



Centre for
Human Rights and
Restorative Justice

REFERENCES TO WOMEN

Sierra Leone Truth Commission

Abstract

Notes on discussions of women, as well as a list of coding themes and references to women in the Sierra Leone Truth Commission.

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Researcher Notes

Report details:

- published in 2004
- pdf has 1829 pages
- chapter on the experiences of women during the armed conflict
- according to NVivo's text search, the word women (using stems) is referenced 1678 times, representing 1.12% coverage
- after deleting references from the bibliography, notes or headers, there are **614 broad references** to women in the content of the report
- women are usually discussed in terms of the violations committed against them during the armed conflict and the ways in which the commission worked to encourage women to participate in hearings

Women are referenced in the report in the following ways:

- women and girls experienced abductions, sexual slavery, rape, forced pregnancies and abortions, amputations, torture, trafficking, enforced sterilization, mutilation, enforced cannibalism, killings, displacement, and economic violations (e.g., looting, extortion, theft, and destruction of property)
- commission recommends that women need to be more representative in public office and national and local governments
- commission paying special attention to subject of sexual abuse and child soldiers in conflict
 - worked collaboratively with women's organizations
 - had special training in women's and children's issues and how to deal with PTSD experiences
 - worked to ensure that gender-based violence was properly accounted for and women were fully encouraged to participate (e.g., reached out to women, ensured they had female representation in the staff of the commission)
 - children and women were encouraged to appear in closed hearing for confidentiality purposes
- commission wanted to answer why so much sexual violence directed at women?
- commission looking at the multiple roles that women played in the conflict - victims, perpetrators, collaborators, and survivors
- some violence against women was not apart of the conflict but harmful practices done before, during and after (e.g., female genital mutilation)
- women and children victims of the most brutal violations and abuses
- refugee camps were unsafe as relief workers also committed acts of abuse
- women taken by force and threatened with violence if they did not comply
- women bear scars from experiences, bore children from rapes, and have faced stigmatization for being assaulted
- commission argues only when women are treated equally to men and incorporated equally into legal and socio-political systems will they thrive

- military purposely targeted women and children identified as relatives or associates of opposing forces
- RUF primary perpetrator of human rights violations against women
- governments failed to protect women and children
- women lack training, education, and access to land and economic resources
- armed groups targeted girls 10-14
- women and girls had to flee their homes and lost their economic possessions
- RUF forced women and girls to ingest alcohol and drugs - many survivors addicted to drugs as a result
- women collaborated to survive or because of ethnic and family relations
 - but others joined because they believed in the cause
- female combatants have been stigmatized and have not gotten help for the consequences of their role in the conflict - victimized twice
- in the disarmament and reintegration process men were favored over women leaving women unable to reintegrate back into their communities
- long term health consequences for female victims and limited health supports
- women excluded from politics, economics, religion, etc.
- laws discriminate against and do not protect women
- early marriage and harmful traditional practices impede women's access to education and work
- rape was used to hurt the social standing of pregnant and elderly women
- in Sierra Leone men have the right to beat their wives
- inheritance laws discriminate against women meaning men gain more from deceased estates
- health concerns, stigma, and economic stress of women who have experienced amputations
- no real attention to treating the psychological affects of the conflict on the population
- commission recommends
 - that the head of state give an official apology to women for the harm suffered during the conflict
 - changing discriminatory laws and working towards addressing the culture of silence and gender-based violence

Links to Data Visualization

This section contains links to all data visualization for the Sierra Leone report.

Word Frequency Cloud

- [word frequency cloud](#)
- [excel sheet of word frequency cloud findings](#)

Word Trees

- [history](#)
- [women](#)
- [children](#)
- [youth](#)
- [forgive](#)
- [victim](#)
- [truth](#)
- [reconciliation](#)
- [land](#)

*NVivo software can only edit word trees by changing the central search term and branch sizes. Word trees includes references from bibliography, headers, and notes that cannot be edited out using NVivo software. Researchers will need to manually remove unsightly branches using editing software (e.g., paint, photoshop, etc.)

Coding Women for the Sierra Leone Report

The following chart breakdowns the child nodes used for coding women references based on themes and discussions surrounding women in the Sierra Leone report.

Women	References or discussions of women
Abduction	References or discussions of abduction and kidnapping
Activism	References or discussions of activism
Colonialism	References or discussions of colonialism
Commission procedures	References or discussions of the commissions procedures or efforts to include and protect female participants
Detention	References or discussions of detention and imprisonment
Discrimination	References or discussions of discrimination
Displacement	References or discussions of displacement
Economy	References or discussions of the economy and labour
Education	References or discussions of education and training
Health and Medical Care	References or discussions of health and medical care
Human Rights	References or discussions of human rights, human rights violations, and civil codes
Land	References or discussion of land and land ownership
Legacy	References or discussions of legacy, effects, or long-term consequences
Military	References or discussions of the military and soldiers
AFRC	References or discussions of AFRC and its members
CDF	References or discussions of the CDF and its members

RUF	References or discussions of the RUF and its members
SLA	References or discussions of the SLA and its members
Politics	References or discussions of politics, politicians and political parties
Recommendations	References or discussions the commission's recommendations
Violence	References or discussions of violence
Killings	References or discussions of killings
Rape and Sexual Assault	References or discussions of rape and sexual assault
Slavery	References or discussions of sexual slavery or forced labour

References to Women

This section contains all references to women from the Sierra Leone report.

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 614 references coded [3.18% Coverage]

Reference 1 - 0.01% Coverage

Women and the Armed Conflict

20. Women and girls became targets for abuse in the brutal conflict in Sierra Leone. They suffered abductions and exploitation at the hands of their abductions. Their vulnerability was exploited in order to dehumanize them. Women and girls were raped, forced into sexual slavery and endured acts of sexual violence. Many suffered mutilations, torture and a host of other cruel and inhumane acts.

Reference 2 - 0.01% Coverage

The chapter titled, “Women and the Armed Conflict”, sets out the violations suffered by women and considers the current position of women in Sierra Leone.²⁰ The Commission makes specific recommendations to redress the marginalization of women in the political and social life of Sierra Leone, including a minimum percentage of women to be represented in public office and as candidates in national and local government elections.²¹

Reference 3 - 0.01% Coverage

The recommendations cover the following areas and themes: the Protection of Human Rights, Establishing the Rule of Law, the Security Services, Promoting Good Governance, Fighting Corruption, Youth, Women, Children, External Actors, Mineral Resources, The Commission and the Special Court, Reparations, Reconciliation, National Vision for Sierra Leone, Archiving, Dissemination of The Commission’s Report, and the Follow-Up Committee.

Reference 4 - 0.01% Coverage

The same expression appears in an earlier instrument, the Declaration on the Elimination of Violence Against Women, GA Res. 48/104, art. 2(a) and (b). The Vienna Declaration and Programme of Action of 1993 also refers to ‘gender-specific abuses’ and ‘human rights abuses particular to women’ (para. 42), ‘abuse of children’ (para. 48).

Reference 5 - 0.01% Coverage

The conclusion that a broad approach to human rights is required, also finds support in the reference in the TRC Act which mandates the Commission to pay ‘special attention to the subject of sexual abuses and to the experiences of children within the armed conflict’. Such issues might not be subsumed within a mandate focussed only on the ‘core’ civil and political rights listed in article XXIV of the Lomé Peace Agreement or the Constitution. To supplement the basic international human rights instruments referred to in the preceding paragraph, the Commission has sought guidance from specialised instruments in the area of the rights of women and children, such as the Convention on the Rights of the Child, the African Convention on the Rights and Welfare of the Child, the Convention on the Elimination of Discrimination Against Women, the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa and various United Nations and African Union declarations concerning sexual abuse of children and violence against women.

Reference 6 - 0.01% Coverage

The reference to a relationship to the armed conflict also has a substantive limitation on the mandate of the Commission. Obviously, not all violations of human rights committed within Sierra Leone during the 1990s can be considered to be ‘related to the armed conflict’. For example, the practice of female genital mutilation is and has for many years been widespread within Sierra Leone. It continued to be practiced during the period of the conflict. The

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa refers to female genital mutilation as a harmful practice which violates the rights of women and which must be prohibited (art. 5(b)). It is probably unreasonable, however, to refer to female genital mutilation as a human rights violation or abuse that was 'related to the armed conflict'. Nevertheless, it might well be argued that the practice of female genital mutilation contributed to a context of oppression and marginalisation of women that was manifested in violations and abuses that were unquestionably related to the armed conflict, such as gang rapes and sexual slavery.

Reference 7 - 0.01% Coverage

i. Developing policy and preparing briefing materials issues such as the relationship with the Special Court, women's issues, children's issues, traditional methods of reconciliation and witness protection.

Reference 8 - 0.01% Coverage

The Commission also established a collaborative partnership with the Women's Task Force on the Commission, a network of women's NGOs that included FAWE and the Women's Forum. It sought to create partnerships with other

Reference 9 - 0.01% Coverage

Social truth. This may come the closest to what the Truth and Reconciliation Commission is expected to establish. It is the truth established after interaction and dialogue that will be accepted by all after the myths and the lies have been discredited and disproven. In order to determine this 'social truth', the Commission endeavoured to provide a forum where the parties to the conflict, and the various components of civil society, including faith communities, political parties, the country's principal institutions, and various constituencies such as women, youth and children, could come together for debate and exchange. Even informally, out of this process a form of consensus has emerged about the nature of the conflict. The dynamics that were established between the participants in this process may provide a basis for future understanding and relationships.

Reference 10 - 0.01% Coverage

Public attendance at the hearings in Freetown was poor. Apart from the opening ceremony and the hearings of high profile persons, attendance was low. It is possible that the live broadcast of the hearings on radio made attendance unnecessary for a majority of the people. The hearings recorded full houses when the Commission conducted public hearings on women and children. The Commission's appreciation goes to the members of its research staff on women and children, and to UNICEF, UNIFEM, the CFN, Voice of Children's Radio, the CPAs and other agencies which came together to make those hearings memorable.

Reference 11 - 0.01% Coverage

During the conflict, women and children were the victims of the most brutal violations and abuses. It was necessary that they participated in all the activities of the Commission to ensure that their voices were heard. There was no single body or group representing victims' interests in Sierra Leone. There are instead various institutions and agencies, both local and international, providing services to women and children victims of the war. Many of these agencies existed long before the TRC was established and have been documenting violations and abuses, providing psychosocial support services and carrying out school enrolment and training programmes for women and children. The Commission worked closely with many such organisations. Furthermore, in 2001, UNICEF organised a consultation on the participation of children in the work of the Commission. That consultation supported the participation of children in the work of the Commission and outlined a number of measures to ensure the protection of participating children.

Reference 12 - 0.01% Coverage

The Commission entered into agreements with key partner organisations for the provision of technical support. A Project Co-ordination Agreement was signed in November 2002 between the Commission and United Nations Fund for Women (UNIFEM). This partnership with UNIFEM was intended to ensure that gender-based violence was

properly accounted for during the Commission's work. It also served to encourage the fullest possible participation from women's groups in Sierra Leone in the work of the Commission.

Reference 13 - 0.01% Coverage

The Commission paid specific attention to the security and well-being of the children who appeared before it. Furthermore the Commission acted in a gender-sensitive manner by ensuring that women were well represented on its staff and by reaching out to women so that they could participate fully in all of its phases and processes.

Reference 14 - 0.01% Coverage

The Commission took testimonies from women and girls with an emphasis on the gender-specific nature of the violations and abuses they suffered. The Commission ensured that all its staff members were sensitive in their dealings with gender-based violence and that its statement takers, in particular, were properly briefed and trained. In conjunction with experts in gender-based violence, the Commission drew up a set of guidelines for dealing with victims of sexual violence in the statement-taking programme.¹

Reference 15 - 0.01% Coverage

The Commission ensured that gender-based violations and abuses were properly investigated and given extensive attention in its final report. The partnership with UNIFEM was to result in a dedicated chapter on the experiences of women. The Commission kept disaggregated data in respect of gender-based violence. The Commission also requested submissions and recommendations from institutions working with women and girls and those focussed on sexual violence issues. These materials would enable the Commission to formulate recommendations on the issues most pertinent to women and girls.

Reference 16 - 0.01% Coverage

The TRC Act also states that: "the Commission may implement special procedures to address the needs of such particular victims as children or those who have suffered sexual abuses, as well as in working with child perpetrators of abuses or violations."⁸ The Commission decided that child statement givers would be granted confidentiality automatically, without having to request it and those children would only appear in closed hearings. Children are vulnerable and the Commission felt it was its duty to extend a special protection to them. Women victims of sexual abuse were also encouraged to appear in closed hearings.

Reference 17 - 0.01% Coverage

Themes of research were designed in accordance with the Commission's mandate, as set out in Section 6 (2) of the TRC Act. The Commission decided on twelve research themes, each of which has contributed one chapter to either Volume Three A or Volume Three B of this Report. The themes address the antecedents and causes of the conflict, the context in which the violations and abuses occurred and the question as to whether those violations and abuses were the result of deliberate planning, policy or authorisation by any government, group or individual. Themes were also devoted to women, children and youth, as well as the role of external actors in the conflict.

Reference 18 - 0.01% Coverage

Building upon its partnership with UNICEF and the CPAs, the Commission decided to create a "child-friendly version" of its report. It sought and received technical assistance from UNICEF and the Child Protection Unit of UNAMSIL, which assisted the Commission's staff in the writing of the child-friendly version. The members of the Children's Forum Network also collaborated with the Commission in the writing of the Report. At a Children's Parliament convened in Freetown by the Ministry of Gender, Women and Children's Affairs in Freetown in December 2003, the Commission made a presentation to the representatives who had assembled from all over the country on the key philosophical and conceptual issues around the child-friendly version. The Commission received substantive input from the Children's Parliament on how to make the report attractive to children and the kinds of issues they would wish to see discussed.

Reference 19 - 0.01% Coverage

a. General sensitisation: public awareness and education; b. Targeted sensitisation: specially designed programmes aimed at particular audiences such as combatants and ex-combatants, refugees, women and children; and

Reference 20 - 0.01% Coverage

The Law Group assisted in the formation of a Women's Task Force, a coalition of women's groups, which advocated for the creation of an enabling environment for the participation of women in both the TRC and the Special Court processes.

Reference 21 - 0.01% Coverage

A workshop was organised by UNIFEM and the Commission with the participation of civil society organisations and women from the provinces to garner input from them on the recommendations that the Commission should make on women. A conference on reparations was organised by the TRC Working Group to make suggestions for recommendations to the Commission. The International Centre for Transitional Justice and the International Human Rights Law Group also facilitated a series of civil society consultations on the possible recommendations that the Commission should make. The outcome document was formally presented by civil society to the Commission at a public briefing organised by the Commission in December 2003.

Reference 22 - 0.01% Coverage

The first component of the operational phase of the Commission was the statement taking exercise. The TRC Act states that the Commission should take individual statements as part of its information gathering exercise.¹⁸ The purpose was to reach out to every part of Sierra Leone to capture the experiences of the population, including specific groups such as women, children and amputees.

Reference 23 - 0.01% Coverage

b. The Commission should hire at least two women as statement takers in each district to take statements from women victims of sexual abuse. The hiring policy was to reflect gender balance among the statement takers. This policy was largely fulfilled, except in Kambia District, where only one woman applied to be a statement taker;

Reference 24 - 0.01% Coverage

The training was divided into three modules. The first module addressed the mandate and functions of the Commission. The second module provided an understanding of human rights issues, interviewing techniques, confidentiality and corroboration issues, and how to use the Commission's statement form. The third module was composed of special interview techniques for specific groups: women and girls, victim of sexual violence, children and excombatants. Specific instruction was given on how to deal with post-traumatic stress experience by interviewees. All the modules included exercises and interactive role-playing. Statement takers were instructed to use the one on one interview technique. Statement takers were provided with a Manual for guidance and reference (see appendix section).

Reference 25 - 0.01% Coverage

The Commission was uncertain as to whether women would be willing to testify about sexual violence and rape. A number of publications had referred to the "closed" nature of Sierra Leone's traditional societies and concluded that women would not be willing to testify about their experiences for fear of stigmatisation by their communities. To the Commission's surprise and satisfaction, women testified in large numbers and in great detail about their experiences. While women were advised that they could request to give their statements to a female statement taker, many of them declared that they did not mind talking to male statement takers. Such testimonies enabled the Commission to fully incorporate the experiences of women into its work.

Reference 26 - 0.01% Coverage

Of the total of 7,706 statements collected, 36% were collected from women and 5% from children. Statements were recorded in 15 different languages, with the major ones being Mende (40%), Krio (39%) and Temne (12%).²²

Reference 27 - 0.01% Coverage

The Commission wishes to acknowledge the expertise of UNIFEM in providing guidance and assistance to women's groups in the preparation of their submissions for the TRC Thematic Hearings on Women and Girls.

Reference 28 - 0.01% Coverage

The Commission advised women victims of sexual violence who indicated interest in appearing before the Commission to opt for a closed hearing. Nevertheless, some women insisted on appearing before the Commission in public. In such cases, the Commission undertook great efforts to explain to the women the possible consequences of such an appearance and sought to know if they had consulted their family members. Thus only in exceptional circumstances did victims of sexual violence give any testimony in public.

Reference 29 - 0.01% Coverage

Women victims of sexual abuse or rape In most countries around the world, sexual abuse and rape are socially attached to feelings of shame. According to some cultural values, women victims of sexual abuse or rape feel guilty about their experience and may be reluctant to speak about it. It is therefore highly important that the statement taker establish trust with the statement-giver and avoid asking for embarrassing details when these details are not indispensable to the telling of the story. The statement-giver should not be pushed to relate details that she does not feel comfortable revealing. The Commission will allow for women victims of sexual abuse or rape to request that a female statement taker take their statement.

Reference 30 - 0.01% Coverage

The Commission is cognizant of the fact that many victims and witnesses may not feel secure in making statements or giving their testimony in public. The Commission has the power in terms of the Act to implement special procedures to protect victims and witnesses and in particular women and children. The Commission will also implement special procedures to address the needs of those who have suffered sexual abuse. Special Procedures will also take into account the needs of Child perpetrators.

Reference 31 - 0.01% Coverage

The Commission shall organise closed hearings and adopt such other measures as it deems fit that enable it to respond to the two important aspects of its mandate that require it to "capture the experiences of women and children, and where the interests of the witness so dictate.

Reference 32 - 0.01% Coverage

abductions of women and children, recruitment of children as combatants, rape, sexual slavery, cannibalism, gratuitous killings and wanton destruction of villages and towns. This was a war measured not so much in battles and confrontations between combatants as in attacks upon civilian populations. Its awesome climax was the destruction of much of Freetown in January 1999.

Reference 33 - 0.01% Coverage

Women

50. Women and girls became the targets in the brutal conflict in Sierra Leone. They suffered abduction and brutality at the hands of their perpetrators. Their vulnerability was deliberately exploited in order to dehumanise them. Women and girls were raped, forced into sexual slavery and endured other acts of sexual violence, including mutilations, torture and a host of other cruel and inhumane treatment. They were taken from their homes and villages by force. Refusal to comply with their captors often met with death. For those fortunate enough to escape,

displacement invariably followed, either in exile or in camps inside or outside the country. They were not safe even in these camps, as humanitarian workers meant to protect them also violated their rights. Women and girls were compelled to barter their bodies in order to access aid to which they were rightfully entitled. Girls as young as 12 were forced to pay for aid with sex in order to gain assistance for their families.

Reference 34 - 0.01% Coverage

The Commission was enjoined by statute to give special attention to the needs of women and girls, particularly with regard to sexual violence. Why was so much violence perpetrated against women? Did the origins lie in the cultural and traditional history of Sierra Leone? Did the fact that women endured such a lowly status in the socio-political life make them easy targets? Is it because men perceived females to be mere chattels symbolising male honour that made women the deliberate target of an enemy determined to destroy the honour of the other?

Reference 35 - 0.01% Coverage

In seeking answers, the Commission reviewed the multiple roles of women in the armed conflict, recognising that women often took on the role of perpetrator and / or collaborator usually out of conviction and / or the need to survive. The Commission assessed the impact of the conflict on women, notions of honour and the breakdown of the traditional extended African family structures and social fabric. It looked at the extent to which women's issues were addressed by disarmament, demobilisation and reintegration efforts; their level of access to education and the impact of the practice of early and forced marriages on the education of girls; and areas in which women suffer discrimination (both under common and customary laws), including marriage, divorce, inheritance, property rights, domestic violence and political participation.

Reference 36 - 0.01% Coverage

captures the gender-specific experiences of women and girls at a political, legal, health and social welfare level. The Commission noted the significant role women played in making peace, along with the fact that they are starting to feature more prominently in the public life of Sierra Leone.

Reference 37 - 0.01% Coverage

The main armed groups accused of perpetrating sexual violence against women and girls during the conflict were the Revolutionary United Front (RUF), the Armed Forces Revolutionary Council (AFRC), the Civil Defence Forces (CDF), the Westside Boys and the Sierra Leone Army (SLA).

54. While peace has returned to Sierra Leone, many of the wounds of war still remain open. Women and girls bear the scars of their horrible experiences. Many have borne children as a result of rape and sexual slavery. These mothers are shunned and punished by society for giving birth to 'rebel' children.

Reference 38 - 0.01% Coverage

The Commission believes that it is only when the legal and socio-political system treats women as equals to men, giving them full access to economic opportunities and enabling them to participate freely in both public and private life, that they will realise their full potential. Developing accountability mechanisms for those who perpetrate gender crimes is a necessary part of this evolution in order to ensure that women are not dehumanised. An opportunity exists in the post-conflict period to address the plight of women and girls in Sierra Leone and improve their quality of life. The Government should give effect to the provisions of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and of the Protocol to the African Charter on Human and Peoples' Rights (ACHPR) on the Rights of Women in Africa.

Reference 39 - 0.01% Coverage

The collection of 'visions' began in September 2003 with a call for contributions. During the following two months hundreds of contributions poured in. Among the contributors were men, women and children of all ages, reflecting a wide variety of social and educational backgrounds. They included ex-combatants, artists and artisans, teachers, students and prisoners. The contributions included written and recorded essays, slogans, plays, poems and songs;

paintings, etchings and drawings; sculptures, installations and a boat. Common themes included references to the country's violent past, justice, peace, unity and love.

Reference 40 - 0.01% Coverage

22. While the majority of victims were adult males, perpetrators singled out women and children for some of the most brutal violations of human rights recorded in any conflict.

Reference 41 - 0.01% Coverage

24. Women and girls were raped, forced into sexual slavery, tortured and suffered cruel and inhumane acts.

Reference 42 - 0.01% Coverage

77. While the majority of victims were adult males, perpetrators singled out women and children for some of the most brutal violations of human rights recorded in any conflict. In a few cases, the children victimised were below ten years of age.

Reference 43 - 0.01% Coverage

The RUF carried out widespread rapes and acts of sexual violence against women and girls.

Reference 44 - 0.01% Coverage

In particular, the Commission finds that the SLA, supported by civil militia men and women from the Koinadugu District known as Tamaboros, committed numerous excesses as it attempted to dislodge the RUF from Kono District in late 1992 and early 1993. Among the officers who carried out torture practices on captured rebel suspects was Colonel K. I. S. Kamara.

Reference 45 - 0.01% Coverage

The Commission finds that during the conflict in Sierra Leone the CDF carried out a deliberate strategy of perpetrating rape, sexual slavery and other sexual violations on girls. The Commission finds in particular that girls and women identified as relatives or associates of the opposing forces were specifically targeted by the CDF for such violations. The Commission finds such acts to be in clear contravention of international law and holds the leadership of the CDF responsible for the sexual violations carried out by members and combatants of the CDF faction.

Reference 46 - 0.01% Coverage

The Commission finds that, during the conflict in Sierra Leone, all armed groups perpetrated human rights violations against women and girls. Women and girls were targeted for rape and sexual slavery. Violations committed against women included killings, rape, sexual violence, sexual slavery, slave labour, abductions, assaults, amputations, forced pregnancy, detention, torture, enforced sterilisation, trafficking, mutilations, enforced cannibalism, displacement and economic violations such as looting, extortion, theft and the destruction of property.

Reference 47 - 0.01% Coverage

The Commission finds further that many humanitarian workers, who were meant to protect and assist women, exploited the extreme vulnerability of women and violated their rights by compelling them to barter their bodies in order to access aid and survive.

Reference 48 - 0.01% Coverage

Retarding the recovery of women is the fact that they lack adequate access to productive assets including land, credit, training and technology.

The Commission finds that the Government of Sierra Leone failed in its duty to protect women and girls from abuse during and after the conflict.

Before, during and after the conflict, women have been largely excluded from meaningful decision making in the political arena.

Main Findings Findings against the RUF in respect of women 502.

The Commission finds that the RUF was the primary perpetrator of human rights violations against women and girls. The RUF was responsible for targeting women and girls, abducting them with the express intention of exploiting their vulnerability.

Reference 49 - 0.01% Coverage

The RUF pursued a deliberate strategy of violating women by raping them and perpetrating acts of sexual violence against them. RUF combatants used women and girls (particularly those between the ages of 10 and 14) as sexual and domestic slaves and tortured them in a myriad of different ways. Women and girls were killed, assaulted and suffered cruel and inhuman acts at the hands of RUF fighters.

Findings against the AFRC in respect of women 504. 505.

The Commission finds that the AFRC pursued a deliberate strategy of targeting girls and women with the specific intention of violating them by abducting them, raping them and perpetrating acts of sexual violence against them. The AFRC pursued a strategy of violating women and girls by using them as sexual and domestic slaves and tortured them in a variety of ways. Women and girls were killed, assaulted and suffered cruel and inhuman acts at the hands of AFRC fighters.

Reference 50 - 0.01% Coverage

The Commission finds that the AFRC planned, authorised and executed a strategy to target women and girls during the invasion of Freetown in January 1999. AFRC combatants targeted women and girls with the express intention of abducting them, raping and sexually violating them and pursuing a range of other human rights violations against them.

Reference 51 - 0.01% Coverage

Findings against the CDF in respect of women 508. 509. 510.

The Commission finds that the CDF, particularly in the latter period of the conflict, abducted civilian women and girls whom they believed to be associated to or in collaboration with the RUF and the AFRC.

The Commission finds that the CDF detained women and girls and kept them under the most cruel and inhuman conditions with the intention of violating them by raping them and exploiting them as sexual slaves.

Reference 52 - 0.01% Coverage

Findings against the SLA in respect of women 511.

The Commission finds that the SLA, which was responsible for protecting the civilian population, abducted women and girls, particularly those believed to belong to the RUF or believed to have collaborated with the RUF / AFRC. Women and girls were detained under conditions of extreme cruelty with the deliberate intention of raping them and perpetrating other acts of sexual violence upon them.

Reference 53 - 0.01% Coverage

Findings against the West Side Boys in respect of women 512.

The Commission finds the West Side Boys responsible for abducting women and girls, holding them against their will, forcing them into marriage, raping them, using them as sexual slaves and perpetrating a range of brutal and inhuman acts upon them.

Violations perpetrated against women and girls o Abduction and Forced Recruitment

Reference 54 - 0.01% Coverage

The Commission finds that all of the armed groups pursued a deliberate strategy of targeting young girls between the ages of 10 and 14. Women and girls were abducted for the purposes of keeping them under their control, exercising rights of ownership over them, exploiting their vulnerability, coercing them into becoming combatants and using them as sexual slaves and as forced labour.

Reference 55 - 0.01% Coverage

The RUF was the organisation primarily responsible for the abduction of women and girls.³⁹

Reference 56 - 0.01% Coverage

The Commission finds that the RUF and the AFRC deliberately embarked on systematic strategies to abduct and rape women and girls between the ages of ten and 14 years.

The Commission finds that the systematic raping of women was intended to humiliate, defile and violate women, their families and communities. The practice of systematic rape sowed terror among the local population and debased societal norms and customs.

Reference 57 - 0.01% Coverage

The Commission finds that the RUF and the AFRC were the major perpetrators of sexual slavery and forced marriages of women and young girls.⁴⁰

Reference 58 - 0.01% Coverage

The Commission finds the RUF and the AFRC primarily responsible for perpetrating the violation of “enforced sterilisation” for no reason other than to torture and inflict cruel and inhuman treatment on women.

39 Of the 2,058 abductions of women and girls reported to the Commission, 1,362 (66.2%) are

Reference 59 - 0.01% Coverage

Of the 189 allegations of sexual slavery of women and girls reported to the Commission, 137 of them (72.5%) are attributed to the RUF and 22 (11.6%) are attributed to the AFRC.

The practice of disembowelling pregnant women with the intention of removing the foetus constitutes ‘enforced sterilisation’ in terms of international human rights law.

Reference 60 - 0.01% Coverage

519. The Commission finds that the RUF and the AFRC were responsible for the extensive mutilation of women and young girls. These groups are held responsible for the carving of the initials of their factions onto the chests of women and girls, as well as other abductees, with the deliberate intention of permanently disfiguring them and to discourage them from escaping.

Reference 61 - 0.01% Coverage

The Commission finds that all the armed groups pursued a strategy of detaining women and girls whom they believed to be relatives and supporters of the opposing forces, with the intention of violating them and punishing them for their perceived association with “enemy” forces.

Reference 62 - 0.01% Coverage

The Commission finds that all the armed perpetrator groupings and in particular the RUF violated the rights of women and girls by forcing them to flee from their homes and to abandon all their possessions.⁴² This caused women not only economic loss but also the loss of security and enormous trauma.

Reference 63 - 0.01% Coverage

The Commission finds that women made up approximately 36.8% (2,941 out of 7,983) of the displaced population in the conflict. Many women and girls who were forced to migrate and those that became internally displaced have still not been reintegrated back into their communities.

Reference 64 - 0.01% Coverage

Most internally displaced persons, including refugee women, live in extremely tenuous economic circumstances, while at the same time attempting to provide for their families.

Reference 65 - 0.01% Coverage

The Commission finds that all the armed perpetrator groups coerced women and girls under their control into doing forced labour.

Reference 66 - 0.01% Coverage

The Commission finds that women and girls were assaulted, tortured and subjected to cruel and inhuman treatment by all the armed perpetrator groups, with the deliberate intention of inflicting serious mental and physical suffering or injury on them.

42 Of the 2,941 forced displacement violations against women and girls where the perpetrator is

Reference 67 - 0.01% Coverage

The Commission finds that all the factions pursued a deliberate strategy of perpetrating torture on women and girls perceived to be associated with the “enemy”, by inflicting or threatening to inflict sexual violence, other acts of violence and cruel and inhuman acts upon them or on persons close to them.

Reference 68 - 0.01% Coverage

The Commission finds all the factions, particularly the RUF, responsible for the forced ingestion of drugs and alcohol by women and girls. This tactic was carried out with the deliberate intention of causing its victims to lose control, both mentally and physically, and to exploit their vulnerability.

Reference 69 - 0.01% Coverage

Many women and girl abductees and former combatants remain addicted to drugs today. This has impacted negatively on the rehabilitation and reintegration of these ex-combatants into society.

Reference 70 - 0.01% Coverage

In addition to atrocities associated with the exploitation of women’s sexuality and vulnerability, women and girls were not exempted from the full range of atrocities suffered by men.

Thousands of women and girls were killed and had their limbs amputated. Women and girls were subjected to forced cannibalism. Women had their property and possessions looted by members of all armed groups, thereby depriving them and their families of food, clothing, money and assets.⁴³

Women as combatants and perpetrators 532.

The Commission finds that while most women were compelled to become combatants and collaborators in order to survive, a number of them chose voluntarily to take up these roles. Some women joined the war because they believed in the cause of the armed revolution or the defence of the country.

Reference 71 - 0.01% Coverage

The Commission finds that collaboration with an armed faction is often a mechanism that women employ to survive and to improve the situation for themselves and their families. Ethnic allegiances, as well as personal and private loyalties also explained why women took sides.

Reference 72 - 0.01% Coverage

The Commission finds that Sierra Leonean society has stigmatised women and girls who were combatants in the conflict. Stigmatisation has resulted in women and girls concealing their experiences. Many women are unwilling to acknowledge that they need help to deal with the consequences of their roles in the conflict.

Reference 73 - 0.01% Coverage

The Commission finds that many women have suffered “double victimisation”. First they were compelled against their will to join the fighting factions and today they are victimised by society for having played a combative role in the conflict. They are treated with hostility and suspicion for “breaching” both gender and sex roles. Non-disclosure is a survival mechanism that may prevent ostracism. Many female ex-combatants live in perpetual fear of being recognised and isolated because of their roles in the conflict.

Reference 74 - 0.01% Coverage

Women victims accounted for one quarter to one third of the violations reported to the Commission in all the categories of abuse listed in this paragraph.

Reference 75 - 0.01% Coverage

The Commission finds that men and boys were favoured over women and girls in the disarmament and reintegration processes. Little effort was made to recognise the experiences of women in the war. Most former female combatants and those who played a supporting role in the war were not able to access the necessary assistance to reintegrate into their communities.

Reference 76 - 0.01% Coverage

The Commission finds it particularly disturbing that many cases of abuse by humanitarian workers on women and children have occurred in Sierra Leone. Aid workers who were supposed to render humanitarian aid to women abused their power by exploiting the vulnerability of those under their care.

Reference 77 - 0.01% Coverage

The Commission finds that women and girls were forced to barter their bodies to humanitarian workers in exchange for aid.

Reference 78 - 0.01% Coverage

A culture of exclusion and marginalisation in the management of economic and political affairs in Sierra Leone existed before and during the civil conflict. It persists today. Women have been excluded in practice and in fact from decision-making.

540. Women are largely absent from the structures of government and traditional forums that are critical in formulating policies. They are excluded in the processes involving security sector reform and other post-conflict and peace building measures undertaken by the State.

Reference 79 - 0.01% Coverage

The exclusion of women resonates across the various divides – cultural, religious, economic and domestic. The political exclusion of women leaves Sierra Leone out of step with much of the world.

Effects of the Conflict on the Health of Women

542. Women and girls suffered adverse effects to their health as a result of the conflict. The health concerns of women were exacerbated by the destruction of health facilities. Many women still do not have access to basic health services. The absence of qualified health professionals including doctors, surgeons, psychologists and psychiatrists compounds the problem.

Reference 80 - 0.01% Coverage

Sexual violence experienced by women during the conflict has had lasting negative effects on their reproductive health. Rape and sexual violence were rife, which caused a massive rise in the incidence of HIV / AIDS and sexually transmitted infections (STIs). This is of immediate concern to the survivors.

Reference 81 - 0.01% Coverage

Retarding their recovery is the fact that women lack adequate access to productive assets including land, credit, training and technology. Women, with limited access to formal sector employment, resort mainly to food production and petty trading activities with very low earning potential.

Reference 82 - 0.01% Coverage

545. Women face discrimination in education, employment, in the social and economic setting and in the family. The law (both customary and statutory) discriminates against women and girls. In addition, the law does not adequately protect women against violence.

Reference 83 - 0.01% Coverage

Compounding the situation is the high rate of illiteracy among women, which stands at 89% for rural women by the last available figures.⁴⁴ Most women are unskilled and cannot obtain formal sector employment. Widowed Women 547. 548.

Many women were widowed as result of the war. Consequently, they have encountered numerous problems in relation to ownership of property, inheritance and access to land.

Reference 84 - 0.01% Coverage

Elderly Women 549.

The war has undermined the social status of elderly women. The breakdown of social and cultural values that would have ensured protection for these women places them in a precarious position. They are largely destitute and unemployable.

Reference 85 - 0.01% Coverage

550. Women and girls in Sierra Leone before, during and after the conflict have been subjected to entrenched structural discrimination by practice, custom and law. These discriminatory practices remain unchanged today.

551. Within the context of the conflict, women and girls were not only exposed to higher levels of gender-based violence than in peace time, but they were also discriminated against with regard to provision of services. This situation has not improved, even long after the cessation of conflict. Women survivors continue to suffer the same marginalisation.

552. Women comprise the largest category of persons without formal education in Sierra Leone. Illiteracy rates stand at 89% for the rural female population by the latest available figures.⁴⁶ Structural and cultural discrimination, early marriage and other harmful traditional practices impede the access of women to education and economic advancement.

Reference 86 - 0.01% Coverage

The Commission has prioritised the recommendations to address the underlying causes of the conflict. In addition, certain of its recommendations are directed at remedying particular wrongs committed against specific groups, such as women and children. The civil war created several vulnerable groups such as the war-wounded, amputees, the sexually abused and war widows. Specific recommendations are made in relation to these vulnerable groups. The Commission's recommendations on reparations, which follow this chapter, put forward measures to redress violations suffered by these groups.

Reference 87 - 0.01% Coverage

The Commission found that the political elite in successive regimes excluded society-at-large from meaningful participation in decision-making, in particular youths and women. The Commission highlights its recommendations to increase the level of representation for youths and women in representative politics, in cabinet and government.¹⁵

Reference 88 - 0.01% Coverage

110. When codifying customary law, the Commission recommends that the drafters pay particular attention to those aspects of customary law that offend basic human rights. Such laws should not become part of an enforceable code of customary law. However, the reform of customary law should be undertaken creatively and democratically. The process of reform should commence with the people it will affect, such as women and peasant farmers at chiefdom level. They should be consulted on how they would like to see customary law changed.

111. The Commission recommends that the government, through the Law Commission, begins a national dialogue on the codification of customary law with special emphasis on the rights of women and children. The ultimate aim must be to bring customary and Islamic law in line with the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.

Reference 89 - 0.01% Coverage

It appears that Sierra Leone produced its last report under the International Convention for the Elimination of All Forms of Racial Discrimination in 1973. The Committee for the Elimination of Racial Discrimination in its most recent annual report lamented Sierra Leone's apparent indifference to its international obligation in this respect.⁴⁰ Sierra Leone's initial report to the Committee on the Elimination of Discrimination Against Women was due on 11 November 1989

Reference 90 - 0.01% Coverage

Several areas of the law are out of step with modern developments. Such legislation ought to be amended, repealed and where appropriate completely rewritten. Examples of the law, which cry out for reform, are the criminal procedure laws, including provisions governing bail, laws dealing with the protection of women and children⁷² and land tenure.

Reference 91 - 0.01% Coverage

205. The Commission recognises that providing professional policing in these circumstances is extremely difficult. The temptation for policemen and women to engage in actions of "pay yourself" must be overwhelming. However, simply stating that the Government must improve the income of the police may prove to be an empty gesture, at least in the foreseeable future. Indeed the Government hardly needs to be told of the deplorable conditions in the security services.

Reference 92 - 0.01% Coverage

Policemen and women who nonetheless perform their duties with integrity and courage represent the calibre of people needed to build this country. For such policemen and women, working in the police is not just a job. It represents a real commitment to protect and to serve the people of Sierra Leone. The Commission salutes these members. These men and women will make the police a force for good.

Reference 93 - 0.01% Coverage

The civil war has aggravated matters for the youth. After ten years of war, thousands of young men and women have been denied a normal education and indeed a normal life. Their childhood and youth have been squandered by years of brutal civil conflict. Many young Sierra Leoneans have lost the basic opportunities in life that young people around the world take for granted. These young people constitute Sierra Leone's lost generation. The Commission recommends that the youth question be viewed as a national emergency that demands national mobilisation. This is an imperative recommendation.

Reference 94 - 0.01% Coverage

316. Women and girls were the deliberate targets of sexual violence and rape by all the armed groups during the conflict. Women continue to be victims of gender-based violence. The Commission has noted the submissions made by women's groups, which point to the failure of successive governments to protect women and girls during the conflict and post-conflict periods.

Reference 95 - 0.01% Coverage

The Commission recommends that the President, as the "Father of the Nation" and as the Head of State, should acknowledge the harm suffered by women and girls during the conflict in Sierra Leone and offer an unequivocal apology to them on behalf of the government and preceding governments in Sierra Leone. This is an imperative recommendation.

Reference 96 - 0.01% Coverage

The Commission calls on the leadership of all political parties to acknowledge the harm suffered by women and girls during the conflict in Sierra Leone and to offer an unequivocal apology to them on behalf of their particular political parties.

319. Women and girls in Sierra Leone continue to suffer historic structural inequality on account of their gender. Gender inequality is entrenched in all spheres of social, political and economic life by discriminatory laws, customs, traditions and practices.

Reference 97 - 0.01% Coverage

The Commission notes that the State has not yet taken the necessary steps to eradicate structural inequality against women that still pervades Sierra Leonean society. Discriminatory laws and customs in the areas of marriage, divorce, land rights, inheritance and the administration of estates remain major obstacles to the transformation of women's lives.

Reference 98 - 0.01% Coverage

The Commission's recommendations to address structural inequality encompass law reform, access to justice, the abolition of discriminatory customary law and practices, the building of institutional capacity and the establishment of educational programmes to counter attitudes and norms which lead to the oppression of women. The Commission views education, health, economic empowerment and political participation as priority areas for the progressive development of women in Sierra Leone.

Reference 99 - 0.01% Coverage

The Commission has identified war widows, aged women, girl mothers, and victims of displacement and female ex-combatants as particularly vulnerable groups. The recommendations attempt to address the specific needs of these victims.

Women affected by the Armed Conflict

323. Women were subjected to systematic abuse during the conflict. Violations perpetrated against women included torture, rape, sexual abuse, and sexual slavery, trafficking, enslavement, abductions, amputations, forced pregnancy, forced labour and detentions.

324. Never again should women in Sierra Leone be subjected to brutality. Every man and boy in Sierra Leone owes a duty to respect women and girls and to protect them from abuse at all times.

Reference 100 - 0.01% Coverage

The Commission calls on communities to make special efforts to encourage acceptance of the survivors of rape and sexual violence as they reintegrate into society. The physical and emotional well being of the women victims of rape and their children born as a result of rapes should be protected.¹¹⁵

Reference 101 - 0.01% Coverage

The Commission notes that women who have been sexually violated during the conflict period deliberately avoid being identified, as they fear stigmatisation. The Commission notes that assisting them with long-term mental and physical injuries depends on making services accessible.

115 The health needs of women victims of the conflict are addressed in the chapter on Reparations,

Reference 102 - 0.01% Coverage

The Commission recommends that a directory be established by the Ministry of Social Welfare and Gender Affairs in conjunction with UNIFEM, the World Health Organisation and other stakeholders which should contain a list of donor agencies and service providers assisting women together with their contact details both in the provinces and Freetown. The emphasis should be on where women can obtain information and access assistance. The launch of the directory should be accompanied by a media campaign. The Ministry of Social Welfare and Gender Affairs should work towards the implementation of this recommendation.

Reference 103 - 0.01% Coverage

Domestic violence against women intensified during the civil war and endures in the post-conflict period. The Commission notes that the laws of Sierra Leone relating to the prosecution of domestic violence are inadequate and offer little protection to women and girls. The Commission recommends that Government work towards the enactment of specific legislation to address domestic violence. Such laws should facilitate the prosecution of offenders and empower women to access protection orders.

329. Women and girls experience great difficulty in pressing charges in respect of rape and sexual violence as police and judicial officers are reluctant to investigate and prosecute such cases. The Commission recommends that the Ministry of Social Welfare and Gender in conjunction with UNIFEM and the Gender Desk of the police work towards the creation of an educational programme for the police, prosecutors and judicial officers raising awareness of issues of gender, educating and training them in the investigation and prosecution of gender-based crimes and sensitising them on how to deal properly with complainants.

Reference 104 - 0.01% Coverage

330. Women and girls in Sierra Leone continue to be the victims of sexual violence. The Commission notes that the national laws of Sierra Leone are inadequate to deal with the prosecution of crimes of sexual violence, including rape, sexual harassment and other forms of sexual abuse. The current rules of procedure and evidence in respect of crimes of sexual violence are not only discriminatory but are also offensive to women and girls.

Reference 105 - 0.01% Coverage

The Commission recommends that a directory be created, which includes all the information existing in regard to the various skills programmes and the providers of such services. The release of such a directory should be accompanied by a media campaign, which will lead to more women learning of the programmes being offered.¹¹⁶

332. Women and girls who are sexually violated rarely lay complaints, as the current environment is not conducive to doing so. This has led to a culture of impunity in respect of crimes of a sexual nature.

Reference 106 - 0.01% Coverage

The Ministry of Social Welfare and Gender Affairs should consider the creation of one network to co-ordinate all organisations working with women and the issuance of one directory setting out all their services – which could be updated annually.

Reference 107 - 0.01% Coverage

Customary laws and practices in respect of sexual offences are deeply discriminatory against women and girls and have contributed to a culture of impunity over a long period of time.

Reference 108 - 0.01% Coverage

The Commission recommends that the Government should launch a campaign to end the practice under the customary law of compelling women and girls who have been raped to enter into marriage with the offender. This is an imperative recommendation.

Reference 109 - 0.01% Coverage

The Commission recommends that the Ministry of Social Welfare and Gender Affairs, in conjunction with UNIFEM, should work towards a national campaign, together with other agencies, to raise awareness about the culture of silence that pervades the issue of rape and sexual violence and encourage the abolition of customary practices which impact negatively on the rights of women.

Reference 110 - 0.01% Coverage

The Commission recommends that the Government work towards the harmonisation of the customary law with the common law and that to ensure laws dealing with the protection of women, particularly in regard to domestic violence and crimes of sexual violence, accord with international human rights standards.

117 See the Protection of Women and Girls Act 1960, which can be found at Chapter 30 of the

Reference 111 - 0.01% Coverage

Discrimination against Women

341. Women and girls in Sierra Leone, before, during and after the conflict, were subjected to discrimination by practice, custom and law. There is no basis to justify the discrimination that women have endured in Sierra Leone. The legal apparatus that entrenches discrimination against women must be dismantled. The Commission recommends the repeal of all statutory and customary laws that discriminate against women.

Reference 112 - 0.01% Coverage

Laws that should be repealed include those provisions that discriminate against women in relation to marriage, the administration of estates, inheritance, and divorce and property ownership. This recommendation requires the repeal of sections 26(4)(d) and (e) of the Constitution, which permit discrimination against women in these areas and on the grounds of customary law. Constitutional provisions that authorise discrimination on the basis of gender have no place in a modern democratic society based on equality and respect for human dignity.

Reference 113 - 0.01% Coverage

The Commission recommends that Sierra Leone ratify the Protocol to the African Charter on the Rights of Women. The Protocol enjoins signatories to address “Harmful Practices” against women. Harmful Practices are defined as all behaviour, attitudes and practices which negatively affect the fundamental rights of women and girls, such as their right to life, health, dignity, education and physical integrity.

Reference 114 - 0.01% Coverage

The Commission recommends that all aspects of customary law¹²⁰ as well as practices which discriminate against women in the realm of inheritance, land ownership, marriage, divorce and the administration of estates be abolished by Parliament.

Reference 115 - 0.01% Coverage

347. Women have been excluded from decision-making in Sierra Leone. Women are largely absent in the structures of government and traditional forums that are critical in formulating policies.

Reference 116 - 0.01% Coverage

The Commission is persuaded that simply calling for the opening up of the political space for women is not sufficient. If Sierra Leone is serious about giving a meaningful voice to women in representative politics, then more serious efforts have to be made to achieve this end.

Reference 117 - 0.01% Coverage

The Commission recommends that political parties be required to ensure that at least 30% of their candidates for public elections are women. This includes national elections, local government and district council elections. Legislation should be enacted to make this a legal requirement. The National Electoral Commission should be required to enforce this minimum representation. Such a stipulation will require all political parties to nurture and develop meaningful participation of women. This is an imperative recommendation.

Reference 118 - 0.01% Coverage

The Commission recommends that the Government work towards achieving a representation of at least 30% women in cabinet and other political posts. Government should also work towards incrementally achieving 50/50 gender parity in cabinet and political posts within the next 10 years.

Reference 119 - 0.01% Coverage

The Commission notes the lack of young women in positions of leadership and calls on the government, UNIFEM and the NGO sector to establish leadership programmes for women in both the provinces and Freetown to ensure that there is a new generation of women with sufficient skills to participate in public life.

Reference 120 - 0.01% Coverage

353. Women lack adequate access to productive assets including land, credit, training and technology. For these reasons, they are largely consigned to food production and petty trading with very low earnings.

Reference 121 - 0.01% Coverage

The Commission notes that many women ex-combatants were not able to participate in the skills training programmes provided on demobilisation. The Commission also notes the proliferation of skills training programmes in the country run by various international and local organisations. The Commission recommends that, to ensure that women are able to access the skills training programmes that are being offered by the various agencies, the Ministry of Social Welfare and Gender Affairs should establish a network of service providers and agencies offering the various skills training programmes and ensure that services are decentralised and that women in the provinces are able to access them.

Reference 122 - 0.01% Coverage

The Commission notes that a major obstacle for many of the women who have gone through skills training programmes is the absence of suitable opportunities to practise their skills as well as the lack of accessible markets. The Commission recommends that the Ministry of Social Welfare and Gender Affairs, in conjunction with UNIFEM, explore opportunities for women to utilise the skills acquired and market opportunities, where their items can be sold.

Reference 123 - 0.01% Coverage

The Commission recommends that micro-credit schemes should target women ex-combatants, internally displaced women, female heads of households and war widows. Those providing micro-credit should be encouraged to incorporate a basic business management course into the provision of micro-credit.

Reference 124 - 0.01% Coverage

358. Women comprise the largest category of persons without formal education in Sierra Leone. Women have, in effect, been under-educated. This bias against women must be redressed.

Reference 125 - 0.01% Coverage

The Commission recommends that the Ministry of Education in conjunction with the Ministry of Social Welfare and Gender Affairs and UNIFEM consider the establishment of adult education programmes for women in which basic literacy and numeric skills can be taught.

Reference 126 - 0.01% Coverage

The Commission notes that women do not enjoy adequate access to legal aid. The Commission calls on the Fourah Bay University Legal Aid Clinic, together with LAWCLA and the Bar Council, to consider initiating a specific focus on domestic and sexual violence against women as well as issues pertaining to inheritance, land and marriage.

Reference 127 - 0.01% Coverage

The Commission notes the high prevalence of the HIV / AIDS among the population of Sierra Leone as well as the high number of women infected. The Commission also notes that women married into polygamous marriages are exposed to a higher risk of sexually transmitted diseases because of their husband's multiple partners.

Reference 128 - 0.01% Coverage

The Commission recommends that the Ministry of Social Welfare and Gender Affairs, in conjunction with UNIFEM and the NGO sector, work towards the launching of an education programme, which addresses both men and women on safe sex practices.

Reference 129 - 0.01% Coverage

The Gender Commission should be representative of all sectors of Sierra Leone society. The Gender Commission should co-ordinate and drive all issues pertaining to the advancement of women in Sierra Leone.

Reference 130 - 0.01% Coverage

367. War widows, aged women, girl mothers, victims of displacement and female ex-combatants are among the most vulnerable groups in Sierra Leone today. The Commission urges the government and relief agencies to pay particular attention to their needs.

Reference 131 - 0.01% Coverage

The government should provide psychosocial support and reproductive health services to women affected by conflict. These services should be provided free to those who have experienced physical trauma, torture and sexual violence.¹²¹ Government should work towards the early fulfilment of this recommendation.

Reference 132 - 0.01% Coverage

The Commission calls on the Bondu societies¹²³ to serve as mechanisms for change and that they should use their influence in communities to improve the quality of life for widows and elderly women.

Reference 133 - 0.01% Coverage

Now that the formal disarmament and reintegration programmes are complete, the Commission calls on communities to continue with the accepting back of former girl and women soldiers into their villages and neighbourhoods. Communities should do this with compassion. The same applies to the many women who were displaced by the conflict and have not as yet returned to their communities.

Reference 134 - 0.01% Coverage

The Commission has made the imperative recommendation that all laws and customs that discriminate against women should be repealed. This recommendation includes the repeal of provisions on Sierra Leone's statute books, which undermine the inheritance and property rights of women. 123

Bondu societies are secret societies for women. They assist women in household and domestic management and play an important role in the socialisation of girls and women into community life.

Reference 135 - 0.01% Coverage

Many girl and women ex-combatants did not benefit from the disarmament programmes. The Commission calls on relief agencies to continue to assist these women with skills training and their rehabilitation back into society. Similar support should be given to non-combatant women who were internally displaced by the civil war and who found themselves economically and socially marginalised.

Elderly Women 375.

A large number of elderly women have been rendered destitute and unemployable by the conflict. The war was accompanied by the breakdown of social and cultural values that would normally have ensured protection and support for elderly women. These women have been largely abandoned by society. They now live on the margins of society. Elderly women should be treated with dignity.

Reference 136 - 0.01% Coverage

The Commission recommends that Government establish old people's homes in all the main urban centres and ensure that elderly women have access to land in rural areas. The Commission further recommends that Government attend to the social and medical needs of elderly women. The Government should work towards the fulfilment of these recommendations.

Reference 137 - 0.01% Coverage

The Commission calls upon the member states of the Economic Community of West African States (ECOWAS) to take concerted action to implement the Political Declaration and Action Plan against trafficking in human beings, especially women and children. The Action Plan commits the ECOWAS countries to take specific steps, such as launching public awareness campaigns to alert potential victims to methods used by traffickers; creating special police units to combat trafficking; and training police, customs, and immigration officials to catch and prosecute traffickers and to protect the rights of victims.

Reference 138 - 0.01% Coverage

The UN and the member states of ECOWAS should take effective action to prevent the movement of mercenaries and soldiers of fortune within the subregion. The fact that Sierra Leonean fighters have taken part in the internal armed conflicts of Liberia and Cote d'Ivoire should be of serious concern to all. For more than two decades, many young men and women, within the Mano River Basin, have known no occupation other than fighting and violence. Countries within this zone should cooperate with each other to initiate effective economic programmes that target the youth in order to provide them with viable and peaceful means of survival.

Reference 139 - 0.01% Coverage

Sierra Leone). However, existing labour legislation seems to provide lower levels of protection: under the 'Employers and Employed Act' (Chapter 212 of the Laws of Sierra Leone), children under 15 shall not work in any public or private industrial undertaking; boys under 16 shall not work underground in mines, while girls and women in general shall not be allowed to work in mines below ground.

Reference 140 - 0.01% Coverage

The Commission recommends that, at least, four representatives of civil society should be represented on the Follow-Up Committee, one of whom should represent women and one other should represent the youth.

Reference 141 - 0.01% Coverage

Repeal sections 27(4)(d) and (e) of the Constitution which permits discrimination against women.

Reference 142 - 0.01% Coverage

WOMEN Imperative

Government and factions to conflict to issue a full and frank apology to women for abuses sustained in the war. Repeal all statutory and customary laws discriminatory against women, including provisions that prevent their inheritance and land access.

Reference 143 - 0.01% Coverage

Provide women with micro-credit along with focussed skills training.

Reference 144 - 0.01% Coverage

Men to respect women and to protect them from abuse at all times.

Reference 145 - 0.01% Coverage

Sierra Leone to ratify the Protocol to the African Charter on the Rights of Women.

All political parties to be required to ensure that at least 30% of their candidates for all public elections are women. Repeal provision in Protection of Women and Girls Act which links the prosecution of sexual offences to the 'moral character' of the complainant.

Reference 146 - 0.01% Coverage

Adult education programmes to teach literacy and numeric skills to women.

Reference 147 - 0.01% Coverage

Provide psychosocial support and reproductive health services to women affected by the conflict.

Reference 148 - 0.01% Coverage

Representation of at least 30% women in cabinet and political posts.

Reference 149 - 0.01% Coverage

Fourah Bay Legal Aid Clinic, LAWCLA and Bar Council to focus on domestic and sexual violence against women.

Reference 150 - 0.01% Coverage

UNIFEM and NGOs to establish leadership programmes for women.

Reference 151 - 0.01% Coverage

Establish directory of service providers assisting women.

Establish old peoples' homes in main urban centres and attend to the social and medical needs of elderly women.

Reference 152 - 0.01% Coverage

At least four representatives of civil society should serve on the Follow-up Committee. One to represent women and one to represent youth.

Reference 153 - 0.01% Coverage

The Commission determined the categories of beneficiaries who should benefit from the reparations programme by considering those victims who were particularly vulnerable to suffering human rights violations. Most Sierra Leoneans agree that amputees, war wounded, women who suffered sexual abuse, children and war widows would constitute special categories of victims who are in dire need of urgent care. The Commission also considered those victims who are in urgent need of a particular type of assistance to address their current needs, even if this only serves to put them on an equal footing with a larger category of victims. The reparations programme aims at contributing to the rehabilitation of those victims, even if complete rehabilitation is not possible.

Reference 154 - 0.01% Coverage

Although the mandate does not specifically refer to women, the Commission interpreted the provision that refers to "the subjects of sexual abuses" to refer mainly to women. It is undeniable that women were subjected to all forms of sexual violence and are in need of assistance to address many of the consequences that resulted from the violations committed against them. Many of the victims of sexual violence require medical attention so that they can carry

Reference 155 - 0.01% Coverage

In addition to providing redress to the direct victims of human rights violations, the Commission wanted to address the needs of indirect victims as well. Indirect victims are defined as the dependents or relatives of the direct victim. The Commission decided to include war widows, those women whose husbands had died as a consequence of a human rights violation during the course of the war, as beneficiaries of specific measures of this reparations programme. For some of these war widows, their husbands were the breadwinners of the family. As a consequence of their husband's death, many of these women struggle to provide for themselves and their family. Recognising the difficulties they endure, recommendations for them in the reparations programme.

Reference 156 - 0.01% Coverage

Victims of sexual violence are defined as those women and girls who were subjected to such acts as rape, sexual slavery, mutilation of genital parts or breasts, and forced marriage. To the extent boys and men suffered from sexual violence, they will also be beneficiaries of this programme.

Reference 157 - 0.01% Coverage

Women whose husbands were killed as a consequence of any abuse or violation and who, as a result, have become the primary breadwinners for their families.

Reference 158 - 0.01% Coverage

The Commission recommends that the health care be made available at primary health units, district hospitals, and tertiary health units. However, in the short-term, recognizing that many health centres may not be able to provide the care that is needed, the Commission recommends that the government strengthen the referral system between hospitals in the area of reproductive and women's health and to the Princess Christian Maternity Hospital (PCMH) hospital in Freetown where fistula surgery is being performed, so that the medical needs of the victims of sexual violence can be met.

Reference 159 - 0.01% Coverage

Considering the stigmatisation that many victims of sexual violence suffer, the Commission recommends that trauma counselling be available in all medical facilities that currently treat women, such as the reproductive health centres and the PCMH hospital, where the fistula surgeries are being performed.

Reference 160 - 0.01% Coverage

The Commission recommends that the government assist programmes providing trauma counselling services specifically for women. These programmes include the Rainbo Centre and the Sexual Assault Referral Centres set up by the International Rescue Committee (IRC) Gender Based Violence Programme.

Reference 161 - 0.01% Coverage

The Commission noted that numerous NGOs such as Cause Canada and the Forum for African Women's Educationalists (FAWE) provided many of the victims with skills training. However, many of the skills training programmes focused on a limited number of skills such as soap making, gara tie-dyeing and tailoring.

Reference 162 - 0.01% Coverage

Local leaders and civil society organisations, especially women and youth organisations, should be used as much as possible in the identification and registration of potential beneficiaries of this programme.

Reference 163 - 0.01% Coverage

Regarding areas of the country with high concentrations of victims of sexual violence, the Commission recommends that the Implementing Body deploy as many female staff members as possible to ensure the privacy and convenience of women who wish to identify themselves as victims.

Reference 164 - 0.01% Coverage

The Commission has compiled two lists of victims based on the statements it collected. In line with the requirement in its mandate to pay specific attention to the experiences of women and children, the Commission has devoted its first list to victims of sexual violence and forced conscription. In total 1,012 victims of these violations were named in TRC statements. The Commission's second list excludes those in the first, giving the names of the persons who suffered all other violations recorded in the conflict. In total this second list contains 11,991 victims named in TRC statements.

Reference 165 - 0.01% Coverage

As part of a sustained campaign in the Pujehun District, the SSD burnt down several whole villages across various Chiefdoms and killed many innocent civilians, including women and children. Hundreds of Demby opponents were arrested, while more than half of those detained died in jail.

Reference 166 - 0.01% Coverage

The colonial government was also responsible for destabilising the system of Chieftaincy and creating a crisis of legitimacy around the traditional rulers. The colonial government formalised the Common Law but neglected the development of customary law, resulting in mass confusion and effective legal duality. Customary law became the preserve of the Chiefs who interpreted traditions and customs in an arbitrary fashion and utilised their authority to whatever ends they so desired. The rights of women, in particular, were denied during this period.

Reference 167 - 0.01% Coverage

Citizenship provisions in the 1961 Constitution discriminated against Sierra Leonean women in many important respects. The most telling unfairness was that whilst the provision automatically granted citizenship to descendants of male Sierra Leoneans, it denied citizenship to the offspring of female Sierra Leoneans where the father was not of African Negro descent. The citizenship provisions also excluded the Lebanese, a long-standing and important community in Sierra Leone, from becoming citizens. The discrimination against them was racial – they were not of African Negro descent.

Reference 168 - 0.01% Coverage

Due to its colonial history, most of Sierra Leone's laws were either adopted or adapted from England. Section 74 of the Courts Act 1965 made pre-1880 laws of England automatically applicable to Sierra Leone. Examples of laws adopted pursuant to this section include the Statute of Frauds 1677, the Wills Act 1837 and the Common Law Procedure Act 1852. Post-1880 English statutes that were adopted additionally include the Conveyancing Act 1881, the Settled Land Act 1882, the Perjury Act 1911, the Forgery Act 1913, the Larceny Act 1916 and the Married Women's Maintenance Act (Cap. 100) enacted in 1888.

