

# SIERRA LEONE

## SOWING TERROR

### Atrocities against Civilians in Sierra Leone

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## **GLOSSARY OF ACRONYMS**

<b>AFRC</b>	Armed Forces Revolutionary Council
<b>CDFs</b>	Civilian Defense Forces
<b>DDR</b>	Disarmament, Demobilization and Reintegration Program
<b>ECOMOG</b>	Economic Community of West African States Monitoring Group
<b>ECOWAS</b>	Economic Community of West African States
<b>LRRRC</b>	Liberian Repatriation, Resettlement and Rehabilitation Committee
<b>RUF</b>	Revolutionary United Front
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNOMSIL</b>	United Nations Observer Mission to Sierra Leone

## I. SUMMARY

Since losing political power in February 1998, members of the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF) have been engaging in a war of terror against civilians in Sierra Leone. With no recognizable political platform, the AFRC/RUF rebel alliance is committing widespread and egregious atrocities against unarmed civilians in an attempt to regain power. As the violence in Sierra Leone continues, grave abuses continue to take place. Human Rights Watch interviewed civilian men, women, and children who had been intentionally mutilated or shot as recently as June 12, 1998 in eastern Sierra Leone.

Many thousands of Sierra Leonean civilians have been raped; deliberately mutilated, often by amputation; or killed outright in a campaign by the AFRC/RUF between February and June 1998 alone. Men, women and children, probably numbering in the thousands, have been abducted by the AFRC/RUF for use as combatants, forced laborers, or sexual slaves. Women have been actively targeted through sexual violence, including rape and sexual slavery. Children have been targets of killings and violence and are forcibly recruited as soldiers. In addition to various forms of physical abuse, innumerable Sierra Leoneans suffer from psychological trauma due to intentionally cruel methods of inflicting harm against these individuals and their communities.

These atrocities committed against civilians are the latest cycle of violence in the armed conflict that has devastated Sierra Leone for seven years. The fighting has caused the displacement of more than a million Sierra Leoneans. Most have become internally displaced, while hundreds of thousands have fled the country as refugees, predominantly to neighboring Guinea and Liberia.

The AFRC—led by a group of military officers—took power forcibly on May 25, 1997. During the nine months it was in power, the AFRC joined forces with the armed rebel group, the RUF, to form a regime characterized by serious human rights violations and a complete breakdown of the rule of law. In February 1998, a Nigerian-led peacekeeping force, the Economic Community of West African States Monitoring Group (ECOMOG), forced the AFRC/RUF out of power and reinstated former President Ahmad Tejan Kabbah, who had been elected president in March 1996 in the first multi-party elections for almost three decades in Sierra Leone. Since the reinstatement of Kabbah, the AFRC has joined forces with the RUF to wage a war against ECOMOG and the Kabbah government.

Since independence in 1961, Sierra Leone has endured a series of military regimes and rebellions in struggles over economic and political power. However, the latest round of violence is unique in the scale and grotesque nature of the attacks on civilians. Much of rural Sierra Leone is inaccessible due to the ongoing war, and information is available for the most part only through health facilities where victims seek care in Sierra Leone and through the testimonies of witnesses and survivors in neighboring Guinea and Liberia. Of the hundreds of testimonies collected by Human Rights Watch, many described situations in which the interviewee was the sole survivor among many victims. The cases reported in this document represent only a small fraction of the actual number of victims. The true number may never be known.

Human Rights Watch compiled information regarding the experiences of more than 500 survivors of atrocities committed in Sierra Leone between February and June of 1998. The vast majority of these abuses were perpetrated by members of the AFRC/RUF. Of this number, over 425 survivors of gunshot wounds, amputations and other mutilations, or rape were registered in Connaught, Magburaka, and Makeni hospitals in Sierra Leone. Approximately eighty-two survivors of the same types of abuse were identified in Guinea at Conakry, Faranah, Kissidougou, and Guéckedou hospitals during roughly the same period. In the Liberian refugee camps, Human Rights Watch interviewed victims of the conflict and former AFRC/RUF combatants living alongside one another.

Forces fighting on behalf of President Kabbah have also committed human rights abuses and violations of international humanitarian law. Civilian Defense Forces (CDFs), civilian militias who support the Kabbah government, have committed numerous abuses including indiscriminate killings and torture. These killings are on a smaller scale than those carried out by the AFRC/RUF and are of a different nature: the CDFs were created in order to assure local

security, and they generally limit their abuses to those they claim are AFRC/RUF combatants and to a lesser extent, those perceived as their supporters. The largest and most powerful of the CDFs, the Kamajors, have been responsible for the majority of abuses committed by those fighting on behalf of the Kabbah government since February 1998. In addition to killings and torture, Kamajors have also been responsible for obstructing humanitarian assistance and demanding money or other payment at roadblocks. There are many child soldiers among the Kamajors, and despite promises by the government to demobilize all combatants under the age of eighteen, recent reports indicate that the CDFs continue to recruit children.

According to international humanitarian groups, the shelling by ECOMOG during its assault on Freetown in early February 1998 took a high toll on civilians. ECOMOG forces have also obstructed humanitarian assistance by commandeering vehicles from aid agencies. Information from ECOMOG regarding the security situation in Sierra Leone has often been unduly positive, leading to the repatriation of refugees to unsafe areas. ECOMOG has been widely praised for ousting the AFRC/RUF and conducting itself with greater discipline than was the case in Liberia. However, international observers in Sierra Leone have expressed concerns that some members of ECOMOG may seek to prolong its mission in order to exploit the conflict for economic incentives, as was the case involving some ECOMOG contingents in Liberia.

The atrocities that drive civilians into flight are only the first chapter of hardship for many Sierra Leoneans affected by the crisis. Approximately one-quarter million Sierra Leoneans have fled to refugee camps in neighboring Guinea and Liberia to escape the abuses and fighting. The location of the camps in border areas presents problems of security for and access to the camps, which in turn have impaired assistance and protection for refugees. Security conditions in many of the camps are precarious, and humanitarian assistance has been hampered by difficult access to the camps, a lack of resources at the disposition of the United Nations High Commissioner for Refugees (UNHCR) and aid agencies, and in some instances, poor coordination of relief efforts.

Protecting refugees in this context remains a challenge for UNHCR and other humanitarian agencies. In the Guinean camps, many unaccompanied women, children, and other war victims suffer from inadequate protection. Delays in the distribution of identity cards for refugees have led to restricted movement for refugees, as well as extortion and arbitrary arrest by Guinean authorities. Despite repeated requests from UNHCR and the International Committee of the Red Cross (ICRC), the Guinean authorities have denied access to detained asylum seekers they are holding as suspected combatants.

IN THE LIBERIAN CAMPS, THE PRESENCE OF FORMER COMBATANTS AMONG THE REFUGEE POPULATION HAS HAMPERED HUMANITARIAN ASSISTANCE AND PROTECTION. THE PROXIMITY OF THE CAMPS TO THE FIGHTING IN SIERRA LEONE AND THE PERMEABLE NATURE OF THE SIERRA LEONEAN-LIBERIAN BORDER PRESENT A CLEAR SECURITY RISK FOR REFUGEES AND FOR THE DELIVERY OF AID TO THE VAHUN CAMP, LOCATED EIGHT TO TWELVE KILOMETERS FROM THE BORDER. FORMER COMBATANTS IN THE CAMPS STATED THAT THE AFRC/RUF ARE TAKING ADVANTAGE OF THE POROUS BORDER SITUATION TO RESUPPLY AND TO RECRUIT COMBATANTS. ASSISTANCE AND PROTECTION HAS BEEN FURTHER COMPROMISED BY DIFFICULT ACCESS TO THE CAMPS, THE ONSET OF THE RAINY SEASON AND POOR ROAD CONDITIONS, A LACK OF RESOURCES FOR UNHCR AND AID GROUPS, AND AN INSUFFICIENTLY RAPID AND WELL-COORDINATED EFFORT TO RELOCATE REFUGEES AND SEPARATE COMBATANTS. THE GENERALLY WEAK ASSISTANCE AND PROTECTION PROVIDED TO THE VAHUN CAMP HAS INCREASED TENSION AND THE RISK OF INSECURITY IN THE CAMP AND ITS ENVIRONS. BY JUNE 1998, MOST REFUGEES IN VAHUN HAD RECEIVED ONLY ONE FOURTEEN-DAY RATION SINCE THEIR ARRIVAL IN FEBRUARY AND MARCH.

Sierra Leone has been largely ignored by much of the international community, with the exception of those attempting to exploit its rich diamond and mineral deposits. This mix of exploitation and indifference, combined with a history of weak respect for the rule of law and democratic institutions, has repeatedly permitted military leaders to hold power and divert revenue from the mines for their own benefit. In attempts during recent years to gain political and economic control, both government and rebel groups have sought to tip the balance of power by employing private security firms or mercenaries, often in exchange for lucrative contracts and mining concessions.

A major challenge to the new Kabbah government will be to promote respect for the rule of law and the establishment of institutions of justice in the midst of the present public outcry for revenge and threats against those

who defend the human rights of the accused. While demanding accountability for crimes committed by all sides, the Kabbah government must assure due process for the accused, especially the fifty-nine civilians currently being prosecuted for collaboration with the AFRC/RUF. These trials constitute the first major test of the justice system under Kabbah. The government has made repeated gestures in favor of human rights, such as its pledge to provide amnesty for child soldiers and to demobilize all child soldiers; it must now follow through on these commitments. In conjunction with ECOMOG, the government must also assure that the CDFs respect international humanitarian law, are demobilized as soon as possible or integrated into the new army, and are held accountable for their abuses.

In order to end the cycles of violence in Sierra Leone, perpetrators of human rights violations must be held accountable for their actions. AFRC/RUF members suspected of having committed human rights abuses and former AFRC/RUF collaborators must be given fair trials and punished according to national and international law.

Although influencing the actions of the AFRC/RUF has proven to be difficult, international pressure must be maintained to convince them to immediately cease indiscriminate killings, rape, and mutilation of civilians, the abduction of civilians, especially children, for use as soldiers, laborers, sexual slaves or other purposes, and other violations of the laws of war.

The United States, United Kingdom, and European Union have condemned violations by the AFRC/RUF, undertaken high-level assessment missions, and provided humanitarian aid. Despite the blatant disregard of the AFRC/RUF for international humanitarian and human rights law, the U.S., U.K. and E.U. should continue to denounce the atrocities and seek means to stop them. This should include cutting the supply lines of the AFRC/RUF and stating unequivocally that no group or individual associated with these abuses will receive any international support. The international community should call upon the government of Liberian President Charles Taylor to immediately allow ECOMOG in Liberia to monitor the border area with Sierra Leone. This operation should be reinforced by simultaneous monitoring on the Sierra Leonean side of the border by ECOMOG and the United Nations Observer Mission to Sierra Leone (UNOMSIL). President Taylor should also be called upon to prevent the use of Liberian territory for any support to the AFRC/RUF.

The Economic Community of West African States (ECOWAS) should assure that human rights concerns are integrated into ECOMOG's mandate, as well as into its own initiatives to promote peace and stability in Sierra Leone. ECOMOG should desist from obstructing humanitarian aid and take measures to minimize the impact of their military initiatives on civilian populations and structures. ECOMOG should work closely with UNOMSIL, UNHCR, and humanitarian agencies to assure that accurate and neutral information regarding security is provided to the public, especially to refugees, displaced populations, and aid workers.

The international community also has a crucial role to play in order to promote human rights, the rule of law, and stability in Sierra Leone. United Nations agencies are well placed to implement programs and policies to meet these ends in Sierra Leone. UNOMSIL should closely monitor ECOMOG's respect for international humanitarian law and assure that ECOMOG's mandate to train the new Sierra Leonean army results in an ethnically and geographically balanced force, and includes adequate training in the laws of war. UNOMSIL should reinforce and integrate human rights into its existing mandate, primarily through further support for its human rights office. This office should be given the resources necessary at U.N. headquarters as well as in the field to monitor and report publicly on the human rights situation throughout the country. Additionally, the office must have the capacity to provide technical assistance and training to the Sierra Leonean government and local human rights nongovernmental organizations (NGOs). Finally, UNOMSIL must carefully monitor the Disarmament, Demobilization, and Reintegration (DDR) program for combatants, developed by the World Bank and the Sierra Leonean government. UNOMSIL should provide oversight to ensure that ECOMOG, responsible for the implementation of the DDR program, treats captured or surrendered combatants, especially the large number of child soldiers, in a humane fashion, and works closely with other agencies to facilitate the reintegration of children and other former combatants into civilian communities.

As resources permit, UNHCR should assure that refugees be moved in a timely and humane fashion from insecure camps near the border areas in both Liberia and Guinea. UNHCR should increase its protection of the most vulnerable refugees, in particular the significant number of unaccompanied minors, unaccompanied women, and victims of atrocities. In Guinea, UNHCR should insist upon access to asylum seekers in detention, the screening and registration process at border areas, and, in a manner compatible with security concerns, access to the refugee camps. In Liberia, former AFRC/RUF combatants should be separated from civilian refugees and registered into programs for their reintegration into civil society or prosecuted where appropriate.

In order to put an end to the cycles of violence and atrocities against civilians, the international community will have to focus and sustain its attention on the root causes of conflict in Sierra Leone. With the democratically elected Kabbah government reinstalled, the international community should seize the occasion to make the respect for human rights an integral part of its presence and programs in Sierra Leone. International interventions should support the government's efforts to establish institutions of justice and the rule of law, as well as promote a vibrant civil society with full respect for human rights. If human rights issues are not tackled head-on, the international community and Sierra Leonean people will continue to bear the high cost of further conflict and providing relief for victims.

## **II. RECOMMENDATIONS**

### **To All Parties Involved in the Present Conflict in Sierra Leone:**

- Despite the apparent intransigence of the AFRC/RUF and its leaders' willful disregard for international humanitarian and human rights law, Human Rights Watch continues to call on all parties to the conflict in Sierra Leone to immediately cease from committing human rights abuses, including killings, rape, and mutilation of civilians. Combatants should respect the laws of war, particularly those norms related to the protection of noncombatants and civilian infrastructure.
- All parties should desist from the recruitment, forced or otherwise, of child soldiers. The AFRC/RUF in particular should cease abductions of civilians for use as soldiers, laborers, or other reasons. The AFRC/RUF should halt gender-based violence and the abduction of women and girls as sexual slaves.

### **To the Sierra Leonean Government:**

- Perpetrators of atrocities against civilians should be held accountable for their actions. This should be achieved through arrest, prosecution, and, where appropriate, punishment according to international humanitarian and human rights law.
- In order to establish principles of accountability and the rule of law, respect for due process should be enforced by an independent judiciary. This will be extremely important in the ongoing trials of fifty-nine civilians accused of collaborating with the AFRC/RUF regime, as well as for upcoming court martial trials and the future treatment of war criminals. International observers should immediately be brought in to monitor the ongoing trials. In order to strengthen the neutrality and independence of the judiciary, the government should consider incorporating international judges into its judicial system, in particular for cases regarding war crimes.
- The government should immediately ensure that the disarmament, demobilization, and reintegration program underway incorporates human rights concerns. Particular attention should be paid to (1) the humane treatment of captured and surrendered combatants; (2) psychological and social preparation for the reintegration of combatants into communities; and (3) training in human rights and humanitarian law for those combatants wishing to enlist in the new Sierra Leonean army. Demobilized combatants suspected of having committed war crimes or human rights abuses should be screened by the government in compliance with international standards, and investigated and prosecuted where appropriate.



- The government should follow through on its commitments made to the Special Representative of the Secretary-General for Children in Armed Conflict, including to stop the recruitment of children under the age of eighteen and to create a Joint Task Force to oversee the demobilization and reintegration of child combatants from all sides.

**To the Liberian Government:**

- The government of Liberia should respect the international arms embargo against the AFRC/RUF and assure that Liberia is not used as a point of supply or transit for combatants, arms, ammunition, food or other supplies to support the AFRC/RUF. To this end, President Charles Taylor should facilitate border monitoring by ECOMOG. The government should investigate, arrest, and hold accountable anyone on Liberian territory engaged in arms trafficking or other support to the AFRC/RUF.
- The Liberian government, through the Liberian Repatriation, Resettlement, and Rehabilitation Committee (LRRRC) and its security forces, should cooperate with UNHCR in the development and implementation of a program to screen and separate combatants from civilian refugees. This program should be in accordance with international refugee law and UNHCR's guidelines on the application of the exclusion clauses to the 1951 Refugee Convention and to the 1967 Protocol.
- Individuals suspected of having committed a war crime, crime against humanity, or any other crime which would exclude them from protection under international refugee law, should be investigated, and where warranted, prosecuted for the violations they are accused of in accordance with international standards of due process.

