

“Few countries have experienced the tragedy and devastation of Sierra Leone: in the 1990s, a brutal civil war, fueled mainly by an illicit diamond trade, caused an estimated 75,000 deaths, displacing nearly half the country’s population. In 2009, Sierra Leone discovered oil, adding to its vast array of natural resources; yet the discovery of oil holds no prospect of prosperity for most of the country’s population. Unless prompt action is taken to increase transparency, the people of Sierra Leone will continue to live under the burden of the “resource curse,” steeped in abject poverty and under renewed threat of civil conflict. While vertical-accountability mechanisms seem to have little effect on endemic corruption, horizontal mechanisms, such as a freedom of information law, not only enhance citizen participation in governance, but also provide adequate oversight over state institutions. The ongoing campaign for a Freedom of Information (FOI) law in Sierra Leone can help to ensure that oil does not become yet another resource curse; that democracy does not degenerate into kleptocracy; and that the people of Sierra Leone are empowered to demand answers from the country’s leadership.”



—Emmanuel Abdulai, January 20, 2010

# Breaking the Resource Curse: Freedom of Information in Sierra Leone

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*The views expressed in this presentation represent the opinions and analysis of the speaker and do not necessarily reflect those of the National Endowment for Democracy or its staff.*

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- XI. Freedom of Information
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# I. Sierra Leone: An Overview

## Map of Sierra Leone



# I. Sierra Leone: An Overview

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- British colony: 1789–1961
- Independence: April 27, 1961
- 1971: Sierra Leone becomes a republic
- Tropical climate with a diverse environment ranging from savannah to rainforests

## II. Minerals and Other Resources

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Sierra Leone is very rich in natural resources:

- Minerals
  - Diamond
  - Bauxite
  - Rutile
  - Iron Ore
  
- Cash crops
  - Cocoa
  - Coffee
  - Piassava
  - Ginger
  
- Seafood



# III. The Perplexing Paradox

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- Life expectancy: 39 yrs (lowest in the world)
- 60% of the adult population is illiterate
- 36% do not have access to health care
- 34% do not have access to clean water
- For the majority of the people in the country, life is consumed by the challenges of survival and is threatened by violence, disease and malnutrition.

# III. The Perplexing Paradox

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## The Resource Curse

“Countries and regions with enormous natural resources—non-renewable resources like minerals and oil—have faced less economic growth and worse economic outcome than less resourced countries.”

—Humphreys, Jeffrey D. Sachs and Joseph E. Stiglitz,  
*Escaping the Resource Curse* (2007)



## IV. The Dutch Disease

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- By 1950, 35,000 people had settled in Kono—the diamond ferrous town.
- By 1960, about 75,000 people were engaged in diamond mining in the region—mostly illegally.
- These are men who dropped their agricultural, fishing, and other sector activities to mine diamonds, causing other sectors to suffer from lack of human resources.

# V. Excessive Borrowing

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- The downward slide of the economy could not be halted.
- The government was borrowing money, which it was unable to repay and the borrowed funds ended up in the private accounts of the few governing elites.

# Sierra Leone's External Debt

	<b>1980</b>	<b>1995</b>
Total External Debt (Million \$)	435	1,226
External Debt as % of GNP	38.3	159.7
External Debt as % of Exports	153.7	1,163.5
Debt Service as % of Exports	23.2	60.3
Multilateral Debt as % of Total Debt	14.2	34.3

*Source:* World Bank, World Development Report 1997

# VI. Corruption Leads to War

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- 1968: All People's Congress (APC) takes power and consolidates its rule
  - Reduces the number of Sierra Leone People's Party (SLPP) MPs from 32 to 12, through coercion, intimidation, and harassment
  - Takes firmer control of the army, stacking it with officers from loyal tribes and regions
- 1977: Demonstrations are held by students of Fourah Bay College at the University of Sierra Leone
- APC organizes general elections, but constituencies such as Bonthe and Bo districts—which were almost 100% anti-APC—had APC candidates returned unopposed

# VI. Corruption Leads to War

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- Political dissent and diversity are “murdered” in the country—the APC intimidates and coerces opposition members.
- From the early 1980s onwards, corruption becomes institutionalized—a “kleptocracy” is instituted.
- So rampant is the looting of state resources that by the mid-1980s the government ceases to function.
- Unable to pay salaries regularly, purchase petrol, or provide basic services such as electricity and water, the APC government turns to merchants—largely of Lebanese origin—for foreign currency to purchase even the staple food, rice.

