

**RECOMMENDATION FOR REPARATION FOR ALL WAR AFFECTED AMPUTATED
VICTIMS THROUGHOUT THE COUNTRY IN SIERRA LEONE**

These include – Aberdeen Camp (Freetown, Western Area), Bo, Kenema, Kono, Makeni, Port Loko, Kambia, Pujehun, Kailahun, Moyamba, Kabala, Tonkolili and Bonthe.

I, Jusu Jarka, as Chairman of the War-Affected Amputees Association of Sierra Leone, represent the war amputees, and the war victims of our country generally. My main purpose here is to demand reparations for the war victims of our just ended war.

For the general public who I speak to from the forum of the Truth and Reconciliation Commission (TRC), it is important that I throw light on what “reparations” is.

“Reparations” is a sign from the perpetrator of a wrong to the victim of the wrong done that the perpetrator is sorry for what has been done. That sign of saying “sorry” is most often done a tangible way – in money, and materials; like with the payment of billions of dollars by the German government to survivors of the Holocaust in Germany during the Second World War. The symbolic and practical act of repatriations brings up hope that the perpetrator would not repeat what has been done. Reparations thus is like a bandage, or, a medicine to lessen the pain and help heal the pain of the victim. But it is not only the victim who is healed, the entire society would be healed by reparations. The victims of our war are obvious.

There are the hundreds of thousands of people who were brutally murdered by mainly the Revolutionary United Front (RUF) rebels, and the soldiers who changed and became rebels, calling themselves the Armed Forces Revolutionary Council (AFRC). There were women who had their pregnant stomachs split opened by small rebel boys. There were babies dumped into drums of boiling palm oil. There were infant girls who were gang-raped. There were thousands of houses burned down. There are people like me, thousands of us, who had their hands and legs chopped off by rebels. There are thousands of others, maybe, millions of other Sierra Leoneans whose scars are in their minds. And these scars in the mind could be as worse as those of us with chopped off hands. We are the victims of this war. We have received assistance from diverse local and international sources over the past ten years. But by and large, such assistance has been token. In the DDR programme, millions of dollars has been spent in rehabilitating and resettling some of the perpetrators of the war – nothing close has been spent on the victims of the war. I said some of the perpetrators of the war deliberately.

Who are the perpetrators of the mass murder, rape, arson, and amputation of our ten years war? The answer appears obvious? The rebels. RUF and AFRC rebels, SLA Kamajors. Are they only perpetrators of these nasty and brutal acts on their fellow citizen? No. No.

The perpetrators of our war must include those who created the conditions that led to the war; those who did not change even as the war raged. Principal culprits are the civil servants and politicians. They destroyed the country. They stole most of the country's money. They continued stealing even as the government could not provide electricity even in Freetown; even as people ‘toe-line’ for rice and petrol; even as banks could not give people their own money. There are the perpetrators in the judiciary. The perverted justice. Justice was reserved only for the rich and powerful. Within the court system, the poor man became a victim by the fact of his poor. There were the leaders in business; leaders in the medical profession who kept silent as the country was being destroyed. But to my mind, the worst of these unarmed perpetrators are the religious men in our society – the pastors and the imams; the bishops; reverend; alhajjis.

It is these reverends and imams who told the politicians that God had destined that the politicians rule for ever – even as the politicians were destroying everything in the country. It was these religious who kept SILENT as the conditions that led to our war were created.

Even as victims of our war, even as amputees, we continued to experience the exploitation by the rich and powerful of the poor and weak. We continue to see the religious leaders being silent even as we amputees were being abused.

I must use this public forum to elaborate on this further. In December 17, 1999 the Evangelical Lutheran Church in Sierra Leone (ELCSL) launched the Amputee Welfare and Reintegration Trust in the amputee camp in Aberdeen, Freetown. The then Foreign Minister, Dr Sama Banya, was present, among the many dignitaries. The published documents of the ELCSL stated that the amputees would need a minimum of Le2billion every year to meet their basic needs of food, housing, shelter and education for their children. We had great hope that a church institution like the ELCSL would live up to its words.

In February of 2000, we saw a publication in the DEMOCRAT newspaper that the Evangelical Lutheran Church in America (ELCA) had given \$100,000 to the Amputee Trust Fund. We are aware that since the formation of the Trust Fund, only two meetings were held in February and March of 2000. In one of those meetings, Rev Barnett, the President (now Bishop) of the Lutheran Church in Sierra Leone, promised to put in \$50,000 into the Trust Fund. He never did. He never called another meeting after March 2000. The Amputee Trust Fund has a Board of Directors.

