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**CHILD PARTICIPATION IN THE
SIERRA LEONE TRUTH &
RECONCILIATION COMMISSION:
CONSIDERING THE BROADER
CULTURAL CONTEXT**

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and Development (IICRD)**

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Abstract

The Truth and Reconciliation Commission (TRC) in Sierra Leone was ground-breaking as a model of child participation in transitional justice processes, specifically mandating special attention to the articulation of children’s experiences and establishing procedures to address their needs. Yet, while the involvement of children in the TRC was considered to be a positive model to engage children, the understanding of children’s experiences and the impact of their involvement remains largely unexplored. Furthermore limited consideration has been given to understand how the rights of children are respected and their protective and developmental needs realized within a nation trying to rebuild from years of intense conflict, and re-establish dignity, belonging, and justice. Adopting a participatory research approach with young people, their communities and civil society in Sierra Leone, this paper sheds light on the positive and negative experiences of children involved in the TRC, and considers social perceptions of child participation in the TRC and within the evolving context of societal rebuilding in Sierra Leone. Documenting and reflecting on good practices and lessons learned from the Sierra Leone experience, the paper also identifies strategies to improve and support the role of children and young people as active agents of change specifically emphasizing the importance of creating safe, supportive environments based on mutual understanding and trust, where children, families, communities, civil society and government can collectively draw on the diverse network of societal strengths (individual, collective, cultural, and spiritual) to support and protect the well-being of children, and foster positive opportunities for children and their communities to safely engage as active citizens in transitional justice and peace building processes and beyond.

Acronyms

CC	Children's Club
CFN	Children's Forum Network
CPA	Child Protection Agency
CRC	United Nations Convention on the Rights of the Child
DCI	Defence for Children International
FGD	Focus Group Discussion
ICPRC	International Child Protection and Rights Consortium
IICRD	International Institute for Child Rights and Development
MSWGCA	Ministry of Social Welfare, Gender, and Children's Affairs
NCDDR	National Committee for Demobilization, Disarmament, and Reintegration
NGO	Non-Governmental Organization
SLBS	Sierra Leone Broadcasting System
TRC	Truth and Reconciliation Commission
UN	United Nations
UNAMSIL	United Nations Mission in Sierra Leone
UNIPSIL	United Nations Integrated Peace-building Office in Sierra Leone
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Introduction

The involvement of young people¹ in transitional justice processes provides potential for children and youth to become catalysts for development, peace, reconciliation, and active citizen engagement, yet many questions remain concerning how to best respect and protect the rights of children and facilitate their meaningful participation. Moreover in the aftermath of conflict, what specific measures will support the participation of young people in community reconciliation efforts without putting them at further risk? Reflecting on the Sierra Leone Truth and Reconciliation Commission (TRC) as an example of child participation in transitional justice processes this paper documents children's participation, examines how the rights of children were respected and protected, and highlights how their involvement reflected the lived experiences of children, their family, community and the child's broader cultural context. Finally, the paper suggests ways in which the rights of children can be better understood in regards to notions of personal dignity, belonging, accountability and collective healing in the context of societies recovering from severe conflict.

Specific consideration is therefore given to the cultural context and political environment in which children's participation in the Sierra Leone TRC took place and the corresponding social and judicial accountability standards. The paper identifies successes, challenges, opportunities, and areas of concern for child involvement in transitional justice processes, considers lessons learned, and provides recommendations to further enable the meaningful involvement of children in justice, reconciliation, and peace-building processes and actively contribute as both partners and citizens.

Methodology

To document the diversity of perceptions and experiences of child participation in the Sierra Leone TRC within the broader context, a multi-dimensional approach was employed. This included a) a desk review, b) key informant interviews with academics, government, child protection organizations, traditional and religious leaders, children's organizations and civil society, c) follow-up interviews with children who testified in the TRC and their families, and d) focus group discussions with children affected by the conflict and their communities.

A purposive, snowball sampling technique was used to identify key informants and youth participants. The latter was particularly useful when working with children and young people affected by the conflict or who had participated in the TRC process. A semi-structured interview style for single subject interviews and focus group discussions helped provide flexibility to gain specific insights about children's involvement in the TRC and the context in which the TRC took place, as well as probing more deeply into areas of expertise, and also identify other participants to contribute to the conversation.

In total, 13 focus group discussions and 72 interviews were conducted with 167 individuals comprising 83 children and youth and 84 adults. Purposive sampling ensured efforts were made to include a diversity of children and young people from a broad range of geographical contexts including children from Bombali, Kailahun, and Bo

¹ For the purpose of this paper young people refers to children- who in accordance with article 1 of the UN Convention on the Rights of the Child is anyone under the age of 18- and youth who were children during the time of the conflict and/or the reconciliation and peace building process.

Districts and the capital Freetown in Sierra Leone. Diversity was also sought across gender, age, role/responsibility during the conflict, level of support from child protection agencies (CPAs), and ethnicity . Input was also sought from a broad range of adults with international and national expertise in children’s rights and transitional justice (84) including academics, government, international non-governmental organizations, child protection organizations, traditional and religious leaders, and community members.² These included members of the Sierra Leone Truth and Reconciliation Commission, the Special Court of Sierra Leone, UNICEF, UNAMSIL, Ministry of Social Welfare, Gender and Children’s Affairs, Save the Children, Caritas, Inter-religious Council of Sierra Leone, Council for Churches in Sierra Leone, Talking Drum, Golden Kids Radio, Defense for Children International, parents, support groups, researchers, community members and children themselves.

Despite efforts to ensure adequate representation, it is important to note that the findings presented do not represent the views of all Sierra Leoneans or even an accurate cross section of Sierra Leone children. Rather the intention is to bring together the voices and experiences of a sample of children, their communities, and key experts involved in the TRC to shed light on the experiences of child participation in the Sierra Leone TRC, reflective of children’s experience and their cultural context.

Conceptual Framework

The conceptual approach to this study is grounded in the work of the International Child Protection and Rights Consortium (ICPRC), created in 2006 to bring together social scientists and Governments, United Nations (UN) agencies and non-governmental organizations (NGOs) working to bring about broad based systems change in support of child protection. The Consortium seeks to build from the best of implementation efforts in child rights and protection, while also recognizing that new approaches are needed to better ground the UN Convention on the Rights of the Child (CRC) in a child’s own lived experience and in the context of their peers, family, community and culture.³

The ICPRC is particularly focused in better linking research, policy and practice. Four key conceptual themes underpin ICPRC’s work across these dimensions.

- ◆ *Children’s own experience* of childhood in relation to risk, protection, and agency;
- ◆ Growing *social science understanding* of long term threats to child and adolescent development, and of the various means through which societies can protect their young against such threats;
- ◆ An *ecological perspective on childhood* that includes the role of culture and other social systems in child vulnerability and protection;
- ◆ The presence and significance of *the CRC* in both policy and practice, especially its ability to successfully contextualize its provisions.

The paper is also guided by the International Institute for Child Rights and Development (IICRD)’s three developmental child rights cornerstones:

- ◆ Dignity- the inherent worth of each individual, diversity and culture;

² A breakdown of participants can be found in the appendix.

³ For a more detailed overview of the ICPRC see: Bissell, S., Boyden, J., Cook, P. & Myers, W. Rethinking Child Protection from a Rights Perspective: Some Observations for Discussion, 2007 and notes from the “Rethinking Child Protection” symposium, March 9-11, 2008, University of California, Davis.

- ◆ Belonging- the importance of healthy connections and sense of belonging contributing to positive personal and collective identity; and
- ◆ Justice- accountability at all levels and commitment to address structural inequalities resulting in rights gaps.

Within the IICRD framework each principle exists on a continuum from the individual to the collective (from the inside out), and when fully realized in concert, these principles embody respect and adherence to the rights of children, communities and humanity as a whole.

Structure of the Paper

To address the participation of children in the Sierra Leone TRC the paper is divided into 3 sections. The first considers how children were involved in the TRC, the second section examines how child participation in the TRC reflected the actual experiences of children and their context (family, community, culture), and contributed to the reconciliation of families and communities, and the final section recommends how transitional justice and peace building activities can further involve young people in ways that reflect their context, and provide opportunities for children and youth to contribute as active citizens.

Many of the recommendations come from the young people who participated in the study, demonstrating both their capacity and commitment to bring about positive change in their lives and their communities. Other recommendations are derived from child protection workers and child advocates, further articulating the lived realities of the children with whom they work. Throughout each section, questions, challenges and opportunities are also highlighted, helping to identify specific areas for further reflection and consideration.

Part One: Child Involvement in the TRC

The Sierra Leone TRC was unprecedented as a model for child participation in transitional justice processes, and, for the first time children were both acknowledged and systematically involved.⁴ Specifically the 2000 TRC Act mandated special attention be given to the experiences of children affected by armed conflict, and called for the implementation of special procedures to address the needs of children who had been witnesses, victims, or perpetrators of violations⁵. A special section of the report was also dedicated to children. In short the TRC aimed to involve children and adopt child-friendly procedures for their participation and protection. Yet, to date, the full impact of children's involvement in the Sierra Leone TRC has not been evaluated.⁶

The following section reflects on child participation in the TRC, and the various mechanisms and processes adopted to protect children and support their meaningful involvement. Acknowledgement is also given to the social-political context in which the TRC took place and the associated implications. Notably, although the nature of children participation was largely predetermined by the TRC Act, a broader understanding of participation is considered which reflects the multifaceted involvement of children in the stages of the TRC including: planning and design, outreach and sensitization, implementation, dissemination, follow-up, evaluation, and report writing.⁷

Social-Political Context

To truly reflect on children's participation in the TRC requires an understanding of the confounding factors affecting the involvement of children and the broader social-political context in which the TRC took place. Initially, the TRC mission was delayed on several occasions due to the resumption of violence and the disbandment of the original TRC committee. This somewhat tumultuous start was compounded by budgetary cuts, coordination problems, confusion about the role of the Special Court (SC) and the TRC, and external international pressure contributing to a limited social and political willingness and interest in the TRC. Furthermore limited time was afforded to the TRC process, and in particular a mere 10 weeks was given to the statement collection process where over 9,000 statements were gathered. Thus it is through this lens that the participation of children in the TRC must be considered.

Planning

While, the Sierra Leone TRC Act acknowledged the experiences of children, the initial drafting failed to consult either children, or child protection stakeholders and civil society to consider how children should be involved and the associated implications.⁸ This

⁴ For a more detailed review of child participation in past transitional justice processes See: Ilene Cohn, "The Protection of Children in Peacemaking and Peacekeeping Processes", (1999) 12 Harv. Hum. Rts. J., 129 at 174-176 and Children and Truth Commissions, UNICEF Innocenti Research Centre, 2008.

⁵ The Truth and Reconciliation Commission Act 2000, February 20, 2000. Specifically, Section 6(2b) outlined that special attention be given to children, and Section 7(4) called for the implementation of special procedures.

⁶ Siegrist, S. Involvement of Children in the Truth and Reconciliation Commission in Sierra Leone, p. 61 in Adolescent Participation in Programme Activities During Situations of Conflict and Post Conflict, UNICEF, 2004.

⁷ The TRC Act outlined child participation in the statement taking process and in the creation of the child-friendly version of the TRC. For a comprehensive overview of literature on child participation see, Child and Youth Participation Resource Guide, UNICEF EARPO, Bangkok 2006, Guidelines for Measuring the Participation of Children and Adolescents, UNICEF, 2007, and Ackermann, L, Feeny, T, Hart, J. & Newman, J., Understanding and Evaluating Children's Participation: A review of contemporary literature, Plan UK/Plan International, 2003.

⁸ Personal Communication with former UN Sierra Leone staff. This is considered critical to the success of truth commissions. Lessons were learned from Sierra Leone and in the Liberia context CPA's were involved from the outset, specifically insisting that 3-4 days be allocated to discuss the involvement of children and their protection

oversight was identified by some of the local non-governmental organizations interviewed during the course of this study. The following statement serves to highlight this challenge: *Children should have been involved from the beginning, asking what and how should child participation be done? (Interview with Talking Drum Staff Member, May 2008)*

However, once the mandate of child participation was established, national and international child rights and protection experts were brought together to develop guidelines and recommendations to involve children in the Sierra Leone TRC.⁹ Specific considerations included on how to ensure child safety and protection, create a supportive environment for participation, ensure dignity, and minimize the adverse effects.¹⁰ Children also participated, outlining their expectations of child participation in the TRC, highlighting their participation and protection concerns, and providing strategies and recommendations for child involvement, although the quality of their engagement has been given limited consideration¹¹

Seminal outputs included the development of guiding principles for child participation, the establishment of a Framework for Cooperation between the Truth and Reconciliation Commission and the Child Protection Agencies (CPAs), a Vulnerability Checklist, and the creation of a training schema for statement takers.¹² Experts also recommended that the TRC build upon and strengthen community reintegration and reconciliation processes and structures (including traditional ceremonies and practices in accordance with international child rights standards), with particular emphasis on the involvement of traditional and religious leaders, and child protection agencies. Finally, it was recommended that the TRC should contribute to the ongoing reintegration and reconciliation of children and their communities and this specific role of the TRC will be further explored in section 2 of this paper.¹³

In addition to the 2001 planning meeting National Child Protection Network meetings were also regularly convened, providing an opportunity to bring together civil society, the

⁹ See UNICEF, UNAMSIL, National Forum for Human Rights, Children and the Truth and Reconciliation Commission: Recommendations for policies and procedures for addressing and involving children in the Truth and Reconciliation Commission, Freetown, Sierra Leone, 2001. Issues discussed at the technical meeting included (but were not limited to): the experience of TRCs in other countries related to children; the nature of the reconciliation process and traditional practices; society's attitudes towards war-affected children; the reintegration of separated children; the nature of violations carried out against children and the impact of impunity on society.

¹⁰ This meeting was a collaborative effort of the Truth and Reconciliation Commission, UNICEF, the National Forum for Human Rights and UNAMSIL/Human Rights, and was the result of a recommendation brought forth in November 2000 at the Truth and Reconciliation Commission Workshop organized by UNAMSIL and the office of the High Commissioner for Human Rights (OHCHR), suggesting that a working group be formed to consider the involvement of children (UNICEF, 2001). Each presentation panel was comprised of an international and national expert in order to address international/national disparities and the local and national contexts (Personal Communication former UNICEF staff member).

