1. No Peace Without Justice

No Peace Without Justice (NPWJ) is an international non-profit organisation working for the establishment of an effective international criminal justice system and in support of accountability mechanisms for war crimes, crimes against humanity and genocide, with a view to strengthening democracy and the rule of law worldwide.

Since its creation in 1994, NPWJ has been engaged in activities to promote public awareness on the International Criminal Court (ICC) as well as to pressure Parliaments, Governments and other decision-making bodies with the aim of accelerating the entry into force of the first permanent international jurisdiction over war crimes, crimes against humanity and genocide.

NPWJ’s international activities have involved a series of inter-governmental regional conferences in Europe, Africa, Asia, North America and Latin America to foster the prompt creation of the ICC. At an academic level, NPWJ has organised a series of seminars and workshops to create a “Task Force” to enable the participation of developing and less developed countries in the process towards the establishment of the Court. On the eve of the 1998 Rome Diplomatic Conference, NPWJ launched a project of concrete technical cooperation called the “Judicial Assistance Program” (JAP) to assist small delegations to participate in ICC-related negotiations. To date, some 15 countries have benefited from this program, profiting from the competence and expertise of more than 40 jurists, lawyers, law professors and researchers.

In August 1998, NPWJ launched an ad hoc campaign to support the activities of the International Criminal Tribunal for the former Yugoslavia (ICTY) concerning the crimes perpetrated in Kosovo. This was followed in 1999 by an extensive Humanitarian Law Documentation Project, conducted under the auspices of the International Crisis Group, which gathered statements from witnesses of serious violations of international humanitarian law committed during the Kosovo conflict, primarily for use by the Office of the Prosecutor at the ICTY. In addition, the “analysis” part of the project produced a report generalising the findings and helping to reconstruct chains of command. A third purpose was to build local capacity to continue this work and promote human rights after the project ended in December 1999.

In June 2000, NPWJ also launched a Judicial Assistance Program related to internationalised courts, including the Serious Crimes Panel established by the United Nations in East Timor after the obtainment of independence and the then-proposed Special Court for Sierra Leone. Following the entry into force of the Rome Statute on 1 July 2002, NPWJ has continued its international activities to universalise the jurisdiction of the ICC aimed at enlarging the membership of the Assembly of States Parties to the...
NPWJ projects are carried out in collaboration with a variety of international and regional entities, such as the United Nations and the European Union, as well as groups of Non-Governmental Organisations, such as the International Coalition of NGOs for the ICC and others. NPWJ publishes a quarterly newsletter and operates a website at www.npwj.org.

2. No Peace Without Justice in Sierra Leone

NPWJ’s involvement in Sierra Leone began with the secondment of experts in international criminal law to the Government of Sierra Leone in June 1998 on the occasion of the Rome Diplomatic Conference that adopted the Statute of the International Criminal Court. Since 2000, NPWJ-seconded experts have been working in Freetown and New York, within the Mission of Sierra Leone to the United Nations and the Office of the Attorney-General and Ministry of Justice, to assist the Government of Sierra Leone in relation to the Special Court for Sierra Leone.

Since 2001, NPWJ has also been engaged in a wide-ranging field-based Outreach and public information campaign on the Special Court, in cooperation with Sierra Leonean grassroots organisations and civil society groups. In 2002, after the Special Court came into existence, NPWJ’s Sierra Leone project considerably expanded both its scope of activity (and its expenditure) to include a Conflict Mapping program and a Legal Profession program designed specifically for the Sierra Leonean Legal Profession.

NPWJ’s most recent Sierra Leone program, which ran from July 2002 to October 2003, included four principal components:

- The Judicial Assistance Program (“JAP” Program), namely the secondment of expert personnel to the Government of Sierra Leone in Freetown and New York to assist with dealing with requests of assistance and other requests by the Special Court and to build the capacity of the relevant Government Departments to deal with these requests, as well as to provide advice on issues relating to international law in general;
- The Outreach Program, namely cooperation with local grassroots organisations to carry out public information and education on the Special Court and on accountability mechanisms in general, in order to facilitate a sense of ownership of these mechanisms and increase reliance on the rule of law and the mechanisms of democracy; this included the organisation of “Training the Trainers” workshops throughout the country, seminars, the production of outreach materials in different media, community events including street theatre and creating a robust network of non-governmental organisations centred on issues of accountability;
- The Legal Profession Program, namely the promotion of the role of the Special Court within the legal profession in Sierra Leone and the role of the Sierra Leonean legal profession within the Special Court, in order to enhance the relevance of the Special Court in the lives of legal professionals and the potential of the Special Court for leaving a legacy of respect for the law and knowledge of international human rights standards; this included training seminars, public lectures and the production of reports and informational materials;
To be truly successful, and lead to long term and meaningful changes, Sierra Leoneans must own the accountability process.