**To the Guinean Government:**

- The Guinean government should facilitate the maximum possible access for humanitarian organizations to refugee camps in the Guéckedou area.
- The Guinean government should maintain its generous asylum policy for refugees from Sierra Leone and Liberia, while taking actions to ensure local Guinean border authorities immediately cease to demand money or seize property from Sierra Leoneans who seek to enter Guinea.
- The Guinean government should give UNHCR full and unimpeded access to border entry points and allow UNHCR to monitor access to asylum procedures; conduct prima facie refugee status determination screening; and participate in pre-screening to identify refugees who may be suspected of war crimes, crimes against humanity, or other such crimes which would exclude them from international refugee protection. The latter should be done with a view to investigate and prosecute where appropriate in accordance with international standards.
- Individuals suspected of having committed war crimes, crimes against humanity, or any other crime which would exclude them from protection under international refugee law, should be held accountable for the violations they have committed in accordance with international standards of due process.
- The Guinean government should allow UNHCR full and unimpeded access to places of detention for refugees and asylum seekers.
- The Guinean government should continue to work closely with UNHCR to register all refugees and issue them identification cards. Police and military should immediately cease the arbitrary arrest, extortion, and harassment of refugees who do not have identification cards.
- The government should maintain the arms embargo against the AFRC/RUF and assure that Guinea is not used as a supply or transit point for arms, ammunition, food or other supplies to these forces. Authorities should

arrest and hold accountable any Guinean military personnel or civilians found to have violated the arms embargo to the AFRC/RUF in Sierra Leone or those involved in trade with AFRC/RUF forces.

**To the United Nations:**

***United Nations Security Council***

- The United Nations should integrate human rights into its programs and further expand the capacity of the human rights office of UNOMSIL. This should include adequate resources and additional staff to monitor and report publicly on the human rights situation throughout the country, implement technical assistance programs with the government of Sierra Leone, and provide support and training to Sierra Leonean human rights groups.
- UNOMSIL should carry out its mandate of assuring that ECOMOG respect international humanitarian law during the Disarmament, Demobilization and Reintegration (DDR) program. It should further monitor ECOMOG's respect for international humanitarian and human rights law during all of its activities, especially military operations.
- The U.N. Security Council should call upon Liberia to not allow their territory to be used in support of the AFRC/RUF activity in Sierra Leone. It should urge the Liberian government to take all measures necessary to assure that present and former Liberian military or rebels are not supporting AFRC/RUF in Sierra Leone. Such measures should include the deployment of ECOMOG and U.N. military observers in the border area.
- Similarly, the Security Council should call upon all governments to respect the international arms embargo against the AFRC/RUF and, in particular, assure that Liberia is not used as a point of supply or transit for arms, ammunition, food or other supplies to or from the AFRC/RUF.

***United Nations High Commissioner for Refugees***

- Refugee camps most at risk should be relocated to secure, accessible areas a safe distance from the borders of Guinea and Liberia, as soon as the availability of resources permits this. Where not already developed, plans for relocation should be designed and implemented as soon as possible.
- UNHCR should maintain a permanent presence at border entry points to Guinea and Liberia in order to monitor access to asylum determination procedures for those fleeing Sierra Leone; conduct basic screening to determine group-based prima facie refugee status; and conduct pre-screening of those suspected of having committed a war crime, a crime against humanity, or any other such crime which would exclude them from international refugee protection.
- UNHCR should seek access in writing and in practice to all detention centers in Guinea and Liberia where asylum seekers and refugees are held, including those where refugees suspected of being former combatants are held. UNHCR should monitor conditions of detention and ensure, to the extent possible, that its own guidelines on detention of asylum seekers are applied.
- UNHCR should seek a presence at screening interviews to identify refugees who are suspected of committing crimes that would deem them undeserving of international refugee protection. UNHCR should monitor screening for exclusion and ensure necessary safeguards. UNHCR should advise the governments of Guinea and Liberia on fair and just criteria and procedures for the application of the exclusion clauses, according to international refugee law and its own guidelines.
- In collaboration with the governments of Guinea and Liberia, UNHCR should ensure that an efficient and effective registration program for Sierra Leonean refugees is in place in both countries. Registered refugees should be provided with identity cards.

- UNHCR should provide refugees in Liberia and Guinea with accurate, neutral, and objective information about security conditions in Sierra Leone, to enable refugees to make informed choices about repatriation.
- UNHCR should rapidly implement an evaluation of the psychological and medical needs of the large numbers of refugee victims of psychological and physical trauma. In particular, UNHCR should respect and implement its own guidelines regarding assistance and protection for women who are victims of rape, sexual violence, or survivors of trauma. UNHCR and other relief agencies should have qualified personnel to implement these guidelines and programs and promote a general awareness and sensitivity to these issues among refugees and local authorities.
- Special considerations in programming should be made to protect the large numbers of vulnerable refugees among the new Sierra Leonean caseload, including unaccompanied children, unaccompanied women, single parents, victims of atrocities, the elderly and the infirm. Funding should be provided for the implementation of education programs for reconciliation, conflict resolution and human rights education in refugee camps, especially for youth.

**To ECOWAS and ECOMOG:**

- While its record in Sierra Leone has improved from past performances, the Economic Community of West African States (ECOWAS) should closely monitor ECOMOG's respect for international humanitarian and human rights law in all aspects of its mandate, especially while conducting military operations, as well as during its retraining of the new army and its implementation of the DDR program. In accordance with international humanitarian law, ECOMOG should take measures to reduce the toll of its military operations on civilians and civilian structures.
- ECOMOG should produce accurate, neutral and objective information about security conditions in Sierra Leone to enable refugees to make informed choices about repatriation.

**To the United States, United Kingdom, European Union, and other Members of the International Community:**

- In order to end cycles of violence in Sierra Leone, the international community should maintain a strong focus on Sierra Leone and assure that respect for human rights and the rule of law are foundations of the newly reinstated government.
- The arms embargo against the AFRC/RUF should be strictly enforced. States, arms dealers, private security firms or others found in violation of the embargo should be held accountable. The international community should state unequivocally that no group or individual associated with abuses committed by the AFRC/RUF will receive any international support.
- Members of the international community should respond to UNHCR's \$7.3 million emergency appeal for assistance to Sierra Leonean refugees in Guinea and Liberia. Funds are needed for food, shelter and sanitation, medical, educational, psychological and social services, the relocation of camps, transportation and logistical support.
- Donors should also respond to bilateral requests for assistance in addressing Guinea's environmental and infrastructure damage resulting from the refugee flow. International donors should provide funds in response to OCHA's request for \$11.2 million to meet humanitarian needs in Sierra Leone. Without these funds, the UNHCR and other humanitarian agencies will not have the human or financial resources to provide basic assistance to refugees, internally displaced persons, and other Sierra Leoneans affected by the crisis.

### **III. HUMAN RIGHTS ABUSES COMMITTED AGAINST CIVILIANS**

## Human Rights Abuses Committed by Members of the AFRC/RUF

### *A War of Terror against Civilians*

Human Rights Watch took testimony from dozens of survivors and witnesses of gross violations of human rights committed by the AFRC/RUF,<sup>1</sup> involving the physical mutilation, torture and murder of Sierra Leonean civilians. They included: amputations by machete<sup>2</sup> of one or both hands, arms, feet, legs, ears and buttocks and one or more fingers; lacerations to the head, neck, arms, legs, feet and torso; the gouging out of one or both eyes; rape; gunshot wounds to the head, torso and limbs; burns from explosives and other devices; injections with acid; and beatings. Human Rights Watch also received unconfirmed reports of sexual mutilation such as the cutting off of breasts and genitalia, among other atrocities.

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<sup>1</sup>The Revolutionary United Front (RUF) was formed in 1991 and entered eastern Sierra Leone from Liberia. Originally, the RUF was a mix of members of Charles Taylor's National Patriotic Front of Liberia (NPFL), NPFL-trained Sierra Leoneans and others. Since its inception, the RUF has failed to publicly and clearly articulate a political agenda other than ousting successive governments and has committed atrocities from the beginning. Abdul Koroma in "Sierra Leone: The Agony of a Nation," (Andromeda Publications, 1996) reports that during one of their first attacks in 1991 in eastern Kailahun district, the RUF decapitated civilian leaders and placed their heads on sticks. Over the next seven years, the RUF attempted to gain power through guerrilla warfare and attacks against civilians. RUF leader Foday Sankoh is a former colonel in the Sierra Leonean military. He was imprisoned in 1971 for his alleged involvement in a coup attempt, released seven years later and dishonorably dismissed from the army. The Armed Forces Revolutionary Council (AFRC) was formed by a group of military officers who took power in a coup on May 25, 1997 ousting President Kabbah. Its chairman, Major Johnny Paul Koroma, had been in detention in Freetown awaiting trial for alleged involvement in a prior attempted coup in September 1996. The AFRC invited RUF forces to join them in the new government. The AFRC cited the government's failure to implement a peace agreement with the RUF and the practice of ethnic favoritism as reasons for assuming power. They also called for the release of Foday Sankoh, who had been detained in Nigeria on March 2, 1997, charged with possession of arms and ammunition. Upon taking power, the AFRC suspended the constitution, banned political parties, public meetings, and demonstrations and announced rule by military decree. Many judges, attorneys and police were among those who fled the country, causing a total collapse of the judiciary. The AFRC established the People's Revolutionary Courts, whose staff had little or no legal training. The government arbitrarily arrested and detained its suspected opponents and critics. In indiscriminate attacks on villages, AFRC/RUF forces amputated, raped, killed and abducted civilians to use as laborers and fighters.

<sup>2</sup>Also referred to as "cutlasses" by the survivors.

This is a war being waged through attacks on the civilian population. AFRC/RUF soldiers typically capture civilians, round them up from their hiding places in the forest or in villages and commit atrocities against them in an effort to instill terror. The AFRC/RUF appears to use this campaign of fear as a means of exerting political and military control. They often summarily execute civilians, accusing them of being Kabbah or Kamajor<sup>3</sup> supporters, or Kamajor relatives. The soldiers further terrorize their victims by forcing them to participate in their own mutilation, asking them to make choices about which finger, hand or arm, for example, to have amputated. They also use mutilation and other forms of physical abuse as punishment for refusing to follow their instructions.

The AFRC/RUF uses the civilians it abuses to “send messages” to its opponents. Victims of amputations or other mutilations are frequently told that they should take their amputated limb and a verbal or written message to ECOMOG or the Kabbah government. The messages are typically demands that ECOMOG should “leave the country to Sierra Leoneans” or that Kabbah should replace the limbs of amputees. The AFRC/RUF also state that they will keep fighting until Kabbah is gone and their leaders are restored to power. They call for the release of RUF leader Foday Sankoh, imprisoned in Nigeria. According to testimony from other victims and witnesses, many victims die from complications related to their wounds before their messages of horror can be heard.

Since February 1998, attacks on civilians have occurred in almost all regions of the country but with a particularly high concentration in the Koidu diamond-mining area in the east, where the AFRC/RUF maintain a strong presence. The vast majority of victims are males between the ages of sixteen and forty-five, but women, children, and the elderly are not spared. For example, testimonies collected by Human Rights Watch included male and female amputees over the age of sixty, as well as from a three-year-old boy with a gunshot wound. Attacks on villages or civilians hiding in the forest are seemingly carried out without regard for ethnic or religious affiliation. Perpetrators and victims come from diverse ethnic and religious groups, and ethnicity is seldom invoked as a motivating factor in killings or abuse.

Men of voting and fighting age are particularly targeted in order to discourage them from giving political or military support to President Kabbah or the Kamajors. When the RUF committed atrocities prior to elections in 1996, they told victims that their hands were being amputated so that they could not vote. Women and girls are also frequently subject to rape and other forms of gender-based violence, including sexual slavery. Pregnant women and nursing mothers are also targets of the AFRC/RUF.

The AFRC/RUF led at least two loosely organized campaigns of terror, “Operation No Living Thing” and “Operation Pay Yourself.” These campaigns, both of which originated in the Koidu area in February 1998 and then spread throughout the country, were designed to loot, destroy, or kill anything in the path of the combatants. Operation Pay Yourself included AFRC/RUF roadblocks where civilians were forced to place their belongings into two piles, one for civilians to keep, to “pay themselves,” and one to be handed over to the soldiers. One witness who fled Koidu described what happens at the road blocks:

Ten of them [AFRC/RUF soldiers] in a van with weapons—RPGs, AK47s—stopped us and told us to put down our bags. They searched us from shirt to pants. They told us to make two piles and put all the best of what we had—money, rice—into one pile, and the rest in another. They took all the best and gave us the one that wasn’t good. That’s “Operation Pay Yourself!”<sup>4</sup>

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<sup>3</sup>“Kamajors,” meaning traditional hunter in Mende, are among the Civilian Defense Forces (CDFs) which fight on behalf of Kabbah’s government. CDFs evolved as local protection responses to insecurity and violence throughout Sierra Leone. The Kamajors are the largest and most powerful of these groups, and most Kamajors are from the Mende ethnic group. They dress in traditional clothing, often wearing charms and mirrors. Other ethnic groups, including the Temne, Mandingo and Kuranko have also formed CDFs known as “traditional hunters” in their respective languages. The Kamajors became an important fighting force under the previous government of Captain Valentine E.M. Strasser, helping to combat the RUF, but also committing human rights violations. The Kamajors were armed by and grew in number under the first Kabbah government, allegedly fueling resentment among the Sierra Leonean military and leading to the subsequent AFRC coup.

<sup>4</sup>Human Rights Watch interview, Fandouyema II Refugee Camp, Guéckedou, Republic of Guinea, June 12, 1998.

These operations were apparently designed to force the local populations to provide them with economic support and to assert their position as political and military players in Sierra Leone.

Although the attackers claim to be seeking out supporters of President Kabbah or the Kamajors, which have fought on behalf of Kabbah, there is often no distinction being made by AFRC/RUF forces. A small minority of victims are, in fact, Kabbah supporters or Kamajors; most are subsistence farmers, miners or small merchants with no history of political activity. One witness to atrocities near Koidu said, "They don't ask you if you're a Kabbah supporter; they just kill randomly... they just kill anyone. But if they know you are a Kabbah supporter, they will kill you faster."<sup>5</sup>

Actual supporters of President Kabbah and those who served under his first administration, in particular civilian administrators, paramount chiefs, traditional section chiefs, Catholic priests, other religious figures and other community leaders, are actively sought out by AFRC/RUF for intimidation, extortion, or abuse. Several traditional chiefs and Catholic priests interviewed by Human Rights Watch explained that the AFRC/RUF perceives them as supporters of the democratically elected government of President Kabbah. Many traditional chiefs, often with ethnic ties to Civilian Defense Forces (CDFs), fled after learning that the AFRC/RUF was looking for them. One Catholic priest who was captured by the AFRC/RUF and later escaped stated that his captors planned to execute him. They told him, "Look here's one Kamajor to take care of. You priests are supporting the SLPP government and the Kamajors. Stand here because we are going to kill you."<sup>6</sup> The AFRC/RUF takes whatever money and property these individuals have and brutalizes them to show the population how they will treat their opponents.

### ***International Law Governing the Crisis***

The hostilities in Sierra Leone constitute an internal armed conflict under the laws of war, also known as humanitarian law. Sierra Leone is a party to the Geneva Conventions and both optional protocols. Common Article 3 to all four Geneva Conventions sets out fundamental rules applicable to internal armed conflicts that are not subject to suspension under any circumstances, and that are widely accepted as constituting customary international law. Virtually a convention within a convention, Common Article 3 provides in relevant part:

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including those placed *hors de combat* by sickness, wounds, detention or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

- (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- (b) taking of hostages;
- (c) outrages upon personal dignity, in particular humiliating and degrading treatment;
- (d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

The 1977 Protocol II to the Geneva Conventions is also directed at internal armed conflicts, and elaborates these fundamental guarantees of humane conduct and protection of civilians. In particular, Article 4 of this protocol provides in relevant part:

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<sup>5</sup>Human Rights Watch interview, Koundou Lengo Bengo Refugee Camp, Republic of Guinea, June 6, 1998.

<sup>6</sup>Human Rights Watch interview, Guéckedou, Republic of Guinea, June 9, 1998.

(1) All persons who do not take a direct part or who have ceased to take direct part in hostilities, whether or not their liberty has been restricted, are entitled to respect for their person, honor and convictions and religious practices. They shall in all circumstances be treated humanely, without any adverse distinction. It is prohibited to order that there shall be no survivors.