¹¹ The children's working group included 2 ex-combatants, 2 child mothers, 2 blind children and 2 children from the National Children's Forum- a network of child activists advocating for child rights, working out of the MSWGCA. Children were accompanied by their social workers and the session was facilitated by 3 child rights advocates. The children identified the following concerns: fear for security from community members who might seek revenge, lack of protection for children currently provided at the community level, and potential of difficulties faced by recounting atrocities. In addition the children articulated the difficulties of making themselves heard within the community (UNICEF 2001).

¹² Framework for the Cooperation between the TRC and Child Protection Agencies (Focus statement taking) recommended by TRC/CPA National Committee 27/01/03. To view the Framework for Cooperation, the Vulnerability Checklist and Training Agenda see Annex 7,5, and 2 of UNICEF, Children and Truth Commissions, 2008.

¹³In accordance with the UNICEF/UNAMSIL, National Forum of Human Rights, 2001 publication, communities refer to the child's original community or host community.

TRC, government and children¹⁴ to discuss the involvement and protection of children in the TRC.

Child Involvement in the TRC activities

Child involvement was largely confined to confidential statement taking and testimonies at the district hearings, yet children were also involved in many other ways including: participation in outreach and sensitization activities, contributing to the thematic hearings on children and the overall TRC report, helping to create a child-friendly version of the report, and engaging in dissemination activities.¹⁵ These various methods are discussed herein.

1. Outreach & Sensitization Activities

Due to the various constraints of the TRC, outreach and sensitization activities were limited, yet some efforts were made to inform and engage communities about the TRC and its operations. For example the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) worked in collaboration with the National Child Protection Committee and the Children's Forum Network (CFN) to help people to understand the TRC mandate and specifically articulate how children would be involved and how their participation could contribute to community reconciliation and nation building. Efforts were also made to clarify the roles of the TRC and the Special Court through specific outreach activities including the development of standardized messages, and widespread radio sensitization through the Sierra Leone Broadcasting System (SLBS), Radio Democracy and the United Nations Mission in Sierra Leone (UNAMSIL)'s radio station: Radio UNAMSIL.¹⁶ This sensitization was critical to the operation of the TRC as many communities were confused about the mandates of the TRC and the Special Court and feared collaboration between the two transitional justice mechanisms. The CFN also met with children's clubs to encourage participation, yet children's club members felt they should be compensated for their participation.¹⁷

In addition to the aforementioned efforts the TRC Working Group (comprised of a cross section of NGOs) helped to bolster public awareness and support, whereby for instance, Defence for Children International (DCI) worked with local Non-Governmental Organizations (NGOs) to sensitize communities and trained young people to engage children and provide them opportunities to ask questions.¹⁸ Furthermore, outreach activities took place in schools and communities, and TRC clubs were established in district towns to discuss the TRC and encourage participation. In some instances radio excerpts of child testimony were played to encourage children to participate, and some leaders of the TRC clubs also participated to encourage greater involvement¹⁹. In an

¹⁴ According to one respondent, children were also present at the national TRC preparatory meetings. Personal Communication, MSWGCA staff

¹⁵ Siegrist, S., 2004, Siegrist, S. Children's participation: Truth and Reconciliation Commission for Sierra Leone, paper presented at the UNICEF Expert Discussion on Transitional Justice and Children, UNICEF Innocenti Research Centre, Florence, Italy, 10-12 November 2005, and Women's Commission, Children and adolescents in transitional justice processes in Sierra Leone, DRAFT, June 2007 help to inform this section. Additional information is based on consultations with key informants and child participants to contextualize these reports and provide further clarification.

¹⁶ Personal Communication, MSWGCA staff

¹⁷ FGD, Children's Club, Freetown, 2008. The respondents indicated that many children who participated in the TRC or were asked to participate expected they would get something in return. This will be reflected upon later in the paper.

¹⁸ Personal Communication, DCI, 2008

¹⁹ Some children indicated they participated in statement taking to encourage the participation of others. Yet many more did not participate. When asked why, they indicated that they didn't have anything to say, they weren't affected and they were scared to talk to the TRC. This raises some fundamental questions about the nature of child participation. If those who were informed about the TRC, and were encouraging children to participate did not want to engage, what

effort to engage children in the sensitization process, the TRC also invited children to paint the zinc wall at the TRC headquarters in Freetown²⁰. Although limited, these efforts sought to socialize children and their communities to the TRC process. In retrospect, widespread efforts should have been afforded to engage and inform Sierra Leoneans about the intention of the TRC and the involvement of children, to clarify the mandates of the TRC and the Special Court, and to dispel misunderstandings and confusion about what the TRC was expected to achieve. Furthermore national planning and coordination between the Special Court and the TRC required intensification.

2. Providing Statements and Testimonies

Statement Taking

From December 2002 - March 2003, the TRC deployed statement takers throughout the 13 districts in Sierra Leone to collect statements from the community about their experiences during the conflict, and over 300 such statements were collected from children. As indicated previously, statement taking from children was unprecedented in transitional justice processes, and the inclusion of children in Sierra Leone provided the impetus to develop protocols and procedures to support and ensure the protection and safety of children. Prior to talking with children, statement takers received training and guidelines on how to work with and engage with children in a safe and supportive manner, and the Framework for Cooperation between the TRC and CPAs and the associated Vulnerability Assessment and Safety Checklist were particularly useful. These tools also identified the specific roles and responsibilities of the statement takers and the CPAs, where CPAs were expected to assist the TRC statement takers in a) providing overall guidance and advice on involving children in statement taking; b) identifying child statement givers; c) facilitating access of TRC statement takers to child statement givers; and preparing children and providing psychosocial support to child statement givers before, during and after the statement taking exercise.²¹ Yet, while these guidelines were important in principle, logistical dilemmas constrained application in practice and 'corners were cut' to involve children.²²

Guiding Principles of the 2003 Framework for Cooperation between the TRC and CPAs

1. The participation of children in the TRC process shall be guided by the best interest of the child. The children should be treated with dignity and respect
2. Any participation of children should be voluntary on the basis of informed consent by subject child and guardian
3. The safety and security of all child statement takers is paramount. Statements can only be obtained in places considered safe and friendly to the child
4. Children must be in an appropriate psychosocial state to give statements. The taking of statements from children must ensure the protection of their physical, spiritual and psychological well-being

implications did this have on child involvement? Moreover, what other factors contributed? How could children be involved in other ways?

²⁰ Personal communication Bishop Humper, 2008

²¹ Framework of Coordination CPAs and statement takers, 2003

²² Personal Communications former TRC coordinator, statement taker and UNICEF staff.

5. The confidentiality and anonymity of the child shall be guaranteed at all stages of the work of the TRC. All statements given by children shall be confidential; no sharing of information obtained by the TRC with any outside body, including the Special Court
6. In principle, statements shall be obtained on a one on one basis, with only the statement taker and the child present, except when the child wishes the presence of a social worker and/or guardian. Girls shall be interviewed by female TRC statement takers only
7. Psycho-social and other appropriate support services shall be available for child statement givers
8. All statement takers and designated social workers shall receive further training on taking statements from children

Specifically no organization or group was mandated by the TRC to have a specific role in the statement taking process nor was an organization responsible to monitor the quality and process of statement taking with children and the required follow-up support. Funding was made available through UNICEF to support the TRC implementation, yet few agencies specifically requested funding for this purpose. Furthermore, the magnitude and logistical scope of the statement taking process and the confluence of the TRC and Special Court fostered uneasiness amongst the CPA agencies to actively engage in the TRC and accordingly many opted to continue focusing on reintegration efforts rather than support to the TRC directly. Many CPAs also feared the TRC would hamper pre-existing relationships with children and compromise trust, whereas others believed it would un-do the reintegration and healing that had already occurred:

“I was totally against the involvement of children in the TRC statement taking and hearings. It reminded them of the ugly situations they went through... There had been lots of money spent on reintegration, why did we go back and undermine the process? The TRC was like a mini court and the children had to rehash the memories” (Interview with NGO Staff Member, May 2008).

“Most were happy about the TRC and supported it, but some of us also had ethical considerations. The kids are our clients. We couldn’t go around giving out their information or telling them to testify” (Interview with former IRC Staff Member, May 2008)

In addition, the statement takers were working within tight time constraints to complete their work. They often didn’t have time to confer with CPAs, and/or complete the vulnerability assessment or safety checklist. The statement takers also experienced some resistance within communities.²³ For example one statement taker indicated:

“Children were restricted from making statements. You would go to the community and the parents would say they are not around you come back tomorrow. They would say the same thing the next day. They kept making excuses.” (Interview, Statement Taker in Makeni, May 2008)

Accordingly, children were sometimes identified through open appeals to the community, and self-identification, potentially compromising safety and protection: *“If a child stood up*

²³ Parents feared for the child and how participation would affect the child and the family. In addition to notion of children expressing themselves to adults is not widely accepted. This will be discussed in further detail in the next section.

*and said I'll speak they took the statement without thinking about the end result.”
(Interview, UNICEF Staff Member, May 2008)*

Fortunately, there were few negative implications for child participants, and most of the children interviewed for this study felt protected.²⁴ This is articulated in the following excerpt taken from a Focus Group Discussion held with a group of young males who gave statements to the TRC:

They (the statement takers) came and asked who experienced something bad during the war. They asked us to come out and talk about our experiences. We were a bit afraid. We were afraid of the Special Court, we didn't want people in the community to point fingers at us, and we didn't want those that had wronged us to revenge because we exposed what they had done.

But, the statement takers came in and encouraged us and made us feel okay... They told us everything would remain in secret. They also said that if we gave statements it would help bring peace to Sierra Leone. We were all afraid but the TRC gave us confidence to talk. After talking it took several months to feel good. We thought the TRC were going to take action and take us to court. We thought TRC would come back, but they didn't. (Focus Group Discussion with Boys in Dare who gave statements to the TRC, May 2008).

Specifically, during the course of discussion one child indicated: *If asked to go again, I would go. It was okay. I felt protected. (Boy in Dare who gave statement to the TRC, May 2008).*

In addition, although single-gendered statement taking was encouraged, it was not always translated into practice, and may have negatively contributed to the child's experience with the TRC and his/her level of comfort to relive stories from the past. One statement taker interviewed in the study suggested that interviewing girls compromised the practice of do no harm, as he felt he did not have the capacity nor the compassion to interview the girls, and relate to their experiences, and sensed girls felt uncomfortable talking to him about situations of rape, child-bearing, and their experiences as bush wives.²⁵ Discussions with female statement givers reiterate this notion and also highlighted the difficulties of talking with strangers about their experiences:

Sometimes it's difficult to talk publicly, or share experiences with people you don't know. It is dangerous because maybe the perpetrator will be around, or the person interviewing you will expose what you may have told him. That would create problem for me. (Focus Group Discussion with girls in Makeni who gave statements to the TRC, May 2008)

Clearly the statement taking process presented challenges in practice, potentially compromising the ability of children to fully participate in a manner respectful of their age, ability, and evolving capacities. Furthermore, the rush to collect information irrespective of the child's situation could negatively expose children to risky situations

²⁴ The interviews conducted suggest that few cases of stigma or revenge towards children occurred post involvement, and through the interviews conducted for this study, only one specific case was mentioned whereby when a child returned after testifying his friends reprimanded him, and his parents rejected him (Personal Communication former IRC and Caritas Makeni staff). Given a lack of supporting details, it is difficult to suggest that the child experienced rejection and revenge solely because of participation. It does however raise further questions.

²⁵ Personal Communication, Statement Taker, Makeni

and further heighten their vulnerability to revenge, retaliation and/or trauma. Statement taking in a context where children are expected to respect and obey their elders adds an additional layer of complexity. Did children participate willingly, or were they compelled by societal norms and expectations? Although results from the study suggest the negative impacts of children were limited, further investigation of child well-being is required- both before and following statement taking- to fully determine the implications of statement taking on children's well-being within their inner world and the broader community. Similarly, consideration should be given to the compounding or overlapping nature of other modes of child participation, and their associated implications and concerns. The district hearings, for example, raised additional concerns and these are discussed below.

District hearings (April-August 2003)

Following the statement taking process, statements were reviewed by the TRC in Freetown, and individuals (adults and children) were selected to testify at District hearings across the country.²⁶ Although these hearings were open in nature, specialized closed hearings were held to listen to the experiences of children and to help assure confidentiality and their protection, and special measures established to select children to participate. Specifically, child selection was dependent upon the quality of the child's statement, his/her capacity to articulate his/her experiences, and representivity of the experiences of children, range of violations suffered, roles played by children, affiliations to political and armed groups, gender, and geographic locality.²⁷ Upon selection, the regional coordinators sought permission from the child and his/her caregiver to participate and the child was brought to the TRC District Office to share his/her experiences.²⁸

Like in the statement taking process, CPA involvement in the district hearings was variable, with some CPAs playing fundamental roles. In Kailahun district, for instance, child participants from the interim care centre were asked to report to the Save the Children office upon arrival in Kailahun, and were then taken to a hotel to stay with the other child participants. The children were briefed about the process, and the following day the hearings ensued.²⁹ Conversely, other CPAs provided minimal support to the children, and the following quote helps to shed light on the experiences of one child interviewed who was not informed about the hearing process:

"They came and I was asked to talk. I didn't know what was going to happen. They called out my name, they recorded my voice, and they used a video camera. The film was shown in the community and the moment I saw it I felt bad. I didn't expect it to be played publicly. They didn't tell you before. I wouldn't do it again." (Interview with girl who participated in the TRC hearing process, May 2008)

Once inside the closed hearing, children testified one by one to a select group of individuals comprised of Commissioners of the same sex, the interpreter³⁰, a

²⁶ Some districts include Freetown, Kailahun, Bo, Port Loko, Kabala, Kenema and Makeni

²⁷ CPA and TRC Framework of Cooperation, 2003

²⁸ To help ensure child protection and confidentiality, children traveled in a TRC vehicle with tinted windows. Military staff were also present in the compound and this intimidated some of the children. The fear was alleviated when social workers and staff explained why the military were present. (Siegrist, S, 2004)

²⁹ Personal Communication Save the Children staff member, and FGD with boys who gave statements in Daru. Following the hearing, children discussed their experiences with Save the Children Staff.