The Conflict Mapping Program, namely the reconstruction of the chain of events during the ten-year war through the scrupulous selection and debriefing of key individuals throughout the country whose profession, role in their community or in the forces involved in the conflict, placed them in a position to follow events as they unfolded.

Each program, while distinct in their specific aims, was conducted so as to reinforce the other programs and thereby increase the contribution of each program to the project’s overall aim of strengthening the ability of Sierra Leone society to address violations of human rights and humanitarian law. The most striking example of this was the close cooperation between the Outreach and Conflict Mapping programs. While the Outreach Program trained villages and towns on the Special Court, through “Training the Trainers” sessions and community events, these same communities continued to participate in accountability efforts by providing the Conflict Mapping program with their own views on and experiences of the conflict, by being consulted on the events and by directly taking part in the gathering of information. In addition, the project as a whole operated so as to maximise the participation of Sierra Leoneans in decision-making processes, both in relation to project policy as well as the design, implementation and follow-up for activities. This was premised on the belief that for Sierra Leone’s accountability mechanisms to make a meaningful impact and achieve their goals, there must be “ownership” of the processes by Sierra Leoneans. It is also underpinned by the notion that, as a matter of policy, Sierra Leoneans are best placed to know what activities and approaches would be the most effective to reach the people of Sierra Leone.

2.(a) Judicial Assistance Program

Since 2000, NPWJ-seconded experts have been working in Freetown and New York, within the Ministry of Foreign Affairs and the Office of the Attorney-General and Ministry of Justice, to assist the Government of Sierra Leone in its negotiations for the establishment of the Special Court for Sierra Leone. This component of the project addresses the consequences of the conflict in Sierra Leone by increasing governmental awareness of and commitment to accountability mechanisms, which is vital for the successful operations of these mechanisms. Increasing the awareness of the Government and Parliamentarians of the benefits of international human rights and humanitarian law increases the likelihood of legislation passing through Parliament, which in turn strengthens the rule of law by providing legal mechanisms by which to seek redress for its violation.

In July 2000, responding to the request of Sierra Leone to provide specialised assistance, NPWJ seconded a legal expert to the Sierra Leone Mission to the UN in New York to continue assisting the Sierra Leone Ambassador to the UN, which had begun during the negotiations for the establishment of the ICC in 1998. In August 2000, a further two legal experts were seconded to the Office of the Attorney-General and Minister of Justice in Freetown, Sierra Leone. This ensured that the Government, with the advice of NPWJ-seconded personnel, was able to form a co-ordinated response, both in Freetown and in New York, and to convey that response in the best possible way at the best possible time. By maintaining this close contact, NPWJ-seconded legal experts have kept the often delicate negotiations balanced and have ensured that the concerns of Sierra Leone were not lost in the debate.

The work of NPWJ-seconded legal experts has centred around advising the Sierra Leone Government on critical issues arising in relation to the Special
Court and issues of international criminal justice in general, including representing the Government during meetings and negotiations. This, together with detailed legal and policy analyses and recommendations on a range of issues raised directly and indirectly by the ongoing negotiations, has enabled Sierra Leone to formulate policies and address all the relevant issues in a timely manner.

In addition, NPWJ-seconded legal experts have been assisting the Attorney-General and the Sierra Leone Mission with various other tasks relating to international human rights and humanitarian law. For example, in New York, NPWJ-seconded legal experts have been participating in the VIth (Legal) Committee of the General Assembly, while in Freetown, the Government has often taken advantage of the presence of NPWJ-seconded international law experts to provide information and analyses on matters within their areas of expertise, such as the requirements of implementing legislation for the International Criminal Court.

