GOVERNMENT OF SIERRA LEONE

REPORT ON THE CONTROL OF SMALL ARMS AND LIGHT WEAPONS

2010

PREPARED BY

THE SIERRA LEONE NATIONAL COMMISSION ON SMALL ARMS AND LIGHT WEAPONS (SLeNCSA)
1.0 Introduction

Small Arms and Light Weapons proliferation in the West African sub-region still continues to pose significant threats to peace and stability. Experience from the conflicts in Liberia, Cote d'Ivoire and Sierra Leone have shown that these Small Arms have been used by belligerents to wreck havoc and mayhem on innocent civilians. In situations were they are awash, they have been used to intimidate, harass and sexually exploit women and children.

Sierra Leone’s conflict was declared over on 18th January 2002 after a widely acclaimed successful DDR process. The country is on its path to stability and sustainable development but continues to critically monitor the proliferation of small arms and light weapons in all its aspects within its territories and in the Sub region.

A. National Level

As sequel to the Biennial Meeting of States held in New York in 2008 to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons Sierra Leone has made significant strides in furtherance of its obligations to implement the United Nations Programme of Action (UNPOA) on Small Arms as well as the instrument on Marking and Tracing.

The Government of Sierra Leone remains committed to International, Sub regional and Regional instruments for the control of small arms and light weapons. This was demonstrated by associating fully with the ECOWAS Moratorium on the importation, exportation and production of small arms and light weapons, signed by the Heads of States in Abuja in 1998. Contemporarily the ECOWAS Moratorium which was not binding on states has now become the binding convention ECOWAS Convention on the control of
small arms, light weapons and associated munitions which came into force in 2009. The Government of Sierra Leone has ratified this Convention in 2007 and deposited it with the ECOWAS Headquarters in Abuja, Nigeria.

His Excellency the President of the Republic of Sierra Leone Dr. Ernest Bai Koroma in his address to participants at a Consultative Conference on Small arms and light weapons organized by the then Focal Committee in 2007 declared that his government will establish a national commission for the control of small arms and light weapons in the country.

This policy statement has translated into a cabinet conclusion with directives to draft the requisite legislation establishing the Sierra Leone National Commission on Small Arms (SLeNCSA) as required by the ECOWAS Convention. The legislation which will soon go through Parliament makes provision for a Commissioner and Deputy who will be charged with the responsibility of providing the overall guidance for the effective functioning of SLeNCSA. Management efforts will be oversighted by a core advisory group that will be under the purview of H.E. the President.

Sierra Leone continues to enjoy support from the ECOWAS Small Arms Control Programme (ECOSAP) and the UNDP in the implementation of its core functional responsibilities and tasks. Such interventions include sponsorship of National Consultative Conferences on SALW; Engagement of the services of consultants to conduct a national perception survey on SALW; rehabilitation work on accommodation provided by GoSL for SLeNCSA and general programmatic support.
2.0 **The National point of contact**

As mentioned interalia the Sierra Leone National Commission on Small Arms is under the direct jurisdiction of His Excellency the President of the Republic of Sierra Leone. The constitution vested powers in him to appoint a Commissioner and Deputy.

The current contact persons for SLeNCSA are.

a. Brig (Rtd) Modibo L. Lymon  
   Sierra Leone National Commission on Small Arms (SLeNCSA)  
   Old Ministry of Defence Building  
   State Avenue,  
   Freetown

b. Col (Rtd) Saa. A. Sinnah  
   Sierra Leone National Commission on Small Arms (SLeNCSA)  
   Old Ministry of Defence Building  
   State Avenue  
   Freetown

3.0 **Legislation**

The legal instrument for the regulation of Small Arms and Light Weapons was the Arms and Ammunitions ordnance (Act no 14 of 1955). This law is considered obsolete and hence cannot deter illegal possession of SALW’S especially in a post-conflict security environment like ours.