They are Eric James, well known business man; Gracie Williams, who was former Principal of Annie Walsh Memorial School; Alhaji Daramy Rogers, who is a well known businessman based in Bo; Frank Kargbo, a prominent lawyer, who is presently Executive Secretary of the TRC; Rev Tom Barnett, as President of the Lutheran Church; and Alimamy Koroma, the General Secretary of the Council of Churches of Sierra Leone (CCSL). During the second meeting of the Board, Oswald Hanciles was elected as Liaison to the Amputee Trust Fund. Since 2000, all of these Board Members had kept SILENT even as the Amputee Trust Fund had become inactive. Only Oswald Hanciles, who was then Communications Officer of the Lutheran Church had been agitating on behalf of the amputees – for that, Oswald Hanciles was sacked from the Lutheran Church. We the amputees publicly thank Oswald Hanciles for his sacrifice for our cause.

And in this public manner we express our shock at the relative silence of all the Board Members (Eric James only wrote a private letter to Rev Barnett about the Fund). We also express our shock at the SILENCE of the entire Christian Church on the matter regarding the Amputee Trust Fund – which has been written so much about in local newspapers; and discussed several times on local radio. This coming December 2003 would make it almost FOUR YEARS since the Amputee Welfare and Reintegration Trust was launched. If Rev Barnett and his Lutheran Church had not taken steps to kill the entire idea, if Rev Barnett had behaved like a true Christian, the Amputee Trust Fund would have raised millions of dollars by now. In this public manner, on behalf of the amputees, we demand a special repatriations from Rev Tom Barnett and the Evangelical Lutheran Church in Sierra Leone; we also demand a special repatriations from the Evangelical Lutheran Church in America who have been told over the past three years what Lutheran Church in Sierra Leone has been doing concerning the Amputee Trust Fund, but the Lutheran Church in America has keep quiet; we also demand special repatriations from all the Lutherans all over the world who should know what their church branch has been doing as regards amputees in Sierra Leone. As we demand our repatriations as war victims, we hope that such deadly silence would end in the future.

As we demand our “reparations” it is not only because armed men physically brutalized us; it is also because unarmed leaders in our society can rightly be said to be collaborators in our being made victims today. When all of these collaborators help to bring up the cash and

materials for our repatriations, then, this society stands a chance of not repeating its mistakes.

We ask reparations not only from government; but also from Parliament as a body, and individual parliamentarians; from the judiciary; from civil society; from banks and insurance companies; from petroleum companies; from traders; from the especially the local and global diamond industry – for it can be said that our war was also a War for Diamonds.

The close link between reparation on the one hand, and post-conflict reconciliation and democratization, on the other hand, and the importance of including a repatriation component in transitional justice can be shown from different perspective.

A new post-conflict state like Sierra Leone, which commits itself to upholding the role of law should guarantee the individual rights of all its citizens. If the state or non state actors are responsible for acts of torture or other human rights violations committed, the Government should immediately show the seriousness of that commitment by lining up to its obligation to provide reparation to the victims (through the special fund for war victims). Honoring this commitment from the very start will shape the new political identify of Sierra Leone especially after the brutal civil war.

Reconciliation aims to break a cycle of violence and promote peaceful co-existence. In order to achieve this acts of revenge by victims of past oppression should be stopped or, **putting it more positively, victims' legitimate hunger for justice should be accommodated.** This entails public recognition of our status as victims, public recognition of our suffering and the damage we have sustained, and a serious public effort to repair at least symbolically the harm done. It is a crucial instrument in allowing our society to get on with life.

Acknowledging and repairing the suffering of victims is a way of recognizing us, as equals, with our own human and civic dignity. In order to put on with life individually and to be able to function properly in the new society, each Amputee (victims) needs a renewed self-confidence. For the restoration of his or her psychological health and dignity, reparation not only in its immaterial but also in its materials, financial dimension is an important tool. Moreover, continued preoccupation with our own distress cannot but hinder our ability to be reconciled with others. The actual psychological impact of receiving reparation can differ greatly between people. For some victims reparation may **MEAN THE END OF A PERSONAL HEALING, PROCESS; FOR OTHERS IT MAY BE JUST THE START OF IT.**

Repatriation gives victims a role in the transitional justice process. Theoretically a political transition like Sierra Leone could limit itself to legal or institutional reforms (of the judiciary and so on) and to sanctioning perpetrators, leaving the victims out of the picture; but victims are likely to be better integrated into the transitional process if a repatriation component is included. As a consequence, the confrontation between victims and perpetrators and the issue of reconciliation becomes much more relevant.

