

# CHAPTER FOUR

## Management and Operational Report

1. Section 7 of the Truth and Reconciliation Commission Act 2000 outlined the methods the Commission should use to realise its objectives. They include the following:

*Undertaking investigations and research into key events, causes, patterns of abuse or violation and the parties responsible;*

*Holding sessions, some of which may be public, to hear from the victims and perpetrators of any abuses or violations or from other interested parties; and*

*Taking individual statements and gathering additional information with regard to the matters being investigated or researched.*

2. The Act provided for an operational period of twelve months within which the Commission was to achieve its objectives, with the possibility of a six months extension.
3. This chapter will review the management of these operations by the Commission, after the dissolution of the Interim Secretariat, from the statement taking (December 2002 to March 2003), investigations and hearings (April to August 2003) to the report writing (August 2003 to March 2004) and will outline the challenges faced by the Commission and the lessons learned.

### **The Operational Plan**

4. The Project Document on the Commission, prepared by the Office of the High Commissioner for Human Rights, Geneva, envisaged an operational period of three major phases, namely: deployment, investigation and reporting, each lasting for four months. The staff requirements of the Commission were to be calibrated with the specific requirements of each operational period. The Commission was to retain a core staff of 28 while another 70 were to be recruited on short-term basis, not exceeding 6 months, depending on need.
5. According to the project document, during the deployment stage, the Commission would send staff to various localities to collect information and to review already existing testimonies. The Commission deployed 14 teams of 5 persons each to the 12 districts and 2 teams to the Western Area (which was split into Freetown East and West respectively) to collect information. The work of the teams were coordinated by regional coordinators based in each of the

regional headquarter towns. Activities during this phase included the public dissemination of information on the mandate, organisation and basic structure of the Commission, from the village through to the chiefdom, district and national levels, collection and revisiting of testimonies from field investigation, collecting and collating information.

6. During the investigation stage, the project document envisaged the conduct of in-depth investigations, analysis and systematisation of the information with a view to verifying their authenticity. This would include detailed investigations of testimonies and cross checking information on human rights abuse and violations. Once the district teams had received voluntary statements, reviewed testimonies, investigations would be carried out to authenticate the violations and abuses. The Commission was also to identify and investigate the “window” or representative cases that would form the bedrock of the report. Other activities envisaged during this phase would include public hearings, reconciliation procedures and identification of the main elements of the final report.
7. The project document proposed that during the reporting stage (divided into systematisation and analysis; and final report stages), the Commission would start finalizing the content of the report, reviewing its consistency, drafting its conclusions and recommendations, organizing its archives, classifying documentation in accordance with the mandate and preparing for the presentation of the Report to the President of Sierra Leone. The systemisation and analysis stages were to require substantial interpretative and advocacy work, necessitating the creation of thematic teams to prepare the final report. Reconciliation activities were to take place at all stages of the work of the Commission, and range from local ward, village and town activities to national programmes. At the final Report writing stage, a much smaller team would be required to assist the Commissioners in reviewing the consistency of the Report, drafting its conclusions, classifying documentation in accordance with the mandate etc.
8. The Secretariat of the Commission was to function in a decentralized manner, with a network of offices at the 13 operational districts, coordinated and linked to the headquarters in Freetown through the regional offices in the Northern, Eastern and Southern provinces. The district offices were to be based in already existing offices of NGOs, consistent with the policy thrust of the Commission to support and link up with existing local structures.
9. An operational plan was developed providing for the commencement of statement taking on 4 December 2002 to 31 March 2003, while investigations and hearings would commence on 7 April 2003. The report writing would start on 1 August and would be completed before the end of the twelve months life span on 3 October 2003. The Report would then be submitted to the President of Sierra Leone later in October 2003.

### **Statement Taking**

10. The Commission had to recruit, train and deploy 73 statement takers within a three-week deadline so that statement taking could start on 4 December 2002.

The process for recruiting and training the statement takers has already been discussed elsewhere in this Report.<sup>1</sup>

11. The training programmes were conducted in Kenema and Freetown. A major constraint was time. The Commission approved the revised operational plan on 12 November 2002. The statement taking positions had to be advertised, applicants interviewed and recruited. There was therefore only a three-week period between recruitment, training of the statement takers and their deployment.
12. The Commission faced four key challenges during the pilot phase of the statement taking. The first was the lack of staff. The two international staff members were supported by an administration and logistics officer, an accounts officer and an office assistant to supervise the 73 statement takers. The staff had to assume multiple roles to get the statement taking off the ground.
13. The second challenge facing the statement taking process was funding. UNDP was the clearinghouse for disbursing funds to the Commission and it was charged with ensuring that disbursements were in accordance with UN procurement procedures. While this process is suitable for ongoing UN programmes, it was problematic for a short-term intervention such as a truth commission, where funding needs could not be predicted with certainty. Matters were complicated by the fact that until April 2003 minor purchases had to be approved by UNDP. Delays occurred frequently in the release of funds and affected many of the activities that were scheduled to take place.
14. The third challenge was the recruitment of statement takers. Guidelines had been established for their recruitment. The Commission did not have the luxury of time to engage in an elaborate recruitment process. During the consultations the Commissioners had in all the districts between September and November 2002, the people had wanted assurances that the Commission would emphasise local ownership and participation through recruiting people to work in their respective communities. They believed that this would give confidence to prospective statement givers that those who would take their statements had the requisite sensitivity to customs and local mores. The project document on the Commission had stipulated that statement takers be recruited from NGOs and civil society organisations in the respective districts.
15. As provided for in the project proposal, the Commission relied largely on NGOs which were members of the Human Rights Committee established by UNAMSIL. It also relied on the UNAMSIL Human Rights Officers in the districts to make recommendations of potential candidates. The Commission recruited most of the statement takers who had worked for the Campaign for Good Governance in the "Mapping Project"<sup>2</sup> and some of those who participated in the research project on the conflict.<sup>3</sup> Because of the limited time for training,

