



**Peacebuilding Fund**

**FINAL PROGRAMME<sup>1</sup> NARRATIVE PROGRESS REPORT**

**REPORTING PERIOD: 7 JULY 2009 – 31 DECEMBER 2010**

***Submitted by:***

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***Country and Thematic Area<sup>2</sup>:***

Sierra Leone, Peace Consolidation

***Programme No:*** PBF/SLE/J-1

***MDTF Office Atlas No:*** 00071605

***Programme Title:*** Supporting the  
Implementation of the Joint Communiqué  
through an Independent Investigation into  
Allegations of Rape and Sexual Violence  
against Women at the SLPP Headquarters on  
16 Mar 2009

***Participating Organization(s):***

UNDP, UNIPSIL

***Implementing Partners:***

- **National counterparts**  
Office of the President

***Programme Budget (from the Fund):***

USD 29,463

***Programme Duration (in months):***

**Start date<sup>3</sup>:** 7 July 2009

**End date:** 31 December 2010

<sup>1</sup> The term “programme” is used for programmes, joint programmes and projects.

<sup>2</sup> E.g. Priority Area for the Peacebuilding Fund; Thematic Window for the Millennium Development Goals Fund (MDG-F); etc.

<sup>3</sup> The start date is the date of the first transfer of funds from the MDTF Office as Administrative Agent.

## **I. Purpose**

Sierra Leone experienced a peaceful change of Government to the then opposition APC in 2007. However, tension between supporters of the now opposition party, SLPP, and the ruling APC heightened, resulting in the first major upsurge of violence since the end of the war in 2002 in March 2009. On March 16<sup>th</sup> 2009, clashes resulted in damage to the SLPP offices and it was also alleged that six female supporters of the SLPP were victims of sexual violence, including rape. On April 2<sup>nd</sup>, as a result of a series of UN sponsored consultations, a Joint Communiqué was signed between the SLPP and the APC. The Communiqué categorically condemned any form of violence against women, especially sexual violence, and without prejudice to any prior police investigation recommended that the President establish an independent inquiry to investigate all allegations of rape and sexual violence.

The President, in exercise of the powers conferred in him by paragraph (a) subsection (1) of section 147 of the 1991 Constitution of Sierra Leone established such an independent inquiry. This project, therefore, was to support said special Commission of inquiry charged with the key tasks of:

1. Investigating the allegations of rape and sexual abuse against women which occurred at the headquarters of the SLPP on March 16<sup>th</sup> 2009;
2. Identifying the persons involved in the substance of the allegations and to determine whether any breach of the law occurred;
3. Recommending the action to be taken against persons who committed any breach of the law.

The Commission was specifically required to submit a report to the President on each abovementioned key tasks as soon as the Commission ended its inquiry. It was expected that the Commission's work would in the medium to long-term contribute to the outcomes of:

1. Improved access to justice for women;
2. A reduction of violence against women, including as a means of political intimidation;
3. Strengthened good governance.

## **II. Resources**

### *Financial Resources:*

The project received a total of 29,463 USD from the PBF.

### *Human Resources:*

The following Human Resources supported implementation and provided oversight:

#### *International:*

- Civil Affairs Officer – UNIPSIL;
- UNV Programme Manager (Youth and Peacebuilding) – UNDP.

#### *National:*

- Civil Affairs Officer – UNIPSIL;

- Programme Associate – UNDP.

### **III. Implementation and Monitoring Arrangements**

The programme has been directly executed by UNDP in collaboration with the UNIPSIL Political and Peace Consolidation Section. The programme design and planning was carried out primarily by UNIPSIL's Political and Peace Consolidation Section while UNDP provided technical and operational advice on effective implementation. However, UNDP was responsible for the overall management of the project. Procurement was carried out by UNDP and regular monitoring and evaluation was undertaken by UNIPSIL and UNDP jointly.

With regards to the technical support to the Commission, UNIFEM contributed to the programme by sending an International Legal Expert for two weeks to play an advisory role on legal analysis. In addition, by teaming up with the Special Court, a psychosocial support programme to the victims and witnesses was established.

### **IV. Results**

The project achieved its stated objectives. In the Commission's report, (a) allegations of rape and sexual abuse against women which occurred at the headquarters of the SLPP on March 16<sup>th</sup> 2009 were investigated; (b) persons involved in the substance of the allegations and to determine whether any breach of the law occurred were identified; and (c) follow up actions were recommended.

The Office of President was the key counterpart responsible for the establishment of the Commission. All Commissioners were sworn in on July 17<sup>th</sup> 2009. Hearings started on August 4<sup>th</sup> 2009 and were concluded by August 14<sup>th</sup> 2009. An International Legal Expert provided by UNIFEM assisted in the analysis of the evidence presented, while psycho-social support was provided to the witnesses through facilities made available by the Special Court. The witnesses were grouped into five categories, namely (1) Police Witnesses; (2) Alleged Victims; (3) Doctors; (4) Ordinary Witnesses; and (5) Suspect Witnesses. Category four (4) included the Mayor of Freetown, while category five (5) explicitly enumerated ex-combatants associated with the security institutions. UNIPSIL was present at many of hearings and observed that they were conducted in an overall fair and professional manner. The final report was submitted to the President on August 24<sup>th</sup> 2009. Upon receipt of the report, the Government published its White Paper in response.

While some were not satisfied with the findings and the recommendations of the report, the Commission sent a signal that impunity is being addressed. The Commission interviewed senior police officials and alleged ex-combatants in the employ of the security institutions. Due to the high profile and visibility of the Commission, it is expected that it will act as a deterrent against violence against women in the future, and particularly in the run up to the 2012 elections. In particular, in the context of the adoption of the Joint Communiqué signed on April 2<sup>nd</sup>, potential instigators of violence against women as a means of political intimidation will be more circumspect. By enhancing awareness and visibility that crimes against women are being dealt with, it can realistically be expected that access to justice for women in the medium to long term will see improvements. In addition, the psycho-social witness support programme established provided support that was greatly beneficial to and appreciated by the victims. In regard to the project's effects on good governance, its effectiveness will largely depend on the establishment of

follow-up mechanisms to implement the recommendations of the report by the Government of Sierra Leone.

Politically, it is important to note that through the Commission, a message is being sent that the provisions of the Joint Communiqué are being implemented. As such, the Commission was an important building block in maintaining momentum of the Joint Communiqué as a roadmap towards the 2012 elections. Of significance is the bipartisan nature of the Commission, as its members were chosen from a list provided by the APC and the SLPP.

While many see the Commission as having employed high ethical and professional standards, the opposition party SLPP has voiced strong dissatisfaction with the findings, calling them politically motivated, and has announced that they may take the matter to court. This stance to some extent resonates with the populace. In particular, the opposition is dissatisfied that some avenues of investigation have not been pursued vigorously enough.

Finally, during the initial set up of the Commission, it appeared that stakeholders such as the Government of Sierra Leone may not have been sufficiently aware of their logistical and financial obligations. While these had been well delineated, it may be useful, in future occasions, to have a clearer and more binding understanding of each partner's responsibilities, notwithstanding fiscal constraints faced by some stakeholders. The Commission's findings also illuminated the shortcomings of the security sector in the investigation of sexual crimes. There is still a lack of modern forensic capacity to deal with such cases.

## **V. Abbreviations and Acronyms**

APC	All Peoples' Congress
PBF	Peacebuilding Fund
SLPP	Sierra Leone People's Party
UNIFEM	United Nations Fund for Women
UNIPSIL	United Nations Integrated Peacebuilding Office in Sierra Leone
UNDP	United Nations Development Programme