³⁰ The interpreter did not face the child during the closed hearings. S/he could not identify the child (Personal Communication, staff member CDHR)

photographer/ videographer, and a social support worker.³¹ Efforts were then made to establish rapport with the child and create an environment in which the child felt comfortable. Initial questions focused on the child's family background, and were followed with more specific, open-ended questions including: what did you see, what happened to you, what were their thoughts? Questions on forgiveness and the role of the commission to foster healing and reconciliation were also asked, and lastly the children were asked about their opinions on what they thought should be done.

Child testimonies were recorded, and excerpts were broadcast on radio UNAMSIL and TV, but each child's identity was not disclosed.³² Accordingly most of the children we spoke to felt safe and protected post-involvement, and very few children could be identified as participants in the hearings by community members.³³ One group of participants interviewed in the study indicated: *Up to today, we have never been approached by anyone asking us about our experiences (Focus Group Discussion in Daru with boys who gave testimonies, May 2008)*. A CPA worker –critical of the involvement of children in the TRC – also applauded the efforts of the TRC to protect children whereby: *"The TRC did try and protect children and maintain confidentiality. They did a good job."* (Interview with UNICEF staff member, May 2008).

Unfortunately not all children testified in closed hearings –some slipped through the cracks. For instance, although Rosalita was a child at the time of testifying, she was asked to testify at the open hearing at the Tonkoli Court Barrie.³⁴ When describing her experience, she said, *"I was in distress, they asked me questions in front of a big crowd. I was afraid. I did get a lot of courage from the crowd though. They made me feel okay. When I went back to the community I had fear, but they didn't do me anything. I had no threats."* (Interview, Girl who participated in open TRC hearing, May 2008)

Fortunately support was provided to Rosalita from her community to help foster a sense of belonging and safety and also attribute to more positive associations regarding involvement in the TRC. Had Rosalita's community reacted negatively towards her involvement, Rosalita's perceptions about the TRC process may very well be more negative. This is consistent with the notion that regardless of how the children participated in the TRC, the level of support from individuals and communities to establish a sense of safety, trust and understanding positively correlates to children's impressions of the TRC process and his/her involvement. Nevertheless, while support through relationships is important, the economic circumstances of many families in Sierra Leone also indicate that support in the form of money and tangible goods and services contributes to children's understandings and experiences – both negative and positive –with the TRC.

Support

Recognizing the importance of providing support to children, some child participants received food, transport and accommodation during the district hearings, and in some instances the Commissioners gave support from their own pockets.³⁵ Unfortunately

³¹ A parent or CPA representative could also be present if reflective of the child's wishes.

³² Video documentation of the TRC proceedings did not identify the child participants. Rather, children's testimonies were recorded with the child situated behind a silk screen. See Witness to Truth Video

³³ This proved to be a particular challenge in the identification of children who participated in the statement taking process and gave testimonies at the closed hearings. Few members of the community could help us to identify the children and help us gain access to talk about their experiences with the TRC.

³⁴ Name has been changed to assure confidentiality

³⁵ Personal Communications Reverend Usman, Bishop Humper, Yasmin Sooka

systematic support was not provided to all of the participants, and this has left many children disenchanted with the process. The following quotes from young people interviewed in the study help to contextualize and articulate their perspectives:

After giving a statement I thought they were going to pay us. They took us into a separate room and I thought we would get something. I thought they would help me find my parents. They never did. (Boy who gave a statement to the TRC and participated in FGD in Daru, May 2008).

I gave my testimony because I had lost my family. I thought if I said something, some assistance would come... I wouldn't do it again because it didn't help me. (Interview with girl who was self identified and gave a statement to the TRC, May 2008)

Seeking acceptance and belonging, both individually and collectively, may have been the push factor for children to participate and comply with the requests of the TRC, where, in many instances children were left alone without family to turn to and to help regain a sense of normalcy felt an urgency to be accepted into a broader familial or societal structure. Was participation in the TRC a survival technique, a commitment to put the past behind, or something in-between, and given the variety of impetuses for participation what can we realistically expect the TRC to bring in the form of reconciliation? Regardless of children's reasoning to give statements, limited follow-up with the children was done after they testified and the TRC report was released, further tainting people's impressions of child involvement in the TRC and the involvement of society as a whole. In particular, discussions with community members raised questions about the impact of the TRC. One group of adult amputees said, "*We spoke to the TRC and gave recommendations, but we are still waiting. We are still in pain and the physical wounds still reoccur. (Discussion with Adult Amputees, Bo, May 2008)*" Discussions with the Child Welfare Committee further reiterate this point: "*It did more harm than good" Children and adults talked but they (the TRC) didn't do anything...It's like, if you don't want to help me, don't ask me to tell my stories. (FGD with Child Welfare Committee, Daru, May 2008).*" The expectations of the TRC to help improve the lives of children and their communities are still being met, and this dilemma will be discussed in further detail in the following section.

3. Expert Submissions and Thematic Hearings on Children

Expert Submissions

Eleven expert submissions addressing children's issues were received by the TRC, 9 of which were submitted by various child rights and protection actors including UNICEF, Caritas Makeni, UNAMSIL, MSWGCA, Dennis Bright –Minister of Youth and Sport, World Vision, Cooperazione Internazionale (COOPI), and Christian Brothers, and two submissions from children's groups directly - the CFN and the Kailahun Muloma Kids Club. Specifically, the CFN's submission was guided by the MSWGCA, UNICEF and UNAMSIL, yet was ultimately written by the young people themselves.³⁶ Summaries of these reports were presented at the Thematic Hearings on children held in Freetown June 16-17, 2003.

Thematic Hearings on children (June 16-17 2003)

³⁶ Personal Communication with representative from MSWGCA, personal communication with former CPN member, and FGD CPN, Freetown.

Commencing on the Day of the African Child, the thematic hearings were intended to give visibility to children's issues, and recommend actions to improve the situation of young people in post-war Sierra Leone³⁷. Organized collaboratively with children,³⁸ the hearings began with a children's march through Freetown, and upon arrival at the venue attendees- including over 350 children from across Sierra Leone- listened to testimonies and watched clips from the closed district hearings with children.³⁹ Other children (representing youth clubs) appeared in person, and CPAs and child recommendations provided statements and recommendations. Drawings, and dramas were also exhibited, and the CFN and Voice of Children's Radio performed a song. Excerpts were broadcast on Voice of Children Radio and national TV.⁴⁰

As president of the Muloma Kids Club, Samuel⁴¹ was asked to provide a statement at the thematic hearing. He was asked to talk about what happened to children during the war, and about his experiences. He was also asked how children were coping, and what should be done. Below are his reflections:

"When in Freetown I was interviewed through TRC at YWCA hall...By that particular time I was happy to talk to them because after the interview I thought they were going to put in a strategy to help us. I thought they would create a space to help children. Not only me, but all children affected. But that did not happen.

It was not that much simple to talk about it. Whenever I talk about it I keep remembering it. It was the biggest meeting I had ever attended. At the start I was afraid. But they way they were encouraging us to talk made me have confidence to talk more. I talked in front of everyone. I was afraid that if I said anything at the end of the day people would continue to point fingers at me, saying this is what he did during the war. But before we went to the hall we were advised to talk.

After the interview, they showed a film in Kailahun and my face was visible. When they saw my face most of them shouted, but they were happy because in this part of country most children were affected by the war. They thought there would be more help.

I was not expecting that the TRC was going to show a film that included me. It was a surprise. I did not feel that much bad, but whenever I listen to what happened I do not feel happy about it. I was not happy within myself. It was not about the people, they were fine. (Expert from interview with 18-year-old boy who gave a statement at the thematic hearing, May 2008)

Overall the Thematic hearings on children were considered successful, yet discussions in this study reveal that few people were aware of the hearings.⁴² The national consultation on the International Day of the African Child was broadcast on SLBS yet a myriad of constraints of the TRC including funding, operational dysfunctions, and limited buy-in from governments, UN agencies and NGOs had severe repercussions on the

³⁷ Siegrist, S. 2004

³⁸ The Session was a coordinated effort of the TRC, MSWGCA, UINCEF, UNAMSIL, other CPAs, and the CFN. Children participated in both the planning and the proceedings

³⁹ The identity of the children was not disclosed, as the statements taken in the closed district sessions were recorded with the children sitting behind a silk screen.

⁴⁰ Siegrist, S. 2004

⁴¹ Name has been changed to assure confidentiality.

⁴² Many adults and children we spoke to were unaware of the thematic hearings including CPN staff. The report by Siegrist, S. 2004 also indicates the impact of the hearing was limited.

breadth, reach and effectiveness of TRC activities and outputs related to children and larger society.⁴³

4. Other Opportunities to Involve Children in the TRC

Discussions with children and adults suggest there were limited opportunities for child involvement in the TRC, and many children were unaware of the opportunities that did exist.⁴⁴ Again this must be considered within the social-political context within which the TRC existed. Furthermore these opportunities were best suited for children and young people who could articulate their thoughts in a structured manner, and provided little opportunity for creative expression. A UN representative indicated that *the methods of involvement at the district and thematic hearings were 'rigid' and 'judicial', for instance at the thematic hearing children sat a desk and read out their statements. There was limited engagement.* Bishop Humper further reiterated: *"We had a challenge getting young people to testify- they didn't have the capacity to compose him/herself."* This method of involvement proves particularly restrictive to young children, and during a focus group discussion with a group of girls who had been affected by war, one girl raised a very important point *"I was captured at an early age. How would I have explained my experience?"* It also presents a challenge: how can the participation of young children be realized and supported in accordance with the CRC while also ensuring their protection?

While it is important to consider the ways in which children participated in the TRC, the potential opportunities for involvement provide a stronger platform to build upon in the future. Specifically in the context of this study, children indicated a desire to participate in ways that reflect their abilities and capacities, where they can talk about their experiences in peer support groups and use dramas, songs and stories to address the past and also navigate the present.⁴⁵ The TRC's 'rigid' structure provided minimal opportunities for self-expression, yet two innovative contributions materialized - the National Vision for Sierra Leone Project and the Child Friendly Version of the TRC-warranting recognition.

National Vision for Sierra Leone project

The National Vision for Sierra Leone project sought to provide a platform for individual Sierra Leoneans to creatively express their expectations and aspirations for Sierra Leone after 11 years of war.⁴⁶ Over the course of two months, over 250 contributions were received, including written and recorded essays, slogans, plays and poems; paintings, etchings and drawings; sculptures, woodcarvings and installations.⁴⁷ The National Vision was exhibited in Freetown, at the National Museum, and was promoted through leaflets, presentations, meetings and radio shows. By the end of January 2004,

⁴³ Personal communication with Donald Robertshaw, January 2009.

⁴⁴ 61 children from FGDs were asked if they knew about the opportunities presented by the TRC and 27 indicated they did. According to these numbers 44.2% of the children we spoke to were aware of the TRC. Nevertheless it is important to note this is only representative of the children involved in the study.

⁴⁵ Particular innovations now being used in Sierra Leone will be discussed in Section 3.

⁴⁶ The TRC advertised its campaign in newspapers, on the radio and in leaflets distributed around Freetown and in the provinces. The TRC suggested that contributions may: Describe the kind of society the contributor would like to live in; Suggest how to make Sierra Leone a better place to live in; Set out the contributor's hopes and aspirations for Sierra Leone; Describe where the contributor would like to see Sierra Leone in five or ten years; or Provide anything creative that inspires peace and unity – and pride in being Sierra Leonean. Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission Vol 3B, Chapter 8, p. 502.

⁴⁷ Among the contributors were men and women of all ages, backgrounds, religions and regions, including adults and children; artists and laymen; amputees, ex- combatants and prisoners.

more than 600 school children had visited the Exhibit and taken part in discussions on the significance of the National Vision to Sierra Leone's future.⁴⁸

Child-friendly report⁴⁹

The Child-Friendly report was recommended at the planning meeting in June 2001 by the Children's Forum Network and CPA actors as a unique opportunity to inform and involve children in the TRC, and provide children space to exercise their agency. This unprecedented model engaged 100 children directly - 15 of who were engaged on a daily basis- in the drafting and designing of the report and its dissemination strategy,⁵⁰ and many more indirectly through Voice of Children radio discussions, and attendance at the Children's National Assembly Meeting in December 2003, and forged "effective child-adult partnerships."⁵¹ The report includes testimony from children in closed hearings, presentations from thematic hearings, formal submissions by child protection agencies, submissions to the National Vision for Sierra Leone project, artwork, and recommendations/strategic actions for change.

5. The TRC Report: Documenting the Situation of Children and Specific Recommendations of the TRC Relation to Children

Documenting the Situation of Children

In addition to involving children, the Sierra Leone TRC made significant advances in documenting violations against children and children's experiences. Statistics on the circumstances of children were collected from numerous NGOs, UNICEF, UNAMSIL and from the National Committee for Demobilization, Disarmament and Reintegration (NCDDR) and the Gross Child Rights Violations Network circulated standardized forms to collect thousands of written statements from children or their legal guardians documenting acts of violence against children during the armed conflict.⁵² These written statements, along with the child statements, testimonies, the thematic hearings, and the expert submissions were compiled to create the Chapter on Children in the TRC report.⁵³ It is also worth noting that the contributions of the NGOs did not identify specific or individualized cases of children, but rather were more generalized reports respectful of confidentiality, anonymity and information release protocols.

The Chapter on Children in the TRC Report⁵⁴

⁴⁸ The National Vision for Sierra Leone Project is described in more detail in: Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission Vol 3B, Chapter 8, 499-520.

⁴⁹ UNICEF. Truth and Reconciliation Commission Report For the Children of Sierra Leone. Child-Friendly Version. 2004.

⁵⁰ Children were involved in the report through the various TRC mechanisms, the Children's Forum Network, Voices of Children Radio, and the Children's national Assembly- an opportunity for children from across Sierra Leone to come together to discuss the TRC (Siegrist, 2004).