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<sup>1</sup> See Chapter 5 of this Report: Methodology and Process

<sup>2</sup> The preliminary investigation into the human rights abuses and violations that occurred in the conflict commissioned by OHCHR

<sup>3</sup> Research project into the "Antecedents of the Rebel War in Sierra Leone", University Research Bureau, University of Sierra Leone" July 2002.

the Commission conducted follow up training programmes to deal with lapses in performance.

16. Finally, the Commission encountered tremendous logistical constraints. The Commission had contracted a car rental company to provide four wheel drive vehicles for the statement takers in the districts. Each district team reported problems with the vehicles or the drivers assigned to them. Due to the frequency of breakdowns, the Commission terminated the vehicle hire contract and diversified the range of suppliers. Items such as audio recorders and tapes were difficult to come by. The Commission was unable to procure digital video cameras for the use of the statement takers until the last month of statement taking.
17. These challenges persisted to certain degrees throughout the statement taking phase of activities. New and permanent staff began to arrive from early February, well into the statement taking exercise.
18. The Commission could not ignore the thousands of Sierra Leoneans outside the country in the statement taking exercise. It partnered with the UNHCHR in arranging for visits to refugees camps and other locations within the sub region by Commissioners and staff. UNHCR facilitated a visit to the refugee camps in Guinea by a commissioner and one staff member. This sensitisation visit was followed by the deployment of a statement taker in Guinea. The statement taker trained some of the refugees in statement taking, and together with them, took statements from many of the refugees. UNHCR paid all the accommodation and local travel costs of the statement taker.
19. The Commission attempted to partner with the Ministry of Foreign Affairs in Freetown in reaching out to Sierra Leoneans in different parts of the world, especially those in Europe and North America. The Commission had placed the statement taking protocol in a private website popular to Sierra Leoneans – [www.sierra-leone.org](http://www.sierra-leone.org). Sierra Leoneans could visit the site, and download the statement. After filling the form he/she was then required to send it to the nearest Sierra Leonean high commission or embassy, which would then send it to the commission under diplomatic cover, to ensure that the confidentiality requirements were complied with. Regrettably, the Commission did not receive a single statement through this process.
20. The Commission sent missions to countries in West Africa to interact with Sierra Leoneans and encourage them to make statements. It relied on the Ministry of Foreign Affairs to liaise with the respective host ministries and make facilities available to the Commission upon arrival. Regrettably the Ministry failed to notify the Sierra Leonean missions in these countries about the arrival of the Commissioners. The teams were forced to make their own local travel and other arrangements upon arrival.
21. The Commission had made adequate preparations for the security of the statement takers, including having the police service designate a liaison officer who could be contacted at any time of the day. Statement takers liaised with the police divisions in all the communities they visited. Apart from isolated cases of threats made by a few uniformed soldiers in the Eastern part of Freetown, the statement taking was conducted without incident. The chiefs and

community elders were very cooperative and some of them mobilised their community members to make statements to the Commission.

22. There was limited storage space within the Commission's offices. Statements were locked up in safes and drawers pending the establishment of a database for the Commission. The coding and entry of the statements into the database continued well into the report writing phase. The Commission had to rely on the entries in the statement taking forms as most statement takers were unable to transcribe the audiotapes of their statements. Hundreds of hours of audiotapes remain waiting to be transcribed. This shortcoming seriously impacted on the ability of the researchers, investigators and report drafters to complete their tasks.
23. The database was not established until well into the statement taking exercise. This late start meant that much of the statement taking process was denied the benefits of informed feedback from the ongoing analysis of the information.

### **Recruitment of Staff**

24. This was a problematic process for the Commission. The process of recruitment which began in November 2002 was concluded in February 2003. The recruitment was concluded with the hiring of a new executive secretary in mid February 2003. A lesson learnt from the recruitment exercise was the importance of personal interviews. Some people spoke quite well at their telephone interviews but turned out to be unsuitable for the position. A key lesson is the need to conclude the hiring of the key staff before operational activities begin.
25. The Commission did not move into its permanent offices until February 2003, one month before the end of statement taking. Most of the staff that had been recruited had no offices or equipment. They had to share computers and other office facilities.