(2) Without prejudice to the generality of the foregoing, the following acts against the persons referred to in paragraph 1 are and shall remain prohibited at any time and whatsoever:

(a) violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment;

(b) collective punishments;

(c) taking of hostages;

(d) acts of terrorism;

(e) outrages on personal dignity, in particular humiliating or degrading treatment, rape, enforced prostitution and any form of indecent assault;

(f) slavery and the slave trade in all their forms;

(g) pillage;

(h) threats to commit any of the foregoing acts.

The principle of protection of civilians is at the core of both provisions, and indeed, is fundamental to all humanitarian law. For the purposes of the conflict in Sierra Leone, a civilian is anyone who is not a member of the armed forces or of an organized armed group of a party to the conflict. Included as protected persons are also members of government or insurgent forces who are wounded, sick, unarmed or in captivity. Both Common Article 3 and Protocol II bind all parties to the internal armed conflict, including the insurgent party.<sup>7</sup>

The government of Sierra Leone is also bound by the provisions of the International Covenant on Civil and Political Rights, to which the state is a party. That treaty, at Article 4(1), provides that states parties may take measures derogating from certain rights "in time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed". On March 10, 1998, President Kabbah declared a state of emergency which was communicated to the office of the Secretary-General to the United Nations. Even for rights the derogation of which is permitted, however, any derogation may be only "to the extent strictly required by the exigencies of the situation" and must not "involve discrimination solely on the ground of race, colour sex, language, religion or social origin." Some of the rights that may not be derogated even during a state of emergency include the right to life (Article 6), the prohibition of torture or cruel, inhuman or degrading treatment or punishment (Article 7), the ban on slavery in all its forms (Article 8) and freedom of thought, conscience and religion (Article 18).

### ***Killings, Mutilations, Sexual Abuse, and Enslavement by the AFRC/RUF***

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<sup>7</sup> The commitment of a state to these provisions applies also to private individuals in that state's territory who are thereby bound by the same rights and obligations. International Committee of the Red Cross, *Commentary on the Additional Protocols of 1977* (Geneva: International Committee of the Red Cross, 1987) p. 1344-45. The government's application of these provisions does not confer on the insurgents any international recognition on the insurgent party. Nor do Common Article 3 and Protocol II provide any special status for insurgents in internal armed conflict such as the combatants privilege to kill or capture enemy troops, or prisoner-of-war status when captured. *Ibid.* at 1344.

As mentioned above, it is impossible to determine the precise number of victims of these types of abuse due to a lack of access to much of Sierra Leone and the fact that most deaths occurred without record. Human Rights Watch collected testimonies from hundreds of Sierra Leoneans who survived or witnessed these types of atrocities.<sup>8</sup> A few of the countless examples follow:

**Ike C.** was a reporter for the *Herald Guardian* newspaper in Koidu town, Kono. He is thirty-two years old and fled the AFRC/RUF's attack on Koidu on February 21 but was captured, held by the AFRC/RUF, and threatened with death. He ultimately escaped. Among other atrocities he witnessed, he described the following:

I saw them kill two people right before my face at Tomboudou, in front of the residence of the Paramount Chief of Tomboudou.<sup>9</sup> One man they arrested at a village called Nemessedu. They brought him to Tomboudou along with his wife. He was killed before his wife. They tied him up and shot at him in his chest three times. Then they took his wife as their own.

The second executed was a youth. He was tall, and before killing him, they told him, "You're too tall." So, they chopped off his foot, and he fell to the ground. Later, they shot him three times in the chest, too, and he died. After that, they agreed to set Tomboudou on fire as a part of Operation Non-Living Thing.<sup>10</sup>

**Helen C.** was a fish seller in Koidu. She claims that she lost her two children in chaos related to an attack by the AFRC/RUF near Koidu in May 1998. Later that month, she was caught by the AFRC/RUF in Tumbodu, Kono district, where she saw them kill approximately fifty people. The AFRC/RUF caught her and cut off her hand and forearm.

They captured me and said lie on the floor. I was reluctant; they cut me on the neck with a machete. I was cut by a small boy. Then they put my hand on a stone and cut me. They told me to go to Kabbah and tell him what happened.

They left me there. They said they would go to the bush and kill anyone they found there. I walked eleven days to Forekonio [the border with Guinea]. I left my belongings with my hand. I had to bury my own hand.<sup>11</sup>

**Franklin M.**, a farmer from Sinekoro town, Kabalah district, was returning from his fields around May 21, 1998 when he saw members of the AFRC/RUF coming toward him.

I saw people with cutlasses and guns. So I started to run; they caught me and cut off both of my hands. Then they left me. Some of them wore uniforms, some were in plainclothes. They said I was a supporter of Tejan Kabbah.<sup>12</sup>

Human Rights Watch interviewed Franklin M. in Faranah Hospital, Guinea where he sought refuge and health care. He further described his dilemma as a refugee and victim of a double arm amputation.

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<sup>8</sup>The names of all the refugees interviewed have been changed in order to protect their safety and privacy.

<sup>9</sup>Ike C. provided this information for purposes of describing the location of the killings only, not to imply involvement of the Paramount Chief in the killings of these two individuals.

<sup>10</sup>Human Rights Watch interview, Boodou Refugee Camp, Guéckedou, Republic of Guinea, June 23, 1998. Survivors referred to this military offensive both as "Operation No Living Thing" and "Operation Non-Living Thing."

<sup>11</sup>Human Rights Watch interview, Faranah Hospital, Guinea, June 3, 1998.

<sup>12</sup>Human Rights Watch interview, Faranah Hospital, Guinea, June 4, 1998.



My family is here. How can I hope to feed my family? My mother is here. My wife is here. My children are here. I have no hands.<sup>13</sup>

**Timothy C.**, a history teacher from Koidu, was one of two survivors of a group of ten civilians captured near his home by the AFRC/RUF on June 10, 1998. The other eight were killed with machetes. He was cut so deeply on his forearms that it is likely that both will have to be amputated.<sup>14</sup>

In March 1998, **Catherine M.**, an administrator from Segbwema, was shot in the back by the AFRC/RUF as they fled from ECOMOG. Her husband and son were shot dead in front of her. She was stripped and forced to flee with the AFRC/RUF. She witnessed the killing of many children and a nursing mother as she fled.<sup>15</sup>

### ***Atrocities Against Children***

Children are the frequent targets of brutal, indiscriminate acts of violence by the AFRC/RUF.<sup>16</sup> Children are murdered, mutilated, tortured, beaten, raped, enslaved for sexual purposes, forced to work, and forced to become soldiers by the AFRC/RUF.

In addition to violating the instruments of international humanitarian law cited above, these crimes violate the Convention on the Rights of the Child, which makes explicit children's right to life and freedom from sexual abuse, abduction and forced recruitment, among other rights.<sup>17</sup>

Examples of these types of violations were frequent. **Sam R.**, a farmer in the Koidu area, saw six of his children and his wife attacked in front of his house on June 12. He recalled,

They accused me of being a Kamajor. When they want to kill you, they accuse you of anything. There is no reason. I am a farmer. I don't vote. I have no money. They burnt my house.<sup>18</sup>

At about 4:00 a.m., I heard bombs and gunshots outside my house. The rebels came and banged on the door. They said they would kill us all outside. My wife took five of the children outside. I stayed inside with one. My wife threw herself on top of two of the children to protect them. They shot my wife, killed two of the children, shot my seven-year-old through the stomach, and cut another one on the buttocks. Two got away.<sup>19</sup>

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<sup>13</sup>Ibid.

<sup>14</sup>Human Rights Watch interview, Connaught Hospital, June 24, 1998.

<sup>15</sup>Human Rights Watch interview, Kolahun refugee camp, Lofa county, Liberia, June 12, 1998.

<sup>16</sup>Children are considered persons below the age of eighteen, as defined in Article 1 of the Convention on the Rights of the Child, September 2, 1990.

<sup>17</sup>All states are party to the Convention on the Rights of the Child except for the United States of America and Somalia.

<sup>18</sup>Human Rights Watch interview, Faranah Hospital, Guinea, June 3, 1998.

<sup>19</sup>Human Rights Watch interview, Connaught Hospital, Freetown, Sierra Leone, June 24, 1996.

Human Rights Watch received documentation on dozens of similar cases. According to medical records, out of 265 war wounded patients admitted to Connaught hospital from April 1 through June 20, approximately one-quarter were children. According to reports from humanitarian agencies, 111 children died between February 15 and 24, 1998 during AFRC/RUF attacks in the Bo area.<sup>20</sup>

### ***Gender-based Violence***

Women and girls are the primary targets of widespread rape, sexual slavery, and other forms of sexual violence.<sup>21</sup> Although the exact number of those raped will never be known, testimonies from survivors confirm that sexual violence has been widespread, against thousands of women and girls. Furthermore, no comprehensive medical statistics have been compiled on rape-related injuries or on pregnancies as a result of rape. Those who have witnessed, or endured and survived these and other atrocities are suffering enormous psychological trauma.

WOMEN AND GIRLS ARE BRUTALLY RAPED AND GANG-RAPED AT GUNPOINT AND KNIFE POINT BY AFRC/RUF SOLDIERS OR RAPED WITH OBJECTS, SUCH AS STICKS. OFTEN, THE RAPES OCCUR IN FRONT OF FAMILY MEMBERS AND OTHERS, AND IN SOME CASES RELATIVES ARE FORCED TO RAPE THEIR SISTERS, MOTHERS OR DAUGHTERS. WOMEN AND GIRLS ARE FREQUENTLY ABDUCTED INDIVIDUALLY OR COLLECTIVELY AND KEPT AS SO-CALLED "WIVES" FOR MEMBERS OF THE AFRC/RUF. SOME SUFFER RAPE OR GANG RAPE MULTIPLE TIMES AS THEY ESCAPE ONE AFRC/RUF GROUP, ONLY TO BE CAUGHT BY ANOTHER. RAPE IS ALSO USED AS AN IMMEDIATE PUNISHMENT FOR REFUSING TO FOLLOW INSTRUCTIONS OR IN RETALIATION FOR THE ACTS OF OTHERS HELD IN CAPTIVITY.

THESE CRIMES, AND OTHER FORMS OF SEXUAL VIOLENCE, ARE EXPLICITLY AND IMPLICITLY CONDEMNED UNDER INTERNATIONAL HUMANITARIAN LAW. THE GENEVA CONVENTIONS OF AUGUST 12, 1949 AND THE PROTOCOLS ADDITIONAL TO THE GENEVA CONVENTIONS PROHIBIT RAPE IN BOTH INTERNATIONAL AND INTERNAL CONFLICTS.<sup>22</sup> LIKEWISE, RAPE, WHEN COMMITTED ON A MASS SCALE AGAINST A CIVILIAN POPULATION, CONSTITUTES A CRIME AGAINST HUMANITY. THE CONVENTION ON THE RIGHTS OF THE CHILD FURTHER PROTECTS CHILDREN FROM "ALL FORMS OF SEXUAL EXPLOITATION AND SEXUAL ABUSE."<sup>23</sup>

THE CRIMES OF SEXUAL VIOLENCE COMMITTED BY THE AFRC/RUF AGAINST WOMEN AND GIRLS ARE OFTEN ACCOMPANIED BY OTHER FORMS OF VIOLENCE. MURDER OR MUTILATION FREQUENTLY FOLLOWS THESE RAPES. MANY ARE FORCED TO WORK AS PORTERS FOR THE AFRC/RUF AND WITNESS THEIR CHILDREN BEING ABDUCTED, ABUSED, OR KILLED. SOME WOMEN AND YOUNG GIRLS ARE ABDUCTED TO CARE FOR THE MANY YOUNG CHILDREN CAPTURED BY THE AFRC/RUF.

PREGNANT WOMEN ARE NOT SPARED FROM ATTACKS BY THE AFRC/RUF. IN LIGHT OF THE GRUESOME NATURE OF THE ATROCITIES COMMITTED AGAINST THEM, THESE WOMEN SEEM TO BE TARGETED BECAUSE OF THEIR STATUS AS PREGNANT WOMEN. WITNESSES REPORT HAVING SEEN THE MUTILATED BODIES OF PREGNANT WOMEN WHOSE FETUSES HAD BEEN CUT OUT OF THEIR WOMBS OR WHO DIED OF GUNSHOT WOUNDS TO THE ABDOMEN. SOME PREGNANT WOMEN ARE ALSO FORCED INTO LABOR DUE TO THE EXTREME PHYSICAL HARDSHIP OF HAVING TO FLEE THEIR HOMES, AND AT TIMES DIE IN FLIGHT DUE TO COMPLICATIONS IN CHILDBIRTH.

THE AFRC/RUF'S RAPE AND ENSLAVEMENT OF WOMEN AND GIRLS FOR SEX IS NOT ONLY A VICIOUS EXPRESSION OF POWER OVER THE INDIVIDUAL, BUT ALSO A MEANS OF EXPRESSING DOMINANCE OVER THE COMMUNITY. THROUGHOUT THE WORLD, SEXUAL VIOLENCE IS ROUTINELY DIRECTED AGAINST WOMEN AND GIRLS DURING SITUATIONS OF ARMED CONFLICT AS A WEAPON TO TERRORIZE A COMMUNITY AND TO ACHIEVE A POLITICAL END. THE HUMILIATION, TERROR AND PAIN INFLICTED BY THE RAPIST IS MEANT TO HARM NOT ONLY THE INDIVIDUAL VICTIM BUT ALSO TO STRIP THE HUMANITY FROM THE LARGER GROUP OF WHICH SHE IS A PART. THE RAPE OF ONE PERSON CAN BE TRANSLATED INTO AN ASSAULT UPON THE COMMUNITY THROUGH

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<sup>20</sup>Internal survey conducted in Bo, Sierra Leone, by humanitarian organizations, March 19-21, 1998.

<sup>21</sup>Human Rights Watch also received an account of boys having been sexually abused alongside women and girls; while sexual abuse of males has occurred, it has not occurred to the extent of the abuse of women and girls.

<sup>22</sup>Rape in internal armed conflict is prohibited under Article 3, subparagraphs (a) and (c), common to the four Geneva Conventions of 1949 and by Article 2(e) of Protocol II. For international armed conflict, this is established in the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, August 12, 1949 [Fourth Geneva Convention], Arts. 27 and 147, 75 U.N.T.S. 287.

<sup>23</sup>Convention on the Rights of the Child, Article 34.

THE EMPHASIS PLACED IN EVERY CULTURE ON WOMEN'S SEXUAL VIRTUE; THE SHAME OF THE RAPE HUMILIATES THE FAMILY AND ALL THOSE ASSOCIATED WITH THE SURVIVOR.

THE FOLLOWING ARE SOME OF THE TESTIMONIES OF SIERRA LEONEAN WOMEN WHO SURVIVED OR WITNESSED SEXUAL VIOLENCE, AND OF SOME OF THE SERVICE PROVIDERS AND OTHERS WHO WITNESSED THE ABUSE OR ASSISTED THEM ONCE THEY REACHED REFUGEE CAMPS IN GUINEA AND HOSPITALS IN SIERRA LEONE.<sup>24</sup>

**RUTH B.** is a thirty-six-year-old farmer from Gandorhun, in Kono District. SHE FLED HER VILLAGE WHEN IT WAS ATTACKED BY THE AFRC/RUF, BUT WAS CAPTURED, BEATEN, RAPED, AND FORCED TO WORK. SHE ULTIMATELY ESCAPED AND MADE HER WAY TO GUINEA. WHEN RUTH DESCRIBED HER ONE-MONTH ORDEAL IN CAPTIVITY, SHE WAS VISIBLY TRAUMATIZED, IN POOR HEALTH AND STILL BORE SCARS ON HER BACK AND LEGS. THE BACK OF HER ANKLES HAD BEEN SLICED JUST BELOW THE ACHILLES TENDON TO PREVENT HER FROM ESCAPING:

THEY TOOK THREE OF MY CHILDREN AND KILLED MY HUSBAND. THE REST OF US RAN AWAY. BUT WE WERE CAPTURED BY THE JUNTA,<sup>25</sup> AND THEY TOOK THE WOMEN AWAY TO CARRY THEIR LOADS. I WAS WITH THEM ONE MONTH. THEY HELD US IN A HOUSE. ONE DAY WHILE WE WERE THERE AND THEY WERE AWAY, ANOTHER GROUP CAME FROM GONGO AND ASKED US WHAT OUR MISSION WAS. WE TOLD THEM WE WERE FROM GANDORHUN, AND THEY BEAT US. THEY BEAT US SEVERELY. THEY STOMPED ON MY STOMACH, AND THE NEXT DAY, I WAS BLEEDING FROM MY VAGINA AS IF I HAD HAD AN OPERATION. NOW, I HAVE A SERIOUS BACKACHE.

