

CONSCIENCE AND PEACE TAX INTERNATIONAL (CPTI)

Submission to the 141st Session of the Human Rights Committee for the attention of the country report task force on:

SIERRA LEONE

(Military service, conscientious objection and related issues)

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CPTI aims to supply information on all States with armed forces which report under the International Covenant on Civil and Political Rights (ICCPR) with regard to their military recruitment legislation and their recognition of the right of conscientious objection, even when there appear to be no urgent questions arising.

In association with the Child Rights International Network, CPTI also reports to the Committee on the Rights of the Child on States where there appear to be issues under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and although these issues do not necessarily have implications for the ICCPR, such concerns are also summarised in these submissions.

SUMMARY:

Although forced recruitment, notoriously of child soldiers, was widespread by both Government and opposition forces during the 1991 – 2002 civil war, Sierra Leone has subsequently been relatively peaceful and has reverted to reliance on small, all-volunteer armed forces. Likewise, juvenile recruitment appears to be a thing of the past. There has never been a system of lawful conscription and consequently no pressure to make legal provision for conscientious objection, although there is of course always a theoretical possibility that a serving member of the armed forces who enlisted as a volunteer might develop conscientious objections and thus seek release, no such cases have been recorded. The Committee did not consider military recruitment issues significant enough to merit inclusion in the List of Issues on Sierra Leone's Initial Report in 2014, and nothing suggests that this decision needs to be reconsidered. .

Background

Formerly a British colony, Sierra Leone became an independent UN member state in 1964. Its armed forces were based on the British model, the most significant component, the Royal Sierra Leone Regiment, later the Republic of Sierra Leone Regiment, being the direct successor of the Sierra Leone Battalion of the British Royal West Africa Frontier Force. All recruitment was voluntary: under Section 2 of the Sierra Leone Military Forces Act, dating back to 1961, before

independence, recruitment without parental consent had been possible of anyone with “the apparent age of 17 and a half years”; the law had fixed no absolute minimum age where parental consent was forthcoming.¹ Indeed Alex Tamba Brima, later to be convicted, among other counts, of recruiting child soldiers had himself joined the Sierra Leone Army in 1984 at the age of 13,

The independent history of Sierra Leone is dominated by the civil war which lasted from 1991 to 2002. “There are no accurate statistics of the casualties, but conservative estimates suggest that 70,000 people were killed and roughly 2.6 million people, more than half of the population, displaced from their homes.”² That death toll would be equivalent to about 16 per thousand of the population at the outbreak of the conflict.

The Revolutionary United Front (RUF) which launched the conflict was particularly notorious for the recruitment of child soldiers and their use to commit atrocities; in response the Government armed forces came to rely increasingly on juvenile recruitment and questionable methods, particularly when following a military coup in 1997, the Armed Forces Revolutionary Council (AFRC) allied itself with the RUF. During the conflict, the number of child soldiers in proportion to population was possibly the highest in the world, and the low ages of recruitment were similarly remarkable.

Although only 6,845 “children who were associated with the fighting forces”, were claimed by the Government to have been demobilised at the end of the war,³ and only 3,710 children were admitted to the programme run by the The National Committee for Demobilisation, Disarmament and Reintegration,⁴ this greatly understates the involvement of child soldiers. For one thing, sources agree that approximately a third of children associated with the various factions were girls; although almost all suffered sexual abuse, they had performed a wide variety of roles including active participation in the fighting. However 92.3% of the reported child demobilisations were of boys. The reasons for this underrepresentation of girls included a tendency to dismiss females as mere “camp followers” whatever their actual roles, fear of stigmatisation, and in at least some cases refusal to release “bush wives” from their effective state of sexual slavery.⁵ Also, over the course of the decade many more boys and girls would have initially been involved as children but had subsequently passed their eighteenth birthday. The final report of the Truth and Reconciliation Commission of Sierra Leone⁶ estimated that 50% of the victims (of both sexes) of forced recruitment were aged 15 or under; and over 28% (but “only” 25% of girls) were aged 12 or under. The Commission concluded that there had been a deliberate targeting of boys aged 10 – 14. It seems clear that during the conflict only a very small proportion of combatants would have been aged over 18 at the time of first recruitment; therefore it could well be that over 50,000 persons in Sierra Leone might at one stage or another have been defined as “child soldiers”.