### **Investigations**

26. The "Mapping Report" was to serve as preliminary identification of key investigation activities for the Commission. The report was concluded in July 2002. There was not a single investigator in the employment of the Commission at that time, and up till February 2003. With the revision of the operational plan in November 2002, the investigation objectives also had to be revised. It was no longer feasible to investigate as many of the individual cases for corroboration. Furthermore, not all of the window cases would be investigated.
27. Ordinarily, investigations would be a prelude to the hearings, enabling the Commission to unearth all necessary information and materials as would make the hearings meaningful. With a revised operational plan that had specific time frames for all activities, this was no longer feasible. The investigators were only recruited in March 2003. It was not possible to tie investigations to the hearings. The investigations would simply feed into the research and under pin

the report writing, especially in relation to accountability and responsibility for the violations.

28. There were to have been two international investigators. Only one had been recruited by February 2003. The post of second investigator was scrapped due to funding constraints.
29. The investigators encountered logistical constraints. They had no computers until late in April 2003. It was difficult to find vehicles that could endure the road conditions for a sustained period of time. A vehicle breakdown would mean sending a repair team from Freetown or a second vehicle while another team would leave for the provinces to retrieve the first one. This impacted on the time for the completion of scheduled investigations.
30. Some of the investigations required travel outside Sierra Leone, to Liberia, Nigeria and Guinea to investigate the roles of the NPFL and the Nigerian armed forces, and the Guinean connection to illegal arms trade with the RUF during the conflict. However there were no resources to send investigators outside the country and the plans were shelved.
31. There was some reluctance on the part of some witnesses in cooperating with the Commission's investigators. This was most notable in the Southern and Eastern provinces, the heartland of the Kamajor militia. Many people took offence that the Commission was asking questions about the movement, when they claimed they had defended democracy. Many refused to cooperate with the investigators and during the hearings would not answer questions about the internal management and operations of the Kamajors.
32. There were seven investigators in all including the head of the sub-unit. While the TRC Act did not require the Commission to investigate each statement made by a statement giver for purposes of determining their qualification for compensation or for any other remedy, the Commission would have benefited with more investigators. One option not explored by the Commission was reaching out to supporting governments, who could have seconded investigators to the Commission at the cost of the home governments. This would have allowed the commission to conclude its work within the time available while developing the skills base of the Sierra Leonean colleagues.

### **Research**

33. Research was conducted simultaneously with investigations. Researchers were recruited in February 2003 while the head of the sub-unit arrived the following month. The first task the team faced was to prepare for the hearings. This included selection of witnesses for hearings, locating of witnesses, arranging to have them present during the hearings, and having counsellors brief them about what to expect. These activities took the whole of March and April 2003. The team also had to prepare briefing notes for the Commissioners and staff participating in the hearings.

34. The database developed by the Commission to capture statements about violations and abuses proved inadequate for purposes of hearings. Using the selection criteria for hearings already discussed in this report,<sup>4</sup> the team had to develop summaries of the testimonies provided by the statement givers. It was also necessary to provide the alleged perpetrators with an opportunity to tell their own stories, and where they wished and the victims were willing, to meet with the victims and pursue options for reconciliation.
35. The hearings team developed a mini database to capture the selected statements for hearings. This meant that the team had to manually trawl through the thousands of statements using the selection criteria to identify statements suitable for hearings. These were then entered into the mini database, and efforts made to contact the statement givers. While databases are established to capture “who did what to whom, when, where, why and how,” they could certainly do more. If the database used by the Commission had a bigger section for narratives and captured those well, and the design of the forms for capturing the statistics had allowed for the inclusion of human interest angles and not just numbers and statistics, the Commission would have been able to quickly identify and select cases for hearings and saved a lot of time in addition.
36. In May 2003, the Commission organised the first research conference where the thematic themes were created and researchers assigned specific research topics. Further research conferences took place after the hearings in August and September 2003 with the participation of the Commissioners. The amount of information collected during the statement taking and from other sources was enormous. With only eight researchers, it became obvious that the October deadline for the submission of the report to the president of Sierra Leone was overly ambitious.

### **Hearings**

37. The commencement of hearings had to be postponed by one week to 14 April 2003 to allow the Commission to make adequate logistical arrangements. The first challenge the Commission faced was to receive submissions from institutions, organisations and members of the public. As early as December 2002, the Commission had written to a select group of people from diverse institutions and backgrounds seeking submissions. From March 2003 that the first submissions began trickling in.
38. Many role-players invited to hearings did not appear or request a re-scheduling of their appearances, despite being notified well in advance of the dates and times for the hearings. The Commission had to issue subpoenas against five serving ministers and leaders of government institutions, including the Attorney General, and the chairman and secretary of the ruling political party. All this happened despite the president’s public admonition to all public officials at the commencement of hearings to cooperate with the Commission, and in spite of the fact that the TRC Act made it mandatory for all public institutions to respond to the Commission’s summons. The former head of state, Capt. Valentine

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<sup>4</sup> See the chapter on Methodology and Process in this Volume

Strasser who had ignored the Commission's invitation on several occasions was also subpoenaed and compelled to testify.