In view of this, the legislation was reviewed in 2005 and a new bill developed (The Arms and Ammunitions bill of 2006)

The new gun law addresseees issues of transnational organized crime; terrorism as it relates to illegal possession of arms and ammunition and many other
contemporary security challenges. It harps on illegal production importation, retail possession, stockpiling and export. Statutory powers have been given to the Sierra Leone National Commission on Small Arms (SLeNCSA) and the Sierra Leone Police (SLP) to effectively enforce the law when promulgated.

The bill should have been enacted by Parliament since 2006 but this was not done on account of a myriad of factors.

i. The ECOWAS Moratorium on small arms agreed by Heads of State in 1998 was renewable every three (3) years and was not a legally binding instrument on states.

ii. The ECOWAS Moratorium eventually became the ECOWAS Convention on Small arms and light weapons and their associated ammunitions that came into force in 2009.

iii. If Sierra Leone’s Legislation was enacted in 2006, this would have meant having it reviewed again to reflect the key provisions of the ECOWAS Convention.

In concert with the Pan African Strategic and Peace Research Group (PANAFSTRAG) the then Sierra Leone Focal Committee on SALW control saw the need for Sierra Leone’s legislation to be harmonized with key provisions of the ECOWAS Convention in 2007.

It is hoped that having effective and harmonized legislation on SALW in the Sub region will not only adequately deal with the demand for SALW but will also strengthen the law Enforcement agencies to enforce the law and mitigate illegal possession of weapons by non-state actors

If concerted efforts are not made to have in place tighter national gun laws that will effectively regulate Small Arms and Light Weapons proliferation the entire regulation process will be open ended and futile.
Currently, a Committee of six has been constituted to identify the strengths, weaknesses, differences and gaps in the Arms and Ammunition Bill 2006. This law will be harmonized with key provisions of the ECOWAS Convention on Small Arms and Light Weapons. Critical aspects of the law will also be informed by consultancy studies that have already been conducted countrywide using contemporary variables and indicators as suggested by the ECOSAP Survey Methodology on SALW that was developed and disseminated to consultants.

It is Government’s fervent view that for its sustainable development there has to be peace and security. This implies that all efforts must be made to regulate the demand and supply of SALW’S that are used to fuel conflicts.

The National gun law being reviewed will be in conformity with International Humanitarian law (IHL) on the use of arms and ammunition and all other UN Conventions /Protocols to stem the illicit trade in Small Arms and Light Weapons in all its aspects including marking and tracing. SLeNCSA will also be mindful of GOSL’S signature to the Universal Convention on Protection of Endangered Species of Animals within the context of gaming.

In preparing the legislation, Civil Society consultation is considered a fundamental aspect and in this regard the following will be considered:

i. Public awareness of the bill in local tabloids and the Sierra Leone Gazette.

ii. Re-gazette of the Act after Enactment and Presidential assent, to enhance Public information.

iii. Embarking on a nationwide Public awareness raising campaign on the Legislation encompassing use of the print and electronic media. This does not however preclude the use of other methods to reach out to the rural communities.
4.0 **Law Enforcement and Criminalization**

Law Enforcement as to relates to regulation of Small Arms and Light Weapons ostensibly rests with the Sierra Leone Police (SLP) The Establishment of the Sierra Leone National Commission on Small Arms (SLeNCSA) is to complement the efforts of the SLP and other law enforcement agencies such as the Customs; Immigration etc. The penalties for illegal possession of SALW’s have been reviewed upwards in the current legislation to ensure that it acts as a potent deterrent to ill intended citizens and other nationals desirous of possessing weapons and ammunitions illegally.

Sierra Leone does not manufacture weapons except for a few isolated local manufacture reported in a particular regions of the country in 2006 (Eastern/Southern Regions). These shotguns manufactured locally, were not in any way automatically styled and were presumably for hunting purposes in such rural communities.

During the civil conflict in Sierra Leone and Liberia, arms brokering was common as brokers were interested in the Diamonds of Sierra Leone and the Timber of Liberia. Currently however, the GOSL is the only legal entity that lictily imports arms and ammunition into the country for National Security purposes.

5.0. **Stockpile Management**

SLeNCSA on behalf of the GOSL has been extensively engaged in the identification and verification of stockpiles of weapons and ammunitions during this post conflict period.