Reference 169 - 0.01% Coverage

That night my whole family and I were taken by four armed men to a nearby jail; there we met over 85 other foreign nationals, including women, children and the elderly. The old, the women and the children were released two weeks later and allowed to return to their homes, while a number of us were still held in detention. Executions were carried out for every time the ECOMOG jet bombed their areas, even without killing anyone. I came to understand that multiple executions

Reference 170 - 0.01% Coverage

The Commission heard similar testimonies from several other Sierra Leoneans who were taken into detention in different parts of Liberia during the same operation by the NPFL. One long-term resident, who was arrested along with a fellow Sierra Leonean teacher at his local college, described how he was locked up with up to a hundred others in "a large container that had been used to transport frozen fish or meat."²³ He testified that NPFL gunmen would periodically open the hatch at the top of the container and fire rounds of bullets indiscriminately into the crowd below, among whom were many women and children.

Reference 171 - 0.01% Coverage

Sankoh personally accompanied members of NPFL 'hit squads' who visited some of the detention facilities, apparently for the sole purpose of enlisting the men and women he wanted to make into his first revolutionary commandos. Among the locations in which Sierra Leoneans were held were detention facilities of differing character in Monrovia, Habell, Yekepa, Totota, Buchanan and Cape Mount.

Reference 172 - 0.01% Coverage

Contrary to popular perceptions of an exclusively illiterate body comprised of marginalised lumpen youth, the RUF vanguards were actually a disparate collection of Sierra Leoneans and Liberians from across the demographic spectrum gelled together through coercion and training into a fighting force. The vanguards included among their number both men and women; Sierra Leoneans of most of the major ethnic groups in the country, including large numbers of Mendes and Temnes; boys as young as 11 years of age, 'senior citizens'; illiterate labourers and secondary-school drop-outs through to a few highly educated professionals in diverse fields.

Reference 173 - 0.01% Coverage

"The training we received was all-round political-military commando training. It was political in the sense that the warfare was going to be exposed to civilians as well as military affairs, so basic political knowledge had to be introduced... such as the welfare of captives; such as administering people who have been cut off from their original style of livelihood; such as dealing with the old-aged; and dealing with women. The military training covered exposure to light weapons such as AK-47s, Berettas, G3s, RPGs and the like. The training was not for a long duration; it was a hasty training carried out basically to expose people to the use of arms on an emergency basis... and to prepare us for the revolution."³⁶

Reference 174 - 0.01% Coverage

"As we were pulling out, we saw a truck and they said we were going to Magbosi. I was told that I should capture that village in order to get my height in the jungle. There was a Lt. Jongopie and others who wanted to know me. By then I was a small boy and everybody wanted to know me. We were then in control of Magbosie right unto Okra

Hill; we made a short cut from Magbosie to Okra Hill. Magbosie was called Foday Sankoh's Garage; there were a lot of cars there. We were there for a long time; people did not realize what we were doing; but in 91 area, the Temne area, they knew that rebels were there. We decided to find women; we laid ambushes for vehicles. Lungi and the surrounding villages were my area; when you approach the town from the direction of Bo, the first storey building was my office. I captured five SLA soldiers. I am not denying that I kill or burn houses, but to say that I killed an

Reference 175 - 0.01% Coverage

599. Among those present at both Bintumani I and II were religious leaders and civil society groups, including representatives of the professional associations for teachers, medics, lawyers and journalists. A particularly strong voice was that of Sierra Leonean women,²⁴¹ who formed their own body called Women Organised for a Morally Enlightened Nation (WOMEN), led by the women's rights activist Zainab Bangura.

Reference 176 - 0.01% Coverage

[...] By the other side of the bridge there was a big pit; the commander told all the men to stand in one line and the women in another line. Four of the Kamajors stood in front of the rows and began to slaughter the people with their swords and daggers and dump them into the pit.

Reference 177 - 0.01% Coverage

the two women, Olivia Mensah and Dalinda Lebbie, were accused of spying for the junta. 461

Reference 178 - 0.01% Coverage

Moreover, their numerical strength was bolstered by the addition of thousands of abductees to their ranks as they advanced onto Freetown. The eventual size of the entourage that descended upon the city from the surrounding hills has been estimated at up to 10,000 persons - among them were captive senior citizens, women, children and newborn babies, who in normal circumstances could not conceivably pose any threat to a professional peacekeeping force like the Nigerian ECOMOG deployment, but who in the prevailing confusion and panic of the moment constituted a deluge of hostile bodies onto the city they were supposed to be protecting.

Reference 179 - 0.01% Coverage

"On 22 February 2000, a team of UNAMSIL Military Observers and Civilian Police Officers reported to me that seventeen persons, including three women, were illegally detained under the control of RUF elements at Makeni Central Police Station... It appeared that these prisoners were detained and 'sentenced' by RUF elements to deprivation of liberty for reasons including petty crimes.

Reference 180 - 0.02% Coverage

The Staging of an Independent Women's Group Demonstration on 6 May 2000

1229. The organisers of the 8 May 2000 demonstration were beaten to the gates of the Spur Road Lodge by an independent group of protesters who gathered there two days earlier. This group was composed of up to 2,000 Sierra Leonean women, who wanted to convey their own hopes for peace and bring home to Foday Sankoh a sense of the particular suffering that women had endured as a result of the war.

1230. The Women's Forum was among the conglomeration of interest groups that led the noteworthy, albeit relatively minor demonstration on Saturday 6 May 2000. One of its members, Christiana Macfoy, was quoted in the press as having explained the motivations for this action in the following terms:

"We are tired. We are not only tired; we are fed up. We have reached the end of the road as far as taking all these atrocities that are being committed. And it is the women that are bearing the brunt of it."688

1231. From the side of the inhabitants of the Spur Road Lodge, there were mixed impressions of the arrival of the women. One RUF security guard later told the police that the protest was treated quite dismissively by Foday Sankoh and therefore concluded in a short space of time without making any significant impact:

“On Saturday 6 May 2000 during the morning hours I was in the compound at No. 56 Spur Road, Freetown when a group of women arrived and started singing provocative remarks against the RUF leader Foday Sankoh. The leader [Sankoh] called everybody in the compound and advised us to close the main gate, which we did. After a while, the women who were demonstrating had to return to their various homes.”⁶⁸⁹

Reference 181 - 0.01% Coverage

1232. The Chief Security Officer at Sankoh’s Lodge, Akim Turay, told the Commission that he was sent out by Foday Sankoh to engage in a dialogue with the women and to ‘thank them’ on Sankoh’s behalf for their concern. Turay described his discussion with the women as having been ‘in good spirits’ and ‘totally peaceful’, which led him to believe that the demonstration planned for Monday 8 May would assume the same character.⁶⁹⁰

Reference 182 - 0.01% Coverage

Certainly there were no incidents of violence during the visit of the women on 6 May 2000. After the gates to the Spur Road Lodge were closed by its inhabitants, the possibility of confrontation was so conclusively averted that the women had to resort to reading their prepared statements to Foday Sankoh over a megaphone.⁶⁹¹

1234. The women’s statements focussed on the breakdown in the implementation of the military aspects of the Lomé Accord and the perceived violence of the hostage-taking episode. They called for the immediate and unconditional restoration of a ceasefire by the RUF in the name of achieving a more durable, longer-lasting peace.⁶⁹² It is unlikely that the statements were even heard by their intended recipients.⁶⁹³

1235. Madam Fatou Sankoh was not in Freetown on the weekend of 6 May 2000 but was keeping in touch with her husband Foday Sankoh by telephone from her permanent home in the United States. According to Madam Sankoh, the women’s protest was perceived in RUF circles as a deliberate effort to ‘shake the cage’ of Sankoh and his entourage. She cited the prominent role played in the protest by the SLPP Minister of Development Kadie Sesay as evidence that the Government used the women’s demonstration to continue the gradual build-up of tensions around the RUF presence in the city.⁶⁹⁴

Reference 183 - 0.01% Coverage

1321. In most versions of events, the expectancy was laced with fear, particularly among the sizeable contingent of women and children at the Lodge. Foday Sankoh had a large extended family living with him, including sons, daughters, nephews, nieces and even grandchildren. One young member of Foday Sankoh’s family, who was barely a teenager at the time, told the Commission how he had approached Sankoh the previous evening and suggested that the children should find a way out of the Lodge:

Reference 184 - 0.01% Coverage

“Nearly all civil society groups including trade unions, professional and academic organisations, youth and women’s groups, farmers; associations and NGOs joined the march. Even members of the general public associated themselves with the cause. It was a non-violent, peaceful march; in fact, nobody sustained any injury or molestation along the route of the march... Because there were thousands and thousands of people, the whole of Spur Road and [the adjoining] Lumley roundabout was jam-packed.”⁷⁹¹

Reference 185 - 0.01% Coverage

1469. Notwithstanding the uncertainty surrounding the circumstances of Sankoh’s arrest, the Commission is assured that he was not admitted into the custody of the Sierra Leone Police under the same classification as the scores of other men and women whose arrests in May 2000 are analysed above. Foday Sankoh’s name does not appear on any of the prison records presented to the Commission pertaining to detentions during May 2000.⁹²¹

Reference 186 - 0.01% Coverage

Moreover, there has been a series of inexcusable delays in the operation of the justice system, which have culminated in a woeful breakdown of the rule of law. More than four years after the 8 May 2000 incident occurred,

there have been no trials or preliminary proceedings to determine the guilt or innocence of the men and women detained. Justice delayed is most certainly justice denied.

Reference 187 - 0.01% Coverage

The list is deliberately short, numbering 16 violations. Each is precisely defined to avoid ambiguity, ensuring a common understanding of the violations recorded by the Commission. While the list is short, there is scope for a broad analysis of each one. For example, acts of rape should be considered as not only happening in the context of abduction as sex slaves or “bush wives”; but as a violation perpetrated against women during attacks on villages or as part of encounters at checkpoints or in the bush. Furthermore, the burning of property should be understood, not just as an economic crime, but on occasion, as a means of murdering the persons detained within the property.

Reference 188 - 0.01% Coverage

The violations occurring in the context of abduction are dealt with more specifically in the chapters of this report dealing with Women, Children and Youth respectively. Indeed, sexual slavery was perpetrated mostly against women and girls. Forced recruitment was targeted at children and youths by the RUF, the AFRC and the CDF. The targeted age group for forced recruitment violations were those 10-14 years.¹

Reference 189 - 0.01% Coverage

“People armed and in combat uniforms attacked our village and killed many people. They went all round and shouted that we, in the village had voted for President Kabbah as President of the Republic of Sierra Leone and because President Kabbah is a proud man they are going to cut off our arms so that we will never vote for him again. It was in 1996 and they said that we should go to him to treat us and give us another hand. Four of us were amputated, two men and two women.”⁷

Reference 190 - 0.01% Coverage

These violations have been dealt with comprehensively in the chapters of the report on women and children respectively. Forced recruitment is the forced or unwilling recruitment of any individual to an armed group or organisation by threat, or intimidation to self or family members and /or violence, while sexual slavery is where the perpetrator exercised all or any of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons or by imposing on them a similar deprivation of liberty; and where the perpetrator caused such person or persons to engage in one or more acts of a sexual nature.²⁴ The victim often known as a “bush wife” is held by one or more perpetrators.

Reference 191 - 0.01% Coverage

Most of the young people who testified before the Commission complained of forcible drugging by local commanders within the armed factions. Women, abducted and converted to “bush wives” were injected with the psychotropic substances or forced to consume them. In a drugging violation, the victim takes a substance, which alters, temporarily, or permanently, their mental state. The taking of the substance was also achieved by devious means such as lacing drinks or food with the drugs. The drug may result in permanent physical and/or mental injury. Drugging was used mainly against children forcibly recruited into an armed faction to make them more inclined to fight.

Reference 192 - 0.01% Coverage

Upon entering a town or village, the factions usually recruited all the able-bodied men and women as forced labour. The civilians had to cook and carry looted property for them back to their base or to another town, and to perform sundry other services for them. The following account involved the SLA in Yele in 1994:

Reference 193 - 0.01% Coverage

“They made us sit on the ground and ordered us to cook for them. Chickens were caught and slaughtered and food cooked by the women. We were all forced to eat the food with the rebels because they feared that they would be poisoned by the civilians.”³²

Reference 194 - 0.01% Coverage

I left for another nearby village in search of salt. It was that same night that the rebels entered this village and commanded us all to come out of our various houses and homes. They ordered us to undress ourselves naked, both men and women, and to dance, men on one side, women on the other. The rebels then ordered the women to lie down on the ground on their backs.

The rebels then made the men to identify their relationships with these women on the ground. Each time when a man points to one lady or girl to identify her as his sister or mother those rebels will force him by the gun to have sex with her. We did this for over one hour.

Reference 195 - 0.01% Coverage

The RUF used rape to destroy the social respect and standing for pregnant and older women. A victim narrated an experience in 1991:

Reference 196 - 0.01% Coverage

women, they raped them. Some of these grand mothers died from sex with these young men. Sometimes, a woman who had just given birth would be used for sex until she dies.”⁴⁹

In traditional Sierra Leonean society, men did not have sex with pregnant or lactating women. It was a social taboo. The rape of such women during the conflict was aimed at destroying the traditional social fabric, stigmatising the old and pregnant women and nullifying the boundaries of acceptable behaviour within the community.

Reference 197 - 0.01% Coverage

“The rebels went from house to house searching for people. They got hold of my grandfather and grandmother who were too old to run away, and also of other old and young men and women, nearly 50

Reference 198 - 0.01% Coverage

The Commission recorded testimony that pregnant women were killed by the Kamajors in order to extract parts of their bodies for use in initiation ceremonies. Furthermore some Kamajors carried ‘charms’ or ‘fetishes’ with them which were constituted of human remains, including the mutilated genitalia of women.

Reference 199 - 0.01% Coverage

Nothing seemed to attract the respect or deference of the RUF soldiers. Even pregnant women were beaten and raped.⁷⁸

Reference 200 - 0.01% Coverage

Adama Gribow, of Moyamba town, fled to the bush with part of her family when the RUF first attacked her town. They stayed in the bush for two months until the rebels captured them and other displaced women. She was forced to watch the torturing to death of her mother and aunt. She was also made to sing and dance as the atrocities were taking place.⁸⁰

“One morning the rebels met us in the forest. They threatened to shoot anyone who attempted to run. We were asked to line up in groups, children in one line, women in another. They later separated pregnant women from us. My mother’s younger sister, Moinya, was pregnant. She was made to stand in front of all the pregnant women. An argument erupted among the rebels. One rebel argued that Moinya was carrying a baby boy, while the other denied and maintained that the baby was a girl. They bet 10,000 Leones on who was correct. The argument lasted for nearly twenty minutes. A young rebel boy was appointed as a judge, and four other young rebel boys were appointed to split the stomach of Moinya. The rebels split her stomach and removed the baby while my aunt was crying in pain.

While they were splitting her stomach they told us to sing and dance. My mother refused to dance. She too was arrested. She was forced to lie on the ground. They beat her with sticks. They also kicked her in the stomach until she started bleeding. We stood around them singing and dancing until both my mother and her sister died. No reasons were given as to why my mother and my aunty were killed.”

Reference 201 - 0.01% Coverage

“I cannot remember the dates of all the events, but Kamajors visited us at 8.00pm and gathered all the people in our village, locked the women up in a house and then asked the men to come outside and

Reference 202 - 0.02% Coverage

“[Following the 25 May 1997 coup] our shops, business premises and even our residences were vandalized and destroyed. Our women were raped, our Sierra Leonean wives were humiliated on the streets, and many of our people were killed. Some were maimed and rendered destitute. Some lost their properties and everything they possessed to the hoodlums. Some managed to escape into the bush where they lived miserable lives until 1998. Only the Almighty God, on whose mercies we relied, saved us and ensured our inexplicable survival. We lost less than 100 Nigerians within this period. Among many other pathetic and unforgettable experiences, the one at Mammy Yoko Hotel on the morning of June 2nd 1997 stood out. On that day, nearly all the Nigerian citizens in Freetown sought refuge at the hotel awaiting evacuation to Guinea. The only help the Nigerian government could render was for those who could make it to Guinea. On this day, AFRC/RUF forces attacked the hotel from the sea and land, launching heavy military artillery at the building with hundreds of Nigerians in there. A Nigerian army detachment was then lodged at the Mammy Yoko hotel. They put up a fight and the heavy firing went on till evening when the Nigerian Army surrendered after mediation by the RED CROSS, because of the consideration about the possibility of heavy civilian casualties. Civilians were then allowed to board an American helicopter on standby nearby. As the civilians (mostly Nigerians) left the hotel, they were stripped of virtually all they owned all their lives by AFRC/RUF fighters. Cash, jewelries and other priceless items were forcibly taken from Nigerians fleeing the country. Some were taken to Military headquarters for detention and to be used as human shield in case of a Nigeria-led attack on the military base.”¹¹⁸

Reference 203 - 0.01% Coverage

After their recruitment, a culture of total dependency prevailed among most of the individual combatant units established in the RUF. Junior fighters, the overwhelming majority of whom were forced recruits, depended totally on their commanders for provisions, for their livelihoods, for privileges such as drugs and women, or girls, whom they raped and for their ‘licence to kill’.¹³⁹ All of this was quite apart from the fact that if they disobeyed or deviated from the orders they were given, they would almost certainly be either beaten severely or (in the worst cases) killed.

Reference 204 - 0.01% Coverage

Many testimonies received by the Commission traced the path of individuals who were brow-beaten into joining the RUF because they simply could not survive outside the movement. Living conditions in a town or village situated within an NPFL or RUF ‘target area’ seemed in its initial throes to be manageable. Government functionaries, many of whom were loathed, were typically chased out or killed and the distribution of provisions, including agricultural produce, became for a time more liberal and equitable than it was under the unjust ‘system’. However, without exception, these ostensible benefits would prove to be a false dawn once the rule of law descended into rule by force. Armed commandos were often reported to have arrived at civilians’ houses unannounced and invariably in the middle of the night, forced entry and helped themselves to food wherever it was available. Moreover the NPFL and RUF forces extended their terrorising of families to the raping and gang raping of women and girls in their homes, often in front of their husbands, parents or other family members. One witness who testified at a public hearing in Kailahun captured the plight of many families:

Reference 205 - 0.01% Coverage

Indeed, there has been a generally unproductive effort on the part of some Kamajors to obscure the character of their faction. They have tried to finesse a place for the Kamajors among the sacred secret societies that form an integral part of Sierra Leone's cultural heritage. This place is simply not their due: the Kamajors were created for the express purpose of war, albeit a war that they perceived themselves to be fighting in the name of a just cause. The secret societies, including the Poro and Bondo Societies for men and women respectively, are essentially peaceful unions of citizens premised on common belief in the powers of spirits that dwell mainly in the "bush."¹⁷⁰

Reference 206 - 0.01% Coverage

"They gave me a tablet to take and asked me to fire at women. I refused. They asked me to fire at a dog, I did. At Sanda I was given an injection. I was not myself after that. I shot people who looked to me like 'chickens'. After taking these drugs we would raid villages. We abused the villagers and took their goats, cows and food. The effect of the injection lasted for nearly two months in me. We were taken to kono, Kenema, Makeni, Sanda, and then Makeni. All this time we looted and killed. The injection given to us looked blue or green. There was also another white tablet which we took anytime we felt like it especially if we wanted to attack the Kamajors. It gave us the zeal to enter their territory without fear. I didn't even know what death was. I didn't care."¹⁹⁷

Reference 207 - 0.01% Coverage

Women

198. Women are usually not miners. Their role is limited to providing food to the miners at the pits. But they are also plot owners and therefore are supporting miners.²⁵¹ One fifth of the total licences issued by the Ministry of Mineral Resources in Kono in 2003 went to women.²⁵² There appears to be no discrimination at the level of the Ministry. On the other hand, since the approval for the granting of licences comes first from the chiefdom authorities, discrimination is present at that level. If a family requests a licence, it would generally be granted to a male member of the family.

Reference 208 - 0.01% Coverage

"... On 23 March 1991, there was a cross border attack on Bomaru town, Upper Bambara Chiefdom... The elders resolved to send a fact-finding mission to ascertain what happened... I led a team of seven men to Bomaru. On our arrival, we were shocked and dismayed about the killings of up to 13 civilians. We went to the point where Major Foday was killed. I met his body hanging through the roof and blood flowing freely on the ground. Among the 13 civilians killed were 7 men, 4 women and 2 children. They had bullet holes all over their bodies. We were informed that the conflict was... between the Sierra Leone Army stationed at Bomaru and rebels of the NPFL of Liberia....

Reference 209 - 0.01% Coverage

Women and girls became particular targets of malice and violence during the conflict. They suffered abduction and exploitation at the hands of the various perpetrator factions. Their vulnerability was deliberately exploited in order to dehumanise them and perpetrate against them the most gross of violations. They were raped, forced into sexual slavery and endured acts of great sexual violence. They suffered mutilations, torture and a host of cruel and inhuman acts. They were taken from their homes and villages by force. Refusal to comply with the demands of their captors often met with death. For those fortunate enough to escape, there followed displacement and separation from families. While some went into exile, many were housed in camps in Sierra Leone and in neighbouring countries. Shockingly, women and girls were not safe even in these camps. Humanitarian workers – meant to offer them respite and protection – also violated their rights. Women and girls were compelled to barter their bodies in order to survive and access aid to which they were rightfully entitled. Girls as young as 12 were forced to pay for aid with sex to secure assistance for their families.

Reference 210 - 0.01% Coverage

Statistics pertaining to the numbers of women affected by the conflict in Sierra Leone remain a huge concern. In 2003, Human Rights Watch published a report in which they stated that as many as 275,000 women and girls may have been sexually violated during the war.¹

Reference 211 - 0.01% Coverage

While peace has returned to Sierra Leone, many of the wounds still remain open. Women and girls still bear the scars, both physically and psychologically. Many have borne children from their horrific experiences. These children are a daily reminder of their pain and suffering. Many women and girls are shunned and punished by members of a society who refuse to acknowledge that it is their failures that led to this conflict and their failure to protect women and girls that has led to the plight they find themselves in today. Women and girls who were violated throughout the conflict are ostracised from society for giving birth to children of “rebels”. It is the price they continue to pay, even today.

Reference 212 - 0.01% Coverage

The UN Secretary-General, in his Twenty-first Report to the Security Council on the UN Mission in Sierra Leone, has stated that “violence against women, including sexual exploitation, as well as discrimination against women in law and in practice and the low rate of participation of women and youth in the political and administrative affairs of the country needs to be addressed.”²

Reference 213 - 0.01% Coverage

The Truth and Reconciliation Commission (“TRC” or “the Commission”) was founded by an Act of Parliament in February 2000 and its Commissioners were inaugurated in July 2002. Section 6(2)(b) of the TRC Act mandated the Commission to restore the dignity of victims. In this context, there was a duty to afford “special attention to the subject of sexual abuse”. While women are not explicitly mentioned in the TRC Act, given that they were the overwhelming victims of sexual abuse, the Commission interpreted this provision to mean that it should pay special attention to the experiences of women and girls.

Reference 214 - 0.01% Coverage

The Commission intends in this chapter to capture the experiences of both women and girls in respect of sexual violence, as well as their complete gendered experiences at a political, legal, health and social welfare level. While the majority of the women in Sierra Leone were victims, the Commission recognises that many women took on the role of perpetrators and / or collaborators, out of personal conviction or simply in order to survive.

Reference 215 - 0.01% Coverage

While the National Commission for Disarmament, Demobilisation and Reintegration (NCDDR) recorded that 4,751 girls entered the DDR process, actual estimates of female combatants are said to be much higher. Dyan Mazurana and Kristopher Carlson, for example, estimate that 12,056 of 48,216 child soldiers were girls. In their report they note that 44% of the girls they interviewed claimed to have received basic military and weapons training. The UN Secretary-General has also acknowledged that “women combatants did not adequately benefit from the disarmament, demobilisation and reintegration programme, particularly because the fast-tracking of the cantonment period resulted in a loss of focus on special programmes intended for women”. He reported that “no provision was made for female camp followers, most of whom had been abducted by the combatants.”³

13. While women played a strong role in peacemaking, only two women attended the negotiations that led to the signing of the Lomé Peace Agreement in 1999. Nonetheless women are increasingly playing a more prominent role in the public life of Sierra Leone.

Reference 216 - 0.01% Coverage

The Commission, primarily through the testimonies it received from women and girls, seeks to find answers as to why such extraordinary violence was perpetrated against women. Did the origins lie in the cultural and traditional history of Sierra Leone, where women were afforded a subservient status to men? Did the low status of women in socio-political life make them easy targets? Or is it because men still perceive women to be chattels, possessions belonging to them, symbols of their honour, making them the deliberate targets of an enemy determined to destroy the honour of the other? The answers probably lie somewhere in a combination between all of these factors.

Reference 217 - 0.01% Coverage

The Commission believes that it is only when the legal, social and political system treats women equally that they will realise their full potential. Women must be given full access to economic opportunities, which allow for their complete, holistic development. They must be able to participate freely in both public and private life. Developing robust accountability mechanisms for those who perpetrate gender-based crimes is a necessary part of this evolution, in order to ensure that women are never again dehumanised the moment the rules of society break down.

Reference 218 - 0.01% Coverage

The TRC in Sierra Leone boldly confronted the task of dealing with its special mandate in respect of sexual violence by formulating policy and determining a methodology to reach as many women and girls as possible in order that their experiences could be documented. In formulating policy, the Commission was driven by several imperative needs: to protect the victims; to engender an atmosphere of trust in the Commission; to observe issues of confidentiality; to create a safe environment for women; and to ensure that women and girls would not be “retraumatised” or “revictimised” in the process.

Reference 219 - 0.01% Coverage

The Commission decided, at the outset, that women, particularly those who had suffered rape and sexual violence, should make their statements to women statement-takers who would be trained specifically to deal with accounts involving rape and sexual violence. The Commission also decided that women themselves should have the option of deciding whether their statements should be regarded as confidential in terms of the provisions of the Act.

Reference 220 - 0.01% Coverage

In the “barray phase” – when Commissioners and staff held public meetings in local “barrays”, which are equivalent to town halls – the TRC reached out especially to women, women’s groups and agencies dealing with women, sensitising them to the aims and objectives of the Commission’s work. The Commission made it clear that it intended to “mainstream” gender in all its activities, that it would deliberately recruit women to be trained as statement takers and that it would welcome suggestions and assistance from agencies dealing with women and girls. At the outset, the Commission made an effort to recruit women into senior staff positions. In addition, it ensured that more than 40% of the statement-takers were women.

Reference 221 - 0.01% Coverage

The Commission arranged for the training of all statement-takers on issues of rape and sexual violence, as well as helping them to cope with trauma. Two training sessions dedicated to this purpose took place in Bo and Kenema. In order to prepare the statement-takers as comprehensively as possible, the Commission also provided guidelines on how to deal with women who had suffered sexual abuse. In summary, these guidelines directed statement-takers to ensure the following conditions:

Reference 222 - 0.01% Coverage

The Commission trained its statement-takers to explain to women who were victims of sexual violence that they should be asked whether or not they would be willing to appear at a TRC hearing. The Commission also made it clear that if a woman preferred, she could appear at a closed hearing to give her testimony. The Commission advised that women should at all times be at liberty to choose for themselves the circumstances in which they testified.

Reference 223 - 0.01% Coverage

Once training had taken place, the TRC embarked upon a pilot phase in December 2002, which saw statement-takers deployed to the various regions. The Commission was pleasantly surprised to discover that women and girls had come out in large numbers to participate in the statement-taking process during the pilot phase. At that early stage, however, women ex-combatants did not turn out in large numbers.

23. While the Commission held public hearings for all witnesses who chose to participate, including women who had suffered violations that were not sexual in nature, it was also decided that there should be special hearings for women and girls who had been sexually violated. These special hearings were “closed”, which meant that members of the public were not allowed into the hearings venue. Accordingly, the Commission adopted a special hearings procedure.

Reference 224 - 0.01% Coverage

The Commission decided that these hearings would be held in camera and would be presided over and attended only by female Commissioners and staff. The Commission through its reconciliation unit provided trained counsellors who would brief and debrief the women and girls who appeared at these special hearings. These counsellors also met with witnesses before their appearances at other hearings. The counsellors and staff members responsible for the hearings would go through the statements previously given by the witness to refresh the memory and ensure consistency.

Reference 225 - 0.01% Coverage

Counsellors would also sit beside witnesses while they were giving testimony and provide assistance to them if they needed it. Immediately after each hearing, the counsellors would debrief and counsel each witness. Women Commissioners would explain to the women and girls who were to testify about what the process entailed and why their testimony was needed. They would then attempt to draw out the totality of each witness’ experiences. If witnesses lost their composure or broke down completely, the Commissioners would assess the situation and would either adjourn the hearing to allow the witness to regain composure or counsel them until they indicated that they were ready to resume their testimony.

Reference 226 - 0.01% Coverage

The Commission had expected that most women who were willing to testify would choose to do so in camera. Surprisingly this was not the case, particularly in the rural areas, where women wanted the community to hear their stories. Many women volunteered to testify in public. As far as girls under 18 years of age were concerned, the Commission employed a policy that all testimony would be given in camera and that mechanisms would be found to have this testimony heard without making identities public. Of course there were also many women who were content to make written statements only to the Commission and who chose not to appear before any hearings. Their statements were also of immense value to the Commission.

Reference 227 - 0.01% Coverage

An event of great significance for the Commission was the session of Special Thematic Hearings on Women, which took place in Freetown from 22 to 24 May 2003. This session started with a march through some of the main streets in the city centre of Freetown, culminating at the hearings venue. The march was led by the Deputy Minister of the Ministry of Social Welfare, Gender and Children’s Affairs, accompanied by staff of the Ministry, women activists, Commission staff, many women’s organisations and hundreds of supporters. The Minister of Social Welfare, Gender and Children’s Affairs, Dr. Shirley Gbujama, then formally opened the Special Hearings session.

Reference 228 - 0.01% Coverage

During the TRC Special Thematic Hearings on Women, the Commission received submissions from a number of women’s groups, UNIFEM and other donor agencies. Testimony was heard from women who had suffered sexual violations. The Commission was careful to protect the identities of the women who gave testimony. While both male and female Commissioners were present, it was only the women Commissioners who asked questions.

Reference 229 - 0.01% Coverage

The Commission entered into an important partnership with the United Nations Development Fund for Women (UNIFEM), which led to the launch of the “Initiative for the Truth and Reconciliation Commission” under UNIFEM’S Peace and Security Programme. The initiative made available training for Commissioners, staff and

UNIFEM's NGO partners. UNIFEM also assisted the NGO community to make submissions on issues affecting women.

Reference 230 - 0.01% Coverage

UNIFEM became involved in mobilising women's groups in Sierra Leone to participate in the Commission's activities by making submissions to the Commission, assisting with the hearings, providing witnesses to the Commission and attending the hearings. UNIFEM also spearheaded the organisation of the march through Freetown and provided funding for some of the items used in the Special Hearings, including refreshments. UNIFEM provided two international gender consultants to assist the Commission and women's organisations both with writing the report and formulating the recommendations.

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Reference 231 - 0.01% Coverage

A large audience gathers at the YWCA Hall in Freetown for the session of TRC Special Thematic Hearings on Women from 22 to 24 May 2003.

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Partnerships with women's organisations 33.

The Commission was keen to establish a working relationship with all of the women's groups in Sierra Leone when it began its work. A number of consultations took place where issues affecting women were discussed, providing valuable input for the Commission's work. Women's organisations also made an important contribution to the work of the Commission by calling upon the women of Sierra Leone to support its work.

Reference 232 - 0.01% Coverage

Culture and tradition in Sierra Leone have in the past prevented women, particularly women in the rural Provinces, from accessing education. The practice in rural societies within Sierra Leone, where most people live below the poverty line, is usually to favour the education of men and boys at the expense of women and girls. Such traditional favouritism of males led to a great disparity existing between men and women in education prior to the war.

Reference 233 - 0.01% Coverage

The Government of Sierra Leone had not "mapped" its schools in the Provinces efficiently or appropriately, which resulted in the location and establishment of many schools far away from the most needy rural communities. The great distance that children had to travel from their homes to get to school discouraged many parents and guardians from sending their children and wards to school. Such reluctance appears to have affected the enrolment and attendance of girls more so than boys, which has contributed to the particularly low level of education of women in the regions.⁶

Reference 234 - 0.01% Coverage

Cultural and economic factors are also cited as contributing factors to the low levels of educated women. The economic crisis that Sierra Leone experienced in the 1980s meant that as resources became scarce and priorities were set, most families chose to educate their males rather than their women and girls. This preference is common in many African societies, where families believe that by educating their men they will support their own kin, whereas by educating their women they will benefit the families those women marry into. Women and girls are usually kept at home to attend to household chores, which, for a large number of them, is also preparation for early marriage.

Reference 235 - 0.01% Coverage

The historical prevalence of early and forced marriages in Sierra Leone has also played a role in the decisions of parents on whether to educate their girl children or withdraw them from school, further compounding the illiteracy level of women. The high levels of illiteracy among women in Sierra Leone before the war have greatly disadvantaged them, particularly in the public arena. Women have been unable to participate fully in many sectors

of public life and therefore have never mustered enough power to change the lives or social status of women for themselves.

Reference 236 - 0.01% Coverage

High levels of illiteracy have also had implications at a political level, where women and women's issues have generally been relegated to the back burner. There has always been a great lack of awareness of the need for women to participate in issues affecting their lives, even among women themselves. It was therefore relatively easy for successive governments before the war to ignore issues affecting women and girls. The low level of female participation in formal education has had negative consequences in terms of economic viability, politics, health and social welfare level for women.

Reference 237 - 0.01% Coverage

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WOMEN AND POLITICS 43.

A paradox exists in Sierra Leone in the realms of women and politics: some women have been political pioneers, whilst the vast majority have languished on the sidelines. This paradox has its origins in the history of how women in Sierra Leone became involved in politics. At the end of World War I, women of Krio origin, born in the Colony,⁸ made their voices heard in the political arena. At the same time, in the Protectorate, a few women wielded political power by becoming Paramount Chiefs or Section chiefs. In Freetown, women of Protectorate extraction, e.g. Mende and Temne, served and still serve as both Section and Tribal Headmen.⁹

Reference 238 - 0.02% Coverage

The activities of those first, feisty women politicians in the Colony resulted in some landmark events. In 1938, Constance A. Cummings-John became the first woman to stand for office in Freetown in the municipal elections, which she went on to win.¹⁰ In 1951, the Sierra Leone Women's Movement (SLWM), a non-political representative organisation, was established. Its goals were "to improve the status of all Sierra Leonean women, whether born in the Colony or in the Protectorate, and to seek female representation on government bodies concerned with education, social welfare and the economy."¹¹ Due to the formation of this group, in 1954, one of the founding members, Mabel Dove, became the first woman in West Africa to be elected to the legislature.¹² The SLWM had a broad base of membership, with about 2,000 members from the Colony and about 3,000 from the Protectorate.¹³ The movement has been described as the only mass-based organisation in the 1950s that actively worked to unite all ethnic groups within its structure and to inculcate a common national identity among Sierra Leoneans.¹⁴

45. Women made real progress in the political arena, which resulted in some of them holding political office in the 1950s in Sierra Leone. In the process certain politicians made history that impacted on a world beyond Sierra Leone. In 1958, three women – Constance Cummings-John, Lena Weber and Stella Ralph-James – became members of the municipal council while, in 1960, one woman was elected Deputy Mayor of Freetown and another, Nancy Koroma, was elected Mende Headman in Freetown.¹⁵

46. Women personalities continued to make their voices heard on political issues in Freetown right through to the time of independence, despite the fact that the vast majority of women were excluded. In the 1957 election, despite the apathy shown by most women, four women did contest for election under the auspices of the SLPP and the two contesting seats in the Colony won.¹⁶ It is instructive to note that neither of these two women ultimately took up their seats in Parliament, due to election petitions filed against them.

Reference 239 - 0.01% Coverage

In spite of this kind of resistance, Cummings-John became the first black African woman to govern a capital city on the continent in 1961.²⁰ Alongside Cummings-John, notable women political leaders of this era included Adelaide Casely Hayford, Stella Thomas Marke, Edna S. Elliot-Horton, Lorine E. Miller, Lottie Black, Mabel Dove, Nancy Koroma and many others.

Reference 240 - 0.01% Coverage

After independence and undeterred by the fractious political climate that ensued over the years, some women continued to forge on in politics, with interesting results. During the reign of the APC Government of Siaka Stevens, another women's organisation, the National Congress of Sierra Leone Women (NCSLW), headed by Nancy Steele, was formed based on a Marxist approach.²¹ This organisation enjoyed some measure of success but lost relevance as the APC became more and more distanced from the population and was eventually ousted from power.

Reference 241 - 0.01% Coverage

Among its other accomplishments, the NCSLW raised the level of women's political consciousness and encouraged the appointment of women to high office. This continued momentum resulted in five women gaining office in Freetown City Council in 1975. In 1977, a woman again became the Mayor of Freetown.²² Also, from the Provinces, a woman Paramount Chief named Madam Honoria Bailor-Caulker represented Moyamba District in Parliament.²³

Reference 242 - 0.01% Coverage

Another women's organisation, the Women's Association for National Development (WAND), was established in 1987. A non-political movement, the stated main aim of WAND was:
"To ensure the participation of women in all aspects of the life of the nation."²⁴

Reference 243 - 0.01% Coverage

During APC rule under Siaka Stevens, no woman held a Ministerial position, although women were members of the party's central committee. This situation improved slightly during President J. S. Momoh's tenure, with three women holding positions as Deputy Ministers.²⁵

53. While some women in Sierra Leone, especially the Krios, became deeply involved in politics quite early on in the post-independence period, it was much later that women from the Provinces were able to join the bandwagon. The Krios, on the whole, were better educated than those in the outlying areas and that disparity applied to Krio women as well. Their exposure to education led to their clear understanding of the need for women to be involved in the political process. Their links internationally meant that they were also exposed to the growing debates in the world on issues such as the suffrage of women, the abolition of slavery, the rise in African nationalism and the struggle for independence.

54. Women in Freetown had enjoyed access to various levels of education from as early as 1787. Their counterparts in the Provinces had access to only one secondary school, which was established in the 1940s. Women in the Provinces, mostly uneducated and affected by poverty, lacked awareness of their political rights and did not participate in any political activities. In short, women in the Colony enjoyed a head start on women in the Provinces in terms of both education and politics.

Reference 244 - 0.01% Coverage

Tradition and culture also played its own role in inhibiting women in the Provinces from playing a role in politics. While it is true that women could be made Paramount Chiefs in some of the Provinces, their accession only took place on a hereditary basis. The prevailing system did not create any awareness of the need for women to participate in the political affairs of the day. Women in the Provinces have traditionally had a lower status than men and have not occupied any positions of genuine power other than those exceptions mentioned above. It was therefore much more difficult for women in the Provinces to break down traditional barriers and access political power as it would impact on the existing power structures in society.

Reference 245 - 0.01% Coverage

The Krios, descended from an "immigrant culture," did not have any such entrenched traditional belief systems that barred women from political participation. The Krios had come to Freetown to express their desire for freedom in all spheres of life. The culture of independence that they brought with them facilitated the participation of Krio women in modern politics.

Reference 246 - 0.01% Coverage

Ironically of course, the voices of Krio women did not translate into more power for women more generally, or a greater awareness of the needs of women. While women had some token representation in government from the time of the nationalist era to the outbreak of the war, women politicians constantly struggled against the indifference or the outright opposition of their male colleagues.²⁶ Even in the final deliberations for self-government, male leaders would have ignored them had the women not raised a public outcry. According to one of the foremost female political activists of the time:

“This pattern of unthinking oversight [from men] occurred repeatedly. Many savvy women abandoned active political work once they realised the paucity of rewards.”²⁷

Reference 247 - 0.01% Coverage

Such was the prevailing situation before the conflict. While politics all over the world is a male-dominated field at the best of times, undoubtedly the inherently patriarchal nature of politics has exacerbated the exclusion of women. Sierra Leone is of course no exception. The participation of women in politics on a mass scale in Sierra Leone was largely limited to the provision of moral support, the raising and collection of party funds, voluntary labour and the organisation of catering or entertainment in their various political parties. Women leaders were often lent the somewhat patronising sobriquet “Mammy Queen”, indicating their aptitude in stereotypically “maternal” roles.

Reference 248 - 0.01% Coverage

Needless to say such activities did not improve the position of women. They were still relegated to background positions after elections and as such could neither wield power nor benefit from the government when eventually it was constituted. Given the low numbers of women in positions of power, the much-needed “critical mass” of women leaders who could have made a difference was non-existent.

Reference 249 - 0.01% Coverage

In the Provinces a strong cultural belief existed that “women should be seen and not heard”. Of course, economics played a part in marginalising women. More importantly, though, attempts by women to agitate for political positions or to improve the quality of their lives were often thwarted because they were largely seen by the male members of society and by political parties as being in contradiction to the traditional role that women were expected to play.

Reference 250 - 0.01% Coverage

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THE LEGAL STATUS OF WOMEN 61.

Throughout the history of Sierra Leone, including the post-independence period before the war, women have not enjoyed equal status with men. To a large extent, the laws of Sierra Leone are discriminatory against women. While Sierra Leone is governed by a constitution²⁸

promulgation of discriminatory laws, women are not protected in the areas that affect them most, such as marriage, divorce and inheritance.

Reference 251 - 0.01% Coverage

Examples abound of discriminatory laws: for example, the Matrimonial Causes Act 1960, which covers divorce and maintenance for married women; the Administration of Estates Act, which governs inheritance and the distribution of a deceased’s estates; or the Citizenship Act 1973, which allows a Sierra Leonean husband to confer Sierra Leonean citizenship on his foreign wife, children and grandchildren but does not permit a Sierra Leonean wife to do likewise. The laws cited here were all originally adopted from English law. The cruel injustice is that they have long since been repealed in England and persist only in the Sierra Leonean legal system, to the great detriment of the country’s women.

Reference 252 - 0.01% Coverage

The absence of progressive legal reform in Sierra Leone has resulted in the continued application of discriminatory laws and leaves women largely unprotected. Rape continues to go largely unpunished. Legislation is necessary to protect women adequately from all forms of violence, particularly domestic and sexual violence.

Reference 253 - 0.01% Coverage

Customary law, which is largely unwritten and applies to the majority of the population, also discriminates against women, precluding them from enjoying equal status or rights with men. In the area of inheritance, traditional customary law regards women as “chattels” to be inherited. In other areas, women are regarded as minors in need of guardianship from a male family member. While the law provides that the application of customary law should not offend the principles of equity, natural justice or fairness, its application and impact on women is usually unfair.

Reference 254 - 0.01% Coverage

In the sphere of marriage, women have been denied equal rights with their spouses. Their subordination does not change on termination of marriage. Historically, laws did not provide a minimum age for marriage that was universally applied throughout the country and did not preclude the common practice of early marriage. Unequal power relations between spouses characterised marital relationships to the detriment of women. The contributions women made towards the family were scarcely taken into account during the marriage or at its termination.

Reference 255 - 0.01% Coverage

Although women have provided the bulk of the agricultural labour force, they have never owned land and whatever user rights they had under the land tenure system were lost upon the death of their husbands. Such user rights are vulnerable during war and even more so when reconstruction begins in the post-conflict period. Land ownership is a necessary means of generating wealth for women, since land can act as collateral when seeking loans from commercial banks. Women’s lack of economic power contributes to their vulnerability and to the “feminisation” of poverty.

28 See the Constitution of Sierra Leone 1991. Vol Three B Chapter Three Women and the Armed Conflict in Sierra Leone Page 98 that prohibits the

Reference 256 - 0.01% Coverage

Commission staff join civil society groups to march through the streets of Freetown before the TRC Special Thematic Hearings on Women.

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THE ECONOMIC STATUS OF WOMEN 67.

Economic opportunities for women in general were at best limited prior to the war, given that the persistent economic decline from the 1960s affected every Sierra Leonean irrespective of gender. According to a report from the Ministry of Social Welfare, Gender and Children’s Affairs in 1996, the country’s performance had been one of long-term decline. Between 1965 and 1973 Sierra Leone registered an annual average real growth rate of over 4%, which declined gradually to 1.8% between 1974 and 1984. From 1984 onwards, the growth rate became negative until 1994, when it registered at 2%. Only in 1995 did growth briefly leap up to 10%.²⁹

Reference 257 - 0.02% Coverage

Contemporary studies indicate that women bear the impact of an economic crisis more than men do.³⁰ The inevitable rise in unemployment generally puts already marginalised women at a great disadvantage. Austerity measures result in fewer resources and usually translate into increased workload for women so as to garner more resources. Such a situation does not allow room for gender equality or improved conditions, as women are primarily engaged in the struggle for survival. Hence the phenomenon known as the “feminisation” of poverty. It has an especially stark impact on women in the rural areas.

69. Women before the war constituted the majority of the rural labour force. They made vital contributions to the economy. They have always played a substantial role in the sustenance of the family. Women provided more than 60% of farm labour for food production, processing and distribution.³¹ It is indeed telling that while women were

engaged in subsistence farming and provided the labour force for cash crop production, men had greater access to ownership and control of cash crop production.

70. Women have traditionally engaged in low-income activities such as petty trading. A Labour Force Survey conducted in 1988 and 1989 revealed that 69% of petty traders were women, whereas 86% and 67% of men were service personnel and professional / technical workers respectively.³² While many worked as traders, women did not record substantial growth in their economic activities as a result of inadequate skills, low educational status, low economic power and lack of access to substantial credit facilities and property. The disparity between the economic status of women and men has often resulted in economic dependency by women. Women become overly reliant on men for the provision of their needs. In many instances, men exploit this dependency to consolidate control over women, thus further perpetuating their poverty.

Reference 258 - 0.01% Coverage

WOMEN AND HEALTH 71.

Before the onset of the war, less than half of the population had access to basic health services.³³ This travesty was attributed mainly to the unfavourable economic climate that Sierra Leone was experiencing. The cuts in spending in areas such as health and education invariably affected women disproportionately. According to a submission to the TRC from a group of women's NGOs,³⁴ decreases in public health spending and, in some cases, structural adjustment contributed to the deterioration of public health systems. The submission further stated that privatisation of health-care systems without appropriate guarantees of universal access to affordable health care, further reduced health-care availability. Women have long experienced unequal access to basic health services as well as different and unequal opportunities for the protection, promotion and maintenance of their health.

Reference 259 - 0.01% Coverage

In the face of this plight, the Pan African Women's Association (PAWA) Sierra Leone used the platform of International Women's Day in 1992 to complain about the hardships women were enduring under the Structural Adjustment Programme.³⁵ They cited limited access to health-care facilities, especially in the rural areas, as well as the exorbitant costs attached to what little health care was available.

Reference 260 - 0.01% Coverage

Due to early and forced marriages in Sierra Leone, early sexual activity was commonplace. Many young girls therefore started child bearing early and were exposed to risks and complications arising out of early pregnancy and childbirth.³⁶ Coupled with high illiteracy levels and a lack of awareness, these women and girls could not access adequate healthcare for themselves in such circumstances.

Reference 261 - 0.01% Coverage

Traditional practices also impacted on the health of women in the period before the war. Practices such as venerating women because of their child-bearing capacities and encouraging them to increase the number of children they bear have put their health at risk so as to satisfy societal standards. The status of a woman is enhanced by motherhood, which pressurises many women into frequent child bearing, complete with its attendant health problems. Tradition and culture have also prohibited women from enjoying reproductive and sexual rights often through a lack of awareness of these rights. In those instances where they do know of them, they are not able to exercise them. Women do not have the power or the choice to refuse sex. They have no control, in most instances, over their bodies.

Reference 262 - 0.01% Coverage

Escalating poverty, coupled with cultural practices such as giving the most nutritious part of the food to the man,³⁷ resulted in poor intake of nutrients for women, jeopardising their health and their ability to bear healthy children.

Reference 263 - 0.01% Coverage

The dismal economic situation, poor medical facilities and lack of access to the few existing health facilities put women at risk even before the war started. This situation was only to be compounded during the war years.

THE SOCIO-CULTURAL STATUS OF WOMEN 77.

Cultural practices and traditional beliefs relating to women have “socialised” some Sierra Leoneans into stereotyping the role of women. The effects of “socialisation” on perceptions of gender identity and roles are of great significance because they continue to impact on behaviour throughout one’s life, including in the way that one interacts with the opposite sex. The outcomes of the socialisation process are exhibited in the attitudes and behaviour of members of society in all aspects of life including gender identity and roles.

Reference 264 - 0.01% Coverage

In this regard, the social and cultural factors that have determined societal perceptions and attitudes towards women in Sierra Leone can be examined against the background of the violations they have suffered.

Reference 265 - 0.01% Coverage

Sierra Leone’s social and cultural mores are a blend of Traditional or Indigenous, Islamic and Christian belief systems, all being buffeted by a Western value system. Many of these cultural beliefs are examined in order to understand how women are treated in Sierra Leone in certain circumstances and to determine whether any such treatment had correlation to the conflict.

Considerations of women’s sexuality 81.

Virginity is revered across ethnic lines³⁹ and is of considerable importance for a woman and her family. Virginity was used to determine the status of not only a mother and her daughter but also that of the family. If a girl was found not to be a virgin, the shame fell on her mother and ultimately her family as her behaviour was thought to be a measure of the extent to which the prevailing social mores had been instilled in her.⁴⁰ Thus the virginity of a woman “belonged” to the family and constituted the honour of the family.

Reference 266 - 0.01% Coverage

Today, the values around virginity have changed somewhat and no longer carry as much significance as they did in the past. It can be argued that a new value system has emerged. Women are no longer beholden to their communities and families to uphold their chastity. Ironically, virginity has become a casualty of war due to the atrocities women suffered in the conflict.

Reference 267 - 0.01% Coverage

For women and girls, there is no official age for marriage in Sierra Leone. Traditionally among some ethnic groups, a girl is considered of marriageable age when she has attained puberty (i.e. she has developed breasts and started menstruating) and has been initiated into the women’s secret society. Therefore girls as young as twelve, providing they met these conditions, were eligible for marriage. The entrenched nature of tradition helps to explain why early marriages were and still are practised routinely by some ethnic groups in the country.⁴³ Today though, some women and girls make their own decisions concerning marriage and sex independently.

Reference 268 - 0.01% Coverage

The abductions and use of young girls and women as bush wives and sex slaves by armed groups during the war could be attributed to the traditional beliefs that governed this issue prior to the war. Some of the armed groups did not consider it an aberration to rape young women or use them as sex slaves. A testimony to the Commission from a girl child who went fishing with other children and was captured during the conflict illustrates this point:

Reference 269 - 0.01% Coverage

All of these solutions depend on the acts of sexual violence having been “publicly” declared. In a society where silence around sexual violence holds sway, the notion of a “public declaration” is problematic. In addition, fear of shame, ostracisation, stigma, bureaucracy the disappearance of witnesses and a lack of financial capacity to take a case forward all militate against the victim making the violation known publicly. Hence out-of-court settlements are

common. A pervasive “culture of silence” around rape and other acts of sexual violence tends to discourage women and girls from coming forward.

Reference 270 - 0.01% Coverage

Despite the existence of a number of mechanisms to address sexual violations, most of them continue to go unreported or undeclared. In addition to the culture of silence there has emerged a culture of impunity, which enabled the armed groups to sexually violate women during the conflict with no thought or fear of accountability. Society’s reaction to sexual violations is generally lukewarm and rather passive. It remains to be seen whether there will be successful prosecutions of those who have committed rape and other acts of sexual violence during the conflict.

Reference 271 - 0.01% Coverage

Amongst all ethnic groups in Sierra Leone, it is accepted practice for husbands to chastise or beat their wives or female relatives. Under customary law, a husband has the right to “reasonably chastise his wife by physical force”.⁵³ Tellingly, significant numbers of women believe that it is appropriate for men to beat their wives. During a study of gender-based violence by the NGO Physicians for Human Rights, more than half of the women interviewed agreed with the view that a man has the right to beat his wife.⁵⁴

Reference 272 - 0.01% Coverage

According to Rehn and Sirleaf⁵⁸, the extreme violence that women suffer during conflict does not arise solely out of the conditions of war, but is directly linked to the violence that exists in women’s lives during peacetime in the society in question. The authors state that “throughout the world, women experience violence because they are women.”⁵⁹ They mostly attribute this situation to women’s lack of political rights and authority. They conclude by stating that:

“Because so much of this persecution goes largely unpunished, violence against women comes to be an accepted norm, one which escalates during conflict as violence in general increases.”⁶⁰

Reference 273 - 0.01% Coverage

Domestic violence as well as sexual violence is usually condoned or tolerated particularly in traditional societies. This is usually because of unequal power relations. In addition, conditioned by culture and status to be subservient to men, some African women especially the rural and poor ones have less safety mechanisms to combat violence leading to an acceptance of violence in the society.

Reference 274 - 0.01% Coverage

A contributory factor is the ingrained perception held by many African women that complaining to persons or authorities may lead to the exposure of “family secrets”. This perpetuates the culture of silence around domestic and sexual violence. During conflict periods the usual safety mechanisms no longer function and violence spirals out of control. It has a direct effect on women and girls who bear the brunt of it.

Reference 275 - 0.01% Coverage

The prevalence of an existing culture of violence in Sierra Leonean society and the silence that surrounds it may explain in part the brutality experienced by women during the conflict period. If violence existed against women at a time when there were some, albeit insufficient safeguards for women in place, the moment they were removed, the level of violence escalated. The contempt in which women were held prior to the conflict also exacerbated the way they were treated during the war. A report concluded in Freetown in 1998 found a correlation between the culture of condoning domestic violence in Sierra Leone and the prevalence of violence in general. In one of its conclusions the report stated that:

Reference 276 - 0.01% Coverage

It is clear that women did not enjoy a high status in Sierra Leonean society before the war. Regrettably, the subordination of women has not changed up to the present day. It is a prognosis corroborated by Dr. Shirley Gbujama, the Minister of Social Welfare, Gender and Children Affairs, speaking in Freetown in October 2003: “The low status of women is steeped in deep cultural tradition. In traditional Sierra Leonean society, the wife and children are at the mercy of the family. Women have little control or influence over decision-making. Certain socio-cultural practices provide the leading cause of gender disparity and the inferior status of women as evidenced by [such factors as]: high fertility rates; high infant and child mortality rates; high adult female illiteracy rates; exclusion of women from receiving certain services and instruments in rural areas such as land, extension services, credit and farm inputs; and the disproportionate amount of the workload in agriculture (estimated at 60-80%) allocated to women.”⁶²

61 Coker A. and Richter D.; “Violence Against Women in Sierra Leone: Frequency and Correlates

Reference 277 - 0.01% Coverage

Section 15 of the Constitution provides for a bill of rights guaranteeing fundamental human rights and freedoms of the individual irrespective of sex.⁶⁹ This provision represents an important guarantee and should, appropriately understood, be a basis for challenging laws that discriminate against women.

Reference 278 - 0.01% Coverage

The Constitution however nullifies much of the promise of the equality provisions in Section 27(4)(d) by making an exception to the prohibition of discriminatory laws with respect to laws dealing with marriage, divorce, inheritance, or other interests of personal law.⁷⁰ The effect of these exceptions is to shield the laws that apply throughout Sierra Leone that most discriminate either of themselves, or in their effects, or both, against women. Consequently, all of the most significant laws that are discriminatory against women still apply, rendering the equality provision in Section 15 seriously flawed and ineffective.

Reference 279 - 0.01% Coverage

In addition, by prohibiting discrimination by persons in the public sector only, the Constitution appears to permit persons in the private sector to pursue discriminatory policies against women in important areas of their lives, including employment and promotion. With regard to the area of protection from violence, Section 15(a) of the Constitution provides for the right to life, liberty and security of person, while Section 20 provides that no person shall be subject to any form of torture or punishment or other inhuman or degrading treatment. These express constitutional provisions ought to provide a basis for the Government to protect and promote the rights of women to be free from violence and ensure that its laws, policies and programmes reflect these provisions in practical terms.

Reference 280 - 0.01% Coverage

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111. While the Constitution prohibits specific discrimination based on sex, there are certain exceptions or “claw back” clauses that particularly affect women. Section 27(3) defines discrimination as follows:

Reference 281 - 0.01% Coverage

The definition of discrimination includes “according privileges or advantages, which are not accorded to persons of another description”. This definition poses a serious challenge to women: on the one hand, they may challenge laws that discriminate against them because their male counterparts are not subject to the same laws; on the other, they do not appear to have the means to redress the historical legacies of gender imbalance on the same basis.

Reference 282 - 0.01% Coverage

Paradoxically, the Constitution outlaws positive discrimination or affirmative action that may sometimes be necessary for the achievement of equality for all individuals, especially women. Section 27(4)(g),⁷¹ which appears to include affirmative action, is vague and remains to be tested or brought for interpretation in the Supreme Court. Constitutional provisions that readily allow laws, measures or policies temporary or otherwise are very necessary as

a basis to redress the historical imbalance that exists in the society. Examples of such provisions can be found in other African constitutions.⁷²

Reference 283 - 0.01% Coverage

Notwithstanding the equality provision in the 1991 Constitution, the majority of women in Sierra Leone do not enjoy equal status with their male counterparts. Aspects of statutory laws grounded primarily in English law adopted in Sierra Leone and influenced to a great extent by customary and Mohamedan law are still discriminatory against women.

Reference 284 - 0.01% Coverage

Customary law, as practiced in certain communities, clearly discriminates against the interests of women in areas such as marriage, inheritance, property rights and political participation. These laws and practices are a challenge for the enjoyment of women's rights, their advancement in the family and contribution to the political, economic and social development in Sierra Leone. Women are the victims of many forms of violence, yet the legal system does not provide adequate remedies to protect women and punish their violators. Traditional and cultural mores perpetuate gender stereotyping and greatly impact on the legal framework and practice relating to women.

Reference 285 - 0.01% Coverage

Women's reproductive health rights 117.

The inferior status of most women, along with prevailing customs and traditions, makes it difficult for a woman freely to exercise her reproductive rights. There is barely any recognition for the right to plan one's family, the right to freedom from interference in reproductive decision-making, or the right to be free from all forms of violence, discrimination and coercion that affect a woman's sexual or reproductive life.

Reference 286 - 0.01% Coverage

International treaties define the right to plan one's family as the right to determine freely and responsibly the number and spacing of one's children and to have the information and means necessary to do so. Governments are obliged to ensure that men and women have access to a full range of contraceptive choices and reproductive health services and that they have adequate information about sexual and reproductive health. These principles are linked to the right to life, liberty and security of the person and the right to privacy.⁷⁶

Reference 287 - 0.01% Coverage

Maternal mortality is a deprivation of the right to life and Government has a responsibility to improve its health-care system so that women can enjoy safe motherhood. There is also a need for the enactment of laws relating to marital rape, which must include an offence of knowingly infecting a partner with HIV / AIDS. Presently in Sierra Leone, marital rape is not classified as a crime.

Reference 288 - 0.01% Coverage

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Women's rights to property and land ownership 120.

Land ownership in the Western Area is based on English property laws from prior to 1925 and allows for individual ownership. In the Provinces, land ownership is governed by Chiefdom Councils and allows only for group ownership. Equal land ownership and inheritance laws and practices are necessary to achieve sustained development in any country. In post-war Sierra Leone, they are also essential for women's economic, social and political survival.⁷⁷ The argument for land ownership for women is not only one based on personal need, family security or national development; it is also a question of basic human rights.⁷⁸ Women can acquire land through purchase, but often lack resources to do so. Most landowners acquire land through inheritance, and because of discrimination in the laws of inheritance that apply throughout the country, far fewer women than men own land in Sierra Leone.

Reference 289 - 0.01% Coverage

Inheritance rights become problematic where intestacy arises. While individuals can make a will under the different systems of personal law, in reality only a small fraction of the population make a will.⁷⁹ The individual's "personal law" governs inheritance in Sierra Leone. This is determined by a person's ethnic origins, as a "native" from the Provinces, or as a "non-native" from the Western Area, or as a Muslim and not by his place of current residence.⁸⁰ Inheritance is governed by three different sets of laws: customary law; Mohamedan law; and one set of statutes, which applies to persons who are not Mohammedans or whose personal law is not customary law. The inheritance rules of distribution discriminate against women under each of the three different laws.

Reference 290 - 0.01% Coverage

The rules of inheritance under customary law vary from one ethnic group to another. Widows do not have inheritance rights in some ethnic groups; indeed some groups regard a widow as a chattel and part of the estate to be inherited by the deceased's elder brother, or in his absence his eldest son.⁸⁴ In Mende customary law a widow cannot inherit the husband's estate. In the case of *P. C. Bongay v Macaulay* (1920-26),⁸⁵ the court supported the position that a woman cannot have any interest in land as of right, or acquire land through her husband. This discrimination is quite anomalous, as the Mende women are allowed to become Chiefs and hold other leadership positions in society.

Reference 291 - 0.01% Coverage

126. While the Act makes no provision for the distribution of the estate of a deceased person, it does allow the Official Administrator who holds the letters of administration to consult the tribal headman of the deceased, to ascertain the law governing the distribution of the estate. The Act gives the deceased sons and eldest brother the right to administer the estate of the deceased without providing the rules they should follow in distributing the estate, thus there are instances where wives and daughters have been deprived of any share in their deceased husband or father's estate. There are rules of distribution in the fourth chapter of the Quaran-Sura-tul Nisa applied by some Muslim communities, but its application give men more inheritance rights than women. This Act has the widest application in the country but because it does not contain any provisions guiding distribution it is seriously flawed. It is not surprising that the distribution of a deceased's estate usually impacts negatively on women and are hardly challenged.