⁵¹ Personal Communication S. Siegrist, 2008

⁵² CTC DRAFT, p. 63. GCRVN was established by UNICEF and the Council for Churches in SL is the implementing partner. The network is based on the membership of CP NGOs, human rights/humanitarian NGOs and CBOs that report on child rights violations.

⁵³ A chapter on Youth was also created and the following conclusion was drawn: In order properly to address the youth question, the means to escape youth marginalization must be rebuilt and sustained. This national effort must include providing the skills to youths to participate productively in the economy. It also means encouraging the right attitudes. Youths themselves must be integral to the planning and implementation of youth-orientated policies and programmes. The construction of sustainable youth programmes can only be done through authentic dialogue between youths and their elders. As these processes unfold, it will become incumbent on the youth to demonstrate responsibility, leadership and accountability. In so doing, Sierra Leone's youth will at last come closer to finding its rightful place in society.

⁵⁴ Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission Vol 3B, Chapter 4, Children and the Armed Conflict in Sierra Leone. P. 233-339

The specific chapter on children in the Sierra Leone TRC, examines the status of children in Sierra Leone before and after the war, and considers major spheres of influence including education and health, and economic, legal and socio-cultural issues. The national and international human rights instruments are also reflected upon. Most importantly the chapter attempts to convey the impact of the armed conflict on children, and their diverse experiences within the various armed groups. Lastly the chapter highlights the Commission's main findings and recommendations for children:

Children deserve to be the single greatest priority for Sierra Leone. Notwithstanding the sterling efforts of UNICEF and the local and international agencies that form part of the Child Protection Network, a great deal still remains to be done to alleviate the problems children face and assist in their flourishing in the future. The Commission recommends that the Child Rights Bill be passed as a matter of urgency.⁵⁵ This piece of legislation will go a long way to ensuring that a legislative framework exists to enhance and promote the rights of children. Moreover, government needs to give its own special attention to children's issues when it ensures that the recommendations of the Commission are carried out. Implementation of the TRC recommendations in respect of children would represent a formidable commitment to improving the quality of life for Sierra Leone's children, both today and in future generations.⁵⁶

6. Dissemination and Follow-up

The TRC Commission recommended the "widest possible dissemination" of the report, and called upon government and civil society to facilitate the accessibility of the report to all people, literate and illiterate, in local languages.⁵⁷ Specifically the TRC Commission encouraged the use of the Report and its different versions to promote dialogue and debate, and recommended that variety of versions of the Report be used in workshops around the country to inform people about the TRC.⁵⁸ In addition the Commission recommended that the contents of its report be incorporated into the education programmes in all schools, from primary to tertiary level, where the children's version could be used to educate at the primary level.⁵⁹ Despite these recommendations, a commitment to operationalize the report has been weak, and has limited the integration of the TRC report into broad based reconciliation efforts within the Sierra Leone civil society.⁶⁰

Nevertheless some dissemination attempts have been made to inform both children and their communities. For example, the Child Friendly Version of the TRC was disseminated in two phases. 600 copies of the Child Friendly version were initially distributed to children's groups, NGOs, government agencies, and media in 2004 and an additional 4,000 additional copies were distributed through UNAMSIL to child advocacy groups, educators and civil society to promote the rights of children in 2005.⁶¹ Unfortunately despite dissemination efforts, only 5 children of the 47 we spoke to were aware of the CF version of the TRC report.⁶²

⁵⁵ The National Child Rights Bill was passed in June 2007.

⁵⁶ *ibid.* P. 339.

⁵⁷ Vol 2 c3 p. 204. Section 543

⁵⁸ Vol 2 c3 p. 204. Section 544

⁵⁹ Vol 2 c3 p. 204. Section 545

⁶⁰ Women's Commission report, Caulker, J. Searching for Truth and Reconciliation in Sierra Leone: An initial study of the performance and impact of the truth and reconciliation commission. 2005., personal communications

⁶¹ Women's Commission report, 2007

⁶² This question was intended to be asked in all FGDs, yet it was over sighted in 3 of the FGDs. Of the 5 children who knew about the Child Friendly version they were all part of the Children's Forum Network.

A Senior Secondary School version of the TRC was also developed for pupils aged 15-19 and disseminated by the TRC Working Group.⁶³ The textbook sought to educate secondary school students and other youths about the findings and recommendations of the TRC report through a summary of the report and a fictional cartoon story – the story of Sierrarat, and includes exercises at the end of each chapter to encourage students to critically reflect upon the material and encourage classroom discussion. Two hundred books were disseminated to each senior secondary school, with overall dissemination reaching 40,000. In addition, the TRC working group also used posters and storytelling to outreach to illiterate populations in Sierra Leone⁶⁴, training 150 storytellers from across Sierra Leone to talk about the TRC at public gatherings. Discussions with children involved in the report were more aware of the Secondary School version or of “Sierra Rat.” Of the 47 we spoke to, 20 children had heard about the Senior Secondary School version or seen the posters around their schools and their communities.

Unfortunately, despite the positive contributions of both the TRC Child Friendly Version and the Senior Secondary School Version, both of these reports have had limited reach. This is further supported by Julia Paulson’s work examining the educational recommendations of the TRC, whereby her research indicates that none of the schools included in her sample had educational materials on the TRC, nor had any of the high ranking officials at the Ministry of Education, Science and Technology.⁶⁵ Paulson also talks about the necessity for broader peace building education, and a commitment from the Ministry of Education, Science and Technology to mainstream TRC educational materials would be a critical step in this direction.

One potential limitation of both the TRC Child Friendly Version and Secondary School Version is that both are published in English. While this is in itself is not a problem, no additional books have been produced in other languages thus excluding children in rural communities from having access to the report. Opportunely, additional dissemination methods were also to disseminate the recommendations of the TRC report including a video version that was screened in 52 communities between 2005 and 2007,⁶⁶ regular debates and discussions organized in TRC clubs, and radio programs through Radio UNAMSIL and the Golden Kids Club. Yet in accordance with an interview with a UN representative: *“despite these attempts follow-up to the TRC and its recommendations has been limited and the totality of the report hasn’t trickled down to the community. More must be done.”* (Interview with UNAMSIL staff member, May 2008)

To help bring ideas of the TRC report to the community level, a local NGO Fambul Tok – directly translating to ‘family talk –is currently working to foster reconciliation amongst communities. Specifically, Fambul Tok is designed to, *“restore dignity to the lives of those who suffered from violence”, and “help create healthy communities capable of building new foundations of peace through honoring traditional methods of reconciliation. This distinctly Sierran initiative is rooted not in western concepts of crime and*

⁶³ Sheriff, M. & Bobson-Kamara, E. TRC Report: A Senior Secondary School Version. Sierra Leone: Truth and Reconciliation Working Group. 2005.

⁶⁴ Over 70% of the population in Sierra Leone are illiterate. Using storytellers from across the country provided opportunities to use language and terminology best adapted to the audience. (Project Report: “TRC Report – Top of the Reading List?”, John Caulker and Juliane Westphal)

⁶⁵ See Paulson, J. The Educational Recommendations of Truth and Reconciliation Commissions: potential and practice in Sierra Leone. Research in Comparative and International Education. 1 (4): 335-350.

⁶⁶ Witness to Truth: A video report and recommendations from the Sierra Leone Truth and Reconciliation Commission. Witness. 2004. Personal Communication, CDHR.

*punishment but in communal African sensibilities, which emphasize the need for communities to be whole – with each member playing a role – if peace and development are to be achieved for the nation.*⁶⁷ This organization is intended to answer the call of the TRC to create local reconciliation activities” founded on “traditional methods of reconciliation at the community level to help foster a lasting and sustainable peace.”⁶⁸ While Fambul Tok is trying to practically ground the ideas of the TRC in the day-to-day lives of communities, commitment must be given from the government to demonstrate a national commitment to act.

Since the TRC report and its recommendations were produced, many steps have also been taken to specifically respect and protect the rights of children and youth in Sierra Leone. These include: 1) The Child Rights Act 2007 was adopted and efforts are now being made to disseminate the Act within the community context; 2) Child Welfare Committees (CWCs) have been established at the regional, district and village level, including male and female youth representatives,⁶⁹ and 3) Sierra Leone Police Family Support Units have been created which comprise of the Police, MSWGCA, CWC and child to address Child Protection Issues. Specifically in the context of youth: 1) The National Youth Commission has been formed; 2) 150 Youth Leaders from across Sierra Leone have drafted a Manifesto for Young People’s Rights as a tool for political advocacy and negotiation (July 2007); and 3) United Nations Integrated Peace-building Office in Sierra Leone (UNIPSIL)- the successor of UNAMSIL is specifically mandated to address youth and gender empowerment issues. Furthermore on a more broad scale, the experiences of children in Sierra Leone and other TRC processes involving children have helped to establish guidelines and standards for the involvement of children in future TRCs and Transitional Justice processes around the world.

Nevertheless, while the above changes are positive for children and youth in Sierra Leone much more needs to happen to fully operationalize the TRC recommendations and improve the situation of children. As a UNAMSIL staff member exclaimed: “*Once the bullets aren’t flying, the urgency decreases. The social conditions haven’t changed and the root causes haven’t been addressed (marginalization, neglect etc.) We need to continue.* For instance, in the context of Sierra Leone, many positive changes have occurred for children, yet the government hasn’t linked these tangible outcomes to the realization of the TRC recommendations. An interview conducted by Paulson in 2006 further highlights the government position on the implementation of the TRC recommendations: “Quite a lot has been done already in terms of implementing the TRC recommendations, but the government is not aware that they are doing it. So, they should have scored some marks by just saying that they are already doing this, doing that. But they are not aware. Education, the justice sector, the code of the conduct of the judiciary, the law reform, these are all part of the TRC recommendations and they are most of them imperative. So, they should say, ‘Yes, we are moving, we are trying, we have done a, b, c. It is time, give us some time, we will continue.”⁷⁰

Instead, these improvements are presented as independent initiatives and unconnected activities, giving credence to the idea that the government is not committed to bringing the recommendations of the TRC to reality, nor does he intend to address the needs

⁶⁷ Fambul Tok website

⁶⁸ Fambul Tok website

⁶⁹ In Kailahun, the military has also established a CWC

⁷⁰ Paulson. 2006. P. 346.

articulated by many Sierra Leoneans who want the outcomes of the TRC to be operationalized to bring about truth and reconciliation for the nation.

In light of the social changes for children and youth, child and youth involvement in the TRC cannot be attributed as the determining factor, yet the TRC may have helped provide important momentum to increase the profile of child rights and pass the Child Rights Bill. It has also helped to operationalize child rights and in the future could serve as a precursor to demonstrate the government's commitment to social improvements for children, their families and their communities. The challenges now rest with governments to articulate their policies and practices within the TRC framework, and with society as a whole to ground child rights initiatives in the broader community context to reflect the lived realities of children, their families and communities, and improve their lives.

Part Two: Considering Context

The participation of children in the Sierra Leone TRC established an important precedent on how to include children in transitional justice processes. Yet for participation to be truly successful, it must be situated within the broader framework in which children live and must seek to restore the peace and harmony in their lives as well as in the lives of their families and communities. How did the participation of children in the TRC reflect the lived realities of children, their context and their culture, and how has it helped to enable children to reintegrate and reconcile with their communities? How did child participation afford dignity, belonging and justice to children and their communities? This section seeks to address child participation through this broader lens. It begins by exploring the role of the child in the community, and how the notion of childhood has changed over time. Secondly it considers how the TRC contributed to the reintegration and reconciliation of children and their communities and reflected traditional and cultural practices. Lastly, it identifies what still needs to happen to truly foster reconciliation to restore individual and collective social harmony.

Children, Childhood, Conflict Mediation, and Responsibility

“A community without children is nothing” (Child Welfare Committee Member in Daru, May 2008)

In order to understand the complex interplay between the discourse of child rights, accountability and reconciliation in post conflict Sierra Leone it is necessary to reflect on the various paradigms of childhood that co-exist in Sierra Leone.

Traditionally, in Sierra Leone there exist different concepts of what constitutes a child and youth. On the one hand there is a commonly held belief that well-behaved children were ‘seen and not heard’, and it is broadly accepted that in the presence of adults, children should not express themselves⁷¹. Furthermore, when children do articulate their views, they are rarely given due weight: *“In the traditional setting if a child gave a statement people wouldn’t listen. They wouldn’t believe.” “It is better they keep mute-they are inexperienced and can’t understand...” “They can be easily fooled to say things that aren’t true.” “The TRC went against this.” (Excerpts from a FGD with CWC in Daru, May 2008).*

The custom also limits children’s involvement in the lives of others. Rather, when children do wrong they often seek help from adults to intervene on their behalf. *“When I offend father, I call some of the elders (neighbours, chiefs, priests) to help.” (FGD CFN Makeni). “This [intervention] ensures that the child will be kept safe.” Furthermore, if a child does explain, it should be done in “a low subservient manner, full of remorse with an underling latent apology.”⁷² (Discussion with CWC in Daru, May 2008).*

Parallel to this social construct of children as passive social players is a belief in violent young men as a powerful socio-cultural category with roots in Sierra Leone’s history of slavery and colonialism⁷³. Social science researchers such as Shepler and Kelsall⁷⁴ caution against the consequences of treating children only as vulnerable victims, as this does not allow for true reconciliation in a social context in which a history of youth

⁷¹ UNICEF, 2001, p. 17

⁷² This relates to the Mende tribes, and may not relate to other tribes in Sierra Leone.

violence creates additional challenges for social reintegration of young people post conflict.

Despite these cultural understandings and interpretations, the TRC in keeping with a child rights based approach advocated that anyone below 18 be treated as a child. It also supported children speaking about their experiences, and sought to operationalize children rights. Given these societal underpinnings, how did parents, community members and children feel about children talking to the TRC?

Child Participation in the TRC- Community Perceptions

Parents and community members interviewed for this paper indicated: *“in our own cultural settings, parents wouldn’t allow their children to give statements” It may heighten their vulnerability to discrimination or violence. “We feared for our child’s life, that people would use witchcraft and that people will do things to them. We were afraid that there would be stigma and discrimination.” (Excerpt from FGD with CWC in Daru, May 2008)* Another father said, *“I did not want my daughter to participate. I didn’t want her to revisit the experiences. I wanted her to leave it behind so she could move forward.”*⁷⁵ In addition to this protective element, ethnic groups in Sierra Leone believe that a successful family is one that has made all efforts to ensure that their children do not grow up to be criminals⁷⁶, and thus, child statement giving could negatively implicate the child and his/her family.