LATER THE TWO GROUPS CAME TOGETHER, AND THE SECOND GROUP TOLD THE FIRST GROUP THAT WE WERE FAMILY MEMBERS OF THE KAMAJORS. THEY USED ME FOR SEX, AND THEY CUT MY HEELS WITH THEIR BAYONETS SO I WOULDN'T RUN OR WALK OFF. BUT I ESCAPED INTO THE BUSH EVEN THOUGH I WAS WOUNDED....

I DIDN'T KNOW WHO CAPTURED ME. THEY WERE OLDER AND YOUNGER—ADULTS AND CHILDREN. SOME HAD UNIFORMS AND MACHETES, AND SOME WORE ORDINARY CLOTHES, LIKE JEANS, AND HAD GUNS. THERE WERE LOTS OF NICKNAMES; ONE OF THEM WAS CALLED "BLOOD." THEY SAID THEY DIDN'T LIKE KABBAB AND SAID, "IF HE'S THERE, WE WILL CONTINUE TO FIGHT." THEY WERE BOTH LIBERIAN AND SIERRA LEONEAN. I COULD TELL FROM THEIR LANGUAGE.<sup>26</sup>

**FINDA T.** is a forty-five-year-old woman from Koidu town, Kono who FLED WITH HER FAMILY WHEN THE AFRC/RUF ATTACKED AT THE END OF FEBRUARY. SHE TOLD HUMAN RIGHTS WATCH HOW HER FAMILY HAD BEEN KILLED AND HOW SHE HAD BEEN RAPED BY REBEL SOLDIERS:

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<sup>24</sup>The majority of women Human Rights Watch interviewed fled villages in the diamond-rich Kono district of Sierra Leone and became refugees across the border in the Guéckedou area of Guinea, which is now home to over 200,000 Sierra Leonean refugees. The names of all the rape survivors interviewed have been changed in order to protect their safety and privacy.

<sup>25</sup>Witnesses often referred to their attackers as "rebels" or "juntas," common terminology for the RUF and the AFRC respectively. Human Rights Watch interviews revealed that attackers were in most cases a mix of plainclothes "rebels" and uniformed AFRC/RUF soldiers. They also sometimes disguised themselves as Kamajor or ECOMOG forces. For these reasons and a lack of a reliable method of distinguishing former government soldiers from rebels in Sierra Leone, this report refers to them collectively as AFRC/RUF.

<sup>26</sup>Human Rights Watch interview, Mangay Refugee Camp, Guéckedou, Republic of Guinea, June 15, 1998. Many refugees interviewed described their captors as having spoken with Liberian accents. They were not able to say whether or not they were Liberian fighters or Sierra Leonean fighters from the Kailahun region of Sierra Leone, closest to Liberia, who would have spoken with the same accent. Nonetheless, many believed them to be Liberians.

THE REBELS CAUGHT US IN THE BUSH AFTER MY FAMILY AND I HAD FLED ONE SATURDAY IN FEBRUARY. THEY KILLED MY BROTHER IMMEDIATELY, AND THEY TOOK MY TWO CHILDREN. ONE OF THEM RAPED ME. HE USED ME AS HIS WIFE, AND ANOTHER ONE BEAT ME WITH A GUN. THEY MADE ME AND OTHERS CARRY THEIR LOADS. THEY TOLD US TO TAKE THEIR BAGS OF RICE BACK TO KOIDU TOWN. THEY SERIOUSLY USED US. IN KOIDU, THEY TOOK OUR CLOTHES AND FREED US. I LIVED IN THE BUSH FOR TWO MONTHS USING LEAVES TO COVER MYSELF. EVENTUALLY, I FOUND SOME PEOPLE WHO SHOWED ME THE WAY TO GUINEA. A CHILD GAVE ME HER CLOTHES, AND I HAVE ONLY ONE DRESS NOW.<sup>27</sup>

IN APRIL, MEDICAL STAFF IN CONNAUGHT HOSPITAL, FREETOWN REPORTED THAT THEY WERE WITNESSING AN ALARMING NUMBER OF PATIENTS SUFFERING MUTILATIONS. A NUMBER OF THE FEMALE PATIENTS THEY INTERVIEWED WERE RAPED AND HAD FOREIGN OBJECTS INSERTED IN THEIR VAGINAS. THEY HAD BEEN ATTACKED BY AFRC/RUF BETWEEN APRIL 15-25 IN VILLAGES BETWEEN NJAIAMA SEWAFE AND KOIDU. THE PATIENTS SAID THE AFRC/RUF ROUNDED UP CIVILIANS IN GROUPS OR LINES, SENT THEM TO A CUTTING BLOCK AND COMMENCED LIMB AMPUTATIONS WITH A CUTLASS. DOCTORS REPORTED:

IN SOME VILLAGES, AFTER THE PEOPLE WERE ROUNDED UP, THEY WERE STRIPPED NAKED AND ORDERED TO "USE THEIR WOMEN:" MEN WERE ORDERED TO "USE" THEIR SISTER. WHEN MEN REFUSED TO DO SO, THEIR ARM WAS AMPUTATED, AND THE WOMEN WERE RAPED BY THE ATTACKERS.<sup>28</sup>

**ALICE M.** IS A FORTY-ONE-YEAR-OLD FORMER POLICE OFFICER FROM JABWEMA FIAMA, KONO, SIERRA LEONE, WHO IS NOW A REFUGEE IN GUINEA. ON MARCH 10, 1998, SHE AND HER FAMILY FLED THEIR HOME INTO THE FOREST TWO DAYS AFTER THE AFRC/RUF BEGAN TO ATTACK AND LOOT HER TOWN. THE AFRC/RUF CAPTURED HER WITH HER HUSBAND IN THE FOREST, BUT DIDN'T CATCH HER CHILDREN. THEY LET HER HUSBAND GO, BUT SEEING HER POLICE IDENTIFICATION, THEY KEPT HER. SHE REMEMBERED:

COMMANDER STEVEN GBENYA AND SERGEANT MOUSSA CAPTURED ME. THEY HAD ALSO CAPTURED OTHER POLICE OFFICERS, WHOM THEY KILLED. THE COMMANDER SAID HE WASN'T GOING TO KILL ME, AND INSTEAD, HE RAPED ME ALL NIGHT. I CRIED AND CRIED AND PRAYED. I DON'T KNOW WHY, BUT EARLY IN THE MORNING, ABOUT 6:00 A.M., HE LET ME GO. I THINK HE FELT SORRY FOR ME. HE AND MOUSSA ESCORTED ME OUT WITHOUT TELLING ANYONE ELSE AND TOOK ME TO A PLACE IN THE BUSH. THEY DELIBERATELY RAPED MANY WOMEN. TO SAVE YOUR LIFE, YOU HAVE TO AGREE, OR THEY WILL KILL YOU. THEY ARE BEASTLY.<sup>29</sup>

## *Abductions*

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<sup>27</sup>Human Rights Watch interview, Sowadou Refugee Camp, Guéckedou, Republic of Guinea, June 14, 1998.

<sup>28</sup>"Atrocities against Civilians in Sierra Leone," Médecins Sans Frontières, May 1998, p. 4.

<sup>29</sup>Human Rights Watch interview, Fangamadou, Guéckedou, Republic of Guinea, June 14, 1998.

The abduction of civilians by the AFRC/RUF is commonplace. People of all ages are abducted, but witnesses point to young men, women, and girls and boys as preferred targets. The soldiers capture individuals and groups to labor for them and in general perform tasks necessary for their subsistence and advancement.<sup>30</sup> Women and girls are taken as “wives,” or sexual slaves, to cook and perform other domestic tasks. Young men and boys are also abducted for forced recruitment as soldiers. It is unclear whether or not they have designated large-scale holding centers, although at least one witness testified to this effect.

Human Rights Watch received reports that the AFRC/RUF abducts these groups for use as human shields against attacking ECOMOG forces, in the belief that ECOMOG would hesitate to target civilians, particularly women and children, or that in the event of an attack, the “shield” would be hit first.

As described below, many witnesses are under the impression that abductions number in the thousands. The AFRC/RUF captures many civilians apparently with the intention of holding them permanently to reinforce their numbers and ensure their future existence. Others abducted are executed or ultimately allowed to go free after having suffered a number of abuses.

### ***Forced Labor***

Many who had been captured by the AFRC/RUF and either escaped or were released testified to Human Rights Watch that they were forced to “carry loads” and perform other tasks for them. The civilians were collected or called upon individually to transport items that the fighters looted from town to town and from one point to another within villages. They prepared food for the soldiers and performed any task required of them to contribute to meeting the daily needs of the soldiers.

**Mary F.**, a nine-year-old girl who fled Koidu town, Kono, was captured by AFRC/RUF soldiers and forced to work. She was freed by the soldiers but was separated from her parents and is now an unaccompanied minor in a refugee camp in Guinea. Upon finishing her story, her steady, serious mood changed, and she burst into tears.

A group of about eleven junta soldiers captured me, my parents and others. They killed one person in our group in front of us. The group split, and I lost my parents. They took us back to Koidu and released us but arrested us again and used us to carry their loads. We were adults and children. They didn’t tell us anything about why they were making us do this. Eventually they let us go....<sup>31</sup>

**Sia T.**, who is eighteen and the mother of one, fled the fighting in Koidu town and hid in the forest for three months before making her way to Guinea. She witnessed the murder, rape and abduction of civilians and was herself captured and forced to work for the AFRC/RUF. Some of her captors were children. She remembered:

We were hiding in the bush, not too far from where some of the junta stayed. They knew where people were. They would go into the bush and get some of them, take them to town, make them work and let them go. Then they’d go back and get more. They made me pound rice. We were afraid. They said they weren’t going to do anything, but we were working at gunpoint. They were as young as the boys here. [She gestures at three young boys, approximately five to seven years old,

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<sup>30</sup>Other civilians were forced to labor for the AFRC/RUF, but weren’t abducted per se. Survivors testified that often the soldiers would know where their hide-outs were in the forest and would regularly call upon them to perform tasks or subject them to other forms of abuse, under threat of additional physical harm. Although these civilians were not held inside AFRC/RUF installations, it was difficult for them to flee.

<sup>31</sup>Human Rights Watch interview, Boodou Refugee Camp, Guéckedou, Republic of Guinea, June 23, 1998.

sitting nearby the interview setting]. The small ones had guns, too. They even fought between themselves over whose girls were whose.<sup>32</sup>

### ***Sexual Slavery***

Human Rights Watch documented repeated accounts of women and girls being abducted by the AFRC/RUF in large numbers for sexual and other purposes. The AFRC/RUF holds these women and girls indefinitely and requires them to perform a variety of tasks, such as preparing food. Women and girls may also have been abducted to care for the many young children captured by the AFRC/RUF. Some who have escaped report that the soldiers divide them up amongst themselves and refer to them as their “wives.” They have sex with them at will and at times brutalize them with other forms of physical violence. The AFRC/RUF move these women and girls with them from one location to another. Targeting women and girls in these ways serves the AFRC/RUF practically, in terms of meeting their own daily needs, and strategically, as they coopt their labor and destroy local family and economic structures.

GRACE M. IS FROM GBENSE CHIEFDOM, KONO DISTRICT. SHE IS TWENTY-ONE YEARS OLD. WHEN THE AFRC/RUF ATTACKED KOIDU IN FEBRUARY AND LAUNCHED “OPERATION PAY YOURSELF,” GRACE FLED TO KOMBAYENDEH (THIRTY-TWO MILES FROM KOIDU) TO FIND RICE. SHE STAYED THERE FOR A WHILE BUT WAS FORCED TO FLEE AGAIN, FIRST TO BOVOMA AND FINALLY INTO THE FOREST. AFRC/RUF SOLDIERS CAPTURED HER ALONG WITH SEVENTEEN OTHER WOMEN AND KEPT THEM AS SO-CALLED “WIVES.” SHE ULTIMATELY ESCAPED AND MADE HER WAY TO GUINEA. SHE BELIEVES THE OTHER WOMEN WHO DID NOT ESCAPE ARE PROBABLY STILL WITH THE AFRC/RUF, PERHAPS IN KAILAHUN. SHE SAID:

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<sup>32</sup>Human Rights Watch interview, Fandouyema II Refugee Camp, Guéckedou, Republic of Guinea, June 12, 1998.

It was on a Monday mid-day, that the junta stormed where we hid. They arrested eighteen of us, and we were taken to Koidu town again. We spent sixteen days with them in the township. While in Koidu town, I saw dead bodies littered all over the place. I also saw some of the soldiers' captives, regardless of age, carrying looted items from the surrounding villages: they took them to Kailahun. We were eighteen in number, all females. It was this same day that the soldiers shared us amongst themselves as wives. Each of us got a man as a husband. It was indeed horrible as one soldier that I was assigned to sexually abused me. He had sex with me any time he wished—at night, mid-day and anywhere. I can still remember his name, Alie, Mende tribe.<sup>33</sup>

**Ike C.**, the newspaper reporter from Koidu town, fled the AFRC/RUF's attack on Koidu and was caught. He was able to escape, however, and among many atrocities he witnessed, he said this about sexual violence:

There was rampant raping. I saw a fifteen-year-old girl raped right before me. They left her, but they captured others, and among them was a seven-year-old girl. I also saw many girls held in vehicles, ready to be transported. They force them to carry loads, use them as "wives" and encourage them, saying, "I will give you everything, stay with me." But they have no alternative but to stay.<sup>34</sup>

### ***Forced Recruitment***

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<sup>33</sup>Center for Rural Adult Education (CREA) interview, conducted the week of June 15, 1998, Kissidougou, Republic of Guinea. Also, Human Rights Watch interview, Kissidougou, Republic of Guinea, June 17, 1998.

<sup>34</sup>Human Rights Watch interview, Boodou Refugee Camp, Guéckedou, Republic of Guinea, June 23, 1998.

The AFRC/RUF is using and forcibly recruiting children and young men to engage in armed attacks against Sierra Leone civilians, Civilian Defense Forces, and ECOMOG soldiers.<sup>35</sup> Many witnesses told Human Rights Watch that they had seen AFRC/RUF soldiers abducting and holding young men and boys to use as child soldiers and that child soldiers had been among their AFRC/RUF attackers.

The forced recruitment of boys as child soldiers by the AFRC/RUF in Sierra Leone is not new. As armed conflict in Sierra Leone has intensified in recent years, the social fabric of the country has unraveled, and children have increasingly seen their rights erode. Many children have lost or been separated from their parents in the fighting, do not have enough to eat and do not have schools and other basic structures in place to meet their needs. They are particularly vulnerable to forced recruitment and have clearly been targeted by the AFRC/RUF as it seeks to reinforce its ranks.<sup>36</sup>

Young boys are targeted in part because their captors consider them to be less afraid to fight; they likely do not have children or wives to consider in risking their lives. They are readily manipulated because they are vulnerable and without protection. Child soldiers are often placed at the front line and forced to commit atrocities against their own communities. This establishes a sense of culpability in them, as well as traumatization, and makes it less possible for them to be accepted back into society or to be psychologically prepared to return.

Little is known about the condition of the young men and children abducted since February by the AFRC/RUF for use as soldiers; few have escaped to tell the story. Over the past few years, however, child recruits were typically provided with food, mind-altering drugs and firearms and were forced to fight and commit atrocities alongside the AFRC/RUF soldiers. The demobilization, rehabilitation and reintegration of these children will ultimately present an enormous challenge to all those involved in healing the wounds of war and building a future for Sierra Leone.

**Alice M.** is a forty-one-year-old former police officer in Jabwema Fiamsa, Kono. While she was held captive by two members of the AFRC/RUF, she was confined to a room with a ten-year-old boy. She said:

Commander Steven Gbenya and Sgt. Moussa were also holding a ten-year-old boy in the room I was held in. They didn't release him. The house we were in was full of rebels. The room next to mine was the Liberian commando room.<sup>37</sup> The commander said that they no longer planned to kill children below fifteen, pregnant women, or old men and women. They said they were going to train-up those children because they knew they were going to die themselves. They encouraged the

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<sup>35</sup>Although prevailing international law sets fifteen as the minimum age for military recruitment and participation in armed conflict, Human Rights Watch shares a growing consensus among independent, nongovernmental sources which believe that this age is too low and must be raised to eighteen. Not only does the Convention on the Rights of the Child define a child as any human being under the age of eighteen, unless under the law applicable to the child, majority is attained earlier, but eighteen is the voting age in the vast majority of countries. Establishing eighteen as the minimum age for participation in hostilities would be consistent with existing international norms and offer greater protection for children in situations of particularly grave risk. In Sierra Leone, Human Rights Watch also noted the problem of birth registration; individuals often did not know their own age or the age of their children. The lack of records makes it easier for those who forcibly recruit children to do so by claiming the recruits were older than they actually were.