Reference 292 - 0.01% Coverage

The different rules of distribution under each of these legal systems allowing men better inheritance rights than women are a clear discrimination on the basis of sex. The application of these rules sometimes exposes widows to forceful eviction without consideration to their contribution to the assets acquired during marriage. They also contravene a cardinal right of equality in marriage and at its dissolution. They also affect the children of the deceased who may be deprived of care and education as a result of these inheritance rules.

Reference 293 - 0.01% Coverage

In instances under customary law where the deceased brother inherits the wife and then forces her to marry him. This practice deprives women of their right to freely choose who and when they wish to marry, and is repugnant to "equity, natural justice and good conscience."⁸⁸ As in the case with other African societies, the daily struggle, contribution and effort of women in Sierra Leone is often overlooked and not given any monetary value. Ghana is one very positive example of a country in the same sub-region as Sierra Leone that has made several attempts to amend its laws on inheritance.⁸⁹

The importance of land ownership for women 129.

The war in Sierra Leone created many female-headed households. However, women still experience great difficulty in accessing housing. While many women have the resources to rent a house, landlords refuse to rent their houses to women unless a man carries out the negotiations. Many war widows complain of being forced out of farmlands that belonged to their husbands. Law reform law particularly in the area of property and inheritance rights is important to redress the grievances of these widows. This problem is even more prevalent in the rural areas where land held by the Chieftdom Council in trust for their community is allocated mainly to male family heads.

Reference 294 - 0.01% Coverage

The Commission notes that most land allocation projects carried out by government or traditional authorities in Sierra Leone still tend to benefit men more than women.

Reference 295 - 0.01% Coverage

Land ownership is needed to enable women to achieve economic empowerment. Land is needed not only for agriculture, a sector in which women make up the majority of the workforce, but also to be used as collateral for loans. In the Western Area, if the names of the couple are on the title deeds of the property acquired during marriage, they are regarded as joint owners. Neither party can convey or transfer the property to the detriment of the other. However in cases where the property is only in the name of the husband, the wife is disadvantaged, as she cannot challenge a sale or gift of that property to a third party.⁹⁰

Reference 296 - 0.01% Coverage

Given the present increase of single mothers and female-headed households because of the war, land is desperately needed to enable women to achieve economic empowerment and provide for their families. Women can have the same access to credit as men if they are landowners, because land can be used as collateral for a loan.⁹¹ The courts in Freetown regularly impose presentation of title deeds as a condition when granting bail to accused persons for certain offences, thus making it difficult for any woman to secure bail for her relatives or herself because she does not own property. Securing greater access to land for women through legal reform in the areas of inheritance and land allocation, particularly after the war, is a pressing priority.

Reference 297 - 0.01% Coverage

The Matrimonial Causes Act of 1960 provides for divorce, judicial separation and restitution of conjugal rights for persons married under the Civil or Christian Marriage Act. The grounds for divorce are cruelty, adultery or desertion, which are matrimonial offences requiring a higher standard of proof and based on the guilt or innocence of either party to the marriage. Divorce proceedings are very expensive and time-consuming. Most women do not apply for divorce because they lack the means to do so and the rules themselves are discriminatory against women.⁹² Thus men – who may not necessarily be the innocent party in the marriage – institute most divorces.

Reference 298 - 0.01% Coverage

If a woman decides to challenge the transfer of land to a third party when her name is not on the title deed, she faces an uphill task to gain redress. She will be obliged to prove that it was the intention of the parties that the property should be owned by both of them, or that she had contributed to or provided the money for the purchase of the property and that the husband held the property in trust for her. See King, Women's Land Ownership and Property Rights. See King, Women's Land Ownership and Property Rights, at page 23.

Reference 299 - 0.01% Coverage

There are frequent reports in Sierra Leone of violence that has resulted in death, permanent disability or serious injuries to women. In each such case, the woman's right to health, liberty and security of person, as well as her right to physical integrity, are severely undermined. In a case where a woman dies as a result of physical injury inflicted by her partner, despite having made multiple reports to the police, the Government should be held accountable for having breached its duty of care to protect its citizens' human rights.

Reference 300 - 0.01% Coverage

lacks laws on sexual harassment (albeit that if an assault occurs it can be prosecuted under different statutes). The laws of Sierra Leone do not adequately deal with the various forms of sexual harassment women face at work, in school, during their use of recreational facilities, or in any other public or private places.

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Reference 301 - 0.01% Coverage

The horrific and brutal experiences of women during the war make it necessary to examine whether the laws of Sierra Leone offer adequate protection in relation to sexual and gender-based violence. In 2001, Physicians for Human Rights (PHR) conducted a population-based assessment of the prevalence and impact of sexual violence and other human rights abuses among internally displaced persons in Sierra Leone. PHR found that internally displaced women and girls in Sierra Leone suffered an extraordinary level of rape, sexual violence and other gross human rights violations during the country's civil war, with half of them indicating that their contact had been with the Revolutionary United Front (RUF) forces.⁹⁵

Reference 302 - 0.01% Coverage

The rules of procedure in Sierra Leone's courts, which require corroboration and cross-examination by formidable defence lawyers, discourage women from instigating legal proceedings. Such a perceptibly hostile environment in the courts has often had the consequence of making victims, most of them without legal representation, feel that they are responsible for the crime they have suffered. Even where cases are reported, most of them end up not being prosecuted, as those responsible for prosecution prevail upon the victim to settle the matter out of court. The approach of the police and judicial officers suggests that they regard rape and other gender-based crimes as lesser crimes not worth prosecuting.

Reference 303 - 0.01% Coverage

Under the Protection of Women and Girls Act, any person who procures or attempts to procure a girl or woman under 21 years who is not a common prostitute or of known immoral character to have sex with another person within or without Sierra Leone commits a crime and shall be imprisoned for a period not exceeding two years. Any person who uses threats or intimidation to do such an act commits a crime and shall be imprisoned for the same period. The Act does not define a "common prostitute" or a "person of known immoral character", which means the provision is too open to abuse and denies adequate protection to women and girls.

Reference 304 - 0.01% Coverage

The complex provisions of the general law have been misinterpreted to the detriment of minors who have been raped or sexually assaulted, resulting in perpetrators being charged with unlawful carnal knowledge of a child, for which the sentence is lighter than rape.⁹⁸ Another area of concern is the need for corroborating evidence relating to these offences, which is extremely unlikely considering their nature and the circumstances in which they are typically committed. Until recently there was only one police doctor in Freetown who was competent to provide medical services to victims and furnish the courts with the requisite medical reports. The police and judicial officers remain outwardly reluctant to prosecute sexual offences and the legal system that is supposed to serve women remains unfriendly to them.

Reference 305 - 0.01% Coverage

During the conflict, women were targeted by the different perpetrator groups and systematically raped and sexually violated. Rape was used as a weapon of war to dominate and humiliate women to undermine traditional cultural values and community relationships. Women and girls were raped and sexually attacked in front of their families, mothers, fathers, husbands and children, as a means of heightening the crime against them, torturing their loved ones and terrorising the community.⁹⁹

Reference 306 - 0.01% Coverage

Under traditional customary law, the consent of the woman or girl for the purposes of sex is immaterial. If a girl is raped or indecently sexually assaulted, her parents can bring an action under customary law for compensation.¹⁰⁰ If the girl is a virgin the amount of compensation includes "virgin money". The same situation applies where the offender is a prospective husband of the victim. If the girl is married her husband can bring an action for compensation commonly referred to as "woman damage".¹⁰¹ The fact that communities were in no position to demand compensation for these crimes when they were committed against women and girls during the war has

further degraded the status of women. There is no doubt that the reduction of a sexual offence from a heinous crime to a mere action for damage money has contributed to the low status that women occupy in traditional society. Access to justice for women facing sexual violence under general law and under customary law

148. Women victims of sexual violence in Sierra Leone face considerable challenges in seeking to achieve justice. Some of the problems they face are as follows:

Reference 307 - 0.01% Coverage

Absence of legal aid for women; Absence of laws on marital rape;

Reference 308 - 0.01% Coverage

149. Women suffered a multiplicity of violations during the war, including abduction, forced recruitment, detention, forced displacement, forced labour, assault, torture, forced drugging, amputation, forced cannibalism, forced cannibalism, rapes, sexual slavery, sexual abuse, extortion, looting, destruction of property and killing.¹⁰² Many of these violations constitute crimes under Sierra Leone's criminal law. Torture, forced drugging and amputation may be prosecuted as assaults under the Offences Against the Persons Act 1861. The killing of women may be prosecuted as murder or manslaughter. Detention may be prosecuted as false imprisonment. The acts of extortion, looting and destruction of property may be prosecuted under the Larceny Act 1916 or the Malicious Damage Act. The national laws of rape under the common law, indecent assault and procuring for prostitution could be applied to crimes of sexual violence committed during the war.

Reference 309 - 0.01% Coverage

152. On 23 February 2003 the Sierra Leone Parliament established a Standing Committee for Human Rights and related issues to promote respect for human rights in Sierra Leone. If this Committee is to succeed in its mandate, it will have to pioneer and lobby for legal reform to promote and protect women's rights. A relevant consideration in its work must be the application of national law to sexual violations that may occur in a future conflict situation.

Reference 310 - 0.01% Coverage

The ratification and incorporation of international human rights instruments into national law is crucial to the advancement of women's rights as it imposes on states an obligation to interpret national law in a manner consistent with the state's international or legal obligations. International human rights standards can be regarded as the minimum standards of protection, which all systems of national laws should strive to attain.

Reference 311 - 0.01% Coverage

Sierra Leone became a member of the United Nations in 1961 and ratified most of the major human rights instruments. Sierra Leone is a signatory to the International Covenant on Civil and Political Rights (ICCPR),¹⁰³ the International Covenant on Economic Cultural and Social Rights (ICECSR),¹⁰⁴ the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW),¹⁰⁵ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT),¹⁰⁶ the Convention of the Rights of the Child (CRC),¹⁰⁷ the African Charter on Human and People's Rights¹⁰⁸ and the African Charter on the Rights and Welfare of the Child.¹⁰⁹

Reference 312 - 0.01% Coverage

The African Charter on Human and People's Rights entered into force in October 1986. Article 18 (3) of the charter states that "the state shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions". By this Article, the African Charter has incorporated all of the international declarations and conventions that relate to women. There is a protocol on the Rights of African Women approved in July 2003 that offers wide protection for the rights of women. Sierra Leone needs to ratify this protocol, which will allow the rights provided in it to be enjoyed in Sierra Leone.

The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)

Reference 313 - 0.01% Coverage

General Recommendation 21 of the CEDAW Committee on Marriage recognises that common law principle and religious and customary laws contribute to the persistence of gender stereotypes and women's inequality. The Committee calls for governments to bring traditional practice in line with existing law. It recognises 18 as the appropriate age for marriage and rejects arguments of an earlier age for girls because of the associated health risks.

Reference 314 - 0.01% Coverage

General Recommendation 19 dealing with violence against women advocates for the enactment and enforcement of legislation to prevent and punish acts of domestic violence. The Committee has also criticised State parties who place undue emphasis on marital reconciliation, particularly in cases involving violence. It calls on governments to suppress all forms of trafficking in women and exploitation of the prostitution of women. It further recognises that economic factors such as poverty adversely contribute to prostitution and the trafficking of women. The Committee has also identified sexual harassment as a form of violence against women, particularly in school or work environments, and has recommended that state parties enact sexual harassment laws.

Reference 315 - 0.01% Coverage

General Recommendation 14 specifically addresses female genital mutilation. It recognises the cultural, traditional and economic factors that perpetuate the practice of FGM. It also identifies the health related consequences and makes recommendations to State on how to eliminate it. FGM is also specifically mentioned in General Recommendation 19 equating the practice as a form of violence against women committed by private or state actors. General Recommendation 24 recommends the enactment and effective enforcement of laws that prohibit genital mutilation.

Reference 316 - 0.01% Coverage

There are several international instruments that seek to protect the rights of women and prohibit violence particularly during armed conflicts.¹³⁸ The use of national, regional and international human rights mechanisms in responding to the egregious crimes and horrific events that occurred in Sierra Leone during the war has significantly developed international human rights law and continues to do so. Sierra Leone is a party to the four Geneva Conventions of 1949 and to their Additional Protocols. Common Article 3, which applies to all parties in internal conflicts such as Sierra Leone's, prohibits violence against life and the person, in particular murders of all kinds, mutilation, cruel treatment and torture and outrages upon personal dignity such as humiliating and degrading treatment.¹³⁹ Additional Protocol I, which regulates international armed conflict, specifies: "women shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault".¹⁴⁰

Reference 317 - 0.01% Coverage

The jurisprudence of the two ad-hoc tribunals, the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), has reinforced the principle that grave violations of these provisions constitute war crimes. Accordingly, the violations committed against women in Sierra Leone constitute war crimes and are likely to be prosecuted as such by the Special Court for Sierra Leone.

Reference 318 - 0.01% Coverage

Rape remains the silent war crime in Sierra Leone and in the world: throughout history, the rape of hundreds of thousands of women and children in all regions of the world has been a bitter reality.¹⁴⁴ Reversing this legacy remains the obligation of every transitional justice institution charged with examining or prosecuting crimes committed during conflict. It is critical to ensuring inclusive and non-discriminatory justice as well as to combating the stigma and blame that are at the core of the shame, isolation and abandonment suffered by women in post-conflict situations. Whilst international humanitarian law has long prohibited rape, it was characterised as an offence against honour and dignity¹⁴⁵. The Fourth Geneva Convention continued the practice of characterising rape as an

attack on women's honour. The list of grave breaches of Common Article 3 does not refer explicitly to rape. Again in 1977, in Protocol II while offences of sexual violence were explicitly included, they were characterised as offences against dignity and honour or humiliating and degrading treatment as listed as rape, forced prostitution and any other form of indecent assault. As a consequence, women whether combatants or civilians, have been consistently targeted for sexual violence such as rape, sexual mutilation and sexual slavery, while for the most part their attackers go unpunished.

Reference 319 - 0.01% Coverage

This characterisation is based, however, on the notion of women as property and sexual violence as a moral affront described in largely moralistic terms. The word honour thus alludes to chastity, sexual virtue and good name and refers equally to the honour of the male – the husband or father – with whom the woman is related. Thus, the traditional view of rape as an offence against honour has failed to treat rape and sexual violence as a crime of violence, an attack on women's physical and mental integrity. The notion of honour has also obscured the atrocious nature of the crime and further contributed to the widespread misperception of rape as an "incidental" or "lesser" crime by comparison to killing, torture or enslavement.

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Reference 320 - 0.01% Coverage

There is no doubt that sexual violence against women was closely associated with war in that it occurred as part of the rewards of war and as a weapon of war – it was committed to achieve the humiliation and degradation of women, and of the enemy, men and of the community. The war provided the opportunity for the most grotesque and brutal forms of violence against women.

Reference 321 - 0.01% Coverage

Forced "marriage" is a form of sexual slavery as is the detention of women in "rape camps" or any circumstances under which women are subjected repeatedly to rape or the threat of rape or any other sexual violence. In Sierra Leone, as well as in many other conflicts, women and girls were given as

Reference 322 - 0.01% Coverage

As a result of the highly contentious negotiations, both the Rome Statute and the ICC Elements provide an excessively narrow definition of forced pregnancy: "The perpetrator confined one or more women, forcibly making them pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law."¹⁶⁵ In the case of Sierra Leone, there are reported examples of women who became pregnant and were not permitted by their rapist or another to obtain abortion. The concept of "forced pregnancy," first articulated officially in the Vienna Declaration and Programme of Action¹⁶⁶ referred however to the confinement or other means of preventing pregnant women from obtaining abortion.

Reference 323 - 0.01% Coverage

The ICC Elements define enforced sterilisation as follows: "The perpetrator deprived one or more persons of biological reproductive capacity" and "the conduct was neither justified by the medicine or hospital treatment of the person or persons concerned nor carried out with their genuine consent."¹⁶⁸ It includes acts committed upon women including during the war in Sierra Leone, such as the removal of foetus, uterus, castration, destruction of reproductive organs, as well as medical sterilisation without consent. Although this crime is not listed in the Sierra Leone Special Court Statute, the mutilation of Sierra Leonean women by disembowelling them, the cutting open of the uterus which leads to the removal of the foetus results in sterilisation should be recognised as enforced sterilisation at the same time as these acts also qualify as "other sexual violence." The numerous acts of violence on pregnant women that were reported include the cutting open of a pregnant woman's uterus and the removal of the foetus, the mutilation of her organs thus constitute enforced sterilisation as well as mutilation and cruel and inhuman treatment.

Reference 324 - 0.01% Coverage

Enslavement is named as a crime against humanity (Art. 7(1)(c) Rome Statute and Art. 2(c) Special Court Statute). It is also prohibited by numerous international human rights and humanitarian law instruments and is one of the original universally condemned crimes under customary international law. Enslavement is also a jus cogens violation.¹⁷⁹ The sexual form of enslavement is now codified as “sexual slavery”. Beyond that enslavement takes many forms, some of them gendered. Young girls and boys, men and women can be enslaved in one of many ways: in domestic labour, mining, arms factory, demining and medical experiments. It becomes a gender crime when an individual is enslaved because of his or her particular function in the society: women used for domestic labour (cooking, washing, cleaning, and serving, educating children), men for transport or fighting, young girls for spying, girls and women for sex and reproduction.

Reference 325 - 0.01% Coverage

In the Kunarac Judgement, the ICTY recognised that both forced domestic labour and sexual services of women and girls constituted enslavement¹⁸⁰. The essential element of enslavement as discussed above the exercise of any or all of the powers attaching to the right of ownership. This has been elaborated by the Kunarac Appeals Chamber to include restriction or control of an individual’s autonomy, restriction of freedom or choice or freedom of movement, extraction of forced or compulsory labour or service, often without remuneration though not necessarily, involving physical hardship: sex: and human trafficking. Enslavement may be accompanied by a claim of exclusivity; torture, cruel treatment and abuse including sexual; and other means of psychological as well as physical control. Enslavement does not require a showing to nonconsent since the exercise of free will by the victim may be irrelevant or impossible because of the coercive environment. It does not require detention or the absence of any avenues of escape. It may also be the product of a commercial exchange, but this condition is clearly not required.¹⁸¹

Reference 326 - 0.01% Coverage

The crime of mutilation has been listed as a war crime by Art 8(2)(c)(i) of the Rome Statute and the ICC Elements explain mutilation as permanent disfigurement or permanently disabling or removing an organ or appendage under circumstances that are not medically justified. ICC Elements, Article 8(2) (c) (i)-2. Consequently, sexual mutilation includes disfiguring or removing a woman’s breasts, face or other part of the body; removing the uterus or foetus of a woman; burning and cutting sexual organs and breasts, burning and cutting the vagina. It is clear that the reported cases of cutting open women to remove the foetus constitute mutilation as well as torture and enforced sterilisation.

Reference 327 - 0.01% Coverage

EXPERIENCES OF WOMEN AND GIRLS DURING THE CONFLICT IN SIERRA LEONE

200. Women and girls in Sierra Leone were deliberately targeted by all of the armed groups involved in the conflict in Sierra Leone. They suffered a multiplicity of violations at the hands of their abusers. The violations included a range of sexual crimes such as rape, sexual slavery, forced pregnancy, and other crimes of sexual violence. Women and girls also suffered abductions, enslavement, torture and forced labour. Many women and girls were also killed in the most brutal circumstances. Many women and girls became displaced, many were forced to flee and become refugees. They also suffered extortion and looting. Despite their experiences, brutal though they were, many have managed to survive and have offered their testimonies to the Commission.

Reference 328 - 0.01% Coverage

Of the 40,684 violations with gender recorded in the Commission’s database, 13318, or 32.7%, have female victims. The most common violation in the Commission’s database is forced displacement, which accounts for 23.5% of the violations against women but only 19.3% of the violations against men. Other common violations against women in the Commission’s database are abduction (15.7%) and arbitrary detention (12.0%).¹⁸⁵

Reference 329 - 0.01% Coverage

In the main, women and girls experienced the conflict as victims. However, many women and girls were compelled to become perpetrators in order to survive. Many others chose to be willing collaborators and perpetrators. The Commission’s analysis of how women made choices is that, in the main, they rose to the challenge of staying alive,

looking after loved ones, protecting and assisting others, often at great risk to themselves, and still display the courage to tell of their experiences. The Commission explores the whole array of different experiences effecting women and girls in the sections that follow.

Reference 330 - 0.01% Coverage

More detail on violations rates and the levels of different violations experienced by women can be found in the Statistical Report produced as an Appendix to this report.

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VIOLATIONS AND ABUSES AGAINST WOMEN

203. Women and girls in Sierra Leone suffered specific offences on account of their gender. In terms of the Commission's statistics, more than 32% of the violations recorded by the Commission were perpetrated against women.¹⁸⁶ The testimonies given to the Commission by women and girls clearly demonstrate that there was a deliberate strategy to target them because of their gender for violations of a gender-based nature.

Reference 331 - 0.01% Coverage

The violations that women and girls experienced were characterised by the most extraordinary, inexplicable acts of violence, leaving many of them permanently scarred. Many witnesses told the Commission of how they still relive the horror of it all in their minds. One of the victims who came before the Commission told of what she witnessed:

Reference 332 - 0.01% Coverage

More detail on violations rates and the levels of different violations experienced by women can be found in the Statistical Report produced as an Appendix to this report. Theresa Blackie, TRC statement, Bo Kakua, 16 December 2002. TRC confidential statement recorded in Bo District, 24 March 2003.

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206. Women and girls constituted a particularly vulnerable group who could be exploited and brutalised. While they were themselves the victims of multiple violations and abuses, they were also forced to witness family members, neighbours, friends and relatives being killed, raped and tortured.¹⁸⁹ Torture in international law may be inflicted against a person through the infliction or the threat of infliction of violence on a third person. Age was not respected; neither did it offer any immunity from being violated. Both young and old were abused in the most egregious fashion, as is shown by this testimony of a 70-year-old woman who made a statement to the Commission:

Reference 333 - 0.01% Coverage

Testimonies before the Commission confirmed that all the major armed groups in the conflict perpetrated violations against women. Government security forces, civil militia and opposing armed factions were all at different times in the conflict responsible for violations against women.¹⁹¹ A female health worker shared this experience of the conflict with the Commission:

Reference 334 - 0.01% Coverage

The violation of abduction placed the abductees under the absolute control of their perpetrator grouping, which then gave the perpetrators a licence to commit a range of further violations against the abductees. These violations included being coerced into becoming a combatant, being compelled to perform forced labour, or forced into sexual slavery and forced marriage. In terms of testimony collected by the Commission, a total of 6,054 abductions were recorded in the Commission's database. Women account for 2,096 of recorded violations.¹⁹³ While all the armed groups stand accused of perpetrating this violation, the Commission has found that the RUF was responsible for the highest number of abductions.¹⁹⁴ The RUF is responsible for 1,368 (65,3%) of the Commission's recorded violations against women and 2,337 (59,3%) of the Commission's recorded violations against men.¹⁹⁵

Reference 335 - 0.01% Coverage

The act of abduction placed the victim under the total control of the perpetrator grouping. Women were particularly vulnerable, as they were deliberately abducted in order to be exploited for the purposes of sexual violence, forced

labour and sexual slavery.¹⁹⁶ Young girls were deeply traumatised by the experience as they were snatched from the bosom of their families, forced to endure separation from family members and the society they belonged to, raped and sexually brutalised and forced to endure a brutally savage life to which they were unaccustomed. Many died in captivity.

Reference 336 - 0.01% Coverage

212. Women were abducted in a myriad of places, including their homes in villages or towns, from the bush or while they were walking along the road,¹⁹⁹ or during ambushes. Abductions kept the numbers high in the armed groupings and became a mechanism for armed groups like the RUF to service various needs besides swelling the ranks, as abductees served as porters, advance troops, sexual slaves and forced labour. Abductees were also required to carry items that had been looted.²⁰⁰ As a result of the war, a large number of women were separated from children and spouses and also suffered years of horrendous abuse in the hands of their abductors even as some died in the process and never made it back to their families. Young girls were separated for many years from their families and many did not make it back.

Reference 337 - 0.01% Coverage

The Commission finds that all of the armed groups pursued a deliberate strategy of targeting women and young girls between the ages of 13 and 22, abducting them for the sole purpose of keeping them under their control, exercising rights of ownership over them and exploiting their vulnerability, coercing them into becoming combatants, using them as sexual slaves, sexually violating them and using them for the purposes of forced labour and servicing the needs of the armed group. The RUF, of all the armed groups, is found to have been the major perpetrator of abduction and related violations.

Reference 338 - 0.02% Coverage

The NCDDR statistics also do not accurately reflect the number of women who joined voluntarily or those who were forcibly recruited into becoming combatants. There are a number of reasons for this omission. At the end of the conflict, many women were reluctant to be identified as ex-combatants, as they were fearful of the reaction that it might evoke from the civilian population. Another reason was the failure of those in charge of the demobilisation process to make appropriate arrangements to include women and girl ex-combatants in their programmes. Many women and girls ex-combatants were therefore excluded, as well as not being properly identified and correctly registered in the DDR programmes.

216. Women were routinely abducted during attacks and during routine patrols. Once abducted women and girls were coerced into handling arms and taught to fight. The following victim gave a typical account of what happened next:

“They took away everything we had including me. My mother begged them in vain to release me but “Sergeant Small Soldier” – for that was the name of the rebel that abducted me – refused... he took me to Walihun... which by then was their headquarters... then the Kamajors attacked us, so we moved to Jimmi Bagbo and Koribundo area... That was the camp where the girls and women were separated from the boys and men. We were left to the command of women rebels who maltreated us greatly... we were all trained to fight as rebels. We were only given a handful of gari (empty and dry) per day. We were sent to raid neighbouring villages to loot food and bring it back. If anybody disobeyed, you were cruelly beaten.”²⁰⁶

Reference 339 - 0.01% Coverage

218. Women and girls abducted were compelled to remain with the fighting forces throughout the conflict. It was only with disarmament that they were able to leave. A number of women and girls told the Commission how they tried to escape. Punishment was harsh if they were recaptured. They suffered even further when the fighting force to which they belonged deliberately marked them on their chests by carving the initials of the particular fighting force on it. This was a deliberate strategy on the part of the RUF and the AFRC.²⁰⁸ Marking abductees in this way prevented their escape, as to run the risk of being identified as a member of the RUF or AFRC would be to risk death. A girl who was 13 years old at the time she was abducted by the RUF told the Commission her story:

Reference 340 - 0.01% Coverage

The Commission's statistics confirm that there was a deliberate policy on the part of the RUF and AFRC to target girls and women between the ages of 13 and 24 and forcibly "brand" them with the acronyms of the fighting forces.²¹⁰ Mutilation has been listed as a war crime under Art 8(2)(c)(i) of the Rome Statute. The ICC elements define mutilation as a permanent disfigurement or permanent disabling or removing an organ or appendage under circumstances that are not medically justified. The Commission finds that the RUF and the AFRC were responsible for the mutilation of women and young girls in that they carved the initials of their particular armed faction on the chests of women and girls with the intention of permanently disfiguring them, holding them hostage and discouraging them from escaping.

Reference 341 - 0.01% Coverage

In terms of statements made by women and girls to the Commission, more than 1,061 violations of detention during the conflict were recorded in the Commission's database.²¹¹ Detainees were forced to move with the fighting forces and were held in many locations under the most terrible conditions.²¹² One victim described to the Commission the conditions in which she and others found themselves:

Reference 342 - 0.01% Coverage

222. Women reported to the Commission that they were often beaten and tortured while detained for the flimsiest of reasons:

Reference 343 - 0.01% Coverage

One of the most common reasons for being detained was if a spouse or a relative belonged to the opposing forces. Women in these situations were often accused of being collaborators and were detained, beaten and tortured. A 70-year-old victim who was detained at Bayama in Ngorama Chiefdom by the CDF told of her ordeal:

Reference 344 - 0.01% Coverage

A major consequence of the war in Sierra Leone was the forced displacement of hundreds of thousands of civilians from their homes and villages. The Commission recorded 8,397 violations of this nature, with women accounting for 3,128 (or 37,3%) of the victims.²¹⁹ One female victim recounted her story of forced displacement to the Commission:

Reference 345 - 0.01% Coverage

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232. Women and young girls constituted a large number of the refugees that fled to neighbouring countries during the conflict. A victim who was forced to flee to Liberia after the death of her two sons recounted her experience to the Commission:

Reference 346 - 0.01% Coverage

There is a growing recognition of the vast numbers of people who are internally displaced and who are forced to become refugees. In 1992, the Secretary General appointed a Special Representative on Internally Displaced Persons to develop a framework to protect their rights. Dr. Francis Deng, the expert, developed guiding principles on internal displacement. A positive development for women has been the fact that the Guiding Principles call for the specific recognition of the needs of women. They acknowledge the situation of female heads of households; emphasise women's physical and psychological needs; reaffirm their need for access to basic services; and call for their participation in education and training programmes.²²⁵

Reference 347 - 0.01% Coverage

Violence against women in camps 235.

The Commission found that many Sierra Leonean women had their rights violated in the refugee camps. It is regrettable that those meant to protect the vulnerable were often responsible for further victimising them. In April 2002, the UNHCR and Save the Children-UK issued a report on Sierra Leonean Refugees in Guinea detailing the violations which women and girls amongst others suffered while refugees in Guinea.²²⁷ Young girls and women were forced to have sex in return for food and assistance. Many of them were forced to become prostitutes in brothels established in the camps. More than 1,500 people were interviewed and told similar stories. Men complained of how they were not given access to food because they had no wife or daughter to barter for food or supplies.

Reference 348 - 0.01% Coverage

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236. Women and girls told of how their names would be taken off lists for food and aid if they refused to have sex with peacekeepers and humanitarian workers. The Commission finds it absolutely reprehensible that those who are meant to assist and render humanitarian aid to the most vulnerable women and girls used the very fact of their vulnerability to exploit them and violate their rights. In this regard, the Commission finds that those responsible should be prosecuted. Also in this regard, the Commission intends to make recommendations in order to prevent this kind of abuse taking place in the future.

Reference 349 - 0.01% Coverage

“In 1999 again, the town of Kambia was attacked. It was around 10.00 p.m. ... the voice of a male ordered me to stand up... they came and surrounded me... then they took me to their base near the hospital towards the school compound in Kambia Town. At their base, I met several other older women, whom they had captured. I and these women were given orders to collect and pack mud and cement block, which they used as a checkpoint...”²³⁰

Reference 350 - 0.01% Coverage

Isatu Kaula Kamara, TRC statement, Magbema Chiefdom, Kambia, 5 December 2002. Vol Three B Chapter Three Women and the Armed Conflict in Sierra Leone Page 147

239. Women were coerced into forced labour by all of the armed forces. They were subjected to even further violations as they carried out their duties.²³¹ A victim who suffered in the hands of some “sobels” in her village and later was abducted by them described her experiences:

“On our arrival at the court barray in the centre of the town, they told the town elders to appoint the town commander and the town mother. Mr. Osman Kortor and I were “appointed” by the town elders... One day, they forcefully tasked us to prepare food for them and at that time there was a shortage of salt, but I managed to cook the food. When they found out that there was no salt in the soup, they commanded me and some other women to eat the food. After eating the food, they gave us the dirty water that we used to wash the basin to drink – if not they will kill us. Three weeks later, they took us to Gbangbanlia in the Lugbu chiefdom and we stayed there for four months carrying their loads and pounding rice for them. They also took us to Jimmi Bagbo and we were later sent to the bush around the village to process gari for them.”²³²

Reference 351 - 0.01% Coverage

Abducted women civilians were compelled to live with the armed groupings and were forced to carry out traditional domestic functions such as fetching firewood, preparing food and doing laundry.²³³ A female victim testified as to what took place in her village when it was occupied by soldiers:

Reference 352 - 0.01% Coverage

In effect, women constituted the largest category of victims compelled to do forced labour. Many victims who made statements to the Commission conveyed a traditional acceptance of what constitutes the tasks of women, in most instances accepting this role and not seeing fit to report it as a violation. Women accounted for 497 violations of forced labour from a total of 1,878 reported to the Commission. However a reading of the statements submitted to the Commission reveals that almost all of the women and girls abducted were compelled to perform forced labour, usually continuously throughout their period in the captivity of an armed group.²³⁵

Reference 353 - 0.01% Coverage

The Commission finds that all of the armed perpetrator groupings coerced women and girls under their control into doing forced labour and notes that, in terms of the Rome Statute for the ICC, such abuse becomes a gender crime when an individual is enslaved because of her particular function in society.

Reference 354 - 0.01% Coverage

particularly as most statement givers passed over the nature of the chores that women and girls were made to perform and instead placed emphasis on different violations, such as killings, rapes and acts of torture. Nonetheless, the Commission regards the fact that people are “conditioned” to take such treatment of women and girls for granted as testament to the widespread practice of the violation of forced labour.

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Reference 355 - 0.01% Coverage

Life for women with the armed groups was brutal. They were treated savagely and were constantly humiliated. Assaults and beatings were commonplace and were doled out for the slightest infraction. The frequent assaults and beatings were meant to sow terror, fear and complete insecurity of person. Women were cowed into submission. One of the victims indicated her sense of vulnerability in her statement to the Commission:

Reference 356 - 0.01% Coverage

244. Women were beaten with sticks, guns and sometimes with bayonets, which resulted in severe injuries to their bodies. No regard or consideration was given to those who were ill or expecting a baby. A victim who was pregnant at the time of her ordeal recounted her story to the Commission:

Reference 357 - 0.01% Coverage

Of the 3,281 cases of assault recorded by the Commission, where the gender of the victims is known, 914 cases recorded women victims.²⁴⁰

The Commission finds that women and girls were subjected to cruel and inhuman treatment by all of the armed perpetrator groups, with the deliberate intention of inflicting serious mental and physical suffering or injury.

Reference 358 - 0.01% Coverage

Acts of torture, carried out on a systematic scale, are regarded as both a crime against humanity and a war crime. The requirements though are different. The right not to be tortured is one of the fundamental rights of a non-derogable nature, in other words it is a *jus cogens* norm. Rape and other forms of sexual violence are recognised both under international human rights law and humanitarian law as torture. Women experienced intense mental and physical torture in the hands of the armed forces, particularly the RUF. The intention was to strip them of any sense of identity or self worth. They were treated like animals with the clear purpose of dehumanising them. Cruel and degrading treatment was extensively practiced on women and girls. A girl-child who lived with the RUF described some sordid acts she witnessed:

Reference 359 - 0.01% Coverage

250. Women because of their nurturing instincts were singled out for a particular kind of torture. They were forced to watch their children and spouses being violated and ultimately killed. An elderly woman at Bonthe recounted to the Commission how her only son was killed. His head had been cut off and she was then forced to hold his head and breastfeed it.²⁴³ Women were in many instances compelled to exhibit mock high spirits by laughing and clapping at the torture or death of family members. Torture was often accompanied by acts that were intensely degrading and cruel. A female victim testified to the Commission about the attack at Bumpeh Gao:

Reference 360 - 0.01% Coverage

Torture took a number of different forms. Women were put into a hole in the ground, which was filled with water that covered a greater portion of their bodies. They were made to stay like that for a number of days. Some women were forced into cages smaller than their bodies.²⁴⁵ Others had hot oil poured over them, burning the skin away. Others had their bodies and faces mutilated. A female witness described this disturbing incident: “I witnessed where a rebel named David captured two women and said their buttocks were not equal. He took a cutlass and sliced the fat woman’s buttock and stuck the flesh to the other woman’s buttock. The fat one was bleeding seriously. I don’t think she made it.”²⁴⁶

Reference 361 - 0.01% Coverage

Of the 2,086 torture violations recorded in the Commission’s database, women accounted for 538 violations where the gender of the victim is known.²⁴⁷

The Commission finds that all of the armed perpetrator groupings pursued a deliberate strategy of inflicting torture on women and girls, by inflicting or threatening to inflict sexual violence, other acts of violence and cruel and inhuman acts upon them or on a third person or persons close to them.

Reference 362 - 0.01% Coverage

Statistics in terms of the violation of forced drugging, like forced labour, remain inadequate because it was generally under-reported by women. A major reason for the failure to report the abuse is that drugging became part of many women’s daily experiences and assumed a semblance of normality. However, a close reading of statements made by women and girls, as well as almost of all of the hearings testimony, confirms that forced drugging became the norm.

Reference 363 - 0.01% Coverage

At the Special Hearings on Women held in Freetown, many women testified to the fact that in the course of their abduction and whilst living with the rebels they were given drugs every day. They also confirmed that drugs were on a daily basis added into their food.²⁴⁸ Their abductors would add marijuana into some of the sauces normally eaten with rice, such as cassava or potato leaves. Marijuana and other drugs such as cocaine, heroin and “brown-brown” were administered to women in a number of different ways, including forced inhalation, or making incisions on their bodies and rubbing the drugs into the wounds. Gunpowder was also administered to women, presumably as a stimulant. A woman abducted during the January 1999 invasion of Freetown told her story to the Commission:

Reference 364 - 0.01% Coverage

Another women abductee who lived with the rebels for almost a year described how various substances were administered to her and other abductees:

Reference 365 - 0.01% Coverage

Medical practitioners in Sierra Leone confirm that in the aftermath of the war, a major problem facing Sierra Leone is how to deal with the long-term consequences of prolonged drug abuse. Many women who appeared before the Commission complained of mood swings, unexplained anger and feelings of intense hopelessness. In most instances, these symptoms are not addressed properly and contribute to an already violent and disturbed society showing signs of even greater dysfunctionality.

Reference 366 - 0.01% Coverage

Scores of thousands of Sierra Leoneans, including thousands of women, lost their lives in the conflict. There was a deliberate policy by certain of the armed forces, particularly the RUF and the AFRC, to target civilians in campaigns of killings. Many families and communities were massacred. One example is this mass killing of a family at Kono Kangana, Gorama Chiefdom in 1994:

Reference 367 - 0.01% Coverage

The Commission finds that all of the armed perpetrator forces pursued a deliberate policy of killing civilians, often in an indiscriminate fashion. In the course of pursuing this policy, the factions took the lives of many women and girls. The Commission finds that the RUF in particular pursued a strategy of mass killings under campaigns such as “Operation No Living Thing”. In terms of both international human rights law and humanitarian law, the killing of civilians is strictly prohibited.

Reference 368 - 0.01% Coverage

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DISEMBOWELMENT OF PREGNANT WOMEN 263.

Disembowelment was a gruesome violation perpetrated on women during the conflict expressly because of their gender. What is particularly repugnant is that many pregnant women had their stomachs disembowelled because members of the armed forces wanted to place bets as to the gender of the unborn baby.²⁵⁴ Some witnesses gave these testimonies to the TRC:

Reference 369 - 0.01% Coverage

The Commission recorded only a few incidents of disembowelment,²⁵⁷ but strongly suspects that the figure is not indicative of the actual number of women who suffered the violation or those that witnessed it during the conflict. Specialist consultants to the Commission on gender-based crimes spoke of the tendency of victims and witnesses of such crimes to “suppress” memories of the event, which may explain why more people did not come forward to the TRC to speak about it. Interviews conducted by the Commission also unearthed the story of a woman who nearly suffered disembowelment but was saved because the induced trauma of the fear of disembowelment forced her into immediate labour where she gave birth to the child in the bush where the disembowelment would have taken place.²⁵⁸ Some disembowelments of pregnant women took place in front of family members, leaving behind deep scars in the minds of the living. One witness described, among other violations, the gruesome manner in which her pregnant sister was killed with her child:

Reference 370 - 0.01% Coverage

The Commission has found that most violations in this category are attributable to the RUF. Given that the RUF was responsible for the highest number of abductions, they are also found to be responsible for the highest number of gender-based violations perpetrated against women.²⁶⁰

Reference 371 - 0.01% Coverage

“...They were snatching babies and infants from their mother’s arms and tossing them in the air. The babies would free fall to their deaths. At other times, they would also chop them from the back of their heads to kill them, you know like you do when you slaughter chickens... One time, we came across two pregnant women. They tied the women with their legs spread eagled and took a sharpened stick and jabbed them inside their wombs until the babies came out on the stick.”²⁶³

Reference 372 - 0.01% Coverage

The Commission notes that the ICC elements define “enforced sterilisation” as “depriving one of more persons of biological reproductive capacity, neither justified by medicine or hospital treatment nor carried out with their genuine consent”. This definition includes acts committed upon women during war such as the removal of the foetus, castration, destruction of reproductive organs as well as medical sterilisation without consent.

Reference 373 - 0.01% Coverage

The Commission finds that all of the armed groups were responsible for the enforced sterilisation, torture and mutilation of women and girls. In particular, the Commission finds the RUF – through its practice of disembowelling pregnant women – responsible for the violations of “enforced sterilisation”, torture and mutilation of women and young girls for no reason other than to torture and inflict cruel and inhuman treatment on them.

Reference 374 - 0.01% Coverage

The conflict in Sierra Leone is most visibly associated with amputations. Pictures of amputees have been shown on television screens and newspapers all across the world. Amputation is also the violation that has had the most devastating effect on the morale of the population. Due to a variety of factors, the Commission has found that it has not been able to establish absolutely reliable statistics on how many people suffered amputations or died from their injuries. In terms of alternative sets of figures, the United Nations Mission in Sierra Leone (UNAMSIL) has relied in its reports on the statistics of the Norwegian Refugee Council, which estimates that there are currently 1,600 surviving amputees in Sierra Leone, with more than 40% of them being women.²⁶⁴ Figures available for 2002, estimate that 19% of the 225 registered amputees in the Southern region were women.²⁶⁵

Reference 375 - 0.01% Coverage

The vast majority of amputations resulted in the loss of the victim's hands.²⁷¹ No category of victims was spared this gruesome and inhuman act. Children and pregnant women were also affected. A witness described to the Commission the amputation of a pregnant woman:

Reference 376 - 0.01% Coverage

Cannibalism was another gruesome feature of the conflict in Sierra Leone. Cannibalism was forced on many of the women captured by the various armed groups. Women were given the dismembered body parts of family members and forced at gunpoint to eat them. Many women who were abducted told the Commission how, under threat of death, they were compelled to cook human parts for members of the armed groups to eat. In Bonthe in September 1997, an 83-year-old woman suffered this violation at the hands of AFRC soldiers:

Reference 377 - 0.01% Coverage

During the conflict in Sierra Leone, women were systematically raped and sexually violated. The Commission received more than 800 statements from women and girls reporting and describing acts of rape. Girls in the age group from ten to 18 years were most likely to be the victims of rape. Women were gang raped and suffered multiple rapes as well as being kept in sexual slavery. In instances where women and girls were abducted, their capture was often the prelude to being handed over to and assigned to one of the fighters with the sole purpose of being his sexual slave.

Reference 378 - 0.01% Coverage

In a large number of cases, women were handed over to combatants and became their "bush wives" for the purpose of satisfying not only their sexual needs but also to perform a host of different duties including domestic chores.²⁷⁷ Having analysed the systematic and widespread use of rape during the conflict period, the Commission came to the conclusion that all of the armed forces systematically raped and sexually violated women.

282. While rape was the major violation perpetrated against women, other acts of sexual violence were additionally carried out indiscriminately on women of all ages, of every ethnic group and from all social classes. In the views of many Sierra Leoneans who testified to the TRC, just being a woman in Sierra Leone during the conflict period was enough to create the likelihood that you would be raped and sexually violated in the most horrible ways, regardless of whether you were a pre-pubescent girl, an elderly woman or pregnant.²⁷⁸

Reference 379 - 0.01% Coverage

284. While many of the women who made statements to the Commission did report that they had been victims of rape, rape as a violation still remains largely under-reported. Cultural taboos associated with rape and the societal stigma that attaches to women who disclose that they have been raped have constrained women from being completely open in their statements to the Commission. Women have been even more reticent about disclosing that they have been gang-raped, as they have not wanted family members or the society they live in to know the traumatic details. In a number of instances, spouses of women raped have not wanted their wives to disclose these details, fearing that it would bring shame on them and the family. A common feature of victims' reactions to rape violations has been husbands and wives entering into a conspiracy of silence about what has happened.

Reference 380 - 0.01% Coverage

The Commission conducted a “special coding exercise” using statements in its database, during which a random sample of statements involving rape was coded in greater detail in order to develop a more accurate picture of the kind of suffering women endured. Since the sample of statements was random, the results of this exercise can be considered to be representative of the TRC data.

Reference 381 - 0.01% Coverage

The special coding exercise reflected a whole range of rape violations against women, including: women who suffered a single rape; women who suffered gang rape; women who were abducted and kept as a sexual slave or as a “bush wife”; and women who suffered rape or gang rape on more than one separate occasion.

Reference 382 - 0.01% Coverage

In terms of the Commission’s special coding sample, more than 58% of all women raped by all of the armed groups suffered rape violations on multiple occasions.²⁸⁵ Some rape victims recounted their experiences to the TRC in the following testimonies:

Reference 383 - 0.01% Coverage

290. Women and girls were not safe from any of the armed groups, even those meant to protect them. Individual victims were raped in a multiplicity of different incidents over different periods of time, often by more than one different armed group, depending on whose hands they fell into.²⁸⁸ One rape victim testified to the Commission of her experiences of multiple rapes by different persons from different armed groups throughout the conflict and in the period beyond.²⁸⁹

Reference 384 - 0.01% Coverage

The Commission was also told that a deliberate strategy of the various armed groups was to carry out rapes of the women on the “other side” of the conflict. As such, rape and counter rape of each other’s abducted women or “bush wives” during raids was said to have happened quite frequently.²⁹⁰ In addition to the “bush wife” phenomenon, where women were assigned to a combatant for the purposes of both sex and to perform domestic duties, another category of violation carried out on women was to keep them isolated for the purpose of being available to satisfy the sexual needs of several combatants. Whenever combatants had the urge, there was a ready-made harem of women to rape. A witness to the Commission revealed the following details of her experiences in the hands of her captors:

Reference 385 - 0.01% Coverage

295. Women were not only raped in the presence of their families but were forced on many occasions into committing incest. Brothers were forced to rape their sisters and mothers; fathers were forced to rape their daughters. In some communities, mass incestuous rape imposed on the residents. A witness testified to the Commission of an event that occurred in her village Bumpeh:

Reference 386 - 0.01% Coverage

“In the morning, we saw many rebels coming towards us... we were about to run but they said if you move, we will fire on you and they started firing all about... they came back to us and surrounded us. They stripped us naked... we were over twenty that were stripped naked. They instructed us to lie down on the ground. Then the civilian men who were amongst us were divided out, one man to a woman, until it came to a time that there was no other man for the remaining women who were lying on the ground. So after the distribution, they instructed the men to rape us. The women who were left without civilian men, they dug sticks into their vagina.”²⁹⁴

297. Women were also made to endure the forced insertion of objects such as sticks, pestles, hot coal and oil into their genitalia.²⁹⁵ An ex-combatant with the RUF gave this account to the Commission:

Reference 387 - 0.01% Coverage

Having considered the testimonies given by women, which include the most horrific details of rape, the Commission finds that all of the armed factions, in particular the RUF and the AFRC, embarked on a systematic and deliberate strategy to rape women and girls, especially those between the ages of ten and 18 years of age, with the intention of sowing terror amongst the population, violating women and girls and breaking down every norm and custom of traditional society.²⁹⁷

Reference 388 - 0.01% Coverage

In terms of international law, the two essential elements unique to the crime of sexual slavery are the “exercise of any or all of the powers attaching to the right of ownership over one or more person” and the “forced participation in one or more acts of sexual violence”.²⁹⁸ In Sierra Leone, hundreds of abducted women and girls were compelled to endure the violation of “sexual slavery”. The Commission identified the act of “forced marriage” as synonymous with “sexual slavery”. This violation is colloquially referred to by Sierra Leoneans as being forced to become a “bush wife”. In describing the experiences of what the Commission has termed “sexual slavery”, the pattern that emerged was as follows: women were captured and abducted; they became part of the entourage of the armed group to which their captors belonged; and they were continuously sexually violated as their captors moved along with them. Again this violation was particularly prevalent for the RUF and the AFRC, who kept women as sexual slaves under what could only be termed “roaming detention”, which could last for time periods ranging from one or two days to several months and years.

Reference 389 - 0.01% Coverage

Another pattern identified as part of this violation was for women to be detained and kept locked up in a specific place, in order that their captors could violate them at any time they had the urge to do so. This pattern of violation was particularly characteristic of the SLA and the CDF factions, who were not as mobile as the RUF and the AFRC. CDF units were typically attached to specific towns and villages, while the SLA would normally be stationed in barracks or assigned to specific locations. The RUF and the AFRC on the other hand were highly mobile and as offensive forces were constantly on the move. A former abductee of the RUF, who was seven years old at the time of her first encounter, recounted her second encounter with the faction, which led to her abduction in 1994 at Pendembu:

Reference 390 - 0.01% Coverage

In the course of the violation of “forced marriage”, or the “bush wife” phenomenon, abducted women and girls abducted were also given out to combatants, commanders or superiors for the purposes of sex and domestic duties.³⁰⁰ Women assumed the traditional role of “wives” to the combatants who captured them. In many instances, these abducted women lived with their captors until the cessation of hostilities in Sierra Leone.³⁰¹ In terms of international law, “forced marriage” is as much a form of sexual slavery as is the detention of women in “rape camps” or any other circumstances under which women are subjected repeatedly to rape or the threat of rape or other sexual violence. “Forced marriage” involves forced sex or the inability to say no or control sexual access or exercise sexual autonomy. The Special Rapporteur for Systematic Rape, Sexual Slavery, and Slavery-Like Practices during Armed Conflicts recognised “forced marriage” as a form of “sexual slavery”.³⁰²

Reference 391 - 0.01% Coverage

The manner in which “bush wives” were treated varied. While in the majority of instances they were protected by their “bush husbands” from being raped by other combatants, there were many instances where they were not. The absence of a “bush husband” left a woman vulnerable and easy prey for combatants who were predators.³⁰³ In other instances, women’s so-called “husbands” would offer them to fellow combatants for sexual purposes. One witness and victim told the Commission of this practice:

“Every woman was supposed to be picked by someone – a rebel – and we were supposed to sleep with them. So in actual fact, I believed it could be one man today and a different one tomorrow. So if there is a bachelor amongst them, those that didn’t have women were free to go and pick any woman to make them happy for the night.”³⁰⁴

Reference 392 - 0.01% Coverage

The RUF adopted a guerrilla mode of conflict during the period 1993 to 1996. Their fighters moved between bases in the bush. The AFRC was also a highly mobile force, initially fleeing Freetown towards Koinadugu in 1998 and then returning to invade Freetown in January 1999. It is this roaming character, common to both these perpetrator groups, which explains their tendency to abduct women and use women as “sexual slaves” and “domestic slaves”.

Reference 393 - 0.01% Coverage

Tragically for many of the women, one of the consequences of this violation has been an upsurge in unwanted pregnancies and babies born to “rebel” fathers.³⁰⁶ A woman victim testified to the Commission of her plight:

Reference 394 - 0.01% Coverage

Many women, horrified at the prospect of giving birth to the babies of “rebel” fathers, tried to terminate pregnancies and abort their babies.³⁰⁸ A victim who fell into the hands of a second bush husband explained:

Reference 395 - 0.01% Coverage

Abducted women and girls who lived with the armed groups for long periods of time were subjected not only to the trauma of living in captivity, forced to endure sexual slavery and daily humiliation, but were also compelled to live under the constant fear of attack from opposing armed groups. Moreover, even if they managed to escape the combatant group, they experienced hostility from civilians and were ostracised from society.³¹⁰ One victim began recounting her ordeal to the Commission in the following terms:

Reference 396 - 0.01% Coverage

Pressure from society, anxiety about being identified and fear of being ostracised has led to women being extremely reticent about reporting this category of violation.

Given the testimony of the women who came to the Commission, the Commission finds that all of the armed perpetrator groupings were responsible for the sexual slavery of women and girls. The Commission finds that the RUF and the AFRC were the major perpetrators of sexual slavery and forced marriage of women and young girls.

Reference 397 - 0.01% Coverage

The Commission interpreted all sexual violations other than rape as ‘sexual violence or sexual abuse’. Sexual abuse took many different forms and accounted for 486 violations recorded in the Commission’s database, nearly half of which were perpetrated against women.³¹³ The ICC elements define sexual violence as “encompassing both involuntary sexual assaults and sexual performance”, which also applies to “coercion resulting in sexual entertainment or nakedness”.

Reference 398 - 0.01% Coverage

The scope of sexual violence is very broad and “is not limited to physical invasion of the human body and may include acts which do not involve penetration or even physical contact.”³¹⁴ Sexual abuse could include biological or medical experimentation of a sexual nature or experimentation on reproductive capacities, sexual mutilations, harassment and threats of rape or other sexual violence. Forcing a woman to lick a penis or to perform sexual acts that are not rape, such as cutting or sexual touching of the body or breasts, are forms of sexual violence. The Rome Statute has recognised acts of sexual abuse or sexual violence as belonging to the category of the most severe violence.

Reference 399 - 0.01% Coverage

During the conflict in Sierra Leone, acts of sexual violence or abuse took many forms and included forcing women to go naked in public or in private in front of their family members.³¹⁵ A woman in Freetown recounted her story to the Commission:

Reference 400 - 0.01% Coverage

Sexual abuse violations also included acts of indecent touching or groping of women's bodies and genitalia, putting sharp objects into their genitalia as well as forcing their genitalia into the mouths of other victims. Often these cruel acts led to the death of women victims as is testified to by a witness who saw her sister-in-law being killed:

"In March 1991, there was an attack by RUF rebels in Kuiva village in the morning hours. I managed to escape, narrowly, into the bush where I hid for safety. One of the junior workers for the women's secret society (Bondo) was captured by the rebels. She was the wife of my elder brother, the town chief of Kuiva. She was stripped naked, hair shaved with cutlass and then beaten seriously. They then took her to the secret society bush for men, where the rebels finally shot her."³¹⁸

Reference 401 - 0.01% Coverage

Incidence of sexual abuse was widespread and has led to many women and girls suffering long-term gynaecological problems.³¹⁹

Reference 402 - 0.01% Coverage

More detail on the long-term effects that women have suffered as a result of sexual abuse violations can be found in the results of the Commission's special coding exercises and accompanying commentaries in the Statistical Report produced as an Appendix to this report, as well as in the chapter on Reparations in Volume Two of this report.

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COMMENTARY ON THE CONTEXT OF VIOLATIONS AGAINST WOMEN AND GIRLS AND THEIR EFFECTS

318. Women and girls suffered immensely during the conflict. They were humiliated and dehumanised based on their gender. The trauma of their experiences has left many women and girls psychologically and physically scarred. The impact of the conflict has been unfathomable, the damage immeasurable; and it is the women and girls who are bearing the brunt of it. From a wider societal perspective, the Commission has identified a total breakdown of all morality and norms, along with levels of cruelty that are quite frightening in terms of their long-term effects. A woman who had just given birth to a baby during the January 1999 attack on Freetown told this chilling story:

Reference 403 - 0.01% Coverage

319. Women were forced to watch helplessly as their children and husbands, suffered human rights violations, which in many instances led to their death.³²¹ Many women became victims of violations while trying to protect their children. An example was given by this woman, who became an amputee through trying to protect her child:

Reference 404 - 0.01% Coverage

Rape and sexual violence in the conflict have left many women and girls in Sierra Leone suffering from gender-specific medical problems such as Vesico Vaginal Fistula (VVF), Recto Vaginal Fistula (RVF), incontinence and prolapsed uterus, among others. The Forum for African Women Educationalists (FAWE), an NGO working with women after the conflict, reported the following anecdotes in its submission to the Commission:

"55.4% of the abductees [in FAWE assistance programmes] were raped and some of the girls were raped by one, two, three or even ten men. Two women particularly were raped by 15 and 30 rebels respectively. The former had only given to a baby two weeks before being raped. Both patients suffered from prolapses of the uterus (the womb descending out of the vagina). The former woman had a repair to replace the uterus in its proper position. The latter woman had a major degree of prolapse and therefore the uterus had to be taken out (a total hysterectomy was done)."³²³

321. Women and girls have had their lives broken and shattered by the loss of family members, the breakdown of family structures and the total loss of dignity. Emotionally and psychologically, they suffered to an incomprehensible degree. The social fabric of society in Sierra Leone was torn apart and the rules of civilised

society meant to protect women and girls were discarded. In analysing the conflict, its aftermath and its impact on women, the Commission has had to confront the question of why women became such a specific target of the war. The answers to this question are complex and difficult to pinpoint.

Reference 405 - 0.01% Coverage

“The ‘Revolution’ of the RUF was not at all redemption for women. On the contrary, the RUF committed unspeakable crimes.”³²⁴

Reference 406 - 0.01% Coverage

The war from inception was a self-destructive conflict that consumed its own. Attacks on unarmed civilians by the RUF and its accomplices started from the very beginning of the war and continued unabated until its conclusion, with violation rates escalating and the nature of violations becoming ever more grotesque. In terms of the violations recorded in the TRC database, the Commission estimates that women make up 34% of victims of all violations throughout the conflict and that the average female victim suffered approximately three violations.³²⁵ This percentage testifies to the startlingly unconventional nature of the war, whereby civilians were the prime targets of all factions. Had the conflict in Sierra Leone assumed a more “conventional” character of battles between armies, then fewer civilians, especially women and children, would have met face-to-face with the various factions and suffered such levels of atrocities.

Reference 407 - 0.01% Coverage

It is also important to note that the major armed groups in the conflict, fighting both for and against the government, all committed gross human rights violations against women. In essence, the conflict did not offer any respite for the women from any of the armed groups, including those who were fighting for the government and who were supposed to protect civilians. On the side of government, the fluctuating nature and loyalties of the national Army that gave rise to the “sobel” phenomenon³²⁶ meant that the government lost any substantial control of the Army and as such forfeited a mechanism through which to protect all civilians, women included. Therefore, women were rendered vulnerable to attacks and abuses without any reliable institution of state to turn to for their protection.

Reference 408 - 0.01% Coverage

During the conflict, no attempts were made by any of the major armed groups to address or tackle impunity among its members for violations against women.³²⁷ Consequently violations against women grew rife and violators rather revelled in them as they were not called to order. In fact, contrary to expected standards of accountability, it could be said that some of the major armed groups, at the level of their respective High Commands, saw women as “war booty” and actively ignored the violations that their members committed against women.

Reference 409 - 0.01% Coverage

Prior to the war, the status of women in Sierra Leone at almost every level was low. Their low status meant that issues concerning women and women themselves were not of paramount importance in society. Consequently, it was easy for armed combatants to treat women with disdain and appropriate a sense of ownership of women’s bodies for themselves, as they probably were wont to do, albeit to a lesser extent, in peacetime. The patriarchal hegemony that had existed in Sierra Leone continued and worsened during the conflict, evolving in the most macabre manner. The cultural concept that a woman was “owned” by a man played itself out in many of the violations that women suffered during the conflict.

Reference 410 - 0.01% Coverage

The use and abuse of drugs was widespread among the various armed factions. Many perpetrators lost all sense of reason and had no regard for human life, women’s included. In a drug-affected state, combatants committed atrocities without feeling and with total impunity. While drug use cannot excuse the conduct of perpetrators or the atrocities they committed, it is factor to consider, particularly in the case of child and youth perpetrators, as drugs have been proven to alter minds and affect reason.³²⁸

Reference 411 - 0.01% Coverage

All of the above may not better explain the reasons for the atrocities committed against women and girls during the conflict, but they are some relevant considerations of the context in which so many women were violated and in which the survivors must now come to terms with the aftermath.

Reference 412 - 0.01% Coverage

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THE PERPETRATORS OF SEXUAL VIOLENCE AGAINST WOMEN AND GIRLS 329.

The main armed groups accused of perpetrating sexual violence against women and girls during the conflict were the Revolutionary United Front (RUF), the Civil Defence Forces (CDF), the Armed Forces Revolutionary Council (AFRC), the Sierra Leone Army (SLA) and the Westside Boys.

Reference 413 - 0.01% Coverage

Given the widespread nature of rape and sexual violence by the armed groups mentioned above, it is clear that there were deliberate policies systematically to target women and girls and systematically to rape and sexually violate them. This section examines policies and parts played by each of the major factions.

Reference 414 - 0.01% Coverage

The Commission's records reflect that the RUF was the major belligerent group in the conflict and dominates accounts of having committed the most savage acts against the civilian population. While it not only holds the record for the highest number of violations, the RUF is also responsible for most of the acts of rape and sexual violence recorded by the Commission.³²⁹ As reflected in the Commission's narrative of the conflict, the RUF by 1994 switched from conventional warfare to guerrilla warfare. With the change in tactics, there was a corresponding change in behaviour towards women and girls. The number of women abducted began to rise. The TRC estimates that the number of victims abducted and kept in sexual slavery in 1995 was double that in 1991.