# VI. Corruption Leads to War

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- Public service delivery is ignored
- Schools are closed because teachers are hardly paid; dropout rate increases
- University graduates cannot find jobs and seek alternative solutions
- Basic necessities, such as food, become scarce as state apparatus fails
- Then, a war that will never been forgotten begins

# Sources of Government Revenue (as a percent of total revenue)

Source of Revenue	1980–90	1991–95
Income, Profits, and Capital Gains	26.0	22.8
International Trade Taxes	41.2	37.7
Domestic Goods and Services Taxes	22.7	35.4
Other Taxes	1.2	0.3
Non-Tax Revenue	8.8	3.8

*Source:* World Bank, World Development Report 1997

## Average Annual Growth Rate (percent of the economy)

<b>Indicators</b>	<b>1980-90</b>	<b>1990-95</b>
GDP	1.6	-4.2
Agriculture	4.4	-2.8
Industry	5.7	-2.8
Services	-1.1	-5.9
Exports	2.8	-15.2
Domestic Investment	-6.5	-20.0

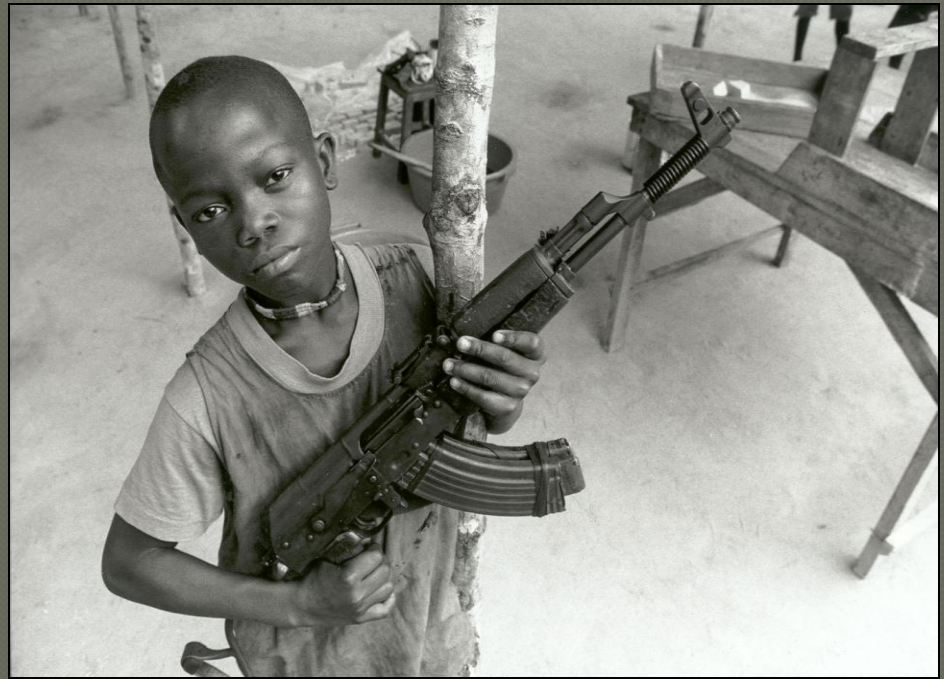
*Source: World Bank, World Development Report 1997*



# VII. The Civil War

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- 1991: The Revolutionary United Front (RUF) rebels incite war against the APC government
- 1992: Group of young military officers launch a coup, establishing the National Provisional Ruling Council (NPRC)
- Throughout the 1990s, the war escalates as the RUF rebels continue their attacks, employing terror tactics
- NPRC soldiers and RUF rebels establish covert alliance to loot and mine diamonds





# VII. The Civil War

## Causes

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- Youth—Abdullah, Wai, Yusuf Bangura et al.
- Corruption and institutional failure—Sahr Kpundeh
- “Shadow State” theory—William Reno
- Corruption, patronage, and a soft state—Jimmy Kandeh
- Tribalism and regionalism—Yusuf Bangura