2 (b) Outreach Program

During the team’s stay in Freetown in 2000, NPWJ identified a need for public sensitisation and education, given that what was being reported concerning the Special Court in the local media was often wildly inaccurate. The NPWJ Sierra Leone Mission was therefore expanded in 2001 to include an Outreach Program, designed to facilitate public information and sensitisation on the Special Court. The Outreach Program increased awareness of the mandate and operations of the Special Court, including promoting knowledge about human rights and humanitarian law issues to the public at large. The Outreach Program worked through the medium of local organisations, in particular the Special Court Working Group, by building the capacity of such local organisations to formulate and disseminate information coherently and in simple terms. Part of this process includes working with local organisations to formulate the issues in language and ways easily understandable by the general public. This fosters the role of civil society in promoting accountability within Sierra Leonean society and creates a stronger civil society by supplementing them with potent means to raise the issues publicly, both in general and in terms of prompting the Government to ensure international standards are promoted.

The Outreach Program commenced with “The Freetown Conference on Accountability Mechanisms for Violations of International Humanitarian Law in Sierra Leone”, held in the Lagoonda Complex on 20 to 22 February 2001 and attended by over 100 mainly Sierra Leonean participants. The conference provided a vehicle for the exploration of mechanisms designed to provide accountability for atrocities committed in Sierra Leone during the course of the conflict. It focussed on the two mechanisms then envisaged for Sierra Leone (the Special Court and the Truth and Reconciliation Commission) and the interaction between those institutions as well as exploring how traditional or customary justice could be incorporated into or operate alongside those mechanisms. Two key recommendations were adopted at the plenary session of the Conference, both based on participants’ perceived need for ownership of accountability mechanisms by the people of Sierra Leone: holding training workshops on the Special Court and establishing a coalition of interested Sierra Leonean NGOs to conduct the bulk of public sensitisation and information sharing about the Special Court. This concrete set of recommendations formed the basis for much of NPWJ’s subsequent outreach work.

The “Training the Trainers” seminars presented a detailed overview of the provisions of the (then) draft Statute and Agreement for the Special Court. To place the Special Court in context, the
seminars began with a brief introduction to the purposes and principles of international humanitarian and criminal law and discussed practical issues surrounding the Special Court. A number of identical workshops were held over a period of days, limiting the number of participants within each session to ensure the maximum opportunity for discussion. This model was employed over a number of months to facilitate holding seminars both in Freetown, the capital city, and in the provinces. The series of seminars thus held in 2001 attracted a total of over 600 participants from a diverse range of human rights, civil society and other organisations, including the RUF and the CDF. Training sessions were also held at the Disarmament, Demobilisation and Reintegration (DDR) camp in Lunsar and “extra-ordinary” sessions were held for specialised groups, such as the legal profession and human rights monitors.

An additional motive for the training seminars conducted in March 2001 was to identify those members of Sierra Leone civil society who were interested in establishing a “Special Court Working Group”, a coalition of Sierra Leone civil society organisations who were interested in the issues and who could play a crucial role in outreach and sensitisation, including ensuring that information being disseminated about the Special Court by various groups within Sierra Leone would be uniform and consistent. NPWJ organised a number of meetings of the Special Court Working Group (SCWG); over the course of 2001, the number of participants in working group meetings grew to a total of 39 members representing as many organisations. The SCWG, which met every two weeks in plenary and more often in smaller specialised groups, discussed the types of messages concerning the Special Court that would need to be directed to specific groups within Sierra Leone, together with the modalities through which the sensitisation program would be implemented. The SCWG adopted its constitution on 30 June 2001 and held elections for the national executive in July 2001, from which time the Special Court Working Group Sierra Leone (SCWG-SL) was established as an independent entity.²

During 2002-2003, the NPWJ Outreach Program gathered momentum and expanded in terms of the range of activities undertaken, its geographical reach and its implementing partners, which at the end of 2003 included the Special Court for Sierra Leone itself. NPWJ continued to work with the SCWG, including facilitating the establishment of 12 District Working Groups and the holding of elections for the national executive in August 2003, as required by the constitution. NPWJ also cooperated with the SCWG to hold “top-up training” for existing and new SCWG members, to ensure people were kept well informed about ongoing developments in relation to the Special Court. Among the targeted training held in 2002-3, NPWJ held a seminar for performing artists, which saw the creation of “The Right Players”, a group of Sierra Leonean dramatists who write and perform skits, short plays and songs on themes related to the Special Court. Building on this and the targeted training held for market women, NPWJ organised a series of Market Tours for the Right Players, in which the Right Players staged short plays about the Special Court in 16 markets across the Freetown area, with NPWJ staff on hand.