On 20th June, 2007, in its first verdicts the Special Court for Sierra Leone found Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu of the AFRC guilty of multiple war crimes, including the recruitment and use of child soldiers, the first time anyone had been convicted on this charge. Subsequently three former members of the RUF, one of the Civil Defence Units, and most

¹ CRC/C/OPAC/SLE/1, 31st March 2008., para 2.

² Kaldor, M. & Vincent, J., *Evaluation of UNDP assistance to conflict-affected countries: Case Study: Sierra Leone*, UNDP (New York) 2006, p6. This estimate has been chosen because, while avoiding any attempt at precision, it seems to be based on a genuine analysis of the data, rather than simply quoting the “over 50,000” of most previous and subsequent sources.

³ CRC/C/OPAC/SLE/1, *op cit.*, para 3.

⁴ *Child Soldiers Global Report 2008*, *op cit.*, p298

⁵ See 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 war*, International Centre for Human Rights and Democratic Development, 2004.

⁶ Quoted in *Child Soldiers Global Report 2008*, *op cit.*, p299.

notoriously Charles Taylor, former President of neighbouring Liberia, were convicted on the same charge. Four other indictments did not lead to a conviction, the accused having died, or believed to be dead; in only one case was the accused acquitted, although found guilty on other charges.

Some 72,490 combatants from the various factions were disarmed and demobilised at the end of the conflict.⁷ Only between 13,000 and 14,000 personnel were retained in the reconstructed armed forces, as reconstructed with the aid of the British Army's "International Military Assistance Training Team" and a phased reduction programme brought the number down to the present 8,500 as soon as 2009. There has been no difficulty in maintaining this level by voluntary recruitment, and although nothing is known of any provisions allowing the release of volunteers who subsequently develop conscientious objections it is unlikely that this situation will arise in practice.

Sierra Leone ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC) on 15th May 2002, making the following declaration:

- “ 1. The minimum age for voluntary recruitment into the Armed Forces is 18 years;
2. There is no compulsory, forced or coerced recruitment into the National Armed Forces;
3. Recruitment is exclusively on a voluntary basis.”

The Government claims strictly to have enforced the new minimum recruitment age, and no abuses have been reported; the Committee on the Rights of the Child did however recommend efforts to make birth registration far more widespread, pointing out that “the failure to register all children at birth renders it difficult to verify the ages of young recruits.”⁸ When Sierra Leone subsequently reported under the Convention on the Rights of the Child itself, in 2016, no issues relating to OPAC were raised.

Finally, it may be noted that, in contrast to many civil conflicts in recent years, despite the religious diversity of Sierra Leone, the war there never developed a religious element. On his visit to the country in 2013, the UN Special Rapporteur on Freedom of Religion or Belief was struck by the remarkable atmosphere of religious openness and tolerance, and stressed the crucial part this could play in the continuing task of post-conflict recovery and reconciliation.⁹

Latest statistics¹⁰

POPULATION (November 2023, estimated)	8,908,000
proportion of males aged 15-19	5.5%
thus annually reaching recruitment age (approx):	97,988
ARMED FORCES: Active strength, November 2023	8,500
compared to the male population reaching recruitment age	8.7%
MILITARY EXPENDITURE: US \$ equivalent, estimated 2023	\$22.4m
Per capita	\$2.6
As % of GDP	0.6%

⁷ Ibid, para 28.

⁸ CRC/C/OPAC/SLE/CO/1, 14th October 2010, para 19.

⁹ A/HRC/25/58/Add.1, 23rd December 2013, particularly para 16.

¹⁰ Sources: For military expenditure, Stockholm International Peace Research Institute – SIPRI, April 2024. Otherwise, The Military Balance 2024 (International Institute of Strategic Studies, London), which bases its estimate on “demographic statistics taken from the US Census Bureau”.