Reference 415 - 0.01% Coverage

During the early part of the conflict, the joint NPFL / RUF contingent moved into the Pujehun district. The following statement describes the harrowing experiences endured by a whole community in the Pujehun District in the first year of the war, 1991. The perpetrators were said to be "from Liberia", which in the context of the Commission's research indicates that they were probably comprised of a combination of NPFL and RUF members. They included both men and women; they were drawn from a variety of ethnic groups. The male statement giver describes sexual violations to which he was subjected both individually and as part of his community in his home village. The statement indicates a policy of using rape to terrorise the people and systematically to break down their sacred familial and cultural taboos:

Reference 416 - 0.01% Coverage

[...] It was at night that these rebels entered [the village] and they asked us all out of the various houses and homes. We were told to strip ourselves naked, both men and women; [we were also told] to dance, men on one side, women on one side.

[...] The rebels told the women to lie down on the ground. These rebels then asked the men to tell them their relationships with these women on the ground.

Reference 417 - 0.01% Coverage

In terms of statements recorded by the Commission, the RUF and AFRC were the groups most likely to coerce women and girls into sexual slavery and forced marriages. A possible reason for this was that from 1993 to 1994, the RUF adopted a guerrilla mode of warfare and so its units were constantly on the move between bases in the bush. The fighters demanded women to perform domestic chores and to perform sexual services for them. Women

and girls were vulnerable in their communities, so it was quite easy for a fighter to abduct them, force them under his immediate control and compel them into sexual slavery and forced labour.

336. While victims experienced some degree of protection as the exclusive property of one perpetrator through a “forced marriage”, the relationship in most instances was entirely abusive. Most victims who spoke to the Commission nevertheless suffered some manifestations of the so-called “Stockholm syndrome”, i.e. they tended in their testimonies to identify with their perpetrators and would insist that they had been treated well even though many of the experiences they were describing tended to be abusive. The economy of war also required that women make themselves useful to their captors or “bush husbands” in order to survive.

Reference 418 - 0.01% Coverage

In terms of the testimony provided to the Commission, it is clear that the RUF had a policy deliberately to target women and girls with the clear intention of abducting them and holding them for various purposes described in this report. One of the main reasons for abduction was to violate women and girls by raping them and holding them as sexual slaves. The RUF cannot deny this *modus operandi* in the face of overwhelming evidence that, immediately after an attack, women seized in a raid were assigned to either commanders or combatants for the purposes of using them as “bush wives”. The TRC did not receive any report of an RUF commander who attempted to return abducted women and girls to their families, nor was any effort made by the RUF High Command to condemn this practice or to stop it. The RUF leadership must therefore accept that they are responsible for the violations that took place.

Reference 419 - 0.01% Coverage

Immediately after the Abidjan Peace Accord in November 1996, there was a call for the cessation of hostilities from Foday Sankoh to RUF members. While there was a brief lull in the conflict in terms of RUF armed attacks, frankly there was no cessation in respect of the violence perpetrated against women. The ceasefire offered an opportunity to the RUF movement to deal honestly and conclusively with the issue of sexual violence and yet it did nothing.

Reference 420 - 0.01% Coverage

Human Rights Watch in its report notes that the RUF made occasional efforts to declare rape a crime in certain areas under its control and in a few incidents even endeavoured to punish “ordinary combatants” who had contravened orders to this effect.³³⁶ The Commission has also gathered testimony from witnesses who indicated that some commanders prohibited rape and sexual violence against women, particular where the abductee was very young.³³⁷

Reference 421 - 0.01% Coverage

However this kind of attitude to rape was not the typical one held by most RUF commanders, so perpetrators of violations against women and girls were not too concerned about possible punishment or repercussions.

Reference 422 - 0.01% Coverage

The Commission finds the Revolutionary United Front (RUF) responsible for pursuing a deliberate strategy of abducting women and girls with the express intention of keeping them under their control, exploiting their vulnerability and sexually violating them either by raping them and causing them to be harmed by acts of sexual violence, using them as sexual and domestic slaves, torturing them and practicing a range of cruel and inhuman acts upon them.

Reference 423 - 0.01% Coverage

Secret society rules prohibited men from having sexual intercourse with women while performing their society duties, as they believed that sex or sexual contact with women before a battle would diminish their powers of immunity to withstand attacks or wounds.

Reference 424 - 0.01% Coverage

In terms of the CDF code of practice after 1996, many witnesses claimed that a similar set of rules and taboos applied and that, additionally, all CDF members were obliged to protect civilians, particularly women and children.³⁴⁰

Reference 425 - 0.01% Coverage

In the latter period of the conflict, from 1997 onwards, the Commission has noted a massive increase in the number of violations attributed to the CDF. From anecdotal testimony received by the Commission, it appears that CDF forces acted with almost the same amount of savagery as the RUF towards women and girls.³⁴¹ According to the Commission's database, the CDF was responsible for 6% of the total violations recorded.³⁴² It is worthy of mention that for sexual violations recorded in the Commission's database, the percentage of allegations against the CDF is as follows: rape 12%; sexual slavery 0.8%; and sexual abuse 7.3%.³⁴³ These figures indicate that the CDF perpetrators whose violations were recorded in the Commission's database demonstrated twice as high a propensity to commit rape than their propensity to commit violations overall. The figures support the theory that, at least as far as the Commission's database can indicate, elements of the CDF made a point of committing rapes in the latter period of the conflict.³⁴⁴

Reference 426 - 0.01% Coverage

As CDF units were usually attached to a specific town or village for a specific period of time, they were not as mobile as the RUF or the AFRC. Thus in contrast to the "roaming detentions" of the RUF and the AFRC, the preferred modus operandi of the CDF in terms of sexual violations was to abduct women and girls and take them prisoner. They would then be confined to a single secure location, usually in a village or town where they were freely available to be used as sexual slaves. They would be held under the custody and complete control of the CDF and would be raped, either singly or gang raped, in a multiple number of ways. They would often be held naked and had to be freely available for sex.³⁴⁵

Reference 427 - 0.01% Coverage

The Commission has recorded many statements in its database and has heard testimony that women and their families reported CDF members for both rape and sexual violence to their commanders. The response was telling. Nothing happened and in many instances it became clear that rape and sexual violence was condoned, particularly where the women were thought to have spent time with or rendered assistance to the RUF or AFRC. No consideration seems to have been given to the possibility that women had been forced into these roles in order to survive. No evidence exists that the CDF took any action against its members who were accused of rape or sexual violence. On the contrary, such acts appear to have been condoned, particularly if the women were labelled "rebel collaborators" or "rebels", or if they had family members who were associated with the RUF, the SLA or the AFRC.

Reference 428 - 0.01% Coverage

The Commission finds that the CDF, particularly in the latter period of the conflict, pursued the deliberate strategy of abducting civilian women and girls believed to be in any way connected to the RUF or who had collaborated with them, and detained them in a cruel and inhuman way, with the intention of deliberately violating them, either by raping them or using them as sexual slaves. The Commission finds it particularly reprehensible that the CDF behaved in this manner when it was duty-bound to protect the civilian population and prevent violations being perpetrated against them.

Reference 429 - 0.01% Coverage

Together the alliance of the RUF and the AFRC were incredibly brutal and savage in their conduct. They were responsible for the many atrocities and violations women and many others suffered during the infamous invasion of Freetown on 6 January 1999. It is worthy of mention that, in the Commission's database, the percentage of sexual violations recorded against the AFRC is as follows: rape 12,6%; sexual slavery 3,5%; and sexual abuse 31,8%. Overall, the AFRC is accountable for 11,1% of the sexual violations recorded in the Commission's database. The fact that the AFRC is responsible for three times as many sexual abuse violations recorded in the Commission's database as overall violations recorded in the Commission's database supports the theory of a deliberate plan to

commit sexual abuses.³⁴⁶ While the Commission has not been able to obtain the precise statistics of the numbers of women that were tortured and sexually violated during this period, the NGO group FAWE (Forum for African Women Educationalists) in partnership with Médecins Sans Frontières (MSF) provided medical treatment and counselling to 1,862 female survivors of sexual violence.³⁴⁷

Reference 430 - 0.01% Coverage

The AFRC experienced the same kind of complexities and challenges with commandship as the RUF did, with many different combatant groups declaring allegiance only to a particular commander. During the conflict, some commanders acquired the reputation of being especially vicious in their targeting of women and girls. They became known by name and reputation among victims and Sierra Leonean society in general. In many statements and testimonies given to the Commission, women responded to the question of perpetrator identity by identifying the name of an individual perpetrator. A prominent example of an individual name that appeared frequently was “SAJ Musa”, also recorded as “SAJ Musa’s group”.³⁴⁹ Many statements and testimony confirm the presence of the commander known as SAJ Musa at the scene of AFRC violations, particularly during the prolonged assault on the north of the country that culminated in the invasion of Freetown on 6 January 1999. Multiple violations, including sexual violations, were attributed to SAJ Musa personally and to other senior AFRC commanders in his unit.³⁵⁰

Reference 431 - 0.01% Coverage

The Commission finds the AFRC to have pursued a deliberate strategy of targeting girls and women with the specific intention of violating them by abducting them, raping them, perpetrating sexual violence upon them, torturing them as well as perpetrating cruel and inhuman acts against them. The Commission also finds that the AFRC together with the RUF were responsible for the rape and sexual violations perpetrated upon civilian women and girls during the January 1999 invasion of Freetown.

Reference 432 - 0.01% Coverage

362. SLA units, like their CDF counterparts, were typically attached to a specific town or village. SLA soldiers would be garrisoned in barracks or assigned to protect a location for several months. They were not mobile and thus tended to target women and girls by abducting them with the intention of detaining in a confined, secure location to be used at their whim and fancy as sex slaves. The Commission heard that women and girls detained in this way by the SLA were often kept naked to be available freely for sex or other abuses.

Reference 433 - 0.01% Coverage

“They captured our sisters and women and used them to their satisfaction. When using them, they sometimes inserted steel irons or the sharp edge of a stick into their vaginas and abandoned them. They also amputated some of their hands.”³⁵⁵

Reference 434 - 0.01% Coverage

The Commission finds that the SLA, which was primarily responsible for protecting the state and the civilian population, also pursued a strategy of abducting women and girls, particularly those believed to belong to the RUF or who had collaborated with the RUF / AFRC. The SLA deliberately detained women and girls in cruel and inhuman conditions with the intention of raping them and perpetrating other acts of sexual violence upon them.

Reference 435 - 0.01% Coverage

The Commission received statements and testimony implicating the West Side Boys in rape and sexual violence against women. They have been described as a gang of bandits rather than credited as a politically motivated fighting force.³⁶³ Many of the statements the Commission received came from young girls who were forced to become “bush wives” to some of the members of this group.³⁶⁴ TRC statements also confirm that the Westside Boys continued to carry out abductions, rape and other violations against women right up to 10 September 2000, when they were wiped out by a dawn raid on their Okra Hills base involving Sierra Leone security services and British paratroopers.³⁶⁵

Reference 436 - 0.01% Coverage

The Commission finds the West Side Boys responsible for pursuing a policy of abducting women and girls, holding them against their will in forced marriages, raping them and using them as sexual slaves, perpetrating a range of cruel and inhuman acts upon them.

Reference 437 - 0.01% Coverage

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OTHER VIOLATIONS SUFFERED BY WOMEN 375.

In addition to the specific categories of violations covered above, women suffered a multiplicity of different experiences and were subjected to a plethora of economic violations, which had an enormous impact on them during the conflict period and on their lives and livelihoods since.

Reference 438 - 0.01% Coverage

376. Women were frequent victims of extortion. In the TRC database, women account for 351 of the 1,314 counts of extortion where the gender of the victim is known to the Commission.³⁶⁶ The database records that all of the major armed groups perpetrated this violation against women. Extortion mostly took two forms. In the first instance, armed groups demanded money from persons illegally detained or from their family members. If family members failed to comply with such demands, the person held in custody was on occasion killed.³⁶⁷ In the second instance, armed groups imposed levies on communities for their upkeep. Beyond these two main types of extortion, there were numerous random acts in which combatants simply demanded money and took it by force.³⁶⁸ If individuals resisted such demands, they were subjected to further violations. Some of the victims told their stories to the TRC:

Reference 439 - 0.01% Coverage

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377. Women were often the main targets of extortion, as they were considered more vulnerable to this kind of demand than men. According to the TRC database, the CDF accounts for the most acts of extortion of all the armed factions perpetrated on the civil population under its areas of control. A victim told the Commission of what she and her husband experienced at the hands of the CDF Kamajors in Kabati village:

Reference 440 - 0.01% Coverage

Armed groups, particularly the CDF set up checkpoints and proceeded to extort money from passers-by, including women. Women traders were particularly targeted in this fashion.³⁷⁴ The setting up of checkpoints heightened tensions considerably in many communities. It became a major point of contention between communities in the south and the CDF forces stationed there.

Reference 441 - 0.01% Coverage

The Commission recorded 931 counts of looting perpetrated against women, amounting to 30,1% of all acts of looting that were reported to the TRC.³⁷⁶ In this category the RUF accounts for most of the violations reported (59,7% for women and girls; 58,4% for men and boys).³⁷⁷ Individual RUF commanders sent combatants on missions to find food. These missions led to looting and pillaging of the targeted communities. RUF members have in their testimonies stated that children were included in these missions as they were very good at foraging out what they could get when they went out on looting sprees.³⁷⁸ The RUF had a deliberate strategy of targeting the property of civilians. In RUF parlance, looting was known as "jaja". A woman in Pujehun told the Commission of her experiences:

Reference 442 - 0.01% Coverage

Combatants also looted the property of women and gave them to wives and girlfriends. A common feature of the conflict was the fact that businesswomen and traders often fell into ambushes of the different armed forces and lost

their goods. The Market Women's Association of Sierra Leone testified to this in their appearance before the Commission.³⁸⁴

Reference 443 - 0.01% Coverage

A major feature of the conflict in Sierra Leone was the wanton destruction of property by the various armed forces. All of the major armed groups were responsible for the destruction of property belonging to civilians, including women.³⁸⁵ Women accounted for 1,009 of the 3,469 violations with gender recorded in the Commission's database.³⁸⁶ This amounted to women suffering nearly 30% of all property violations.³⁸⁷ A woman told of the attack on Moselolo village by the RUF in 1995:

Reference 444 - 0.01% Coverage

WOMEN AS PERPETRATORS AND COLLABORATORS

³⁸⁸ While women and girls bore the brunt of the violations as victims, they also played a multiplicity of roles including those of "perpetrator" and "collaborator". While these experiences are not widely documented, it is not surprising that women also took sides in the conflict. Often their participation is driven by socio-economic needs, the need to protect themselves and their families or to improve the quality of their lives. They assumed varied roles, including becoming combatants, providing medical assistance, feeding armed groups and supplying opposing forces with intelligence information often at great risk to their lives. Taking on an active role in the conflict placed a woman in even greater danger than normal, as opposing forces treated women associated with enemy factions more brutally than their male counterparts.

Reference 445 - 0.01% Coverage

Many women voluntarily joined the war for a variety of reasons including personal conviction and belief in the cause of the group or faction they belonged to. Others were enraged and angered by what they witnessed and chose to play an active role in an attempt to rectify perceived wrongs. Many women experienced personal losses, which hurt them a great deal and led them into enrolling in the Army to avenge their loved ones.³⁹⁰

³⁹⁰ Women who joined forces opposed to the legitimate government were regarded as perpetrators. Major Kula Samba, a soldier in the Sierra Leone Army who served under the AFRC, was charged and convicted of treason by the reinstated government of President Ahmad Tejan Kabbah. She was tried by Court Martial, sentenced to death with no right of appeal and executed in October 1998.³⁹¹ Other women accused of treason and put on trial were civilians among the large group charged to court in 1998, including Matilda King (third accused) Kaindeh Bangura (eleventh accused) and Mayilla Yansaneh (twelfth accused). They were all convicted of treason and sentenced to death

Reference 446 - 0.01% Coverage

Another woman perpetrator of note was Tina Musa, the wife of the late SAJ Musa, an AFRC commander of fearsome repute. Tina Musa, perhaps inevitably given her husband's central role in the AFRC, herself became embroiled in the conflict. While her initial role was purely one of connection to her husband, upon his death she came to wield enormous influence over his renegade group. A similar scenario of power dynamics was reported of women who were originally abducted and forced to become members of the other fighting forces.

Reference 447 - 0.01% Coverage

A major characteristic of the conflict in Sierra Leone was that in the vast majority of cases, women abductees were compelled to take on active perpetrator roles. Most of the major armed groups used these tactics in order to impose a sense of factional affiliation and identity on their civilian abductees.

Reference 448 - 0.01% Coverage

Some of the armed groups established special units solely staffed by women and girls. The RUF, for example, had a unit consisting solely of women known as the Women Auxiliary Corps (WACS), which was also charged with running the Small Girls' Unit of the RUF.³⁹⁴

394. Women involved in the conflict as perpetrators also committed notable human rights violations. Female commanders were often given appellations that characterised the forms of behaviour for which they were notorious: Adama “Cut Hand”; Lieutenant “Cause Trouble”; Kumba “Blood”; Lady “Jungle Law”; and Hawa “Two Barrel”, for example. Killing, maiming, looting, burning and amputations were among the violations attributed to females in the TRC database. One female perpetrator gave the following personal testimony:

Reference 449 - 0.01% Coverage

Many women struggle to understand why women took up arms and committed violations in the Sierra Leone conflict. However war and conflict force women into many different roles, which are not monochromatic in nature. Survival is paramount for women in times of conflict. Once involved, the nature of women’s involvement is little different from that of men. Violence became glorified during the conflict in Sierra Leone. Male and female combatants alike were celebrated and revered by their peers the more brutal and violent the violations they committed. The Commission heard that, in a perverse way, a combatant could only receive adulation and respect from his or her comrades by attaining a certain level of sheer ruthlessness and notoriety.⁴⁰⁰

Reference 450 - 0.01% Coverage

Many women combatants simply yearned to belong to the group and not to be perceived as weak or exhibit signs of femininity. These yearnings often led to women perpetrating even more cruel and violent behaviour than that carried out by men in their efforts to qualify for “inclusion” and “recognition”.

Reference 451 - 0.01% Coverage

The question of “survival” also profoundly motivated and influenced women perpetrators in their involvement in gross human rights violations. Engaging in acts of violence provided women with a guarantee of security and survival from their own colleagues.⁴⁰¹ Women had to prove themselves to their peers, as well as their individual commanders, by carrying out violations without flinching or displaying any outward signs of weakness. ⁴⁰¹. While most societies tend to ascribe to women a certain aversion to acts of violence, the conflicts taking place around the world suggest otherwise. According to Goldblatt and Meintjes, understanding that women are capable of perpetrating violence enables us to see that women are not monolithic in their outlook as a group and are not bearers of certain essential qualities such as kindness and compassion.⁴⁰² Gender stereotyping is certainly upset by the multiplicity of roles women take on in conflicts. ⁴⁰². Some military psychologists subscribe to a theory of crowd psychology as another reason for women having committed violations.⁴⁰³

Reference 452 - 0.01% Coverage

Drugs also played a major role in altering the mindset of many perpetrators, including women, thus allowing for the most horrible violations to be carried out. In addition, many women, while not serving as combatants, took on collaborative roles. In a number of instances, women allegedly performed as spies on behalf of armed factions on both sides of the spectrum, acting both for and against the government.⁴⁰⁴ Women reputedly established relationships with some ECOMOG soldiers, which allowed them to garner information about ECOMOG’s military strength. They also gained first-hand knowledge of garrisons as well as the deplorable conditions under which surrendered soldiers were kept and passed on this information to the AFRC.⁴⁰⁵

Reference 453 - 0.01% Coverage

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⁴⁰⁵. Women were additionally accused of assisting with the war efforts of some of the armed groups by buying and selling looted goods. Some female traders were even captured and charged to court on allegations that they trafficked small arms under the guise of trading their goods.⁴⁰⁶

Reference 454 - 0.01% Coverage

The market women were the group most affected by these allegations. The Sierra Leone Market Women's Association responded to the allegations during its appearance before the Commission and stated that its members had in fact risked their lives to go beyond rebel lines to buy goods in order to support their families.⁴⁰⁷

Reference 455 - 0.01% Coverage

According to Binta Mansaray, another witness before the Commission, attempted to capture the many dimensions to women's involvement with the different factions in the conflict:

"Pro-rebel women collaborators also helped rebels to infiltrate communities... providing rebels with food and shelter... on the other hand, pro-government women identified rebel collaborators and this at times resulted in the lynching and extra-judicial killings of alleged collaborators... Some women acted as spies and encouraged pro-government forces... they [also] provided food and shelter for ECOMOG and the Civil Militia".⁴⁰⁸

408. Women also suffered because their family members belonged to various combatant groups and they were labelled "collaborators". Labelling women in this manner was a dangerous and sometime malicious ploy, more often than not making the women increasingly vulnerable to being violated. A woman whose son was an SLA soldier told the TRC of her ordeal of being arrested as a "collaborator" at Maboima in 1999:

Reference 456 - 0.01% Coverage

Collaboration in war is often a result of the fact that women actively work to improve their situation and thus effectively support the efforts of one or the other side. Many conflicts, including the Sierra Leonean conflict, have arisen as a result of socio-economic inequalities, so it is not surprising that women become collaborators in order to survive. Ethnic allegiances, personal affinities and private loyalties also contribute to why women take sides.

Reference 457 - 0.01% Coverage

The Commission notes that it experienced great difficulties in accessing the testimonies of women ex-combatants and collaborators. The Commission has endeavoured to tell their story from the statements made by other witnesses and also submissions made to the Commission. However their story has not been told in its entirety. While the TRC has attempted to report faithfully on the impact and consequences the conflict has had on the lives of women, including those of women combatants, it is necessary to caution that the plight of women ex-combatants and their families is fairly precarious.

411. Women have been extremely guarded in their responses and have tried to avoid being identified as combatants or collaborators for fear of being targeted and stigmatised. Common wisdom has it that it is not easy to live in Sierra Leonean society as a woman who was part of one of the armed factions. Many women consider that being identified in such a capacity would lead to negative reactions from their communities, or even from their families and relatives. Women thus suffer a "double victimisation": having been compelled by circumstances to join the armed forces, they are further victimised by the same society for having done so. Non-disclosure facilitates their assimilation into their society and is yet another survival mechanism. Living under the fear of being recognised and identified then becomes a perpetual nightmare, however.

Reference 458 - 0.01% Coverage

Given that some women were not able to come forward to the TRC for fear of ostracism, society as a whole has lost a unique opportunity to understand fully the role played by women in the war. Sadly women are still constrained by societal norms from talking about what happened to them. Society "re-victimises" women and appears unwilling to accept that women, just like everybody else who suffered during the conflict, had little to no control over what happened to them.

413. Women who have come forward to the TRC have testified about their own anguish at being identified, ostracised and mocked, or at being made social outcasts at for having been associated with the armed factions. This plight stands to be compared to the relative ease with which many of their male counterparts have been accepted back in society. The Commission finds that women in Sierra Leone have had no option other than to bury their past so as to be accepted back into society.

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Reference 459 - 0.01% Coverage

Representatives of women's non-governmental organisations arrive at the YWCA Hall in Freetown for the TRC Special Thematic Hearings on Women.

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WOMEN AS MEDIATORS AND PEACE MAKERS

414. Women played a major role in the peace process that led to the end of the conflict. After enduring years of destruction and chaos, women began to assume constructive roles as mediators and peacemakers.

Reference 460 - 0.01% Coverage

At the beginning of 1994, rural and urban women of all classes and ethnic affiliations organised protest marches and peace rallies across the country. From 1994 onwards, pioneering women of the likes of Amy Smythe, Elizabeth Lavalie, Dr. Kadie Sesay and Zainab Bangura, along with women's groups such as the Mano River Women's Peace Network (MAWOPNET), Women's Movement for Peace, Forum for African Women Educationalists (FAWE), the Women's Forum, Sierra Leone Women's Movement for Peace and many others, took the lead in rallying society towards the cessation of hostilities.

416. Women activists organised seminars, embarked on public marches, held conferences and worked tirelessly towards the elections of 26 February 1996. They educated civilians on electoral proceedings, recruited and trained observers and pressured the military rulers to respect the results of elections. Women's groups also figured prominently in influencing Brigadier Maada Bio's National Provincial Ruling Council (NPRC) military government to hold democratic elections in the first place. These efforts were led by the group known as Women Organised for a Morally Enlightened Nation (WOMEN). The Women's Forum, an umbrella body for women's NGOs in Sierra Leone, organised a march on 9 February 1996 to petition the then Independent National Electoral Commission (INEC) concerning the upcoming elections. Eventually, women helped monitor the conduct of the polls on 26 February, 410 which led to the assumption of office by President Ahmad Tejan Kabbah.

Reference 461 - 0.01% Coverage

The overthrow of President Ahmad Tejan Kabbah in 1997 caused many Sierra Leoneans to go into exile. Many of the women mentioned above who had worked to secure a democracy also fled from the country. While in exile, some women continued their efforts to fight for justice and peace in Sierra Leone. Based in Guinea, Mrs. Zainab Bangura set up a field office of the Campaign for Good Governance (CGG). This office would serve as a focal point for civil society working for the restoration of democracy in Sierra Leone. 411

Reference 462 - 0.01% Coverage

After the invasion of Freetown in January 1999, women also participated in the National Consultative Conference convened by the National Commission for Democracy and Human Rights (NCDHR), headed by Dr. Kadie Sesay. The conference was charged with collating civil society's views on the peace talks due to take place in Lomé later that year. 413

Reference 463 - 0.01% Coverage

Interventions by women in the post-Lomé peace process invariably tipped the balance in favour of the restoration of peace in Sierra Leone. In May 2000, a group of women belonging to various churches and mosques in Freetown requested and were granted an audience with RUF leader Foday Sankoh. Sankoh was reported to have treated the women with disdain upon their arrival at his residence. The women, angered by Sankoh's attitude, vented their displeasure. Christiana Macfoy of the Women's Forum told the BBC that:

"We are tired; we are not only tired, we are fed up. We have reached the end of the road as far as taking all these atrocities that are being committed. And it is the women who are bearing the brunt of it." 414

Reference 464 - 0.01% Coverage

The women's meeting turned out to be a prelude to a much larger demonstration of opposition to the RUF on 8 May 2000, when a broad cross-section of the entire populace, including as many as 2,000 women, marched on Foday Sankoh's Spur Road Lodge in Freetown. A chaotic breakdown of public security ensued, with members of the RUF

and other armed factions opening fire on civilians, leading to the deaths of up to 40 people.⁴¹⁵ Foday Sankoh was captured some ten days later and taken into custody until his death in 2003.

Reference 465 - 0.01% Coverage

There is no doubt that in the midst of the conflict and in the face of limited resources and continuing threats, many women in Sierra Leone worked relentlessly for peace. While most of the women involved had experienced the horrors of the conflict at first hand and were traumatised, they nonetheless rose above their personal circumstances to help to bring peace to their nation. They fought long and hard for normality to return to their lives, families and nation. In the process, some of them lost their lives.

Reference 466 - 0.01% Coverage

The conflict has shown that while women are predominantly victims, they also play the roles of perpetrators and collaborators to armed groups. As combatants, they commit violations in the same way that men do. Militarisation and the presence of weapons create a culture of violence that often forces combatants to commit violations, sometimes as a means of survival, especially for women who still remain vulnerable even as combatants. Women have collaborated with the armed groups, serving in various capacities.

Reference 467 - 0.01% Coverage

Throughout the world, while women often play a major role in the cessation of hostilities, they are routinely ignored and under-represented at peace negotiations and in the peace-building institutions that come into existence thereafter. Such was the case in Sierra Leone.

Although two women

Reference 468 - 0.01% Coverage

Despite the efforts of the many women's groups that have asked for more women to be included in government, there are currently only three women cabinet Ministers out of twenty-two, three deputy Ministers out of thirteen and sixteen women parliamentarians out of 120. These figures are insignificant in terms of the numbers of women in the country.

Reference 469 - 0.01% Coverage

President Anwarul Chowdury of Bangladesh, who chaired the First UN Security Council Meeting on Women, Peace and Security stated that:

"Members of the Security Council... affirm that the equal access and full participation of women in power structures and their full involvement in all efforts for the prevention and resolution of conflicts are essential for the maintenance and promotion of peace and security."⁴¹⁸

428. Women played a major role in ensuring that the conflict in Sierra Leone came to an end. However, they were marginalised in the peace talks and even more so in the various Commissions established after the signing of the Lomé Peace Agreement. Such exclusion, whether direct or indirect, deliberate or inadvertent, is characteristic of most countries where women's voices are not heard or taken into account. It is a situation that must not be allowed to persist in Sierra Leone. In this regard, the Commission considers UN Security Council Resolution 1325 on Women, Peace and Security, passed on 21 October 2000, to be pertinent.⁴¹⁹

It is important to locate the struggle for a strong women's voice in Sierra Leone in the broader struggle for women's inclusion in peace initiatives around the world. The institutions and processes of peace, security and development, as well as societies at large, are made stronger and more effective by the full and equal participation of women.

Reference 470 - 0.01% Coverage

In the State of the World's Mothers Report of 2003, Sierra Leone had the ignominious distinction of standing alongside four other countries as one of the worst places on earth in which to be a woman.⁴²² The Commission explores in the sections that follow what the consequences of the conflict have been for women in Sierra Leone. The

consequences have been divided into various categories of impact, including socio-cultural factors, health considerations and changes to the economic and legal status of women after the war. The consequences described are both short-term and long-term in nature. Many of them have had a knock-on effect for the society at large. Wherever possible, the Commission has attempted to discuss also the various interventions from government and other actors designed to address these consequences.

Reference 471 - 0.01% Coverage

In most traditional societies, socio-cultural norms and values are regarded as sacred. Those who flout the rules are usually cast out of their societies. In Sierra Leone, many of the norms and customs have as their core value the protection of women and girls. In addition many norms and customs exclude women from performing certain tasks and functions. The conflict in Sierra Leone shattered most of the norms and customs sacred to Sierra Leoneans, thus desecrating the value system underpinning their society.

Reference 472 - 0.01% Coverage

Traditional society in Sierra Leone demands that women be cherished and looked after. In addition, women are customarily forbidden from taking up arms and becoming involved in warfare. Thus, those armed groups who targeted women and children, abducted them and sexually violated them broke all taboos of society. Women who became combatants in the conflict found themselves flouting all the normal rules and negating the cultural value system.

Reference 473 - 0.01% Coverage

Sexual violence and the kind of sexual violations that women suffered are themselves acts regarded as taboo in Sierra Leone. Sexual acts involving children, violations against older women, rape and disembowelment of pregnant women, rape and sexual abuse of pre-pubescent girls and virgins were all widespread in the conflict. These acts were carried out everywhere, defiling places regarded as sacred such as mosques, churches and the secret society “bushes” of the Bondo society. To carry out such heinous acts in highly sacred places is to undermine cultural and religious values yet further. Incest is regarded as a major crime and the forced acts of incest by many of the armed groups broke one of the major taboos not only of Sierra Leone but also in the wider world.⁴²⁴ The Commission finds that the RUF and the AFRC, in particular, deliberately engaged in strategies designed to destroy all the norms and values of traditional Sierra Leonean society.

Reference 474 - 0.01% Coverage

There is no doubt the violation of women has led to the erosion of the mainstream value system in Sierra Leone. The consequences of the conflict are thus being seen in the high numbers of women and girls who continue to be raped and violated even in peacetime. Domestic violence is also on the increase. The consequences of the conflict have therefore been life altering not only for the victim but also for the wider society.

Reference 475 - 0.01% Coverage

Rape and sexual violence as well as acts of extreme violence carried out on women and girls carry with them a price which women inevitably pay. Perversely women in most traditional societies are regarded as the custodians of the honour of men and society. Raping and violating them have come to symbolically represent the violation of the man and the society he belongs to. The bodies of women become the battleground over which opposing forces fight.⁴²⁵ In Sierra Leone women were raped and sexually violated often in front of their loved ones, humiliating and denigrating them. Women were forced to bear children belonging to the enemy. They are doubly victimised, they bear the burden of being raped which itself carries with it a stigma ‘that of family honour being desecrated’.

Reference 476 - 0.01% Coverage

Confidential testimony received before TRC Closed Hearings, Kailahun District, April 2003. Rehn and Johnson-
Violence against women, page 12
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436. Women who are identified as having been raped or who disclose that they have been raped are regarded in Sierra Leone as bringing shame to their families. In addition to the pain and anguish of the rape and sexual violence, they mostly carry with them the pain of not being able to disclose their status for fear of being ostracised. In cases where women have made the rape and sexual violence known to families, efforts are frantically made to hush up the “disgrace”. The anguish and perceived shame is understandably even worse where the victim has borne the child of her rapist or captor. Many young mothers have been forced to give their children up to adoption.

Reference 477 - 0.01% Coverage

Despite the pressure to bury the issue and to lapse into silence, some women in Sierra Leone have been brave enough to disclose their experiences publicly. Again it is the large number of women who experienced sexual violations in Sierra Leone that brought the issue to the fore. Women have complained to the TRC of stigmatisation in their various communities because some people have labelled them “rebel wives”.⁴²⁶ Re-integrating into their societies is difficult for those who have been forced into sexual slavery and in reality they are being penalised by society for matters totally out of their control and which occurred as a result of the conflict. Negative reception by family or community tends to accentuate their feelings of dislocation and social exclusion. Many women have expressed to the TRC their extreme sense of “rejection” and their “fear that they may never be able to lead a normal life”. Many would like to get married and have children and yet feel that no one will want them.⁴²⁷

Reference 478 - 0.01% Coverage

In those instances where women have borne children from abusive relationships, the children remain a living reminder of a past their mothers would rather forget. Women and girls in this position face severe trauma and psychosocial problems, which has not yet begun to address.⁴²⁸

Reference 479 - 0.01% Coverage

439. Women who were the victims of sexual violence throughout the conflict in Sierra Leone have also suffered further blows. In attempting to resume normal family life, they have found that their husbands and in-laws reject them, precisely because of the violations they have experienced.

Reference 480 - 0.01% Coverage

relationships have broken down dramatically, with most spouses unable to deal with the fact that their wives have been sexually violated.⁴²⁹ Many of the women who were displaced and separated from their husbands lived in rebel-held areas and are now unable to return to their original relationships because they have been “other men’s wives”.⁴³⁰ A victim who was raped and subsequently made a sexual slave testified to the Commission as follows:

Reference 481 - 0.01% Coverage

The plight that many women emerging from the conflict experience was also highlighted in an address by a woman community leader during the closing ceremonies of TRC hearings in the Kono District: “From the stories you have heard, I am sure that you know how much our women and our children have suffered... especially the women: some of the men do not want to have them again as wives or friends...”⁴³²

Reference 482 - 0.01% Coverage

The war has led to many women being divorced by their husbands. The consequences of divorce do not only impact on the lives of those directly affected but also impact on children and the extended families. Families traditionally bound together experience strained relationships as marriages bind families and not only the immediate the parties in African society. Women experience again a “double victimisation”, as they now have to bear the economic and social consequences of divorce.

Reference 483 - 0.01% Coverage

The legacy of the conflict on the already beleaguered women of Sierra Leone is extreme poverty and limited opportunities to engage in economic activities. The absence of viable employment opportunities and the need to survive has compelled many women to become commercial sex workers. In this regard, the Commission notes that a clear link exists between economic impoverishment and the increase in prostitution and sexual exploitation in post-conflict Sierra Leone. According to a report on commercial sex workers produced from a study by the NGO Goal Ireland, poverty is the primary cause that leads to prostitution. This trend was observed not only internally in Sierra Leone but also among women and girls who had fled the country as refugees to neighbouring countries:⁴³⁴

Reference 484 - 0.01% Coverage

446. While both men and women are affected by the breakdown of the health system, women are affected in ways directly attributable to their gendered experiences of the conflict. This is particularly true in the area of reproductive health, which includes life-threatening pregnancies, lack of access to birth control measures and injuries arising from sexual violence.

Reference 485 - 0.01% Coverage

During the conflict, many pregnant women, finding themselves in the most repressive conditions, were not able to access medical help. In the case of those who were forced to live with the armed forces, being constantly on the move prevented them from accessing any health-care facilities. Many women and girls were also deprived of health services due to the fact that the armed forces had destroyed or looted them during the conflict.⁴³⁹ Many women also found themselves experiencing malnutrition, particularly in rural areas where they were unable to grow vegetables or engage in farming activities due to the war. In these circumstances, women died in inordinately high numbers.⁴⁴⁰

Reference 486 - 0.01% Coverage

440 See World's Women, Trends and Statistics 2000, including the website in the above footnote. Vol Three B Chapter Three Women and the Armed Conflict in Sierra Leone Page 200

449. While access to proper medical care and proper nutrition are major factors in reproductive health, the constant exposure to violence and death during the conflict also took its toll on pregnant women. They suffered enormous mental trauma from the experiences and exigencies they were subjected to. Women's groups report that in many emergency situations, spontaneous abortions occurred as a result of the extreme mental and physical stress. As no immediate medical assistance was on hand in the bush many women died under these circumstances. While no accurate data exists, anecdotal evidence to the Commission suggests that many women died under these circumstances.

Reference 487 - 0.01% Coverage

Access to information and a proper reproductive health system empowers women to take charge of their lives and makes it possible for them to have a safe sex life. They have the right to make choices as to whether they wish to reproduce and have the freedom to do so when they wish. All of this was taken away from them during the conflict. Chaos and mayhem reigned and as a result thereof, women were negatively impacted upon by the lack of access to proper health care, the lack of choice and the loss of freedom to make choices. This has severe negative implications for their continued development in both public and private spheres. Opportunities for education, economic and political empowerment have been lost.⁴⁴¹

Reference 488 - 0.01% Coverage

451. Women in Sierra Leone are severely affected by the injuries they have sustained as a result of the sexual violations they have experienced. Gynaecological problems that many suffer included a prolapsed uterus and Vesico-Vaginal Fistula (VVF) lesions.

Reference 489 - 0.01% Coverage

According to a submission made by FAWE,⁴⁴² the gang rape and multiple rape of two women who were raped by 15 and 30 rebels respectively, where one of the victims had only given birth two weeks before being raped, led to

both victims suffering from a prolapsed uterus. In the case of the first victim, repairs took place, which focused on the uterus assuming it proper position. For the second, the severity of the prolapse required the uterus to be taken out.⁴⁴³

Reference 490 - 0.01% Coverage

FAWE reports that in terms of the work it has done with women victims, injuries have ranged from small scars to big lower abdominal laparotomy wounds. The latter category results from women having their stomachs opened by the armed forces while pregnant.⁴⁴⁵

Reference 491 - 0.01% Coverage

Another consequence of the conflict in Sierra Leone has been the numerous unplanned and unwanted pregnancies that affected the vast majority of women abducted and forced into sexual slavery and who suffered sexual violence. Unwanted children are an aspect of this legacy.⁴⁴⁶

For many women already

affected by the stigma of association with the RUF and the AFRC, the children born from these unions are a further burden on them. The circumstances around the conception of these children turn what should be a desirable human experience into an unbelievable and life-long nightmare. Women and girls who have borne children in this way face not only the humiliation and pain they suffered from rape and sexual violence, but also a living reminder of what happened.

Reference 492 - 0.01% Coverage

Many of women who testified to the TRC admitted that their feelings towards their children were ambivalent. While they associated the children with the brutality meted out to them by the perpetrator and resent having to look after them, the children are also part of them and need their care and attention. In some instances, the children have been accepted in their mother's families but there are a number of cases where mothers with children born under these circumstances have been forced to leave their family and immediate society altogether as they met with such reluctance to absorb them. The virtue of forgiveness, so deeply rooted in African culture, is at odds with the traditional society's feelings of repugnance towards children born in this way, particularly in Sierra Leone. However in many societies, the culture of silence about children born from acts of sexual violence has also silenced any rumblings over children born from "forced marriages".

Reference 493 - 0.01% Coverage

In most conflicts, women raped face the possibility of children being born from such acts of violence. While abortion is one mechanism to deal with such unwanted pregnancies, it is not always an option open to every woman. In Sierra Leone abortion is considered illegal. While it is possible to have a "back street" abortion, for most women this course is undesirable as it is expensive and the risks associated with it are enormous.

Reference 494 - 0.01% Coverage

Another prohibiting factor has been the destruction of health services facilities, coupled with the flight of some health professionals, which has made abortion almost unavailable in Sierra Leone. Abortion has been driven underground and has thus been placed practically out of reach. The vast majority of women in Sierra Leone have thus had no choice but to carry their babies to full term.

Reference 495 - 0.01% Coverage

Many of the women who testified to the Commission indicated that their children themselves were unaware of the circumstances of their birth. Society has not dealt with the issue in any honest or transparent fashion. What is clear is that education is needed to help society confront the problem openly and sensitively.

⁴⁴⁶ See FAWE submission to TRC, at page 3. Vol Three B Chapter Three Women and the Armed Conflict in Sierra Leone Page 202

Reference 496 - 0.01% Coverage

It is a fact that in situations of armed conflict women are often extremely vulnerable to contracting sexually transmitted diseases or infections (STDs or STIs), given the indiscriminate sexual violations to which they are subjected. High rates of STDs and STIs are likely to occur among internally displaced populations and refugees, as studies have linked moving populations from conflict zones with their spread and the escalation of HIV/AIDS.⁴⁴⁷ The high prevalence rate of STIs among military populations around the world (estimated at between two and five times the rate for civilians), together with the extensive contact between civilians and combatants in times of conflict, lead to high levels of infection.⁴⁴⁸

Reference 497 - 0.01% Coverage

Poor countries like Sierra Leone are even more liable to experience the spread of STIs upon the cessation of hostilities. The lack of access to medical care and assistance for women in the post-war environment makes them an even more vulnerable group. The breakdown of health facilities during the conflict and in its aftermath often means that women have no access to medicines, reproductive health care services, contraceptive services or counselling. Many women in their statements and testimonies to the Commission stated that they are presently suffering from vaginal discharges, which they attribute to the sexual violations they suffered in the conflict.⁴⁴⁹

Reference 498 - 0.01% Coverage

submissions to the Commission attribute such complaints to the untreated STIs that women have contracted out of the sexual violations they have suffered. Often STIs go untreated as a result of ignorance, lack of adequate health care facilities, poverty and social instability, all of which are legacies of the conflict in Sierra Leone. The implications of STIs are profound, as a simple infection can easily develop into pelvic inflammatory disease and eventually cause infertility. In most African societies – and Sierra Leone is no exception – an enormous social stigma is attached to infertility.

Reference 499 - 0.01% Coverage

Again, there is insufficient data on how many women suffer from STIs in Sierra Leone. Lack of access to information on safe sex and how to prevent the spread of STIs as well as poverty and powerlessness impact on the ability of women to take charge of their own lives. Several submissions to the Commission picked out women's enforced subordination in terms of sexual and reproductive health as a major issue that will need to be addressed in the near future.⁴⁵⁰

Reference 500 - 0.01% Coverage

In general, gender inequality is a major force behind the HIV/AIDS epidemic. According to Lee Waldorf in a study on HIV/AIDS and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), commissioned by United Nations Development Fund for Women (UNIFEM), a wide range of power imbalances and inequalities between men and women – rooted in economic relations, in family structures, in differences in education and experience, in exposure to violence and in cultural expectations – have placed many women in the position of being unable to negotiate safer sexual practices with their partners. It is a fact that women and adolescent girls are more vulnerable to HIV/AIDS than men and boys.⁴⁵¹

464. While the conflict in Sierra Leone has been largely responsible for the increased numbers of women and girls who live with HIV/AIDS, cultural practices such as female genital mutilation and early marriages are also thought to have had a significant impact on the problem.⁴⁵²

Reference 501 - 0.01% Coverage

total powerlessness of women to negotiate safe sex or avert abuses during conflict situations, coupled with the deliberate strategy of the armed forces to rape and sexually violate women, have contributed to the spread of HIV/AIDS amongst women.

Reference 502 - 0.01% Coverage

Conflicts are a major factor in spreading HIV/AIDS. Women are denied control over the partners they have sex with. In Sierra Leone this problem has been exacerbated because of the nature of the conflict, especially the high levels of rape and gang rape to which women and girls were subjected. Systematic violations, along with low awareness of HIV/AIDS and the breakdown of vital services in health and education, contribute to the rapid growth in the number of people who contract HIV/AIDS. In the aftermath of the conflict, many women have turned to commercial sex work as a means of survival, because of the complete devastation of the economy and the needs of their impoverished families. Prostitution too has led to an increase of HIV/AIDS amongst the Sierra Leone population.

Reference 503 - 0.01% Coverage

There is no doubt that women have been placed in a precarious and vulnerable position in terms of HIV/AIDS epidemic in Sierra Leone because of the conflict. The 2002 report by the Joint United Nations Programme on HIV/AIDS (UNAIDS) on the global AIDS epidemic estimated that “by the end of 2001 there were 170,000 persons between the age 15 and 49 living with the virus in Sierra Leone”. UNAIDS estimates that more than 50% of this total, which is about 90,000 sufferers, are women and girls.⁴⁵³

Reference 504 - 0.01% Coverage

The consequences of the HIV/AIDS epidemic on women are far reaching and have been referred to as the “triple jeopardy”, as HIV/AIDS affects the productive, reproductive and community roles that only women can play.⁴⁵⁴ Their positions as reproducers, mothers and caregivers are all affected.

Reference 505 - 0.01% Coverage

Stigmatisation and ostracisation are another consequence of HIV/AIDS. Women living with the virus, experience high levels of stigma and discrimination on the basis of their HIV/AIDS status. This prevents any discussion on publicly discussing the causes of HIV/AIDS and from seeking appropriate responses to the disease. Those affected are often unable to seek treatment or assistance in case their status is discovered. In conflict situations, matters are further exacerbated by the general state of anarchy that is prevalent. Even in post-conflict situations, issues are prioritised and attentions are focused more on reconstruction than on other issues such as HIV/AIDS.

Reference 506 - 0.01% Coverage

The depressed post-war economy has meant that Sierra Leone has not been able to prioritise either the reconstruction of the health system or the management of the HIV/AIDS epidemic. It does not possess the necessary purchasing power to buy anti-retroviral drugs, even where available. The lethal combination of poverty and a non-functional health sector means that the infected women do not have a chance at survival. The statistics speak for themselves. According to the NGO Save the Children, Sierra Leone is no different to other post-conflict countries where the response to dealing with HIV/AIDS in the aftermath of the conflict has been poor.⁴⁵⁵

Reference 507 - 0.01% Coverage

HIV/AIDS devastates families and makes orphans of children. As mothers and caregivers, the death of women through HIV/AIDS has a devastating impact on the family, particularly on children. Children become adults overnight, engaging in economic activities for survival, thus perpetuating child labour and poverty. Some degenerate into drugging, commercial sex work, stealing and other acts that are inimical to their lives and progress in the short as well as long term.

Reference 508 - 0.01% Coverage

An emerging problem is the new dependence on the aged to take care of those living. This is a reversal of a pattern in African societies such as Sierra Leone where children are the usual support structures for the aged. The death of women and children through HIV/AIDS has led to untold hardship for the aged as they have lost the comfort of being taken care of. They have also had to take on the role of providers and caregivers to their children living with

HIV/AIDS and on their death to assume same role for their grandchildren. It is important to note that most caregivers or providers are women.

Reference 509 - 0.01% Coverage

At a national level the loss of person-power affects the economy. Given the role of women in subsistence farming in countries like Sierra Leone, the effect of HIV/AIDS on the economy is profound. Sierra Leone lacks accurate statistics of how many women contracted HIV/AIDS during the conflict and how many are living with the virus or have died as a consequence of contracting the virus.

THE IMPACT OF AMPUTATIONS ON WOMEN

475. Women were as much the victims of amputations as men. The effects of the amputations on their lives have been manifold, ranging from health, social to economic. After the war, Handicap International and MSF provided assistance to amputees and ran medical services at the Aberdeen Amputee camp. While MSF no longer provides any services, Handicap International has continued to provide some services to amputees. Women amputees told the Commission that they were not able to access the services presently provided by Handicap International.⁴⁵⁶

476. While amputations of all kinds have a devastating effect on women and girls, it is important to note that the degree of social and economic dependence of an amputee is determined by the type and level of loss of limb. In an agrarian economy like that in Sierra Leone, amputated women and girls lose the ability to actively engage in farming activities. This affects their ability to earn a living and also to provide food for the family. Many women and girls in Sierra Leone have been reduced to begging for their sustenance and that of their families.

Reference 510 - 0.01% Coverage

The state in Sierra Leone does not have at present the capacity to rehabilitate amputees, particularly women and girls. In those instances where young girls have had their limbs amputated, their futures have been completely compromised. Coupled with poverty, they face a future without any opportunity or hope. The fate therefore of many girls who suffered amputations in the conflict presently hangs in the balance. Women who through amputations have lost their ability to earn have in many instances lost their husbands. In other instances, men who are unable or unwilling to care for their amputee wives have left them.

Reference 511 - 0.01% Coverage

The social impact of amputations is equally far reaching. It ranges from lifestyle change, loss of social interaction and loss of self-esteem, to effect on family members. For women, the transformation of their bodies has had an effect on their self-esteem. Many amputee women expressed the view that they felt incomplete, ashamed and not worthy of being loved. Amputations have had a profound impact on relationships they have had before the amputation. Many women state that they have become social recluses, refusing to interact with other members of society. Many have become depressed and talk about taking their own lives. Amputations also impact on other family members as it puts an added strain on the resources of the family in trying to cope with the situation. Role changes occur in the family, which cause diverse sentiments of resentment among family members. For women amputees the inability to carry out their previous functions is a particularly bitter pill to swallow.

Reference 512 - 0.01% Coverage

“First Witness” – confidential testimony received before the TRC Special Thematic Hearings on Women, Freetown, 22 to 24 May 2003.

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479. Women amputees expressed to the Commission their anguish at their loss of privacy, particularly with regard to carrying out their bodily functions. Women who are double amputees, either of the legs or hands, are profoundly affected. Being dependent on others to assist them with intensely private functions, they consider themselves stripped of dignity and a burden to others.

Reference 513 - 0.01% Coverage

Some of the psycho-social consequences that victims of sexual violence exhibit are anxiety, depression, flashbacks, shame, anger, guilt/self-blame, fear, suicide, post traumatic stress disorders, inferiority complex and general

hopelessness. In Sierra Leone as in most African societies, the psycho-social problems of victims are not properly discussed or dealt with. People have been largely unable to express their views or their personal thoughts in the aftermath of the conflict. A myth that prevails in African societies is that there is no need for counselling as traditional structures exist that allow those affected to deal with trauma. While such a statement may have been true in the past, the conflict has left society broken and fragmented. No mechanisms exist for women in particular to deal with their feelings of anger, humiliation and shame. In many of the hearings before the Commission, rape victims expressed shock, anger, resentment and a general sense of loss at their plight. Most of them were also given to weeping fits during their testimonies.⁴⁵⁸

Reference 514 - 0.01% Coverage

485. While both sexes have suffered terrible violations, women's experiences have been exacerbated by gender-based violations. Recent studies suggest that women and men respond differently to trauma. These studies suggest that women run twice the risk of developing post-traumatic stress disorders as certain types of trauma may have a deeper and longer-term psychological impact on women.⁴⁵⁹

Reference 515 - 0.01% Coverage

Sierra Leonean women were exposed to traumatic events such as rape and sexual violence, the killing of close family members and the burning and looting of their properties, as described earlier in this chapter. Many women had to leave their homes to live as displaced persons or refugees in foreign countries, without any support systems. Such dislocation and emotional freefall again precipitate enormous trauma. A recent survey on mental health and substance abuse in post-conflict Sierra Leone showed that more than 90% of the sample population had a significant traumatic exposure. Between 50% and 75% of the sample demonstrated "moderate symptoms" of trauma, while between 15% and 25% showed "severe symptoms".⁴⁶⁰ The survey included both sexes.

Reference 516 - 0.01% Coverage

It is important to note that Sierra Leoneans do not ascribe as much importance to treating mental health conditions as they do to treating physical afflictions. The psychological effects of the conflict, especially the effects on women, are generally underplayed if not dismissed altogether.

Reference 517 - 0.01% Coverage

Armed conflicts have a profoundly negative impact on the health of women. Factors such as the destruction of family and community networks and support systems, poverty and the loss of livelihood reduce the capacity of individual women to protect their own and their families' health for decades to come.

Reference 518 - 0.01% Coverage

490. Women and girls have been hugely disadvantaged by the complete deterioration of existing health services and the lack of access to properly trained personnel. Of particular immediate concern is the non-existence of services to deal with physical problems, but the total lack of skilled counselling professionals is just as ominous because of its longer-term effects. Had it not been for the non-governmental sector, women and girls in Sierra Leone would have had no recourse to any assistance.

POST-CONFLICT MECHANISMS FOR INTERVENTION IN RESPECT OF WOMEN AND GIRLS

Reference 519 - 0.01% Coverage

491. A number of agencies took specific measures after the conflict to address problems generated by sexual violence. An intervention that had a major impact on women was the programme run by the Forum for African Women Educationalists (FAWE), with support from Médecins Sans Frontières (MSF). FAWE had discovered that a large number of girls had been sexually violated during the January 1999 invasion of Freetown.

Reference 520 - 0.01% Coverage

The programme that FAWE devised was called Operation Freedom.⁴⁶² In collaboration with MSF and Sierra Leone Association of University Women (SLAUW), FAWE trained a team of specialist in counselling, case management and referrals. FAWE used partnerships with other agencies to raise awareness of the services they were providing to sexual violence victims, including the availability of free medical services. They also carried out sensitisation campaigns for the broader society in order to deal with the negative attitudes that victims of sexual violence were experiencing. The programme provided more than 2,000 victims of sexual violence with access to micro-credit schemes and educational assistance. In spite of the huge success of Operation Freedom, it stuttered to a halt due to lack of funding. After funding from MSF stopped, the UNHCR provided funding for an additional two months. This emergency contribution was insufficient to allow the programme to continue.

Reference 521 - 0.01% Coverage

The Christian Children's Fund Sierra Leone, in collaboration with the Sierra Leone Association of University Women, embarked on a similar initiative, which took the form of a community-based initiative to train health care workers, teachers and community representatives in basic therapeutic skills to deal with victims of sexual violence. More than 600 people were trained. However, funding problems also forced this programme to be ended prematurely.

Reference 522 - 0.01% Coverage

"The health programme recognised that the specific health and psycho-social needs of the women and girls raped and sexually assaulted during the war were not being adequately addressed."⁴⁶⁴

Reference 523 - 0.01% Coverage

Police attitudes towards the victims of sexual violence are problematic. In many instances women do not report the crime, as they are aware of the fact that they will receive very little sympathy from the police. The government is aware of the problem and has tried to address it through the establishment of Family Support Units within the police force, designed to deal sensitively with women. The government has also begun to provide training for the police in the handling of domestic and sexual violence.

Reference 524 - 0.01% Coverage

"Prevailing attitudes towards gender-based violence against women and rape issues are not treated with the importance they deserve. Factors such as lack of protection of witnesses and victims, lack of forensic evidence and subjecting women to humiliation in court also hinder the course of justice in such cases."⁴⁶⁸

Reference 525 - 0.01% Coverage

Current programmes targeting gender-based violence are directed at girls and not women. Women are generally disadvantaged by the complete focus on girls. The United Nations Rapporteur on Violence against Women, during her visit to Sierra Leone, lamented donor apathy towards the cause of women as well as the fact that most programmes of sexual violence are tilted heavily in favour of children.

Reference 526 - 0.01% Coverage

A further problem that exists is the differentiation between services available in Freetown and the Provinces to disadvantage of those that live in the Provinces. The paucity of services effectively prohibits women in the villages from accessing them. Even more debilitating is the fact that the vast majority of women are not even aware of the services that exist. There is an urgent need for massive sensitisation campaigns to make women aware of the existence of services that exist and how to access them.

Reference 527 - 0.02% Coverage

The worst-case scenario is true of Sierra Leone. The ravages of war have proved to be a major constraint on economic development. Sadly most of the developing world's poorest countries are locked in conflict. The World

Bank states that eighty percent of the world's 20 poorest countries have suffered a major civil war in the past 15 years, Sierra Leone included.⁴⁷⁰ Describing the economic impact of the war, a group of Sierra Leonean women submitted:

"During the war, people were forcibly evicted from their houses, many houses and public buildings were burned down, looted, vandalised, furniture removed, savings forcibly taken from people and all livestock consumed. The livelihood system of people was severely disrupted, there was loss of source of income, economic activities ceased, thereby increasing the level of poverty. Women and children were hardest hit. They were totally dispossessed of their worldly possessions and meagre savings. Spouses and other male breadwinners were killed, made redundant or separated from their families."⁴⁷¹

513. Madam Koloneh Jusu, leader of an association of women farmers at Peacock Farm in Wellington, near Freetown testified in the same submission as follows:

"Our house was burnt down during the war. We stayed in a displaced camp for six months. When we came back, we put up a temporary structure where we started rebuilding our lives again. It was the same story for most of the women in this association. We had no means of livelihood. Our husbands were either killed in the war or made redundant, because the industrial estate that employed them has closed down due to the wanton rebel destruction."⁴⁷²

Reference 528 - 0.02% Coverage

The war denied women of any genuine prospect of economic advancement. The Sierra Leonean economy in the pre-conflict period was already survivalist in nature particularly in the rural parts of Sierra Leone. The majority of women live in the rural areas and are engaged in subsistence farming, which forms the bedrock of food production in Sierra Leone.⁴⁷³ The RUF began the war by first occupying the rural areas in the Provinces, which immediately affected food production in the country and resulted in food insecurity.⁴⁷⁴ In many of the rural areas, those who farmed were compelled to supply food to the RUF on pain of death. At the same time the occupying forces had a devastating effect on output. In some areas, rural infrastructure was damaged and agricultural production was reduced, with food processing, storage and distribution systems being destroyed.

515. Women were also affected by the fact that their men – sons, husbands and fathers – either took up arms voluntarily or were compelled to do so. As a result of subsequent male combat losses, many women have become household heads. The wanton killing and destruction that took place during the course of the conflict therefore had an enforced impact on the status of women.

516. Women began to take on additional roles and responsibility as heads of households, not only providing for their own needs, but those of the extended family and the wider community as well. The conflict also forced women to become decision makers and to determine how resources should be used. These strategic tasks had traditionally been the exclusive preserve of men.

517. Women in terms of custom and tradition had played a subservient role. The conflict eroded these traditional customs and practices that had placed constraints on women in the past and restricted their mobility. Given the lack of statistics, establishing the current number of female-headed households is now a priority.

Reference 529 - 0.01% Coverage

As the conflict spread in Sierra Leone, families became displaced, with many women becoming internally displaced persons. Many others fled into exile, particularly those with the resources to do so. According to the UNHCR, there are approximately 50 million refugees in the world, with 75% to 80% of them women and children.⁴⁷⁵ For the most part, they are civilians. In recent decades, civilian refugees have accounted for more than 90% of all refugees. Educated Sierra Leoneans left the country in massive droves as the conflict escalated. This latest exodus has only worsened the massive brain drain from the country. While many took refuge in neighbouring countries, a large number settled in Europe and the USA. Many refuse to come back as their memories of the conflict are bitter. This loss of human power has translated into huge economic loss for Sierra Leone.

Reference 530 - 0.01% Coverage

In the post-conflict era, Sierra Leone women have opted to learn new skills in order to establish new means of livelihood. In addition to subsistence farming, which they still practice in the Provinces, women have learnt new skills such as brick making, hair dressing, soap making, tie-dyeing of fabrics and weaving. Such skills training

programmes as well as micro credit schemes have in the main been provided by Government through its various agencies, bolstered by donors, local and international agencies and local and international NGOs.

Reference 531 - 0.01% Coverage

NaCSA confirms that the scheme has benefited more than 6,500 poor persons as recipients, of which at least 95% are women.⁴⁸¹ The scheme has successfully progressed with a loan-recovery rate of over 90% and it has received additional funding to the tune of Le 159.25 million from the African Development Bank.⁴⁸² The SAPA scheme has so far disbursed over Le 1.5 billion.⁴⁸³

Reference 532 - 0.01% Coverage

Besides the government's micro-finance schemes, a number of local and international NGOs have also been involved in the provision of micro-credit for women. These agencies include GTZ, Action Aid, Agrisystems and FAWE. Such schemes are thought to have been generally successful, with few obvious shortcomings. In evaluating the government financed micro-credit program, the Permanent Secretary of the Ministry of Social Welfare, Gender and Children Affairs made the following observations:

"A lot of women groups benefited. Groups testified that the micro-credit scheme worked for them. It elevated them. An example is that one of the women groups in the Western area went into transportation and was quite successful."⁴⁸⁵

Reference 533 - 0.01% Coverage

Skills training has undoubtedly assisted and equipped many women with skills that they can use to earn money. In many instances women have been empowered not only to sustain themselves but also their families. In womenheaded households, it is often this money that forms the only source of income.

Reference 534 - 0.01% Coverage

A more general structural problem has been the dearth of analysis done on the economy and its requisite skills and products needs beyond the short term. Since nobody really knows what level of capacity the economy needs in different sectors, a plethora of agencies might provide skills training for women in the same field of production, resulting in a glut of these products. The economy does not have a high purchasing power amongst the citizenry. Consequently, the market for the products of skills training is very limited. Besides having no market for some of the products produced, service skills acquired, such as hair dressing and tailoring, have also failed to attract enough patronage as a result of the poor economic situation.

Reference 535 - 0.01% Coverage

There is a need for the government to create sustainable opportunities for women who have received training in these skills to sell their products and use their service skills appropriately. At present, many of the newly acquired skills are going to waste and many women told the Commission that they are deeply frustrated.