All firearms procured for own use by the two state security forces (The Sierra Leone Police and the Republic of Sierra Leone Armed Forces) are recorded in
Master Registers with special note on manufacturers registration number; type and other identification features etc.

The imported arms with their munitions are then stored separately in secure armories and guarded 24/7. The stock is recorded in the registers which are kept with the Commander and there are laid down Standard Operational Procedures for (SOP) their release and use. There registers are audited every month to compare with holdings in the armories.

As recent as 2009 a Stockpile Verification exercises was conducted country-wide to determine the following:

i. A District audit of shotguns collected all over the country under the UNDP Arms for Development Programme.

ii. Verification of SLP/RSLAF Stockpiles coupled with the status of armories countrywide.

As sequel to these exercises SLeNCSA held a one day stockpile management Workshop in August 2009 with a view to identifying key challenges facing GOSL in dealing with stockpiles and how these can be formidably addressed. The armories were found to be obsolete and most of them requiring reconstruction and/or rehabilitation.

5.1. Regulation of Private Security Companies (PSC) in Sierra Leone

In Sierra Leone the Private Security Companies are largely unarmed and carry out duties such as prevention of unauthorized activity or entry, access control, fire and theft prevention and traffic regulation around and within premises. Use of firearms is only restricted to state security actors and therefore the police provide point security to private sector entities/companies that require such.
This level of regulation of PSC’s in Sierra Leone is different from what operates in other countries in sub region where the use of firearms by such companies may be permissible by the state. The PSC’s are licensed and regulated by the Office of National Security (ONS).

5.2 **Collection and Disposal of SALW**

Weapons were collected from well over 45,000 ex-combatants in the Disarmament, Demobilization and Reintegration (DDR) programme which took place immediately after the war. This was followed by a Police led Community Arms Collection and Destruction (CACD) exercise. The rationale was to ensure a peaceful election in 2002 by retrieving all weapons including shotguns that were illicitly in civilian possession. This exercise was done by granting general amnesty to offenders over the period of the exercise was conducted. When the grace period was over it then became illegal to possess arms ammunitions or explosive as it was in contravention of the Provisions of Act No 14 of 1955.

A laudable initiative which succeeded the CACD was the UNDP Arms for Development initiative that epitomized collection of weapons from communities (Chiefdoms) in return for development projects costing $20,000. This was partly successful as it did not cover the entire 149 Chiefdoms of the country and most of the Community development projects considerably flawed. The weapons collected from these communities are now awaiting destruction when resources are available.

This entire programme was funded on a shared basis by the Governments of Japan; Canada, the Netherlands, Norway, United Kingdom and Germany. Other Key activities supported by this initiative were to address key cross border issues including trafficking of arms and ammunitions across borders.
Within the joint project framework, two border posts were constructed at the Northern and South-Eastern Sierra Leone borders with Guinea and Liberia respectively.

It is hoped that within the framework of the 15th Protocol of the Mano River Union¹ and in line with sub regional security policy consistency, cross border cooperation will be enhanced amongst states through the Joint Border Security and Confidence Building Units (JBSCBU) to promote peace and stability in the sub region.

6.0 **Exports Control**

Sierra Leone does not manufacture, export or transship weapons and ammunition. Non state actors are not expected to import firearms into Sierra Leone and in the case of explosives for specialized purposes the appropriate clearance has to be sought from GOSL at the highest levels. There are key aspects/provisions in the new gun law that tacitly addresses importation and licensing of weapons to be used by individuals.

7.0 **Brokering**

There is indeed circumstantial evidence that illegal arms brokers did exploit the possibility of importing weapons and munitions illegally into Sierra Leone during the conflict. Currently there is no empirical evidence to support this but necessary provisions have been included in the reviewed legislation to sufficiently deal with brokering.

9.0. **Marking Record Keeping And Tracing**

Within the UNPOA Framework marking and tracing of SALW's is a legally binding instrument and Sierra Leone not being oblivious of this, has put in place

¹ The Mano River Union comprises Sierra Leone; Cote’ d’voire; Guinea and Liberia
mechanisms to ensure that all firearms and munitions imported into the country are marked with the appropriate inscriptions and can be traced when necessary.