<sup>36</sup>The Child Protection Committee, a United Nations-Nongovernmental Organization group established to address child protection issues in Sierra Leone, estimated the number of children in armed groups in Sierra Leone in September 1997 at approximately 3,000. (Inter-agency strategy paper for Child Protection Activities in Sierra Leone, Child Protection Committee, Camp Conakry, September 1997.) The actual number is not known, but has increased significantly since the renewal of fighting in February.

<sup>37</sup>The interviewee claimed that there were Liberian fighters among the AFRC/RUF.



boy not to be afraid. They cooked for us, but I couldn't eat. The boy didn't say much, but he was hungry, and he ate.<sup>38</sup>

**Ike C.**, the reporter for the *Herald Guardian* in Koidu town who was captured by the AFRC/RUF, also testified to the role of child soldiers. SOME OF HIS CAPTORS WERE UNDER TEN YEARS OLD AND WIELDED GUNS. He said:

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<sup>38</sup>Human Rights Watch interview, Fangamadou, Guéckedou, Republic of Guinea, June 14, 1998.

I was captured by Gittaboi, who said he'd execute me because I am a press man. There were little kids, boys, around seven, nine, twelve years old who were among the soldiers. They had guns and felt they had power.... I saw girls held in vehicles ready to be transported. The last group of kids I saw were held at the Branch Energy mining group office in Koidu town. They had 1,500-2,000 of them there. I saw them. In Koidu, the junta forces shouted for kids and gathered them. A soldier told me they are holding those kids as a shield in the event of an ECOMOG attack. They also use them as soldiers, for labor, and for sexual purposes.<sup>39</sup>

### ***Other Violations of International Humanitarian Law***

In addition to the abuses described above, members of the AFRC/RUF flagrantly violated other provisions of international humanitarian law. The AFRC/RUF regularly showed a gross disrespect for principles granting protection to hospitals, places of worship, and other non-military structures providing public services.<sup>40</sup>

The private property of civilians was frequently looted and their homes intentionally burned.<sup>41</sup> Witnesses spoke regularly of theft and mass destruction by the AFRC/RUF as they retreated from ECOMOG forces. Members of the AFRC/RUF completely stripped civilians of their belongings on a regular basis. Many of those fleeing Sierra Leone arrived in refugee camps with little more than their clothing; and several witnesses explained how they had been left naked by the AFRC/RUF and spent days in flight without clothing.

In February 1998, in Lunsar town of Porto Loko district, as a part of their "Operation Pay Yourself," members of the AFRC/RUF raided the Magbesemi hospital. Medicines and equipment were taken, patients were forced to flee, and some medical personnel reportedly abducted by the AFRC/RUF. One patient being treated for a gunshot wound described their actions:

The AFRC/RUF soldiers came to Magbesemi Hospital, fleeing the ECOMOG advance. They took the doctors away. There were many rebels—in several trucks with arms and heavy weapons. They took all the drugs. We were about twenty-five patients. They said, "this is Operation Pay Yourself."<sup>42</sup>

### **Abuses Committed by Members of Civilian Defense Forces (CDFs)**

Human Rights Watch documented numerous abuses, including killings and torture, by members of the Civilian Defense Forces, frequently referred to in local dialects as "traditional hunters." Civilian Defense Forces were developed primarily in the early 1990s as local protection responses to insecurity and violence throughout Sierra Leone. The largest and most powerful of these groups, the Kamajors, were responsible for the majority of the most serious abuses committed by those fighting on behalf of the Kabbah government since February 1998. In recent months, Kamajors have also been responsible for obstructing humanitarian assistance and demanding money or compensation at roadblocks.

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<sup>39</sup>Human Rights Watch interview, Boodou Refugee Camp, Guéckedou, Republic of Guinea, June 23, 1998.

<sup>40</sup>Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol I), of 8 June 1977, Article 52, and Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), of 8 June 1977, Articles 9, 10, 11, and 16.

<sup>41</sup>Protocol II, Article 4 (2) (g).

<sup>42</sup>Human Rights Watch interview, Faranah Hospital, Faranah, Guéckedou, Republic of Guinea, June 3, 1998.

Humanitarian and United Nations organizations complain that Kamajors frequently obstruct the delivery of aid to IDPs and civilian groups in need. Humanitarian agency vehicles were frequently commandeered by Kamajors, and aid workers were occasionally detained by Kamajors, two as recently as June 1998.<sup>43</sup> Groups providing assistance to the interior of Sierra Leone reported in June that the Kamajors had become increasingly demanding at checkpoints, often insisting that they be compensated for having “liberated” the country from the AFRC/RUF.

### ***Killings and Mutilation***

The scale and nature of abuses committed by Kamajors and other members of CDFs differ significantly from atrocities carried out by the AFRC/RUF, but the abuses are often no less horrific. Many witnesses of abuses committed by Kamajors spoke of the grotesque nature of killings, at times including disembowelment followed by consumption of vital organs, such as the heart. Acts such as these were intended to transfer the strength of the enemy to those involved in the consumption. Killings by Kamajors usually targeted people they believed to be members of the AFRC/RUF and their civilian supporters.

A Sierra Leonean Catholic priest described how the Kamajors reacted to the presence of the AFRC/RUF in Koidu in early February, just following ECOMOG’s takeover of Freetown:

On February 7th, they [the AFRC/RUF] started “Operation Pay Yourself.” On Friday the 13th, I went back to the mission. The youths had called the Kamajors who started arriving on the 11th, 12th, a day or two after “Operation Pay Yourself” had ended. They came from Sewafe, Punduru, Gondama... When they found AFRC, they would kill them immediately. The Kamajors and youths started burning [AFRC/RUF] soldiers and collaborators. On about February 11th, they [Kamajors] called a meeting at the town counsel. They said it was to restore law and order—they said if anyone knows where they are, they should tell us. They decapitated one surrendered soldier and I saw them eat his raw liver and heart.<sup>44</sup>

Another witness from Koidu remembered:

After the first night of “Operation Pay Yourself,” the youths and the Lebanese businessmen called the Kamajors. The Kamajors came, and if they and the youths caught soldiers, they burned them alive with tires and petrol.<sup>45</sup>

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<sup>43</sup>Human Rights Watch interview with humanitarian agency whose staff had been detained by Kamajors to “make a point,” Freetown, Sierra Leone, June 23, 1998.

<sup>44</sup>Human Rights Watch interview, Guéckedou, Republic of Guinea, June 9, 1998.

<sup>45</sup>Human Rights Watch interview, Fandouyema II Refugee Camp, Guéckedou, Republic of Guinea, June 12, 1998.

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Several foreign residents of Sierra Leone that had worked with or observed Kamajors in the field concurred that this “take no prisoners” policy was widespread. One foreign trainer of the Kamajors claimed that the fighters were as “malicious as the AFRC/RUF”<sup>46</sup> but committed fewer abuses due to their supervision, even though this was limited. The Kamajors have been led by Capt. Samuel Hinga Norman, deputy defense minister, who in recent months repeatedly stated that all CDFs were now under the control of ECOMOG.<sup>47</sup> With their knowledge of the local terrain, Kamajors are frequently relied upon by ECOMOG as combatants and guides in unfamiliar rural areas.

### ***Recruitment of Child Soldiers***

CDFs, especially the Kamajors, have contributed to one of the most urgent human rights problems involving children in Sierra Leone: the recruitment of child soldiers. Children have been recruited by the CDFs for many of the same reasons that the AFRC/RUF abduct them into their ranks: children are often easily indoctrinated, fearless, have little sense of what is morally right or wrong, and, according to Kamajor leaders, are more likely to be “unadulterated.”<sup>48</sup> While no one knows the number of children fighting among the CDF forces, one field commander estimated that their forces in the eastern Kailahun district alone numbered 3,000.<sup>49</sup>

The situation for child combatants provoked a mission to Sierra Leone from Special Representative of the Secretary-General for Children in Armed Conflict Olara Otunnu. Otunnu urged that, “the international community make Sierra Leone a pilot project for a more concerted and effective response to the needs of children effected by war.”<sup>50</sup> During his visit, Otunnu obtained commitments from the government to assure that the CDFs would cease recruitment of children under the age of eighteen, begin demobilization of child soldiers, provide special protection to child combatants, and create a Joint Task Force comprising representatives from the government, ECOMOG, U.N. agencies, and relevant NGOs. On June 25, in an interview with Human Rights Watch, the Deputy Minister of Defense, Hinga Norman, also declared that the government was committed to demobilizing CDF child combatants.<sup>51</sup> In mid-July, however, aid agencies and press reports concurred that the CDFs were still recruiting children in northern Sierra Leone.<sup>52</sup>

National and international human rights and humanitarian workers in Sierra Leone expressed their concern to Human Rights Watch that Civilian Defense Forces, such as the Kamajors and loosely organized bands of youths, represent a serious and growing human rights issue in Sierra Leone today. Like the AFRC/RUF, these groups are able to act largely with impunity. This trend, when considered in the context of past practices of armed groups in Sierra Leone, underscores the need to develop a comprehensive program to disarm, demobilize and reintegrate all combatants into the new national army or Sierra Leonean society.

Many former combatants, mostly from the AFRC/RUF, are presently being retrained by ECOMOG and integrated into the new national army. This training should be carried out by qualified ECOMOG personnel and monitored by UNOMSIL observers. Diplomats and aid workers in Sierra Leone have noted the lack of support for the

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<sup>46</sup>Human Rights Watch interview, Freetown, Sierra Leone, June 23, 1998.

<sup>47</sup>Human Rights Watch interview with deputy defense minister, June 25, 1998.

<sup>48</sup>According to Kamajor rules of conduct, combatants must refrain from drugs, sex, looting, and other illicit acts in order to maintain their magical powers, including being bulletproof, on the battlefield.

<sup>49</sup>Lansana Fofana, “Militia Admits Recruiting Child Soldiers,” IPS, Freetown, Sierra Leone, June 29, 1998.

<sup>50</sup>Press release, “Mr. Olara A. Otunnu, Special Representative of the Secretary-General for Children in Armed Conflict urges the international community make Sierra Leone a pilot project for a more concerted and effective response to the needs of children effected by war,” New York, New York, June 2, 1998.

<sup>51</sup>Human Rights Watch interview with Deputy Minister of Defense, Freetown, Sierra Leone, June 25, 1998.

<sup>52</sup>*Ibid.* and phone conversations with aid agencies in Sierra Leone, July 27, 1998.

approximately 3,000 ex-combatants in an encampment in dire conditions in the Lungi area outside of Freetown. Former combatants wishing to be reintegrated into the new national army will need appropriate support in order to complete their retraining. Those who are screened out as possible war criminals should be investigated and prosecuted where appropriate according to international standards. Those who wish to return to civilian life will require appropriate assistance to reintegrate into communities, including programs to encourage a return to farms, schools, or micro-economic activities. The reintegration aspects of the Disarmament, Demobilization and Reintegration (DDR) program must emphasize a respect for the laws of war and human rights. As combatants from rebel groups, CDFs and government forces have comprised the principal perpetrators of human rights abuses in Sierra Leone, the success of this program could play a crucial role in preventing future human rights abuses

#### IV. SIERRA LEONEAN REFUGEES

The atrocities and violence described above are unfortunately only the first chapter of hardship for many Sierra Leoneans. Approximately one-quarter million Sierra Leoneans have fled to neighboring Guinea and Liberia in order to escape the abuses and fighting. The continuing conflict in Sierra Leone prevents them from leaving the refugee camps in these countries.

##### **The Situation of Sierra Leonean Refugees in the Republic of Guinea**

Since February 1998, the refugee situation in the Republic of Guinea has reached a state of emergency. As the AFRC/RUF attacked and committed atrocities in villages and towns in Sierra Leone's Kono and Kailahun districts, civilians fled by the thousands and crossed the border into Guinea. UNHCR puts the total number of new arrivals since May 1997 at over 200,000.<sup>53</sup> The new Sierra Leonean refugees have joined thousands who had fled fighting at earlier points in Sierra Leone's seven-year internal armed conflict.

Refugees poured out of Sierra Leone, sometimes at the rate of 3,000 per day, primarily into Faranah, Guéckedou, Kissidougou, and Macenta prefectures, in the forest area of eastern Guinea known as Guinée Forestière. The largest number of this population are settled in approximately 124 camps, or local settlements,<sup>54</sup> in Guéckedou, where refugees now outnumber Guinea nationals.<sup>55</sup>

##### ***Assistance***

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<sup>53</sup>According to UNHCR, there are approximately 255,000 new Sierra Leonean refugees in Guinea and Liberia, over 185,000 of whom arrived in Guinea since August 1997. They joined 121,000 Sierra Leoneans already in Guinea as of June 1997. An additional 128,000 Liberian refugees are also in Guinea.

<sup>54</sup>Many of the refugees spontaneously settled in Guinea in areas abandoned by refugees from previous years and in new areas. Other refugee sites were planned by UNHCR, creating more traditional camp settings for larger numbers of people. Regardless of size, shape or history of formation, in the field the settlements are referred to by UNHCR, aid agencies, Guinean authorities and refugees alike as "camps." For the purposes of this report, the term camps will therefore be used to describe all refugee settlements. All of the camps are named after the local villages they are attached to, or are near to. In many cases, the camps are much larger than their namesakes. None of the camps are enclosed or are guarded by the Guinean military, although the border region of Guéckedou has been increasingly militarized with the increase in conflict across the border. Many military checkpoints have been established along the roads in the area. If security issues arise within the camp, they are currently dealt with by refugee camp committee authorities, who may consult with UNHCR and may refer issues to the Guinean police.

<sup>55</sup>Sierra Leonean refugees and members of the local Guinean population do mix. Although the refugees' movement is restricted, trading does occur and the refugees sell their labor, food obtained from UNHCR, wood, kerosene and other items to nationals. They also trade their rations for a variety of other items, such as salt or rice. This interaction is made easier by similarities in the tribal languages and heritage of the groups, and many share family relationships.

The refugees arrive in terrible shape after days, weeks, and sometimes months hiding and walking in the forest with little to eat, little to wear, and no health care. They suffer great trauma and urgently need food, shelter, clothing, and medical attention. From the outset, the crisis placed immense pressure on the Guinean civil and health authorities,<sup>56</sup> along with UNHCR and its implementing partners,<sup>57</sup> who struggled to respond.

Although UNHCR and its implementing partners in Guéckedou reported to Human Rights Watch that the situation has improved somewhat, the humanitarian response to the refugee emergency was slow and disorganized.<sup>58</sup> Humanitarian organizations working with UNHCR to address the crisis cite a lack of resources, particularly trucks for food distribution, and a general lack of emergency preparedness as the main factors contributing to the poor initial response.<sup>59</sup> Prolonged exposure to the elements during flight in Sierra Leone and in Guinea, the continuing uneven distribution of food, the lack of medical attention, and insufficient shelter have led to severe health problems, especially in the under-five population, including malnutrition, malaria, acute respiratory afflictions, and diarrhea. Infant mortality is high.

The situation became worse on June 14, 1998 when fighting intensified on the Sierra Leone side of the border with Guéckedou. Ostensibly for security reasons, the government of Guinea on June 15 blocked access to roads leading to approximately fifty refugee camps, housing over 150,000 newly arrived refugees. The lack of access made it impossible to provide adequate services to the refugees and infringed upon UNHCR's ability to provide protection for over four weeks. The Guinean government's refusal to provide even limited access on a regular basis risked a humanitarian disaster and the possibility of increased insecurity and unrest among the refugee and local populations—a situation no one would have been prepared to adequately address. The World Food Program was finally permitted to deliver a week's worth of rations on July 14, feeding approximately 130,000 refugees.

The closing of access to refugee encampments and consequent blockage of humanitarian supplies can result in a severe violation of the rights to adequate food, clothing and housing, and to medical care. Guinea is a party to the International Covenant on Economic, Social and Cultural Rights (the ICESCR) which guarantees these rights in articles 11 and 12.<sup>60</sup>

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<sup>56</sup>Health services for refugees are provided through Guinea's health authority—Le Département Publique de la Santé (DPS). Refugees can report to often overcrowded and sometimes distant health posts where they can receive treatment for minor ailments and/or referrals to hospitals. At the time of Human Rights Watch's visit, hospitals were overflowing and lacked adequate medical supplies, including medicines, and had limited surgical capacity.

<sup>57</sup>UNHCR contracts local and international nongovernmental organizations to provide food, shelter, water, health, educational, counseling, and other services to refugees. UNHCR also works with Guinean authorities, particularly in the areas of refugee security and protection and health.