Supported by NPWJ, The Right Players use street drama to inform the women and children in Freetown's markets about the Special Court for Sierra Leone.
to answer questions from the audience.
Together with the Peace and Conflict Studies Department of Fourah Bay College at the University of Sierra Leone, NPWJ organised a series of public lectures, which commenced with the first public engagement of the newly-elected President of the Special Court, Judge Geoffrey Robertson. These lectures were video-taped and broadcast on SLBS, Sierra Leone’s national television station. In addition to television, NPWJ continued to facilitate the SCWG’s “Special Court Hour”, held every Saturday on Radio UNAMSIL since 2001, and helped to establish and support similar radio shows in five locations across the country. Again in conjunction with the SCWG, NPWJ held a series of training sessions for the newly-established District Working Groups in 13 locations in the provinces. These sessions were attended by over 520 participants, ranging from NGO and civil society activists to the Sierra Leone Police and Sierra Leone Army, traditional leaders and the local Law Officers’ Departments. These were followed by two major conferences in the provinces for the District Working Groups, based on the model adopted for the Freetown Conference in 2001, which resulted in concrete plans of action for the District Working Groups for the coming months. During August 2003, NPWJ and the Special Court for Sierra Leone built on these seminars and conferences by conducting a major series of training seminars across the country targeting specific groups such as the military, children, women and others.

The Outreach Program continued to develop and distribute materials on the Special Court, including production of the “Special Court Times”, a newspaper-sized broadsheet on issues related to the Special Court, and its accompanying “Pocket Edition”, which contained “Frequently Asked Questions” about the Special Court. In addition, NPWJ produced a number of small informational pamphlets, reproduced the constitutive and supporting legal documents of the Court and assisted the Special Court to put together a booklet covering all aspects of the Special Court, illustrated by local artists. NPWJ also produced a series of informational materials on the International Criminal Court, to accompany two seminars hosted by NPWJ, one for civil society in conjunction with the Coalition for an International Criminal Court and other foreign and local NGOs, including the National Forum for Human Rights, and one at the request of Sierra Leone Parliamentarians.

### 2 (c) Legal Profession Program

In 2002, after the Special Court came into existence, NPWJ’s Sierra Leone project expanded to include a Legal Profession Program, aimed specifically at the Sierra Leonean Legal Profession and working primarily in partnership with the Sierra Leone Bar Association. The Legal Profession Program promoted knowledge of human rights and humanitarian law norms within the legal profession in Sierra Leone. A robust legal profession with knowledge about human rights will lead to a profession capable of defending human rights through various means, including legal means. This in turn strengthens the rule of law by enabling the Sierra Leone legal profession to ensure they have the knowledge required to work effectively with and within Sierra Leone’s accountability mechanisms.

The activities undertaken within the Legal Profession Program included training seminars, roundtable discussions and the drafting of explanatory and critical documents. The program also encouraged the Special Court to involve itself in the legal community so that the Court may make a sustainable contribution to the rule of law in Sierra Leone. To that end, NPWJ together with the Sierra Leone Bar Association and the Special Court held a half-day seminar on the Rules of Procedure and Evidence of the Special Court in
December 2002. During this seminar, selected members of the Bar Association made submissions to the newly sworn in Judges on different aspects of the Rules, in particular with reference to the laws of Sierra Leone. In addition, NPWJ brought an international law expert to Sierra Leone to consult with the Special Court and others on potential models for defence before the Special Court. Both activities resulted in reports that were made available to, among others, the Judges of the Special Court during their first plenary meeting to consult on the Rules in early 2003.

The Legal Profession Program also worked closely with the Outreach Program on the public lecture series, including selecting an international law expert to provide specialised training for the members of the Sierra Leone Bar Association on the Rules of Procedure and Evidence of the Special Court. In July 2003, NPWJ in partnership with the Bar Human Rights Committee of England and Wales held a week-long “IHL Training Seminar” for members of the Sierra Leone Bar Association and other interested legal practitioners. This training resulted in a set of lecture notes, which was widely distributed in Sierra Leone and abroad. In addition, many of the trainers participated in another NPWJ activity, the Lawyers’ Guide to the Special Court, which is a guide to the substantive and procedural law relating to the Special Court.