39. The Commission made every effort to have the broadest possible representation at the hearings, in particular at the thematic, event specific and institutional hearings. Only the SLPP and the APC participated in all the hearings to which political parties were invited. Although the RUF had suffered institutional collapse, Secretary General, Mr. Jonathan Kposowa did attend and make submissions at some of the hearings.
40. Up until the hearings, the Commission did not have any equipment in its Media and Public Education Unit. The Commission had been hiring media equipment for all its public activities. For the hearings, the Commission had to procure its own equipment to minimise the cost and ensure that the right type of equipment were always available. The equipment enabled the Commission to partner with the state and private media to broadcast its hearings live, both in Freetown and in the districts via radio stations. The State television service, SLBS broadcasted a forty five minute summary of the day's proceedings each evening.
41. In the Commission's view, most of its activities were not sufficiently covered by the state media, particularly during the preparatory phase and early in the operational phase of activities. Scores of video tapes lie at the Commission's offices unaired by the state television service, which is the only TV station in the country.
42. The operational plan provided for daily hearings in Freetown for the first two weeks and then alternate weekly hearings in Freetown on thematic issues with weekly hearings in the districts. The Commissioners split up into two groups for purposes of hearings in the districts so that two district hearings could take place simultaneously. Each team departed Freetown on a Sunday for a district and spent the next five days conducting hearings in the district. The team would return to Freetown the following Saturday for another week of hearings in the city starting on the Monday.
43. There were a number of constraints to organising hearings in the districts. Hearings could only take place at district headquarters despite the commission's desire to conduct hearings in as many communities as possible, in particular, in those communities that suffered greatly during the conflict. In many of the communities, the infrastructure that could support the hearings such as community halls or school buildings had been destroyed. Accommodation facilities for the Commissioners and staff were also not available and opportunities for catering and other services such as water supply were minimal.
44. In the districts, the Commission used school halls, community and faith based facilities for the public hearings. Apart from the provincial capitals, there were limited hotel facilities in the districts. The paramount chiefs, traditional leaders, officers of government including the provincial ministers and UNAMSIL assisted the Commission in providing accommodation facilities. Many of them made their homes available to the Commissioners and staff at no cost. The military contingents, in particular, the Pakistani and the Nigerian contingents in many of



the districts were generous in providing sleeping tents and catering facilities within their camps for the Commissioners and staff.

45. There was a staff support complement of 25 people for each hearings team. The Commissioners had to travel with all the facilities they would need as these could not be obtained in the districts. They included bottled water, tables, chairs, lights, batteries, printers and generators.
46. Accessing witnesses proved problematic both in Freetown and in the provinces. Many of the witnesses had changed addresses. Some of them gave their statements when they were still displaced from their homes. Some had returned to their home communities or moved on. Others no longer wished to testify. Some were afraid that there could be repercussions to their testimony such as retaliation. The Commission was engaged in a daily process of seeking and replacing witnesses and looking for new ones.
47. Even where the witnesses were willing, bringing them to the hearings venue was another challenge. In Freetown, this was relatively easy. In the provinces, some of the witnesses lived eighty or more miles away from the district headquarters. Because the Commission arrived at the district usually a day before the commencement of hearings, it was not possible to bring the witnesses there earlier.
48. The terrain in most of the districts is rugged, made worse by the impassability of the roads due to several years of neglect occasioned by the war. On many occasions, vehicles sent out to bring witnesses broke down on the way. On occasion, the Commission had to abandon broken down vehicles in the districts because repair facilities could only be obtained in Freetown or at the provincial headquarter towns. Communication with the Commission headquarters in Freetown was impossible because most of the districts did not have telephone services.
49. Public attendance at the hearings in Freetown was poor. Apart from the opening ceremony and the hearings of high profile persons, attendance was low. It is possible that the live broadcast of the hearings on radio made attendance unnecessary for a majority of the people. The hearings recorded full houses when the Commission conducted public hearings on women and children. The Commission's appreciation goes to the members of its research staff on women and children, and to UNICEF, UNIFEM, the CFN, Voice of Children's Radio, the CPAs and other agencies which came together to make those hearings memorable.
50. Public attendance at the district hearings was significantly higher. In most of the districts, hundreds of people attended the hearings. The average daily attendance was more than 100 people. In districts with broadcast facilities, people showed up at the hearing venues clutching their radio sets to their ears, listening to the live broadcast and at the same time, being direct participants in the proceedings unfolding before them.
51. The hearings programme was a very punishing schedule that allowed the Commissioners very little time to review their notes and make full preparations for the hearings. It was embarked upon because the Commission was still

uncertain that it would find the funding for an extension of its time frame. It therefore raced to complete everything before October 2003.