# VIII. Link to Terrorism

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- Weak states create fertile grounds for fundamentalism and terrorist networks that target developed countries
- Weak states “can provide a base for non-state actors who may represent a danger to the post-modern world,” especially where valuable minerals such as diamonds can provide the safest ways of hiding and laundering terrorist finances (Robert Cooper, *The Post-Modern State*, 2002)

## VIII. Link to Terrorism

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- West Africa has been home to Lebanese immigrants since the Lebanese-Israeli war and many have settled in the Ivory Coast, the Gambia, Burkina Faso, and Sierra Leone
- As early as 1936, the family of one of the links between RUF and Al-Qaeda, Hannel Shamel, had over 1,100 men working in gold mines in Sierra Leone.
- After falling out with President Stevens for an alleged diamond robbery, Shamel was arrested. All charges were dropped in 1970, but Stevens deported him for disloyalty.
- Afro-Lebanese protégé Jamil Sahid Mohamed became Stevens' partner in setting up the National Diamond Mining Company, of which the govt held 49% & the British Nationalized Sierra Leone Trust Service held 51%.

## VIII. Link to Terrorism

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- Mohamed is a Shiite and was a “childhood friend of Nabih Berri, another Sierra Leonean Lebanese,” who went on to head the Amal Faction in Lebanon
- Following the Israeli invasion of Lebanon in 1982, Amal, along with other Syrian-controlled Lebanese groups, was used by Damascus to drive U.S.-led multinational forces out of the country, weaken the Lebanese state, and force it to abrogate an agreement between Lebanon and Israel
- According to the Middle East Intelligence Bulletin, as recently as 2000, Berri was speaker of parliament of Lebanon and is regarded as “both one of the most reviled of Lebanon’s militia elites (even among fellow Shiite Muslims) and the most loyal of Syrian Lebanese allies.”

# VIII. Link to Terrorism

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- Berri further persuaded Sierra Leone's then "lackluster" President, Josephe Saidu Momoh, to invite Yasser Arafat to Freetown
- During the visit, Arafat is believed to have offered several million dollars to Momoh in exchange for a training base for his PLO fighters
- The above apart, many of the Lebanese, particularly in Sierra Leone and generally in West Africa, even though born in Sierra Leone, retain a strong interest in Lebanese politics
- Their loyalty is not just to the Middle East as a region—Lebanese of Shiite origin in West Africa have great sympathy for Hezbollah
- Hezbollah is very active in West Africa and leading members control major businesses in the sub-region—many of them make financial contributions to the cause of Hezbollah in Lebanon and these contributions are used to fund terrorist machines across the globe



## VIII. Link to Terrorism

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According to Lansana Gberie, in 1998, three leading Al-Qaeda operatives—Abdullah Ahmed Abdullah, described by FBI as a top adviser to Osama Bin Laden, Ahmed Khalfan Ghailani and Fazul Abdullah Mohamed—paid a visit to RUF bases in Sierra Leone at different times. The meetings are said to have been arranged by Ibrahim Bah, whose nationality remains uncertain, but whose terrorist background is worthy of suspicion.

# IX. The Second Republic

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- 2001: War ends. Second republic and new government is established under President Tejan Kabbah.
- Kabbah's government also engages in diamond deals.
  - A sitting minister is indicted by the Anti-Corruption Commission and jailed for eight months

# X. The Role of Multinational Corporations

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- DeBeers—has been involved in Sierra Leone since 1942
  - Established the Sierra Leone Service Trust to monopolize diamond mining
  - Later changed to National Diamond Mining Corporation
- Executive Outcomes—military assistance in exchange for mining concessions
- Sideline Military Assistance—also for diamond concessions

# XI. Freedom of Information

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“Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of his choice.”

—Article 19, *Universal Declaration of Human Rights*

# XI. Freedom of Information

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Freedom of information (FOI) refers primarily to the right to access information held by public bodies.