To further legitimize community fear, many children in the study (both those who did and did not give statements) were also afraid to engage in statement taking, and this appears to be particularly true for children associated with the fighting forces and child mothers. Specific fears included community discrimination and stigmatization, revenge, and prosecution by the special court.⁷⁷

“I didn’t want to talk because I would feel ashamed of what I had done. They might show me on TV. My voice would be heard through the radio. I didn’t want people to know. I was afraid. (Young Girl from Focus Group with Child Mothers in Makeni, May 2008)”

I wouldn’t want to talk. It would make me remember what happened. I feel that if I talk, maybe I will be apprehended. More people will be offended by us. They will look at us uglily. (Male from Focus Group with Boys Affected by Armed Conflict in Kailahun, May 2008)

⁷³ Shepler, 2005. The Rites of the Child: Global Discourses of Youth and Reintegrating Child Soldiers in Sierra Leone., Human Rights Quarterly.

⁷⁴ Kelsall, R.2005. Truth, Lies, Ritual: Preliminary Reflections on the Truth and Reconciliation Commission in Sierra Leone, Human Rights Quarterly

⁷⁵ Despite his resistance to the process, he feels that children should talk about their experiences. He added the caveat that children should only talk about it once and should then turn to the future. His daughter agreed: “Children should talk. They should say it out so it will not create a problem, and as time goes on they will forget about it.”

⁷⁶ Gaima, E. & Koroma T. 2001. Culturally Relative Approach to the Truth and Reconciliation Commission for Children in Sierra Leone: Guidelines, Policies and Recommendations, in ‘Children and the TRC for Sierra Leone, recommendations for policies and procedures for addressing and involving children in the TRC’. UNICEF. 2001.

⁷⁷ To further consider the experiences of girls see: Coulter, C. Reconciliation or Revenge: Narratives of Fear and Shame among Female Ex-combatants in Sierra Leone from her Dissertation: Being a bush wife. Uppsala: Department of cultural anthropology and ethnology. Uppsala university, 2006, Mazurana, D & Carlson, K, ‘From Combat to Community: Women and girls of Sierra Leone, Hunt Alternatives Fund/Women Waging Peace, Jan. 2004, and McKay, S. and Mazurana, D, Where are the Girls? Girls in Fighting Forces in Northern Uganda, Sierra Leone and Mozambique: Their Lives During and After the War, 2004, Montreal: International Centre for Human Rights and Democratic Development.

If you say forgive me it ends there. If you say I did this, I burned these houses it will offend people. People will think you are boasting. (Male from Focus Group with Boys Affected by Armed Conflict in Kailahun, May 2008)

Yes it's good that we share. Sometimes I do so when we meet together as friends when we laugh and cry over them... There are certain issues I can talk about. There are other issues that will create shame to talk about. There are certain things one went through that will be difficult to share. I will share some but not all. There are some I will keep to myself. (Girl from Focus Group Discussion with Young Mothers in Makeni, May 2008)

Victims also expressed their concerns:

"Sometimes it's good that we talk, but there is always the fear of the perpetrator. Maybe as you share, the perpetrator would be around. If he learns that I have exposed about what he has done to me, he may also think about harming me (Girl from Focus Group Discussion with Young Mothers in Binkolo, May 2008).

Social Forgetting

The hesitation and trepidation to engage in the TRC appears to reflect the role of children in society and the expected social norms of children, and may also be rooted in the cultural practice of social forgetting. Rosalind Shaw⁷⁸, talks about this notion of social forgetting, and the desire for people to focus their efforts on the present and future to help facilitate healing, rather than reliving the past. Specifically, Shaw points to historical layers of violence as promoting not only a discourse of concealment and ambiguity, but also techniques of social forgetting. In the context of the Sierra Leone TRC Shaw suggests that publicly talking about violence after it has occurred is thought to undermine the process of reconciliation and healing and potentially insight violence.

The following quotes gathered in the present research serve to support this position:

It's better to forget it. Things have happened. You say anything it cannot be reversed. Let us forget about it now. It is over. It's time to move forward. (Excerpt from Discussion with Girls in Kailahun affected by conflict, May 2008)

We need to forget about it. We have been asked to forget about the past. So that is what we want to do. Sometimes when I remember the past I think deeply about what I went through. (Excerpt from Discussion with Young Mothers in Makeni, May 2008)

Nevertheless, some children saw the value of talking and felt it would help to clear their chests: *It's good to talk about it. It's easy to forgive, but difficult to forget. Sometimes when we talk about it reminds us of the past and it serves as history. Even as we share our experiences with one and other it will help us to support one another and realize we are not alone in this situation. (Ibid)*⁷⁹

⁷⁸ See Shaw. R. 2005. Rethinking Truth & Reconciliation Commissions: Lessons Learned from Sierra Leone. United States Institute for Peace. February 2005.

⁷⁹ Rosalind Shaw also talks about the idea that often talking to the TRC was the perpetuated by an expectation for support. This is reiterated with this piece of research.

Regardless, the notion of truth telling as a healing mechanism does highlight some dilemmas, and the following story serves as a case in point. When conducting the interviews for this paper, the researcher was helping to lead a focus group discussion and the *facilitator pushed to have one girl tell her story. Despite attempts by the researcher to dissuade the facilitator he proceeded. Through her tears the girl told her story about how she watched as her mother was raped. How she was forced to kill her mother, and also watched the rebels kill her father. To add insult to injury the rebels threw both her parents into a pot and forced the girl to eat the flesh.*

How can re-telling this story help to facilitate healing and reconciliation? Furthermore, by doing so, are we causing the child to continue to relive these horrific events? The therapeutic effects of truth telling in this instance appear limited, and such circumstances necessitate further consideration. Where is the participation and protection line? How much time is needed to help the child revisit the past and establish a sense of trust, belonging and justice in a changed and perhaps unsettling social construct? Such issues point to the need for greater consideration to be given to weighing the benefits of truth telling against personal and collective healing. This dilemma also transcends to current context in Sierra Leone which advocates for open dialogue and policies around early marriage, prohibition of teachers having sex with children and female genital cutting. Where and when does disclosure of these events protect the child and minimize the adverse impacts on the livelihoods of children and their communities? Furthermore how do societal interpretations of children and adulthood need to change to respect the dignity of the child, his/her community, culture and spirituality?

Child Responsibility and Accountability

According to the Special Court of Sierra Leone, only those who bore the greatest responsibility for the conflict would be held accountable through the Special Court mechanisms, and the Special prosecutor announced he would not pursue any prosecutions against children under the age of 18.⁸⁰ Although this stance is aligned with the CRC's restorative approach to juvenile offenders, many children nonetheless engaged in horrific acts during the conflict, including killing, maiming, raping and looting, and this has raised many dilemmas within the community context regarding forgiveness and reintegration of children who committed these crimes. Reflecting on the traditional and cultural interpretations of childhood already described, how are children held to account, and, in the context of the conflict, what should be done?

An expert paper by Gaima and Koroma, identifies that when a child commits a crime well beyond his or her age group, it is seen as premeditated and therefore subject to instant punishment... unless there is a show of genuine remorse.⁸¹ Conversely, discussions with adults in the present research about the conflict, suggest that adults are primarily seen as carrying the blame:

⁸⁰ "The children of Sierra Leone have suffered enough both as victims and perpetrators. I am not interested in prosecuting children. I want to prosecute the people who forced thousands of children to commit unspeakable crimes." David Crane, Special Court for Sierra Leone, Press Release (2 November 2002).

⁸¹ See: Gaima, E. & Koroma T. 2001. Socio-cultural Baseline Information on the Truth and Reconciliation Commission as it Should Apply to Children in Sierra Leone, in 'Children and the TRC for Sierra Leone, recommendations for policies and procedures for addressing and involving children in the TRC'. UNICEF. 2001.

In African tradition we don't expect them [children] to take responsibility for their actions. (Discussion with CWC in Daru, May, 2008)

Adults are to blame. They recruited children. They gave them guns. They took it as pleasure. Are they being held accountable?" (Interview with MSWGCA, May 2008)

"We blame the adults. Children learned from us" (Discussion with Child Welfare Committee in Kailahun District, May 2008)

These statements allude to children's innocence and serve to deflect responsibility from the child. Yet according to Peters & Richards (1998) and Brett & Specht (2004), some children actively took up arms and saw the war as an opportunity to assert their discontentment with their lives and the state of the nation.⁸² By abdicating accountability, are we condoning the acts of children during the conflict, or disregarding the agentic capacities of children? Or according to Shepler⁸³, are we depoliticizing the potential of children and youth and re-establishing their place at the bottom of the social hierarchy?

Further discussions with adults also suggest an innate fear of children: *We know what children did when they were combatants. Just for that everyone is forced to embrace children. If there is going to be vengeance, they will kill us all... We need to encourage children, we know what they can do." The community needs to come together. (Discussion with Child Welfare Committee in Kailahun District, May 2008)"*

Accordingly, some adults feel that mechanisms should be in place for children and young people to realize the gravity of the crimes they committed, and to truly restore the balance within communities.

"There are people in the community who were amputated. They saw who did this to them. These people are walking around yet these are the people that bear the greatest responsibility to them. These children should be able to give an account of what they did; they should be able to accuse us [adults]. Instead they are just walking around. They don't even know if what they did was wrong." (Interview with former Minister of Youth and Sport, May 2008)

Post TRC, I've realized that we don't have to stop children going through justice. In retrospect some children should have faced the special court or a similar mechanism that sought to know the truth and rehabilitate the children rather than imprisoning them. Now there are many children and youth on the street who would have benefited from rehabilitation.

Sometimes when you allow children to go through justice processes the impact can be therapeutic. When they have done wrong and don't talk about it they can feel bad, but talking can help with healing and moving on. (Interview with CDI, May 2008)

⁸² See Peters and Richards, (1998) Why we fight Brett, R., & Specht, I. (2004). *Young soldiers: Why they choose to fight*. London: Lynne Rienner.

⁸³ See: Shepler, S. The Rites of the Child: Global Discourses of Youth and Reintegrating Child Soldiers in Sierra Leone. 2005. *Journal of Human Rights*, 4: 197-211

Although traditionally children aren't deemed directly responsible for the crimes they commit, the gravity of violence committed by children and young people and the limited accountability may be a cause for concern, whereby if the situation of children and young people doesn't improve will violence again prevail? Furthermore, was resorting to violence an effective strategy for children and young people to articulate their grievances, and what other mechanisms exist to claim their place within society? Interestingly, children seem to be exercising their own agency in negotiating the complex intersection of the local discourse of responsible child with the global rights paradigm of the vulnerable child. Shepler describes in her research social situations in the postwar context in which young people have become strategic users of different discourses as they move through various social contexts, thereby facilitating forgiveness and acceptance. "Among their friends and fellow soldiers, they try to maintain the status that being part of the fighting gives them. They wear combat clothes and sunglasses and brag about firing rocket propelled grenade launchers. With NGOs they adopt the persona of the traumatized innocent, usually requesting aid in furthering their education. With community members and in school they act like normal kids, never mentioning the past."⁸⁴

The complexities of poverty further complicate the role of children in society, and in the context of Sierra Leone, where 51 % of the population live in absolute poverty and the adult literacy rate is extremely low at 36.9%,⁸⁵ children- who comprise a substantial percentage of the population- are considered to be an 'immediate asset'⁸⁶ to families and communities both socially and economically.⁸⁷

Consequently are children who committed criminal and inhumane acts during the conflict deemed 'innocent victims' and/or given pardon as a result of their 'capital' or 'potential' for families and communities, rather than because of their specific vulnerabilities as children? Moreover by abdicating responsibility is justice being served, and if so for whose means? To fully understand the principles of dignity, belonging and justice in the Sierra Leonean context and what reconciliation means, these questions warrant further consideration.

Changing perceptions of children

In spite of these challenges, since the advent of the TRC, the perceptions of children and their role in communities are slowly shifting. *Now children will talk directly with their elders. They are now advocating for their rights. They are much more vocal.*" (Discussion with CWC, Daru, May 2008) "Now children are being consulted. They are being taken more seriously." On the one hand the community feels that children are much more wayward and aren't respecting their elders (Discussion with CWC Kailahun)⁸⁸: *It is an abomination for children to talk like this.*⁸⁹ On the other hand, people

⁸⁴ Ibid, pg. 198-199.

⁸⁵ According to the CWIQ Report, 2007, Adult Literacy is defined for persons age 15 years and above who can read and write in any language.

⁸⁶ Personal Communication, Donald Robertson

⁸⁷ The CWIQ Report indicates 34.7% of the population are between the age of 0-14, and 59.3% are between 15-59.

⁸⁸ Factors identified include: poverty, peer group influences, ignorance etc. Adults also suggested that "people fear to take action against children because of children's rights." (CWC, Kailahun). "The community thinks that rights mean that children don't want to be guided." Moreover, "People have been providing children with their rights for a long time, but they think child rights are different... They think they destroy the community system of child rearing and the community's responsibility to protect and care for children. Everyone's business is nobody's business..." (SDO, Kailahun). It is hoped the new Child Rights Act will "turn the wheel around" and bring an understanding of rights to the communities and down to the village level."

⁸⁹ Personal Communication, Talking Drum Staff

feel children should be consulted and listened to. *“Believe you me, sometimes children talk sensible things. We should listen to them.” (Interview with CWC chairman, Daru, May 2008). Children have their own point of view on how things should be done. We should ask them. (Interview with a member of UNICEF staff, May 2008).*

Furthermore, *“Even if you wanted to, it is difficult to ignore the voice of children. They are making sure their voices are heard through music, drama, children’s radio and participation in local children’s clubs.” (Interview with UNICEF staff, May 2008).* Some innovative child participation initiatives are discussed in the text box below⁹⁰:

Golden Kid’s Club Radio

Search For Common Ground and Talking Drum Studios runs the Golden Kid’s Club Radio Programme providing disadvantaged children aged 8-15 the opportunity to identify, investigate and discuss with their peers issues of concern (e.g. child rights, child trafficking, girl education, reconciliation), and devise appropriate and viable solutions.⁹¹

For instance in Kabala region teenage pregnancy was high and as a result pregnant girls were not going to school. The children discussed this issue and decided it wasn’t fair that the girls were being discriminated against whereas the boys continued to go to school. The children suggested that if ‘John’ gets ‘Mary’ pregnant he also should not be able to go to school. He should stay at home with the girl until she is able to return to school. The local authorities embraced the idea and a law was formulated. According to Search for Common Ground this has proved very successful to reduce the child pregnancy rates.