<sup>58</sup>The principal problems that refugees reported to Human Rights Watch include lack of food, medical care, shelter and the provision of non-food items. The distribution of corn meal as the main food item for refugees poses a problem for many. The staple food in Sierra Leone is rice, and refugees have difficulty preparing and digesting the corn meal. Intermittent and delayed deliveries of food have left many hungry and struggling to find sustenance. Longer-term assistance challenges include the need for adequate programs to address the psychological and social needs of survivors of trauma and sexual violence. Culturally appropriate counseling and other activities, particularly for single women, single mothers, and children should be a priority. Women alone also face ongoing self-sufficiency problems, and programs for these women with real income-generating potential are needed.

<sup>59</sup>At the time of Human Rights Watch's visit, the arrival of a UNHCR Emergency Response team to Guéckedou in late April, along with weekly interagency coordination meetings and additional support from the international community, had gone a long way to improving the situation.

<sup>60</sup>Although the covenant stipulates that developing countries "with due regard to human rights and their national economy" may determine to what extent they guarantee these rights to non-nationals, the Refugee Convention requires that refugees be accorded treatment in these areas not less favorable than that accorded to nationals. (Refugee Convention, Article 23

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relating to public relief and assistance. Guinea is also a party to this treaty.). Moreover, the Universal Declaration of Human Rights, to which all states are deemed to accept and adhere by virtue of their membership in the United Nations, explicitly guarantees the right to food, clothing, housing and medical care to "everyone" (Article 25).

The Committee on Economic, Social and Cultural Rights, which is charged with interpreting these economic, social and cultural rights under the ICESCR, has stated in General Comment 3 that a state party which allows any significant number of individuals to be deprived of essential foodstuffs, of essential primary health care, or of basic shelter and housing is "prima facie failing to discharge its obligations under the Covenant." Although states parties are required to guarantee only the "progressive" realization of these rights, "[i]f the Covenant were to be read in such a way as not to establish such a minimum core obligation, it would be largely deprived of its *raison d'être*." The state must use "all resources that are at its disposition in an effort to satisfy, as a matter of priority, those minimum obligations." Such resources would also include proffered humanitarian assistance.

## ***Refugee Protection***

### ***Location of the Camps***

The most immediately striking refugee protection concern in Guéckedou is the proximity of the refugee camps to the Sierra Leone border. Many of the camps, in particular those that were cut off from humanitarian assistance in June and July, are located in the area of Guéckedou which forms a peninsula-like territory stretching into eastern Sierra Leone. They are extremely close to the border with Sierra Leone; some are as little as three kilometers away.<sup>61</sup> A river running along the border forms a natural barrier between Guinea and Sierra Leone, providing minimal protection to refugees who are in gunshot range of the AFRC/RUF soldiers, located just on the other side. Pressure on the border is growing as ECOMOG forces continue to attack AFRC/RUF-held territory in Kono and Kailahun districts, squeezing AFRC/RUF soldiers further north. In addition, the roads leading to many of the camps are extremely treacherous, even for four-wheel-drive vehicles. Once Guinea's June-November rainy season begins, the roads often become impassable.

Although all of the Guinean military and civil authorities Human Rights Watch spoke with rejected the possibility of a cross-border attack by the AFRC/RUF, the risk is clear. AFRC/RUF soldiers are located dangerously close to the border and, on several occasions in mid-June, gunfire was exchanged across the border in the Nongoa village area, resulting in casualties among the Guinean military and small numbers of civilians.<sup>62</sup> Refugees from a camp in Nongoa fled the fighting.

### ***Access to Asylum, Screening and Registration***

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<sup>61</sup>Article II (6) of the OAU Convention states that "For reasons of security, countries shall as far as possible, settle refugees at a reasonable distance from the frontier of their country of origin." This has generally been understood to mean a minimum of fifty kilometers from the border.

<sup>62</sup>Human Rights Watch interviewed a ten-year-old refugee victim of a bullet wound and observed several wounded Guinean soldiers at Guéckedou Hospital, all casualties from this exchange of fire.



Although Sierra Leonean refugees are granted group-based *prima facie* refugee status in Guinea,<sup>63</sup> and in many respects, Guinea stands out as a generous host nation, obtaining asylum is not without obstacles. Refugees consistently testified to Human Rights Watch that they receive a mixed welcome when they reached the Guinea border. There are no reports of forced return—*refoulement*—by the Guinean military patrolling the border, but the refugees are routinely subjected to summary searches, and border authorities extort fees and property from them prior to entry into Guinea.<sup>64</sup> Sixty-year-old **Fea R.** from Kuyoh, Kono, and her husband entered Guinea at Bakador after one month in the forest in Sierra Leone. She remembered: “We met Guinean military at the border, and they were making people pay. The soldiers took the palm oil we were traveling with.”<sup>65</sup>

Refugees, however, also frequently expressed their appreciation for the assistance the Guinean military provided to the most vulnerable arrivals, particularly survivors of gross human rights violations, such as amputations. The soldiers transported refugees in dire need of medical assistance to hospitals in military vehicles or to places of temporary shelter.

UNHCR does not maintain a presence at border crossings, and UNHCR protection officers have rarely monitored the treatment of refugees as they seek to enter Guinea. In part, this is due to the fact that Guinean authorities have in many areas recently barred access to the border, citing security concerns. To ensure the protection of refugees seeking to enter Guinea, UNHCR should work with the government of Guinea to establish a presence at border crossing points to monitor access to asylum.

### ***Detention and Exclusion***

Human Rights Watch has received reports that possibly hundreds of suspected AFRC/RUF soldiers trying to enter Guinea have been detained by Guinean military authorities. Unlike the situation in Liberia described below, infiltration of the camps by AFRC/RUF members is not known to have happened to a large extent. Suspected AFRC/RUF members have reportedly turned up in refugee camps in small numbers and have been identified by the refugees and handed over to the Guinean authorities. For example, refugees in Fangamadou told Human Rights Watch that six suspected AFRC/RUF soldiers had been turned over to Guinean authorities, who reportedly detained them and later transferred them to jails in Conakry.

UNHCR and the International Committee of the Red Cross (ICRC) have both been denied access to detainees to determine whether or not they actually have bona fide asylum claims and whether they are being treated as candidates for exclusion.<sup>66</sup> The government of Guinea has provided no information about the detainees or the procedures and criteria used to screen, detain, and seemingly exclude these persons from protection in Guinea. The

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<sup>63</sup>Lists of new arrivals are compiled by Guinean officials at the sub-prefecture and prefecture levels and given to UNHCR, which then goes out to the field, identifies, and registers the refugees.

<sup>64</sup>Guinean border authorities behaved similarly with Liberian refugees returning to Liberia in 1997.

<sup>65</sup>Human Rights Watch interview, Fandouyema II Refugee Camp, Republic of Guinea, June 12, 1998.

<sup>66</sup>UNHCR and governments are obliged under international refugee law to deny the benefits of refugee status to persons who would otherwise qualify as refugees if they have committed certain human rights violations. These provisions are commonly referred to as “exclusion clauses.” Article 1(F) of the 1951 Convention Relating to the Status of Refugees states that the Convention “shall not apply to any person with respect to whom there are serious reasons for considering” that: (a) he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes; (b) he has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee; (c) he has been guilty of acts contrary to the purposes and principles of the United Nations. Article 1(5) of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa contains identical language and excludes from refugee status any person who “has been guilty of acts contrary to the purposes and principles of the Organization of African Unity.”

Guinean government should give UNHCR unlimited full access to entry points and places of detention of refugees and asylum seekers, including potential exclusion candidates, in order to determine their status and provide assistance and protection where appropriate.

These concerns underline the need for UNHCR to maintain a presence at entry points into Guinea, where protection officers can monitor access to asylum for new arrivals, conduct basic screening to determine group-based, *prima facie* refugee status and pre-screen those who may be potential exclusion candidates.<sup>67</sup> UNHCR should also advise the Guinean government on criteria and procedures for exclusion.

### ***Freedom of Movement***

The Guinean government has thus far failed to issue refugee identification cards to the refugees, which has created a number of problems. Without an identification card, the refugees' freedom of movement is constrained, and they risk arrest should they be stopped by Guinean military or police authorities at various checkpoints along the road. Refugees are frequently stopped, threatened with arrest, and pressured to pay what little they have in money or goods for failure to present an identification card.

**William S.**, a refugee from Sierra Leone in Nyeadou Refugee Camp, said:

I was arrested two days ago by a police officer while I was walking along the road for not having an identification card. I had the piece of paper saying I'm a refugee from Sierra Leone, my *auto-collant* and my fixing token,<sup>68</sup> but he said I need an ID card. He said if I didn't pay him he was going to take me to the jail. He said if I pay FG5,000, I can get a small receipt and go by. I produced FG1,000 to get released and came straight back to the camp fast. And he didn't give me any receipt.<sup>69</sup>

A form of identification which the Guinean authorities do recognize is available for a hefty fee (FG5,000, approximately U.S.\$5.00) from the Sierra Leonean Refugee Coordinating Committee. But the price is too high for most. UNHCR is reportedly in continued negotiations with the Guinean government regarding issuance of these cards. The slow process may be an indication of the government's desire to keep the refugee population as separate from the local population as possible.

### ***Security***

There have been few reports of crimes being committed in the refugee camps. The only incidents reported to Human Rights Watch involved refugees stealing property, such as tarpaulins, from the houses of "vulnerable"<sup>70</sup> refugees

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<sup>67</sup>Screening for exclusion should take place after screening for refugee claims, as a person may have a valid fear of persecution but not be deserving of international protection for the reasons described. Efforts should be made, however, to ensure as much as possible that combatants and war criminals are not mixed in with the rest of the refugee population, as is currently the case in refugee camps in Liberia. Those excluded are still entitled to protection under international human rights law. For example, the 1984 Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment provides protection against *refoulement* to a country where there are substantial grounds for believing that a person would be subjected to torture.

<sup>68</sup>The *auto-collant* is a temporary card issued to new Sierra Leonean refugees in Guinea to facilitate distribution of supplies, including food. Refugees later receive a temporary card and a "fixing token," which is also used to identify refugees for distribution. The temporary card is meant ultimately to be replaced with a refugee identification card, but none have been issued. Refugees also receive a copy of their UNHCR registration form, issued by UNHCR, which identifies all of the members of their family.

<sup>69</sup>Human Rights Watch interview, Nyeadou Refugee Camp, Guéckedou, Republic of Guinea, June 20, 1998.

<sup>70</sup>Certain members of the refugee population have special needs, are deemed "vulnerable" by UNHCR, and receive targeted assistance. "Vulnerable" populations include such groups as unaccompanied minors; single female heads of household;

during the night. "Vulnerable" populations are still in the process of being identified and situated within the camps. The location and security of these populations in the camps are ongoing concerns, as is assistance to this community.

There have also been no reports of abductions by any party taking place in the camps. Sexual attacks on women in the camps, if occurring, have not been reported. However, women alone, or with children, have been subjected to another form of sexual abuse. Human Rights Watch received reports that fellow male refugees often tell women that they will assist them in the camp only in exchange for sex.<sup>71</sup> Volunteer social workers who work with UNHCR to identify, counsel and assist "vulnerable" refugees in Nyeadou Refugee camp said:

There are more women than men here. Women have children to take care of and no husbands. There is little money and no one to help with the family. Many women tell us that men tell them, "I'll help you if you sleep with me." This is practiced widely in all the camps. Many women agree because they are in need. It is against their real will, but they don't want to starve.<sup>72</sup>

A number of refugees have been arrested for crimes committed in Guinean villages and cities. Lists of these individuals, their crimes, terms of imprisonment and location have been compiled and made available to UNHCR. UNHCR protection officers have been allowed to visit these refugees, and provide them with one meal per day.

### **Situation for Sierra Leonean Refugees in Liberia**

From February through April 1998, approximately 42,000 Sierra Leoneans fled fighting in the eastern part of the country for Liberia, joining an existing Sierra Leonean refugee population of about 11,000.<sup>73</sup> Sierra Leonean civilians have fled on repeated occasions to western Liberia since 1991. Armed rebel groups from both Liberia and Sierra Leone have also moved back and forth across the border on numerous occasions, in order to find refuge, get supplies, such as food, and seek new recruits.<sup>74</sup> The refugees face serious security and assistance problems in two main camps in Liberia.

### ***Separation of Ex-combatants from Civilian Refugees***

The situation for Sierra Leoneans who fled to Liberia is different in several regards from the conditions in the refugee camps in Guinea. Aside from the smaller numbers of refugees in Liberia, the most striking contrast is the presence of former combatants among the refugee populations in the two main camps in Liberia, located at Vahun and Kolahun in northwestern Liberia. According to witnesses at the border, a large number of AFRC/RUF soldiers, perhaps over 2,000, arrived in Vahun from Sierra Leone during the months of February and March 1998. The fighters reportedly entered without weapons. At least one large group was allegedly escorted from the border at Vahun to the interior of Liberia by members of the Liberian military; some may even be Liberian nationals. Others were integrated into the general refugee or local populations. Refugees and aid workers both report that the combatants have gradually slipped away as time passed; by June 1998, a large number had either moved elsewhere in Liberia, or had returned to Sierra Leone. A significant number, probably at least several hundred, remain in the Kolahun and Vahun camps at the time of this writing.

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<sup>71</sup>Human Rights Watch also received unconfirmed reports of women and girls entering into prostitution in Guinean cities and villages in order to survive.

<sup>72</sup>Human Rights Watch interview, Nyeadou Refugee Camp, Republic of Guinea, June 20, 1998.

<sup>73</sup>These statistics were provided by UNHCR field staff in Liberia. Other estimates varied.

<sup>74</sup>THE BORDER BETWEEN SIERRA LEONE AND LIBERIA, LIKE MANY IN THE REGION, IS POORLY CONTROLLED AND SUBJECT TO MUCH TRAFFIC, BOTH LEGAL COMMERCE AND ILLEGAL CROSSINGS. MEMBERS OF THE MENDE ETHNIC GROUP LIVE ON BOTH SIDES OF THE BORDER, RESULTING IN ADDITIONAL CROSS-BORDER TIES AND REGULAR MOVEMENT BETWEEN FAMILIES.

Human Rights Watch interviewed Liberians, Sierra Leoneans, and foreign agency staff who, on multiple occasions, had witnessed interaction between Liberian military and members of the AFRC/RUF in the Vahun and Kolahun areas. Witnesses concurred that, in general, the interaction appeared to have been friendly, including encounters with one of the key RUF commanders, Sam Bouckarie, also known as "Mosquito."<sup>75</sup>

Human Rights Watch also spoke with former combatants in the Vahun camp who stated that members of the AFRC/RUF had come from Sierra Leone into the camps on numerous occasions to encourage them to return to the fighting in Sierra Leone. In addition to recruitment, members of the AFRC/RUF cross the border at unofficial crossing points to sell looted goods from Sierra Leone and to purchase supplies, such as food and clothing.<sup>76</sup> The AFRC/RUF conduct their business in broad daylight but in civilian clothing. On June 13, Human Rights Watch observed one group of young men transporting goods on the Vahun-Kolahun road that, according to Liberians from the area, were members of the AFRC/RUF on their way back to Sierra Leone. This type of traffic is apparently frequent, according to refugees and Liberians.

### ***Assistance and Protection in Vahun***

The presence of former combatants among the refugee population has hampered humanitarian assistance for refugees, as well as their protection. In February 1998, UNHCR, the World Food Program (WFP), and other humanitarian organizations became aware of former combatants among the refugee population in Vahun. In view of the proximity of the Vahun camp to AFRC/RUF-controlled territory in Sierra Leone, members of the international aid community attempted to develop a plan to assist refugees as well as transfer them to a safe and accessible area in Kolahun. Much debate ensued among the international humanitarian community regarding how to avoid the danger of creating a "Goma-like" situation.<sup>77</sup>

The proximity of the camp to AFRC/RUF fighters in Sierra Leone and the permeable nature of the border presents a clear security risk for refugees in the Vahun camp. The remote location and vulnerability of the Vahun camp has made it a target in the past: in 1993, armed rebel groups operating in the border area attacked the camp, looted UNHCR facilities, and forced the evacuation of aid workers.

Refugees in the Vahun camp also suffer from abuses by the Liberian military. Upon arrival at the Liberian border, refugees are regularly stripped of their belongings by authorities and subject to beatings if they resist. Refugees claim that Liberian military frequent the camps and openly steal from them, at times in the presence of international aid workers.<sup>78</sup> Refugees face the constant risk of theft, rape, or other abuse especially when traveling to fields that they till, nearby markets, or other destinations outside the camps. Refugees and medical workers in Vahun also claim that rape, often by Liberian military, is a serious problem for refugees.

