.67	0.79	1.00					
GAF	0.86	0.91	0.90	0.86	0.87	0.67	0.76	1.00				
ULIMO	0.77	0.85	0.71	0.80	0.78	0.75	0.63	0.73	1.00			
ECOMOG	0.72	0.78	0.67	0.76	0.68	0.86	0.67	0.65	0.83	1.00		
UNKNOWN	0.91	0.94	0.89	0.87	0.96	0.63	0.63	0.91	0.83	0.69	1.00	
MISC	0.80	0.79	0.79	0.86	0.67	0.90	0.76	0.63	0.67	0.73	0.57	1.00

Source: Sierra Leone Truth and Reconciliation Commission's Database

Figure 4.A1.34 shows the correlations between counts of documented violations for perpetrator type over violation type. To interpret this information, keep in mind that a value of one means perfect correlation, and values near zero mean no correlation. In the context of

this table, a positive correlation means that as the first category count of violations goes up, the second category count of violations also goes up.

For example, the high correlation between RUF and AFRC in Figure 4.A1.34 (0.97) means that the proportions of RUF documented violations by violation type are highly correlated with the proportions of AFRC documented violations by violation type (e.g., the ratio of amputations to forced recruitments is similar for the two groups). In other words, in terms of the types and relative frequency of the documented violations, the behaviour of RUF and AFRC is broadly similar. In contrast, ECOMOG and GAF show much less correlation (0.65) over violation type.

The patterns of correlations in Figure 4.A1.34 suggest that, within the context of the Commission's database, the AFRC, Sierra Leone Army (SLA), and RUF constitute a group of perpetrators whose documented abuses for most of the violation types, follow roughly similar patterns, although the volume of violations is different. Furthermore, the rebels behave similarly to this cluster of perpetrators. These patterns, however, do not inform us as to whether the violations are correlated by perpetrator group over time or not. The number of documented forced recruitments, acts of cannibalism, incidents of sexual slavery, and druggings in the TRC database are not large enough for correlation analysis. Perpetrator responsibility for particular violations types is discussed further on violations types more frequently reported in the Commission's database.

Patterns of documented violations attributed to Liberian perpetrators

To examine the statements for Liberian responsibility at the beginning of the conflict in documented violations, a special coding study was conducted. The special coding was prepared when 6,740 of the TRC statements had been entered into the database.

The criteria was based on a section of the form used by the TRC for statement-taking that gathered demographic information of the perpetrator group, namely their ethnic origin, place of origin, and the languages they spoke. Some statements contained several incidents involving different groups of perpetrators; therefore it was not possible to determine to which group the perpetrator description applied. Inclusion in the study was limited to statements involving one incident, in which the alleged perpetrator is the RUF, with the events occurring between 1991 and 1994. A total of 1,073 of these statements met the required criteria.

A random sample of these statements was taken and stratified according to the year of the abuse. In total, 357 statements — approximately one-third of those available — were coded. For many statements, there was insufficient information to determine the origin of the perpetrators; these statements were not included in the study. The results of the study can be considered as representative of all statements containing one incident attributed to the RUF in the selected period, within the TRC database.

From each statement, the following fields were used to compile the statistics: Year (the year of the incident in which the RUF violations are alleged); Sierra Leoneans Included, (coded true if the statement indicated that the perpetrator group included persons of Sierra Leonean origin); and Liberians Included, (coded true if the statement indicated that the perpetrator group included persons of Liberian origin).¹²

¹²Statements meeting any of the following criterion were attributed to the NPFL: The statement indicates that the perpetrators were Liberian or Burkinabey. or from a Liberian ethnic group (Mano, Ngio or Pelle), or the

Statements meeting any of the following criteria were attributed to the RUF: The statement indicates that the perpetrators were from an exclusively Sierra Leonean ethnic group, the perpetrators spoke Sierra Leonean languages; or the statement specifically states that the perpetrators were from Sierra Leone or a district within Sierra Leone.

For the purposes of the study, a perpetrator group consisting exclusively of Liberian fighters was assumed to belong to the NPFL. Similarly, a group consisting exclusively of Sierra Leonean fighters was considered to be part of the RUF/SL i.e. Revolutionary United Front of Sierra Leone. Additionally, many groups were mixed, containing both Sierra Leoneans and Liberians.

The majority of RUF incidents, 52%, were attributed to the NPFL, with 29% to the RUF/SL and 19% to mixed groups.¹³ Incidents involving both Liberian and Sierra Leonean perpetrators are relatively less common. The statistics are consistent with the view that in the first phase of the war the RUF consisted generally of two factions: the RUF/SL and NPFL.

RUF incidents in which Liberians were documented in the early years of the war showed a declining involvement, from 78% in 1991, to 69% in 1992, to 21% and 13% in 1993 and 1994. This information is consistent with the theory that a substantial proportion of the Liberians had departed from Sierra Leone by 1993.¹⁴

In summary, these results are consistent with the theory that there were campaigns of human rights violations by Liberians during the first phase of the war, but that the Liberian involvement in the war tapered out after this phase.