- Reparation, in the context of Sierra Leone will act as a bridge between the past and the future. It combines the backward-looking objective of compensating with the forward-looking objectives of political reform. Thus, it also helps the new state in reconciling itself with its past
- In some country, reparation functions as a compromise. In some post-conflict societies, systematic criminal prosecution of all those involved in the past oppression may threaten political stability and undermine democratic consolidation. On the other hand, requests by members of the previous regime that the past be simply forgotten are **equally unacceptable.** Reparation, which includes a form of sanctioning and honoring of victims' rights, is therefore in itself a useful instrument of compromises.

This is so in Sierra Leone where an amnesty law denies the amputees the right to institute civil claims against perpetrators: state reparation may counter the effects of the amnesty legislation. Mr. Chairman, other Commissioners in some educational cycle different terms are used to express sometimes identical or similar concepts.

- Reparation
- Restitution
- Compensation
- Rehabilitation
- Satisfaction
- Redress

Restitution (or re-establishment of the situation which existed before the wrongful act was committed) was the main and preferred form of repatriation, and was therefore then considered almost the same with repatriation it remains an important component of reparation as it relates to essential "belongings", such as the return of property, the restoration of liberty and the return to place of residence and the restoration of employment. However Mr. Chairman this is the case for us the Amputee because you will never re-establish the situation, which existed before the wrongful act, was committed. It is against this background that the Sierra Leone Amputee Welfare Association is asking the TRC to be considered in making your final recommendation to government. Mind you we all see how the perpetrators were treated, therefore we are saying each amputee in Sierra Leone should receive a life pension scheme that will cover free medical for him/her self and also the immediate family and also to consider the following:

REPARATION NEEDS(T.R.C.) would make to the Government and the international community. An

1. **Life pension:** i.e. the beneficiary should receive an amount of money at the end of every month to take care of his welfare.
2. **Medical facility** for all War Affected Amputees who have suffered in the past ten years war.
3. **Education** – scholarship for our children starting from primary education unto university level.
4. **Feeding** – the provision of food for all victims at the end of every month
5. **Money** – Micro-Credit should be available to on caretakers/wife's to enable them to do petty trading
6. **Employment facility** – creating employment for victims who are academics with skills and they life
7. **Identification** – A provision of a National I.D. cards to victims of war to enable them to move freely throughout the country and across international borders and a free customs at the sea park
8. **Shelter assistance** for all war affected amputees in the country
9. And this repatriation should be by level of amputation e.g. double amputees hands and legs single amputees hand and legs finger amputation etc.
10. We need communication facilities as well. In order for us transact our welfare throughout the universal world
11. We need a Secretariat (a office where we would be recognized by foreign nationals, the Government of Sierra Leone, newspapers etc.)
12. We also need reparation from our formal colonial masters, the British people/and all those who have dealers' licences for diamonds in Sierra Leone

We are also requesting the Commission to submit final report to us a guiding principle for future interventions and ensure that all the recommendation are implemented.

Sir, we as victims who have suffered throughout the ten years war in Sierra Leone are appealing to the Truth and Reconciliation Commission (TRC) and the international community

to please address our emergency needs, while we are awaiting for the final recommendation of the (T.R.C.) would make to the Government and the international community. And these emergency needs are as follows below:

- (1) **Feeding** – Provision of food for all amputees throughout the country
- (2) **Medical Facility** for all amputees who fall as an amputated victims of wars
- (3) **Education**: Provision of scholarship for our children who's parent fall as victims of war

The war victims must be included as member of the Reparation Implementing Committee.

With all what we have documented, as for reparations, our children are also victims of war. They are to be taken care of. We would continue to make noise and these would be no sustainable peaces in these country, until international community hear us.

A photocopy of this document is going to be circulated throughout the country to all amputees.

Furthermore, all those who owe funds for amputees should be submitted immediatly to the TRC like Rev Tom Barnett who use the fund on a Trust Fund, Sierra Leone Teachers Union, Sallay Gbujama/Pastor Momodu Koroma etc. The money was donated to the Amputees by Rev Bongay.

We are also requesting the Commission to submit final report to us a guiding principle for future interventions and ensure that all the recommendation is implemented.

Faithfully submitted on behalf of all the war affected Victims in Sierra Leone. May God heal the wounds of those who lost their loved ones and may Allah grant their souls mercy.

Thank you very much.

Alhaji Jusu Jaka
Chairman
Amputee War affected Association.