Records of holdings in the SLP and RSLAF are well documented and the markings valuable to GOSL security service delivery. Currently there is an ongoing SALW’s verification ongoing countrywide to compare weapons markings with those documented in the registers. Weapons are only issued to serving personnel using Standard Operating Procedures for the SLP and Force orders of the RSLAF. In instances when there is need to trace an illicit stock of SALW’S the GoSL is amenable to share information with other stake holds as required by the UNPOA and the ECOWAS Convention.

10. **Disarmament, Demobilization and Reintegration**

After the decade long civil war, Sierra Leone with the support of the international Community embarked on the Disarmament, Demobilization and Reintegration Programme (DDRP) that has been acclaimed to be largely successful. The programme had essentially focused on the weapons and the needs of the belligerents.

The overall goal of the DDRP in Sierra Leone was to disarm, demobilize and reintegrate combatants belonging to the various factions, i.e. the Revolutionary United Front (RUF), the Civil Defence Forces (CDF) and the Armed Forces Revolutionary Council (AFRC) for the purpose of consolidating short term security and as a basis for durable peace in Sierra Leone.

The three key objectives were:-

(i) To collect, register, disable and destroy all conventional weapons and ammunition retrieved from the combatants during the disarmament period;
(ii) To demobilize approximately 45,000 combatants of the Armed Forces of Sierra Leone, RUF, CDF and the paramilitary forces. It was estimated that 12% of the total were children under the age of 18 years;

(iii) To prepare and support the ex-combatants for reinsertion and socioeconomic reintegration upon discharge from demobilization centres.

(iv) Within the last one year and three months before the conclusion of the DDR Programme in Sierra Leone, the focus of the programme was on reintegration which included delivery of benefits to eligible and registered ex-combatants in all chiefdoms/districts in the country and promotion of reconciliation through various social measures. With the completion of disarmament and demobilization in January 2002, which enhanced access to all areas of the country, the reintegration programme expanded in both quantity and quality. The National Committee for Disarmament, Demobilization and Reintegration (NCDDR) that had been set up by the Government of Sierra Leone under the Chairmanship of His Excellency the president, decentralized its structures to the district level in the months of April and May 2002. This led to an improvement in the delivery capacity of the institution and further decentralization of referral and counseling services that were established at the various DDR Centers. By the end of December 2002, a total of 56,751 ex-combatants had been registered for reintegration assistance in the 12 Districts and in the Western Area. Registration analysis in the DDR Programme revealed a high concentration of ex-combatants in Bo, Port Loko, Kailahun, Kono, Kenema districts and in the Western Area. The critical areas in terms of placement into programmes were Kono, Pujehun and Kailahun districts, mostly due to the late disarmament and the inability of most agencies to establish their presence in these districts. In addition, artisanal mining activities in the Kono and Tongo Field areas (Eastern Province) provided the ex-
combatants with other options for economic engagement. At the end of the DDR Programme, the ex-combatants were able to receive assistance from various sectors. Some of the assistance received was in the following areas:

(a) *Vocational Training and Apprenticeship Scheme* – This was the largest sector of participation under the programme. It provided support for the acquisition of skills in various trade areas. A total of 17,981 ex combatants were reported to have completed training in various vocational training and apprenticeship outlets. Another 10,572 were registered on other programmes.

(b) *Formal Education* – In this sector, many ex-combatants opted also for formal education. The Programme had up to 7,233 ex-combatants in various schools/colleges and other formal training Institutions. Ex-combatants were given support for periods ranging from one to three years depending on the date they were disarmed. Today many of them have graduated and in employment.

(c) *Agriculture* – the total number of beneficiaries in agriculture (including fisheries and pig raisings) stood at 9,342. The support for Agriculture was mostly input based and some of the beneficiaries are upcountry engaged in various forms of subsistence farming.