Some members of international agencies and nongovernmental organizations have expressed strong criticism at the disjointed and very slow response to the present precarious situation in Vahun. By June 1998, refugees in Vahun had received only one fourteen-day ration from UNHCR since their arrival (most refugees had arrived in February and March), and no concrete plan to separate combatants from civilian refugees had been put into place by the Liberian authorities or UNHCR. Refugees also complained that mixed signals from UNHCR had left them confused as to whether they should stay in Vahun or relocate to Kolahun. Human Rights Watch repeatedly heard reports from

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<sup>75</sup>Human Rights Watch interview, Vahun, Liberia, June 14, 1998.

<sup>76</sup>Human Rights Watch interview, Vahun, Liberia, June 14, 1998.

<sup>77</sup>THE REFERENCE IS TO RWANDAN REFUGEE CAMPS IN EASTERN ZAIRE, NEAR THE BORDER TOWN GOMA. THE INTERNATIONAL COMMUNITY WAS WIDELY CRITICIZED FOR ALLOWING CAMPS IN THIS AREA TO BE SET UP TOO CLOSE TO THE BORDER WITH RWANDA AND FOR NOT TAKING STEPS TO SEPARATE OUT ARMED ELEMENTS AND THOSE RESPONSIBLE FOR THE GENOCIDE FROM CIVILIAN REFUGEES. THIS ALLOWED FOR AID TO BENEFIT COMBATANTS AND WAR CRIMINALS, AND EXACERBATED INSECURITY IN THE REGION.

<sup>78</sup>HUMAN RIGHTS WATCH INTERVIEW, VAHUN, LIBERIA, JUNE 13, 1998.

refugees who said they had been told by UNHCR to build their shelters in Vahun in order to receive tarpaulins and other assistance, only to be told later that they need to move to Kolahun in order to receive assistance.

According to medical aid workers, by June 1998 the lack of humanitarian assistance to the Vahun camp had led to a serious decline in the nutritional health of the refugees. The shortage of assistance created enormous tension in the refugee camps. Refugees and aid workers noted that as pressure on the refugee and local populations increased, theft was rising and it was likely that many of the former combatants would return to Sierra Leone to rejoin the fighting, or else resort to banditry in Liberia. Refugees also claimed that they would at times risk crossing back into AFRC/RUF territory across the border in Sierra Leone to search for food. At least one refugee single mother of three had disappeared while seeking palm oil in Sierra Leone; the caretaker of her children claimed that the woman had been abducted by AFRC/RUF while in Sierra Leone.<sup>79</sup>

Assistance and protection has further been compromised by the onset of the rainy season and poor road conditions,<sup>80</sup> as well as a lack of resources for UNHCR and other humanitarian agencies. UNHCR was able to maintain only one field officer at the Vahun camp, home to some 42,000 refugees in June 1998.

### ***Kolahun Camp***

Protection, security, and humanitarian conditions in the Kolahun camp, some fifty kilometers from the border, are far better than in the Vahun camp. Some refugees have been hesitant to move to the Kolahun camp, however, due to cultural and family ties with the local Mende population in Vahun. These ties create better opportunities for crop cultivation and small business ventures for those who stay in Vahun. Refugees also explained that they do not want to relocate to Kolahun, first, because of the forbidding prospect of establishing new shelters and fields (already established in Vahun) during the rainy season; second, many are unable to make the three-day journey due to age, illness, or nutritional status; and third, they are receiving unclear messages regarding where and when aid will be delivered. By mid-June 1998, some 10,000 refugees had relocated to Kolahun; while approximately 32,000 remained in Vahun, waiting for clearer signals from UNHCR as to future assistance.<sup>81</sup>

## **V. THE INTERNATIONAL RESPONSE**

OVERSHADOWED BY CONFLICT IN LIBERIA AND EVENTS ELSEWHERE ON THE CONTINENT, SIERRA LEONE HAS LARGELY ESCAPED THE ATTENTION OF THE INTERNATIONAL COMMUNITY. OVER THE PAST SEVEN YEARS, ASIDE FROM THE INVOLVEMENT OF DIAMOND MINING FIRMS, INTERNATIONAL INTEREST HAS FOCUSED ON THE PROVISION OF HUMANITARIAN ASSISTANCE TO VICTIMS OF THE INTERNAL CONFLICT AND, TO A LESSER EXTENT, FINDING POLITICAL OR MILITARY SOLUTIONS TO END THE VIOLENCE. UNTIL RECENTLY, HUMAN RIGHTS CONCERNS HAVE LARGELY TAKEN A BACK SEAT TO EMERGENCY RELIEF, SUPPORT FOR MILITARY INTERVENTIONS, OR EFFORTS TO NEGOTIATE PEACE BETWEEN THE VARIOUS WARRING PARTIES.

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<sup>79</sup>Human Rights Watch interview, Vahun, Liberia, June 14, 1998.

<sup>80</sup>Deteriorating road conditions due to heavy rain are likely to cut off road access to the Vahun and Kolahun camps and also to camps in Guinea.

<sup>81</sup>According to statistics from UNHCR field office, Vahun, Liberia, June 13, 1998.

THE RECENT SURGE IN ATROCITIES AGAINST CIVILIANS IN SIERRA LEONE HAS RAISED A LIMITED LEVEL OF AWARENESS FROM THE INTERNATIONAL COMMUNITY REGARDING THE HUMAN RIGHTS IMPLICATIONS OF THE CRISIS. IN GENERAL, THE PLIGHT OF CIVILIANS IN SIERRA LEONE HAS HAD TO COMPETE WITH OTHER REFUGEE-RELATED EMERGENCIES FOR THE ATTENTION OF INTERNATIONAL PLAYERS. THIS COMPETITION, OFTEN WITH CRISES IN EUROPE, COMBINED WITH A GENERAL LACK OF FUNDS FOR UNHCR AND OTHER HUMANITARIAN AGENCIES, HAS RESULTED IN INSUFFICIENT RESPONSES TO THE POLITICAL, HUMANITARIAN, AND HUMAN RIGHTS SITUATION IN SIERRA LEONE. IN THE WORDS OF ONE HUMAN RIGHTS WORKER, "HALF THE BATTLE IS KEEPING SIERRA LEONE, GUINEA, AND LIBERIA ON THE WORLD'S RADAR SCREEN."<sup>82</sup>

IN JUNE 1998, A TEAM OF THREE EXPERTS FROM THE WORLD BANK VISITED SIERRA LEONE TO DISCUSS AND REFINE A PROGRAM FOR DISARMAMENT, DEMOBILIZATION, AND REINTEGRATION (DDR) WITH THE SIERRA LEONEAN GOVERNMENT. THE WORLD BANK, UNDP, AND OTHER DONORS HAVE AGREED TO FUND THIS PROGRAM, TO BE CARRIED OUT BY ECOMOG. THE UNITED NATIONS OBSERVER MISSION TO SIERRA LEONE (UNOMSIL) WILL HAVE THE CRITICAL ROLE OF MONITORING AND ASSISTING WITH THE DISARMAMENT, DEMOBILIZATION, AND REINTEGRATION OF COMBATANTS AND ASSURING THE RESPECT FOR INTERNATIONAL HUMANITARIAN LAW DURING THIS PROCESS.<sup>83</sup> THE SUCCESS OF THIS PROGRAM AND THE HUMANE TREATMENT OF FORMER COMBATANTS FROM ALL SIDES WILL BE CRUCIAL TO BRING ABOUT AN END TO THE CONFLICT IN SIERRA LEONE.<sup>84</sup>

A MAJOR CHALLENGE TO THE INTERNATIONAL COMMUNITY IS DEVELOPING POLICIES AND PROVIDING ASSISTANCE THAT PROTECT HUMAN RIGHTS AND PROMOTE PEACE AND STABILITY IN THE LONG RUN. SOME PAST AND PRESENT POLICIES OF GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS, AS DISCUSSED BELOW, HAVE TARGETED ONLY SHORT-TERM POLITICAL, ECONOMIC, OR MILITARY OBJECTIVES, WHILE IGNORING FUNDAMENTAL HUMAN RIGHTS CONCERNS. AS THE REINSTITATED KABBIAH GOVERNMENT REBUILDS NATIONAL INSTITUTIONS OF JUSTICE, AND ECOMOG CREATES A NEW NATIONAL ARMY, THE INTERNATIONAL COMMUNITY IS PRESENTED WITH A UNIQUE OPPORTUNITY TO PROMOTE HUMAN RIGHTS IN SIERRA LEONE.

#### THE UNITED NATIONS

IN RESPONSE TO POLITICAL, MILITARY, HUMANITARIAN, AND HUMAN RIGHTS DEVELOPMENTS SINCE FEBRUARY 1998, THE U.N. PRESENCE IN SIERRA LEONE IS UNDERGOING SIGNIFICANT EXPANSION. IN EARLY JULY, FOLLOWING A REPORT ON SIERRA LEONE FROM U.N. SECRETARY-GENERAL KOFI ANNAN, THE U.N. SECURITY COUNCIL UNANIMOUSLY APPROVED A MEASURE TO ESTABLISH THE UNITED NATIONS OBSERVER MISSION TO SIERRA LEONE (UNOMSIL),<sup>85</sup> SUBSUMING AND EXPANDING THE OFFICE OF THE U.N. SPECIAL ENVOY TO SIERRA LEONE. UNOMSIL'S ROLE WILL INCREASE THE PRESENT U.N. MILITARY OBSERVER PRESENCE FROM APPROXIMATELY TEN TO SEVENTY OFFICERS ALONG WITH SUPPORT AND MEDICAL STAFF. ITS MANDATE WILL INCLUDE MONITORING AND HELPING ECOMOG WITH THE DDR PROGRAM FOR COMBATANTS; REPORTING ON THE SECURITY SITUATION; AND "MONITORING RESPECT FOR INTERNATIONAL HUMANITARIAN LAW AT DISARMAMENT AND DEMOBILIZATION SITES."<sup>86</sup>

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<sup>82</sup>Human Rights Watch interview, relief organization representative, Freetown, June 24, 1998.

<sup>83</sup>Fifth Report of the Secretary General on the Situation in Sierra Leone, S/1998/486, 9 June 1998.

<sup>84</sup>Lawyers and international observers in Freetown have called into question the respect for due process in the ongoing trials of fifty-nine civilians being tried on various charges related to collaboration with the AFRC/RUF. Whether or not these fifty-nine are given a fair trial may send a strong message to AFRC/RUF members considering laying down their arms and enrolling in an eventual DDR program.

<sup>85</sup>United Nations Security Council Resolution 1181 (1998), S/RES/1181 (1998), 13 July 1998.

<sup>86</sup>Fifth Report of the Secretary General on the Situation in Sierra Leone, S/1998/486, June 9, 1998.

THE SECRETARY-GENERAL'S JUNE REPORT ALSO CALLS FOR ADDING THREE HUMAN RIGHTS OFFICERS TO SUPPORT THE EXISTING HUMAN RIGHTS ADVISOR IN THE OFFICE OF THE SPECIAL ENVOY. THESE OFFICERS "WOULD HAVE A MONITORING ROLE AND THE TASK OF ADDRESSING THE COUNTRY'S LONG-TERM HUMAN RIGHTS INSTITUTION BUILDING NEEDS."<sup>87</sup> A JULY 13 U.N. SECURITY COUNCIL RESOLUTION FURTHER STATES THAT UNOMSIL SHOULD ADVISE THE "GOVERNMENT OF SIERRA LEONE AND LOCAL POLICE OFFICIALS ON POLICE PRACTICE, TRAINING, RE-EQUIPMENT AND RECRUITMENT, IN PARTICULAR ON THE NEED TO RESPECT INTERNATIONALLY ACCEPTED STANDARDS OF POLICING IN DEMOCRATIC SOCIETIES."<sup>88</sup> THE SECURITY COUNCIL ALSO REITERATED THE SECRETARY-GENERAL'S REPORT IN CALLING FOR UNOMSIL TO "REPORT ON VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW AND HUMAN RIGHTS IN SIERRA LEONE, AND IN CONSULTATION WITH THE RELEVANT U.N. AGENCIES, TO ASSIST THE GOVERNMENT OF SIERRA LEONE IN ITS EFFORTS TO ADDRESS THE COUNTRY'S HUMAN RIGHTS NEEDS."

IN ADDITION TO THESE STATEMENTS, UNITED NATIONS OFFICIALS HAVE PAID SIGNIFICANT ATTENTION TO THE HUMAN RIGHTS SITUATION IN SIERRA LEONE IN RECENT MONTHS, LARGELY DUE TO THE SCALE AND HORRIFIC NATURE OF ATROCITIES COMMITTED AGAINST CIVILIANS. SEVERAL AGENCIES HAVE SENT HIGH-LEVEL DELEGATIONS TO THE REGION, WHILE FIVE SENIOR U.N. OFFICIALS ISSUED AN UNPRECEDENTED JOINT STATEMENT CALLING FOR AN END TO THE ATROCITIES AND IMPUNITY, AND UNDERSCORING THE NEED FOR AN INTERNATIONAL CRIMINAL COURT TO HOLD PERPETRATORS ACCOUNTABLE FOR THE ATROCITIES.<sup>89</sup>

THE CURRENT CRISIS IN SIERRA LEONE IS A BRUTAL REMINDER TO THE DELEGATIONS NOW MEETING IN ROME OF THE URGENT NEED FOR AN EFFECTIVE INTERNATIONAL CRIMINAL COURT TO PROVIDE JUSTICE FOR THE APPALLING VIOLATIONS OF HUMAN RIGHTS IN THAT COUNTRY AND ELSEWHERE. SINCE APRIL THIS YEAR, REBEL FORCES IN THE EAST, NORTH AND, MORE RECENTLY, THE WEST OF SIERRA LEONE HAVE ENGAGED IN A TERROR CAMPAIGN INVOLVING THE SYSTEMATIC LACERATION, MUTILATION OR SEVERING OF LIMBS OF NON-COMBATANTS, INCLUDING CHILDREN AND THE ELDERLY.

IN ADDITION TO THE OFFICE OF THE SPECIAL ENVOY, OTHER U.N. AGENCIES IN SIERRA LEONE HAVE ENGAGED IN A NUMBER OF INITIATIVES IN RECENT MONTHS DESIGNED TO PROTECT RIGHTS AND PROMOTE RECONCILIATION AND PEACE. IN CONJUNCTION WITH THE U.N. SPECIAL ENVOY FOR SIERRA LEONE AND THE U.N. SPECIAL REPRESENTATIVE FOR CHILDREN IN ARMED CONFLICT, UNICEF HAS PUSHED FOR THE CREATION OF A JOINT TASK FORCE FOR THE DEMOBILIZATION OF CHILD COMBATANTS AND OTHER MEASURES TO PROTECT THE RIGHTS OF CHILDREN. AMONG OTHER U.N. INITIATIVES IN HUMAN RIGHTS AND CIVIC EDUCATION, UNDP APPROVED A \$2.5 MILLION SUPPORT PROGRAM IN JUNE TO THE SIERRA LEONEAN NATIONAL COMMISSION ON DEMOCRACY AND HUMAN RIGHTS TO PROMOTE RECONCILIATION, FORGIVENESS, AND CIVIC EDUCATION.<sup>90</sup>

IT WILL BE CRITICAL THAT THESE PROGRAMS PUT INTO PRACTICE THE PRINCIPLES THAT THEY PREACH. ECOMOG'S POOR HUMAN RIGHTS RECORD IN THE PAST RAISES QUESTIONS ABOUT ITS APPROPRIATENESS AS TRAINER OF THE NEW SIERRA LEONEAN ARMY, UNLESS IT IS CLOSELY MONITORED AND ASSISTED BY QUALIFIED UNOMSIL PERSONNEL. THE NATIONAL COMMISSION ON HUMAN RIGHTS AND DEMOCRACY HAS ALSO BEEN WIDELY CRITICIZED FOR BEING CORRUPT AND INEFFICIENT. DONORS MUST ENSURE THAT IMPLEMENTING ORGANIZATIONS OR GOVERNMENT MINISTRIES HAVE THE TECHNICAL EXPERTISE, CAPACITY, AND WILL TO IMPLEMENT THESE AND OTHER PROGRAMS THAT PROMOTE OR PROTECT HUMAN RIGHTS. MONITORING AND COORDINATION AMONG THE VARIOUS IMPLEMENTING U.N. AGENCIES, GOVERNMENT MINISTRIES, AND NGOS WILL BE CRITICAL TO MAKING GOOD USE OF FUNDS DEDICATED TO RIGHTS ISSUES.