532. While women desperately need assistance in the form of micro credit, it is equally imperative to retain positive perceptions of micro-credit schemes among the public. Many women who partook in the most recent micro-credit scheme advised the Commission that they felt that they had been set up to fail and that long-term economic growth was not possible given the amounts of the loans and the time period they were given for repayment of the loans.

Reference 536 - 0.01% Coverage

The kind of business ventures in which most women beneficiaries engage also affect their ability to repay their loans. In the case of the SAPA micro-finance scheme, women had taken out loans to engage in food-based businesses. The returns on these kinds of businesses have not been very profitable.

Reference 537 - 0.01% Coverage

There have been many positive features to the micro-credit scheme. Many women emerging from a conflict situation have been able to step out from poverty. However given the negative aspects of the “practical mechanics” of the micro-credit schemes, there is also some disquiet that many women are falling into a “micro-credit finance ghetto”.⁴⁸⁸ According to Rehn and Sirleaf,⁴⁸⁹ small loans limit women to small purchases, which can generate immediate income but without larger loans, the business cannot grow.

Reference 538 - 0.01% Coverage

A major problem associated with micro-credit schemes is that it feeds into the perception that women are supplementary wage-earners rather than entrepreneurs. Women are thus convinced to pitch their efforts at household and cottage industry levels. The widely held belief that micro-credit programmes represent the tool to address the root causes of women’s poverty locks women out of larger financial markets and leaves them in the domestic sector. At many levels, micro-credit can actually therefore reinforce women’s marginalisation. While micro-credit programmes address a particular need, there is a major need to find mechanisms to introduce women into the broader economy by helping them to access the larger financial markets and institutions.

Reference 539 - 0.01% Coverage

537. Women also face legal and cultural barriers in acquiring ownership of land. Accessing land belonging to their spouses is a major problem that many women in Sierra Leone face where their husbands have died in the conflict. Once they have lost the male in their families, women- or girl-headed households are not able to retain and cultivate the land previously farmed by the family. Many Sierra Leonean women have raised this issue with the Commission: “... The land tenure system and inheritance laws are crucial to returning displaced people, especially in the cases of women who might have lost their husbands.”⁴⁹⁰

Reference 540 - 0.01% Coverage

The same is true of property left behind by the dead spouse. Under Sierra Leonean customary law,⁴⁹¹ women only own property through their husbands and children. If the husband is killed or dies and the wife does not have an older son who can claim the property, she often must yield to her husband’s family who hold her fate in their hands by deciding effectively whether she can keep her own property.

Reference 541 - 0.01% Coverage

Despite the various interventions towards economic reform since the end of the conflict, most women in Sierra Leone still live below the poverty line.⁴⁹² In submissions made by women, various reasons are cited for the heightened state of poverty that exists in Sierra Leone: bad governance and economic mismanagement, increased vulnerability from the civil war, unemployment and under-employment and lack of access to basic social services are but a few.

540. Women and girls suffer the impact of poverty most profoundly because they lack income-generating skills, land, family labour force and start-up capital for business. A significant problem is the inadequate access to financial resources that could provide for items such as seeds, tools and technical assistance for those involved in farming. Given that the majority of rural women in the country are involved in agricultural production, the shortfall of resources constitutes a crippling setback in their quest to become economically self-sufficient.

541. The Women’s Coalition stated insightfully in their submission:

Reference 542 - 0.01% Coverage

The NCDDR defined “reintegration” as “assistance measures provided to former combatants that would increase the potential for their economic and social reintegration into society.”⁴⁹⁴ While the NCDDR confined its programme to former combatants, the Commission considers the issue of “reintegration” to apply to the context of women and girls generally, not only to the former combatants among them.

Reference 543 - 0.01% Coverage

The NCDDR was tasked by its mandate with the disarmament, demobilisation and reintegration of ex-combatants. While its chosen approach mostly impacted on male ex-combatants, the reintegration programmes contained some elements of economic and social reintegration for female ex-combatants and the wives of male ex-combatants. The NCDDR has done incredible work in this field and accomplished the goal of disarming and demobilising thousands of ex-combatants and increasing security in the country. However a major criticism of the programme has been that the plight of women and girls was not specifically addressed by the DDR programmes and that women and girls did not therefore benefit in a substantial way from these programmes in Sierra Leone. A question the Commission has yet to address is why this oversight happened.

Reference 544 - 0.01% Coverage

The Commission came to the conclusion that the issues of gender and the specific needs of women were not taken into account when the programme was planned. In particular little or no attention was given to an issue which has primarily affected women, that of stigmatisation in communities once they have been identified as being ex-combatants.

Reference 545 - 0.01% Coverage

The DDR programme also failed to carry out sensitisation programmes in communities in order to deal with the negative perceptions attached to women and girls identified as ex-combatants. A further problem was the fact that the eligibility rules for admission into the programme did not cater for the different roles played by women and girls during the war. The criteria established for access were quite restrictive and deterred many women from even trying to access the DDR programme.

Reference 546 - 0.01% Coverage

Recent graduates gather around their sewing machines at a skills training centre for war-affected women and girls in Bo District.

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Reference 547 - 0.01% Coverage

A large number of women did not benefit from the resettlement process. They argue that the workers charged with handling the registration process for resettlement exercises did not do their jobs competently. Another factor that prohibited registration was the cumbersome nature of the process, which took a longer time than many women could afford to spend when they were also concerned with providing food for their families. Many widowed women and women who head households found it especially difficult to register.

Reference 548 - 0.01% Coverage

550. While women did benefit from some of the programmes for reintegration, in most instances these programmes have benefited men and not women-headed households or widows. The Norwegian Refugee Council provided amputees and war wounded with housing. In this programme the NGO received support from the Catholic Mission in Sierra Leone. The houses for the amputees and war wounded have been designed around the needs of amputees and war wounded. They consist of a two-bedroom structure, with a big living room and veranda, outside toilet, bathroom and kitchen.⁴⁹⁹

Reference 549 - 0.01% Coverage

As at December 2002, there were 239 primary beneficiaries together with an additional 1,800 family members and dependents who benefited from the Norwegian Refugee Council's housing project. Of the 239 primary beneficiaries, 82 fall into the war-wounded category, with 157 in the amputee category. Of the latter number only 55 women are primary beneficiaries.⁵⁰⁰ These houses have been built in every district in the country with the exception of Pujehun and Bonthe.

Reference 550 - 0.01% Coverage

In many communities, a level of social reintegration has taken place following the organisation of ritual cleansing ceremonies by the communities, especially for the ex-combatants.⁵⁰³ On the back of these ceremonies, even several female ex-combatants have been accepted back into their various communities. In a number of cases, graduation ceremonies are organised at the end of the skills training course that the girls and women have undergone. With the help of some NGOs or agencies of government, the community is brought together at these graduation ceremonies and can join as one in accepting war-affected women and girls back into its midst.⁵⁰⁴

Reference 551 - 0.01% Coverage

Despite these efforts, social reintegration in Sierra Leone has been fraught with problems. The stigmatisation of women and girls associated with the various armed factions remains a huge stumbling block to reintegration. The fragmented sensitisation programme being carried out by different organisations across the country has not had an ameliorating effect on the issue. Women and girls are wary of being identified with any of the belligerents. Yet at the heart of the recovery process is the need for acceptance of the wrongs of the past to make a more stable society in the future. It is a process that must necessarily involve ex-combatants, who should become constructive contributors to peaceful and progressive communities. The head of the NCDDR posed this pertinent question:

Reference 552 - 0.01% Coverage

THE LEGAL STATUS OF WOMEN AFTER THE WAR ⁵⁰⁵.

There is no doubt that the participation of women in the peace process as well as in civil and political affairs has contributed to the relative stability of the country in the aftermath of the conflict. The transition now provides women with an opportune moment to demand changes that will improve their status in all areas that affect them. While legal reform has been slow, the increased awareness by women of their rights has catalysed positive developments on a number of fronts affecting them. Some of these developments are listed below:

Reference 553 - 0.01% Coverage

The last election also saw the emergence of the first woman Deputy Speaker of the House of Parliament, the first woman Presidential candidate and the first two women Presidential running mates. In total the election saw 18 women, two of whom are Paramount Chiefs, become Members of Parliament. The previous parliament had only eight women in total. The current government has, at the time of writing, three women cabinet Ministers and three deputy Ministers compared to only two cabinet Ministers and two deputy Ministers in the previous administration.⁵⁰⁹

Reference 554 - 0.01% Coverage

There is little doubt that these changes would not have come about without the combined efforts of women and NGOs involved in advocacy work for women's involvement in politics. One such NGO is the 50 / 50 Group, which was formed in November 2000 with the objective of empowering women and enabling them to participate effectively in politics. Its stated mission is to increase the level of female participation in government and to ensure gender parity in all walks of life.⁵¹⁰ It has been involved in the training of both old and budding new women politicians. The funding for its training has come from the National Democratic Institute and the Westminster Foundation for Democracy, administered locally through the British Council of Sierra Leone.⁵¹¹

Reference 555 - 0.01% Coverage

The 50 / 50 group has been able to conduct training sessions all over the country on issues relating to gender and politics. Many beneficiaries of such training have gone on to run for political office. For the local government elections of 2004 – the first of their kind in several decades – the group stated its intent also to provide training for women who wished to stand as municipal council candidates.

Reference 556 - 0.01% Coverage

The 50 / 50 group is also involved in lobbying government and political parties for the adoption of conditions that would encourage and enable women to participate in politics. To this effect, they advocated for the “zipper system”⁵¹² in the 2002 general election, which helped in getting some more women into office. At the time of writing, the group was lobbying the political parties for the reservation of a certain percentage of political seats for women during the 2004 local government elections.⁵¹³

Reference 557 - 0.02% Coverage

In spite of the increase in the number of women participating in the political arena, there has been no dramatic “multiplier effect”. The 50 / 50 Group noted that although women are always the best campaigners, they are not the decision-makers in their parties and only a handful hold executive positions. The use of women as “Mammy Queens”⁵¹⁴ during election campaigns exemplifies the use to which politicians put women. Women leaders are used to co-ordinate the women during electioneering for party members. These women mostly serve as cooks, “cheerleaders” and general rabble-rousers. In its submission to the TRC, the Sierra Leone Market Women’s Association lamented the perceived manipulation behind their roles:

“Most governments only recognise us market women when it is time for elections, campaigning and using us as instruments to get political power. We will then be assembled like herds of sheep and masqueraded for the public and the international community as cooks and “ashobi dancers”. Elaborate promises will be made to us about the education of our children, [or] providing housing and health care for us – promises that have never been kept... Over the years we have become pawns in a game of politics that we do not understand... This behaviour over the years has humiliated and demeaned us as women.”⁵¹⁵

567. While women do feature in politics, it is important to note that significant obstacles prevent them from participating as they should. The 50 / 50 Group identifies domination of politics by men and under-representation of women as a major obstacle to change, since it prevents women’s views from being heard and considered.⁵¹⁶ Another obstacle stems from the cultural practices that discriminate against women in some parts of the country. In the north of Sierra Leone, women are not allowed to be Paramount Chiefs, which debars them from representing any seats in that are contested exclusively by Paramount Chiefs.⁵¹⁷

Reference 558 - 0.01% Coverage

However the biggest stumbling block to enhanced women’s participation lies in the outlook of women themselves. Due to culture and tradition, women have been socialised into accepting that they should neither participate in politics nor seek to occupy positions of power, as these domains are “reserved” for men. It is an attitude that not only prevents women from attaining positions of political representation and leadership, but also in a perverse way discourages them from voting for and supporting the few women who do seek office.

Reference 559 - 0.01% Coverage

Participation in politics of course also requires access to financial resources, which most women lack. Women have identified a lack of access to finance as a major impediment to their effective participation in politics. This phenomenon is not unique to Sierra Leone; it is rather a worldwide trend that requires to be addressed through sustained, concerted efforts.

Reference 560 - 0.01% Coverage

Despite the various remaining obstacles, women in Sierra Leone are no longer willing to be passive onlookers in the political arena. Their determination to improve the participation of women in politics can be seen in the activities of NGOs such as the 50 / 50 Group and the Network of Women Ministers and Parliamentarians (NEWMAP). The latter is a caucus of women Ministers and parliamentarians who are working in league to put issues concerning women forward in every facet of the society. According to the 50 / 50 Group:

“Sierra Leone women are not only asking for a slice of the pie, they are saying that they have learnt the lessons of the past and now want to make a difference to how the pie is shaped.”⁵¹⁸

PRESENT INSTITUTIONAL MECHANISMS FOR THE ADVANCEMENT OF WOMEN

Reference 561 - 0.01% Coverage

The Ministry of Social Welfare, Gender and Children's Affairs supported by UNICEF provided two policies in 2000, the National Policy on the Advancement of Women and the National Policy on Gender Mainstreaming. The National Policy on the Advancement of Women is an all-encompassing policy seeking to improve the status of women and remove discrimination, as it is perceived to exist in various sectors.

Reference 562 - 0.01% Coverage

The National Policy on Gender Mainstreaming acknowledges that the lower status of women in comparison to men is due to gender imbalances that arise from unequal opportunities and access to and control over productive resources and benefits. The policy sets out the Government's commitment to pursue a gender-sensitive approach in all its programmes and development activities in the country. The Government is yet to implement these policies and turn the promises they offer to the women and the nation into a reality.

Reference 563 - 0.01% Coverage

These documents are, of course, only policies and have not been enacted to lend them any force of law. Even as policies the political will appears to be absent to implement them, but they are proof that the Government acknowledges the dire need to ensure that women enjoy equal rights and opportunities and that these rights must be protected. The Government must show its commitment by making reference to these policies in the Constitution. The policies are very significant to the Law Reform Commission,⁵¹⁹ as they present a strong case for women and provide a broad basis for legal reform.

Reference 564 - 0.01% Coverage

574. Women and girls suffered terrible atrocities in the Sierra Leone conflict. Many died and their stories remain untold. And yet, many brave and courageous women and girls survived and were able to come forward to tell the Commission of the brutality they experienced and of how they were stripped of humanity and dignity. Others told of how they were afraid to reveal their stories because of the way in which they will be shamed by their loved ones, families, friends and communities. Many women have borne children and are outcasts because of it. They are doubly punished, because society has let them down and because of vile deeds perpetrated against them in the first place.

Reference 565 - 0.01% Coverage

At the same time, many women have come together to help each other. Many agencies have provided succour and assistance to women and girls. Their efforts have been recorded and many women and girls continue to appreciate the efforts to help and assist them.

Reference 566 - 0.01% Coverage

The Commission believes that an opportunity exists in this transitional period to address the plight of women and girls at the highest levels. For example, giving effect to the provisions of CEDAW and to other international human rights instruments, which provide inspiration and the impetus to improve the quality of life for women and children, would be a tremendously symbolic step.

Reference 567 - 0.01% Coverage

The Commission has made recommendations on how the lives of women can be improved. They involve legal, political, social and economic reforms, which have the potential to offer women and girls an opportunity to have a better life. The recommendations are contained in the dedicated Recommendations chapter in Volume Two of this report. The Commission has set out in the Recommendations chapter those measures it regards as imperative and those the country should strive towards achieving. It also suggests who should be responsible for implementing these recommendations.

Reference 568 - 0.01% Coverage

A declining health system almost always affects children and women with devastating effect. This was certainly true of Sierra Leone before the conflict.

Reference 569 - 0.01% Coverage

Sierra Leone had endured two decades of economic and social decline before the conflict. The net effect of corruption and mismanagement resulted in depleted national institutions with hardly any programmes to address the poverty the population was experiencing. Not surprisingly, women and children were the most vulnerable. In most traditional societies, children are expected to carry out certain domestic tasks such as cooking, shopping, cleaning, laundry duties, fetching water and caring for younger children. Helping out in the fields is also commonplace.²³ The use of children in this way should not be perceived as exploitative, but should rather be seen as doing one's bit to assist family and community, thus contributing to the total functioning of the family. In African societies, enhancing the family's social and economic status has a positive impact on the whole family. The roles and responsibilities of children in African societies help to entrench a sense of family and community rather than individualism. This outcome was certainly true for Sierra Leone as well.

Reference 570 - 0.01% Coverage

The use of regional and international human rights mechanisms in responding to the egregious crimes that occurred in Sierra Leone during the last decade is significant to the development of international human rights law. Sierra Leone became a member of the United Nations in 1961 and is a signatory to most of the major human rights instruments including the International Covenant on Civil and Political Rights (ICCPR),²⁴ the International Covenant on Economic Cultural and Social Rights (ICECSR),²⁵ the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW),²⁶ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT),²⁷ the Convention of the Rights of the Child (CRC),²⁸ the African Charter on Human and People's Rights²⁹ and the African Charter on the Rights and Welfare of the Child.³⁰

Reference 571 - 0.01% Coverage

The Government of Sierra Leone has ratified the Convention on the Rights of the Child and the optional protocol. The ICECSR, the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) are also instruments that recognise: the right to life;³¹ to privacy;³² to be free from sex discrimination;³³ to the highest attainable standard of physical health;³⁴ to health care services;³⁵ to decide on the number and spacing of their children and to have access to the information and means to do so;³⁶ to the elimination of discrimination against women in all matters relating to marriage and family relations;³⁷ and to be free from sexual violence, abuse, exploitation, prostitution and trafficking.³⁸ These instruments require Government to commit itself to develop preventive health care, guidance for parents and family planning education and services; prenatal and postnatal and to ensure access to information, counselling and services concerning family planning;³⁹

Reference 572 - 0.01% Coverage

The African Charter on Human and People's Rights entered into force in October 1986. Article 18 (3) of the charter states that "the state shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions". By this Article, the African Charter has incorporated all of the international declarations and conventions that relate to women. There is a protocol on the Rights of African Women approved in July 2003 that offers wide protection for the rights of women. Sierra Leone needs to ratify this protocol, which will allow the rights provided in it to be enjoyed in Sierra Leone.

Reference 573 - 0.01% Coverage

There are a number of other international instruments that seek to protect the rights of children, particularly during armed conflicts.⁴⁸ The jurisprudence of the ICTY and ICTR has reinforced the principle that serious violations of these provisions constitute war crimes. The violations committed against women and children in Sierra Leone have been documented by a number of agencies and NGOs. While a few of the major perpetrators are likely to be

prosecuted by the Special Court, the vast number of them who committed these violations are likely to go unpunished.

Reference 574 - 0.01% Coverage

Before the war, abduction, while not a common occurrence, was under-reported. The under-reporting and limited prosecution of this crime may not have reflected its prevalence. The consent of the victim is not necessary to prosecute this crime. The aftermath of the war has left many girls and women who were abducted still living with their captors, which technically constitutes a crime under this Act.

Reference 575 - 0.01% Coverage

Under the Protection of Women and Girls Act, any person who procures or attempts to procure a girl or woman under 21 years who is not a common prostitute or of known immoral character to have sex with another person within or without Sierra Leone commits a crime and shall be imprisoned for a period not exceeding two years. Any person who uses threats or intimidation to do such an act commits a crime and shall be imprisoned for the same period.

Reference 576 - 0.01% Coverage

Custom and tradition in Sierra Leone have permitted the practice of female genital mutilation, which is performed on girls from the age of four onwards. This practice constitutes a violation of the rights of girls and young women and could conceivably be interpreted as constituting cruelty against children and prosecuted under the Prevention of Cruelty to Children Act as assault under the general law. If death results it could be prosecuted as murder or manslaughter under the general law.

Reference 577 - 0.01% Coverage

Girls have a right to be free from all forms of gender discrimination, the right to life and physical integrity and the right to health. Young girls are not able to make choices about gender discriminatory practices and cannot make informed decisions about this practice and that is why it becomes necessary for States to enact legislation to protect them. In terms of international law, signatories to the Convention on the Rights of a Child and the Convention on the Elimination of all Forms of Discrimination against women, oblige governments to enact laws which will protect children from all forms of violence including gender based violence.

Reference 578 - 0.01% Coverage

It is unlikely that accountability would be achieved even if prosecutions took place, though, as it would be extremely difficult to prosecute under such a high evidentiary burden. Sexual crimes would be even more difficult to prosecute under the current laws, especially as these crimes were committed in the context of a conflict. These crimes were committed in period of incredible violence by multiple groups of perpetrators making it very difficult for women to identify their perpetrators.

Reference 579 - 0.01% Coverage

The people worst affected by sudden and forced displacement were usually in the most vulnerable groups: children, women and the aged. As these testimonies illustrate, families were often broken up as they sought safety: "It happened in the year 1997 when there was a series of factions attacking Koindu. Unfortunately... one afternoon the attack that happened by the group of SLA caused my separation from my family members, that is my father and my mother. It was very much sorrowful at the time I was separated from my mother. It was not easy at all and by then I was just 11 years old, very immature... I finally separated from my family members and went into the jungle..."¹¹³

Reference 580 - 0.01% Coverage

documented were children aged 15 or under at the time they were abducted.¹²⁶ The most targeted age range for this violation comprised girls and women aged between ten and 25 years.¹²⁷

154. While women who have been sexually violated usually bear a stigma all over the world, it is even worse in a country like Sierra Leone where the prevailing culture is a deeply traditional and secretive one. Victims tend not to disclose their experiences, as they fear stigmatisation from family members and their communities. Historically women in Sierra Leone did not disclose rape. This pattern has remained true even for the conflict period and its aftermath.

Reference 581 - 0.01% Coverage

Had it not been for the efforts of FAWE and other women's NGOs, as well as the sheer number of girls and women who suffered sexual violations, particularly during the invasion of Freetown, there would not have been much exposure of this category of violations. Despite all efforts to date, full disclosure has still not been achieved. It is important to note that the Commission's data is only a small representation of the problem and does not do justice to the total number of women who have suffered sexual violence.

Reference 582 - 0.01% Coverage

"We were attacked on the road, on a vehicle and I was captured again... along with some other people, we were taken into the bush... afterwards they went to attack and we were left with some other rebels. These rebels forcefully had sex with us. All the women and girls were raped..."¹³⁴

Reference 583 - 0.01% Coverage

"In 1992, my village Foindu Mawie was attacked by the RUF rebels... on their way going; they captured a young girl called Musu who was newly initiated into the women's society. She was taken to a village called Jahun in the Upper Bambara chiefdom, where she was raped by the rebels. Her vagina became swollen and there was no medical treatment at that time. She later died of pains because she was newly initiated..."¹³⁵

Reference 584 - 0.01% Coverage

"The RUF, the National Army (SLA) and the CDF share one thing in common: they were highly undisciplined. They lacked clear ideological focus, esprit de corps or guidelines on the conduct of war. For the RUF, its membership, long-marginalised and alienated from mainstream society, felt no compulsion to conform to internationally agreed standards of war which protect innocent civilians, especially women and children... as the rate of its attrition among its combatants increased with the prolongation of war, the RUF gradually lowered the age-range of its recruits... There were no child soldiers amongst its ranks when the RUF entered Bomaru in 1991. Yet by 1997 when they occupied Freetown in alliance with the AFRC, half of their combatants were under-aged. The National Army (SLA) which was supposed to be the professional standing army of the country, behaved no better than the RUF... Like the RUF, the SLA also recruited under-aged boys to create an auxiliary army of irregulars... In character and behaviour, these irregulars were no different from the combatants of the RUF. The morale and professionalism of the army declined... The irregulars prosecuted the war with the same brutality and disregard for the civilian population as the RUF combatants. They became "sobels": soldiers by day and rebels by night."¹⁷⁷

Reference 585 - 0.01% Coverage

"When these areas were taken under control by these [RUF] people, a lot of civilians were captured or abducted and they were forced to undergo training... men, women – even old people and children".¹⁹¹

Reference 586 - 0.01% Coverage

The Small Girls Units (SGUs) were structured along the same lines as the SBUs. Both units received the same training as adult combatants, with girls being treated in the same way without any regard for their gender. The only apparent structural difference between SBUs and SGUs was that the SGU Commanders were drawn from among the older women of the Women Auxiliary Corps (WACS), rather than from among the girls themselves.²¹⁶

Reference 587 - 0.01% Coverage

“After the Kamajors attacked us, we moved to Jimmy Bagbo and were left in the hands of older women commanders who greatly maltreated us.... we were all trained to fight and given only a handful of dry gari per day... we were also sent to raid neighbouring villages to loot food... If anyone disobeyed you were cruelly beaten up.”²¹⁷

Reference 588 - 0.01% Coverage

Life in the refugee camps in Guinea was fraught with violations such as arbitrary arrest and detentions, police abuse and lack of freedom of movement. A major problem in the camps was the commission of sexual violations against refugee women and girls. According to UNICEF:

Reference 589 - 0.01% Coverage

The Commission has noted the contents of the report on sexual exploitation in refugee camps as experienced by Sierra Leone girl-children and women, which was the result of the survey on sexual exploitation carried out by UNHCR and Save the Children UK.³⁰² The report found that sex in exchange for money or gifts appeared to be widespread. The majority of the victims indicated that it was the only option they had in order to access money or receive food and other basic necessities. The majority of the children involved in this racket were girls between the ages of 13 and 18 years. Girls between the ages of four and 12 were also reported as being sexually harassed, either verbally or through the groping of their buttocks, breasts or genitals.

Reference 590 - 0.01% Coverage

“Sexual exploitation in Sierra Leone is far more common than documented in the report [by UNHCR and Save the Children UK]... The inherent power differential between a man with access to resources, however minimal, and a young woman or girl with less or none renders any sexual relationship between the two non-consensual sexual exploitation. In particular in the context of the horrors of war, the desperate poverty and hunger, and the consequent enormity of the needs of civilians, men in positions of power, both Sierra Leoneans and expatriates, have systematically taken advantage of this situation for their own sexual gratification. Hiding behind the cloak of words such as “prostitution” and “commercial sex work” lurks the reality of young women who are survivors of a sickeningly widespread pattern of exchange of desperately-needed goods and services for sex.”³⁰⁷

Reference 591 - 0.01% Coverage

The impact of the conflict on the health of children has been even greater than for adults due to children’s innate vulnerability. Malnutrition was widespread because people were deprived of access to adequate food, clean water and health and sanitation facilities. Malnutrition continues to be a problem and is said to contribute significantly to the high infant mortality rates in the country.³¹¹ According to a report in 2001, 86% percent of pregnant women were anaemic, which has implications not only for safe motherhood, but also for immunity, growth and development of children. Due to lack of access to some parts of the country during the conflict, routine childhood immunisation almost completely collapsed leaving many children at the mercy of killer diseases.

Reference 592 - 0.01% Coverage

364. While many people knew of the war in the Sierra Leone and the amputations that had taken place, very few people knew that most of the affected women and girls had experienced sexual violations. The nature and extent of the sexual violations that women and girls suffered during the conflict remain as yet unknown. Most women and girls in Sierra Leone experienced sexual violations on account of their gender. UNICEF, in describing the impact of sexual violations on children, has stated:

Reference 593 - 0.01% Coverage

According to a medical director who treated some of the girls who were raped and sexually violated during the conflict, many of the victims had contracted sexually transmitted infections or diseases (STIs or STDs), including gonorrhoea, syphilis, chlamydia and even HIV / AIDS.³²¹ For women and girls, all of these diseases, if left untreated, have grave repercussions.

Reference 594 - 0.01% Coverage

368. While there is an absence of statistical data to confirm the numbers of girls who contracted HIV / AIDS during the conflict, the existing information suggests that in all probability it is quite high. In addition, girls who have undergone female genital mutilation who have also been raped and sexually violated are at a greater risk of contracting HIV / AIDS due to the extensive genital damage done to them during the circumcision exercise.³²² The United Nations Development Fund for Women (UNIFEM) has said that scarification caused by female genital mutilation increases the incidence of trauma and tearing during sex, which in turn exacerbates the possibility of contracting HIV / AIDS.³²³

Reference 595 - 0.01% Coverage

Thus, while the DDR programme had a generally positive and rehabilitative effect on male ex-combatants, women and girls mostly lost out. While the DDR programme channelled assistance to selected combatants, it appeared to do so in a male-biased fashion. Meanwhile many of the girls who were designated “camp followers” found themselves in limbo between assistance programmes: they could not access DDR, yet they were also unable to access any services from the National Commission for Reconstruction, Resettlement and Rehabilitation (NCRRR), as they were not considered to be internally displaced persons. Unfortunately, girls in such a position were said to have outnumbered the “combatants” in the DDR process at a ratio of four persons to one.³⁵⁶

Reference 596 - 0.01% Coverage

The absence of girls in such significant numbers from the DDR process contravened UNSC Resolution 1314 of August 2000, which demands that special attention be given to the needs of women and girls in the wake of armed conflict, including securing their rights, protection and welfare.³⁵⁷

Reference 597 - 0.01% Coverage

“When I was in the bush... I committed many violations and abuses. I killed innocent people, took away their property by force... asked them to leave their houses for me to sleep inside... and forced their women to make love to me.”³

Reference 598 - 0.01% Coverage

g. Regular review meetings were organised with the statement-takers, during which additional training was given. The statement-takers gave feedback on problems they had while interviewing particular categories of witnesses such as women, children and perpetrators.

Reference 599 - 0.01% Coverage

o. Victims of sexual violence were given the choice between a public hearing or a closed hearing with only female Commissioners and staff. They were properly briefed about the possible consequences of a public hearing. Depending on the district, most women preferred a closed hearing, but in some locations, women insisted on giving a public statement. Some were even accompanied by their husbands.

Reference 600 - 0.01% Coverage

p. All victims testifying during closed hearings were filmed in a way that concealed their identity. Some of these testimonies were used in a compilation of testimonies that was shown during the thematic hearings on women and children.

Reference 601 - 0.01% Coverage

The Commission subsequently organised a reconciliation ceremony for all the parties involved in the Moyamba hearing, which consisted of several symbolic acts. The three participants were first asked to write down their

grievances on a piece of paper. They then had to tear this piece of paper. The act of tearing symbolised the fact that they had put behind them whatever grievances they had towards each other and that they were willing to live together. Those pieces of paper were later burnt on the floor. Later a kola-nut was shared among them, as a symbol of unity and of peaceful co-existence. A paramount chief then gave them a glass of water that all three had to drink from. The rest of the water was poured onto the floor and later rubbed onto people's chests. In the end, there were handshakes and the ceremony was concluded with a big, collective hug. This ceremony was watched over by three hundred people. The family members of the three people, community youths, women groups, and elders all participated in the ceremony. The Commission was honoured all throughout Moyamba for this particular reconciliation ceremony.

Reference 602 - 0.01% Coverage

When a perpetrator confessed to violations committed elsewhere or when the victim could not be found, the reconciliation ceremonies organised by the Commission focused on reconciliation between the perpetrator and his community. In many districts, the community had rejected perceived perpetrators because of their membership of armed factions, even though they had not committed any violations in that community. In these instances the perpetrators would ask the community to forgive them and to accept them back as full members of the community. Traditional and religious leaders would usually grant reintegration into the community. The participation of women representatives in some cases was particularly important when the perpetrator confessed to having committed acts of sexual violence.

Reference 603 - 0.01% Coverage

Women's representative: "Ansu Koroma, this evening you have shown that you have confessed all the bad things you did but what you have done now, it will be difficult for somebody to stand publicly and talk about what you did and as you have told us, me as a woman and we women do labour for people, we know the pains in child bearing, I am talking on behalf of the women in the town to say we have forgiven you and that we will remain to stay here as one for the development of Sierra Leone."

Reference 604 - 0.01% Coverage

...I am Morie Nabieu. I was a very little boy when the war started in this country. We have fought this war and committed many atrocities. We have looted properties, we have taken people's women from them. I am standing here confessing these things and asking the people of this community through the Paramount Chief to please forgive me. I'm kindly requesting the Paramount Chief to join me in talking to Mr J.C. Kabbia so that he can forgive me. I'm proceeding to beg... Paramount Chief, I have wronged these people, please forgive me.

Reference 605 - 0.01% Coverage

I'm kindly making an appeal to all of you to be forgiven for what had happened during the war. Crimes we had committed against humanity... using women for sexual slavery, looting properties, burning of houses and many others... we did not initially plan it. I am taking responsibility and I am taking the name of the Lord, asking for forgiveness. I am kindly asking you to forgive us; this is my plea to you in this community. I am pleading, please forgive me and talk to my people to forgive me.

Reference 606 - 0.01% Coverage

The organisations consulted included: women's and youth groups; religious bodies; NGOs working in the fields of humanitarian assistance, peace building, and conflict resolution; and NGOs working with victims and ex-combatants.

Reference 607 - 0.01% Coverage

One of the major concerns addressed in the workshops and consultations was that the needs of the victims of the conflict have not been addressed by the government, whereas numerous programmes have been established to assist

former combatants and perceived perpetrators. The following response was provided by the Women's Forum in its completed TRC questionnaire:

Reference 608 - 0.01% Coverage

The religious leaders in Sierra Leone have played a major role in the restoration of peace. However, it was noted during the consultations and workshops that in certain districts, conflicts exist amongst the religious leaders themselves. These leaders must learn to live and work together for the sake of reconciliation. As indicated by the Women's Forum in its response: "There is need for greater interaction between religious leaders of all faiths so that concerted action can be taken on issues." Obtaining the continuous commitment of the religious leaders to the reconciliation process is widely recognised as a prerequisite for its success.

Reference 609 - 0.01% Coverage

The reconciliation process cannot be a success without the support and participation of Sierra Leone civil society. Major civil society groups such as women's organisations, youth groups, etc. should step up their involvement and be the force that helps to drive the process.

Reference 610 - 0.01% Coverage

The marginalisation of women and youth in politics and in the decision-making process, sectionalism, tribalism, nepotism, and the marginalisation of rural areas are all perceived as obstacles to reconciliation. Regarding women, particular attention was drawn to customary law and practices that limit the role of the women in society. Regarding youth, attention was drawn to the high unemployment rate. A similar affirmative action policy recommended for women should also be adopted for youth. Another problem facing youth is their lack of willingness to engage in politics. To address this problem, political parties and political institutions should accommodate greater participation for youth and women, including the occupation of key positions by these groups.

Reference 611 - 0.01% Coverage

The Commission selected 14 of its former statement-takers to become district reconciliation officers, while the Inter-Religious Council selected one co-ordinator per district. These 28 representatives received training on several reconciliation issues during a three-day workshop in Freetown from 14 to 16 October 2003. Training was given on the concepts of reconciliation; the role of religion and tradition; the role of women and children; comparative perspectives from other countries; lessons learnt from work with ex-combatants; the trauma of victims and perpetrators; and challenges to the reconciliation process.

Reference 612 - 0.01% Coverage

The next step in the programme was the organisation of workshops on reconciliation in every district and in the Western Area, which brought together representatives of all the chiefdoms, religious leaders, representatives from NGOs and CBOs, as well as victims' and ex-combatants' organisations. All the workshops took place between 10 and 20 November 2003. The choice of participants respected gender balance. This was, however, unsuccessful in some districts, where women were under-represented. The requirement for balance between the two main religions was more or less respected.

Reference 613 - 0.01% Coverage

c. The reconciliation activities should consider the specific problems of victims and ex-combatants. Accordingly, all activities should be geared to reducing stigma, promoting joint activities, including women and children who have suffered from the greatest of atrocities, etc.

Reference 614 - 0.01% Coverage

Over the course of two months, the TRC received over 250 contributions representing the efforts of over 300 individuals. The TRC and its Commissioners were overwhelmed by the effort, time and resources that so many

Sierra Leoneans devoted to preparing their contributions. Among the contributors are men and women of all ages, backgrounds, religions and regions, including adults and children; artists and laymen; amputees, excombatants and prisoners. The contributions include written and recorded essays, slogans, plays and poems; paintings, etchings and drawings; sculptures, wood carvings and installations.

Child Node References to Women

The following section contains women references from the Sierra Leone report organized by the child nodes outlined in Coding Women for the Sierra Leone Report. Some references appear under several subheadings since they contained discussions of multiple themes.

Abduction

References or discussions of abduction and kidnapping

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 27 references coded [0.13% Coverage]

Reference 1 - 0.01% Coverage

Women and the Armed Conflict

20. Women and girls became targets for abuse in the brutal conflict in Sierra Leone. They suffered abductions and exploitation at the hands of their abductions. Their vulnerability was exploited in order to dehumanize them. Women and girls were raped, forced into sexual slavery and endured acts of sexual violence. Many suffered mutilations, torture and a host of other cruel and inhumane acts.

Reference 2 - 0.01% Coverage

The Commission finds that the AFRC planned, authorised and executed a strategy to target women and girls during the invasion of Freetown in January 1999. AFRC combatants targeted women and girls with the express intention of abducting them, raping and sexually violating them and pursuing a range of other human rights violations against them.

Reference 3 - 0.01% Coverage

Findings against the SLA in respect of women 511.

The Commission finds that the SLA, which was responsible for protecting the civilian population, abducted women and girls, particularly those believed to belong to the RUF or believed to have collaborated with the RUF / AFRC. Women and girls were detained under conditions of extreme cruelty with the deliberate intention of raping them and perpetrating other acts of sexual violence upon them.

Reference 4 - 0.01% Coverage

Findings against the West Side Boys in respect of women 512.

The Commission finds the West Side Boys responsible for abducting women and girls, holding them against their will, forcing them into marriage, raping them, using them as sexual slaves and perpetrating a range of brutal and inhuman acts upon them.

Violations perpetrated against women and girls o Abduction and Forced Recruitment

Reference 5 - 0.01% Coverage

The RUF was the organisation primarily responsible for the abduction of women and girls.³⁹

Reference 6 - 0.01% Coverage

The Commission finds that the RUF and the AFRC deliberately embarked on systematic strategies to abduct and rape women and girls between the ages of ten and 14 years.

The Commission finds that the systematic raping of women was intended to humiliate, defile and violate women, their families and communities. The practice of systematic rape sowed terror among the local population and debased societal norms and customs.

Reference 7 - 0.01% Coverage

Many women and girl abductees and former combatants remain addicted to drugs today. This has impacted negatively on the rehabilitation and reintegration of these ex-combatants into society.

Reference 8 - 0.01% Coverage

That night my whole family and I were taken by four armed men to a nearby jail; there we met over 85 other foreign nationals, including women, children and the elderly. The old, the women and the children were released two weeks later and allowed to return to their homes, while a number of us were still held in detention. Executions were carried out for every time the ECOMOG jet bombed their areas, even without killing anyone. I came to understand that multiple executions

Reference 9 - 0.01% Coverage

Moreover, their numerical strength was bolstered by the addition of thousands of abductees to their ranks as they advanced onto Freetown. The eventual size of the entourage that descended upon the city from the surrounding hills has been estimated at up to 10,000 persons - among them were captive senior citizens, women, children and newborn babies, who in normal circumstances could not conceivably pose any threat to a professional peacekeeping force like the Nigerian ECOMOG deployment, but who in the prevailing confusion and panic of the moment constituted a deluge of hostile bodies onto the city they were supposed to be protecting.

Reference 10 - 0.01% Coverage

Women and girls became particular targets of malice and violence during the conflict. They suffered abduction and exploitation at the hands of the various perpetrator factions. Their vulnerability was deliberately exploited in order to dehumanise them and perpetrate against them the most gross of violations. They were raped, forced into sexual slavery and endured acts of great sexual violence. They suffered mutilations, torture and a host of cruel and inhuman acts. They were taken from their homes and villages by force. Refusal to comply with the demands of their captors often met with death. For those fortunate enough to escape, there followed displacement and separation from families. While some went into exile, many were housed in camps in Sierra Leone and in neighbouring countries. Shockingly, women and girls were not safe even in these camps. Humanitarian workers – meant to offer them respite and protection – also violated their rights. Women and girls were compelled to barter their bodies in order to survive and access aid to which they were rightfully entitled. Girls as young as 12 were forced to pay for aid with sex to secure assistance for their families.

Reference 11 - 0.01% Coverage

The abductions and use of young girls and women as bush wives and sex slaves by armed groups during the war could be attributed to the traditional beliefs that governed this issue prior to the war. Some of the armed groups did not consider it an aberration to rape young women or use them as sex slaves. A testimony to the Commission from a girl child who went fishing with other children and was captured during the conflict illustrates this point:

Reference 12 - 0.01% Coverage

The violation of abduction placed the abductees under the absolute control of their perpetrator grouping, which then gave the perpetrators a licence to commit a range of further violations against the abductees. These violations included being coerced into becoming a combatant, being compelled to perform forced labour, or forced into sexual slavery and forced marriage. In terms of testimony collected by the Commission, a total of 6,054 abductions were recorded in the Commission's database. Women account for 2,096 of recorded violations.¹⁹³ While all the armed groups stand accused of perpetrating this violation, the Commission has found that the RUF was responsible for the

highest number of abductions.¹⁹⁴ The RUF is responsible for 1,368 (65,3%) of the Commission's recorded violations against women and 2,337 (59,3%) of the Commission's recorded violations against men.¹⁹⁵

Reference 13 - 0.01% Coverage

The act of abduction placed the victim under the total control of the perpetrator grouping. Women were particularly vulnerable, as they were deliberately abducted in order to be exploited for the purposes of sexual violence, forced labour and sexual slavery.¹⁹⁶ Young girls were deeply traumatised by the experience as they were snatched from the bosom of their families, forced to endure separation from family members and the society they belonged to, raped and sexually brutalised and forced to endure a brutally savage life to which they were unaccustomed. Many died in captivity.

Reference 14 - 0.01% Coverage

212. Women were abducted in a myriad of places, including their homes in villages or towns, from the bush or while they were walking along the road,¹⁹⁹ or during ambushes. Abductions kept the numbers high in the armed groupings and became a mechanism for armed groups like the RUF to service various needs besides swelling the ranks, as abductees served as porters, advance troops, sexual slaves and forced labour. Abductees were also required to carry items that had been looted.²⁰⁰ As a result of the war, a large number of women were separated from children and spouses and also suffered years of horrendous abuse in the hands of their abductors even as some died in the process and never made it back to their families. Young girls were separated for many years from their families and many did not make it back.

Reference 15 - 0.01% Coverage

The Commission finds that all of the armed groups pursued a deliberate strategy of targeting women and young girls between the ages of 13 and 22, abducting them for the sole purpose of keeping them under their control, exercising rights of ownership over them and exploiting their vulnerability, coercing them into becoming combatants, using them as sexual slaves, sexually violating them and using them for the purposes of forced labour and servicing the needs of the armed group. The RUF, of all the armed groups, is found to have been the major perpetrator of abduction and related violations.

Reference 16 - 0.02% Coverage

The NCDDR statistics also do not accurately reflect the number of women who joined voluntarily or those who were forcibly recruited into becoming combatants. There are a number of reasons for this omission. At the end of the conflict, many women were reluctant to be identified as ex-combatants, as they were fearful of the reaction that it might evoke from the civilian population. Another reason was the failure of those in charge of the demobilisation process to make appropriate arrangements to include women and girl ex-combatants in their programmes. Many women and girls ex-combatants were therefore excluded, as well as not being properly identified and correctly registered in the DDR programmes.

216. Women were routinely abducted during attacks and during routine patrols. Once abducted women and girls were coerced into handling arms and taught to fight. The following victim gave a typical account of what happened next:

"They took away everything we had including me. My mother begged them in vain to release me but "Sergeant Small Soldier" – for that was the name of the rebel that abducted me – refused... he took me to Walihun... which by then was their headquarters... then the Kamajors attacked us, so we moved to Jimmi Bagbo and Koribundo area... That was the camp where the girls and women were separated from the boys and men. We were left to the command of women rebels who maltreated us greatly... we were all trained to fight as rebels. We were only given a handful of gari (empty and dry) per day. We were sent to raid neighbouring villages to loot food and bring it back. If anybody disobeyed, you were cruelly beaten."²⁰⁶

Reference 17 - 0.01% Coverage

218. Women and girls abducted were compelled to remain with the fighting forces throughout the conflict. It was only with disarmament that they were able to leave. A number of women and girls told the Commission how they

tried to escape. Punishment was harsh if they were recaptured. They suffered even further when the fighting force to which they belonged deliberately marked them on their chests by carving the initials of the particular fighting force on it. This was a deliberate strategy on the part of the RUF and the AFRC.²⁰⁸ Marking abductees in this way prevented their escape, as to run the risk of being identified as a member of the RUF or AFRC would be to risk death. A girl who was 13 years old at the time she was abducted by the RUF told the Commission her story:

Reference 18 - 0.01% Coverage

Abducted women civilians were compelled to live with the armed groupings and were forced to carry out traditional domestic functions such as fetching firewood, preparing food and doing laundry.²³³ A female victim testified as to what took place in her village when it was occupied by soldiers:

Reference 19 - 0.01% Coverage

At the Special Hearings on Women held in Freetown, many women testified to the fact that in the course of their abduction and whilst living with the rebels they were given drugs every day. They also confirmed that drugs were on a daily basis added into their food.²⁴⁸ Their abductors would add marijuana into some of the sauces normally eaten with rice, such as cassava or potato leaves. Marijuana and other drugs such as cocaine, heroin and “brown-brown” were administered to women in a number of different ways, including forced inhalation, or making incisions on their bodies and rubbing the drugs into the wounds. Gunpowder was also administered to women, presumably as a stimulant. A woman abducted during the January 1999 invasion of Freetown told her story to the Commission:

Reference 20 - 0.01% Coverage

Another women abductee who lived with the rebels for almost a year described how various substances were administered to her and other abductees:

Reference 21 - 0.01% Coverage

The Commission has found that most violations in this category are attributable to the RUF. Given that the RUF was responsible for the highest number of abductions, they are also found to be responsible for the highest number of gender-based violations perpetrated against women.²⁶⁰

Reference 22 - 0.01% Coverage

Abducted women and girls who lived with the armed groups for long periods of time were subjected not only to the trauma of living in captivity, forced to endure sexual slavery and daily humiliation, but were also compelled to live under the constant fear of attack from opposing armed groups. Moreover, even if they managed to escape the combatant group, they experienced hostility from civilians and were ostracised from society.³¹⁰ One victim began recounting her ordeal to the Commission in the following terms:

Reference 23 - 0.01% Coverage

The Commission finds the Revolutionary United Front (RUF) responsible for pursuing a deliberate strategy of abducting women and girls with the express intention of keeping them under their control, exploiting their vulnerability and sexually violating them either by raping them and causing them to be harmed by acts of sexual violence, using them as sexual and domestic slaves, torturing them and practicing a range of cruel and inhuman acts upon them.

Reference 24 - 0.01% Coverage

The Commission finds the West Side Boys responsible for pursuing a policy of abducting women and girls, holding them against their will in forced marriages, raping them and using them as sexual slaves, perpetrating a range of cruel and inhuman acts upon them.

Reference 25 - 0.01% Coverage

A major characteristic of the conflict in Sierra Leone was that in the vast majority of cases, women abductees were compelled to take on active perpetrator roles. Most of the major armed groups used these tactics in order to impose a sense of factional affiliation and identity on their civilian abductees

Reference 26 - 0.01% Coverage

Before the war, abduction, while not a common occurrence, was under-reported. The under-reporting and limited prosecution of this crime may not have reflected its prevalence. The consent of the victim is not necessary to prosecute this crime. The aftermath of the war has left many girls and women who were abducted still living with their captors, which technically constitutes a crime under this Act.

Reference 27 - 0.01% Coverage

...I am Morie Nabieu. I was a very little boy when the war started in this country. We have fought this war and committed many atrocities. We have looted properties, we have taken people's women from them. I am standing here confessing these things and asking the people of this community through the Paramount Chief to please forgive me. I'm kindly requesting the Paramount Chief to join me in talking to Mr J.C. Kabbia so that he can forgive me. I'm proceeding to beg... Paramount Chief, I have wronged these people, please forgive me.

Activism

References or discussions of activism

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 15 references coded [0.09% Coverage]

Reference 1 - 0.01% Coverage

The Law Group assisted in the formation of a Women's Task Force, a coalition of women's groups, which advocated for the creation of an enabling environment for the participation of women in both the TRC and the Special Court processes.

Reference 2 - 0.01% Coverage

599. Among those present at both Bintumani I and II were religious leaders and civil society groups, including representatives of the professional associations for teachers, medics, lawyers and journalists. A particularly strong voice was that of Sierra Leonean women,²⁴¹ who formed their own body called Women Organised for a Morally Enlightened Nation (WOMEN), led by the women's rights activist Zainab Bangura.

Reference 3 - 0.02% Coverage

The Staging of an Independent Women's Group Demonstration on 6 May 2000

1229. The organisers of the 8 May 2000 demonstration were beaten to the gates of the Spur Road Lodge by an independent group of protesters who gathered there two days earlier. This group was composed of up to 2,000 Sierra Leonean women, who wanted to convey their own hopes for peace and bring home to Foday Sankoh a sense of the particular suffering that women had endured as a result of the war.

1230. The Women's Forum was among the conglomeration of interest groups that led the noteworthy, albeit relatively minor demonstration on Saturday 6 May 2000. One of its members, Christiana Macfoy, was quoted in the press as having explained the motivations for this action in the following terms:

"We are tired. We are not only tired; we are fed up. We have reached the end of the road as far as taking all these atrocities that are being committed. And it is the women that are bearing the brunt of it."⁶⁸⁸

1231. From the side of the inhabitants of the Spur Road Lodge, there were mixed impressions of the arrival of the women. One RUF security guard later told the police that the protest was treated quite dismissively by Foday Sankoh and therefore concluded in a short space of time without making any significant impact:

"On Saturday 6 May 2000 during the morning hours I was in the compound at No. 56 Spur Road, Freetown when a group of women arrived and started singing provocative remarks against the RUF leader Foday Sankoh. The leader [Sankoh] called everybody in the compound and advised us to close the main gate, which we did. After a while, the women who were demonstrating had to return to their various homes."⁶⁸⁹

Reference 4 - 0.01% Coverage

1232. The Chief Security Officer at Sankoh's Lodge, Akim Turay, told the Commission that he was sent out by Foday Sankoh to engage in a dialogue with the women and to 'thank them' on Sankoh's behalf for their concern. Turay described his discussion with the women as having been 'in good spirits' and 'totally peaceful', which led him to believe that the demonstration planned for Monday 8 May would assume the same character.⁶⁹⁰

Reference 5 - 0.01% Coverage

Certainly there were no incidents of violence during the visit of the women on 6 May 2000. After the gates to the Spur Road Lodge were closed by its inhabitants, the possibility of confrontation was so conclusively averted that the women had to resort to reading their prepared statements to Foday Sankoh over a megaphone.⁶⁹¹

1234. The women's statements focussed on the breakdown in the implementation of the military aspects of the Lomé Accord and the perceived violence of the hostage-taking episode. They called for the immediate and unconditional restoration of a ceasefire by the RUF in the name of achieving a more durable, longer-lasting peace.⁶⁹² It is unlikely that the statements were even heard by their intended recipients.⁶⁹³

1235. Madam Fatou Sankoh was not in Freetown on the weekend of 6 May 2000 but was keeping in touch with her husband Foday Sankoh by telephone from her permanent home in the United States. According to Madam Sankoh, the women's protest was perceived in RUFP circles as a deliberate effort to 'shake the cage' of Sankoh and his entourage. She cited the prominent role played in the protest by the SLPP Minister of Development Kadie Sesay as evidence that the Government used the women's demonstration to continue the gradual build-up of tensions around the RUFP presence in the city.⁶⁹⁴

Reference 6 - 0.01% Coverage

"Nearly all civil society groups including trade unions, professional and academic organisations, youth and women's groups, farmers; associations and NGOs joined the march. Even members of the general public associated themselves with the cause. It was a non-violent, peaceful march; in fact, nobody sustained any injury or molestation along the route of the march... Because there were thousands and thousands of people, the whole of Spur Road and [the adjoining] Lumley roundabout was jam-packed."⁷⁹¹

Reference 7 - 0.01% Coverage

Among its other accomplishments, the NCSLW raised the level of women's political consciousness and encouraged the appointment of women to high office. This continued momentum resulted in five women gaining office in Freetown City Council in 1975. In 1977, a woman again became the Mayor of Freetown.²² Also, from the Provinces, a woman Paramount Chief named Madam Honoria Bailor-Caulker represented Moyamba District in Parliament.²³

Reference 8 - 0.01% Coverage

Another women's organisation, the Women's Association for National Development (WAND), was established in 1987. A non-political movement, the stated main aim of WAND was:
"To ensure the participation of women in all aspects of the life of the nation."²⁴

Reference 9 - 0.01% Coverage

Needless to say such activities did not improve the position of women. They were still relegated to background positions after elections and as such could neither wield power nor benefit from the government when eventually it was constituted. Given the low numbers of women in positions of power, the much-needed "critical mass" of women leaders who could have made a difference was non-existent.

Reference 10 - 0.01% Coverage

At the beginning of 1994, rural and urban women of all classes and ethnic affiliations organised protest marches and peace rallies across the country. From 1994 onwards, pioneering women of the likes of Amy Smythe, Elizabeth Lavalie, Dr. Kadie Sesay and Zainab Bangura, along with women's groups such as the Mano River Women's Peace Network (MAWOPNET), Women's Movement for Peace, Forum for African Women Educationalists (FAWE), the Women's Forum, Sierra Leone Women's Movement for Peace and many others, took the lead in rallying society towards the cessation of hostilities.

416. Women activists organised seminars, embarked on public marches, held conferences and worked tirelessly towards the elections of 26 February 1996. They educated civilians on electoral proceedings, recruited and trained observers and pressured the military rulers to respect the results of elections. Women's groups also figured prominently in influencing Brigadier Maada Bio's National Provincial Ruling Council (NPRC) military government to hold democratic elections in the first place. These efforts were led by the group known as Women Organised for a Morally Enlightened Nation (WOMEN). The Women's Forum, an umbrella body for women's NGOs in Sierra Leone, organised a march on 9 February 1996 to petition the then Independent National Electoral Commission (INEC) concerning the upcoming elections. Eventually, women helped monitor the conduct of the polls on 26 February,⁴¹⁰ which led to the assumption of office by President Ahmad Tejan Kabbah.

Reference 11 - 0.01% Coverage

After the invasion of Freetown in January 1999, women also participated in the National Consultative Conference convened by the National Commission for Democracy and Human Rights (NCDHR), headed by Dr. Kadie Sesay. The conference was charged with collating civil society's views on the peace talks due to take place in Lomé later that year.⁴¹³

Reference 12 - 0.01% Coverage

Despite the pressure to bury the issue and to lapse into silence, some women in Sierra Leone have been brave enough to disclose their experiences publicly. Again it is the large number of women who experienced sexual violations in Sierra Leone that brought the issue to the fore. Women have complained to the TRC of stigmatisation in their various communities because some people have labelled them "rebel wives".⁴²⁶ Re-integrating into their societies is difficult for those who have been forced into sexual slavery and in reality they are being penalised by society for matters totally out of their control and which occurred as a result of the conflict. Negative reception by family or community tends to accentuate their feelings of dislocation and social exclusion. Many women have expressed to the TRC their extreme sense of "rejection" and their "fear that they may never be able to lead a normal life". Many would like to get married and have children and yet feel that no one will want them.⁴²⁷

Reference 13 - 0.01% Coverage

491. A number of agencies took specific measures after the conflict to address problems generated by sexual violence. An intervention that had a major impact on women was the programme run by the Forum for African Women Educationalists (FAWE), with support from Médecins Sans Frontières (MSF). FAWE had discovered that a large number of girls had been sexually violated during the January 1999 invasion of Freetown.

Reference 14 - 0.01% Coverage

There is little doubt that these changes would not have come about without the combined efforts of women and NGOs involved in advocacy work for women's involvement in politics. One such NGO is the 50 / 50 Group, which was formed in November 2000 with the objective of empowering women and enabling them to participate effectively in politics. Its stated mission is to increase the level of female participation in government and to ensure gender parity in all walks of life.⁵¹⁰ It has been involved in the training of both old and budding new women politicians. The funding for its training has come from the National Democratic Institute and the Westminster Foundation for Democracy, administered locally through the British Council of Sierra Leone.⁵¹¹

Reference 15 - 0.01% Coverage

Had it not been for the efforts of FAWE and other women's NGOs, as well as the sheer number of girls and women who suffered sexual violations, particularly during the invasion of Freetown, there would not have been much exposure of this category of violations. Despite all efforts to date, full disclosure has still not been achieved. It is important to note that the Commission's data is only a small representation of the problem and does not do justice to the total number of women who have suffered sexual violence.

Colonialism

References or discussions of colonialism

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 4 references coded [0.03% Coverage]

Reference 1 - 0.01% Coverage

The colonial government was also responsible for destabilising the system of Chieftaincy and creating a crisis of legitimacy around the traditional rulers. The colonial government formalised the Common Law but neglected the development of customary law, resulting in mass confusion and effective legal duality. Customary law became the preserve of the Chiefs who interpreted traditions and customs in an arbitrary fashion and utilised their authority to whatever ends they so desired. The rights of women, in particular, were denied during this period.

Reference 2 - 0.01% Coverage

Due to its colonial history, most of Sierra Leone's laws were either adopted or adapted from England. Section 74 of the Courts Act 1965 made pre-1880 laws of England automatically applicable to Sierra Leone. Examples of laws adopted pursuant to this section include the Statute of Frauds 1677, the Wills Act 1837 and the Common Law Procedure Act 1852. Post-1880 English statutes that were adopted additionally include the Conveyancing Act 1881, the Settled Land Act 1882, the Perjury Act 1911, the Forgery Act 1913, the Larceny Act 1916 and the Married Women's Maintenance Act (Cap. 100) enacted in 1888.

Reference 3 - 0.01% Coverage

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Women's rights to property and land ownership 120.

Land ownership in the Western Area is based on English property laws from prior to 1925 and allows for individual ownership. In the Provinces, land ownership is governed by Chiefdom Councils and allows only for group ownership. Equal land ownership and inheritance laws and practices are necessary to achieve sustained development in any country. In post-war Sierra Leone, they are also essential for women's economic, social and political survival.⁷⁷ The argument for land ownership for women is not only one based on personal need, family security or national development; it is also a question of basic human rights.⁷⁸ Women can acquire land through purchase, but often lack resources to do so. Most landowners acquire land through inheritance, and because of discrimination in the laws of inheritance that apply throughout the country, far fewer women than men own land in Sierra Leone.

Reference 4 - 0.01% Coverage

When a perpetrator confessed to violations committed elsewhere or when the victim could not be found, the reconciliation ceremonies organised by the Commission focused on reconciliation between the perpetrator and his community. In many districts, the community had rejected perceived perpetrators because of their membership of armed factions, even though they had not committed any violations in that community. In these instances the perpetrators would ask the community to forgive them and to accept them back as full members of the community. Traditional and religious leaders would usually grant reintegration into the community. The participation of women representatives in some cases was particularly important when the perpetrator confessed to having committed acts of sexual violence.

Commission Procedures

References or discussions of the commissions procedures or efforts to include and protect female participants

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 68 references coded [0.35% Coverage]

Reference 1 - 0.01% Coverage

The conclusion that a broad approach to human rights is required, also finds support in the reference in the TRC Act which mandates the Commission to pay 'special attention to the subject of sexual abuses and to the experiences of children within the armed conflict'. Such issues might not be subsumed within a mandate focussed only on the 'core' civil and political rights listed in article XXIV of the Lomé Peace Agreement or the Constitution. To supplement the basic international human rights instruments referred to in the preceding paragraph, the Commission has sought guidance from specialised instruments in the area of the rights of women and children, such as the Convention on the Rights of the Child, the African Convention on the Rights and Welfare of the Child, the Convention on the Elimination of Discrimination Against Women, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and various United Nations and African Union declarations concerning sexual abuse of children and violence against women.

Reference 2 - 0.01% Coverage

The reference to a relationship to the armed conflict also has a substantive limitation on the mandate of the Commission. Obviously, not all violations of human rights committed within Sierra Leone during the 1990s can be considered to be 'related to the armed conflict'. For example, the practice of female genital mutilation is and has for many years been widespread within Sierra Leone. It continued to be practiced during the period of the conflict. The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa refers to female genital mutilation as a harmful practice which violates the rights of women and which must be prohibited (art. 5(b)). It is probably unreasonable, however, to refer to female genital mutilation as a human rights violation or abuse that was 'related to the armed conflict'. Nevertheless, it might well be argued that the practice of female genital mutilation contributed to a context of oppression and marginalisation of women that was manifested in violations and abuses that were unquestionably related to the armed conflict, such as gang rapes and sexual slavery.

Reference 3 - 0.01% Coverage

i. Developing policy and preparing briefing materials issues such as the relationship with the Special Court, women's issues, children's issues, traditional methods of reconciliation and witness protection.

Reference 4 - 0.01% Coverage

The Commission also established a collaborative partnership with the Women's Task Force on the Commission, a network of women's NGOs that included FAWA and the Women's Forum. It sought to create partnerships with other

Reference 5 - 0.01% Coverage

Social truth. This may come the closest to what the Truth and Reconciliation Commission is expected to establish. It is the truth established after interaction and dialogue that will be accepted by all after the myths and the lies have been discredited and disproven. In order to determine this 'social truth', the Commission endeavoured to provide a forum where the parties to the conflict, and the various components of civil society, including faith communities, political parties, the country's principal institutions, and various constituencies such as women, youth and children, could come together for debate and exchange. Even informally, out of this process a form of consensus has emerged about the nature of the conflict. The dynamics that were established between the participants in this process may provide a basis for future understanding and relationships.

Reference 6 - 0.01% Coverage

Public attendance at the hearings in Freetown was poor. Apart from the opening ceremony and the hearings of high profile persons, attendance was low. It is possible that the live broadcast of the hearings on radio made attendance unnecessary for a majority of the people. The hearings recorded full houses when the Commission conducted public hearings on women and children. The Commission's appreciation goes to the members of its research staff on women and children, and to UNICEF, UNIFEM, the CFN, Voice of Children's Radio, the CPAs and other agencies which came together to make those hearings memorable.