A major component of the Legal Profession Program was providing access to relevant library resources through the establishment of the NPWJ International Human Rights and Humanitarian Law Library in Freetown. This library was a continuation of the “Book Donation” program launched in 2000, whereby foreign universities, individuals and others donated legal books and materials to NPWJ’s international law reading room and resource centre in Sierra Leone. NPWJ was fortunate to receive a large donation from the Colombia University Human Rights Law Program, which was shipped to Sierra Leone in 2002 and formed the backbone of the library, which also included donations from Penguin Publishers, the Canadian Law Book Company, Geoffrey Robertson QC (as he then was), Caroline Morgan and others. The library was officially opened at the beginning of 2003 by Desmond de Silva, QC, the Deputy Prosecutor of the Special Court. NPWJ hired a qualified librarian to manage the collection, which included a digital library compiled by NPWJ, and to oversee the library itself, which also contained internet stations and photocopying facilities. The majority of users consisted of human rights activists and university and school students, who used the library for research on human rights, humanitarian law and related matters. Following the conclusion of the NPWJ Sierra Leone project in 2003, NPWJ embarked on a partnership with the Campaign for Good Governance, who are now housing the library at their Freetown headquarter office and ensuring continued public access to the collection.

2 (d) Conflict Mapping Program

In 2002, NPWJ launched the Conflict Mapping Program, which reconstructs the chain of events during a conflict through gathering information in the field and analysing the decision-making processes to ascertain the role of those who bear the greatest responsibility for policies of systematic and massive violations of the laws of war. This analysis is based on testimonial and other data overlaid with order of battle and command structures of the various forces as they evolved over time and space. This chronological and geographical mapping of the conflict, including reconstructing the order of battle and chain of command, serves to prevent denial of those events. An analysis of events according to international law establishes prima facie accountability for violations of international humanitarian law. In so
doing, it both serves to strengthen the rule of law and to promote and defend human rights by publicising the price for violating them. In addition, establishing the chain of command within the armed forces operating in Sierra Leone and assembling these disparate pieces of information to create the bigger picture of the decade-long conflict in Sierra Leone enables the crucial first phase of establishing who bears direct and command responsibility for crimes committed during the conflict. This will enable the people of Sierra Leone to establish who should be held accountable for those crimes, thereby avoiding the trap of blaming a group or segment of society and promoting peaceful conciliation.

Beginning in 2002, the Outreach Program increased its geographic spread. This opened up new channels, networks and possibilities for collaboration and consequently increased the diversity and size of NPWJ’s network of partner organisations and individuals. In addition, the Outreach Program deepened NPWJ’s pre-existing relationships with many key sectors of society. These factors made it possible to conceive of a field based nation-wide Conflict Mapping Program in two main ways. NPWJ’s extensive and trusted network of partners would be essential in devising and implementing any system of collecting information. Following this, NPWJ’s network of partners embedded in communities throughout the country would also be essential in maximising the possible impact of the program: in encouraging people to participate in the program; in promoting the underlying rationales of accountability; and then in disseminating the results.

Meaningful long-term conciliation and reintegration can only take place if the accountability process belongs to each and every community — and if each community is able to participate in it.

Meaningful long-term conciliation and reintegration can only take place if the accountability process belongs to each and every community — and if each community is able to participate in it. Rehabilitation and reintegration is not simply a matter of locating next of kin and assisting in individual reintegration; it is about enabling society and each community to move forward and to accept individuals back into their fold. The outreach and information gathering processes have contributed towards establishing confidence in the accountability mechanisms, by providing victims and witnesses with the opportunity to recount their stories and the stories of others in such a way as to help them understand their personal and their communities’ experiences in the context of the conflict.

In the implementation of the Conflict Mapping Program, NPWJ worked closely with local partner organisations, with whom an excellent relationship had been built over the previous two years. The Conflict Mapping Program has therefore involved as much of the country as possible in conducting sensitisation and documentation in this manner so as to encourage a sense of ownership of the processes by the people of Sierra Leone.

The results of this work, which are found in this report, together with the work of organisations in Sierra Leone undertaking human rights reporting, are hoped to support the work of the Truth and Reconciliation Commission and the Special Court. It must however be emphasised that the process in itself is as important as the final document, because the direct involvement of Sierra Leoneans (both as interviewer and interviewee) in this program has allowed them to be at the heart of the accountability work being carried out in the country.