ECOMOG Abuses Study

The ECOMOG abuses study was the first special coding analysis, and it began on 7 November 2003. At that time, a total of 72 TRC statements describing killings by the ECOMOG force had been inputted into the database. A sample of 55 statements was studied; 17 other statements were in use by TRC researchers and could not be coded.

The study identified two types of killing: Indiscriminate Killing, defined as deaths due to bombing, shelling or cases where the victims were caught in crossfire; and Summary Executions, defined as deliberate killing of victims, typically by shooting and often accompanied by allegations that the victim was working in collaboration with "rebel" forces.

To make this distinction, the study considered the method of killing, allegations of collaboration against the victims, the origin of any collaboration accusation, the district where the killing occurred, and the circumstances in which the victim died. Accusations of collaboration may have been made by the perpetrators themselves or could come from civilian sources.

Fifty-six percent (50/89) of the documented and sampled killings attributed to ECOMOG were summary executions. Of the 50 summary executions identified in the statements, 76% (38/50) involved some accusation that the victim was involved with the AFRC or RUF factions. Where such an allegation was made, 70% (28/38) of the victims were accused of

perpetrators spoke Liberian English, or were from an ethnic group common to both Liberia and Sierra Leone (Kissa, Vai), and there was no indication in the statement that any of the perpetrators were from Sierra Leone.

¹³The margins of error are $\pm 9\%$, 8% , and 7% , respectively.

¹⁴By year, the margins of error are $\pm 9\%$, 18% , 22% , and 9% , respectively.

being “rebels”. The remainder were accused of being either rebel collaborators (6/38), or members of a family containing a rebel (4/38). These results are consistent with the claim that elements within the ECOMOG force targeted and summarily executed suspected rebels and collaborators. ECOMOG is responsible for 0.8% (309/40242) of the total violations reported to the Commission.

Redress and Reparations

This section will also address the results of abuses, the current situation of victims, and, the attitudes of perpetrators and victims. The statistics compiled via the Assistance and Redress Study form the basis of the discussion in this section.

Methodology

The assistance and redress study was unique in that the results were based on four separate samples. All of the samples were selected after the completion of the data entry of all the statements in the TRC database. Taking into account the margins of error (reported in footnotes), the percentages reported here can be interpreted as applying to all the TRC statements.

The first sample was stratified by country where the statement was taken — Sierra Leone, Guinea, Nigeria, or Gambia. A proportional sample of approximately 5% of the statements was taken, resulting in 296 statements being coded. This sample was used to explore the consequences of the abuse(s) the statement-giver experienced or witnessed, and whether or not the victim received medical attention or counseling following the abuse(s). It also examined how he/she currently supports him or herself.

The second sample of statements was comprised of all statements where a perpetrator was the statement-giver.¹⁵ The study examined answers to Section 6, questions 3.4 and 3.5 of the TRC statement form. These questions addressed the willingness of the perpetrator to meet with his/her victim, pay reparations to his/her victim, and what form those reparations would take.

The third sample examined whether or not the statement-giver would be willing to meet the alleged perpetrator of the acts the statement-giver experienced or witnessed.

The final study considered the types of assistance or redress sought by the statement-givers for this sample, and whether the request was intended to benefit themselves, their family, their community, or society as a whole. Some examples of the assistance categories are as follows:

- Homes/Shelter: Provision of homes/shelter; provision of building materials.
- Schools/Education/Training: Building of schools; improvement of schools; access to affordable education and/or skills and vocational training; provision of scholarships, affordable university fees.

¹⁵Although a conscientious attempt to locate all such statements was made, only 300 of the statements that are given by a perpetrator were part of this special coding. While not all of the perpetrators' statements were included, the results from this analysis can be considered representative of all of the perpetrators who gave statements to the TRC because the number missing is such a small proportion of the whole.

- Hospitals/Medical: Building of hospitals or clinics; improvement of hospitals; access to affordable health care; treatment for physical or mental injuries resulting from the conflict.

Results of Abuses

Statement-givers were asked to describe the results of the abuses they experienced or witnessed as part of their statement to the TRC. Responses to this question were included in the first special coding sample for the Assistance and Redress Study.

Fifty-seven percent¹⁶ (102/178) of the statement-givers who gave a response about the result of the abuse they experienced or witnessed reported a loss of property. Additionally, 31% of statement-givers reported damage to either their mental (10/178) and/or physical health (45/178) as a result of the violations that they experienced or witnessed.¹⁷ Seventeen percent reported being permanently disabled (20/178) and/or unable to work (10/178) as a result of violations.¹⁸

The special coding study with this sample also investigated how many victims received medical attention or counseling following the abuses they suffered. As of the time the statement was given, a significant majority, 67% (137/204)¹⁹ of statement-givers, had not received medical attention or counseling following the abuses.

Current Situation of Victims

The first sample of statements included in the Assistance and Redress special coding study were also coded to examine the current status of the victim's health.