- Reflects the principle that public bodies do not hold information for themselves, but benefit of all members of the public.
- Individuals should be able to access this information, unless there is an overriding public interest reason for denying access.
- FOI goes beyond the passive right to access documents upon request and includes a second element, a positive obligation on States to publish and widely disseminate key categories of information of public interest

# XI. Freedom of Information

## Key Components of FOI

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- The principle of maximum disclosure
- Broad definition of information and bodies subject to FOI
- Positive obligation to publish proactively
- Clear and narrow exceptions to FOI
- Effective oversight by an independent body

# XI. Freedom of Information

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- From colonial times to the present, a culture of secrecy has prevailed, not only within the modern bureaucratic system, but in the private sector as well.
- Secrecy was embedded in the structures, traditions, and ways of governance of the British.
- Successive governments in Sierra Leone have institutionalized this norm, in order to consolidate their hold on power after independence, and to cover up their rampant corruption, through:
  - Official Secrets Act 1911
  - Criminal and seditious libel component of the Public Order of 1965
  - Other ordinances and practices

# XI. Freedom of Information

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- However, Sierra Leone is a signatory to all international instruments that allude to FOI:
  - Universal Declaration of Human Rights
  - International Covenant of Civil and Political Rights
  - African Charter on Human and People's Rights
  - African Charter on Democracy, Governance and Elections



# XI. Freedom of Information

## Illusion of Freedom

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- Disproportionate number of private media in the country—85% illiteracy but 60 newspapers published in Freetown
- 20 newspapers published daily
- Two provincial newspapers published from the provincial headquarter towns, Bo and Kenema
- Over 40 private radio stations; every single district in the country has its own radio station
- The two main political parties, APC and SLPP, have their own radio stations

# XI. Freedom of Information

## Illusion of Freedom

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- Due to lack of access to information, the media is largely sensationalist and speculative
  - Example of ferry-boat incident involving government minister
- Without ability to access reliable and timely information, the media has lost all credibility

# XI. Freedom of Information

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The absence of a Freedom of Information Act renders this seemingly vibrant media another casualty of abstract laws and rules, which have bedeviled development in a country that is one of the richest in the world in terms of natural resources, yet has some of the poorest people on earth.

# XI. Freedom of Information

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- Had there been a freedom of information law to allow the media, civil society, and citizens to monitor the extractive process, patronage and corruption would not have occurred.
- 2002: Truth and Reconciliation Committee Report lists corruption as one of the root causes of the civil war
- 2002: Act of Parliament establishes the Anti-Corruption Commission (ACC)
- But SLPP government only uses ACC as tool against its perceived enemies
- 2007: New APC government continues similar practices

# XI. Freedom of Information

## Corruption Persists

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- The most senior public officials earn an average of \$300/month, yet live lifestyles exceeding \$300/week
- Culture of Corruption: Those who steal public funds are praised and honored.
- Protecting one's tribesman, even if he or she has stolen huge sums of government money, is perceived as loyalty to one's tribe, an effort at protecting the interest of the collective tribe
- Finger-pointing one's tribesman, even if he or she has stolen public funds, or talk of prosecuting one's tribesman, is seen as the height of treachery, or even lunacy—unpardonable and inexcusable.

# XI. Freedom of Information

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In this conundrum of fighting unbridled corruption in Sierra Leone, a Freedom of Information Act would not be a panacea, but it holds the potential of being a saving grace for our country.

# XI. Freedom of Information

## Benefits

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- Anti-corruption tool
- Human Rights
- Citizens' participation in governance
- Credible media
- Good governance

# XI. Freedom of Information

## Benefits

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- Civil society, media, and citizens can monitor contract agreements on extraction of oil, diamond and other resources.
- Information on revenue collected from resources would be made public.
- Information on expenditure of resource revenues would be made public
- With this information, citizens can demand accountability and transparency in the extractive process.
- More cases would be reported to the ACC.



# XI. Freedom of Information

## The Campaign in Sierra Leone

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- Begins in 2003 with an FOI Coalition
- Problems in the beginning as the coalition endures corruption and a power struggle.
- 2005: Society for Democratic Initiatives (SDI) takes over, drafts a bill, and presents it to parliament.
- January 15, 2009: SDI presents the bill to the new President, Ernest Bai Koroma.
- Koroma promises the government will work with civil society to get a bill.
- But, it remains business as usual.



## Presenting the Bill

## XII. Conclusion & Recommendations

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- Promulgate the FOI Law
- Strengthen processes such as Extractive Industries Transparency Initiative and Publish What You Fund as complementary to FOI
- Give ownership of natural resources to the people, thereby increasing citizen demand for accountability