(d) *Public works and Job Placement* – the Public works sector attracted limited interest and participation both in terms of partnership and the involvement of ex combatants. Only 798 of the 56,700 registered ex combatants were reported to be interested in job placement. Two major programmes were designed for children. For those under 15 years of
age, a community Education and Investment programme (CEIP) was designed by UNICEF and other child protection agencies. A total of 3,050 children participated in the programme. Children over 15 years and less than 18 years of age also participated in the NCDDR designed Training and Employment Programme (TEP). The majority were placed in apprenticeship Schemes. A total of 1,858 children completed the training programme, whilst 800 were enrolled in other ongoing programmes around the country.

The success of the DDRP in Sierra Leone was therefore due largely to the support given by both local and International partners in the overall design and implementation of the programme. Spatial analysis of the partnerships involved revealed that the programme was delivering reintegration assistance using 303 implementing agencies in the Western Area (especially the Capital Freetown), 146 partners in the East, 173 in the North and 172 in the South. The programme benefited from funding and reintegration opportunities from the following partners: DFID/CRP, UNDP, UNAMSIL, USAID, BMZ/GTZ and many others.

By 31st December, 2002, the NCDDR completed its mandate to disarm, demobilize and reintegrate ex-combatants in Sierra Leone and then finally phased out.

10. **Awareness Raising Campaigns and Civil Society Activity**

In the implementation of the ECOWAS Moratorium and UN Programme of Action, Civil Society Groups have been playing a significant role in Awareness Raising Campaigns on the threats associated with the proliferation of small arms and light weapons.
The Sierra Leone Action Network on Small Arms (SLANSA) is the Civil Society Organization that is working in partnership with the UNDP to address the proliferation of SALW in Sierra Leone. The main agenda of SLANSA has been to raise awareness on the situation of SALW in the country and internationally through information dissemination, advocacy and lobbying in collaboration with the small arms networks in the West African sub-region and globally.

Established in October 2001 SLANSA is a national chapter of the International Action Network on Small Arms (IANSA) and the sub-regional WANSA. SLANSA is coordinated by the Council of Churches of Sierra Leone (CCSL) and has a membership of fifteen (15) civil society organizations. The activities undertaken by SLANSA by way of awareness raising campaigns nationally and in the sub-region on Small Arms proliferation are given hereunder:-

- Sustained advocacy and lobbying of stakeholders in the campaign against small arms and light weapons proliferation coupled with pressure on GoSL to review the Firearms Act (Act No. 14 of 1955) and enact a new legislation.
- Participation in the Global Week of Action from July 1-9 2004, an event that helped raise media and public awareness on the dangers of SALW to both the socio-political and economic well-being of Sierra Leone
- Signing a memorandum of Understanding with the UNDP/AFD initiative and sourcing funding to mobilize and sensitize rural communities in Sierra Leone from July-December 2004. 14 Chiefdoms in five districts were sensitized. Awareness raising strategies involve regular meetings of stakeholders to discuss SALW issues and sustained electronic and print media advocacy on the dangers of unchecked small arms movement. The Million Faces Campaign was launched during the global action week (6-12 June 2005) to support the principles of the Arms Trade Treaty(ATT), its
development, promotion and inclusion into the 2006 UN Programme of Action on Small Arms.

- Representation in the Border Strengthening Initiative for Sierra Leone and the National Focal Committee on SALW control.
- Participation in national Consultative Conferences to raise awareness and also adopt a participatory community approach geared towards the development of a National Action plan for the control of Small Arms and Light Weapons in Sierra Leone.
- Accomplishment of a six months Project Proposal funded by the UNDP to carry out the following:
  - To elicit the views of stakeholders on control of small arms and light weapons with a view to providing guidelines for consultants in developing the National Action Plan
  - To facilitate procedural measures for the collection and destruction of illicit weapons to ensure effective arms control;
  - To provide effective methods of registering, controlling and using legitimate arms stock within the country;
  - To sensitize communities on the impact of having porous borders and the dangers of the proliferation of illicit weapons.

The above programme was considered necessary by the National Focal Committee, based on the threat assessment that was done by the Border Strengthening Programme indicating threats along Sierra Leone’s borders as highlighted below:

- Smuggling/Illegal Trade/Movement of Small Arms;
- Armed Robbery;
- Dissident Activities in neighboring countries; and
- Cross border raids.
SLeNCSA will build on the success of the former focal committee on SALW and ensure that Civil Society always remains to be a dependable partner of the Commission in furtherance of the Provisions of the ECOWAS Convention on Small Arms.