### **The Memorandum of Understanding and the Joint Implementation Committee**

52. To formalise the support of the international community to the Commission, especially in relation to the management of the funds and for the provision of other support by UN agencies in Sierra Leone, a Memorandum of Understanding (MoU) was entered into between the Commission, the Government of Sierra Leone, OHCHR, UNDP and UNAMSIL. The MoU outlined responsibilities of the each of the signatories.
53. The Government of Sierra Leone would assist the Commission in acquiring offices as appropriate in Freetown and in the three regional headquarters. The Government was required to do all within its powers to facilitate the operations and functioning of the Commission and to allocate funds for its operations. The government provided office accommodation for the Commission in Freetown and the funds for the renovation of the premises. After the grant of a six month extension to the Commission, the government provided funding to pay the salaries of Sierra Leonean Commissioners and national staff members to enable them to archive the Commission's materials.
54. UNAMSIL was required to facilitate the movement and transportation of Commissioners and staff on scheduled helicopter flights on space availability basis. OHCHR was required to provide technical assistance to the Commission and assist it in the raising of funds to support its activities and operations.
55. The MoU provided that the funds raised by OHCHR shall be transferred to UNDP Freetown to be utilised for the sole purpose of meeting the costs of the Commission as set out in the project document and the costs of support services. UNDP Freetown would in accordance with the United Nations Financial Regulations and Rules administer the funds. All procurement arrangements were to be entered into in accordance with the provisions of such regulations and rules.
56. OHCHR's monitoring of its funding under the MoU would be effected through a local Joint Implementation Committee comprising of three representatives from the local donor community of UN Members States, one representative each from UNAMSIL, UNDP and OHCHR. The Committee was to be established in Freetown to ensure that the funds were utilised exclusively for the purposes of the Commission.
57. The Joint Implementation Committee was to meet once every three months to assess the status of implementation of the activities and to review the narrative and financial report for submission to OHCHR. The Joint Implementation Committee could not be constituted until July 2003 when it held its first meeting. After that meeting, no further meetings were held until the Commission completed its work

58. Finally, UNDP in addition to its assistance in the financial management was to provide technical support to the Commission in staff recruitment, placement and grading. Following this provision, all Commissioners and staff were issues with Special Service Agreement contracts by UNDP.

### **Report Writing**

59. One of the challenges the Commission grappled with was whether it should publish a brief report of about 200 pages so as to meet the timeframe for the completion of its work. The Commission concluded that it would be doing injustice to its mandate and the people of Sierra Leone if it published a brief report. In the first place, most of the issues at the root of Sierra Leone's decline and which led to the conflict could not be thoroughly examined in a report of such length. Furthermore, Sierra Leone was still a divided country which required a thorough examination of the issues.
60. The Commission acknowledged that a commitment to canvassing all the issues in the report would require time. This would necessitate an extension of the time frame for the Commission. The Commission also needed to make up for the six months it lost during its start up phase. The government granted the Commission a six months extension commencing from October 2003.
61. While drafts of the various themes constituting the report had been produced by the end of December 2003, they were not in a publishable state. The Commission and OHCHR agreed on a remedial measure which would spill over into the New Year. A Report Rewriting Committee was established in January 2004 composed of the Head of the Information Management Unit and four other consultants, to rewrite the entire report.
62. It was further agreed that the Commission as a formal body would be wound up on 31<sup>st</sup> December 2003. All the remaining staff members of the Commission would be disengaged except essential staff to assist the consultants in rewriting the report. The Rewriting Committee would work on the drafts of the report and present a re-written report for the consideration and approval of the Commissioners in the New Year.
63. The consideration and approval of the report began on 1<sup>st</sup> March 2004 and was concluded on the 17<sup>th</sup> of the month. Early on, the Commissioners strove for consensus on the report. While there were sharp disagreements on a number of issues, the final report is the product of consensus building among commissioners.

### **Concluding Activities of the Commission**

64. The concluding activities of the Commission included work on archiving its materials, conducting an audit of its financial management and the printing and dissemination of the report. The Commission had hired the services of a team of consultants from the University of Sierra Leone to archive the materials it had acquired. OHCHR had pledged to support the process by recruiting a consultant to assist in digitising the materials. While the materials have been archived, and are presently housed at the University of Sierra Leone on an

interim basis pending the establishment of the Human Rights Commission, the final custodian of all the materials, the digitising is yet to take place. Digitising will help to protect the materials and prevent wear and tear. The Commission hopes that the materials will be digitised within the shortest possible time.

65. In accordance with the MoU, that an audit of the Commission's financial management be conducted before the conclusion of its activities, the Commission hired the firm of KPMG to conduct an audit inquiry from the establishment of the Interim Secretariat on 1<sup>st</sup> April 2002 to the winding up of its administrative structure on 31<sup>st</sup> December 2003.
66. The auditors raised a number of queries for the response of the Commissioners.<sup>5</sup> It found the management of the Commission lax in complying with the procedures on a range of issues including procurement, recruitment and financial reporting. Its conclusions were that there was poor supervision of the financial management by the Commissioners.
67. The printing of the report was the final activity that engaged the Commission before it concluded its work. A number of options had been explored including printing the report in Europe, South Africa and Nigeria. The Commission settled for Ghana.
68. The Commission was remiss in not establishing a website. While the Commission had hired an IT manager who had designed a website for the Commission, the establishment of the website was not concluded before his services were terminated. Negotiations were subsequently begun with the Open Society Institute for West Africa (OSIWA) towards establishing a website for the Commission. OSIWA would recruit a consultant who would maintain the site pending final handover of the site to the Human Rights Commission.
69. The Commission was further remiss in not concluding arrangements for the dissemination for its report. Civil society partners of the Commission had been engaged in long term planning on disseminating the report. In partnership with the Human Rights Section of UNAMSIL a number of preliminary meetings had taken place to outline a dissemination strategy and plan. UNICEF also wished to use the report as an advocacy tool for its programmes and had engaged in meetings with staff of the Commission on the plans for the dissemination of the report. The Commission however failed to accept or support the offers of dissemination made by such groups and as a result no arrangements for dissemination were in place at the time of the report's publication.
70. The NGO WITNESS which received independent funding to produce the video version of the report, created a dissemination fund to assist civil society in Sierra Leone disseminate the video report. The fund includes support for TV and VCR sets and broadcast equipment so that the NGOs can engage in public education activities throughout the country. The Commission accepted an offer by WITNESS to piggyback the report dissemination on the back of the video distribution.