The programme also gives children the opportunity to engage with adults and a broad range of political and community leaders to discuss and hold them accountable. In some instances the adults are reluctant to talk to children, yet over time this is gradually changing. This could in part be attributed to accountability mechanism used on the programme: *“All efforts to talk to x have proved futile because we are kids!”*⁹² Of particular recognition is that in the beginning Golden Kids News was one most popular radio programmes in Sierra Leone amongst adults and children alike, suggesting an acceptance to child participation and the expression of child agency.

Cinema on a Wheel

Defense for Children International’s new program Cinema on a wheel provides children the opportunity to use film to develop creative ways to educate communities and advocate for their rights. Specifically, the programme trains children on how to articulate issues that affect them, provides drama and performance training, and teaches children

⁹⁰ The aforementioned social changes cannot be attributed to the TRC, yet since the conflict subsided and the TRC conducted its work children have become more involved, and their participation more accepted.

⁹¹ The 15 minute program is broadcast twice weekly in Krio, and is aired on 23 stations across the country (at different times). The programme is comprised of material from 9 districts and priority is given to children who are less privileged. To be selected, children must have an interest in promoting children’s issues. Children engaged with Golden Kids receive training in interviewing skills and techniques and this training is conducted by the children themselves. Princess initially conducted the trainings but has found that when the children learn from other children it reduces the power dynamic and “they feel more free to interact and discuss”. “The best teachers for children are kids themselves”.

⁹² While this programme is successful, how is the programme shifting the role of children in society and supporting their role as advocates?

and youth to use filming gadgets to produce a short cinema on child rights issues. Following production, the cinema will be disseminated nationally.

iEARN Photography

iEARN uses photography as an advocacy medium with children and youth aged 9-23 to provide an innovative way to look at the perspectives of children and youth and provide an introspective look into their lives.

Children's Forum Network

The Children's Forum Network (CFN) is a child-to-child advocacy organization with branches across Sierra Leone, committed to creating linkages and spreading knowledge on the rights, responsibilities and welfare of children in Sierra Leone. Specific CFN activities include monitoring child rights violations, community radio sensitization programmes, organized debates, and workshops on child rights and other issues related to children. The CFN also produces the PIKIN Newsletter, a newsletter written and produced by children. In short the CFN provides opportunities for children to develop and strengthen adult partnerships, and advocate for their rights and the rights of other children through their relationships with communities and governments.

Children's Clubs

Children's Clubs are also established throughout Sierra Leone at the grassroots, and these provide additional opportunities for children to work with adults to address child rights in the community context.⁹³ For example in Kailahun, the Children's Club works in collaboration with the Child Welfare Committee (a community group monitoring the rights of children) and Save the Children to identify contextualized solutions to child rights and protection, and also sensitize children and their communities about child rights and protection. Furthermore, the Muloma Kids Club talked about a programme known as 'Raperaide' where children cross-dress in the streets and perform skits and songs about children's rights and responsibilities.

West African Hip-Hop Susan Shepler has begun to look at the use of West African hip-hop as a tool for children and youth to creatively articulate and disseminate their political positions, feelings, and needs.⁹⁴ Specifically Shepler analyses the lyric used by young people to engage in politics and assert their views, and also discusses the potential role music can play to provide additional agentic opportunities for children and youth.

With all of the above mechanisms, how can we further embed children's meaningful participation in ongoing peace building activities?

Seemingly perceptions are slowly shifting and the advocacy message for the 2008 Day of the African Child was 'Children are to be seen and heard.'⁹⁵ Yet to truly restore the balance within communities, the fear that exists within adults must also be addressed. Improvements must be made in the lives of children and young people to help allay the fears of adults and ensure that history doesn't repeat itself. Thus the reintegration and reconciliation of children and young people within communities needs to be supported.

⁹³ Previously each CPA had their own children's club, but they now fall within the mandate of the CFN. It is hoped this will provide additional opportunities for a more integrated approach to addressing child rights.

⁹⁴ Personal Communication Shepler

⁹⁵ This cannot be attributed solely to children's involvement in the TRC, and the conflict may be a determining factor. Overall, the perception of children and their involvement in community appears to be positive, yet some adults suggest that children are becoming more wayward.

The following section views the TRC within the broader reconciliatory context reflecting on the multitude of contributing factors, and the role the TRC played in both of these processes.

The role of the TRC: Promoting Reintegration, Reconciliation and Healing

In addition to advocating for child participation, it was expected that the TRC would contribute to the reintegration of children into their communities and host communities, and help promote reconciliation and healing. Yet promoting reintegration and reconciliation was not the primary objective of the TRC. *“Rather more emphasis was given to truth telling and the establishment of a historical record, and ensuring that harm was not done to what had already been achieved.”*⁹⁶ Nevertheless most children affected by armed conflict underwent some form of reintegration. This section reflects on the process of reintegration and the enabling or constraining factors.

The Process of Reintegration⁹⁷

According to the children we spoke to in this study the process of reintegration or returning back to one’s community was often challenging, where many experienced discrimination, and stigmatization- they were called names and were ashamed. For these children the transition was and still is difficult.

We were stigmatized as rebel wives. We were shamed. We hardly move about. We are restricted in our houses because we are ashamed to be called rebel wives. They (our families and communities) thought we had come back with the same bad blood. Our children were also treated the same way. (Excerpt from Focus Group Discussion with Girls affected by Armed Conflict in Binkolo, May 2008)

Nevertheless these prevailing sentiments or descriptions of the reintegration process must be tempered by reports and statistics indicating by reintegration successes. For instance a recent program evaluation conducted by UNICEF indicates that 90% of all children registered achieved successful reintegration whereby successful reintegration was defined as⁹⁸:

- children turning 18 years
- children monitored for 12 months at home and at school without abuse issues observed by MSWGCA/Child Welfare Committees /Children’s Clubs
- children attending school/skills training/income generation activities and well settled
- evidence of family capability of taking over child’s schooling/training.⁹⁹

It is also widely accepted that girls involved in the armed conflict had a particularly difficult time.¹⁰⁰

Despite the difficulties associated with reintegration, discussions also revealed that things have improved over time. What factors have contributed to easing the process?

⁹⁶ Personal Communication, former UNAMSIL staff

⁹⁷ The notion of reintegration is a contested term, yet beyond the scope of this paper.

⁹⁸ Alexander, 2006. Community Based Reintegration: Program Evaluation. UNICEF Sierra Leone

⁹⁹ Taken from CBR Proposal Framework 2004, UNICEF.

¹⁰⁰ For more information on the reintegration debate see: Heykoop, C. 2006. When home is gone; What is next best? Perspectives from young people separated by conflict in Kailahun District. Unpublished dissertation. Also see: McKay & Mazurana 2004.

The following example draws on a multitude of elements to help facilitate the reintegration process including community sensitization, support from traditional and religious leaders, traditional healing and reconciliation practices, prayers, and the significance of concrete actions to demonstrate acceptance.

When there was increased stigmatization, the chiefs called a meeting. The entire community came and they were advised to stop calling us rebel soldiers and our children rebel pikin. The chief said if they continued to provoke we would not have the peace we are seeking. The pastor and the imam prayed, and we bowed down before our parents and asked for forgiveness. They tapped our shoulders to show they accepted us back and threw water, which is sign of peace. The Bondo society also gave some small contributions and performed special ceremonies. This was very important. Immediately after the community meeting and all of the ceremonies (prayers and traditional ceremonies) we sensed some amount of relief. We felt good because we knew we had been accepted back. There were dances of happiness amongst our mothers. Since that meeting people have stopped provoking us. (Excerpt from Focus Group Discussion with Girls affected by Armed Conflict in Binkolo, May 2008)

Social integration was also greatly assisted by Community Based Reintegration programs. In particular UNICEF supported educational and vocational programmes that supported over 5,000 children associated with armed groups.¹⁰¹ Through Community Education Investment Program (CEIP) Schools school fees were waived for demobilized children and they were provided with a uniform, bag and other school supplies. Recreational materials (such as notebooks, pencils, paper) were provided to the school for all children in attendance. The Complimentary Rapid Education Primary School (CREPS) also provided older children a primary education and social workers were involved to both monitor and follow-up. Additionally skills training and/or apprenticeships afforded opportunities for children to contribute meaningfully to society.

Discussions with children in this study particularly highlighted: being a productive member of society, the important role of peer-groups, and the adaptation of cultural practices as important practices to help foster a sense of belonging within the community. These are discussed in the following interview quotes.

Being a productive, contributing member of society:

The community now sees us taking our learning seriously. We are not committing crimes like we used to. The community looks at us good. Sometimes they talk about us and say he used to behave bad, but now is behaving well. (Excerpts from Focus Group Discussion with boys from Kailahun District, May 2008)

When I came back from the bush things were difficult for me, but I decided to do small-scale business. It helped in many ways. I was able to support myself, my baby, and even my grandmother. In fact while I was doing this business my grandma became sick and from my business I was able to support her. From that point her attitude towards me changed. She was able to accept me because I was able to provide for her livelihood. (Excerpts from Focus Discussion with girls affected by armed conflict in Binkolo District, May 2008)

Community Peer groups

¹⁰¹ Alexander, 2006

All children we talked to reiterated the importance of peer groups to facilitate the reintegration process, and this relationship was particularly emphasized amongst girls, where peer groups provide opportunities to talk about the past and forge the future. They also serve as a reminder that these children are not alone, and having peers with whom to share this experience may be an especially important mediating factor in the social reintegration of children post conflict.

I have been crying all along, but when I mingle with my friends I don't feel so bad. We are all in the same boat. (Boy from FGD in Kailahun, May 2008)

When we meet together we talk, we play, we talk about our experiences, we discuss about the gravity of what happened. (Girl from FGD in Kailahun, May 2008)

We share our food with one and other. Sometimes we even give out small money to ?? if she (a friend) is in desperate need. Sometimes we talk about what happened to us. We talk about our experiences and how we are coping. Sometimes we even laugh over some of the issues we faced in the bush. (Girl from FGD in Binkolo, May 2008)

Peer relations with children within the community also appear to be fruitful, and one group of boys indicated that the children helped foster community acceptance.

The community children played with us and talked to their parents and families. Over time they stopped calling us rebels and child soldiers and they started to accept us. (Boy from FGD in Daru with boys who gave statements to the TRC, May 2008)

To support interaction amongst children in the community, Children's Clubs played a vital role. These clubs located in each chiefdom-105 in total- sought to provide recreational and educational opportunities for all.¹⁰²

Cultural practices

To help facilitate reintegration, cultural ceremonies played an integral role, and this was particularly evident in the rural communities where cultural practices are still strong.¹⁰³

When girls came back from the bush they felt discrimination. The community felt the girls had betrayed them by having children out of wedlock and the girls children weren't accepted. To address this they had renaming ceremonies. They also had whole night community practices etc. They helped to reconcile communities. (Interview with former district coordinator of the TRC, May 2008):

After children returned home, many were still tormented and wanted cleansing. Small rituals were conducted to help on a personal level and to help their minds giving them the courage to face community. (Interview with UNICEF staff, May 2008)

Clearly a multitude of factors contribute to the reintegration of young people in communities, and all transitional justice practices must be considered within the broader context in which healing occurs to contribute to reconciliation. *Reintegration sought to*

¹⁰² Alexander, 2006

¹⁰³ Tim Kessels in his article Truth, Lies and Rituals also talks about the important role rituals play suggesting that in some circumstances rituals may be more important than the notion of truth.

reorient the minds of children and the TRC should have merged with it. By the time of the TRC children were settled. Why bring it in and disrupt reintegration. (Interview with UNICEF staff, May 2008)

Reflecting on this broader understanding, how did the TRC build on the on-going reconciliatory processes of children and their communities?

Promoting Healing and Reconciliation

The TRC Act advised that the TRC promote healing and reconciliation, and work closely with traditional and religious leaders to do so. Some civil society members further recommended the involvement of children in traditional ceremonies yet the child participation working group advised that traditional practices and ceremonies for healing and reconciliation not be formally incorporated into the proceedings of the TRC.¹⁰⁴ Given the important role of cultural values and traditions, how do communities feel about the TRC, and how did the TRC reflect the needs of the people and their communities? How were traditions and culture incorporated, and what more needs to be done to facilitate reconciliation and healing in building on positive cultural practices supporting young people's well being.

Perceptions of the TRC

People¹⁰⁵ seem to have mixed feelings about the TRC. They recognize its value, but also realize more needs to be done.

The TRC was very appropriate at that time. A trial would have made the case worse. TRC was the best option. It reminded people about the horrible experiences and came up with resolutions for peace, reconciliation and development. Yet the TRC hasn't addressed the poverty situation of the country. It is what happens now that makes or breaks the situation. (Interview with staff member of MSWGCA, May 2008)

The TRC was good but more needs to be done. Follow-up needs to take place and reconciliation that isn't modern/western like the TRC. For instance when one mother was reunited with her son she asked for a cup of water. She put the boy on her back and went around the building three times. Then she washed the boy's feet and made him drink the water. The boy had walked in different communities where he may have encountered other problems, and the ritual helped to cleanse the boy of all wrongdoing. It helped to make things good again (Interview with staff member from CCSL, May 2008).

It also appears the TRC was not overtly reflective of cultural underpinnings of society:

TRC was done the Western way. The government went with the west. It was not the culture of our people (Interview with CCSL, May 2008)

We don't have that culture to talk about it. People just think it will open all the wounds. (Interview with Paramount Chief)

¹⁰⁴ UNICEF, 2001

¹⁰⁵ Those more educated in Sierra Leone seem to come from two different camps, some are extremely supportive of the TRC, whereas others are highly critical. Nevertheless discussions with communities indicate that while the TRC had strengths little has been done to address the needs of the people.