Reference 7 - 0.01% Coverage

During the conflict, women and children were the victims of the most brutal violations and abuses. It was necessary that they participated in all the activities of the Commission to ensure that their voices were heard. There was no single body or group representing victims' interests in Sierra Leone. There are instead various institutions and agencies, both local and international, providing services to women and children victims of the war. Many of these agencies existed long before the TRC was established and have been documenting violations and abuses, providing psychosocial support services and carrying out school enrolment and training programmes for women and children. The Commission worked closely with many such organisations. Furthermore, in 2001, UNICEF organised a consultation on the participation of children in the work of the Commission. That consultation supported the participation of children in the work of the Commission and outlined a number of measures to ensure the protection of participating children.

Reference 8 - 0.01% Coverage

The Commission entered into agreements with key partner organisations for the provision of technical support. A Project Co-ordination Agreement was signed in November 2002 between the Commission and United Nations Fund for Women (UNIFEM). This partnership with UNIFEM was intended to ensure that gender-based violence was properly accounted for during the Commission's work. It also served to encourage the fullest possible participation from women's groups in Sierra Leone in the work of the Commission.

Reference 9 - 0.01% Coverage

The Commission paid specific attention to the security and well-being of the children who appeared before it. Furthermore the Commission acted in a gender-sensitive manner by ensuring that women were well represented on its staff and by reaching out to women so that they could participate fully in all of its phases and processes.

Reference 10 - 0.01% Coverage

The Commission took testimonies from women and girls with an emphasis on the gender-specific nature of the violations and abuses they suffered. The Commission ensured that all its staff members were sensitive in their dealings with gender-based violence and that its statement takers, in particular, were properly briefed and trained. In conjunction with experts in gender-based violence, the Commission drew up a set of guidelines for dealing with victims of sexual violence in the statement-taking programme.¹

Reference 11 - 0.01% Coverage

The Commission ensured that gender-based violations and abuses were properly investigated and given extensive attention in its final report. The partnership with UNIFEM was to result in a dedicated chapter on the experiences of women. The Commission kept disaggregated data in respect of gender-based violence. The Commission also requested submissions and recommendations from institutions working with women and girls and those focussed on sexual violence issues. These materials would enable the Commission to formulate recommendations on the issues most pertinent to women and girls.

Reference 12 - 0.01% Coverage

The TRC Act also states that: “the Commission may implement special procedures to address the needs of such particular victims as children or those who have suffered sexual abuses, as well as in working with child perpetrators of abuses or violations.”⁸ The Commission decided that child statement givers would be granted confidentiality automatically, without having to request it and those children would only appear in closed hearings. Children are vulnerable and the Commission felt it was its duty to extend a special protection to them. Women victims of sexual abuse were also encouraged to appear in closed hearings.

Reference 13 - 0.01% Coverage

Themes of research were designed in accordance with the Commission’s mandate, as set out in Section 6 (2) of the TRC Act. The Commission decided on twelve research themes, each of which has contributed one chapter to either Volume Three A or Volume Three B of this Report. The themes address the antecedents and causes of the conflict, the context in which the violations and abuses occurred and the question as to whether those violations and abuses were the result of deliberate planning, policy or authorisation by any government, group or individual. Themes were also devoted to women, children and youth, as well as the role of external actors in the conflict.

Reference 14 - 0.01% Coverage

Building upon its partnership with UNICEF and the CPAs, the Commission decided to create a “child-friendly version” of its report. It sought and received technical assistance from UNICEF and the Child Protection Unit of UNAMSIL, which assisted the Commission’s staff in the writing of the child-friendly version. The members of the Children’s Forum Network also collaborated with the Commission in the writing of the Report. At a Children’s Parliament convened in Freetown by the Ministry of Gender, Women and Children’s Affairs in Freetown in December 2003, the Commission made a presentation to the representatives who had assembled from all over the country on the key philosophical and conceptual issues around the child-friendly version. The Commission received substantive input from the Children’s Parliament on how to make the report attractive to children and the kinds of issues they would wish to see discussed.

Reference 15 - 0.01% Coverage

a. General sensitisation: public awareness and education; b. Targeted sensitisation: specially designed programmes aimed at particular audiences such as combatants and ex-combatants, refugees, women and children; and

Reference 16 - 0.01% Coverage

The Law Group assisted in the formation of a Women’s Task Force, a coalition of women’s groups, which advocated for the creation of an enabling environment for the participation of women in both the TRC and the Special Court processes.

Reference 17 - 0.01% Coverage

A workshop was organised by UNIFEM and the Commission with the participation of civil society organisations and women from the provinces to garner input from them on the recommendations that the Commission should make on women. A conference on reparations was organised by the TRC Working Group to make suggestions for recommendations to the Commission. The International Centre for Transitional Justice and the International Human Rights Law Group also facilitated a series of civil society consultations on the possible recommendations that the Commission should make. The outcome document was formally presented by civil society to the Commission at a public briefing organised by the Commission in December 2003.

Reference 18 - 0.01% Coverage

The first component of the operational phase of the Commission was the statement taking exercise. The TRC Act states that the Commission should take individual statements as part of its information gathering exercise.¹⁸ The purpose was to reach out to every part of Sierra Leone to capture the experiences of the population, including specific groups such as women, children and amputees.

Reference 19 - 0.01% Coverage

b. The Commission should hire at least two women as statement takers in each district to take statements from women victims of sexual abuse. The hiring policy was to reflect gender balance among the statement takers. This policy was largely fulfilled, except in Kambia District, where only one woman applied to be a statement taker;

Reference 20 - 0.01% Coverage

The training was divided into three modules. The first module addressed the mandate and functions of the Commission. The second module provided an understanding of human rights issues, interviewing techniques, confidentiality and corroboration issues, and how to use the Commission's statement form. The third module was composed of special interview techniques for specific groups: women and girls, victim of sexual violence, children and excombatants. Specific instruction was given on how to deal with post-traumatic stress experience by interviewees. All the modules included exercises and interactive role-playing. Statement takers were instructed to use the one on one interview technique. Statement takers were provided with a Manual for guidance and reference (see appendix section).

Reference 21 - 0.01% Coverage

The Commission was uncertain as to whether women would be willing to testify about sexual violence and rape. A number of publications had referred to the "closed" nature of Sierra Leone's traditional societies and concluded that women would not be willing to testify about their experiences for fear of stigmatisation by their communities. To the Commission's surprise and satisfaction, women testified in large numbers and in great detail about their experiences. While women were advised that they could request to give their statements to a female statement taker, many of them declared that they did not mind talking to male statement takers. Such testimonies enabled the Commission to fully incorporate the experiences of women into its work.

Reference 22 - 0.01% Coverage

Of the total of 7,706 statements collected, 36% were collected from women and 5% from children. Statements were recorded in 15 different languages, with the major ones being Mende (40%), Krio (39%) and Temne (12%).²²

Reference 23 - 0.01% Coverage

The Commission wishes to acknowledge the expertise of UNIFEM in providing guidance and assistance to women's groups in the preparation of their submissions for the TRC Thematic Hearings on Women and Girls.

Reference 24 - 0.01% Coverage

The Commission advised women victims of sexual violence who indicated interest in appearing before the Commission to opt for a closed hearing. Nevertheless, some women insisted on appearing before the Commission in public. In such cases, the Commission undertook great efforts to explain to the women the possible consequences of such an appearance and sought to know if they had consulted their family members. Thus only in exceptional circumstances did victims of sexual violence give any testimony in public.

Reference 25 - 0.01% Coverage

Women victims of sexual abuse or rape In most countries around the world, sexual abuse and rape are socially attached to feelings of shame. According to some cultural values, women victims of sexual abuse or rape feel guilty about their experience and may be reluctant to speak about it. It is therefore highly important that the statement taker establish trust with the statement-giver and avoid asking for embarrassing details when these details are not indispensable to the telling of the story. The statement-giver should not be pushed to relate details that she does not feel comfortable revealing. The Commission will allow for women victims of sexual abuse or rape to request that a female statement taker take their statement.

Reference 26 - 0.01% Coverage

The Commission is cognizant of the fact that many victims and witnesses may not feel secure in making statements or giving their testimony in public. The Commission has the power in terms of the Act to implement special procedures to protect victims and witnesses and in particular women and children. The Commission will also implement special procedures to address the needs of those who have suffered sexual abuse. Special Procedures will also take into account the needs of Child perpetrators.

Reference 27 - 0.01% Coverage

The Commission shall organise closed hearings and adopt such other measures as it deems fit that enable it to respond to the two important aspects of its mandate that require it to “capture the experiences of women and children, and where the interests of the witness so dictate.

Reference 28 - 0.01% Coverage

The Commission was enjoined by statute to give special attention to the needs of women and girls, particularly with regard to sexual violence. Why was so much violence perpetrated against women? Did the origins lie in the cultural and traditional history of Sierra Leone? Did the fact that women endured such a lowly status in the socio-political life make them easy targets? Is it because men perceived females to be mere chattels symbolising male honour that made women the deliberate target of an enemy determined to destroy the honour of the other?

Reference 29 - 0.01% Coverage

In seeking answers, the Commission reviewed the multiple roles of women in the armed conflict, recognising that women often took on the role of perpetrator and / or collaborator usually out of conviction and / or the need to survive. The Commission assessed the impact of the conflict on women, notions of honour and the breakdown of the traditional extended African family structures and social fabric. It looked at the extent to which women’s issues were addressed by disarmament, demobilisation and reintegration efforts; their level of access to education and the impact of the practice of early and forced marriages on the education of girls; and areas in which women suffer discrimination (both under common and customary laws), including marriage, divorce, inheritance, property rights, domestic violence and political participation.

Reference 30 - 0.01% Coverage

captures the gender-specific experiences of women and girls at a political, legal, health and social welfare level. The Commission noted the significant role women played in making peace, along with the fact that they are starting to feature more prominently in the public life of Sierra Leone.

Reference 31 - 0.01% Coverage

The Commission believes that it is only when the legal and socio-political system treats women as equals to men, giving them full access to economic opportunities and enabling them to participate freely in both public and private life, that they will realise their full potential. Developing accountability mechanisms for those who perpetrate gender crimes is a necessary part of this evolution in order to ensure that women are not dehumanised. An opportunity exists in the post-conflict period to address the plight of women and girls in Sierra Leone and improve their quality of life. The Government should give effect to the provisions of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and of the Protocol to the African Charter on Human and Peoples’ Rights (ACHPR) on the Rights of Women in Africa.

Reference 32 - 0.01% Coverage

The collection of ‘visions’ began in September 2003 with a call for contributions. During the following two months hundreds of contributions poured in. Among the contributors were men, women and children of all ages, reflecting a wide variety of social and educational backgrounds. They included ex-combatants, artists and artisans, teachers, students and prisoners. The contributions included written and recorded essays, slogans, plays, poems and songs;

paintings, etchings and drawings; sculptures, installations and a boat. Common themes included references to the country's violent past, justice, peace, unity and love.

Reference 33 - 0.01% Coverage

The Commission has prioritised the recommendations to address the underlying causes of the conflict. In addition, certain of its recommendations are directed at remedying particular wrongs committed against specific groups, such as women and children. The civil war created several vulnerable groups such as the war-wounded, amputees, the sexually abused and war widows. Specific recommendations are made in relation to these vulnerable groups. The Commission's recommendations on reparations, which follow this chapter, put forward measures to redress violations suffered by these groups.

Reference 34 - 0.01% Coverage

The Commission determined the categories of beneficiaries who should benefit from the reparations programme by considering those victims who were particularly vulnerable to suffering human rights violations. Most Sierra Leoneans agree that amputees, war wounded, women who suffered sexual abuse, children and war widows would constitute special categories of victims who are in dire need of urgent care. The Commission also considered those victims who are in urgent need of a particular type of assistance to address their current needs, even if this only serves to put them on an equal footing with a larger category of victims. The reparations programme aims at contributing to the rehabilitation of those victims, even if complete rehabilitation is not possible.

Reference 35 - 0.01% Coverage

Although the mandate does not specifically refer to women, the Commission interpreted the provision that refers to "the subjects of sexual abuses" to refer mainly to women. It is undeniable that women were subjected to all forms of sexual violence and are in need of assistance to address many of the consequences that resulted from the violations committed against them. Many of the victims of sexual violence require medical attention so that they can carry

Reference 36 - 0.01% Coverage

The Commission has compiled two lists of victims based on the statements it collected. In line with the requirement in its mandate to pay specific attention to the experiences of women and children, the Commission has devoted its first list to victims of sexual violence and forced conscription. In total 1,012 victims of these violations were named in TRC statements. The Commission's second list excludes those in the first, giving the names of the persons who suffered all other violations recorded in the conflict. In total this second list contains 11,991 victims named in TRC statements.

Reference 37 - 0.01% Coverage

The Truth and Reconciliation Commission ("TRC" or "the Commission") was founded by an Act of Parliament in February 2000 and its Commissioners were inaugurated in July 2002. Section 6(2)(b) of the TRC Act mandated the Commission to restore the dignity of victims. In this context, there was a duty to afford "special attention to the subject of sexual abuse". While women are not explicitly mentioned in the TRC Act, given that they were the overwhelming victims of sexual abuse, the Commission interpreted this provision to mean that it should pay special attention to the experiences of women and girls.

Reference 38 - 0.01% Coverage

The Commission intends in this chapter to capture the experiences of both women and girls in respect of sexual violence, as well as their complete gendered experiences at a political, legal, health and social welfare level. While the majority of the women in Sierra Leone were victims, the Commission recognises that many women took on the role of perpetrators and / or collaborators, out of personal conviction or simply in order to survive.

Reference 39 - 0.01% Coverage

The Commission, primarily through the testimonies it received from women and girls, seeks to find answers as to why such extraordinary violence was perpetrated against women. Did the origins lie in the cultural and traditional history of Sierra Leone, where women were afforded a subservient status to men? Did the low status of women in socio-political life make them easy targets? Or is it because men still perceive women to be chattels, possessions belonging to them, symbols of their honour, making them the deliberate targets of an enemy determined to destroy the honour of the other? The answers probably lie somewhere in a combination between all of these factors.

Reference 40 - 0.01% Coverage

The Commission believes that it is only when the legal, social and political system treats women equally that they will realise their full potential. Women must be given full access to economic opportunities, which allow for their complete, holistic development. They must be able to participate freely in both public and private life. Developing robust accountability mechanisms for those who perpetrate gender-based crimes is a necessary part of this evolution, in order to ensure that women are never again dehumanised the moment the rules of society break down.

Reference 41 - 0.01% Coverage

The TRC in Sierra Leone boldly confronted the task of dealing with its special mandate in respect of sexual violence by formulating policy and determining a methodology to reach as many women and girls as possible in order that their experiences could be documented. In formulating policy, the Commission was driven by several imperative needs: to protect the victims; to engender an atmosphere of trust in the Commission; to observe issues of confidentiality; to create a safe environment for women; and to ensure that women and girls would not be “retraumatised” or “revictimised” in the process.

Reference 42 - 0.01% Coverage

The Commission decided, at the outset, that women, particularly those who had suffered rape and sexual violence, should make their statements to women statement-takers who would be trained specifically to deal with accounts involving rape and sexual violence. The Commission also decided that women themselves should have the option of deciding whether their statements should be regarded as confidential in terms of the provisions of the Act.

Reference 43 - 0.01% Coverage

In the “barray phase” – when Commissioners and staff held public meetings in local “barrays”, which are equivalent to town halls – the TRC reached out especially to women, women’s groups and agencies dealing with women, sensitising them to the aims and objectives of the Commission’s work. The Commission made it clear that it intended to “mainstream” gender in all its activities, that it would deliberately recruit women to be trained as statement takers and that it would welcome suggestions and assistance from agencies dealing with women and girls. At the outset, the Commission made an effort to recruit women into senior staff positions. In addition, it ensured that more than 40% of the statement-takers were women.

20

Reference 44 - 0.01% Coverage

The Commission arranged for the training of all statement-takers on issues of rape and sexual violence, as well as helping them to cope with trauma. Two training sessions dedicated to this purpose took place in Bo and Kenema. In order to prepare the statement-takers as comprehensively as possible, the Commission also provided guidelines on how to deal with women who had suffered sexual abuse. In summary, these guidelines directed statement-takers to ensure the following conditions:

i.

Reference 45 - 0.01% Coverage

The Commission trained its statement-takers to explain to women who were victims of sexual violence that they should be asked whether or not they would be willing to appear at a TRC hearing. The Commission also made it

clear that if a woman preferred, she could appear at a closed hearing to give her testimony. The Commission advised that women should at all times be at liberty to choose for themselves the circumstances in which they testified.

Reference 46 - 0.01% Coverage

Once training had taken place, the TRC embarked upon a pilot phase in December 2002, which saw statement-takers deployed to the various regions. The Commission was pleasantly surprised to discover that women and girls had come out in large numbers to participate in the statement-taking process during the pilot phase. At that early stage, however, women ex-combatants did not turn out in large numbers.

23. While the Commission held public hearings for all witnesses who chose to participate, including women who had suffered violations that were not sexual in nature, it was also decided that there should be special hearings for women and girls who had been sexually violated. These special hearings were “closed”, which meant that members of the public were not allowed into the hearings venue. Accordingly, the Commission adopted a special hearings procedure.

24.

Reference 47 - 0.01% Coverage

The Commission decided that these hearings would be held in camera and would be presided over and attended only by female Commissioners and staff. The Commission through its reconciliation unit provided trained counsellors who would brief and debrief the women and girls who appeared at these special hearings. These counsellors also met with witnesses before their appearances at other hearings. The counsellors and staff members responsible for the hearings would go through the statements previously given by the witness to refresh the memory and ensure consistency.

Reference 48 - 0.01% Coverage

Counsellors would also sit beside witnesses while they were giving testimony and provide assistance to them if they needed it. Immediately after each hearing, the counsellors would debrief and counsel each witness. Women Commissioners would explain to the women and girls who were to testify about what the process entailed and why their testimony was needed. They would then attempt to draw out the totality of each witness’ experiences. If witnesses lost their composure or broke down completely, the Commissioners would assess the situation and would either adjourn the hearing to allow the witness to regain composure or counsel them until they indicated that they were ready to resume their testimony.

26

Reference 49 - 0.01% Coverage

The Commission had expected that most women who were willing to testify would choose to do so in camera. Surprisingly this was not the case, particularly in the rural areas, where women wanted the community to hear their stories. Many women volunteered to testify in public. As far as girls under 18 years of age were concerned, the Commission employed a policy that all testimony would be given in camera and that mechanisms would be found to have this testimony heard without making identities public. Of course there were also many women who were content to make written statements only to the Commission and who chose not to appear before any hearings. Their statements were also of immense value to the Commission.

Reference 50 - 0.01% Coverage

An event of great significance for the Commission was the session of Special Thematic Hearings on Women, which took place in Freetown from 22 to 24 May 2003. This session started with a march through some of the main streets in the city centre of Freetown, culminating at the hearings venue. The march was led by the Deputy Minister of the Ministry of Social Welfare, Gender and Children’s Affairs, accompanied by staff of the Ministry, women activists, Commission staff, many women’s organisations and hundreds of supporters. The Minister of Social Welfare, Gender and Children’s Affairs, Dr. Shirley Gbujama, then formally opened the Special Hearings session.

30

Reference 51 - 0.01% Coverage

During the TRC Special Thematic Hearings on Women, the Commission received submissions from a number of women's groups, UNIFEM and other donor agencies. Testimony was heard from women who had suffered sexual violations. The Commission was careful to protect the identities of the women who gave testimony. While both male and female Commissioners were present, it was only the women Commissioners who asked questions.

Reference 52 - 0.01% Coverage

The Commission entered into an important partnership with the United Nations Development Fund for Women (UNIFEM), which led to the launch of the "Initiative for the Truth and Reconciliation Commission" under UNIFEM'S Peace and Security Programme. The initiative made available training for Commissioners, staff and UNIFEM's NGO partners. UNIFEM also assisted the NGO community to make submissions on issues affecting women.

32

Reference 53 - 0.01% Coverage

UNIFEM became involved in mobilising women's groups in Sierra Leone to participate in the Commission's activities by making submissions to the Commission, assisting with the hearings, providing witnesses to the Commission and attending the hearings. UNIFEM also spearheaded the organisation of the march through Freetown and provided funding for some of the items used in the Special Hearings, including refreshments. UNIFEM provided two international gender consultants to assist the Commission and women's organisations both with writing the report and formulating the recommendations.

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Reference 54 - 0.01% Coverage

A large audience gathers at the YWCA Hall in Freetown for the session of TRC Special Thematic Hearings on Women from 22 to 24 May 2003.

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Partnerships with women's organisations 33.

The Commission was keen to establish a working relationship with all of the women's groups in Sierra Leone when it began its work. A number of consultations took place where issues affecting women were discussed, providing valuable input for the Commission's work. Women's organisations also made an important contribution to the work of the Commission by calling upon the women of Sierra Leone to support its work.

Reference 55 - 0.01% Coverage

In the main, women and girls experienced the conflict as victims. However, many women and girls were compelled to become perpetrators in order to survive. Many others chose to be willing collaborators and perpetrators. The Commission's analysis of how women made choices is that, in the main, they rose to the challenge of staying alive, looking after loved ones, protecting and assisting others, often at great risk to themselves, and still display the courage to tell of their experiences. The Commission explores the whole array of different experiences effecting women and girls in the sections that follow.

Reference 56 - 0.01% Coverage

More detail on violations rates and the levels of different violations experienced by women can be found in the Statistical Report produced as an Appendix to this report.

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VIOLATIONS AND ABUSES AGAINST WOMEN

203. Women and girls in Sierra Leone suffered specific offences on account of their gender. In terms of the Commission's statistics, more than 32% of the violations recorded by the Commission were perpetrated against women.¹⁸⁶ The testimonies given to the Commission by women and girls clearly demonstrate that there was a deliberate strategy to target them because of their gender for violations of a gender-based nature.

Reference 57 - 0.01% Coverage

Testimonies before the Commission confirmed that all the major armed groups in the conflict perpetrated violations against women. Government security forces, civil militia and opposing armed factions were all at different times in the conflict responsible for violations against women.¹⁹¹ A female health worker shared this experience of the conflict with the Commission:

Reference 58 - 0.01% Coverage

The Commission conducted a “special coding exercise” using statements in its database, during which a random sample of statements involving rape was coded in greater detail in order to develop a more accurate picture of the kind of suffering women endured. Since the sample of statements was random, the results of this exercise can be considered to be representative of the TRC data.

Reference 59 - 0.01% Coverage

574. Women and girls suffered terrible atrocities in the Sierra Leone conflict. Many died and their stories remain untold. And yet, many brave and courageous women and girls survived and were able to come forward to tell the Commission of the brutality they experienced and of how they were stripped of humanity and dignity. Others told of how they were afraid to reveal their stories because of the way in which they will be shamed by their loved ones, families, friends and communities. Many women have borne children and are outcasts because of it. They are doubly punished, because society has let them down and because of vile deeds perpetrated against them in the first place.

Reference 60 - 0.01% Coverage

g. Regular review meetings were organised with the statement-takers, during which additional training was given. The statement-takers gave feedback on problems they had while interviewing particular categories of witnesses such as women, children and perpetrators.

Br

Reference 61 - 0.01% Coverage

o. Victims of sexual violence were given the choice between a public hearing or a closed hearing with only female Commissioners and staff. They were properly briefed about the possible consequences of a public hearing. Depending on the district, most women preferred a closed hearing, but in some locations, women insisted on giving a public statement. Some were even accompanied by their husbands.

Reference 62 - 0.01% Coverage

p. All victims testifying during closed hearings were filmed in a way that concealed their identity. Some of these testimonies were used in a compilation of testimonies that was shown during the thematic hearings on women and children.

Reference 63 - 0.01% Coverage

The Commission subsequently organised a reconciliation ceremony for all the parties involved in the Moyamba hearing, which consisted of several symbolic acts. The three participants were first asked to write down their grievances on a piece of paper. They then had to tear this piece of paper. The act of tearing symbolised the fact that they had put behind them whatever grievances they had towards each other and that they were willing to live together. Those pieces of paper were later burnt on the floor. Later a kola-nut was shared among them, as a symbol of unity and of peaceful co-existence. A paramount chief then gave them a glass of water that all three had to drink from. The rest of the water was poured onto the floor and later rubbed onto people's chests. In the end, there were handshakes and the ceremony was concluded with a big, collective hug. This ceremony was watched over by three hundred people. The family members of the three people, community youths, women groups, and elders all

participated in the ceremony. The Commission was honoured all throughout Moyamba for this particular reconciliation ceremony.

Reference 64 - 0.01% Coverage

The organisations consulted included: women's and youth groups; religious bodies; NGOs working in the fields of humanitarian assistance, peace building, and conflict resolution; and NGOs working with victims and ex-combatants.

Reference 65 - 0.01% Coverage

The Commission selected 14 of its former statement-takers to become district reconciliation officers, while the Inter-Religious Council selected one co-ordinator per district. These 28 representatives received training on several reconciliation issues during a three-day workshop in Freetown from 14 to 16 October 2003. Training was given on the concepts of reconciliation; the role of religion and tradition; the role of women and children; comparative perspectives from other countries; lessons learnt from work with ex-combatants; the trauma of victims and perpetrators; and challenges to the reconciliation process.

Reference 66 - 0.01% Coverage

The next step in the programme was the organisation of workshops on reconciliation in every district and in the Western Area, which brought together representatives of all the chiefdoms, religious leaders, representatives from NGOs and CBOs, as well as victims' and ex-combatants' organisations. All the workshops took place between 10 and 20 November 2003. The choice of participants respected gender balance. This was, however, unsuccessful in some districts, where women were under-represented. The requirement for balance between the two main religions was more or less respected.

Reference 67 - 0.01% Coverage

- c. The reconciliation activities should consider the specific problems of victims and ex-combatants. Accordingly, all activities should be geared to reducing stigma, promoting joint activities, including women and children who have suffered from the greatest of atrocities, etc.
- d.

Reference 68 - 0.01% Coverage

Over the course of two months, the TRC received over 250 contributions representing the efforts of over 300 individuals. The TRC and its Commissioners were overwhelmed by the effort, time and resources that so many Sierra Leoneans devoted to preparing their contributions. Among the contributors are men and women of all ages, backgrounds, religions and regions, including adults and children; artists and laymen; amputees, excombatants and prisoners. The contributions include written and recorded essays, slogans, plays and poems; paintings, etchings and drawings; sculptures, wood carvings and installations.

Detention

References or discussions of detention and imprisonment

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 8 references coded [0.04% Coverage]

Reference 1 - 0.01% Coverage

That night my whole family and I were taken by four armed men to a nearby jail; there we met over 85 other foreign nationals, including women, children and the elderly. The old, the women and the children were released two weeks later and allowed to return to their homes, while a number of us were still held in detention. Executions were carried out for every time the ECOMOG jet bombed their areas, even without killing anyone. I came to understand that multiple executions

Reference 2 - 0.01% Coverage

The Commission heard similar testimonies from several other Sierra Leoneans who were taken into detention in different parts of Liberia during the same operation by the NPFL. One long-term resident, who was arrested along with a fellow Sierra Leonean teacher at his local college, described how he was locked up with up to a hundred others in “a large container that had been used to transport frozen fish or meat.”²³ He testified that NPFL gunmen would periodically open the hatch at the top of the container and fire rounds of bullets indiscriminately into the crowd below, among whom were many women and children.

48

Reference 3 - 0.01% Coverage

Sankoh personally accompanied members of NPFL ‘hit squads’ who visited some of the detention facilities, apparently for the sole purpose of enlisting the men and women he wanted to make into his first revolutionary commandos. Among the locations in which Sierra Leoneans were held were detention facilities of differing character in Monrovia, Habell, Yekepa, Totota, Buchanan and Cape Mount.

Reference 4 - 0.01% Coverage

“On 22 February 2000, a team of UNAMSIL Military Observers and Civilian Police Officers reported to me that seventeen persons, including three women, were illegally detained under the control of RUF elements at Makeni Central Police Station... It appeared that these prisoners were detained and ‘sentenced’ by RUF elements to deprivation of liberty for reasons including petty crimes.

Reference 5 - 0.01% Coverage

1469. Notwithstanding the uncertainty surrounding the circumstances of Sankoh’s arrest, the Commission is assured that he was not admitted into the custody of the Sierra Leone Police under the same classification as the scores of other men and women whose arrests in May 2000 are analysed above. Foday Sankoh’s name does not appear on any of the prison records presented to the Commission pertaining to detentions during May 2000.⁹²¹

Reference 6 - 0.01% Coverage

In terms of statements made by women and girls to the Commission, more than 1,061 violations of detention during the conflict were recorded in the Commission’s database.²¹¹ Detainees were forced to move with the fighting forces and were held in many locations under the most terrible conditions.²¹² One victim described to the Commission the conditions in which she and others found themselves:

Reference 7 - 0.01% Coverage

One of the most common reasons for being detained was if a spouse or a relative belonged to the opposing forces. Women in these situations were often accused of being collaborators and were detained, beaten and tortured. A 70-year-old victim who was detained at Bayama in Ngorama Chiefdom by the CDF told of her ordeal:

Reference 8 - 0.01% Coverage

Another pattern identified as part of this violation was for women to be detained and kept locked up in a specific place, in order that their captors could violate them at any time they had the urge to do so. This pattern of violation was particularly characteristic of the SLA and the CDF factions, who were not as mobile as the RUF and the AFRC. CDF units were typically attached to specific towns and villages, while the SLA would normally be stationed in barracks or assigned to specific locations. The RUF and the AFRC on the other hand were highly mobile and as offensive forces were constantly on the move. A former abductee of the RUF, who was seven years old at the time of her first encounter, recounted her second encounter with the faction, which led to her abduction in 1994 at Pendembu:

Discrimination

References or discussions of discrimination

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 56 references coded [0.31% Coverage]

Reference 1 - 0.01% Coverage

Retarding the recovery of women is the fact that they lack adequate access to productive assets including land, credit, training and technology.
The Commission finds that the Government of Sierra Leone failed in its duty to protect women and girls from abuse during and after the conflict.
Before, during and after the conflict, women have been largely excluded from meaningful decision making in the political arena.
Main Findings Findings against the RUF in respect of women 502.
The Commission finds that the RUF was the primary perpetrator of human rights violations against women and girls. The RUF was responsible for targeting women and girls, abducting them with the express intention of exploiting their vulnerability.

Reference 2 - 0.01% Coverage

The Commission finds that Sierra Leonean society has stigmatised women and girls who were combatants in the conflict. Stigmatisation has resulted in women and girls concealing their experiences. Many women are unwilling to acknowledge that they need help to deal with the consequences of their roles in the conflict.

Reference 3 - 0.01% Coverage

The Commission finds that many women have suffered “double victimisation”. First they were compelled against their will to join the fighting factions and today they are victimised by society for having played a combative role in the conflict. They are treated with hostility and suspicion for “breaching” both gender and sex roles. Non-disclosure is a survival mechanism that may prevent ostracism. Many female ex-combatants live in perpetual fear of being recognised and isolated because of their roles in the conflict.

Reference 4 - 0.01% Coverage

A culture of exclusion and marginalisation in the management of economic and political affairs in Sierra Leone existed before and during the civil conflict. It persists today. Women have been excluded in practice and in fact from decision-making.

540. Women are largely absent from the structures of government and traditional forums that are critical in formulating policies. They are excluded in the processes involving security sector reform and other post-conflict and peace building measures undertaken by the State.

Reference 5 - 0.01% Coverage

The exclusion of women resonates across the various divides – cultural, religious, economic and domestic. The political exclusion of women leaves Sierra Leone out of step with much of the world.

Effects of the Conflict on the Health of Women

542. Women and girls suffered adverse effects to their health as a result of the conflict. The health concerns of women were exacerbated by the destruction of health facilities. Many women still do not have access to basic health services. The absence of qualified health professionals including doctors, surgeons, psychologists and psychiatrists compounds the problem.

Reference 6 - 0.01% Coverage

545. Women face discrimination in education, employment, in the social and economic setting and in the family. The law (both customary and statutory) discriminates against women and girls. In addition, the law does not adequately protect women against violence.

Reference 7 - 0.01% Coverage

550. Women and girls in Sierra Leone before, during and after the conflict have been subjected to entrenched structural discrimination by practice, custom and law. These discriminatory practices remain unchanged today.

551. Within the context of the conflict, women and girls were not only exposed to higher levels of gender-based violence than in peace time, but they were also discriminated against with regard to provision of services. This situation has not improved, even long after the cessation of conflict. Women survivors continue to suffer the same marginalisation.

552. Women comprise the largest category of persons without formal education in Sierra Leone. Illiteracy rates stand at 89% for the rural female population by the latest available figures.⁴⁶ Structural and cultural discrimination, early marriage and other harmful traditional practices impede the access of women to education and economic advancement.

Reference 8 - 0.01% Coverage

It appears that Sierra Leone produced its last report under the International Convention for the Elimination of All Forms of Racial Discrimination in 1973. The Committee for the Elimination of Racial Discrimination in its most recent annual report lamented Sierra Leone's apparent indifference to its international obligation in this respect.⁴⁰ Sierra Leone's initial report to the Committee on the Elimination of Discrimination Against Women was due on 11 November 1989

Reference 9 - 0.01% Coverage

The Commission notes that the State has not yet taken the necessary steps to eradicate structural inequality against women that still pervades Sierra Leonean society. Discriminatory laws and customs in the areas of marriage, divorce, land rights, inheritance and the administration of estates remain major obstacles to the transformation of women's lives.

Reference 10 - 0.01% Coverage

330. Women and girls in Sierra Leone continue to be the victims of sexual violence. The Commission notes that the national laws of Sierra Leone are inadequate to deal with the prosecution of crimes of sexual violence, including rape, sexual harassment and other forms of sexual abuse. The current rules of procedure and evidence in respect of crimes of sexual violence are not only discriminatory but are also offensive to women and girls.

Reference 11 - 0.01% Coverage

Customary laws and practices in respect of sexual offences are deeply discriminatory against women and girls and have contributed to a culture of impunity over a long period of time.

Reference 12 - 0.01% Coverage

Discrimination against Women

341. Women and girls in Sierra Leone, before, during and after the conflict, were subjected to discrimination by practice, custom and law. There is no basis to justify the discrimination that women have endured in Sierra Leone. The legal apparatus that entrenches discrimination against women must be dismantled. The Commission recommends the repeal of all statutory and customary laws that discriminate against women.

Reference 13 - 0.01% Coverage

Laws that should be repealed include those provisions that discriminate against women in relation to marriage, the administration of estates, inheritance, and divorce and property ownership. This recommendation requires the repeal

of sections 26(4)(d) and (e) of the Constitution, which permit discrimination against women in these areas and on the grounds of customary law. Constitutional provisions that authorise discrimination on the basis of gender have no place in a modern democratic society based on equality and respect for human dignity.

Reference 14 - 0.01% Coverage

347. Women have been excluded from decision-making in Sierra Leone. Women are largely absent in the structures of government and traditional forums that are critical in formulating policies.

Reference 15 - 0.01% Coverage

Sierra Leone). However, existing labour legislation seems to provide lower levels of protection: under the 'Employers and Employed Act' (Chapter 212 of the Laws of Sierra Leone), children under 15 shall not work in any public or private industrial undertaking; boys under 16 shall not work underground in mines, while girls and women in general shall not be allowed to work in mines below ground.

Reference 16 - 0.01% Coverage

Citizenship provisions in the 1961 Constitution discriminated against Sierra Leonean women in many important respects. The most telling unfairness was that whilst the provision automatically granted citizenship to descendants of male Sierra Leoneans, it denied citizenship to the offspring of female Sierra Leoneans where the father was not of African Negro descent. The citizenship provisions also excluded the Lebanese, a long-standing and important community in Sierra Leone, from becoming citizens. The discrimination against them was racial – they were not of African Negro descent.

Reference 17 - 0.01% Coverage

Women

198. Women are usually not miners. Their role is limited to providing food to the miners at the pits. But they are also plot owners and therefore are supporting miners.²⁵¹ One fifth of the total licences issued by the Ministry of Mineral Resources in Kono in 2003 went to women.²⁵² There appears to be no discrimination at the level of the Ministry. On the other hand, since the approval for the granting of licences comes first from the chiefdom authorities, discrimination is present at that level. If a family requests a licence, it would generally be granted to a male member of the family.

Reference 18 - 0.01% Coverage

Culture and tradition in Sierra Leone have in the past prevented women, particularly women in the rural Provinces, from accessing education. The practice in rural societies within Sierra Leone, where most people live below the poverty line, is usually to favour the education of men and boys at the expense of women and girls. Such traditional favouritism of males led to a great disparity existing between men and women in education prior to the war.

Reference 19 - 0.01% Coverage

The historical prevalence of early and forced marriages in Sierra Leone has also played a role in the decisions of parents on whether to educate their girl children or withdraw them from school, further compounding the illiteracy level of women. The high levels of illiteracy among women in Sierra Leone before the war have greatly disadvantaged them, particularly in the public arena. Women have been unable to participate fully in many sectors of public life and therefore have never mustered enough power to change the lives or social status of women for themselves.

Reference 20 - 0.02% Coverage

The activities of those first, feisty women politicians in the Colony resulted in some landmark events. In 1938, Constance A. Cummings-John became the first woman to stand for office in Freetown in the municipal elections, which she went on to win.¹⁰ In 1951, the Sierra Leone Women's Movement (SLWM), a non-political representative

organisation, was established. Its goals were “to improve the status of all Sierra Leonean women, whether born in the Colony or in the Protectorate, and to seek female representation on government bodies concerned with education, social welfare and the economy.”¹¹ Due to the formation of this group, in 1954, one of the founding members, Mabel Dove, became the first woman in West Africa to be elected to the legislature.¹² The SLWM had a broad base of membership, with about 2,000 members from the Colony and about 3,000 from the Protectorate.¹³ The movement has been described as the only mass-based organisation in the 1950s that actively worked to unite all ethnic groups within its structure and to inculcate a common national identity among Sierra Leoneans.¹⁴

45. Women made real progress in the political arena, which resulted in some of them holding political office in the 1950s in Sierra Leone. In the process certain politicians made history that impacted on a world beyond Sierra Leone. In 1958, three women – Constance Cummings-John, Lena Weber and Stella Ralph-James – became members of the municipal council while, in 1960, one woman was elected Deputy Mayor of Freetown and another, Nancy Koroma, was elected Mende Headman in Freetown.¹⁵

46. Women personalities continued to make their voices heard on political issues in Freetown right through to the time of independence, despite the fact that the vast majority of women were excluded. In the 1957 election, despite the apathy shown by most women, four women did contest for election under the auspices of the SLPP and the two contesting seats in the Colony won.¹⁶ It is instructive to note that neither of these two women ultimately took up their seats in Parliament, due to election petitions filed against them.

Reference 21 - 0.01% Coverage

Tradition and culture also played its own role in inhibiting women in the Provinces from playing a role in politics. While it is true that women could be made Paramount Chiefs in some of the Provinces, their accession only took place on a hereditary basis. The prevailing system did not create any awareness of the need for women to participate in the political affairs of the day. Women in the Provinces have traditionally had a lower status than men and have not occupied any positions of genuine power other than those exceptions mentioned above. It was therefore much more difficult for women in the Provinces to break down traditional barriers and access political power as it would impact on the existing power structures in society.

Reference 22 - 0.01% Coverage

Ironically of course, the voices of Krio women did not translate into more power for women more generally, or a greater awareness of the needs of women. While women had some token representation in government from the time of the nationalist era to the outbreak of the war, women politicians constantly struggled against the indifference or the outright opposition of their male colleagues.²⁶ Even in the final deliberations for self-government, male leaders would have ignored them had the women not raised a public outcry. According to one of the foremost female political activists of the time:

“This pattern of unthinking oversight [from men] occurred repeatedly. Many savvy women abandoned active political work once they realised the paucity of rewards.”²⁷

Reference 23 - 0.01% Coverage

In the Provinces a strong cultural belief existed that “women should be seen and not heard”. Of course, economics played a part in marginalising women. More importantly, though, attempts by women to agitate for political positions or to improve the quality of their lives were often thwarted because they were largely seen by the male members of society and by political parties as being in contradiction to the traditional role that women were expected to play.

Reference 24 - 0.01% Coverage

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THE LEGAL STATUS OF WOMEN 61.

Throughout the history of Sierra Leone, including the post-independence period before the war, women have not enjoyed equal status with men. To a large extent, the laws of Sierra Leone are discriminatory against women. While Sierra Leone is governed by a constitution²⁸

promulgation of discriminatory laws, women are not protected in the areas that affect them most, such as marriage, divorce and inheritance.

Reference 25 - 0.01% Coverage

Examples abound of discriminatory laws: for example, the Matrimonial Causes Act 1960, which covers divorce and maintenance for married women; the Administration of Estates Act, which governs inheritance and the distribution of a deceased's estates; or the Citizenship Act 1973, which allows a Sierra Leonean husband to confer Sierra Leonean citizenship on his foreign wife, children and grandchildren but does not permit a Sierra Leonean wife to do likewise. The laws cited here were all originally adopted from English law. The cruel injustice is that they have long since been repealed in England and persist only in the Sierra Leonean legal system, to the great detriment of the country's women.

Reference 26 - 0.01% Coverage

Customary law, which is largely unwritten and applies to the majority of the population, also discriminates against women, precluding them from enjoying equal status or rights with men. In the area of inheritance, traditional customary law regards women as "chattels" to be inherited. In other areas, women are regarded as minors in need of guardianship from a male family member. While the law provides that the application of customary law should not offend the principles of equity, natural justice or fairness, its application and impact on women is usually unfair.

Reference 27 - 0.01% Coverage

In the sphere of marriage, women have been denied equal rights with their spouses. Their subordination does not change on termination of marriage. Historically, laws did not provide a minimum age for marriage that was universally applied throughout the country and did not preclude the common practice of early marriage. Unequal power relations between spouses characterised marital relationships to the detriment of women. The contributions women made towards the family were scarcely taken into account during the marriage or at its termination.

Reference 28 - 0.01% Coverage

Traditional practices also impacted on the health of women in the period before the war. Practices such as venerating women because of their child-bearing capacities and encouraging them to increase the number of children they bear have put their health at risk so as to satisfy societal standards. The status of a woman is enhanced by motherhood, which pressurises many women into frequent child bearing, complete with its attendant health problems. Tradition and culture have also prohibited women from enjoying reproductive and sexual rights often through a lack of awareness of these rights. In those instances where they do know of them, they are not able to exercise them. Women do not have the power or the choice to refuse sex. They have no control, in most instances, over their bodies.

Reference 29 - 0.01% Coverage

The dismal economic situation, poor medical facilities and lack of access to the few existing health facilities put women at risk even before the war started. This situation was only to be compounded during the war years.

THE SOCIO-CULTURAL STATUS OF WOMEN 77.

Cultural practices and traditional beliefs relating to women have "socialised" some Sierra Leoneans into stereotyping the role of women. The effects of "socialisation" on perceptions of gender identity and roles are of great significance because they continue to impact on behaviour throughout one's life, including in the way that one interacts with the opposite sex. The outcomes of the socialisation process are exhibited in the attitudes and behaviour of members of society in all aspects of life including gender identity and roles.

Reference 30 - 0.01% Coverage

Amongst all ethnic groups in Sierra Leone, it is accepted practice for husbands to chastise or beat their wives or female relatives. Under customary law, a husband has the right to "reasonably chastise his wife by physical force".⁵³ Tellingly, significant numbers of women believe that it is appropriate for men to beat their wives. During a study of gender-based violence by the NGO Physicians for Human Rights, more than half of the women interviewed agreed with the view that a man has the right to beat his wife.⁵⁴

Reference 31 - 0.01% Coverage

Domestic violence as well as sexual violence is usually condoned or tolerated particularly in traditional societies. This is usually because of unequal power relations. In addition, conditioned by culture and status to be subservient to men, some African women especially the rural and poor ones have less safety mechanisms to combat violence leading to an acceptance of violence in the society.

Reference 32 - 0.01% Coverage

The Constitution however nullifies much of the promise of the equality provisions in Section 27(4)(d) by making an exception to the prohibition of discriminatory laws with respect to laws dealing with marriage, divorce, inheritance, or other interests of personal law.⁷⁰ The effect of these exceptions is to shield the laws that apply throughout Sierra Leone that most discriminate either of themselves, or in their effects, or both, against women. Consequently, all of the most significant laws that are discriminatory against women still apply, rendering the equality provision in Section 15 seriously flawed and ineffective.

Reference 33 - 0.01% Coverage

In addition, by prohibiting discrimination by persons in the public sector only, the Constitution appears to permit persons in the private sector to pursue discriminatory policies against women in important areas of their lives, including employment and promotion. With regard to the area of protection from violence, Section 15(a) of the Constitution provides for the right to life, liberty and security of person, while Section 20 provides that no person shall be subject to any form of torture or punishment or other inhuman or degrading treatment. These express constitutional provisions ought to provide a basis for the Government to protect and promote the rights of women to be free from violence and ensure that its laws, policies and programmes reflect these provisions in practical terms.

Reference 34 - 0.01% Coverage

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111. While the Constitution prohibits specific discrimination based on sex, there are certain exceptions or “claw back” clauses that particularly affect women. Section 27(3) defines discrimination as follows:

Reference 35 - 0.01% Coverage

The definition of discrimination includes “according privileges or advantages, which are not accorded to persons of another description”. This definition poses a serious challenge to women: on the one hand, they may challenge laws that discriminate against them because their male counterparts are not subject to the same laws; on the other, they do not appear to have the means to redress the historical legacies of gender imbalance on the same basis.

Reference 36 - 0.01% Coverage

Paradoxically, the Constitution outlaws positive discrimination or affirmative action that may sometimes be necessary for the achievement of equality for all individuals, especially women. Section 27(4)(g),⁷¹ which appears to include affirmative action, is vague and remains to be tested or brought for interpretation in the Supreme Court. Constitutional provisions that readily allow laws, measures or policies temporary or otherwise are very necessary as a basis to redress the historical imbalance that exists in the society. Examples of such provisions can be found in other African constitutions.⁷²

Reference 37 - 0.01% Coverage

Notwithstanding the equality provision in the 1991 Constitution, the majority of women in Sierra Leone do not enjoy equal status with their male counterparts. Aspects of statutory laws grounded primarily in English law adopted in Sierra Leone and influenced to a great extent by customary and Mohamedan law are still discriminatory against women.

Reference 38 - 0.01% Coverage

Customary law, as practiced in certain communities, clearly discriminates against the interests of women in areas such as marriage, inheritance, property rights and political participation. These laws and practices are a challenge for the enjoyment of women's rights, their advancement in the family and contribution to the political, economic and social development in Sierra Leone. Women are the victims of many forms of violence, yet the legal system does not provide adequate remedies to protect women and punish their violators. Traditional and cultural mores perpetuate gender stereotyping and greatly impact on the legal framework and practice relating to women.

Reference 39 - 0.01% Coverage

Women's reproductive health rights 117.

The inferior status of most women, along with prevailing customs and traditions, makes it difficult for a woman freely to exercise her reproductive rights. There is barely any recognition for the right to plan one's family, the right to freedom from interference in reproductive decision-making, or the right to be free from all forms of violence, discrimination and coercion that affect a woman's sexual or reproductive life.

Reference 40 - 0.01% Coverage

Inheritance rights become problematic where intestacy arises. While individuals can make a will under the different systems of personal law, in reality only a small fraction of the population make a will.⁷⁹ The individual's "personal law" governs inheritance in Sierra Leone. This is determined by a person's ethnic origins, as a "native" from the Provinces, or as a "non-native" from the Western Area, or as a Muslim and not by his place of current residence.⁸⁰ Inheritance is governed by three different sets of laws: customary law; Mohamedan law; and one set of statutes, which applies to persons who are not Mohammedans or whose personal law is not customary law. The inheritance rules of distribution discriminate against women under each of the three different laws.

Reference 41 - 0.01% Coverage

The rules of inheritance under customary law vary from one ethnic group to another. Widows do not have inheritance rights in some ethnic groups; indeed some groups regard a widow as a chattel and part of the estate to be inherited by the deceased's elder brother, or in his absence his eldest son.⁸⁴ In Mende customary law a widow cannot inherit the husband's estate. In the case of *P. C. Bongay v Macaulay* (1920-26),⁸⁵ the court supported the position that a woman cannot have any interest in land as of right, or acquire land through her husband. This discrimination is quite anomalous, as the Mende women are allowed to become Chiefs and hold other leadership positions in society.

Reference 42 - 0.01% Coverage

The different rules of distribution under each of these legal systems allowing men better inheritance rights than women are a clear discrimination on the basis of sex. The application of these rules sometimes exposes widows to forceful eviction without consideration to their contribution to the assets acquired during marriage. They also contravene a cardinal right of equality in marriage and at its dissolution. They also affect the children of the deceased who may be deprived of care and education as a result of these inheritance rules.

Reference 43 - 0.01% Coverage

In instances under customary law where the deceased brother inherits the wife and then forces her to marry him. This practice deprives women of their right to freely choose who and when they wish to marry, and is repugnant to "equity, natural justice and good conscience."⁸⁸ As in the case with other African societies, the daily struggle, contribution and effort of women in Sierra Leone is often overlooked and not given any monetary value. Ghana is one very positive example of a country in the same sub-region as Sierra Leone that has made several attempts to amend its laws on inheritance.⁸⁹

The importance of land ownership for women 129.

The war in Sierra Leone created many female-headed households. However, women still experience great difficulty in accessing housing. While many women have the resources to rent a house, landlords refuse to rent their houses to

women unless a man carries out the negotiations. Many war widows complain of being forced out of farmlands that belonged to their husbands. Law reform law particularly in the area of property and inheritance rights is important to redress the grievances of these widows. This problem is even more prevalent in the rural areas where land held by the Chiefdom Council in trust for their community is allocated mainly to male family heads.

Reference 44 - 0.01% Coverage

The Matrimonial Causes Act of 1960 provides for divorce, judicial separation and restitution of conjugal rights for persons married under the Civil or Christian Marriage Act. The grounds for divorce are cruelty, adultery or desertion, which are matrimonial offences requiring a higher standard of proof and based on the guilt or innocence of either party to the marriage. Divorce proceedings are very expensive and time-consuming. Most women do not apply for divorce because they lack the means to do so and the rules themselves are discriminatory against women.⁹² Thus men – who may not necessarily be the innocent party in the marriage – institute most divorces.

Reference 45 - 0.01% Coverage

lacks laws on sexual harassment (albeit that if an assault occurs it can be prosecuted under different statutes). The laws of Sierra Leone do not adequately deal with the various forms of sexual harassment women face at work, in school, during their use of recreational facilities, or in any other public or private places.

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Reference 46 - 0.01% Coverage

The rules of procedure in Sierra Leone's courts, which require corroboration and cross-examination by formidable defence lawyers, discourage women from instigating legal proceedings. Such a perceptibly hostile environment in the courts has often had the consequence of making victims, most of them without legal representation, feel that they are responsible for the crime they have suffered. Even where cases are reported, most of them end up not being prosecuted, as those responsible for prosecution prevail upon the victim to settle the matter out of court. The approach of the police and judicial officers suggests that they regard rape and other gender-based crimes as lesser crimes not worth prosecuting.

Reference 47 - 0.01% Coverage

Absence of legal aid for women; Absence of laws on marital rape;

Reference 48 - 0.01% Coverage

President Anwarul Chowdury of Bangladesh, who chaired the First UN Security Council Meeting on Women, Peace and Security stated that:

"Members of the Security Council... affirm that the equal access and full participation of women in power structures and their full involvement in all efforts for the prevention and resolution of conflicts are essential for the maintenance and promotion of peace and security."⁴¹⁸

428. Women played a major role in ensuring that the conflict in Sierra Leone came to an end. However, they were marginalised in the peace talks and even more so in the various Commissions established after the signing of the Lomé Peace Agreement. Such exclusion, whether direct or indirect, deliberate or inadvertent, is characteristic of most countries where women's voices are not heard or taken into account. It is a situation that must not be allowed to persist in Sierra Leone. In this regard, the Commission considers UN Security Council Resolution 1325 on Women, Peace and Security, passed on 21 October 2000, to be pertinent.⁴¹⁹

It is important to locate the struggle for a strong women's voice in Sierra Leone in the broader struggle for women's inclusion in peace initiatives around the world. The institutions and processes of peace, security and development, as well as societies at large, are made stronger and more effective by the full and equal participation of women.

Reference 49 - 0.01% Coverage

Stigmatisation and ostracisation are another consequence of HIV/AIDS. Women living with the virus, experience high levels of stigma and discrimination on the basis of their HIV/AIDS status. This prevents any discussion on publicly discussing the causes of HIV/AIDS and from seeking appropriate responses to the disease. Those affected are often unable to seek treatment or assistance in case their status is discovered. In conflict situations, matters are further exacerbated by the general state of anarchy that is prevalent. Even in post-conflict situations, issues are prioritised and attentions are focused more on reconstruction than on other issues such as HIV/AIDS.

Reference 50 - 0.01% Coverage

However the biggest stumbling block to enhanced women's participation lies in the outlook of women themselves. Due to culture and tradition, women have been socialised into accepting that they should neither participate in politics nor seek to occupy positions of power, as these domains are "reserved" for men. It is an attitude that not only prevents women from attaining positions of political representation and leadership, but also in a perverse way discourages them from voting for and supporting the few women who do seek office.

Reference 51 - 0.01% Coverage

The Ministry of Social Welfare, Gender and Children's Affairs supported by UNICEF provided two policies in 2000, the National Policy on the Advancement of Women and the National Policy on Gender Mainstreaming. The National Policy on the Advancement of Women is an all-encompassing policy seeking to improve the status of women and remove discrimination, as it is perceived to exist in various sectors.

Reference 52 - 0.01% Coverage

The National Policy on Gender Mainstreaming acknowledges that the lower status of women in comparison to men is due to gender imbalances that arise from unequal opportunities and access to and control over productive resources and benefits. The policy sets out the Government's commitment to pursue a gender-sensitive approach in all its programmes and development activities in the country. The Government is yet to implement these policies and turn the promises they offer to the women and the nation into a reality.

Reference 53 - 0.01% Coverage

These documents are, of course, only policies and have not been enacted to lend them any force of law. Even as policies the political will appears to be absent to implement them, but they are proof that the Government acknowledges the dire need to ensure that women enjoy equal rights and opportunities and that these rights must be protected. The Government must show its commitment by making reference to these policies in the Constitution. The policies are very significant to the Law Reform Commission,⁵¹⁹ as they present a strong case for women and provide a broad basis for legal reform.

Reference 54 - 0.01% Coverage

The Government of Sierra Leone has ratified the Convention on the Rights of the Child and the optional protocol. The ICECSR, the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) are also instruments that recognise: the right to life;³¹ to privacy;³² to be free from sex discrimination;³³ to the highest attainable standard of physical health;³⁴ to health care services;³⁵ to decide on the number and spacing of their children and to have access to the information and means to do so;³⁶ to the elimination of discrimination against women in all matters relating to marriage and family relations;³⁷ and to be free from sexual violence, abuse, exploitation, prostitution and trafficking.³⁸ These instruments require Government to commit itself to develop preventive health care, guidance for parents and family planning education and services; prenatal and postnatal and to ensure access to information, counselling and services concerning family planning;³⁹

Reference 55 - 0.01% Coverage

Girls have a right to be free from all forms of gender discrimination, the right to life and physical integrity and the right to health. Young girls are not able to make choices about gender discriminatory practices and cannot make

informed decisions about this practice and that is why it becomes necessary for States to enact legislation to protect them. In terms of international law, signatories to the Convention on the Rights of a Child and the Convention on the Elimination of all Forms of Discrimination against women, oblige governments to enact laws which will protect children from all forms of violence including gender based violence.

Reference 56 - 0.01% Coverage

The marginalisation of women and youth in politics and in the decision-making process, sectionalism, tribalism, nepotism, and the marginalisation of rural areas are all perceived as obstacles to reconciliation. Regarding women, particular attention was drawn to customary law and practices that limit the role of the women in society. Regarding youth, attention was drawn to the high unemployment rate. A similar affirmative action policy recommended for women should also be adopted for youth. Another problem facing youth is their lack of willingness to engage in politics. To address this problem, political parties and political institutions should accommodate greater participation for youth and women, including the occupation of key positions by these groups.

Displacement

References or discussions of displacement

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 17 references coded [0.10% Coverage]

Reference 1 - 0.01% Coverage

Women

50. Women and girls became the targets in the brutal conflict in Sierra Leone. They suffered abduction and brutality at the hands of their perpetrators. Their vulnerability was deliberately exploited in order to dehumanise them. Women and girls were raped, forced into sexual slavery and endured other acts of sexual violence, including mutilations, torture and a host of other cruel and inhumane treatment. They were taken from their homes and villages by force. Refusal to comply with their captors often met with death. For those fortunate enough to escape, displacement invariably followed, either in exile or in camps inside or outside the country. They were not safe even in these camps, as humanitarian workers meant to protect them also violated their rights. Women and girls were compelled to barter their bodies in order to access aid to which they were rightfully entitled. Girls as young as 12 were forced to pay for aid with sex in order to gain assistance for their families.

Reference 2 - 0.01% Coverage

The Commission finds that women made up approximately 36.8% (2,941 out of 7,983) of the displaced population in the conflict. Many women and girls who were forced to migrate and those that became internally displaced have still not been reintegrated back into their communities.

Reference 3 - 0.01% Coverage

Most internally displaced persons, including refugee women, live in extremely tenuous economic circumstances, while at the same time attempting to provide for their families.

Reference 4 - 0.01% Coverage

The Commission finds that women and girls were assaulted, tortured and subjected to cruel and inhuman treatment by all the armed perpetrator groups, with the deliberate intention of inflicting serious mental and physical suffering or injury on them.

42 Of the 2,941 forced displacement violations against women and girls where the perpetrator is

Reference 5 - 0.01% Coverage

Adama Gribow, of Moyamba town, fled to the bush with part of her family when the RUF first attacked her town. They stayed in the bush for two months until the rebels captured them and other displaced women. She was forced to watch the torturing to death of her mother and aunt. She was also made to sing and dance as the atrocities were taking place.⁸⁰

“One morning the rebels met us in the forest. They threatened to shoot anyone who attempted to run. We were asked to line up in groups, children in one line, women in another. They later separated pregnant women from us. My mother’s younger sister, Moinya, was pregnant. She was made to stand in front of all the pregnant women. An argument erupted among the rebels. One rebel argued that Moinya was carrying a baby boy, while the other denied and maintained that the baby was a girl. They bet 10,000 Leones on who was correct. The argument lasted for nearly twenty minutes. A young rebel boy was appointed as a judge, and four other young rebel boys were appointed to split the stomach of Moinya. The rebels split her stomach and removed the baby while my aunt was crying in pain. While they were splitting her stomach they told us to sing and dance. My mother refused to dance. She too was arrested. She was forced to lie on the ground. They beat her with sticks. They also kicked her in the stomach until she started bleeding. We stood around them singing and dancing until both my mother and her sister died. No reasons were given as to why my mother and my aunty were killed.”

Reference 6 - 0.01% Coverage

Women and girls became particular targets of malice and violence during the conflict. They suffered abduction and exploitation at the hands of the various perpetrator factions. Their vulnerability was deliberately exploited in order to dehumanise them and perpetrate against them the most gross of violations. They were raped, forced into sexual slavery and endured acts of great sexual violence. They suffered mutilations, torture and a host of cruel and inhuman acts. They were taken from their homes and villages by force. Refusal to comply with the demands of their captors often met with death. For those fortunate enough to escape, there followed displacement and separation from families. While some went into exile, many were housed in camps in Sierra Leone and in neighbouring countries. Shockingly, women and girls were not safe even in these camps. Humanitarian workers – meant to offer them respite and protection – also violated their rights. Women and girls were compelled to barter their bodies in order to survive and access aid to which they were rightfully entitled. Girls as young as 12 were forced to pay for aid with sex to secure assistance for their families.

Reference 7 - 0.01% Coverage

It is clear that women did not enjoy a high status in Sierra Leonean society before the war. Regrettably, the subordination of women has not changed up to the present day. It is a prognosis corroborated by Dr. Shirley Gbujama, the Minister of Social Welfare, Gender and Children Affairs, speaking in Freetown in October 2003: “The low status of women is steeped in deep cultural tradition. In traditional Sierra Leonean society, the wife and children are at the mercy of the family. Women have little control or influence over decision-making. Certain socio-cultural practices provide the leading cause of gender disparity and the inferior status of women as evidenced by [such factors as]: high fertility rates; high infant and child mortality rates; high adult female illiteracy rates; exclusion of women from receiving certain services and instruments in rural areas such as land, extension services, credit and farm inputs; and the disproportionate amount of the workload in agriculture (estimated at 60-80%) allocated to women.”⁶²

61 Coker A. and Richter D.; “Violence Against Women in Sierra Leone: Frequency and Correlates

Reference 8 - 0.01% Coverage

A major consequence of the war in Sierra Leone was the forced displacement of hundreds of thousands of civilians from their homes and villages. The Commission recorded 8,397 violations of this nature, with women accounting for 3,128 (or 37,3%) of the victims.²¹⁹ One female victim recounted her story of forced displacement to the Commission:

Reference 9 - 0.01% Coverage

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232. Women and young girls constituted a large number of the refugees that fled to neighbouring countries during the conflict. A victim who was forced to flee to Liberia after the death of her two sons recounted her experience to the Commission:

Reference 10 - 0.01% Coverage

There is a growing recognition of the vast numbers of people who are internally displaced and who are forced to become refugees. In 1992, the SecretaryGeneral appointed a Special Representative on Internally Displaced Persons to develop a framework to protect their rights. Dr. Francis Deng, the expert, developed guiding principles on internal displacement. A positive development for women has been the fact that the Guiding Principles call for the specific recognition of the needs of women. They acknowledge the situation of female heads of households; emphasise women’s physical and psychological needs; reaffirm their need for access to basic services; and call for their participation in education and training programmes.²²⁵

Reference 11 - 0.01% Coverage

Violence against women in camps 235.