Responses by the statement-givers that answered this question are nearly equally split between no longer being effected by the abuses they suffered to being effected on a daily basis.²⁰ Of the statements included in the sample, 50% of the statement-givers reported "fair" (86/196) or "poor" (12/196) health at the time when the statement was given.²¹

The special coding study explored how statement-givers are currently able to support themselves. Of the statement-givers who responded to this question, over half the responses was divided nearly equally between statement-givers who reported supporting themselves by farming/gardening (44%, 90/205),²² Thirty-one percent (63/205) reported relying on relatives, friends, or children. It is interesting to note that very few statement-givers report supporting themselves through a job/salary (6%, 12/205).²³

¹⁶The margin of error for this statistic $\pm 7\%$.

¹⁷ 2%–9% of victims reported damage to their mental health, and 19%–32% reported damage to their physical health.

¹⁸ The confidence intervals are as follows: disabled 7%–16% , unable to work %2–9%.

¹⁹ The confidence interval is 61%–74%.

²⁰Victims' responses to this question were coded according to the following definitions: Excellent: No health problems. Good: Minor illness that doesn't affect daily life. Fair: Major illness/Disability that somewhat affects daily life. Poor: Daily life greatly affected (can't work, can't care for family).

²¹For the other categories, 44% reported "fair" health with a confidence interval of 37%–51%, and 6% reported "poor" health with a confidence interval of of 3%–9%

²² The confidence interval for farming/gardening is 37%–51% and the assistance of relatives/friends/children confidence interval is 24%–37%.

²³ The confidence interval on supporting oneself by a job/salary is 3%–9%.

Attitudes of Victims and Perpetrators

The second sample of the Assistance and Redress special coding study comprised statements where a perpetrator was the statement-giver.²⁴ The study examined answers to Section 6, questions 3.4 and 3.5 of the TRC statement report. These questions addressed the willingness of the perpetrator to meet with his/her victim, pay reparations to his/her victim, and what form those reparations would take.

Eighty-six percent (242/282)²⁵ of the statement-givers included in this sample responded that they would be willing to meet with the victim of the human rights violation they committed.

Perpetrator statements were also coded to examine what he or she would be willing to do to make it up to his or her victim. In the TRC statement, statement-givers were asked to choose among four options in response to this question:

- Accept responsibility and offer apology
- Pay reparations
- Participate in rebuilding
- Other

Thirty-five percent (94/268)²⁶ of the statement-givers responded that they would be willing to both accept responsibility and offer apology and participate in rebuilding.

The third sample of the Assistance and Redress special coding study explored whether or not the victim would be willing to meet with the perpetrator of the violations they suffered. An overwhelming 88% (219/250)²⁷ of the statement-givers responded positively to the idea of meeting the perpetrator of the abuses committed against them if the meeting were facilitated by the TRC.

Needs Cited by Statement-Givers

Of all the requests for assistance or redress in the fourth special coding sample, 32% are to benefit the individual, 18% are for the statement-giver's family, 26% are for the community and 23% concern changes or benefits for society as a whole.²⁸ Typically the statement-giver would request several types of help. For example one statement-giver asked for treatment of his war injuries, education for his children, and the building of roads in the village. Given the approximately equal weight of self and community assistance, it is apparent that all of the following are sought:

- Assistance on an individual or family basis according to need
- Community projects to assist a town or village as a whole.

²⁴ 300 perpetrator statements were part of this special coding.

²⁵ The confidence interval is 82%–90%

²⁶ The confidence interval is 29%–41%

²⁷ The confidence interval is 84%–92%

²⁸ Note that the figures do not total 100 percent because many statement-givers requested several types of assistance. All of these statistics are significantly different from zero at $p=0.05$.

- Broad changes and reforms for society at large.

The vast majority of statement-givers indicate that the assistance should be provided by the government rather than a third party such as a nongovernmental organization or international donor.

Housing (49%), education (41%), and health care (27%) are the most frequently cited concerns. Housing, education and health are priorities at all scales of delivery — the statement-givers see it as important for the individual, family, community and society as a whole.

For the other forms of assistance there is some variation of the perception of how the assistance should be delivered:

- Unsurprisingly, infrastructure is seen as something that should be primarily delivered at the community level.
- Religious rites are a requirement for the community or society as a whole, rather than for specific individuals or families.
- Institutional and economic reforms are broad benefits required for society as a whole.
- The provision of cash, materials and credit is supported as a benefit for individuals, families and communities.

There were some differences in the weight given to the different types of assistance depending on whether the statement-giver was male or female. Men placed a slightly greater emphasis on assistance to themselves or the community, while women more often cited the need for assistance for the family unit.

Conclusions

The Sierra Leone Truth and Reconciliation Commission collected nearly 8,000 statements from Sierra Leoneans regarding their experiences over a decade of conflict. The purpose of this appendix has been to outline and interpret the descriptive statistics regarding the nature and extent of violations, behaviour of perpetrators, and characteristics of victims that can be gleaned from these statements. To obtain this information TRC staff and consultants undertook coding, data entry, matching, and statistical analysis. While valuable in its own right, the resulting quantitative information is even more powerful combined with the contextual information compiled by the TRC researchers, investigators, and commissioners. Therefore this information is incorporated in greater depth and detail in each of the chapters of the Final Report.

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