In our culture when we have conflict between two people the elders intervene. They tell us what needs to be done and support needs to be given. It's easy. I can't imagine someone apologizing to me directly for cutting off my hands. I cannot forgive. The only thing that will help me is support. (Interview with amputee victim, May 2008)

Apologizing is alien in our culture. I didn't realize until I married my husband. He doesn't like to apologize because he feels like he's losing face. Apology isn't empowering. Maybe people would prefer silence. Maybe people prefer actions to words. What do you do with an apology? When people apologize the power of being a victim is removed. What do people want? (Interview with Human Rights Commission staff member, May 2008)

In particular there is a feeling amongst the community that reconciliation was wanted and needed, yet not really achieved:

"What we needed was reconciliation. In that way we were different from South Africa.¹⁰⁶ People knew the story in Sierra Leone. People wanted help to reconcile. People asked me "What can I do to live with these people?" Instead we should have had a reconciliation and truth commission. There was too much emphasis on truth and not enough on reconciliation. (Interview with Human Rights Commission staff member, May 2008)

The TRC was expected to promote healing and reconciliation, yet this was not the primary objective of the TRC. *"Rather more emphasis was given to truth telling and the establishment of a historical record, and ensuring that "harm was not done to what had already been achieved. "In retrospect, addressing reconciliation was a missed opportunity of the TRC". (Interview with Former UNAMSIL staff member, May 2008)*

To try and understand what reconciliation means to the people of Sierra Leone, we asked them. We received many answers including: *"To make peace." "To unite." "To forgive and forget." "To come together." "To live in unity." "To remember." "Wanword" "Dim din" (Temne word for reconciliation). Reconciliation is about restoring the balance and living in harmony. "It's about ending the quarrel and moving on with our lives."*¹⁰⁷

We also asked children and their communities about what needs to happen to achieve reconciliation and restore the balance. Their answers are discussed herein. It is important to note that each element must not be continued in isolation. To truly foster healing and reconciliation, the balance must be restored. People need to feel dignity, belonging and justice at both an individual and societal level. To do so requires an understanding of what reconciliation means- both individually and collectively- , how it can be achieved, and by whom. Moreover, while past abuses warrant consideration, how can this reconciliatory relationship be maintained in both the present and future.¹⁰⁸

¹⁰⁶ One respondent indicated that the process was similar to South Africa, but the context was much different. We were comparing apartheid to a political conflict (Moses Khanu). This is aligned with the suggestion made by Tim Kessels and Rosalind Shaw, that TRC packages are considered to be part of the "first aid kit" in post-conflict societies- a "must have" to truly bring about reconciliation.

¹⁰⁷ Personal Communication, Human Rights Commission. Rosalind Shaw also talks about the concepts of "cool heart" and "one word" and how they differ from the English term "reconciliation." According to Shaw, reconciliation fails to address the embodiment of working together in the community "as one"- a united collective action. Rather "Reconciliation" suggests a relationship between individuals. What is important is the collective togetherness of reconciliation. This appears to be of great importance to the people of Sierra Leone.

¹⁰⁸ Shaw, p. 11, discusses the importance of looking at the now and the future rather than the past

How Reconciliation can be Achieved

Justice and Accountability

When we spoke to Sierra Leoneans in this study- adults and children, victims and perpetrators alike- they advocated for justice, whereby those who bore the greatest responsibility should be held most accountable, with appropriate and proportional actions taken.

To bring about healing and reconciliation there needs to be justice. The government said that all those who committed the greatest crimes and bore the greatest responsibility would pay. Some of those who did bad have been left out. We are offended. They should go to the same place and give accounts of what they did. They should be punished.

Those who bear the greatest responsibility should be arrested so that people won't repeat the same thing. This sets an example. (Excerpts from Focus Group Discussion in Daru, May 2008)

If people are apprehended it will bring peace. It will bring a satisfied mind. If they don't get rid of these people (the adults who were involved in the war), they will think they will get off free, and another war may surface. They need to be apprehended to bring peace. The Special Court has not apprehended everyone. There are still some rebels living amongst us who forced us to participate in the conflict. We are angry with them. One is still living in the community and he boasts about what he did during the conflict. Let the government punish him. (Excerpts from Focus Group Discussion with Girls in Kailahun, May 2008)

Yet the person who bears the greatest responsibility differs from person to person. One boy said: *the rebel who killed my mother and father, he must be treated that way also. Whenever I see him I still feel bad. I want him to die on the spot. He must be punished. (Boy from Focus Group Discussion in Kailahun, May 2008)*

Furthermore what happens if this person was a child? Should s/he be held accountable? When this question was posed to a group of boys associated with the fighting forces, they initially indicated that they child should be apprehended. When the question was reframed to look at themselves they indicated they didn't want to be apprehended, often stating that the situation was not of their own making, and that they were forced to carry out their crimes.

While those who bore the greatest responsibility for the conflict should be accountable, it is also widely believed in Sierra Leone that children can 'demonstrate' they are sorry, by not engaging in violent activities and that they can still be socialized to become productive members of society. This underscores an important local belief in the rehabilitative capacities of children and youth and may provide an important harmonizing value with child rights principles and standards. One of the greatest limitations to this process that emerged in the interviews is the debilitating impact of poverty in achieving reconciliation.

Support

In our culture when someone grieves you get material things and support. People know it is important to society when someone takes responsibility and supports them. The TRC didn't do this. (Interview from staff member of CCSL, May 2008)

"An apology is not enough to me. I have no parents so who will take care of me? What about my school fees, and the other members of my family? I must be taken care of." (Interview with a child who lost both his parents, May 2008)

If I get some money to do small business, and extend my livelihood I will be fine. (Boy in Focus Group Discussion in Daru, May 2008)

To maintain that kind of peace we should be given assistance. If we concentrate on that we will forget about what happened. If we are helped and empowered we will forget. We will truly forgive. (Excerpt from Focus Group Discussion in Kailahun, May 2008)

People think we are not serious because we are dropping out of school, but it is just we don't have the means. For those of us who lost our parents we don't have support. (Interview with Boy in Kailahun who testified to the TRC, May 2008).

Furthermore, support and accountability needs to be coupled. One without the other does not bring about justice.

I don't know the individual who killed my dad, but I know he was of the group called Mosquito. Maybe they should have killed me first, because killing my dad killed me slowly. If I was there maybe they should have killed both of us together. I don't feel good about him. If ever I should have had the personal chance then I would have revenged for what he did to father. I still feel that way, but maybe if someone was there to assist it would help me more. If I can have someone to play the role of my father or my mother, then maybe I would forget but now I sit alone and think that they should have done this for me. (Interview with a boy in Kailahun who provided a statement to the TRC, May 2008).

The physical wounds still reoccur. Our hearts are still bleeding. Quiet has come but we still feel the pain. We have not completely forgotten. We are not in total peace with those who did this to us. The perpetrators never came out and talked, yet they have been empowered, they have opportunities. For us victims, things have not been addressed. Let us free our hearts." (Excerpts from a focus group discussion with amputees, May 2008)

Community Reconciliation: Collective Rights

Of critical importance is community reconciliation, where communities learn to live in peace with their neighbours fostering acceptance and understanding. This often involves negotiating the collective rights of the well being of the community with the individual rights of the child.

Lots has to happen at the community level to bring about reconciliation. This is yet to be done. (Interview with CDHR staff member, May 2008). The TRC didn't focus on community reconciliation. Yet, how can we reconcile without our community? (Interview with CCSL staff member, May 2008)

According to one respondent: *People live in communities and neighbourhoods, and that is where emphasis should be. Communities are the natural habitat of people. Working with communities - the natural habitat of people - will help to identify the real needs and help to identify key players, and also examine our own people from within. (Interview with former Minister of Youth and Sport, May 2008)*

Specifically, traditional ceremonies and practices in communities are each community's own way to facilitate reconciliation and the work of the local NGO Fambul Tok and other grass-root community reconciliation organizations should be supported.¹⁰⁹ Fambul Tok is a local organization that builds on traditions and cultures to create space for families and communities to reconcile. The intent is for *"it to be used throughout the country where children, adults and youth come together to talk, grieve and heal."* (Interview with Fambul Tok staff, May 2008)

Example of Community Reconciliation in Practice

During the all night confession a youth admitted to ambushing the community and was responsible for disabling someone and killing two others. The family of one of the dead boys had not known their son had died. When they heard the news they wept and they were given some time to grieve. After the confession the family was bitter, but talked with the community to see how things could work. The young man offered to work with the family and Fambul Tok gave money for a memorial service to properly bury their son. Another boy who was a victim of the ambush offered to work with the perpetrator. As the community they will try and seek forgiveness.

There is a need for community reconciliation. The TRC provided a forum to begin talking about the concept of children's role in broad based social reconciliation, yet more needs to be done to provide communities with the opportunity to tell their stories and foster community healing and reconciliation. Bishop Humber explains: *"It was at the end of the TRC where people really understood what was happening, and were ready to engage. At that time it was too late."* (Interview with Bishop Humber, Lead Commissioner of the TRC, May 2008) How can the TRC be used as a platform on which to galvanize healing and reconciliation at the community level?

Furthermore, although cultural practices (religious and traditional) have the potential to positively contribute to the healing and reconciliation of children, little is known about the about the kind of approaches and methods that best contribute to the long-term reconciliation and recovery of children and their associated impact. How can localized approaches to healing and reconciliation be harnessed to facilitate the meaningful participation of children while simultaneously protecting children and their rights? Also, how do these practices change in times of severe social stress, and how are children involved in such change?

Also, in the traditional context when blood is shed, a cleansing is carried out. An animal is killed and the perpetrator is cleansed to allow him/her to be accepted back into the community. Yet the poverty situation doesn't provide for all the cleansing that is needed. Accordingly, we need to somehow create a hybrid system that mixes the modern ways of reconciliation with the traditional ways. (Interview with MSWGCA staff member, May 2008). Furthermore, what steps need to be taken to ensure transitional justice processes

¹⁰⁹ Personal Communication, TRC Working Group

work synergistically with existing processes to positively contribute to reconciliation and healing? More research with groups such as Fambul Tok will help understand the important role of bridging organizations in harmonizing the critical healing elements in Sierra Leonean traditional cultural practices with human rights based approaches.

Moving forward: Questions Warranting Further Consideration

The TRC gave special consideration to children and devised strategies for their protection. In particular children were treated as victims irrespective of their age or crimes committed. According to the CRC, a child is defined as someone below 18, yet the research conducted for this paper raises a number of challenging questions including: what defines a child in Sierra Leone and at what age should children be held responsible for their actions? Should the severity of the crime be given consideration? In addition, some individuals were adults at the time of the TRC, yet were children during the war. Should they be held responsible, and should protective measures also be given to them?

Livelihood opportunities are heavily dependent upon the child's internal and external context. What skills and attributes does the child have and what supports are provided by his/her family and community? Moreover in light of the conflict, what networks have been severed, and how can these be built up to enable children access to their rights and livelihood options?

Support needs to extend beyond the scope of children, as many of those who were children during the war are now young adults. How are their needs being considered? What is being done for them?

The TRC provided many recommendations to improve the lives of children, their families, and communities yet the process of implementation and dissemination has been limited. There has been little appetite to respond to the recommendations as 'TRC recommendations.' How can we move from text to implementation in other contexts, and who bears the responsibility to bring these recommendations to life?

The Sierra Leone TRC established an important precedent in considering children's rights in truth and reconciliation processes. It is to be lauded for its important achievements in supporting children's best interests in a highly challenging process of rebuilding a society fractured by intense conflict. It also highlights the great challenges and complexity of balancing children's rights with the rights of the collective, of doing this in the midst of deep poverty, and of facilitating social healing and intergenerational integration when the roles of young and old have undergone massive transformation and many of the social norms and rituals binding these generations have been severely weakened or compromised.

Part Three: Defining Good Practice and Suggesting Recommendations for Going Forward

Despite the many challenges presented regarding child involvement in the TRC one particular strength consistently resonates throughout discussions – successful involvement of children requires a collaborative interrelationship amongst stakeholders across the child’s social ecology to create a supportive and protective environment to enable meaningful child participation reflective of the child and his/her lived reality.

Specifically in the context of the Sierra Leone TRC, this collaborative interrelationship involved the child, his/her family, local community supports, child protection agencies and government, and, when this collaborative support network was established and supportive, child involvement was successful.¹¹⁰

The following case study excerpts seek to articulate the importance of creating a supportive network for children to support and protect children throughout their participation in the TRC. Thereafter specific recommendations are identified to create supportive and protective child participation mechanisms to restore societal imbalances via transitional justice processes and foster understanding and collaboration contributing to positive social change for children and their communities.

When Sia returned home from the bush she was taken in by the Interim Care Centre, and received -among other things- food, clothing, school support, medical attention, counseling, and opportunities to play. Family tracing was also conducted, and although her family was not found, an alternative living arrangement was organized for Sia and her sister in a foster care environment, where UNICEF offered her continual school support, and DCI provided ongoing leadership training for Sia to engage with her peers.

During her time at the interim care centre, Sia developed a strong bond with one of the workers fostering a relationship built on trust, respect and understanding. This support person then began working with IRC, and when the TRC was seeking the involvement of children she identified Sia. Through Sia’s work with DCI, she had received information about the TRC process and the importance of child involvement. This was supplemented by a discussion with the IRC worker and the statement taker, where the IRC worker served as the gatekeeper for the statement taker to explain the process privately in detail and provide opportunities for Sia to ask questions. The discussion emphasized the reason for the statement taking was to “get the facts about the conflict so the atrocities committed wouldn’t happen again.” The statement taker also reiterated that statement taking was voluntary, and that those who gave statements to the TRC would not be persecuted. When asked about this experience, Sia indicated she was grateful for this private explanation. As a result of this trusting relationship, she felt comfortable and relieved about the TRC statement taking process exclaiming. “It is better to speak out rather than letting something burn in your mind.” She also indicated the importance of talking with people so that “people would know about what we went through and find ways to stop it.” Fortunately, after Sia gave her statement, follow-up support was offered by Save the Children to talk about her experiences, and this was supplemented by her relationships with friends and colleagues in her life. Since giving her statement to the TRC, Sia has been able to look forward to the future rather than

¹¹⁰ Personal Communication, MSWGCA

focus on the past, and she is now attending medical school. For Sia the statement taking process was a positive one, and if asked, she would again give a statement to the TRC.