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<sup>5</sup> The audit report is attached as an appendix to this chapter of the report.

## FINANCIAL REPORT

71. The preliminary budget on the Commission was \$9,998,091 million. It was produced in February 2002 by OHCHR with input from the Budget and Human Rights sections of UNAMSIL. The budget was a provisional one that was to be considered and modified where necessary by the Commissioners.
72. An appeal was launched by the High Commissioner for Human Rights on the 21<sup>st</sup> February 2002. The possible six month extension of the Commission was not considered in the preparation of the budgetary estimates. In its resolution 1370 (2001) of 18 September 2001 and 1400 (2002) of 28 March 2002, the Security Council had urged donors to commit funds to the Commission. The Commission on Human Rights had also requested assistance to the truth and reconciliation process in Sierra Leone in its resolution 2002/20 adopted at its 58<sup>th</sup> session. These calls were reiterated by a Presidential Statement issued by the Security Council after its informal consultations on Sierra Leone on 22 May 2002 in which the Council urged donors to contribute generously and provide urgently needed funds to the Commission.
73. Following the appeal, an informal donors briefing was organised by OHCHR on the 25<sup>th</sup> February 2002. The majority of the donors in attendance displayed a keen interest in the activities of the Commission despite concerns about the limited time available to implement a large number of activities. However no firm commitments were received from the donors.
74. Another donors briefing was organised by OHCHR on 5<sup>th</sup> June 2002. The donors strongly urged a reconfiguration of the budget with indications of what could be done with minimal funds. The general consensus among the donors was that the budget was over ambitious. They recommended a revision of the budget since it was unlikely that OHCHR would raise the US\$ 9.9 million required under the budget. As at that date, only the United Kingdom had made available some funds for activities related to the Commission, amounting to US\$ 502,873. Other donors indicated their interest in contributing, but had not made pledges in writing. This was one month prior to the launch of the Commission.
75. The Commission revised the budget to \$6,587,668.00. The budget was realigned to meet the operational exigencies at that time. Despite the revision of the budget in 2003, pledges received amounted to only US\$ 3.7 million by the middle of the year. In his appeal, the High Commissioner lamented that the continued operations of the Commission required that donors respond to its funding requirements.

### Highlights of the revised budget

76. Considerable efforts were made to reduce the budgetary requirements of the Commission whilst at the same time maintaining a credible proposal which

reflected the minimum requirements for an optimal and effective Commission. Changes were made in a number of areas.

#### *Composition of staff*

77. Reductions were made in the total number of staff from 135 to 98 (that is, 18 international and 80 national staff) and in the number of full-time staff. This brought down the total staff costs to US\$ 3,131,766 from US\$ 5,958,183. These reductions impacted on travel, recruitment, health insurance, office space and communication equipment.
78. The initial requirements for 188 field staff for four months was substituted with a proposal for 74 field staff to be sub-contracted through local NGOs to assist with data collection and collation. The remuneration for the staff during the period of their work was provided by the Commission and the concerned NGOs on a cost-sharing basis. The cost-sharing arrangement not only reduced costs but also provided for the training and skill development of staff affiliated to local groups.
79. The initial provision of consultants to allow the Commission to recruit expertise in specialized areas where it may be deficient was eliminated. The proposed cumulative remuneration for local staff was reduced to 38% (US\$ 1,160,798) of the original estimate (US\$ 3,084,050) through a reduction in salaries. The initial salary estimate based on the local consultancy scale was substituted with the common salary scale for local staff developed by UNDP Freetown.

#### *Operational structure of the Commission*

80. The operational units of the Commission were reduced by merging the legal and reconciliation units and submerging the research and investigation units as sub-units under a new information management unit (IMU). The IMU would be responsible for organising and implementing the process of collecting, collating and analysing information. In the revised format, instead of six operational units there would be four such units (i.e. administration and programming; public information and education; legal and reconciliation; and information management).

#### *Subcontract services*

81. The cost of rental, maintenance and utilities for premises was reduced by eliminating the provision for rental of a villa for Commissioners and three provincial offices since the Government was expected to provide these facilities. The cost of rental of vehicles increased to cover the expenses incurred during the deployment phase and due to the reduction in the number of vehicles to be purchased.
82. The cost of contractual services increased because an additional provision was made for forensic investigation (US\$ 30,000), security of documents and protection including communication software with encryption capabilities, information backup devices and information technology security expertise. The

provision for forensic expertise will provide the Commission with the required expertise to follow-up on the recommendations of a forensic team commissioned by OHCHR to conduct a preliminary assessment of mass graves and execution sites in Sierra Leone.