The Commission found that many Sierra Leonean women had their rights violated in the refugee camps. It is regrettable that those meant to protect the vulnerable were often responsible for further victimising them. In April 2002, the UNHCR and Save the Children-UK issued a report on Sierra Leonean Refugees in Guinea detailing the violations which women and girls amongst others suffered while refugees in Guinea.²²⁷ Young girls and women were forced to have sex in return for food and assistance. Many of them were forced to become prostitutes in brothels established in the camps. More than 1,500 people were interviewed and told similar stories. Men complained of how they were not given access to food because they had no wife or daughter to barter for food or supplies.

Reference 12 - 0.01% Coverage

The overthrow of President Ahmad Tejan Kabbah in 1997 caused many Sierra Leoneans to go into exile. Many of the women mentioned above who had worked to secure a democracy also fled from the country. While in exile, some women continued their efforts to fight for justice and peace in Sierra Leone. Based in Guinea, Mrs. Zainab Bangura set up a field office of the Campaign for Good Governance (CGG). This office would serve as a focal point for civil society working for the restoration of democracy in Sierra Leone.⁴¹¹

Reference 13 - 0.01% Coverage

relationships have broken down dramatically, with most spouses unable to deal with the fact that their wives have been sexually violated.⁴²⁹ Many of the women who were displaced and separated from their husbands lived in rebel-held areas and are now unable to return to their original relationships because they have been “other men’s wives”⁴³⁰ A victim who was raped and subsequently made a sexual slave testified to the Commission as follows:

Reference 14 - 0.01% Coverage

As the conflict spread in Sierra Leone, families became displaced, with many women becoming internally displaced persons. Many others fled into exile, particularly those with the resources to do so. According to the UNHCR, there are approximately 50 million refugees in the world, with 75% to 80% of them women and children.⁴⁷⁵ For the most part, they are civilians. In recent decades, civilian refugees have accounted for more than 90% of all refugees. Educated Sierra Leoneans left the country in massive droves as the conflict escalated. This latest exodus has only worsened the massive brain drain from the country. While many took refuge in neighbouring countries, a large number settled in Europe and the USA. Many refuse to come back as their memories of the conflict are bitter. This loss of human power has translated into huge economic loss for Sierra Leone.

Reference 15 - 0.01% Coverage

The people worst affected by sudden and forced displacement were usually in the most vulnerable groups: children, women and the aged. As these testimonies illustrate, families were often broken up as they sought safety: “It happened in the year 1997 when there was a series of factions attacking Koindu. Unfortunately... one afternoon the attack that happened by the group of SLA caused my separation from my family members, that is my father and my mother. It was very much sorrowful at the time I was separated from my mother. It was not easy at all and by then I was just 11 years old, very immature... I finally separated from my family members and went into the jungle...”¹¹³

Reference 16 - 0.01% Coverage

Life in the refugee camps in Guinea was fraught with violations such as arbitrary arrest and detentions, police abuse and lack of freedom of movement. A major problem in the camps was the commission of sexual violations against refugee women and girls. According to UNICEF:

Reference 17 - 0.01% Coverage

The Commission has noted the contents of the report on sexual exploitation in refugee camps as experienced by Sierra Leone girl-children and women, which was the result of the survey on sexual exploitation carried out by UNHCR and Save the Children UK.³⁰² The report found that sex in exchange for money or gifts appeared to be widespread. The majority of the victims indicated that it was the only option they had in order to access money or

receive food and other basic necessities. The majority of the children involved in this racket were girls between the ages of 13 and 18 years. Girls between the ages of four and 12 were also reported as being sexually harassed, either verbally or through the groping of their buttocks, breasts or genitals.

Economy

References or discussions of the economy and labour

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 38 references coded [0.23% Coverage]

Reference 1 - 0.01% Coverage

In addition to atrocities associated with the exploitation of women's sexuality and vulnerability, women and girls were not exempted from the full range of atrocities suffered by men.

Thousands of women and girls were killed and had their limbs amputated. Women and girls were subjected to forced cannibalism. Women had their property and possessions looted by members of all armed groups, thereby depriving them and their families of food, clothing, money and assets.⁴³

Women as combatants and perpetrators 532.

The Commission finds that while most women were compelled to become combatants and collaborators in order to survive, a number of them chose voluntarily to take up these roles. Some women joined the war because they believed in the cause of the armed revolution or the defence of the country.

Reference 2 - 0.01% Coverage

A culture of exclusion and marginalisation in the management of economic and political affairs in Sierra Leone existed before and during the civil conflict. It persists today. Women have been excluded in practice and in fact from decision-making.

540. Women are largely absent from the structures of government and traditional forums that are critical in formulating policies. They are excluded in the processes involving security sector reform and other post-conflict and peace building measures undertaken by the State.

Reference 3 - 0.01% Coverage

Retarding their recovery is the fact that women lack adequate access to productive assets including land, credit, training and technology. Women, with limited access to formal sector employment, resort mainly to food production and petty trading activities with very low earning potential.

Reference 4 - 0.01% Coverage

Elderly Women 549.

The war has undermined the social status of elderly women. The breakdown of social and cultural values that would have ensured protection for these women places them in a precarious position. They are largely destitute and unemployable.

Reference 5 - 0.01% Coverage

553. Women lack adequate access to productive assets including land, credit, training and technology. For these reasons, they are largely consigned to food production and petty trading with very low earnings.

Reference 6 - 0.01% Coverage

The UN and the member states of ECOWAS should take effective action to prevent the movement of mercenaries and soldiers of fortune within the subregion. The fact that Sierra Leonean fighters have taken part in the internal armed conflicts of Liberia and Cote d'Ivoire should be of serious concern to all. For more than two decades, many young men and women, within the Mano River Basin, have known no occupation other than fighting and violence. Countries within this zone should cooperate with each other to initiate effective economic programmes that target the youth in order to provide them with viable and peaceful means of survival.

Reference 7 - 0.01% Coverage

Sierra Leone). However, existing labour legislation seems to provide lower levels of protection: under the 'Employers and Employed Act' (Chapter 212 of the Laws of Sierra Leone), children under 15 shall not work in any public or private industrial undertaking; boys under 16 shall not work underground in mines, while girls and women in general shall not be allowed to work in mines below ground.

Reference 8 - 0.01% Coverage

Provide women with micro-credit along with focussed skills training.

Reference 9 - 0.01% Coverage

Women whose husbands were killed as a consequence of any abuse or violation and who, as a result, have become the primary breadwinners for their families.

Reference 10 - 0.01% Coverage

Women

198. Women are usually not miners. Their role is limited to providing food to the miners at the pits. But they are also plot owners and therefore are supporting miners.²⁵¹ One fifth of the total licences issued by the Ministry of Mineral Resources in Kono in 2003 went to women.²⁵² There appears to be no discrimination at the level of the Ministry. On the other hand, since the approval for the granting of licences comes first from the chieftdom authorities, discrimination is present at that level. If a family requests a licence, it would generally be granted to a male member of the family.

Reference 11 - 0.01% Coverage

Culture and tradition in Sierra Leone have in the past prevented women, particularly women in the rural Provinces, from accessing education. The practice in rural societies within Sierra Leone, where most people live below the poverty line, is usually to favour the education of men and boys at the expense of women and girls. Such traditional favouritism of males led to a great disparity existing between men and women in education prior to the war.

Reference 12 - 0.01% Coverage

Cultural and economic factors are also cited as contributing factors to the low levels of educated women. The economic crisis that Sierra Leone experienced in the 1980s meant that as resources became scarce and priorities were set, most families chose to educate their males rather than their women and girls. This preference is common in many African societies, where families believe that by educating their men they will support their own kin, whereas by educating their women they will benefit the families those women marry into. Women and girls are usually kept at home to attend to household chores, which, for a large number of them, is also preparation for early marriage.

Reference 13 - 0.01% Coverage

In the Provinces a strong cultural belief existed that "women should be seen and not heard". Of course, economics played a part in marginalising women. More importantly, though, attempts by women to agitate for political positions or to improve the quality of their lives were often thwarted because they were largely seen by the male members of society and by political parties as being in contradiction to the traditional role that women were expected to play.

Reference 14 - 0.01% Coverage

Although women have provided the bulk of the agricultural labour force, they have never owned land and whatever user rights they had under the land tenure system were lost upon the death of their husbands. Such user rights are vulnerable during war and even more so when reconstruction begins in the post-conflict period. Land ownership is a necessary means of generating wealth for women, since land can act as collateral when seeking loans from

commercial banks. Women's lack of economic power contributes to their vulnerability and to the "feminisation" of poverty.

28 See the Constitution of Sierra Leone 1991. Vol Three B Chapter Three Women and the Armed Conflict in Sierra Leone Page 98 that prohibits the

Reference 15 - 0.01% Coverage

Commission staff join civil society groups to march through the streets of Freetown before the TRC Special Thematic Hearings on Women.

Vol Three B Chapter Three Women and the Armed Conflict Page 99

THE ECONOMIC STATUS OF WOMEN 67.

Economic opportunities for women in general were at best limited prior to the war, given that the persistent economic decline from the 1960s affected every Sierra Leonean irrespective of gender. According to a report from the Ministry of Social Welfare, Gender and Children's Affairs in 1996, the country's performance had been one of long-term decline. Between 1965 and 1973 Sierra Leone registered an annual average real growth rate of over 4%, which declined gradually to 1.8% between 1974 and 1984. From 1984 onwards, the growth rate became negative until 1994, when it registered at 2%. Only in 1995 did growth briefly leap up to 10%.²⁹

Reference 16 - 0.02% Coverage

Contemporary studies indicate that women bear the impact of an economic crisis more than men do.³⁰ The inevitable rise in unemployment generally puts already marginalised women at a great disadvantage. Austerity measures result in fewer resources and usually translate into increased workload for women so as to garner more resources. Such a situation does not allow room for gender equality or improved conditions, as women are primarily engaged in the struggle for survival. Hence the phenomenon known as the "feminisation" of poverty. It has an especially stark impact on women in the rural areas.

69. Women before the war constituted the majority of the rural labour force. They made vital contributions to the economy. They have always played a substantial role in the sustenance of the family. Women provided more than 60% of farm labour for food production, processing and distribution.³¹ It is indeed telling that while women were engaged in subsistence farming and provided the labour force for cash crop production, men had greater access to ownership and control of cash crop production.

70. Women have traditionally engaged in low-income activities such as petty trading. A Labour Force Survey conducted in 1988 and 1989 revealed that 69% of petty traders were women, whereas 86% and 67% of men were service personnel and professional / technical workers respectively.³² While many worked as traders, women did not record substantial growth in their economic activities as a result of inadequate skills, low educational status, low economic power and lack of access to substantial credit facilities and property. The disparity between the economic status of women and men has often resulted in economic dependency by women. Women become overly reliant on men for the provision of their needs. In many instances, men exploit this dependency to consolidate control over women, thus further perpetuating their poverty.

Reference 17 - 0.01% Coverage

The dismal economic situation, poor medical facilities and lack of access to the few existing health facilities put women at risk even before the war started. This situation was only to be compounded during the war years.

THE SOCIO-CULTURAL STATUS OF WOMEN 77.

Cultural practices and traditional beliefs relating to women have "socialised" some Sierra Leoneans into stereotyping the role of women. The effects of "socialisation" on perceptions of gender identity and roles are of great significance because they continue to impact on behaviour throughout one's life, including in the way that one interacts with the opposite sex. The outcomes of the socialisation process are exhibited in the attitudes and behaviour of members of society in all aspects of life including gender identity and roles.

Reference 18 - 0.01% Coverage

Land ownership is needed to enable women to achieve economic empowerment. Land is needed not only for agriculture, a sector in which women make up the majority of the workforce, but also to be used as collateral for loans. In the Western Area, if the names of the couple are on the title deeds of the property acquired during

marriage, they are regarded as joint owners. Neither party can convey or transfer the property to the detriment of the other. However in cases where the property is only in the name of the husband, the wife is disadvantaged, as she cannot challenge a sale or gift of that property to a third party.⁹⁰

Reference 19 - 0.01% Coverage

Given the present increase of single mothers and female-headed households because of the war, land is desperately needed to enable women to achieve economic empowerment and provide for their families. Women can have the same access to credit as men if they are landowners, because land can be used as collateral for a loan.⁹¹ The courts in Freetown regularly impose presentation of title deeds as a condition when granting bail to accused persons for certain offences, thus making it difficult for any woman to secure bail for her relatives or herself because she does not own property. Securing greater access to land for women through legal reform in the areas of inheritance and land allocation, particularly after the war, is a pressing priority.

Reference 20 - 0.01% Coverage

A major feature of the conflict in Sierra Leone was the wanton destruction of property by the various armed forces. All of the major armed groups were responsible for the destruction of property belonging to civilians, including women.³⁸⁵ Women accounted for 1,009 of the 3,469 violations with gender recorded in the Commission's database.³⁸⁶ This amounted to women suffering nearly 30% of all property violations.³⁸⁷ A woman told of the attack on Moselolo village by the RUF in 1995:

Reference 21 - 0.01% Coverage

The market women were the group most affected by these allegations. The Sierra Leone Market Women's Association responded to the allegations during its appearance before the Commission and stated that its members had in fact risked their lives to go beyond rebel lines to buy goods in order to support their families.⁴⁰⁷

Reference 22 - 0.01% Coverage

Collaboration in war is often a result of the fact that women actively work to improve their situation and thus effectively support the efforts of one or the other side. Many conflicts, including the Sierra Leonean conflict, have arisen as a result of socio-economic inequalities, so it is not surprising that women become collaborators in order to survive. Ethnic allegiances, personal affinities and private loyalties also contribute to why women take sides.

Reference 23 - 0.01% Coverage

The legacy of the conflict on the already beleaguered women of Sierra Leone is extreme poverty and limited opportunities to engage in economic activities. The absence of viable employment opportunities and the need to survive has compelled many women to become commercial sex workers. In this regard, the Commission notes that a clear link exists between economic impoverishment and the increase in prostitution and sexual exploitation in post-conflict Sierra Leone. According to a report on commercial sex workers produced from a study by the NGO Goal Ireland, poverty is the primary cause that leads to prostitution. This trend was observed not only internally in Sierra Leone but also among women and girls who had fled the country as refugees to neighbouring countries:⁴³⁴

Reference 24 - 0.02% Coverage

The worst-case scenario is true of Sierra Leone. The ravages of war have proved to be a major constraint on economic development. Sadly most of the developing world's poorest countries are locked in conflict. The World Bank states that eighty percent of the world's 20 poorest countries have suffered a major civil war in the past 15 years, Sierra Leone included.⁴⁷⁰ Describing the economic impact of the war, a group of Sierra Leonean women submitted:

"During the war, people were forcibly evicted from their houses, many houses and public buildings were burned down, looted, vandalised, furniture removed, savings forcibly taken from people and all livestock consumed. The livelihood system of people was severely disrupted, there was loss of source of income, economic activities ceased, thereby increasing the level of poverty. Women and children were hardest hit. They were totally dispossessed of

their worldly possessions and meagre savings. Spouses and other male breadwinners were killed, made redundant or separated from their families.”⁴⁷¹

513. Madam Koloneh Jusu, leader of an association of women farmers at Peacock Farm in Wellington, near Freetown testified in the same submission as follows:

“Our house was burnt down during the war. We stayed in a displaced camp for six months. When we came back, we put up a temporary structure where we started rebuilding our lives again. It was the same story for most of the women in this association. We had no means of livelihood. Our husbands were either killed in the war or made redundant, because the industrial estate that employed them has closed down due to the wanton rebel destruction.”⁴⁷²

Reference 25 - 0.02% Coverage

The war denied women of any genuine prospect of economic advancement. The Sierra Leonean economy in the pre-conflict period was already survivalist in nature particularly in the rural parts of Sierra Leone. The majority of women live in the rural areas and are engaged in subsistence farming, which forms the bedrock of food production in Sierra Leone.⁴⁷³ The RUF began the war by first occupying the rural areas in the Provinces, which immediately affected food production in the country and resulted in food insecurity.⁴⁷⁴ In many of the rural areas, those who farmed were compelled to supply food to the RUF on pain of death. At the same time the occupying forces had a devastating effect on output. In some areas, rural infrastructure was damaged and agricultural production was reduced, with food processing, storage and distribution systems being destroyed.

515. Women were also affected by the fact that their men – sons, husbands and fathers – either took up arms voluntarily or were compelled to do so. As a result of subsequent male combat losses, many women have become household heads. The wanton killing and destruction that took place during the course of the conflict therefore had an enforced impact on the status of women.

516. Women began to take on additional roles and responsibility as heads of households, not only providing for their own needs, but those of the extended family and the wider community as well. The conflict also forced women to become decision makers and to determine how resources should be used. These strategic tasks had traditionally been the exclusive preserve of men.

517. Women in terms of custom and tradition had played a subservient role. The conflict eroded these traditional customs and practices that had placed constraints on women in the past and restricted their mobility. Given the lack of statistics, establishing the current number of female-headed households is now a priority.

Reference 26 - 0.01% Coverage

In the post-conflict era, Sierra Leone women have opted to learn new skills in order to establish new means of livelihood. In addition to subsistence farming, which they still practice in the Provinces, women have learnt new skills such as brick making, hair dressing, soap making, tie-dyeing of fabrics and weaving. Such skills training programmes as well as micro credit schemes have in the main been provided by Government through its various agencies, bolstered by donors, local and international agencies and local and international NGOs.

Reference 27 - 0.01% Coverage

NaCSA confirms that the scheme has benefited more than 6,500 poor persons as recipients, of which at least 95% are women.⁴⁸¹ The scheme has successfully progressed with a loan-recovery rate of over 90% and it has received additional funding to the tune of Le 159.25 million from the African Development Bank.⁴⁸² The SAPA scheme has so far disbursed over Le 1.5 billion.⁴⁸³

Reference 28 - 0.01% Coverage

Besides the government’s micro-finance schemes, a number of local and international NGOs have also been involved in the provision of micro-credit for women. These agencies include GTZ, Action Aid, Agrisystems and FAWA. Such schemes are thought to have been generally successful, with few obvious shortcomings. In evaluating the government financed micro-credit program, the Permanent Secretary of the Ministry of Social Welfare, Gender and Children Affairs made the following observations:

“A lot of women groups benefited. Groups testified that the

micro-credit scheme worked for them. It elevated them. An example is that one of the women groups in the Western area went into transportation and was quite successful.”⁴⁸⁵

Reference 29 - 0.01% Coverage

A more general structural problem has been the dearth of analysis done on the economy and its requisite skills and products needs beyond the short term. Since nobody really knows what level of capacity the economy needs in different sectors, a plethora of agencies might provide skills training for women in the same field of production, resulting in a glut of these products. The economy does not have a high purchasing power amongst the citizenry. Consequently, the market for the products of skills training is very limited. Besides having no market for some of the products produced, service skills acquired, such as hair dressing and tailoring, have also failed to attract enough patronage as a result of the poor economic situation.

Reference 30 - 0.01% Coverage

There is a need for the government to create sustainable opportunities for women who have received training in these skills to sell their products and use their service skills appropriately. At present, many of the newly acquired skills are going to waste and many women told the Commission that they are deeply frustrated.

532. While women desperately need assistance in the form of micro credit, it is equally imperative to retain positive perceptions of micro-credit schemes among the public. Many women who partook in the most recent micro-credit scheme advised the Commission that they felt that they had been set up to fail and that long-term economic growth was not possible given the amounts of the loans and the time period they were given for repayment of the loans.

Reference 31 - 0.01% Coverage

The kind of business ventures in which most women beneficiaries engage also affect their ability to repay their loans. In the case of the SAPA micro-finance scheme, women had taken out loans to engage in food-based businesses. The returns on these kinds of businesses have not been very profitable.

Reference 32 - 0.01% Coverage

There have been many positive features to the micro-credit scheme. Many women emerging from a conflict situation have been able to step out from poverty. However given the negative aspects of the “practical mechanics” of the micro-credit schemes, there is also some disquiet that many women are falling into a “micro-credit finance ghetto”.⁴⁸⁸ According to Rehn and Sirleaf,⁴⁸⁹ small loans limit women to small purchases, which can generate immediate income but without larger loans, the business cannot grow.

Reference 33 - 0.01% Coverage

A major problem associated with micro-credit schemes is that it feeds into the perception that women are supplementary wage-earners rather than entrepreneurs. Women are thus convinced to pitch their efforts at household and cottage industry levels. The widely held belief that micro-credit programmes represent the tool to address the root causes of women’s poverty locks women out of larger financial markets and leaves them in the domestic sector. At many levels, micro-credit can actually therefore reinforce women’s marginalisation. While micro-credit programmes address a particular need, there is a major need to find mechanisms to introduce women into the broader economy by helping them to access the larger financial markets and institutions.

Reference 34 - 0.01% Coverage

Despite the various interventions towards economic reform since the end of the conflict, most women in Sierra Leone still live below the poverty line.⁴⁹² In submissions made by women, various reasons are cited for the heightened state of poverty that exists in Sierra Leone: bad governance and economic mismanagement, increased vulnerability from the civil war, unemployment and under-employment and lack of access to basic social services are but a few.

540. Women and girls suffer the impact of poverty most profoundly because they lack income-generating skills, land, family labour force and start-up capital for business. A significant problem is the inadequate access to financial

resources that could provide for items such as seeds, tools and technical assistance for those involved in farming. Given that the majority of rural women in the country are involved in agricultural production, the shortfall of resources constitutes a crippling setback in their quest to become economically self-sufficient.

541. The Women's Coalition stated insightfully in their submission:

Reference 35 - 0.01% Coverage

The NCDDR defined "reintegration" as "assistance measures provided to former combatants that would increase the potential for their economic and social reintegration into society."⁴⁹⁴ While the NCDDR confined its programme to former combatants, the Commission considers the issue of "reintegration" to apply to the context of women and girls generally, not only to the former combatants among them.

Reference 36 - 0.01% Coverage

Recent graduates gather around their sewing machines at a skills training centre for war-affected women and girls in Bo District.

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Reference 37 - 0.01% Coverage

Participation in politics of course also requires access to financial resources, which most women lack. Women have identified a lack of access to finance as a major impediment to their effective participation in politics. This phenomenon is not unique to Sierra Leone; it is rather a worldwide trend that requires to be addressed through sustained, concerted efforts.

Reference 38 - 0.01% Coverage

Sierra Leone had endured two decades of economic and social decline before the conflict. The net effect of corruption and mismanagement resulted in depleted national institutions with hardly any programmes to address the poverty the population was experiencing. Not surprisingly, women and children were the most vulnerable. In most traditional societies, children are expected to carry out certain domestic tasks such as cooking, shopping, cleaning, laundry duties, fetching water and caring for younger children. Helping out in the fields is also commonplace.²³ The use of children in this way should not be perceived as exploitative, but should rather be seen as doing one's bit to assist family and community, thus contributing to the total functioning of the family. In African societies, enhancing the family's social and economic status has a positive impact on the whole family. The roles and responsibilities of children in African societies help to entrench a sense of family and community rather than individualism. This outcome was certainly true for Sierra Leone as well.

Education

References or discussions of education and training

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 23 references coded [0.09% Coverage]

Reference 1 - 0.01% Coverage

In seeking answers, the Commission reviewed the multiple roles of women in the armed conflict, recognising that women often took on the role of perpetrator and / or collaborator usually out of conviction and / or the need to survive. The Commission assessed the impact of the conflict on women, notions of honour and the breakdown of the traditional extended African family structures and social fabric. It looked at the extent to which women's issues were addressed by disarmament, demobilisation and reintegration efforts; their level of access to education and the impact of the practice of early and forced marriages on the education of girls; and areas in which women suffer discrimination (both under common and customary laws), including marriage, divorce, inheritance, property rights, domestic violence and political participation.

Reference 2 - 0.01% Coverage

Retarding their recovery is the fact that women lack adequate access to productive assets including land, credit, training and technology. Women, with limited access to formal sector employment, resort mainly to food production and petty trading activities with very low earning potential.

Reference 3 - 0.01% Coverage

Compounding the situation is the high rate of illiteracy among women, which stands at 89% for rural women by the last available figures.⁴⁴ Most women are unskilled and cannot obtain formal sector employment. Widowed Women 547. 548.

Many women were widowed as result of the war. Consequently, they have encountered numerous problems in relation to ownership of property, inheritance and access to land.

Reference 4 - 0.01% Coverage

550. Women and girls in Sierra Leone before, during and after the conflict have been subjected to entrenched structural discrimination by practice, custom and law. These discriminatory practices remain unchanged today.

551. Within the context of the conflict, women and girls were not only exposed to higher levels of gender-based violence than in peace time, but they were also discriminated against with regard to provision of services. This situation has not improved, even long after the cessation of conflict. Women survivors continue to suffer the same marginalisation.

552. Women comprise the largest category of persons without formal education in Sierra Leone. Illiteracy rates stand at 89% for the rural female population by the latest available figures.⁴⁶ Structural and cultural discrimination, early marriage and other harmful traditional practices impede the access of women to education and economic advancement.

Reference 5 - 0.01% Coverage

353. Women lack adequate access to productive assets including land, credit, training and technology. For these reasons, they are largely consigned to food production and petty trading with very low earnings.

Reference 6 - 0.01% Coverage

The Commission notes that many women ex-combatants were not able to participate in the skills training programmes provided on demobilisation. The Commission also notes the proliferation of skills training programmes in the country run by various international and local organisations. The Commission recommends that, to ensure that women are able to access the skills training programmes that are being offered by the various agencies, the Ministry

of Social Welfare and Gender Affairs should establish a network of service providers and agencies offering the various skills training programmes and ensure that services are decentralised and that women in the provinces are able to access them.

Reference 7 - 0.01% Coverage

The Commission notes that a major obstacle for many of the women who have gone through skills training programmes is the absence of suitable opportunities to practise their skills as well as the lack of accessible markets. The Commission recommends that the Ministry of Social Welfare and Gender Affairs, in conjunction with UNIFEM, explore opportunities for women to utilise the skills acquired and market opportunities, where their items can be sold.

Reference 8 - 0.01% Coverage

358. Women comprise the largest category of persons without formal education in Sierra Leone. Women have, in effect, been under-educated. This bias against women must be redressed.

Reference 9 - 0.01% Coverage

The Commission recommends that the Ministry of Education in conjunction with the Ministry of Social Welfare and Gender Affairs and UNIFEM consider the establishment of adult education programmes for women in which basic literacy and numeric skills can be taught.

Reference 10 - 0.01% Coverage

The Commission recommends that the Ministry of Social Welfare and Gender Affairs, in conjunction with UNIFEM and the NGO sector, work towards the launching of an education programme, which addresses both men and women on safe sex practices.

Reference 11 - 0.01% Coverage

Many girl and women ex-combatants did not benefit from the disarmament programmes. The Commission calls on relief agencies to continue to assist these women with skills training and their rehabilitation back into society. Similar support should be given to non-combatant women who were internally displaced by the civil war and who found themselves economically and socially marginalised.

Elderly Women 375.

A large number of elderly women have been rendered destitute and unemployable by the conflict. The war was accompanied by the breakdown of social and cultural values that would normally have ensured protection and support for elderly women. These women have been largely abandoned by society. They now live on the margins of society. Elderly women should be treated with dignity.

Reference 12 - 0.01% Coverage

Provide women with micro-credit along with focussed skills training.

Reference 13 - 0.01% Coverage

Adult education programmes to teach literacy and numeric skills to women.

Reference 14 - 0.01% Coverage

The Commission noted that numerous NGOs such as Cause Canada and the Forum for African Women's Educationalists (FAWE) provided many of the victims with skills training. However, many of the skills training programmes focused on a limited number of skills such as soap making, gara tie-dyeing and tailoring.

Reference 15 - 0.01% Coverage

The Government of Sierra Leone had not “mapped” its schools in the Provinces efficiently or appropriately, which resulted in the location and establishment of many schools far away from the most needy rural communities. The great distance that children had to travel from their homes to get to school discouraged many parents and guardians from sending their children and wards to school. Such reluctance appears to have affected the enrolment and attendance of girls more so than boys, which has contributed to the particularly low level of education of women in the regions.⁶

Reference 16 - 0.01% Coverage

Cultural and economic factors are also cited as contributing factors to the low levels of educated women. The economic crisis that Sierra Leone experienced in the 1980s meant that as resources became scarce and priorities were set, most families chose to educate their males rather than their women and girls. This preference is common in many African societies, where families believe that by educating their men they will support their own kin, whereas by educating their women they will benefit the families those women marry into. Women and girls are usually kept at home to attend to household chores, which, for a large number of them, is also preparation for early marriage.

Reference 17 - 0.01% Coverage

The historical prevalence of early and forced marriages in Sierra Leone has also played a role in the decisions of parents on whether to educate their girl children or withdraw them from school, further compounding the illiteracy level of women. The high levels of illiteracy among women in Sierra Leone before the war have greatly disadvantaged them, particularly in the public arena. Women have been unable to participate fully in many sectors of public life and therefore have never mustered enough power to change the lives or social status of women for themselves.

Reference 18 - 0.01% Coverage

High levels of illiteracy have also had implications at a political level, where women and women’s issues have generally been relegated to the back burner. There has always been a great lack of awareness of the need for women to participate in issues affecting their lives, even among women themselves. It was therefore relatively easy for successive governments before the war to ignore issues affecting women and girls. The low level of female participation in formal education has had negative consequences in terms of economic viability, politics, health and social welfare level for women.

Reference 19 - 0.01% Coverage

Armed conflicts have a profoundly negative impact on the health of women. Factors such as the destruction of family and community networks and support systems, poverty and the loss of livelihood reduce the capacity of individual women to protect their own and their families’ health for decades to come.

Reference 20 - 0.01% Coverage

The Christian Children’s Fund Sierra Leone, in collaboration with the Sierra Leone Association of University Women, embarked on a similar initiative, which took the form of a community-based initiative to train health care workers, teachers and community representatives in basic therapeutic skills to deal with victims of sexual violence. More than 600 people were trained. However, funding problems also forced this programme to be ended prematurely.

Reference 21 - 0.01% Coverage

Skills training has undoubtedly assisted and equipped many women with skills that they can use to earn money. In many instances women have been empowered not only to sustain themselves but also their families. In womenheaded households, it is often this money that forms the only source of income.

Reference 22 - 0.01% Coverage

In many communities, a level of social reintegration has taken place following the organisation of ritual cleansing ceremonies by the communities, especially for the ex-combatants.⁵⁰³ On the back of these ceremonies, even several female ex-combatants have been accepted back into their various communities. In a number of cases, graduation ceremonies are organised at the end of the skills training course that the girls and women have undergone. With the help of some NGOs or agencies of government, the community is brought together at these graduation ceremonies and can join as one in accepting war-affected women and girls back into its midst.⁵⁰⁴

Reference 23 - 0.01% Coverage

The 50 / 50 group has been able to conduct training sessions all over the country on issues relating to gender and politics. Many beneficiaries of such training have gone on to run for political office. For the local government elections of 2004 – the first of their kind in several decades – the group stated its intent also to provide training for women who wished to stand as municipal council candidates.

Health and Medical Care

References or discussions of health and medical care

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 49 references coded [0.24% Coverage]

Reference 1 - 0.01% Coverage

The exclusion of women resonates across the various divides – cultural, religious, economic and domestic. The political exclusion of women leaves Sierra Leone out of step with much of the world.

Effects of the Conflict on the Health of Women

542. Women and girls suffered adverse effects to their health as a result of the conflict. The health concerns of women were exacerbated by the destruction of health facilities. Many women still do not have access to basic health services. The absence of qualified health professionals including doctors, surgeons, psychologists and psychiatrists compounds the problem.

Reference 2 - 0.01% Coverage

Sexual violence experienced by women during the conflict has had lasting negative effects on their reproductive health. Rape and sexual violence were rife, which caused a massive rise in the incidence of HIV / AIDS and sexually transmitted infections (STIs). This is of immediate concern to the survivors.

Reference 3 - 0.01% Coverage

The Commission notes the high prevalence of the HIV / AIDS among the population of Sierra Leone as well as the high number of women infected. The Commission also notes that women married into polygamous marriages are exposed to a higher risk of sexually transmitted diseases because of their husband's multiple partners.

Reference 4 - 0.01% Coverage

The Commission recommends that the Ministry of Social Welfare and Gender Affairs, in conjunction with UNIFEM and the NGO sector, work towards the launching of an education programme, which addresses both men and women on safe sex practices.

Reference 5 - 0.01% Coverage

Provide psychosocial support and reproductive health services to women affected by the conflict.

Reference 6 - 0.01% Coverage

The Commission recommends that the health care be made available at primary health units, district hospitals, and tertiary health units. However, in the short-term, recognizing that many health centres may not be able to provide the care that is needed, the Commission recommends that the government strengthen the referral system between hospitals in the area of reproductive and women's health and to the Princess Christian Maternity Hospital (PCMH) hospital in Freetown where fistula surgery is being performed, so that the medical needs of the victims of sexual violence can be met.

Reference 7 - 0.01% Coverage

Considering the stigmatisation that many victims of sexual violence suffer, the Commission recommends that trauma counselling be available in all medical facilities that currently treat women, such as the reproductive health centres and the PCMH hospital, where the fistula surgeries are being performed.

Reference 8 - 0.01% Coverage

WOMEN AND HEALTH 71.

Before the onset of the war, less than half of the population had access to basic health services.³³ This travesty was attributed mainly to the unfavourable economic climate that Sierra Leone was experiencing. The cuts in spending in areas such as health and education invariably affected women disproportionately. According to a submission to the TRC from a group of women's NGOs,³⁴ decreases in public health spending and, in some cases, structural adjustment contributed to the deterioration of public health systems. The submission further stated that privatisation of health-care systems without appropriate guarantees of universal access to affordable health care, further reduced health-care availability. Women have long experienced unequal access to basic health services as well as different and unequal opportunities for the protection, promotion and maintenance of their health.

Reference 9 - 0.01% Coverage

In the face of this plight, the Pan African Women's Association (PAWA) Sierra Leone used the platform of International Women's Day in 1992 to complain about the hardships women were enduring under the Structural Adjustment Programme.³⁵ They cited limited access to health-care facilities, especially in the rural areas, as well as the exorbitant costs attached to what little health care was available.

Reference 10 - 0.01% Coverage

Due to early and forced marriages in Sierra Leone, early sexual activity was commonplace. Many young girls therefore started child bearing early and were exposed to risks and complications arising out of early pregnancy and childbirth.³⁶ Coupled with high illiteracy levels and a lack of awareness, these women and girls could not access adequate healthcare for themselves in such circumstances.

Reference 11 - 0.01% Coverage

Traditional practices also impacted on the health of women in the period before the war. Practices such as venerating women because of their child-bearing capacities and encouraging them to increase the number of children they bear have put their health at risk so as to satisfy societal standards. The status of a woman is enhanced by motherhood, which pressurises many women into frequent child bearing, complete with its attendant health problems. Tradition and culture have also prohibited women from enjoying reproductive and sexual rights often through a lack of awareness of these rights. In those instances where they do know of them, they are not able to exercise them. Women do not have the power or the choice to refuse sex. They have no control, in most instances, over their bodies.

Reference 12 - 0.01% Coverage

Escalating poverty, coupled with cultural practices such as giving the most nutritious part of the food to the man,³⁷ resulted in poor intake of nutrients for women, jeopardising their health and their ability to bear healthy children.

Reference 13 - 0.01% Coverage

The dismal economic situation, poor medical facilities and lack of access to the few existing health facilities put women at risk even before the war started. This situation was only to be compounded during the war years.

THE SOCIO-CULTURAL STATUS OF WOMEN 77.

Cultural practices and traditional beliefs relating to women have "socialised" some Sierra Leoneans into stereotyping the role of women. The effects of "socialisation" on perceptions of gender identity and roles are of great significance because they continue to impact on behaviour throughout one's life, including in the way that one interacts with the opposite sex. The outcomes of the socialisation process are exhibited in the attitudes and behaviour of members of society in all aspects of life including gender identity and roles.

Reference 14 - 0.01% Coverage

Women's reproductive health rights 117.

The inferior status of most women, along with prevailing customs and traditions, makes it difficult for a woman freely to exercise her reproductive rights. There is barely any recognition for the right to plan one's family, the right to freedom from interference in reproductive decision-making, or the right to be free from all forms of violence, discrimination and coercion that affect a woman's sexual or reproductive life.

Reference 15 - 0.01% Coverage

International treaties define the right to plan one's family as the right to determine freely and responsibly the number and spacing of one's children and to have the information and means necessary to do so. Governments are obliged to ensure that men and women have access to a full range of contraceptive choices and reproductive health services and that they have adequate information about sexual and reproductive health. These principles are linked to the right to life, liberty and security of the person and the right to privacy.⁷⁶

Reference 16 - 0.01% Coverage

Maternal mortality is a deprivation of the right to life and Government has a responsibility to improve its health-care system so that women can enjoy safe motherhood. There is also a need for the enactment of laws relating to marital rape, which must include an offence of knowingly infecting a partner with HIV / AIDS. Presently in Sierra Leone, marital rape is not classified as a crime.

Reference 17 - 0.01% Coverage

As a result of the highly contentious negotiations, both the Rome Statute and the ICC Elements provide an excessively narrow definition of forced pregnancy: "The perpetrator confined one or more women, forcibly making them pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law."¹⁶⁵ In the case of Sierra Leone, there are reported examples of women who became pregnant and were not permitted by their rapist or another to obtain abortion. The concept of "forced pregnancy," first articulated officially in the Vienna Declaration and Programme of Action¹⁶⁶ referred however to the confinement or other means of preventing pregnant women from obtaining abortion.

Reference 18 - 0.01% Coverage

The ICC Elements define enforced sterilisation as follows: "The perpetrator deprived one or more persons of biological reproductive capacity" and "the conduct was neither justified by the medicine or hospital treatment of the person or persons concerned nor carried out with their genuine consent."¹⁶⁸ It includes acts committed upon women including during the war in Sierra Leone, such as the removal of foetus, uterus, castration, destruction of reproductive organs, as well as medical sterilisation without consent. Although this crime is not listed in the Sierra Leone Special Court Statute, the mutilation of Sierra Leonean women by disembowelling them, the cutting open of the uterus which leads to the removal of the foetus results in sterilisation should be recognised as enforced sterilisation at the same time as these acts also qualify as "other sexual violence." The numerous acts of violence on pregnant women that were reported include the cutting open of a pregnant woman's uterus and the removal of the foetus, the mutilation of her organs thus constitute enforced sterilisation as well as mutilation and cruel and inhuman treatment.

Reference 19 - 0.01% Coverage

Medical practitioners in Sierra Leone confirm that in the aftermath of the war, a major problem facing Sierra Leone is how to deal with the long-term consequences of prolonged drug abuse. Many women who appeared before the Commission complained of mood swings, unexplained anger and feelings of intense hopelessness. In most instances, these symptoms are not addressed properly and contribute to an already violent and disturbed society showing signs of even greater dysfunctionality.

Reference 20 - 0.01% Coverage

The Commission notes that the ICC elements define "enforced sterilisation" as "depriving one or more persons of biological reproductive capacity, neither justified by medicine or hospital treatment nor carried out with their

genuine consent”. This definition includes acts committed upon women during war such as the removal of the foetus, castration, destruction of reproductive organs as well as medical sterilisation without consent.

Reference 21 - 0.01% Coverage

Incidence of sexual abuse was widespread and has led to many women and girls suffering long-term gynaecological problems.³¹⁹

Reference 22 - 0.01% Coverage

446. While both men and women are affected by the breakdown of the health system, women are affected in ways directly attributable to their gendered experiences of the conflict. This is particularly true in the area of reproductive health, which includes life-threatening pregnancies, lack of access to birth control measures and injuries arising from sexual violence.

Reference 23 - 0.01% Coverage

During the conflict, many pregnant women, finding themselves in the most repressive conditions, were not able to access medical help. In the case of those who were forced to live with the armed forces, being constantly on the move prevented them from accessing any health-care facilities. Many women and girls were also deprived of health services due to the fact that the armed forces had destroyed or looted them during the conflict.⁴³⁹ Many women also found themselves experiencing malnutrition, particularly in rural areas where they were unable to grow vegetables or engage in farming activities due to the war. In these circumstances, women died in inordinately high numbers.⁴⁴⁰

Reference 24 - 0.01% Coverage

440 See World’s Women, Trends and Statistics 2000, including the website in the above footnote. Vol Three B Chapter Three Women and the Armed Conflict in Sierra Leone Page 200

449. While access to proper medical care and proper nutrition are major factors in reproductive health, the constant exposure to violence and death during the conflict also took its toll on pregnant women. They suffered enormous mental trauma from the experiences and exigencies they were subjected to. Women’s groups report that in many emergency situations, spontaneous abortions occurred as a result of the extreme mental and physical stress. As no immediate medical assistance was on hand in the bush many women died under these circumstances. While no accurate data exists, anecdotal evidence to the Commission suggests that many women died under these circumstances.

Reference 25 - 0.01% Coverage

Access to information and a proper reproductive health system empowers women to take charge of their lives and makes it possible for them to have a safe sex life. They have the right to make choices as to whether they wish to reproduce and have the freedom to do so when they wish. All of this was taken away from them during the conflict. Chaos and mayhem reigned and as a result thereof, women were negatively impacted upon by the lack of access to proper health care, the lack of choice and the loss of freedom to make choices. This has severe negative implications for their continued development in both public and private spheres. Opportunities for education, economic and political empowerment have been lost.⁴⁴¹

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Reference 26 - 0.01% Coverage

451. Women in Sierra Leone are severely affected by the injuries they have sustained as a result of the sexual violations they have experienced. Gynaecological problems that many suffer included a prolapsed uterus and Vesico-Vaginal Fistula (VVF) lesions.

Reference 27 - 0.01% Coverage

In most conflicts, women raped face the possibility of children being born from such acts of violence. While abortion is one mechanism to deal with such unwanted pregnancies, it is not always an option open to every woman. In Sierra Leone abortion is considered illegal. While it is possible to have a “back street” abortion, for most women this course is undesirable as it is expensive and the risks associated with it are enormous.

Reference 28 - 0.01% Coverage

Another prohibiting factor has been the destruction of health services facilities, coupled with the flight of some health professionals, which has made abortion almost unavailable in Sierra Leone. Abortion has been driven underground and has thus been placed practically out of reach. The vast majority of women in Sierra Leone have thus had no choice but to carry their babies to full term.

Reference 29 - 0.01% Coverage

It is a fact that in situations of armed conflict women are often extremely vulnerable to contracting sexually transmitted diseases or infections (STDs or STIs), given the indiscriminate sexual violations to which they are subjected. High rates of STDs and STIs are likely to occur among internally displaced populations and refugees, as studies have linked moving populations from conflict zones with their spread and the escalation of HIV/AIDS.⁴⁴⁷ The high prevalence rate of STIs among military populations around the world (estimated at between two and five times the rate for civilians), together with the extensive contact between civilians and combatants in times of conflict, lead to high levels of infection.⁴⁴⁸

Reference 30 - 0.01% Coverage

Poor countries like Sierra Leone are even more liable to experience the spread of STIs upon the cessation of hostilities. The lack of access to medical care and assistance for women in the post-war environment makes them an even more vulnerable group. The breakdown of health facilities during the conflict and in its aftermath often means that women have no access to medicines, reproductive health care services, contraceptive services or counselling. Many women in their statements and testimonies to the Commission stated that they are presently suffering from vaginal discharges, which they attribute to the sexual violations they suffered in the conflict.⁴⁴⁹

Reference 31 - 0.01% Coverage

submissions to the Commission attribute such complaints to the untreated STIs that women have contracted out of the sexual violations they have suffered. Often STIs go untreated as a result of ignorance, lack of adequate health care facilities, poverty and social instability, all of which are legacies of the conflict in Sierra Leone. The implications of STIs are profound, as a simple infection can easily develop into pelvic inflammatory disease and eventually cause infertility. In most African societies – and Sierra Leone is no exception – an enormous social stigma is attached to infertility.

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Reference 32 - 0.01% Coverage

Again, there is insufficient data on how many women suffer from STIs in Sierra Leone. Lack of access to information on safe sex and how to prevent the spread of STIs as well as poverty and powerlessness impact on the ability of women to take charge of their own lives. Several submissions to the Commission picked out women’s enforced subordination in terms of sexual and reproductive health as a major issue that will need to be addressed in the near future.⁴⁵⁰

Reference 33 - 0.01% Coverage

In general, gender inequality is a major force behind the HIV/AIDS epidemic. According to Lee Waldorf in a study on HIV/AIDS and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), commissioned by United Nations Development Fund for Women (UNIFEM), a wide range of power imbalances and inequalities between men and women – rooted in economic relations, in family structures, in differences in education and experience, in exposure to violence and in cultural expectations – have placed many women in the

position of being unable to negotiate safer sexual practices with their partners. It is a fact that women and adolescent girls are more vulnerable to HIV/AIDS than men and boys.⁴⁵¹

464. While the conflict in Sierra Leone has been largely responsible for the increased numbers of women and girls who live with HIV/AIDS, cultural practices such as female genital mutilation and early marriages are also thought to have had a significant impact on the problem.⁴⁵²

Reference 34 - 0.01% Coverage

total powerlessness of women to negotiate safe sex or avert abuses during conflict situations, coupled with the deliberate strategy of the armed forces to rape and sexually violate women, have contributed to the spread of HIV/AIDS amongst women.

Reference 35 - 0.01% Coverage

Conflicts are a major factor in spreading HIV/AIDS. Women are denied control over the partners they have sex with. In Sierra Leone this problem has been exacerbated because of the nature of the conflict, especially the high levels of rape and gang rape to which women and girls were subjected. Systematic violations, along with low awareness of HIV/AIDS and the breakdown of vital services in health and education, contribute to the rapid growth in the number of people who contract HIV/AIDS. In the aftermath of the conflict, many women have turned to commercial sex work as a means of survival, because of the complete devastation of the economy and the needs of their impoverished families. Prostitution too has led to an increase of HIV/AIDS amongst the Sierra Leone population.

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Reference 36 - 0.01% Coverage

There is no doubt that women have been placed in a precarious and vulnerable position in terms of HIV/AIDS epidemic in Sierra Leone because of the conflict. The 2002 report by the Joint United Nations Programme on HIV/AIDS (UNAIDS) on the global AIDS epidemic estimated that “by the end of 2001 there were 170,000 persons between the age 15 and 49 living with the virus in Sierra Leone”. UNAIDS estimates that more than 50% of this total, which is about 90,000 sufferers, are women and girls.⁴⁵³

Reference 37 - 0.01% Coverage

The consequences of the HIV/AIDS epidemic on women are far reaching and have been referred to as the “triple jeopardy”, as HIV/AIDS affects the productive, reproductive and community roles that only women can play.⁴⁵⁴ Their positions as reproducers, mothers and caregivers are all affected.

Reference 38 - 0.01% Coverage

Stigmatisation and ostracisation are another consequence of HIV/AIDS. Women living with the virus, experience high levels of stigma and discrimination on the basis of their HIV/AIDS status. This prevents any discussion on publicly discussing the causes of HIV/AIDS and from seeking appropriate responses to the disease. Those affected are often unable to seek treatment or assistance in case their status is discovered. In conflict situations, matters are further exacerbated by the general state of anarchy that is prevalent. Even in post-conflict situations, issues are prioritised and attentions are focused more on reconstruction than on other issues such as HIV/AIDS.

Reference 39 - 0.01% Coverage

The depressed post-war economy has meant that Sierra Leone has not been able to prioritise either the reconstruction of the health system or the management of the HIV/AIDS epidemic. It does not possess the necessary purchasing power to buy anti-retroviral drugs, even where available. The lethal combination of poverty and a non-functional health sector means that the infected women do not have a chance at survival. The statistics speak for themselves. According to the NGO Save the Children, Sierra Leone is no different to other post-conflict countries where the response to dealing with HIV/AIDS in the aftermath of the conflict has been poor.⁴⁵⁵

Reference 40 - 0.01% Coverage

HIV/AIDS devastates families and makes orphans of children. As mothers and caregivers, the death of women through HIV/AIDS has a devastating impact on the family, particularly on children. Children become adults overnight, engaging in economic activities for survival, thus perpetuating child labour and poverty. Some degenerate into drugging, commercial sex work, stealing and other acts that are inimical to their lives and progress in the short as well as long term.

Reference 41 - 0.01% Coverage

An emerging problem is the new dependence on the aged to take care of those living. This is a reversal of a pattern in African societies such as Sierra Leone where children are the usual support structures for the aged. The death of women and children through HIV/AIDS has led to untold hardship for the aged as they have lost the comfort of being taken care of. They have also had to take on the role of providers and caregivers to their children living with HIV/AIDS and on their death to assume same role for their grandchildren. It is important to note that most caregivers or providers are women.

Reference 42 - 0.01% Coverage

It is important to note that Sierra Leoneans do not ascribe as much importance to treating mental health conditions as they do to treating physical afflictions. The psychological effects of the conflict, especially the effects on women, are generally underplayed if not dismissed altogether.

Reference 43 - 0.01% Coverage

490. Women and girls have been hugely disadvantaged by the complete deterioration of existing health services and the lack of access to properly trained personnel. Of particular immediate concern is the non-existence of services to deal with physical problems, but the total lack of skilled counselling professionals is just as ominous because of its longer-term effects. Had it not been for the non-governmental sector, women and girls in Sierra Leone would have had no recourse to any assistance.

POST-CONFLICT MECHANISMS FOR INTERVENTION IN RESPECT OF WOMEN AND GIRLS

Reference 44 - 0.01% Coverage

The programme that FAWA devised was called Operation Freedom.⁴⁶² In collaboration with MSF and Sierra Leone Association of University Women (SLAUW), FAWA trained a team of specialist in counselling, case management and referrals. FAWA used partnerships with other agencies to raise awareness of the services they were providing to sexual violence victims, including the availability of free medical services. They also carried out sensitisation campaigns for the broader society in order to deal with the negative attitudes that victims of sexual violence were experiencing. The programme provided more than 2,000 victims of sexual violence with access to micro-credit schemes and educational assistance. In spite of the huge success of Operation Freedom, it stuttered to a halt due to lack of funding. After funding from MSF stopped, the UNHCR provided funding for an additional two months. This emergency contribution was insufficient to allow the programme to continue.

Reference 45 - 0.01% Coverage

“The health programme recognised that the specific health and psycho-social needs of the women and girls raped and sexually assaulted during the war were not being adequately addressed.”⁴⁶⁴

Reference 46 - 0.01% Coverage

A declining health system almost always affects children and women with devastating effect. This was certainly true of Sierra Leone before the conflict.

Reference 47 - 0.01% Coverage

The impact of the conflict on the health of children has been even greater than for adults due to children's innate vulnerability. Malnutrition was widespread because people were deprived of access to adequate food, clean water and health and sanitation facilities. Malnutrition continues to be a problem and is said to contribute significantly to the high infant mortality rates in the country.³¹¹ According to a report in 2001, 86% percent of pregnant women were anaemic, which has implications not only for safe motherhood, but also for immunity, growth and development of children. Due to lack of access to some parts of the country during the conflict, routine childhood immunisation almost completely collapsed leaving many children at the mercy of killer diseases.

Reference 48 - 0.01% Coverage

According to a medical director who treated some of the girls who were raped and sexually violated during the conflict, many of the victims had contracted sexually transmitted infections or diseases (STIs or STDs), including gonorrhoea, syphilis, chlamydia and even HIV / AIDS.³²¹ For women and girls, all of these diseases, if left untreated, have grave repercussions.

Reference 49 - 0.01% Coverage

368. While there is an absence of statistical data to confirm the numbers of girls who contracted HIV / AIDS during the conflict, the existing information suggests that in all probability it is quite high. In addition, girls who have undergone female genital mutilation who have also been raped and sexually violated are at a greater risk of contracting HIV / AIDS due to the extensive genital damage done to them during the circumcision exercise.³²² The United Nations Development Fund for Women (UNIFEM) has said that scarification caused by female genital mutilation increases the incidence of trauma and tearing during sex, which in turn exacerbates the possibility of contracting HIV / AIDS.³²³

Human Rights

References or discussions of human rights, human rights violations, and civil codes

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 44 references coded [0.22% Coverage]

Reference 1 - 0.01% Coverage

The chapter titled, “Women and the Armed Conflict”, sets out the violations suffered by women and considers the current position of women in Sierra Leone.²⁰ The Commission makes specific recommendations to redress the marginalization of women in the political and social life of Sierra Leone, including a minimum percentage of women to be represented in public office and as candidates in national and local government elections. ²¹

Reference 2 - 0.01% Coverage

The same expression appears in an earlier instrument, the Declaration on the Elimination of Violence Against Women, GA Res. 48/104, art. 2(a) and (b). The Vienna Declaration and Programme of Action of 1993 also refers to ‘gender-specific abuses’ and ‘human rights abuses particular to women’ (para. 42), ‘abuse of children’ (para. 48).

Reference 3 - 0.01% Coverage

The conclusion that a broad approach to human rights is required, also finds support in the reference in the TRC Act which mandates the Commission to pay ‘special attention to the subject of sexual abuses and to the experiences of children within the armed conflict’. Such issues might not be subsumed within a mandate focussed only on the ‘core’ civil and political rights listed in article XXIV of the Lomé Peace Agreement or the Constitution. To supplement the basic international human rights instruments referred to in the preceding paragraph, the Commission has sought guidance from specialised instruments in the area of the rights of women and children, such as the Convention on the Rights of the Child, the African Convention on the Rights and Welfare of the Child, the Convention on the Elimination of Discrimination Against Women, the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa and various United Nations and African Union declarations concerning sexual abuse of children and violence against women.

Reference 4 - 0.01% Coverage

The reference to a relationship to the armed conflict also has a substantive limitation on the mandate of the Commission. Obviously, not all violations of human rights committed within Sierra Leone during the 1990s can be considered to be ‘related to the armed conflict’. For example, the practice of female genital mutilation is and has for many years been widespread within Sierra Leone. It continued to be practiced during the period of the conflict. The Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa refers to female genital mutilation as a harmful practice which violates the rights of women and which must be prohibited (art. 5(b)). It is probably unreasonable, however, to refer to female genital mutilation as a human rights violation or abuse that was ‘related to the armed conflict’. Nevertheless, it might well be argued that the practice of female genital mutilation contributed to a context of oppression and marginalisation of women that was manifested in violations and abuses that were unquestionably related to the armed conflict, such as gang rapes and sexual slavery.

Reference 5 - 0.01% Coverage

22. While the majority of victims were adult males, perpetrators singled out women and children for some of the most brutal violations of human rights recorded in any conflict.

Reference 6 - 0.01% Coverage

77. While the majority of victims were adult males, perpetrators singled out women and children for some of the most brutal violations of human rights recorded in any conflict. In a few cases, the children victimised were below ten years of age.

Reference 7 - 0.01% Coverage

The Commission finds that during the conflict in Sierra Leone the CDF carried out a deliberate strategy of perpetrating rape, sexual slavery and other sexual violations on girls. The Commission finds in particular that girls and women identified as relatives or associates of the opposing forces were specifically targeted by the CDF for such violations. The Commission finds such acts to be in clear contravention of international law and holds the leadership of the CDF responsible for the sexual violations carried out by members and combatants of the CDF faction.

Reference 8 - 0.01% Coverage

The Commission finds that, during the conflict in Sierra Leone, all armed groups perpetrated human rights violations against women and girls. Women and girls were targeted for rape and sexual slavery. Violations committed against women included killings, rape, sexual violence, sexual slavery, slave labour, abductions, assaults, amputations, forced pregnancy, detention, torture, enforced sterilisation, trafficking, mutilations, enforced cannibalism, displacement and economic violations such as looting, extortion, theft and the destruction of property.

Reference 9 - 0.01% Coverage

The Commission finds further that many humanitarian workers, who were meant to protect and assist women, exploited the extreme vulnerability of women and violated their rights by compelling them to barter their bodies in order to access aid and survive.

Reference 10 - 0.01% Coverage

The Commission finds that the AFRC planned, authorised and executed a strategy to target women and girls during the invasion of Freetown in January 1999. AFRC combatants targeted women and girls with the express intention of abducting them, raping and sexually violating them and pursuing a range of other human rights violations against them.

Reference 11 - 0.01% Coverage

Women victims accounted for one quarter to one third of the violations reported to the Commission in all the categories of abuse listed in this paragraph.

Reference 12 - 0.01% Coverage

The Commission finds it particularly disturbing that many cases of abuse by humanitarian workers on women and children have occurred in Sierra Leone. Aid workers who were supposed to render humanitarian aid to women abused their power by exploiting the vulnerability of those under their care.

Reference 13 - 0.01% Coverage

The Commission recommends that Sierra Leone ratify the Protocol to the African Charter on the Rights of Women. The Protocol enjoins signatories to address “Harmful Practices” against women. Harmful Practices are defined as all behaviour, attitudes and practices which negatively affect the fundamental rights of women and girls, such as their right to life, health, dignity, education and physical integrity.

Reference 14 - 0.01% Coverage

In addition to providing redress to the direct victims of human rights violations, the Commission wanted to address the needs of indirect victims as well. Indirect victims are defined as the dependents or relatives of the direct victim. The Commission decided to include war widows, those women whose husbands had died as a consequence of a human rights violation during the course of the war, as beneficiaries of specific measures of this reparations

programme. For some of these war widows, their husbands were the breadwinners of the family. As a consequence of their husband's death, many of these women struggle to provide for themselves and their family. Recognising the difficulties they endure, recommendations for them in the reparations programme.

Reference 15 - 0.01% Coverage

Statistics pertaining to the numbers of women affected by the conflict in Sierra Leone remain a huge concern. In 2003, Human Rights Watch published a report in which they stated that as many as 275,000 women and girls may have been sexually violated during the war.¹

Reference 16 - 0.01% Coverage

The UN Secretary-General, in his Twenty-first Report to the Security Council on the UN Mission in Sierra Leone, has stated that "violence against women, including sexual exploitation, as well as discrimination against women in law and in practice and the low rate of participation of women and youth in the political and administrative affairs of the country needs to be addressed."²

Reference 17 - 0.01% Coverage

Section 15 of the Constitution provides for a bill of rights guaranteeing fundamental human rights and freedoms of the individual irrespective of sex.⁶⁹ This provision represents an important guarantee and should, appropriately understood, be a basis for challenging laws that discriminate against women.

Reference 18 - 0.01% Coverage

The Constitution however nullifies much of the promise of the equality provisions in Section 27(4)(d) by making an exception to the prohibition of discriminatory laws with respect to laws dealing with marriage, divorce, inheritance, or other interests of personal law.⁷⁰ The effect of these exceptions is to shield the laws that apply throughout Sierra Leone that most discriminate either of themselves, or in their effects, or both, against women. Consequently, all of the most significant laws that are discriminatory against women still apply, rendering the equality provision in Section 15 seriously flawed and ineffective.

Reference 19 - 0.01% Coverage

The horrific and brutal experiences of women during the war make it necessary to examine whether the laws of Sierra Leone offer adequate protection in relation to sexual and gender-based violence. In 2001, Physicians for Human Rights (PHR) conducted a population-based assessment of the prevalence and impact of sexual violence and other human rights abuses among internally displaced persons in Sierra Leone. PHR found that internally displaced women and girls in Sierra Leone suffered an extraordinary level of rape, sexual violence and other gross human rights violations during the country's civil war, with half of them indicating that their contact had been with the Revolutionary United Front (RUF) forces.⁹⁵

Reference 20 - 0.01% Coverage

152. On 23 February 2003 the Sierra Leone Parliament established a Standing Committee for Human Rights and related issues to promote respect for human rights in Sierra Leone. If this Committee is to succeed in its mandate, it will have to pioneer and lobby for legal reform to promote and protect women's rights. A relevant consideration in its work must be the application of national law to sexual violations that may occur in a future conflict situation.

Reference 21 - 0.01% Coverage

The ratification and incorporation of international human rights instruments into national law is crucial to the advancement of women's rights as it imposes on states an obligation to interpret national law in a manner consistent with the state's international or legal obligations. International human rights standards can be regarded as the minimum standards of protection, which all systems of national laws should strive to attain.