Sia's experience with the TRC positively supported her healthy development and well being, whereby the relationships and supports provided to her (economic, physical, emotional and social) support the four cornerstones of healthy development identified in research on child resilience in Brendtro, Brokenleg & Van Bockern's Circle of Courage (2001):

- ◆ *Belonging/attachment- trusting relationships and a sense of being important to others, where the child can say, "I am important to someone."*
- ◆ *Mastery/achievement- ability to solve everyday problems and longer term challenges, where the child can say, "I can succeed."*
- ◆ *Autonomy/independence- make responsible choices and have self-control, where the child can say, "I am in charge of my life"*
- ◆ *Generosity/Altruism- kindness and consideration for others, where the child can say, "My life has purpose."*

Conversely, when the circles supporting children and their participation were fractured, children were often left disappointed and disenchanted with the process. Fatmata's experience with the TRC serves as a case in point.

Fatmata was picked up with a bunch of girls from the community and told she had to talk to the TRC. They were told it would be good for them, but no further explanation was given. Once at the venue, the girls were asked to tell their stories to a male statement taker and were asked a series of questions. Following the statement taking process, Fatmata received no follow-up support, and was left disenchanted and confused about the TRC and its purpose:

Even if they ask me for the second time to explain my problem again I won't do it. For quite a long time people have been coming to us to talk to us and we have made an agreement that we should not explain our problem to any organization because nothing is being done. (Interview with girl who gave a statement to the TRC, May 2008) ¹¹¹

Fatmata's association with the TRC is negative. The lack of assistance provided to Fatmata heightens her vulnerability to further risk and trauma, and lacks a protective network for safety, protection and support. She has no clear understanding of the context or process of the TRC, lacks the human networks and connections to nurture her holistic well-being and navigate through her experiences, and moreover lacks the financial and physical capital to support her own development and well-being. To positively support and protect Fatmata through her participation in the TRC process, her interconnectedness to circles of support require strengthening in order to foster safety, trust, and understanding reflective of her capacities and context.

Despite the fundamental importance of fostering linkages of support for children that engage stakeholders across the child's social ecology model and supports their healthy development and well-being, the Sierra Leone TRC foundation to support children was somewhat fractured. This is reiterated by a comment from one respondent from

¹¹¹ Personal Communication Girl who gave statement to TRC

UNICEF indicating too much responsibility rested with CPAs and statement takers to involve children in the TRC, yet limited support was offered to ensure success.¹¹²

Creating supportive systems for children goes beyond providing support to one group of individuals but rather, necessitates the involvement of many child centred stakeholders in society (inclusive of children) to support and protect children in their participation.

This collaborative process transcends the concept of child involvement in transitional justice processes, and extends to child involvement in society as a whole. It involves establishing a supportive framework for active child and youth citizenship, specifically creating negotiated space for children, their communities and governments to come together to learn, share and support one another to improve the rights and well-being of children, their communities and the broader society.

This framework serves as the basis for the following recommendations to protect and support the active involvement and agentic capacity of children in transitional justice processes.

“The TRC should not be treated as a report but should be integrated throughout government structures and programmes from the bottom to the top. In that way when we talk about the TRC and what it means for children it becomes part of the culture and a part of them.” (Interview with Child Protection Staff Member, UNICEF, May 2008)

To incorporate and reflect upon lessons learned from the Sierra Leone TRC process, the following recommendations should be considered through the planning and implementation of transitional justice processes with / for children. They are specifically organized to focus on: 1) children, 2) integrated multi-sectoral partnerships, and 3) overarching themes and recommendations.¹¹³

1. Respecting the rights and inherent dignity of children

To help ensure the rights of children are respected and that children are afforded dignity, belonging and justice within transitional justice process, the UN Convention on the Rights of the Child (CRC) is a very useful guide. The CRC spells out the basic human rights for all children, and the four overarching child rights principles of non-discrimination, best interests of the child, life survival and development and child participation can specifically guide our actions related to children and transitional justice processes. Based on these principles the following recommendations help to uphold and respect the rights of children in transitional justice processes.

- ◆ **Begin with children’s lived experiences.** Seek input from children to understand the conflict from their perspective and explore together how they feel the challenges can be addressed. Utilize creative techniques such as drama, games, drawing, to provide space for the children to express themselves in their own way.
- ◆ **Establish mutual trust with children.** To create an open space to dialogue and share, children need to feel comfortable. They need to truly trust the others in the room and feel welcome. Ensure the room is organized in a child friendly manner and

¹¹² Funds were provided by UNICEF for CPAs to provide support, but according to one respondent, many organizations did not make full use of it (Interview Sierra Leone TRC Expert). Discussions with CPA representatives suggest a wavering commitment to child participation in the TRC, which may have been one contributing factor.

¹¹³ A special thank you to Julia Westphal for her specific contributions to the recommendations section.

that sufficient introductory and trust building activities have been conducted before delving too deep with questions.

- ◆ **Provide adequate and appropriate information.** Ensure children fully understand the process and the associated outcomes, and provide ample time for children to ask questions or seek further clarification. To meaningfully contribute children need to understand what is going on, what are they expected to do, and then what. Children also need to know that they have the choice or option to participate. They should not feel compelled to participate, but rather should do so of their own volition. Note social and cultural norms may present some challenges. Work closely with community leaders to understand the context.
- ◆ **Provide opportunities for all children to participate in transitional justice processes.** In particular afford special attention should be given to vulnerable children (child mothers, amputees, disabled children, young children etc.) to ensure participation reflects their needs, capacities and support structures.¹¹⁴ Consideration should also be given to cultural and gender variations.
- ◆ **Build from the strengths and evolving capacities of children to tell the story.** When developing strategies to involve children in transitional justice processes work with children to identify innovative and creative ways that they can exercise their agentic capacities and contribute to transitional justice processes (e.g. child-led radio programs, music and popular culture, drama, artwork, poetry, essay contests, sports, child-led advocacy campaigns, peer-to-peer relationships). Reflective activities about the past could also be coupled with the creation of visions for the future, providing impetus to develop a road map on how to get there.
- ◆ **Conduct follow up activities and sessions with children.** Following up with children who have been involved in transitional justice processes allows us to manage expectations and also enables us assess the child's well-being. Has the child's involvement in the transitional justice process impacted the child and /or his community positively or negatively, and what can we learn from this?
- ◆ **Identify at least one person within the transitional justice process to focus on children's issues.** Although the Liberia TRC had its challenges, focusing on certain areas proved to be successful. When identifying this individual consider seeking input from children. Who do they trust to take on this role and how should they ensure the voices of children are brought forth?
- ◆ **Build from community support structures and processes.** People live in communities and neighbourhoods, and working at this level will help to identify the real needs of communities, help to identify key players, and provide opportunities to devise local and contextualized solutions that help ensure protection and safety¹¹⁵.

¹¹⁴ For example child mothers suggested drama, songs and peer-to-peer support programs could help to engage.

¹¹⁵ Personal Communication, Dennis Bright

2. The importance of an integrated, multi-sectoral partnership approach

The TRC Sierra Leone experience reiterates the importance and need for a multi-sectoral partnership approach to transitional justice processes. A multitude of prevailing factors contributed to a TRC where civil society, governments, NGOs and communities had different understandings and interpretations of the TRC and wavering commitment to the TRC process as a whole. In the context of children this had particular implications on the lived realities of children involved in the TRC and the translation of the TRC recommendations into practice. The following recommendations help to identify how an integrated, multi-sectoral partnership approach to transitional justice processes can effectively support individual and collective healing:

- ◆ **Involve a diverse network of stakeholders in the creation, planning and implementation and evaluation of transitional justice processes.** Seek input and advice from children, communities, CPAs, traditional leaders and civil society to ensure the transitional justice process adopted reflects people's needs, contexts, expectations, and means to facilitate reconciliation and healing. Understanding the context will enable us to build from the existing strengths at the individual and community level to meaningfully contribute to peace-building, reconciliation and community development.
- ◆ **Establish a multi-disciplinary team or partnership commission** comprised of government, NGOs, UN, civil society, private sector and children's representatives committed to the transitional justice process and implementation. Begin with a stakeholder analysis to identify specific strengths and consider how these can be best utilized in collaboration to support the transitional justice process.
- ◆ **Adopt a multi-sectoral approach within government.** Including various sectors within government will help to ensure a more unified whole of government response, and can also serve to identify the strengths of each department/sector and the roles each can play. For instance the Ministry of Education and the Ministry of Communication and Information could work in concert to deliver accurate information to all sectors of society.
- ◆ **Encourage collaboration and information sharing between national, district and community stakeholders.** Community members (e.g. government, women, civil society, children) must feel empowered and must also feel that the process is reflective of their reality. Similarly for a process to be effective, national stakeholders must understand how policies and practices are representative of the larger society and can be translated into practice.
- ◆ **Develop a joint plan of action.** Bring stakeholders together to develop a joint action plan outlining roles and responsibilities, time frames and activities. Use this action plan to solicit funding in a collaborative manner. Rather than a multitude of organizations, agencies, donors and personnel duplicating work or fighting over limited resources, joint action plans can help to foster a less competitive environment and process.
- ◆ **Consider monitoring and evaluation in the planning phase.** Often monitoring and evaluation is an afterthought yet to truly ensure effective systems, indicators and

processes should be established from the beginning. For instance, what are our measures of success and how will we determine how they are being met?

- ◆ **Incorporate information and communication technologies (ICT).** ICT is an emergent and effective tool to inform, educate, learn and share. In the context of transitional justice processes, instance mobile phone messages could be used to disseminate information or to conduct a survey, orradio, video, photography, and the internet can be a vehicle to the story. Furthermore ICT companies could be a source of funding to support children and their use of ICT in transitional justice processes.
- ◆ **Evaluate and reflect on the process and lessons learned.**

3. Overarching Themes and Recommendations

In addition the specific recommendations above, the following overarching themes and recommendations warrant further attention within all transitional justice contexts:

Create Collective Understanding

- ◆ Involve children and their families meaningfully and appropriately throughout the participation continuum (planning, outreach and sensitization, implementation, dissemination, report writing, evaluation and analysis)
- ◆ Involve children, youth and their families and communities in local discussions on the changing nature of childhood in relation to child rights, reconciliation and child and community healing
- ◆ Provide age, gender and culturally appropriate information to children and their families about the overall process, the expectations and the potential repercussions of involvement in a way children and their families can understand

Mobilize Individual and Collective Strengths to Further Build Contextualized Support Systems

- ◆ Mobilize the existing strengths of individuals and societies (at the level of the individual, family, community and cultural) to devise contextualized solutions grounded in the lived realities of children
- ◆ Give further recognition to cultural understandings and child supportive practices to support and protect children and further explore the changing role of families and child rearing
- ◆ Recognize the unique agentic capacities of all children and youth and provide creative opportunities for them to participate in facilitating long term social change
- ◆ Provide opportunities for all children (with special attention to vulnerable children) to participate and meaningfully contribute as active citizens in a manner that reflects their needs, capacities and specific contexts

Provide a Platform for Positive Social Change

- ◆ Widely disseminate the TRC report and its recommendations to all members of society in a manner that provides meaningful opportunities for children and their communities to be involved.
- ◆ Use formal and non-formal education and community events as a means to engage children and their communities to reflect on the past and support active citizenship
- ◆ Encourage cross-generational dialogue and discussion to help to identify the real needs of communities, help to identify key players, and provide opportunities to devise local and contextualized solutions that help ensure protection and safety¹¹⁶.
- ◆ Engage children, youth and Elders and other traditional cultural specialists in discussions to harmonize children's rights with traditional law and traditional dispute resolution

Support Integrated Responses

- ◆ Identify the specific needs of children and youth and devise integrated responses with them to reduce their vulnerability and support their well being.
- ◆ Support the economic needs of children and families through the provision of grant schemes and other economic opportunities reflective of specific needs and contexts.
- ◆ Consider transitional justice mechanisms, such as TRCs, within the larger framework of peace-building, reconciliation, and community development.

Focus on the Future and the Notion of “Going forward”

- ◆ The past should serve as a starting place to build a more positive outlook for the future. Children can be seen as a great asset in making this social bridge.
- ◆ Provide creative opportunities for children and their community to effect positive social change and encourage active citizenship.
- ◆ Create visioning opportunities for children, Elders, family and community members to build on the best from the past in addressing the wounds of the present, in creating a stronger future for all.

¹¹⁶ “*Failure to do so can cause a transformation of young people into new forms of violent agents in society.*” (Personal Communication, former Minister of Youth and Sport, May 2008)

Appendix

Overview of Focus Group Discussions and Participants

Adults

Centre	Group	Male	Female	Total
Makeni	Community Members	7	3	10
Bo	Amputees	4	4	8
Daru	Child Welfare Committee	3	2	6
Kailahun	Child Welfare Committee	4	1	5
		18	11	29

Children Affected by Armed Conflict

Centre	Group	Male	Female	Total
Daru	Boys	4	0	4
Kailahun	Boys	6	0	6
Kailahun	Girls	0	8	8
Makeni	Girls	0	11	11
Binkolo	Girls	0	8	8
		10	27	37

Children's Clubs

Centre	Group	Male	Female	Total
Daru	CC	4	5	9
Daru	Former CC	2	3	5
Freetown	CFN	4	0	4
Makeni	CFN	7	4	11
		17	12	29

Totals		45	50	95
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Interviews with Children who Gave Statements to the TRC

	Females	Males	Total
Makeni	2	1	3
Freetown	1	1	2
Bo	1	0	1
Daru	0	4	4
Kailahun	1	1	2
Kono	1	0	1
Total	6	7	13

Individual Interviews

International Academics	4
Government	6
Community Members	8
CPAs/NGO/INGOs	30
TRC/SC	2
Religious/Cultural Leaders	5
Child Networks	4
Total	59

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