

National and Local Ownership of Transitional Justice Processes and Inclusiveness, Equity, and Non-Discrimination in Sierra Leone.

By MRCG

It is essential to increase public support and ownership, foster a shared understanding of a common goal, and ensure that transitional justice (TJ) processes are aligned with local needs and aspirations. Every element of TJ, from implementation and assessment to monitoring and evaluation, relies on national leadership. For nationally driven TJ processes to be successful, partnerships—especially at the national level—between beneficiaries and the government, State, and non-State actors are crucial.

Sierra Leone, having endured a brutal civil war (1991–2002) and successfully implementing a Truth and Reconciliation Commission (TRC) and the Special Court for Sierra Leone (SCSL), remains a reference point for transitional justice in Africa. However, further localisation of this AU principle is vital for ongoing peacebuilding and preventing the recurrence of violence. The African Union (AU) Transitional Justice Policy (AUTJP) offers a framework for African nations to address past conflicts and human rights abuses while promoting sustainable peace and reconciliation. One of its core principles, National and Local Ownership, highlights that national and local actors should lead transitional justice processes to ensure legitimacy, effectiveness, and long-term success.

Rationale for Localising National and Local Ownership in Sierra Leone: strengthening community engagements - many victims and local communities in Sierra Leone still feel disconnected from transitional justice mechanisms. Greater local ownership ensures that communities play a central role in designing and implementing justice initiatives that reflect their realities; traditional and religious leaders, who are highly respected, should be actively involved in reconciliation and accountability efforts. Enhancing Trust in Justice Mechanisms: national ownership prevents transitional justice from being perceived as externally imposed. If local institutions—such as customary courts and civil society organisations—are empowered, people will have greater confidence in the justice process.

Aligning with customary and indigenous practices: Sierra Leone has a rich tradition of restorative justice mechanisms, such as ‘Fambul Tok’ (Family Talk), which prioritises dialogue and reconciliation at the community level. Integrating such indigenous practices into national justice frameworks strengthens legitimacy and acceptance, decentralising TJ efforts - post-war justice efforts have been largely centered in Freetown. A localised approach ensures that rural and marginalised communities have access to justice and are not left behind. Establishing local truth-telling forums and reparations programs across all regions of the country can make transitional justice more inclusive.

This principle encourages investment in national institutions like the judiciary, human rights commissions, and community reconciliation programs. Strategies for implementing local ownership in Sierra Leone include legislative reforms: The government should integrate the

AUTJP into national policies, ensuring that transitional justice principles are embedded in Sierra Leone's legal framework. Nationwide consultations, town hall meetings, and media campaigns should be conducted to involve ordinary citizens in shaping justice mechanisms. On resource allocation, the government must allocate funding to local justice programmes and reduce dependency on international donors.

As a matter of principle, victims and other members of the community impacted by violence have the right to justice and the truth in their own nation, based on procedures and mechanisms that they actively participate in designing; Priority of national resources and capacities: Before relying on non-national sources and capacities, the formulation of TJ should suitably adapt and utilize all appropriate formal and traditional judicial and non-judicial resources and capacities that society can mobilize at the national and local levels for justice and reconciliation responses.

The Sierra Leonean Context

Regarding inclusiveness, equity, and non-discrimination in TJ processes in Sierra Leone, certain groups, including women, children, persons with disabilities, and rural communities, were disproportionately impacted by the war but have not fully benefited from transitional justice initiatives. Women and girls who have endured sexual violence and gender-based crimes need targeted support in reparations and reintegration efforts. Many victims, especially those in remote areas, face barriers to participating in formal justice mechanisms due to limited awareness and resources. Providing legal aid, accessible courts, and decentralised transitional justice initiatives can help close this gap. Sierra Leone's post-war justice efforts must guarantee that no group feels excluded or unfairly treated. A balanced approach in reparations, memorialisation, and institutional reforms can help prevent divisions and resentment. Additionally, many young people were child soldiers or victims of war, yet they often face stigma and exclusion from post-conflict programmes. Transitional justice must support their rehabilitation, education, and economic reintegration to prevent ongoing cycles of violence. Justice and reparations programmes must also address the poverty and structural inequalities that initially contributed to the conflict. Achieving equity in employment opportunities, land rights, and access to education is crucial for lasting peace.

The following are a few strategies for strengthening inclusiveness, equity, and non-discrimination in the TJ process in Sierra Leone.