B) Regional Level

Adherence to legally Binding Instruments, Moratoria and action programmes

Cognizance of the problems prevailing in the sub-region and on the continent as a whole and mindful of its sovereignty and security of its people. Sierra Leone has also been working assiduously with its regional and international partner in line with two of its Foreign Policy Objectives;

(i) The promotion of Sub-regional, regional and inter-African cooperation and Unity;
(ii) The promotion of international cooperation for the consolidation of international peace and security and normal respect among all nations and respect for their territorial integrity and independence

Regional Cooperation

The level of cooperation among the Mano River Union States was increased at a meeting of the Heads of State of Guinea, Liberia and Sierra Leone in Rabat, Morocco on 29th April 2002 in a bid to address regional security problems of the Mano River Union Bordering on the illicit proliferation of SALW. At the Rabat Summit, a number of recommendations were made for peace and stability to prevail in the MRU basin. These recommendations were again reaffirmed at the MRU Summit held in Conakry, Guinea on 20th May 2004 which included decisions on:

Government of Sierra Leone SALW Programme of Action

(i) The endemic problem of dissidents:
(ii) The deployment of Joint Border Security and Confidence building units;

(iii) The proliferation of Small Arms and Light Weapons;

(iv) The establishment of a tripartite legal framework of the Union;

(v) Dealing with the problems of refugees and the need to open borders that were closed;

(vi) Need to educate the entire population if MRU; and

(vii) Financing the MRU Secretariat based in Freetown that was dysfunctional due to lack of funding to implement projects that had been lying dormant for many years, mainly associated with the proliferation of SALWs.

C) Global Level

At the multilateral level, Sierra Leone has been participating effectively with multilateral partners charged with resolving conflicts in Africa and the Sub-region and fighting to control the flow of SALW. Among these are:

(i) The central Organ of the African Union Mechanism for Conflict Prevention, Management and Resolution at the level of Head of State;

(ii) Adherence to the protocol relating to the Establishment of the peace and Security Council of the African Union;

(iii) The Summit of Heads of State and Government of ECOWAS;

(iv) ECOWAS Mediation and Security Council especially its Committee of six on Sierra Leone;

Adherence to the following ECOWAS Conventions and Protocols:

Protocol relating to Mutual Assistance on Defence signed in Freetown in May 1981;

- Convention on Mutual Assistance in communal matters adopted in Dakar in July 1992;
- Convention on extradition,
• Protocol relating to the Mechanism for Conflict Prevention, management, resolution, peacekeeping and security;
• ECOWAS Moratorium on small arms and light weapons.

(v) The Joint Security Committee of the MRU, a structure established under the 15th protocol of the Mano River Union Declaration of 1974. The Protocol relates to cooperation on Defence, Security, Ministry of Internal Affairs and Foreign Affairs;

Government of Sierra Leone SALW Programme of Action

(vi) Sierra Leone has adhered to a number of international conventions and protocols adopted by the UN dealing with the problems and control of SALW. These include:
• The UN Programme of Action on Small Arms proliferation in all its aspects;
• The twelve core United Nations conventions relating to anti-terrorism;
• The Chemical/Weapons Convention (CWC);
• The Convention relating to certain Conventional Weapons (CCW) and its five related Protocols,

(vii) Cabinet has just approved the ratification of the convention relating to trans-national Organized Crime and its three related protocols as well as the AU Convention against Terrorism. These will soon be laid before parliament for the necessary ratification;

(viii) To implement some of the conventions on Terrorism and Trans-national organized Crime, an anti-Money laundering Act, refugee legislation and child rights bill have been enacted. Public Security and Justice Sector reforms are ongoing. Much premium is now given to intensive intelligence gathering on movement of SALWs to support law enforcement by the Civil Authority
(SLP). Within the Governance framework there is a lot of cooperation and collaboration between all UN agencies and GoSL in our collective effort for lasting and durable peace in Sierra Leone.