

Sierra Leone's War Crimes Tribunal: A Blueprint for Justice Across Africa

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When 36-year-old war survivor Mary Johnson first heard about the Special Court for Sierra Leone (SCSL) in 2002, she felt a surge of hope for her country. She said: "After years of war, when so many families were shattered, we longed for justice."

"The Court was a sign that the world was watching and that perpetrators would be held accountable," she recalls, her voice heavy with emotion.

That hope was echoed across the nation, among other survivors like 55-year-old Mariatu Sesay.

In Peacock farm community, in the east-end of Freetown, Mariatu recounts her experience with quiet courage. "For years, we lived with pain and silence. But when the Special Court was established, it felt like justice was finally within reach," she says. "It wasn't just about punishing the guilty; it was about restoring hope for all of us." Together, their voices reflect the collective yearning of a nation ready to confront its past and rebuild its future.

Established as a hybrid tribunal drawing from both international and national legal frameworks, the Special Court was tasked with prosecuting those bearing the greatest responsibility for war crimes and crimes against humanity. Its formation marked a pioneering effort: a dedicated court set up in the country most affected by conflict, with the goal not only of delivering justice but also fostering national reconciliation.

Nearly two decades later, Sierra Leone's Special Court is widely considered a landmark in transitional justice, providing a potential model for other African nations fighting with legacies of violence. Countries such as Rwanda, Uganda, and the Democratic Republic of Congo continue to face challenges in addressing atrocities, and the question arises: can the SCSL serve as a blueprint for effective post-conflict justice across the continent?

Mohamed Kamara, a lawyer, explains the court's significance. "The SCSL was innovative because it balanced international standards with local ownership. Unlike tribunals held far from affected communities, the court was located in Freetown, enabling victims and witnesses to participate directly. This proximity helped build trust in the justice process."

The Special Court's mandate covered war crimes, crimes against humanity, and other serious violations committed during the conflict. Among its most notable achievements was the successful prosecution of high-profile figures, including former Liberian president Charles Taylor, whose conviction for aiding and abetting rebel atrocities sent ripples across West Africa.

Yet, not everyone saw the Special Court in the same light. Some questioned why it tried only a few leaders and why it was so costly. While the initial estimate was over \$22 million, this excluded key expenses like investigations, detention, translation, and defense. By mid-2007, the completion budget had risen to about \$89 million, and the Court was facing a funding crisis. In the end, the total cost was significantly higher, reflecting the broad scope of its operations beyond just courtroom proceedings.

For others, it didn't go far enough to bring communities back together. Amadu, a carpenter from Wellington, shared his view: "Yes, it brought justice to some, but what about the rest of us still trying to heal? Justice should reach everyone, not just the big men."

Notably, looking beyond Sierra Leone, other regional justice mechanisms have taken different forms. The International Criminal Tribunal for Rwanda (ICTR), for example, operated as a purely international body located in Tanzania and focused on prosecuting perpetrators of the 1994 genocide.

While the ICTR helped establish important legal precedents, its distance from Rwanda hindered public engagement. Meanwhile, the African Court on Human and Peoples' Rights represents a continental effort to address human rights violations but has struggled with limited jurisdiction and political resistance from member states.

In Uganda, the hybrid Special Court for Northern Uganda has encountered obstacles due to ongoing conflict and insufficient resources, highlighting the challenges of replicating Sierra Leone's model in different contexts.

"Every country has unique historical and political factors that affect how transitional justice is implemented," notes Deputy Minister of Justice, Madam Saptieu Elizabeth Saacoh. Speaking to Awoko, she says: "While Sierra Leone's tribunal offers valuable lessons, it cannot simply be transplanted. Adaptation to local realities is essential. Its focus on involving national actors and its victim-centered approach are lessons that could guide other transitional justice efforts."

While the SCSL closed its doors in 2013, it was replaced by the Residual Special Court of Sierra Leone (RSCSL) as the country still struggles with broader reconciliation and reparations, reminders that justice through courts is only one part of the post-conflict recovery puzzle.

The RSCSL was established through a 2010 agreement between the United Nations and the Government of Sierra Leone, ratified in 2011 and signed into law in 2012. Headquartered in Freetown with an interim seat in the Netherlands, the RSCSL supports witness and victim protection and oversees ongoing responsibilities of the now-closed Special Court. Unlike its predecessor, which had over 400 staff, the RSCSL operates with a small team of about a dozen.

It is funded by voluntary international contributions, with provisions to explore alternative funding sources, and is guided by an oversight committee. Its structure includes a President, Prosecutor, Registrar, and, when necessary, chambers for trials and appeals.

Still, experts agree that the SCSL's legacy offers a roadmap for combining international legal rigor with national participation and ownership. Its emphasis on victim involvement, witness protection, and complementarity with domestic courts provides important design principles.

Lawyer Kamara emphasizes the need for collaboration: "Policymakers should foster partnerships between international actors, African regional bodies, and national institutions to build tailored, sustainable justice mechanisms."

Significantly, as Africa continues to deal with the legacies of conflict, Sierra Leone's Special Court provides both inspiration to what is possible and caution of the challenges ahead in seeking justice and peace.

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