AS REQUIRED BY ITS MANDATE, UNOMSIL SHOULD INSIST THAT ECOMOG RESPECT THE RIGHTS OF DEMOBILIZED COMBATANTS AND THAT HIGH STANDARDS ARE MAINTAINED THROUGHOUT THE TRAINING OF THE NEW SIERRA LEONEAN ARMY IN INTERNATIONAL HUMANITARIAN LAW. LINKED WITH THIS RESPONSIBILITY, UNOMSIL SHOULD WORK CLOSELY WITH ECOMOG TO MONITOR ARMS FLOWS AND RECRUITMENT IN SUPPORT OF AFRC/RUF. HUMAN RIGHTS WATCH RECEIVED NUMEROUS ALLEGATIONS THAT THE AFRC/RUF WAS CONTINUING TO RECEIVE ARMS FROM OUTSIDE THE COUNTRY, VIA LAND AND AIR. IN ORDER TO MONITOR AND DETER MILITARY SUPPORT TO THE AFRC/RUF, A STRONG PRESENCE OF UNOMSIL WILL BE NECESSARY TO MONITOR ARMS

<sup>87</sup>Ibid.

<sup>88</sup>United Nations Security Council Resolution 1181 (1998), S/RES/1181 (1998), 13 July 1998.

<sup>89</sup>Sergio Vieira de Mello, the under-secretary-general for humanitarian affairs, Olara Otunnu, the special representative of the secretary-general for children in armed conflict, and Soren Jensen Peterson, the assistant high commissioner for refugees, have all recently visited the region. Mr. Vieira de Mello and Mr. Otunnu were joined by Carol Bellamy, executive director of the United Nations Children's Fund (UNICEF), Mary Robinson, United Nations high commissioner for human rights, and Sadako Ogata, United Nations high commissioner for refugees, in making the joint declaration on June 18, 1998.



trafficking, in particular along the porous border with Liberia. The monitoring of the Liberian border should be performed in conjunction with ECOMOG forces in Liberia.

#### **THE ORGANIZATION OF AFRICAN UNITY, ECOWAS, AND ECOMOG**

ECOWAS and ECOMOG have played key roles in recent political negotiations and military interventions respectively in Sierra Leone. As part of bilateral security accords, Nigerian forces and Guinean forces have been in Sierra Leone since 1995 to help the NPRC and, later, the Kabbah government to fight the RUF. The Nigerian and Guinean forces were in Sierra Leone at the time of the May 25, 1997 coup, and later reinforced ECOMOG's efforts to oust the AFRC/RUF.

Following the 1997 coup, the Organization of African Unity (OAU) called on ECOWAS to restore constitutional order to Sierra Leone. When their negotiations with the AFRC/RUF failed to achieve progress, ECOWAS imposed an economic embargo, which was later reinforced by an October 1997 U.N. Security Council global arms and oil embargo<sup>91</sup> and restrictions on international travel by AFRC/RUF members and their families.<sup>92</sup> ECOMOG enforced these sanctions with the permission of ECOWAS and the Security Council. With the failure of diplomatic efforts and the escalation of tension, ECOMOG's mandate was upgraded from sanction enforcement to actual military intervention to oust the AFRC/RUF. The ECOMOG contingent in Sierra Leone is led by Nigerian Commander Brigadier General Maxwell Khome and composed of approximately 9,000 troops, predominately Nigerian with several Guinean support battalions. As of June 23, Gambia, Ghana<sup>93</sup> and Niger<sup>94</sup> had all promised to send troops to reinforce ECOMOG. In late July, ECOMOG announced that it was finishing the transfer of its headquarters from Monrovia to Freetown and that an additional 3,500 troops would soon arrive.<sup>95</sup>

While residents of Freetown and Sierra Leonean refugees consistently stated that ECOMOG's role in ousting the AFRC/RUF and enabling a return to civilian rule was welcome, international humanitarian groups complained that shelling by ECOMOG led to a high number of civilian casualties. One humanitarian organization in Freetown at that time stated that even after ECOMOG had been provided with maps of high-density population zones and medical structures, shelling continued in these areas for several days, resulting in over 600 war-wounded hospital admissions during a nine-day period in early February.<sup>96</sup>

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<sup>91</sup>Petroleum for humanitarian purposes was permitted.

<sup>92</sup>U.S. Agency for International Development Bureau for Humanitarian Response (BHR) and Office of Foreign Disaster Assistance (OFDA), Situation Report #1, January 28, 1998.

<sup>93</sup>Integrated Regional Information Network, Office of the Coordinator for Humanitarian Affairs, IRIN-West Africa Update 169, March 19, 1998.

<sup>94</sup>"More ECOMOG Troops Due," page 1, *Daily Mail*, Freetown newspaper, June 23, 1998.

<sup>95</sup>Integrated Regional Information Network, Office of the Coordinator for Humanitarian Affairs, IRIN-West Africa Weekly Roundup, July 24, 1998.

<sup>96</sup>Human Rights Watch interview. New York, July 15, 1998.

DESPITE THESE SERIOUS ALLEGATIONS, ECOMOG HAS BEEN PRAISED BY THE SIERRA LEONEAN PRESS AND INTERNATIONAL COMMUNITY, LARGELY DUE TO ITS MILITARY SUCCESS IN SIERRA LEONE AND SIGNIFICANT IMPROVEMENTS IN ITS CONDUCT SINCE ITS INTERVENTION IN LIBERIA. UNITED NATIONS MILITARY OBSERVERS AND AID WORKERS ATTRIBUTED THE IMPROVEMENTS IN ECOMOG'S HUMAN RIGHTS RECORD TO IMPROVED SUPERVISION, MORE REGULAR PAYMENT OF SALARIES, AND A SENSITIVITY TO PAST CRITICISMS.<sup>97</sup> ECOMOG HAS ALSO EVACUATED DOZENS OF WAR VICTIMS VIA HELICOPTER AND ROAD, SAVING MANY CIVILIAN LIVES. HOWEVER, ECOMOG AND KAMAJOR COMMANDEERING OF HUMANITARIAN VEHICLES HAS BEEN, IN THE WORDS OF THE DIRECTOR OF ONE AID ORGANIZATION, "BLATANT AND PREVALENT."<sup>98</sup> IN RESPONSE TO THIS PROBLEM, WHICH HAS SIGNIFICANTLY OBSTRUCTED THE DELIVERY OF HUMANITARIAN AID, THE UNITED NATIONS HUMANITARIAN ASSISTANCE COORDINATION UNIT (HACU) ORGANIZED A SEMINAR FOR ECOMOG AND KAMAJORS IN THE BO DISTRICT IN MAY.<sup>99</sup> IN MAY AND JUNE 1998, ECOMOG AND THE MINISTRY OF DEFENSE REPEATEDLY DECLARED IN PUBLIC THAT THE KAMAJORS WERE ENTIRELY UNDER THE CONTROL OF ECOMOG.<sup>100</sup> WHILE THE OBSTRUCTION OF AID DECREASED AFTER THIS AND SUBSEQUENT SEMINARS AND THE ARRIVAL OF LOGISTICAL SUPPORT AND TRUCKS DONATED BY THE UNITED STATES IN MAY, AT LEAST ONE HUMANITARIAN GROUP STATED THAT ECOMOG HAD YET TO RETURN ONE AID VEHICLE BY LATE JUNE 1998.

ECOMOG HOLDS THE KEY RESPONSIBILITIES OF DISARMING AND DEMOBILIZING COMBATANTS AS WELL AS FORMING AND TRAINING THE NEW SIERRA LEONEAN ARMY. ECOMOG COMMANDER MAXWELL KHOBE HAS STATED THAT THE NEW ARMY WILL BE ETHNICALLY AND REGIONALLY BALANCED.<sup>101</sup> ECOMOG'S PAST HUMAN RIGHTS RECORD IN LIBERIA AND PROBLEMS IN THE PRESENT, HOWEVER, UNDERSCORE THE NEED FOR UNOMSIL TO PROVIDE ASSISTANCE AND CLOSELY MONITOR THE DISARMAMENT, DEMOBILIZATION, AND TRAINING PROCESSES TO ASSURE THAT THE NEW ARMY IS FOUNDED UPON PRINCIPLES OF RESPECT FOR INTERNATIONAL HUMANITARIAN LAW.<sup>102</sup>

Misinformation regarding the security situation in Sierra Leone has created serious risks for both Sierra Leonean refugees and civilians within the country. ECOMOG, along with Sierra Leonean government and some U.N. officials, has downplayed the capacity of the AFRC/RUF and portrayed the security conditions in Sierra Leone as safe and returning to normal in many districts. This information has contrasted sharply with reports from aid organizations with a field presence as well as from other U.N. officials. During a humanitarian assessment mission to Koidu on June 10, aid workers were told by an ECOMOG commander on the scene that the area had been entirely secured by ECOMOG and that security was "no problem."<sup>103</sup> Several hours later, after the mission left Koidu, AFRC/RUF forces began the first of several sustained attacks over four days on the town, temporarily pushing ECOMOG out of strategic positions.<sup>104</sup>

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<sup>97</sup>ECOMOG succeeded in Liberia in stopping the bloodshed and ethnic violence on several occasions, and human rights benefits clearly flowed from the intervention. However, ECOMOG did not integrate human rights into its activities, which has been a serious shortcoming. ECOMOG allied itself with other warring factions, which clearly undermined its credibility. It was responsible for extensive looting, harassment and detention of civilians. There were also serious concerns about the civilian toll and violations of medical neutrality by ECOMOG air strikes in Liberia.

<sup>98</sup>Human Rights Watch interviews with aid organizations, Freetown, Sierra Leone, June 22-25, 1998.

<sup>99</sup>Fifth Report of the Secretary-General on the Situation in Sierra Leone, S/1998/486, June 9, 1998.

<sup>100</sup>Human Rights Watch interview with Sierra Leone Deputy Minister of Defense, Freetown, Sierra Leone, June 25, 1998.

<sup>101</sup>Press conference led by Brig. Gen. Maxwell Khobe, Wilburforce military base, June 25, 1998, Freetown, Sierra Leone.

<sup>102</sup>See Human Rights Watch, "Liberia: Waging War to Keep the Peace."

<sup>103</sup>Human Rights Watch interview with aid organization that participated in the mission, Freetown, June 23, 1998.

<sup>104</sup>Human Rights Watch interviews with several members of the assessment mission, Freetown, Sierra Leone, June 23, 24, and 25, 1998.

Information regarding the security situation in Sierra Leone reaches refugees generally through international radio and new arrivals to the camps. Refugees reported that misinformation regarding security conditions in Sierra Leone had on several occasions led to voluntary repatriation to zones perceived as safe. Human Rights Watch interviewed refugees in Guinea who claimed that dozens of refugees had been killed while attempting to return to the Koidu area in April.<sup>105</sup> Their decision to repatriate was made following declarations on international radio claiming that area was under the control of ECOMOG. In order to protect refugees, civilians in Sierra Leone, and humanitarian workers, both ECOMOG and UNOMSIL should ensure that accurate information regarding security conditions is provided to the public, especially to refugees, internally displaced persons, and aid workers.

### **The United Kingdom, European Union and United States**

Since May 1998, the United Kingdom, European Union (E.U.), and United States have issued several strong statements denouncing the human rights violations committed by the AFRC/RUF in Sierra Leone. On May 21, 1998, the U.S. Department of State and European Union issued a joint statement which expressed their grave concern over the atrocities.

The European Union and the United States strongly condemn these horrific actions and urge all parties to call an immediate end to the senseless slaughter, mutilation, and torture of the civilian population and show full respect for human rights.<sup>106</sup>

In June, the U.S. and E.U. sent a joint high-level assessment mission to the region led by U.S. Assistant Secretary of State Julia Taft which resulted in financial pledges for humanitarian assistance in Sierra Leone, Guinea, and Liberia. These calls for an end to atrocities against civilians and financial commitments for humanitarian assistance should be combined with long-term support from the U.S. and the E.U. that promotes human rights and the rule of law.

In addition to its support of elections in 1996, the E.U. has had a significant and growing presence in Sierra Leone and neighboring countries affected by the refugee flows. Through the European Community Humanitarian Office (ECHO), the E.U. has been the most important donor of non-food humanitarian aid to Sierra Leone, contributing over 20 million European Equivalency Units (ECU) (over U.S. \$22 million), since 1993, mostly to support the activities of international humanitarian nongovernmental organizations (NGOs). ECHO has also provided aid in response to the refugee crisis in Guinea and Liberia, while the European Commission has been a long-term supporter of development activities and infrastructure projects in Sierra Leone. ECHO is now considering a 6 million ECU (U.S. \$ 6.6 million) global aid package for assistance in Guinea, Liberia, and Sierra Leone.

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<sup>105</sup>Human Rights Watch interview, Koundou Lengo Bengo Refugee Camp, Guéckedou, Republic of Guinea, June 5, 1998.

<sup>106</sup>U.S. Department of State. "Sierra Leone: Rebel Atrocities Against Civilians." May 21, 1998.

Both the U.S. and U.K. have played significant roles in recent political and military developments in Sierra Leone. The U.S. is the single largest donor in response to the Sierra Leonean crisis, having contributed \$53 million in food, humanitarian and other aid in fiscal year 1998, including support for ECOMOG. The British have led fund-raising efforts at the European Union for the 1996 elections, ECOMOG, and other assistance. Both the U.S. and the U.K. have provided support for the Nigeria-led ECOMOG force in Sierra Leone.<sup>107</sup> In May, the U.S. State Department announced \$3.9 million for logistical support to ECOMOG through Pacific Architects and Engineers (PAE).<sup>108</sup> PAE is a U.S.-based military logistics firm contracted to provide transportation, communication, and other support to ECOMOG. The U.K. has contributed £2 million (U.S. \$ 3.3 million) to a U.N. trust fund for peacekeeping activities in Sierra Leone, some of which may be used to support ECOMOG.

This support for ECOMOG should be accompanied by close monitoring of its conduct and complemented by additional efforts to protect human rights. The U.S. and U.K. should closely monitor the performance of ECOMOG in international humanitarian law observance and in its disarmament, demobilization, and training efforts. In particular, the U.S. and U.K. should insist on high-quality training in international humanitarian law for the new Sierra Leonean army and on the humane treatment of demobilized combatants from all sides. The U.K. has sent an evaluation team to Sierra Leone to consider a police training program to Sierra Leone. The success of these types of initiatives in contributing to building institutions that protect human rights will depend largely on their careful design and monitoring of their implementation.

Both the U.S. and the U.K. have encouraged negotiated solutions to end the violence, most recently during talks at Abidjan in November 1996 and at Conakry in October 1997. Since the scale of atrocities has increased, the U.K. has been cautious about promoting negotiations with the AFRC/RUF. In an interview with Human Rights Watch, U.K. High Commissioner Peter Penfold stated that the U.K. was not pushing in "public or in private" for negotiations with the AFRC/RUF. The U.S. has taken a more open stand, stating that it:

did not preclude any possible option that might lead to peace. ECOWAS, with the support of the international community, must explore every political avenue and determine the best way to proceed."<sup>109</sup>

The U.S. elaborated that the RUF and former junta leadership must first, however, "unambiguously and honestly renounce" atrocities against civilians before talks could begin.

The U.S. has been a key supporter of humanitarian organizations, including the UNHCR, and has recently promised an additional \$19.5 million to support international humanitarian organizations working in response to the Sierra Leonean crisis and for the repatriation of Liberian refugees. Additional funds have been allocated to supporting civic education, and, to a lesser extent, the initiatives of local human rights groups. Through its Office of Transition Initiatives, the U.S. is providing \$900,000 in programs for war-affected children, the reintegration of former combatants, and to promote reconciliation. The U.S. should continue to expand its funding for well-coordinated

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<sup>107</sup>In a further effort to support ECOMOG and retake power, the Kabbah government engaged Sandline, a private security firm. Sandline claims that it imported between twenty-eight and thirty-eight tons of small arms and ammunition to ECOMOG with the consent of the British government. The arms were impounded by ECOMOG forces and never used. However, a scandal ensued because the shipment could constitute a violation of a U.N. or a U.K. arms embargo against Sierra Leone. U.N. legal analysts subsequently determined that the U.N. embargo had not been broken. British Foreign Secretary Robin Cook ordered an investigation into whether anyone in the Foreign Office had knowledge of or gave consent to such a shipment. The investigation is ongoing.

<sup>108</sup>Human Rights Watch telephone interview with U.S. Department of State official, May 25, 1998.

<sup>109</sup>Hearing on Sierra Leone before the House Subcommittee on Africa, June 8, 1998, Statement of Johnnie Carson, principal deputy assistant secretary for African affairs.

training and support programs for civil society, in particular for local organizations promoting human rights and the rule of law.

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### *Human Rights Watch*

#### *Africa Division*

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