83. Public information production costs increased due to the inclusion of expenses relating to the maintenance of portable recorders and satellite receivers to be used during the public sittings of the Commission.

#### *Seminars*

84. An additional provision of US\$ 14,000 was made for seminars during the preparatory period to support strategic planning, policy development and capacity building workshops for staff of the Commission and their implementing partners in crucial areas such as research methods, data analysis, investigation methods, information verification, gender sensitivity and psycho-social and other support structures. These activities were not carried out because of the administrative crisis in the Commission.

#### *Procurement*

85. With a reduction in the number of staff, the procurement requirements were cut in terms of the number of vehicles, office equipment, data processing and communications equipment and miscellaneous equipment and generators. The number of vehicles was reduced by two thirds bringing the total cost to US\$ 178,825 from US\$ 428,950. UNAMSIL made available to the Commission the use of its shuttle, taxi-despatch and scheduled helicopter services to the Commission at no additional costs.
86. Equipment maintenance, spare parts, supplies and communications increased because of the inclusion of the costs for mobile telephone services to augment the existing and largely inefficient fixed-net telephone services.

#### *Miscellaneous*

87. The provision for miscellaneous services increased because the budgeted adopted a 5 per cent flat rate of total expenses in addition to staff medical costs and bank charges as opposed to the previous fixed miscellaneous rate of US\$ 100,000 in addition to other costs including bank charges, medical costs and official hospitality.

#### *The statutory preparatory period*

88. An additional provision was made for the sum of US\$ 297,654 to support the operational requirements of the Commission during the statutory preparatory period. This provision deviated from the earlier proposal which provided for personnel only on the assumption that most of the work of the Commission during this period would be in its Freetown office. The additional provision responded to the objectives of the Commission to immediately commence implementation of its policies and anticipate some of its future activities.

89. The budget suffered one more revision in 2003 to \$4,167,033 for its operational activities. Many of the activities proposed in the amended budget could not be implemented. The activities had to be redesigned to meet the funding available.

## **Conclusion**

90. The planning of the budget of the Commission was on the optimistic expectation that the international community would provide the funding required for all activities. This proved to be an unrealistic expectation. The final budget was a bare bones budget. The Commission struggled to implement its activities as a result of inadequacy of funding and because of delays experienced in the releasing of funds. Nonetheless the Commission is satisfied that it was able to carry out important activities such as statement taking, public hearings, research and investigations which enabled it to deliver a credible final report to the people of Sierra Leone. This was accomplished largely due to the dedication and tireless efforts of the staff and Commissioners.



## **APPENDEXES**

### **APPENDIX ONE: DONORS TO THE COMMISSION**

1. Canada
2. European Commission
3. France
4. Germany
5. Ireland
6. Luxembourg
7. Netherlands
8. Norway
9. Sweden
10. Switzerland
11. United kingdom
12. United States of America

## **APPENDIX TWO: THE AUDIT REPORT**





































































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APPENDIX THREE: THE REVISED BUDGETS

**Assistance to the Sierra Leone Truth and Reconciliation Commission**

Estimated budget in US\$

Revision I (March 2002)

DESCRIPTION	TOTAL	Preparatc (3 mc
	US\$	U

<b>PERSONNEL</b>	
19 International staff	1,433,620
116 National staff	3,084,050
<b>sub-total international/national staff</b>	<b>4,517,670</b>
Consultants (3 consultants for two months)	61,533
Field staff (188 staff for 4 months)	1,207,480
Official travel	13,900
Local travel of staff	10,000
Travel on appointment and separation	129,600
Overtime	18,000
<b>Component sub-total</b>	<b>5,958,183</b>
<b>SUBCONTRACT</b>	
Premises rental, maintenance & utilities	525,439
Equipment rental	33,600
Security services	60,000
Audit services	36,330
Contractual services	73,500
Cleaning services	16,200
Public information production costs	56,000
<b>Component sub-total</b>	<b>801,069</b>
<b>TRAINING</b>	<b>45,850</b>
<b>PROCUREMENT</b>	
Office furniture/equipment	371,565
Data processing & communication equipment	635,263
Equipment maintenance, spare parts, supplies & communications	228,463
Procurement of vehicles	428,950
Vehicles maintenance, fuel, insurance, spare parts	105,248
Procurement of miscellaneous and security equipment	54,100
Procurement of miscellaneous supplies	12,000
<b>Component sub-total</b>	<b>1,835,589</b>

<b>MISCELLANEOUS</b>	<b>207,200</b>
<b>PROJECT TOTAL</b>	<b>8,847,891</b>
<hr/>	
<i>Programme support costs (13%)</i>	<i>1,150,200</i>
<hr/>	
<b>GRAND TOTAL</b>	<b>9,998,091</b>