Gender-sensitive approaches: special mechanisms for women, such as gender-sensitive reparations and trauma healing programmes, must be prioritised, community-based truth and justice mechanisms - expanding local truth-telling forums and traditional reconciliation methods ensure that all voices are heard, decentralization of TJ services - making services available beyond Freetown to reach rural populations, targeted reparations for vulnerable groups - ensuring fair compensation for women, children, war amputees, and sexual violence survivors, legal and policy reforms -strengthening anti-discrimination laws and ensuring equal representation in governance and peacebuilding institutions.

Enhancing the localisation of the AU's national and local ownership, along with the principles of inclusiveness, equity, and non-discrimination in Sierra Leone, will boost the efficiency and sustainability of transitional justice initiatives. Focusing justice measures on regional communities, customs, and national institutions can help Sierra Leone foster peace, reconciliation, and long-term prosperity. These measures must be non-discriminatory, equal, and inclusive to be effective. Recognising and addressing the unique needs of each affected group can lead to a more equitable and peaceful society.

What has Sierra Leone done to support these principles?

The Truth and Reconciliation Commission (TRC) was established under the Lomé Peace Agreement, with a mandate to collect local testimony from across the country and make recommendations. It was intended to involve victims and communities. It addressed, with some specificity, the experiences of women, children—particularly child soldiers—and sexual abuses.

Several local NGOs, such as Fambul Tok, play a vital role in justice, peacebuilding, and reconciliation, having a strong presence within the community. These organisations foster local ownership and healing processes. Additionally, local media, religious groups, and traditional authorities participate in post-conflict reconciliation efforts. However, there is widespread acknowledgment that the TRC's recommendations have not been fully implemented, with notable gaps in ownership and follow-through.

Gaps in Sierra Leone

Incomplete implementation of past TJ mechanisms: The TRC report's recommendations have not all been fully implemented; some are forgotten or ignored; this weakens trust and reduces perceived "ownership." Lack of mechanisms for monitoring implementation.

Limited participation of marginalised groups: Women, youth, disabled, etc., are frequently less included in decision-making forums. Some rural communities still feel distant from national processes.

Dominance of external models or donor/NGO frameworks: Some TJ or reconciliation initiatives have been driven by external actors and donor funding, which risks reducing ownership or alignment with local needs. External technical expertise may overshadow local/traditional mechanisms and knowledge.

Capacity constraints: Local institutions may lack resources, technical capacity, and infrastructure to lead complex TJ mechanisms over time.

Socio-economic inequities and underlying conflict drivers: Many conflicts and post-conflict tensions in Sierra Leone have roots in marginalisation, unequal access to land, resources, education, and opportunity. These structural inequalities sometimes persist and need to be addressed for non-discrimination and equity in TJ.

Geographic inequalities: Remote/rural parts have less access to information, less infrastructure, fewer civil society organisations; often less heard.

Policy Recommendations for Sierra Leone

Develop a National Transitional Justice Policy or Strategy that domesticates AUTJP and tailors it to Sierra Leone's context, which is developed through broad consultation (district, chiefdom, diaspora).

Establish Oversight / Monitoring Mechanisms as an independent body to track the implementation of TRC and future recommendations. These mechanisms should include representatives from marginalised groups to ensure transparency.

Institutional Capacity Building: Strengthen local CSOs, traditional courts, and local government units. Provide technical training in documentation, legal, and psychological support for survivors and others.

Ensure Participatory Mechanisms: Hold regular town hall-style consultations. Utilise community radio and local languages. Offer financial and logistical support to participants who might face difficulties in taking part.

Embedding Equity in Reparations: Reparations policies should explicitly address differential harm (gender, children, disability). Ensure access for remote communities.

Use of Traditional / Customary Mechanisms Where Appropriate: Recognise and incorporate local reconciliation practices (e.g., local peace-making ceremonies) in ways that respect human rights.

Dialogue on Structural Inequalities: Incorporate socio-economic justice (land, education, jobs) into TJ discourse. Ensure constitutional protections of equality and non-discrimination are robust, and laws and policies reflect them.

Localising AUTJP's principles in Sierra Leone goes beyond merely signing the policy; it involves ensuring that the people of Sierra Leone — especially those most affected and marginalised — are central to designing and implementing transitional justice. It means that processes are rooted in local culture and leadership, that resources, legal frameworks, and institutions support this effort in the long term, and that underlying inequality and discrimination are tackled, not just historical violations.