**Assistance to the Sierra Leone Truth and Reconciliation Commission**  
Estimated budget in US\$

Revision II (August 2002)

<b>DESCRIPTION</b>	<b>TOTAL</b>	<b>Preparatory period (Three months)</b>
	<b>US\$</b>	<b>US\$</b>
<b>PERSONNEL</b>		
7 Commissioners (4 national, 3 international)	840,000	168,000
15 international staff	727,208	78,000
76 national staff	680,798	91,000
74 field staff	148,000	
<b>sub-total staff</b>	<b>2,396,006</b>	<b>337,000</b>
DSA (international staff)	593,460	75,600
Official travel	23,900	
Travel on appointment and separation	118,400	32,000
<b>Component sub-total</b>	<b>3,131,766</b>	<b>444,600</b>
<b>SUBCONTRACT</b>		
Premises rental, maintenance & utilities	443,911	84,000
Equipment rental	210,600	9,000
Security services	60,000	
Contractual services	146,500	43,000
Cleaning services	18,600	2,400
Public information production costs	67,600	
<b>Component sub-total</b>	<b>947,211</b>	<b>138,400</b>
<b>TRAINING</b>	<b>45,850</b>	<b>-</b>

<b>SEMINARS</b>	<b>14,000</b>	<b>14,00</b>
<b>PROCUREMENT</b>		
Office furniture/equipment	278,764	35,62
Data processing & communication equipment	518,100	58,30
Equipment maintenance, spare parts, supplies & communications	273,497	32,95
Procurement of vehicles	178,825	
Vehicles maintenance, fuel, insurance, spare parts	102,519	4,31
Miscellaneous and security equipment	29,100	7,00
Miscellaneous supplies	12,000	
<b>Component sub-total</b>	<b>1,392,805</b>	<b>138,18</b>
<b>MISCELLANEOUS</b>	<b>298,163</b>	<b>7,00</b>
<b>PROJECT TOTAL</b>	<b>5,829,795</b>	<b>742,26</b>
<b><i>Programme support costs (13%)</i></b>	<b><i>757,873</i></b>	<b><i>96,49</i></b>
<b>GRAND TOTAL</b>	<b>6,587,668</b>	<b>838,75</b>

**Assistance to the Sierra Leone Truth and Reconciliation Commission**

Estimated budget and expenditures in US\$

Revision III (May 2003)

<b>DESCRIPTION</b>	<b>Original budget</b> July 2002 - Oct 2003	<b>Re</b> July
	<b>US\$</b>	
<b>PERSONNEL</b>		
7 Commissioners (4 national, 3 international)	840,000	
13 international staff	727,208	
28 national staff	680,798	1
35 temporary staff	-	
74 field staff	148,000	
<b>sub-total staff</b>	<b>2,396,006</b>	<b>1,</b>
	593,460	
DSA (international staff)		
Travel on appointment and separation	23,900	
Official Travel	118,400	
<b>Component sub-total</b>	<b>3,131,766</b>	<b>2,</b>
<b>SUBCONTRACT</b>		
Premises rental, maintenance & utilities	443,911	
Equipment rental/Local Transportation	210,600	
Security services	60,000	
Contractual services	146,500	

Cleaning services	18,600	
Public information production costs	67,600	
<b>Component sub-total</b>	<b>947,211</b>	<b>9</b>
<b>TRAINING</b>	<b>45,850</b>	
<b>SEMINARS</b>	<b>14,000</b>	
<b>PROCUREMENT</b>		
Office furniture/equipment	278,764	
Data processing & communication equipment	518,100	
Equipment maintenance, spare parts, supplies & communications	273,497	
Procurement of vehicules	178,825	
Vehicles maintenance, fuel, insurance, spare parts	102,519	
Miscellaneous and security equipment	29,100	
Miscellaneous supplies	12,000	
<b>Component sub-total</b>	<b>1,392,805</b>	<b>4</b>
<b>MISCELLANEOUS</b>	<b>298,163</b>	
<b>PROJECT TOTAL</b>	<b>5,829,795</b>	<b>3,</b>
<hr/>		
<b><i>Programme support costs (13%)</i></b>	<b><i>757,873</i></b>	<b><i>1</i></b>
<hr/>		
<b>GRAND TOTAL</b>	<b>6,587,668</b>	<b>4,</b>

20 January 2004

**Assistance to the Sierra Leone Truth and Reconciliation Commission**

Requirements for the period Jan - March 2004 in US\$

	<b>Budget</b>
<b>DESCRIPTION</b>	Jan 2004 - March 2004
	<b>US\$</b>



**PERSONNEL**

7 Commissioners (4 national, 3 international)	28,000
International consultants	34,000
National staff	33,978
DSA/MSA	24,150

Travel 30,500

**Component sub-total 150,628**

Contractual services, vehicles & utilities 4,000

Auditing 28,000

Stationary and office supplies 8,000

Maintenance of office equipment 4,000

Public information, printing and production costs 166,000

CD rom version of the report 20,000

Distribution costs 5,000

Miscellaneous 30,000

**PROJECT TOTAL 415,628**

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***Programme support costs (13%) 54,032***

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**GRAND TOTAL 469,660**