Reference 22 - 0.01% Coverage

Sierra Leone became a member of the United Nations in 1961 and ratified most of the major human rights instruments. Sierra Leone is a signatory to the International Covenant on Civil and Political Rights (ICCPR),¹⁰³ the International Covenant on Economic Cultural and Social Rights (ICECSR),¹⁰⁴ the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW),¹⁰⁵ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT),¹⁰⁶ the Convention of the Rights of the Child (CRC),¹⁰⁷ the African Charter on Human and People's Rights¹⁰⁸ and the African Charter on the Rights and Welfare of the Child.¹⁰⁹

Reference 23 - 0.01% Coverage

The Universal Declaration of Human Rights recognises the right to life liberty and security¹¹⁰; the right to be free from sex discrimination;¹¹¹ the right to marry and found a family; equal rights for women as to marriage, during marriage and at its dissolution;¹¹²

Reference 24 - 0.01% Coverage

The African Charter on Human and People's Rights entered into force in October 1986. Article 18 (3) of the charter states that "the state shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions". By this Article, the African Charter has incorporated all of the international declarations and conventions that relate to women. There is a protocol on the Rights of African Women approved in July 2003 that offers wide protection for the rights of women. Sierra Leone needs to ratify this protocol, which will allow the rights provided in it to be enjoyed in Sierra Leone.

The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)

Reference 25 - 0.01% Coverage

There are several international instruments that seek to protect the rights of women and prohibit violence particularly during armed conflicts.¹³⁸ The use of national, regional and international human rights mechanisms in responding to the egregious crimes and horrific events that occurred in Sierra Leone during the war has significantly developed international human rights law and continues to do so. Sierra Leone is a party to the four Geneva Conventions of 1949 and to their Additional Protocols. Common Article 3, which applies to all parties in internal conflicts such as Sierra Leone's, prohibits violence against life and the person, in particular murders of all kinds, mutilation, cruel treatment and torture and outrages upon personal dignity such as humiliating and degrading treatment.¹³⁹ Additional Protocol I, which regulates international armed conflict, specifies: "women shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault".¹⁴⁰

Reference 26 - 0.01% Coverage

The jurisprudence of the two ad-hoc tribunals, the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), has reinforced the principle that grave violations of these provisions constitute war crimes. Accordingly, the violations committed against women in Sierra Leone constitute war crimes and are likely to be prosecuted as such by the Special Court for Sierra Leone.

Reference 27 - 0.01% Coverage

Of the 40,684 violations with gender recorded in the Commission's database, 13318, or 32.7%, have female victims. The most common violation in the Commission's database is forced displacement, which accounts for 23.5% of the violations against women but only 19.3% of the violations against men. Other common violations against women in the Commission's database are abduction (15.7%) and arbitrary detention (12.0%).¹⁸⁵

Reference 28 - 0.01% Coverage

Violence against women in camps 235.

The Commission found that many Sierra Leonean women had their rights violated in the refugee camps. It is regrettable that those meant to protect the vulnerable were often responsible for further victimising them. In April 2002, the UNHCR and Save the Children-UK issued a report on Sierra Leonean Refugees in Guinea detailing the violations which women and girls amongst others suffered while refugees in Guinea.²²⁷ Young girls and women were forced to have sex in return for food and assistance. Many of them were forced to become prostitutes in brothels established in the camps. More than 1,500 people were interviewed and told similar stories. Men complained of how they were not given access to food because they had no wife or daughter to barter for food or supplies.

Reference 29 - 0.01% Coverage

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236. Women and girls told of how their names would be taken off lists for food and aid if they refused to have sex with peacekeepers and humanitarian workers. The Commission finds it absolutely reprehensible that those who are meant to assist and render humanitarian aid to the most vulnerable women and girls used the very fact of their vulnerability to exploit them and violate their rights. In this regard, the Commission finds that those responsible should be prosecuted. Also in this regard, the Commission intends to make recommendations in order to prevent this kind of abuse taking place in the future.

Reference 30 - 0.01% Coverage

319. Women were forced to watch helplessly as their children and husbands, suffered human rights violations, which in many instances led to their death.³²¹ Many women became victims of violations while trying to protect their children. An example was given by this woman, who became an amputee through trying to protect her child:

Reference 31 - 0.01% Coverage

It is also important to note that the major armed groups in the conflict, fighting both for and against the government, all committed gross human rights violations against women. In essence, the conflict did not offer any respite for the women from any of the armed groups, including those who were fighting for the government and who were supposed to protect civilians. On the side of government, the fluctuating nature and loyalties of the national Army that gave rise to the “sobel” phenomenon³²⁶ meant that the government lost any substantial control of the Army and as such forfeited a mechanism through which to protect all civilians, women included. Therefore, women were rendered vulnerable to attacks and abuses without any reliable institution of state to turn to for their protection.

Reference 32 - 0.01% Coverage

During the conflict, no attempts were made by any of the major armed groups to address or tackle impunity among its members for violations against women.³²⁷ Consequently violations against women grew rife and violators rather revelled in them as they were not called to order. In fact, contrary to expected standards of accountability, it could be said that some of the major armed groups, at the level of their respective High Commands, saw women as “war booty” and actively ignored the violations that their members committed against women.

Reference 33 - 0.01% Coverage

Vol Three B Chapter Three Women and the Armed Conflict in Sierra Leone Page 181

OTHER VIOLATIONS SUFFERED BY WOMEN 375.

In addition to the specific categories of violations covered above, women suffered a multiplicity of different experiences and were subjected to a plethora of economic violations, which had an enormous impact on them during the conflict period and on their lives and livelihoods since.

Reference 34 - 0.01% Coverage

The question of “survival” also profoundly motivated and influenced women perpetrators in their involvement in gross human rights violations. Engaging in acts of violence provided women with a guarantee of security and

survival from their own colleagues.⁴⁰¹ Women had to prove themselves to their peers, as well as their individual commanders, by carrying out violations without flinching or displaying any outward signs of weakness.

401. While most societies tend to ascribe to women a certain aversion to acts of violence, the conflicts taking place around the world suggest otherwise. According to Goldblatt and Meintjes, understanding that women are capable of perpetrating violence enables us to see that women are not monolithic in their outlook as a group and are not bearers of certain essential qualities such as kindness and compassion.⁴⁰² Gender stereotyping is certainly upset by the multiplicity of roles women take on in conflicts.

402. Some military psychologists subscribe to a theory of crowd psychology as another reason for women having committed violations.⁴⁰³

Reference 35 - 0.01% Coverage

There is no doubt the violation of women has led to the erosion of the mainstream value system in Sierra Leone. The consequences of the conflict are thus being seen in the high numbers of women and girls who continue to be raped and violated even in peacetime. Domestic violence is also on the increase. The consequences of the conflict have therefore been life altering not only for the victim but also for the wider society.

Reference 36 - 0.01% Coverage

The use of regional and international human rights mechanisms in responding to the egregious crimes that occurred in Sierra Leone during the last decade is significant to the development of international human rights law. Sierra Leone became a member of the United Nations in 1961 and is a signatory to most of the major human rights instruments including the International Covenant on Civil and Political Rights (ICCPR),²⁴ the International Covenant on Economic Cultural and Social Rights (ICECSR),²⁵ the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW),²⁶ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT),²⁷ the Convention of the Rights of the Child (CRC),²⁸ the African Charter on Human and People's Rights²⁹ and the African Charter on the Rights and Welfare of the Child.³⁰

Reference 37 - 0.01% Coverage

The African Charter on Human and People's Rights entered into force in October 1986. Article 18 (3) of the charter states that "the state shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions". By this Article, the African Charter has incorporated all of the international declarations and conventions that relate to women. There is a protocol on the Rights of African Women approved in July 2003 that offers wide protection for the rights of women. Sierra Leone needs to ratify this protocol, which will allow the rights provided in it to be enjoyed in Sierra Leone.

Reference 38 - 0.01% Coverage

There are a number of other international instruments that seek to protect the rights of children, particularly during armed conflicts.⁴⁸ The jurisprudence of the ICTY and ICTR has reinforced the principle that serious violations of these provisions constitute war crimes. The violations committed against women and children in Sierra Leone have been documented by a number of agencies and NGOs. While a few of the major perpetrators are likely to be prosecuted by the Special Court, the vast number of them who committed these violations are likely to go unpunished.

Reference 39 - 0.01% Coverage

Custom and tradition in Sierra Leone have permitted the practice of female genital mutilation, which is performed on girls from the age of four onwards. This practice constitutes a violation of the rights of girls and young women and could conceivably be interpreted as constituting cruelty against children and prosecuted under the Prevention of Cruelty to Children Act as assault under the general law. If death results it could be prosecuted as murder or manslaughter under the general law.

Reference 40 - 0.01% Coverage

Had it not been for the efforts of FAWE and other women's NGOs, as well as the sheer number of girls and women who suffered sexual violations, particularly during the invasion of Freetown, there would not have been much exposure of this category of violations. Despite all efforts to date, full disclosure has still not been achieved. It is important to note that the Commission's data is only a small representation of the problem and does not do justice to the total number of women who have suffered sexual violence.

Reference 41 - 0.01% Coverage

Life in the refugee camps in Guinea was fraught with violations such as arbitrary arrest and detentions, police abuse and lack of freedom of movement. A major problem in the camps was the commission of sexual violations against refugee women and girls. According to UNICEF:

Reference 42 - 0.01% Coverage

The Commission has noted the contents of the report on sexual exploitation in refugee camps as experienced by Sierra Leone girl-children and women, which was the result of the survey on sexual exploitation carried out by UNHCR and Save the Children UK.³⁰² The report found that sex in exchange for money or gifts appeared to be widespread. The majority of the victims indicated that it was the only option they had in order to access money or receive food and other basic necessities. The majority of the children involved in this racket were girls between the ages of 13 and 18 years. Girls between the ages of four and 12 were also reported as being sexually harassed, either verbally or through the groping of their buttocks, breasts or genitals.

Reference 43 - 0.01% Coverage

The absence of girls in such significant numbers from the DDR process contravened UNSC Resolution 1314 of August 2000, which demands that special attention be given to the needs of women and girls in the wake of armed conflict, including securing their rights, protection and welfare.³⁵⁷

Reference 44 - 0.01% Coverage

The marginalisation of women and youth in politics and in the decision-making process, sectionalism, tribalism, nepotism, and the marginalisation of rural areas are all perceived as obstacles to reconciliation. Regarding women, particular attention was drawn to customary law and practices that limit the role of the women in society. Regarding youth, attention was drawn to the high unemployment rate. A similar affirmative action policy recommended for women should also be adopted for youth. Another problem facing youth is their lack of willingness to engage in politics. To address this problem, political parties and political institutions should accommodate greater participation for youth and women, including the occupation of key positions by these groups.

Land

References or discussions of land and land ownership

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 15 references coded [0.08% Coverage]

Reference 1 - 0.01% Coverage

Retarding their recovery is the fact that women lack adequate access to productive assets including land, credit, training and technology. Women, with limited access to formal sector employment, resort mainly to food production and petty trading activities with very low earning potential.

Reference 2 - 0.01% Coverage

Compounding the situation is the high rate of illiteracy among women, which stands at 89% for rural women by the last available figures.⁴⁴ Most women are unskilled and cannot obtain formal sector employment. Widowed Women 547. 548.

Many women were widowed as result of the war. Consequently, they have encountered numerous problems in relation to ownership of property, inheritance and access to land.

Reference 3 - 0.01% Coverage

353. Women lack adequate access to productive assets including land, credit, training and technology. For these reasons, they are largely consigned to food production and petty trading with very low earnings.

Reference 4 - 0.01% Coverage

The Commission recommends that Government establish old people's homes in all the main urban centres and ensure that elderly women have access to land in rural areas. The Commission further recommends that Government attend to the social and medical needs of elderly women. The Government should work towards the fulfilment of these recommendations.

Reference 5 - 0.01% Coverage

Although women have provided the bulk of the agricultural labour force, they have never owned land and whatever user rights they had under the land tenure system were lost upon the death of their husbands. Such user rights are vulnerable during war and even more so when reconstruction begins in the post-conflict period. Land ownership is a necessary means of generating wealth for women, since land can act as collateral when seeking loans from commercial banks. Women's lack of economic power contributes to their vulnerability and to the "feminisation" of poverty.

28 See the Constitution of Sierra Leone 1991. Vol Three B Chapter Three Women and the Armed Conflict in Sierra Leone Page 98 that prohibits the

Reference 6 - 0.01% Coverage

Vol Three B Chapter Three Women and the Armed Conflict in Sierra Leone Page 112

Women's rights to property and land ownership 120.

Land ownership in the Western Area is based on English property laws from prior to 1925 and allows for individual ownership. In the Provinces, land ownership is governed by Chiefdom Councils and allows only for group ownership. Equal land ownership and inheritance laws and practices are necessary to achieve sustained development in any country. In post-war Sierra Leone, they are also essential for women's economic, social and political survival.⁷⁷ The argument for land ownership for women is not only one based on personal need, family security or national development; it is also a question of basic human rights.⁷⁸ Women can acquire land through purchase, but often lack resources to do so. Most landowners acquire land through inheritance, and because of discrimination in the laws of inheritance that apply throughout the country, far fewer women than men own land in Sierra Leone.

Reference 7 - 0.01% Coverage

The rules of inheritance under customary law vary from one ethnic group to another. Widows do not have inheritance rights in some ethnic groups; indeed some groups regard a widow as a chattel and part of the estate to be inherited by the deceased's elder brother, or in his absence his eldest son.⁸⁴ In Mende customary law a widow cannot inherit the husband's estate. In the case of *P. C. Bongay v Macaulay* (1920-26),⁸⁵ the court supported the position that a woman cannot have any interest in land as of right, or acquire land through her husband. This discrimination is quite anomalous, as the Mende women are allowed to become Chiefs and hold other leadership positions in society.

Reference 8 - 0.01% Coverage

126. While the Act makes no provision for the distribution of the estate of a deceased person, it does allow the Official Administrator who holds the letters of administration to consult the tribal headman of the deceased, to ascertain the law governing the distribution of the estate. The Act gives the deceased sons and eldest brother the right to administer the estate of the deceased without providing the rules they should follow in distributing the estate, thus there are instances where wives and daughters have been deprived of any share in their deceased husband or father's estate. There are rules of distribution in the fourth chapter of the *Quaran-Sura-tul Nisa* applied by some Muslim communities, but its application give men more inheritance rights than women. This Act has the widest application in the country but because it does not contain any provisions guiding distribution it is seriously flawed. It is not surprising that the distribution of a deceased's estate usually impacts negatively on women and are hardly challenged.

Reference 9 - 0.01% Coverage

In instances under customary law where the deceased brother inherits the wife and then forces her to marry him. This practice deprives women of their right to freely choose who and when they wish to marry, and is repugnant to "equity, natural justice and good conscience."⁸⁸ As in the case with other African societies, the daily struggle, contribution and effort of women in Sierra Leone is often overlooked and not given any monetary value. Ghana is one very positive example of a country in the same sub-region as Sierra Leone that has made several attempts to amend its laws on inheritance.⁸⁹

The importance of land ownership for women 129.

The war in Sierra Leone created many female-headed households. However, women still experience great difficulty in accessing housing. While many women have the resources to rent a house, landlords refuse to rent their houses to women unless a man carries out the negotiations. Many war widows complain of being forced out of farmlands that belonged to their husbands. Law reform law particularly in the area of property and inheritance rights is important to redress the grievances of these widows. This problem is even more prevalent in the rural areas where land held by the Chiefdom Council in trust for their community is allocated mainly to male family heads.

Reference 10 - 0.01% Coverage

The Commission notes that most land allocation projects carried out by government or traditional authorities in Sierra Leone still tend to benefit men more than women.

Reference 11 - 0.01% Coverage

Land ownership is needed to enable women to achieve economic empowerment. Land is needed not only for agriculture, a sector in which women make up the majority of the workforce, but also to be used as collateral for loans. In the Western Area, if the names of the couple are on the title deeds of the property acquired during marriage, they are regarded as joint owners. Neither party can convey or transfer the property to the detriment of the other. However in cases where the property is only in the name of the husband, the wife is disadvantaged, as she cannot challenge a sale or gift of that property to a third party.⁹⁰

Reference 12 - 0.01% Coverage

Given the present increase of single mothers and female-headed households because of the war, land is desperately needed to enable women to achieve economic empowerment and provide for their families. Women can have the same access to credit as men if they are landowners, because land can be used as collateral for a loan.⁹¹ The courts in Freetown regularly impose presentation of title deeds as a condition when granting bail to accused persons for certain offences, thus making it difficult for any woman to secure bail for her relatives or herself because she does not own property. Securing greater access to land for women through legal reform in the areas of inheritance and land allocation, particularly after the war, is a pressing priority.

Reference 13 - 0.01% Coverage

If a woman decides to challenge the transfer of land to a third party when her name is not on the title deed, she faces an uphill task to gain redress. She will be obliged to prove that it was the intention of the parties that the property should be owned by both of them, or that she had contributed to or provided the money for the purchase of the property and that the husband held the property in trust for her. See King, *Women's Land Ownership and Property Rights*. See King, *Women's Land Ownership and Property Rights*, at page 23.

Reference 14 - 0.01% Coverage

537. Women also face legal and cultural barriers in acquiring ownership of land. Accessing land belonging to their spouses is a major problem that many women in Sierra Leone face where their husbands have died in the conflict. Once they have lost the male in their families, women- or girl-headed households are not able to retain and cultivate the land previously farmed by the family. Many Sierra Leonean women have raised this issue with the Commission: "... The land tenure system and inheritance laws are crucial to returning displaced people, especially in the cases of women who might have lost their husbands."⁴⁹⁰

Reference 15 - 0.01% Coverage

The same is true of property left behind by the dead spouse. Under Sierra Leonean customary law,⁴⁹¹ women only own property through their husbands and children. If the husband is killed or dies and the wife does not have an older son who can claim the property, she often must yield to her husband's family who hold her fate in their hands by deciding effectively whether she can keep her own property.

Legacy

References or discussions of legacy, effects or long-term consequences

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 78 references coded [0.43% Coverage]

Reference 1 - 0.01% Coverage

captures the gender-specific experiences of women and girls at a political, legal, health and social welfare level. The Commission noted the significant role women played in making peace, along with the fact that they are starting to feature more prominently in the public life of Sierra Leone.

Reference 2 - 0.01% Coverage

The main armed groups accused of perpetrating sexual violence against women and girls during the conflict were the Revolutionary United Front (RUF), the Armed Forces Revolutionary Council (AFRC), the Civil Defence Forces (CDF), the Westside Boys and the Sierra Leone Army (SLA).

54. While peace has returned to Sierra Leone, many of the wounds of war still remain open. Women and girls bear the scars of their horrible experiences. Many have borne children as a result of rape and sexual slavery. These mothers are shunned and punished by society for giving birth to ‘rebel’ children.

Reference 3 - 0.01% Coverage

Many women and girl abductees and former combatants remain addicted to drugs today. This has impacted negatively on the rehabilitation and reintegration of these ex-combatants into society.

Reference 4 - 0.01% Coverage

In addition to atrocities associated with the exploitation of women’s sexuality and vulnerability, women and girls were not exempted from the full range of atrocities suffered by men.

Thousands of women and girls were killed and had their limbs amputated. Women and girls were subjected to forced cannibalism. Women had their property and possessions looted by members of all armed groups, thereby depriving them and their families of food, clothing, money and assets.⁴³

Women as combatants and perpetrators 532.

The Commission finds that while most women were compelled to become combatants and collaborators in order to survive, a number of them chose voluntarily to take up these roles. Some women joined the war because they believed in the cause of the armed revolution or the defence of the country.

Reference 5 - 0.01% Coverage

The Commission finds that Sierra Leonean society has stigmatised women and girls who were combatants in the conflict. Stigmatisation has resulted in women and girls concealing their experiences. Many women are unwilling to acknowledge that they need help to deal with the consequences of their roles in the conflict.

Reference 6 - 0.01% Coverage

The Commission finds that many women have suffered “double victimisation”. First they were compelled against their will to join the fighting factions and today they are victimised by society for having played a combative role in the conflict. They are treated with hostility and suspicion for “breaching” both gender and sex roles. Non-disclosure is a survival mechanism that may prevent ostracism. Many female ex-combatants live in perpetual fear of being recognised and isolated because of their roles in the conflict.

Reference 7 - 0.01% Coverage

The Commission finds that men and boys were favoured over women and girls in the disarmament and reintegration processes. Little effort was made to recognise the experiences of women in the war. Most former female combatants and those who played a supporting role in the war were not able to access the necessary assistance to reintegrate into their communities.

Reference 8 - 0.01% Coverage

The exclusion of women resonates across the various divides – cultural, religious, economic and domestic. The political exclusion of women leaves Sierra Leone out of step with much of the world.

Effects of the Conflict on the Health of Women

542. Women and girls suffered adverse effects to their health as a result of the conflict. The health concerns of women were exacerbated by the destruction of health facilities. Many women still do not have access to basic health services. The absence of qualified health professionals including doctors, surgeons, psychologists and psychiatrists compounds the problem.

Reference 9 - 0.01% Coverage

Sexual violence experienced by women during the conflict has had lasting negative effects on their reproductive health. Rape and sexual violence were rife, which caused a massive rise in the incidence of HIV / AIDS and sexually transmitted infections (STIs). This is of immediate concern to the survivors.

Reference 10 - 0.01% Coverage

Retarding their recovery is the fact that women lack adequate access to productive assets including land, credit, training and technology. Women, with limited access to formal sector employment, resort mainly to food production and petty trading activities with very low earning potential.

Reference 11 - 0.01% Coverage

Elderly Women 549.

The war has undermined the social status of elderly women. The breakdown of social and cultural values that would have ensured protection for these women places them in a precarious position. They are largely destitute and unemployable.

Reference 12 - 0.01% Coverage

The civil war has aggravated matters for the youth. After ten years of war, thousands of young men and women have been denied a normal education and indeed a normal life. Their childhood and youth have been squandered by years of brutal civil conflict. Many young Sierra Leoneans have lost the basic opportunities in life that young people around the world take for granted. These young people constitute Sierra Leone's lost generation. The Commission recommends that the youth question be viewed as a national emergency that demands national mobilisation. This is an imperative recommendation.

Reference 13 - 0.01% Coverage

The Commission notes that women who have been sexually violated during the conflict period deliberately avoid being identified, as they fear stigmatisation. The Commission notes that assisting them with long-term mental and physical injuries depends on making services accessible.

115 The health needs of women victims of the conflict are addressed in the chapter on Reparations,

Reference 14 - 0.01% Coverage

Customary laws and practices in respect of sexual offences are deeply discriminatory against women and girls and have contributed to a culture of impunity over a long period of time.

Reference 15 - 0.01% Coverage

358. Women comprise the largest category of persons without formal education in Sierra Leone. Women have, in effect, been under-educated. This bias against women must be redressed.

Reference 16 - 0.01% Coverage

The Commission notes the high prevalence of the HIV / AIDS among the population of Sierra Leone as well as the high number of women infected. The Commission also notes that women married into polygamous marriages are exposed to a higher risk of sexually transmitted diseases because of their husband's multiple partners.

Reference 17 - 0.01% Coverage

Many girl and women ex-combatants did not benefit from the disarmament programmes. The Commission calls on relief agencies to continue to assist these women with skills training and their rehabilitation back into society. Similar support should be given to non-combatant women who were internally displaced by the civil war and who found themselves economically and socially marginalised.

Elderly Women 375.

A large number of elderly women have been rendered destitute and unemployable by the conflict. The war was accompanied by the breakdown of social and cultural values that would normally have ensured protection and support for elderly women. These women have been largely abandoned by society. They now live on the margins of society. Elderly women should be treated with dignity.

Reference 18 - 0.01% Coverage

Most of the young people who testified before the Commission complained of forcible drugging by local commanders within the armed factions. Women, abducted and converted to "bush wives" were injected with the psychotropic substances or forced to consume them. In a drugging violation, the victim takes a substance, which alters, temporarily, or permanently, their mental state. The taking of the substance was also achieved by devious means such as lacing drinks or food with the drugs. The drug may result in permanent physical and/or mental injury. Drugging was used mainly against children forcibly recruited into an armed faction to make them more inclined to fight.

Reference 19 - 0.01% Coverage

While peace has returned to Sierra Leone, many of the wounds still remain open. Women and girls still bear the scars, both physically and psychologically. Many have borne children from their horrific experiences. These children are a daily reminder of their pain and suffering. Many women and girls are shunned and punished by members of a society who refuse to acknowledge that it is their failures that led to this conflict and their failure to protect women and girls that has led to the plight they find themselves in today. Women and girls who were violated throughout the conflict are ostracised from society for giving birth to children of "rebels". It is the price they continue to pay, even today.

Reference 20 - 0.01% Coverage

In this regard, the social and cultural factors that have determined societal perceptions and attitudes towards women in Sierra Leone can be examined against the background of the violations they have suffered.

Reference 21 - 0.01% Coverage

All of these solutions depend on the acts of sexual violence having been "publicly" declared. In a society where silence around sexual violence holds sway, the notion of a "public declaration" is problematic. In addition, fear of shame, ostracisation, stigma, bureaucracy the disappearance of witnesses and a lack of financial capacity to take a case forward all militate against the victim making the violation known publicly. Hence out-of-court settlements are common. A pervasive "culture of silence" around rape and other acts of sexual violence tends to discourage women and girls from coming forward.

Reference 22 - 0.01% Coverage

Despite the existence of a number of mechanisms to address sexual violations, most of them continue to go unreported or undeclared. In addition to the culture of silence there has emerged a culture of impunity, which enabled the armed groups to sexually violate women during the conflict with no thought or fear of accountability. Society's reaction to sexual violations is generally lukewarm and rather passive. It remains to be seen whether there will be successful prosecutions of those who have committed rape and other acts of sexual violence during the conflict.

Reference 23 - 0.01% Coverage

According to Rehn and Sirleaf⁵⁸, the extreme violence that women suffer during conflict does not arise solely out of the conditions of war, but is directly linked to the violence that exists in women's lives during peacetime in the society in question. The authors state that "throughout the world, women experience violence because they are women."⁵⁹ They mostly attribute this situation to women's lack of political rights and authority. They conclude by stating that:

"Because so much of this persecution goes largely unpunished, violence against women comes to be an accepted norm, one which escalates during conflict as violence in general increases."⁶⁰

Reference 24 - 0.01% Coverage

Domestic violence as well as sexual violence is usually condoned or tolerated particularly in traditional societies. This is usually because of unequal power relations. In addition, conditioned by culture and status to be subservient to men, some African women especially the rural and poor ones have less safety mechanisms to combat violence leading to an acceptance of violence in the society.

Reference 25 - 0.01% Coverage

A contributory factor is the ingrained perception held by many African women that complaining to persons or authorities may lead to the exposure of "family secrets". This perpetuates the culture of silence around domestic and sexual violence. During conflict periods the usual safety mechanisms no longer function and violence spirals out of control. It has a direct effect on women and girls who bear the brunt of it.

Reference 26 - 0.01% Coverage

The prevalence of an existing culture of violence in Sierra Leonean society and the silence that surrounds it may explain in part the brutality experienced by women during the conflict period. If violence existed against women at a time when there were some, albeit insufficient safeguards for women in place, the moment they were removed, the level of violence escalated. The contempt in which women were held prior to the conflict also exacerbated the way they were treated during the war. A report concluded in Freetown in 1998 found a correlation between the culture of condoning domestic violence in Sierra Leone and the prevalence of violence in general. In one of its conclusions the report stated that:

Reference 27 - 0.01% Coverage

It is clear that women did not enjoy a high status in Sierra Leonean society before the war. Regrettably, the subordination of women has not changed up to the present day. It is a prognosis corroborated by Dr. Shirley Gbujama, the Minister of Social Welfare, Gender and Children Affairs, speaking in Freetown in October 2003: "The low status of women is steeped in deep cultural tradition. In traditional Sierra Leonean society, the wife and children are at the mercy of the family. Women have little control or influence over decision-making. Certain socio-cultural practices provide the leading cause of gender disparity and the inferior status of women as evidenced by [such factors as]: high fertility rates; high infant and child mortality rates; high adult female illiteracy rates; exclusion of women from receiving certain services and instruments in rural areas such as land, extension services, credit and farm inputs; and the disproportionate amount of the workload in agriculture (estimated at 60-80%) allocated to women."⁶²

61 Coker A. and Richter D.; "Violence Against Women in Sierra Leone: Frequency and Correlates

Reference 28 - 0.01% Coverage

The rules of procedure in Sierra Leone's courts, which require corroboration and cross-examination by formidable defence lawyers, discourage women from instigating legal proceedings. Such a perceptibly hostile environment in the courts has often had the consequence of making victims, most of them without legal representation, feel that they are responsible for the crime they have suffered. Even where cases are reported, most of them end up not being prosecuted, as those responsible for prosecution prevail upon the victim to settle the matter out of court. The approach of the police and judicial officers suggests that they regard rape and other gender-based crimes as lesser crimes not worth prosecuting.

Reference 29 - 0.01% Coverage

The complex provisions of the general law have been misinterpreted to the detriment of minors who have been raped or sexually assaulted, resulting in perpetrators being charged with unlawful carnal knowledge of a child, for which the sentence is lighter than rape.⁹⁸ Another area of concern is the need for corroborating evidence relating to these offences, which is extremely unlikely considering their nature and the circumstances in which they are typically committed. Until recently there was only one police doctor in Freetown who was competent to provide medical services to victims and furnish the courts with the requisite medical reports. The police and judicial officers remain outwardly reluctant to prosecute sexual offences and the legal system that is supposed to serve women remains unfriendly to them.

Reference 30 - 0.01% Coverage

Under traditional customary law, the consent of the woman or girl for the purposes of sex is immaterial. If a girl is raped or indecently sexually assaulted, her parents can bring an action under customary law for compensation.¹⁰⁰ If the girl is a virgin the amount of compensation includes "virgin money". The same situation applies where the offender is a prospective husband of the victim. If the girl is married her husband can bring an action for compensation commonly referred to as "woman damage".¹⁰¹ The fact that communities were in no position to demand compensation for these crimes when they were committed against women and girls during the war has further degraded the status of women. There is no doubt that the reduction of a sexual offence from a heinous crime to a mere action for damage money has contributed to the low status that women occupy in traditional society. Access to justice for women facing sexual violence under general law and under customary law

148. Women victims of sexual violence in Sierra Leone face considerable challenges in seeking to achieve justice. Some of the problems they face are as follows:

Reference 31 - 0.02% Coverage

The NCDDR statistics also do not accurately reflect the number of women who joined voluntarily or those who were forcibly recruited into becoming combatants. There are a number of reasons for this omission. At the end of the conflict, many women were reluctant to be identified as ex-combatants, as they were fearful of the reaction that it might evoke from the civilian population. Another reason was the failure of those in charge of the demobilisation process to make appropriate arrangements to include women and girl ex-combatants in their programmes. Many women and girls ex-combatants were therefore excluded, as well as not being properly identified and correctly registered in the DDR programmes.

216. Women were routinely abducted during attacks and during routine patrols. Once abducted women and girls were coerced into handling arms and taught to fight. The following victim gave a typical account of what happened next:

"They took away everything we had including me. My mother begged them in vain to release me but "Sergeant Small Soldier" – for that was the name of the rebel that abducted me – refused... he took me to Walihun... which by then was their headquarters... then the Kamajors attacked us, so we moved to Jimmi Bagbo and Koribundo area... That was the camp where the girls and women were separated from the boys and men. We were left to the command of women rebels who maltreated us greatly... we were all trained to fight as rebels. We were only given a handful of gari (empty and dry) per day. We were sent to raid neighbouring villages to loot food and bring it back. If anybody disobeyed, you were cruelly beaten."²⁰⁶

Reference 32 - 0.01% Coverage

Medical practitioners in Sierra Leone confirm that in the aftermath of the war, a major problem facing Sierra Leone is how to deal with the long-term consequences of prolonged drug abuse. Many women who appeared before the Commission complained of mood swings, unexplained anger and feelings of intense hopelessness. In most instances, these symptoms are not addressed properly and contribute to an already violent and disturbed society showing signs of even greater dysfunctionality.

Reference 33 - 0.01% Coverage

284. While many of the women who made statements to the Commission did report that they had been victims of rape, rape as a violation still remains largely under-reported. Cultural taboos associated with rape and the societal stigma that attaches to women who disclose that they have been raped have constrained women from being completely open in their statements to the Commission. Women have been even more reticent about disclosing that they have been gang-raped, as they have not wanted family members or the society they live in to know the traumatic details. In a number of instances, spouses of women raped have not wanted their wives to disclose these details, fearing that it would bring shame on them and the family. A common feature of victims' reactions to rape violations has been husbands and wives entering into a conspiracy of silence about what has happened.

Reference 34 - 0.01% Coverage

Tragically for many of the women, one of the consequences of this violation has been an upsurge in unwanted pregnancies and babies born to "rebel" fathers.³⁰⁶ A woman victim testified to the Commission of her plight:

Reference 35 - 0.01% Coverage

Many women, horrified at the prospect of giving birth to the babies of "rebel" fathers, tried to terminate pregnancies and abort their babies.³⁰⁸ A victim who fell into the hands of a second bush husband explained:

Reference 36 - 0.01% Coverage

Incidence of sexual abuse was widespread and has led to many women and girls suffering long-term gynaecological problems.³¹⁹

Reference 37 - 0.01% Coverage

More detail on the long-term effects that women have suffered as a result of sexual abuse violations can be found in the results of the Commission's special coding exercises and accompanying commentaries in the Statistical Report produced as an Appendix to this report, as well as in the chapter on Reparations in Volume Two of this report.

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COMMENTARY ON THE CONTEXT OF VIOLATIONS AGAINST WOMEN AND GIRLS AND THEIR EFFECTS

318. Women and girls suffered immensely during the conflict. They were humiliated and dehumanised based on their gender. The trauma of their experiences has left many women and girls psychologically and physically scarred. The impact of the conflict has been unfathomable, the damage immeasurable; and it is the women and girls who are bearing the brunt of it. From a wider societal perspective, the Commission has identified a total breakdown of all morality and norms, along with levels of cruelty that are quite frightening in terms of their long-term effects. A woman who had just given birth to a baby during the January 1999 attack on Freetown told this chilling story:

Reference 38 - 0.01% Coverage

Prior to the war, the status of women in Sierra Leone at almost every level was low. Their low status meant that issues concerning women and women themselves were not of paramount importance in society. Consequently, it was easy for armed combatants to treat women with disdain and appropriate a sense of ownership of women's bodies for themselves, as they probably were wont to do, albeit to a lesser extent, in peacetime. The patriarchal hegemony that had existed in Sierra Leone continued and worsened during the conflict, evolving in the most

macabre manner. The cultural concept that a woman was “owned” by a man played itself out in many of the violations that women suffered during the conflict.

Reference 39 - 0.01% Coverage

The Commission notes that it experienced great difficulties in accessing the testimonies of women ex-combatants and collaborators. The Commission has endeavoured to tell their story from the statements made by other witnesses and also submissions made to the Commission. However their story has not been told in its entirety. While the TRC has attempted to report faithfully on the impact and consequences the conflict has had on the lives of women, including those of women combatants, it is necessary to caution that the plight of women ex-combatants and their families is fairly precarious.

411. Women have been extremely guarded in their responses and have tried to avoid being identified as combatants or collaborators for fear of being targeted and stigmatised. Common wisdom has it that it is not easy to live in Sierra Leonean society as a woman who was part of one of the armed factions. Many women consider that being identified in such a capacity would lead to negative reactions from their communities, or even from their families and relatives. Women thus suffer a “double victimisation”: having been compelled by circumstances to join the armed forces, they are further victimised by the same society for having done so. Non-disclosure facilitates their assimilation into their society and is yet another survival mechanism. Living under the fear of being recognised and identified then becomes a perpetual nightmare, however.

Reference 40 - 0.01% Coverage

Given that some women were not able to come forward to the TRC for fear of ostracism, society as a whole has lost a unique opportunity to understand fully the role played by women in the war. Sadly women are still constrained by societal norms from talking about what happened to them. Society “re-victimises” women and appears unwilling to accept that women, just like everybody else who suffered during the conflict, had little to no control over what happened to them.

413. Women who have come forward to the TRC have testified about their own anguish at being identified, ostracised and mocked, or at being made social outcasts at for having been associated with the armed factions. This plight stands to be compared to the relative ease with which many of their male counterparts have been accepted back in society. The Commission finds that women in Sierra Leone have had no option other than to bury their past so as to be accepted back into society.

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Reference 41 - 0.01% Coverage

There is no doubt that in the midst of the conflict and in the face of limited resources and continuing threats, many women in Sierra Leone worked relentlessly for peace. While most of the women involved had experienced the horrors of the conflict at first hand and were traumatised, they nonetheless rose above their personal circumstances to help to bring peace to their nation. They fought long and hard for normality to return to their lives, families and nation. In the process, some of them lost their lives.

Reference 42 - 0.01% Coverage

Throughout the world, while women often play a major role in the cessation of hostilities, they are routinely ignored and under-represented at peace negotiations and in the peace-building institutions that come into existence thereafter. Such was the case in Sierra Leone.

Although two women

Reference 43 - 0.01% Coverage

President Anwarul Chowdury of Bangladesh, who chaired the First UN Security Council Meeting on Women, Peace and Security stated that:

”Members of the Security Council... affirm that the equal access and full participation of women in power structures and their full involvement in all efforts for the prevention and resolution of conflicts are essential for the maintenance and promotion of peace and security.”⁴¹⁸

428. Women played a major role in ensuring that the conflict in Sierra Leone came to an end. However, they were marginalised in the peace talks and even more so in the various Commissions established after the signing of the Lomé Peace Agreement. Such exclusion, whether direct or indirect, deliberate or inadvertent, is characteristic of most countries where women's voices are not heard or taken into account. It is a situation that must not be allowed to persist in Sierra Leone. In this regard, the Commission considers UN Security Council Resolution 1325 on Women, Peace and Security, passed on 21 October 2000, to be pertinent.⁴¹⁹

It is important to locate the struggle for a strong women's voice in Sierra Leone in the broader struggle for women's inclusion in peace initiatives around the world. The institutions and processes of peace, security and development, as well as societies at large, are made stronger and more effective by the full and equal participation of women.

Reference 44 - 0.01% Coverage

In the State of the World's Mothers Report of 2003, Sierra Leone had the ignominious distinction of standing alongside four other countries as one of the worst places on earth in which to be a woman.⁴²² The Commission explores in the sections that follow what the consequences of the conflict have been for women in Sierra Leone. The consequences have been divided into various categories of impact, including socio-cultural factors, health considerations and changes to the economic and legal status of women after the war. The consequences described are both short-term and long-term in nature. Many of them have had a knock-on effect for the society at large. Wherever possible, the Commission has attempted to discuss also the various interventions from government and other actors designed to address these consequences.

Reference 45 - 0.01% Coverage

In most traditional societies, socio-cultural norms and values are regarded as sacred. Those who flout the rules are usually cast out of their societies. In Sierra Leone, many of the norms and customs have as their core value the protection of women and girls. In addition many norms and customs exclude women from performing certain tasks and functions. The conflict in Sierra Leone shattered most of the norms and customs sacred to Sierra Leoneans, thus desecrating the value system underpinning their society.

Reference 46 - 0.01% Coverage

Traditional society in Sierra Leone demands that women be cherished and looked after. In addition, women are customarily forbidden from taking up arms and becoming involved in warfare. Thus, those armed groups who targeted women and children, abducted them and sexually violated them broke all taboos of society. Women who became combatants in the conflict found themselves flouting all the normal rules and negating the cultural value system.

Reference 47 - 0.01% Coverage

Confidential testimony received before TRC Closed Hearings, Kailahun District, April 2003. Rehn and Johnson-Violence against women, page 12

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436. Women who are identified as having been raped or who disclose that they have been raped are regarded in Sierra Leone as bringing shame to their families. In addition to the pain and anguish of the rape and sexual violence, they mostly carry with them the pain of not being able to disclose their status for fear of being ostracised. In cases where women have made the rape and sexual violence known to families, efforts are frantically made to hush up the "disgrace". The anguish and perceived shame is understandably even worse where the victim has borne the child of her rapist or captor. Many young mothers have been forced to give their children up to adoption.

Reference 48 - 0.01% Coverage

In those instances where women have borne children from abusive relationships, the children remain a living reminder of a past their mothers would rather forget. Women and girls in this position face severe trauma and psychosocial problems, which has not yet begun to address.⁴²⁸

Reference 49 - 0.01% Coverage

439. Women who were the victims of sexual violence throughout the conflict in Sierra Leone have also suffered further blows. In attempting to resume normal family life, they have found that their husbands and in-laws reject them, precisely because of the violations they have experienced.

Reference 50 - 0.01% Coverage

relationships have broken down dramatically, with most spouses unable to deal with the fact that their wives have been sexually violated.⁴²⁹ Many of the women who were displaced and separated from their husbands lived in rebel-held areas and are now unable to return to their original relationships because they have been “other men’s wives”⁴³⁰ A victim who was raped and subsequently made a sexual slave testified to the Commission as follows:

Reference 51 - 0.01% Coverage

The war has led to many women being divorced by their husbands. The consequences of divorce do not only impact on the lives of those directly affected but also impact on children and the extended families. Families traditionally bound together experience strained relationships as marriages bind families and not only the immediate the parties in African society. Women experience again a “double victimisation”, as they now have to bear the economic and social consequences of divorce.

Reference 52 - 0.01% Coverage

The legacy of the conflict on the already beleaguered women of Sierra Leone is extreme poverty and limited opportunities to engage in economic activities. The absence of viable employment opportunities and the need to survive has compelled many women to become commercial sex workers. In this regard, the Commission notes that a clear link exists between economic impoverishment and the increase in prostitution and sexual exploitation in post-conflict Sierra Leone. According to a report on commercial sex workers produced from a study by the NGO Goal Ireland, poverty is the primary cause that leads to prostitution. This trend was observed not only internally in Sierra Leone but also among women and girls who had fled the country as refugees to neighbouring countries:⁴³⁴

Reference 53 - 0.01% Coverage

Another consequence of the conflict in Sierra Leone has been the numerous unplanned and unwanted pregnancies that affected the vast majority of women abducted and forced into sexual slavery and who suffered sexual violence. Unwanted children are an aspect of this legacy.⁴⁴⁶

For many women already

affected by the stigma of association with the RUF and the AFRC, the children born from these unions are a further burden on them. The circumstances around the conception of these children turn what should be a desirable human experience into an unbelievable and life-long nightmare. Women and girls who have borne children in this way face not only the humiliation and pain they suffered from rape and sexual violence, but also a living reminder of what happened.

Reference 54 - 0.01% Coverage

Many of women who testified to the TRC admitted that their feelings towards their children were ambivalent. While they associated the children with the brutality meted out to them by the perpetrator and resent having to look after them, the children are also part of them and need their care and attention. In some instances, the children have been accepted in their mother’s families but there are a number of cases where mothers with children born under these circumstances have been forced to leave their family and immediate society altogether as they met with such reluctance to absorb them. The virtue of forgiveness, so deeply rooted in African culture, is at odds with the traditional society’s feelings of repugnance towards children born in this way, particularly in Sierra Leone. However in many societies, the culture of silence about children born from acts of sexual violence has also silenced any rumblings over children born from “forced marriages”.

Reference 55 - 0.01% Coverage

Many of the women who testified to the Commission indicated that their children themselves were unaware of the circumstances of their birth. Society has not dealt with the issue in any honest or transparent fashion. What is clear is that education is needed to help society confront the problem openly and sensitively.

446 See FAWC submission to TRC, at page 3. Vol Three B Chapter Three Women and the Armed Conflict in Sierra Leone Page 202

Reference 56 - 0.01% Coverage

The depressed post-war economy has meant that Sierra Leone has not been able to prioritise either the reconstruction of the health system or the management of the HIV/AIDS epidemic. It does not possess the necessary purchasing power to buy anti-retroviral drugs, even where available. The lethal combination of poverty and a non-functional health sector means that the infected women do not have a chance at survival. The statistics speak for themselves. According to the NGO Save the Children, Sierra Leone is no different to other post-conflict countries where the response to dealing with HIV/AIDS in the aftermath of the conflict has been poor.⁴⁵⁵

Reference 57 - 0.01% Coverage

At a national level the loss of person-power affects the economy. Given the role of women in subsistence farming in countries like Sierra Leone, the effect of HIV/AIDS on the economy is profound. Sierra Leone lacks accurate statistics of how many women contracted HIV/AIDS during the conflict and how many are living with the virus or have died as a consequence of contracting the virus.

THE IMPACT OF AMPUTATIONS ON WOMEN

475. Women were as much the victims of amputations as men. The effects of the amputations on their lives have been manifold, ranging from health, social to economic. After the war, Handicap International and MSF provided assistance to amputees and ran medical services at the Aberdeen Amputee camp. While MSF no longer provides any services, Handicap International has continued to provide some services to amputees. Women amputees told the Commission that they were not able to access the services presently provided by Handicap International.⁴⁵⁶

476. While amputations of all kinds have a devastating effect on women and girls, it is important to note that the degree of social and economic dependence of an amputee is determined by the type and level of loss of limb. In an agrarian economy like that in Sierra Leone, amputated women and girls lose the ability to actively engage in farming activities. This affects their ability to earn a living and also to provide food for the family. Many women and girls in Sierra Leone have been reduced to begging for their sustenance and that of their families.

Reference 58 - 0.01% Coverage

The state in Sierra Leone does not have at present the capacity to rehabilitate amputees, particularly women and girls. In those instances where young girls have had their limbs amputated, their futures have been completely compromised. Coupled with poverty, they face a future without any opportunity or hope. The fate therefore of many girls who suffered amputations in the conflict presently hangs in the balance. Women who through amputations have lost their ability to earn have in many instances lost their husbands. In other instances, men who are unable or unwilling to care for their amputee wives have left them.

Reference 59 - 0.01% Coverage

The social impact of amputations is equally far reaching. It ranges from lifestyle change, loss of social interaction and loss of self-esteem, to effect on family members. For women, the transformation of their bodies has had an effect on their self-esteem. Many amputee women expressed the view that they felt incomplete, ashamed and not worthy of being loved. Amputations have had a profound impact on relationships they have had before the amputation. Many women state that they have become social recluses, refusing to interact with other members of society. Many have become depressed and talk about taking their own lives. Amputations also impact on other family members as it puts an added strain on the resources of the family in trying to cope with the situation. Role changes occur in the family, which cause diverse sentiments of resentment among family members. For women amputees the inability to carry out their previous functions is a particularly bitter pill to swallow.

Reference 60 - 0.01% Coverage

“First Witness” – confidential testimony received before the TRC Special Thematic Hearings on Women, Freetown, 22 to 24 May 2003.

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479. Women amputees expressed to the Commission their anguish at their loss of privacy, particularly with regard to carrying out their bodily functions. Women who are double amputees, either of the legs or hands, are profoundly affected. Being dependent on others to assist them with intensely private functions, they consider themselves stripped of dignity and a burden to others.

Reference 61 - 0.01% Coverage

Some of the psycho-social consequences that victims of sexual violence exhibit are anxiety, depression, flashbacks, shame, anger, guilt/self-blame, fear, suicide, post traumatic stress disorders, inferiority complex and general hopelessness. In Sierra Leone as in most African societies, the psycho-social problems of victims are not properly discussed or dealt with. People have been largely unable to express their views or their personal thoughts in the aftermath of the conflict. A myth that prevails in African societies is that there is no need for counselling as traditional structures exist that allow those affected to deal with trauma. While such a statement may have been true in the past, the conflict has left society broken and fragmented. No mechanisms exist for women in particular to deal with their feelings of anger, humiliation and shame. In many of the hearings before the Commission, rape victims expressed shock, anger, resentment and a general sense of loss at their plight. Most of them were also given to weeping fits during their testimonies.⁴⁵⁸

Reference 62 - 0.01% Coverage

485. While both sexes have suffered terrible violations, women’s experiences have been exacerbated by gender-based violations. Recent studies suggest that women and men respond differently to trauma. These studies suggest that women run twice the risk of developing post-traumatic stress disorders as certain types of trauma may have a deeper and longer-term psychological impact on women.⁴⁵⁹

Reference 63 - 0.01% Coverage

Sierra Leonean women were exposed to traumatic events such as rape and sexual violence, the killing of close family members and the burning and looting of their properties, as described earlier in this chapter. Many women had to leave their homes to live as displaced persons or refugees in foreign countries, without any support systems. Such dislocation and emotional freefall again precipitate enormous trauma. A recent survey on mental health and substance abuse in post-conflict Sierra Leone showed that more than 90% of the sample population had a significant traumatic exposure. Between 50% and 75% of the sample demonstrated “moderate symptoms” of trauma, while between 15% and 25% showed “severe symptoms”.⁴⁶⁰ The survey included both sexes.

Reference 64 - 0.01% Coverage

It is important to note that Sierra Leoneans do not ascribe as much importance to treating mental health conditions as they do to treating physical afflictions. The psychological effects of the conflict, especially the effects on women, are generally underplayed if not dismissed altogether.

Reference 65 - 0.01% Coverage

Armed conflicts have a profoundly negative impact on the health of women. Factors such as the destruction of family and community networks and support systems, poverty and the loss of livelihood reduce the capacity of individual women to protect their own and their families’ health for decades to come.

Reference 66 - 0.01% Coverage

Police attitudes towards the victims of sexual violence are problematic. In many instances women do not report the crime, as they are aware of the fact that they will receive very little sympathy from the police. The government is aware of the problem and has tried to address it through the establishment of Family Support Units within the police

force, designed to deal sensitively with women. The government has also begun to provide training for the police in the handling of domestic and sexual violence.

Reference 67 - 0.01% Coverage

“Prevailing attitudes towards gender-based violence against women and rape issues are not treated with the importance they deserve. Factors such as lack of protection of witnesses and victims, lack of forensic evidence and subjecting women to humiliation in court also hinder the course of justice in such cases.”⁴⁶⁸

Reference 68 - 0.01% Coverage

Current programmes targeting gender-based violence are directed at girls and not women. Women are generally disadvantaged by the complete focus on girls. The United Nations Rapporteur on Violence against Women, during her visit to Sierra Leone, lamented donor apathy towards the cause of women as well as the fact that that most programmes of sexual violence are tilted heavily in favour of children.

Reference 69 - 0.01% Coverage

A further problem that exists is the differentiation between services available in Freetown and the Provinces to disadvantage of those that live in the Provinces. The paucity of services effectively prohibits women in the villages from accessing them. Even more debilitating is the fact that the vast majority of women are not even aware of the services that exist. There is an urgent need for massive sensitisation campaigns to make women aware of the existence of services that exist and how to access them.

Reference 70 - 0.01% Coverage

The NCDDR was tasked by its mandate with the disarmament, demobilisation and reintegration of ex-combatants. While its chosen approach mostly impacted on male ex-combatants, the reintegration programmes contained some elements of economic and social reintegration for female ex-combatants and the wives of male ex-combatants. The NCDDR has done incredible work in this field and accomplished the goal of disarming and demobilising thousands of ex-combatants and increasing security in the country. However a major criticism of the programme has been that the plight of women and girls was not specifically addressed by the DDR programmes and that women and girls did not therefore benefit in a substantial way from these programmes in Sierra Leone. A question the Commission has yet to address is why this oversight happened.

Reference 71 - 0.01% Coverage

The Commission came to the conclusion that the issues of gender and the specific needs of women were not taken into account when the programme was planned. In particular little or no attention was given to an issue which has primarily affected women, that of stigmatisation in communities once they have been identified as being ex-combatants.

Reference 72 - 0.01% Coverage

The DDR programme also failed to carry out sensitisation programmes in communities in order to deal with the negative perceptions attached to women and girls identified as ex-combatants. A further problem was the fact that the eligibility rules for admission into the programme did not cater for the different roles played by women and girls during the war. The criteria established for access were quite restrictive and deterred many women from even trying to access the DDR programme.

Reference 73 - 0.01% Coverage

A large number of women did not benefit from the resettlement process. They argue that the workers charged with handling the registration process for resettlement exercises did not do their jobs competently. Another factor that prohibited registration was the cumbersome nature of the process, which took a longer time than many women could

afford to spend when they were also concerned with providing food for their families. Many widowed women and women who head households found it especially difficult to register.

Reference 74 - 0.01% Coverage

550. While women did benefit from some of the programmes for reintegration, in most instances these programmes have benefited men and not women-headed households or widows. The Norwegian Refugee Council provided amputees and war wounded with housing. In this programme the NGO received support from the Catholic Mission in Sierra Leone. The houses for the amputees and war wounded have been designed around the needs of amputees and war wounded. They consist of a two-bedroom structure, with a big living room and veranda, outside toilet, bathroom and kitchen.⁴⁹⁹

Reference 75 - 0.01% Coverage

As at December 2002, there were 239 primary beneficiaries together with an additional 1,800 family members and dependents who benefited from the Norwegian Refugee Council's housing project. Of the 239 primary beneficiaries, 82 fall into the war-wounded category, with 157 in the amputee category. Of the latter number only 55 women are primary beneficiaries.⁵⁰⁰ These houses have been built in every district in the country with the exception of Pujehun and Bonthe.

Reference 76 - 0.01% Coverage

Despite these efforts, social reintegration in Sierra Leone has been fraught with problems. The stigmatisation of women and girls associated with the various armed factions remains a huge stumbling block to reintegration. The fragmented sensitisation programme being carried out by different organisations across the country has not had an ameliorating effect on the issue. Women and girls are wary of being identified with any of the belligerents. Yet at the heart of the recovery process is the need for acceptance of the wrongs of the past to make a more stable society in the future. It is a process that must necessarily involve ex-combatants, who should become constructive contributors to peaceful and progressive communities. The head of the NCDDR posed this pertinent question:

Reference 77 - 0.01% Coverage

documented were children aged 15 or under at the time they were abducted.¹²⁶ The most targeted age range for this violation comprised girls and women aged between ten and 25 years.¹²⁷

154. While women who have been sexually violated usually bear a stigma all over the world, it is even worse in a country like Sierra Leone where the prevailing culture is a deeply traditional and secretive one. Victims tend not to disclose their experiences, as they fear stigmatisation from family members and their communities. Historically women in Sierra Leone did not disclose rape. This pattern has remained true even for the conflict period and its aftermath.

Reference 78 - 0.01% Coverage

Thus, while the DDR programme had a generally positive and rehabilitative effect on male ex-combatants, women and girls mostly lost out. While the DDR programme channelled assistance to selected combatants, it appeared to do so in a male-biased fashion. Meanwhile many of the girls who were designated "camp followers" found themselves in limbo between assistance programmes: they could not access DDR, yet they were also unable to access any services from the National Commission for Reconstruction, Resettlement and Rehabilitation (NCRRR), as they were not considered to be internally displaced persons. Unfortunately, girls in such a position were said to have outnumbered the "combatants" in the DDR process at a ratio of four persons to one.³⁵⁶

Military

References or discussions of the military and soldiers

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 101 references coded [0.41% Coverage]

References 1-2 - 0.01% Coverage

The main armed groups accused of perpetrating sexual violence against women and girls during the conflict were the Revolutionary United Front (RUF), the Armed Forces Revolutionary Council (AFRC), the Civil Defence Forces (CDF), the Westside Boys and the Sierra Leone Army (SLA).

54. While peace has returned to Sierra Leone, many of the wounds of war still remain open. Women and girls bear the scars of their horrible experiences. Many have borne children as a result of rape and sexual slavery. These mothers are shunned and punished by society for giving birth to ‘rebel’ children.

Reference 3 - 0.01% Coverage

The RUF carried out widespread rapes and acts of sexual violence against women and girls.

References 4-5 - 0.01% Coverage

In particular, the Commission finds that the SLA, supported by civil militia men and women from the Koinadugu District known as Tamaboros, committed numerous excesses as it attempted to dislodge the RUF from Kono District in late 1992 and early 1993. Among the officers who carried out torture practices on captured rebel suspects was Colonel K. I. S. Kamara.

References 6-7 - 0.01% Coverage

The Commission finds that during the conflict in Sierra Leone the CDF carried out a deliberate strategy of perpetrating rape, sexual slavery and other sexual violations on girls. The Commission finds in particular that girls and women identified as relatives or associates of the opposing forces were specifically targeted by the CDF for such violations. The Commission finds such acts to be in clear contravention of international law and holds the leadership of the CDF responsible for the sexual violations carried out by members and combatants of the CDF faction.

Reference 8 - 0.01% Coverage

The Commission finds that, during the conflict in Sierra Leone, all armed groups perpetrated human rights violations against women and girls. Women and girls were targeted for rape and sexual slavery. Violations committed against women included killings, rape, sexual violence, sexual slavery, slave labour, abductions, assaults, amputations, forced pregnancy, detention, torture, enforced sterilisation, trafficking, mutilations, enforced cannibalism, displacement and economic violations such as looting, extortion, theft and the destruction of property.

Reference 9 - 0.01% Coverage

Retarding the recovery of women is the fact that they lack adequate access to productive assets including land, credit, training and technology.

The Commission finds that the Government of Sierra Leone failed in its duty to protect women and girls from abuse during and after the conflict.

Before, during and after the conflict, women have been largely excluded from meaningful decision making in the political arena.

Main Findings Findings against the RUF in respect of women 502.

The Commission finds that the RUF was the primary perpetrator of human rights violations against women and girls. The RUF was responsible for targeting women and girls, abducting them with the express intention of exploiting their vulnerability.

References 10-11 - 0.01% Coverage

The RUF pursued a deliberate strategy of violating women by raping them and perpetrating acts of sexual violence against them. RUF combatants used women and girls (particularly those between the ages of 10 and 14) as sexual and domestic slaves and tortured them in a myriad of different ways. Women and girls were killed, assaulted and suffered cruel and inhuman acts at the hands of RUF fighters.

Findings against the AFRC in respect of women 504. 505.

The Commission finds that the AFRC pursued a deliberate strategy of targeting girls and women with the specific intention of violating them by abducting them, raping them and perpetrating acts of sexual violence against them. The AFRC pursued a strategy of violating women and girls by using them as sexual and domestic slaves and tortured them in a variety of ways. Women and girls were killed, assaulted and suffered cruel and inhuman acts at the hands of AFRC fighters.

References 12-13 - 0.01% Coverage

The Commission finds that the AFRC planned, authorised and executed a strategy to target women and girls during the invasion of Freetown in January 1999. AFRC combatants targeted women and girls with the express intention of abducting them, raping and sexually violating them and pursuing a range of other human rights violations against them.

References 14-15 - 0.01% Coverage

Findings against the CDF in respect of women 508. 509. 510.

The Commission finds that the CDF, particularly in the latter period of the conflict, abducted civilian women and girls whom they believed to be associated to or in collaboration with the RUF and the AFRC.

The Commission finds that the CDF detained women and girls and kept them under the most cruel and inhuman conditions with the intention of violating them by raping them and exploiting them as sexual slaves.

References 16-17 - 0.01% Coverage

Findings against the SLA in respect of women 511.

The Commission finds that the SLA, which was responsible for protecting the civilian population, abducted women and girls, particularly those believed to belong to the RUF or believed to have collaborated with the RUF / AFRC. Women and girls were detained under conditions of extreme cruelty with the deliberate intention of raping them and perpetrating other acts of sexual violence upon them.

Reference 18 - 0.01% Coverage

The Commission finds that all of the armed groups pursued a deliberate strategy of targeting young girls between the ages of 10 and 14. Women and girls were abducted for the purposes of keeping them under their control, exercising rights of ownership over them, exploiting their vulnerability, coercing them into becoming combatants and using them as sexual slaves and as forced labour.

Reference 19 - 0.01% Coverage

The RUF was the organisation primarily responsible for the abduction of women and girls.³⁹

References 20-22 - 0.01% Coverage

The Commission finds that the RUF and the AFRC deliberately embarked on systematic strategies to abduct and rape women and girls between the ages of ten and 14 years.

The Commission finds that the systematic raping of women was intended to humiliate, defile and violate women, their families and communities. The practice of systematic rape sowed terror among the local population and debased societal norms and customs.

References 23-25 - 0.01% Coverage

The Commission finds that the RUF and the AFRC were the major perpetrators of sexual slavery and forced marriages of women and young girls.⁴⁰

References 26-27 - 0.01% Coverage

The Commission finds the RUF and the AFRC primarily responsible for perpetrating the violation of “enforced sterilisation” for no reason other than to torture and inflict cruel and inhuman treatment on women.

39 Of the 2,058 abductions of women and girls reported to the Commission, 1,362 (66.2%) are

Reference 28 - 0.01% Coverage

Of the 189 allegations of sexual slavery of women and girls reported to the Commission, 137 of them (72.5%) are attributed to the RUF and 22 (11.6%) are attributed to the AFRC.

The practice of disembowelling pregnant women with the intention of removing the foetus constitutes ‘enforced sterilisation’ in terms of international human rights law.

References 29-30 - 0.01% Coverage

519. The Commission finds that the RUF and the AFRC were responsible for the extensive mutilation of women and young girls. These groups are held responsible for the carving of the initials of their factions onto the chests of women and girls, as well as other abductees, with the deliberate intention of permanently disfiguring them and to discourage them from escaping.

Reference 31 - 0.01% Coverage

The Commission finds that all the armed groups pursued a strategy of detaining women and girls whom they believed to be relatives and supporters of the opposing forces, with the intention of violating them and punishing them for their perceived association with “enemy” forces.

Reference 32 - 0.01% Coverage

The Commission finds that all the armed perpetrator groupings and in particular the RUF violated the rights of women and girls by forcing them to flee from their homes and to abandon all their possessions.⁴² This caused women not only economic loss but also the loss of security and enormous trauma.

Reference 33 - 0.01% Coverage

The Commission finds all the factions, particularly the RUF, responsible for the forced ingestion of drugs and alcohol by women and girls. This tactic was carried out with the deliberate intention of causing its victims to lose control, both mentally and physically, and to exploit their vulnerability.

Reference 34 - 0.01% Coverage

The Commission finds that collaboration with an armed faction is often a mechanism that women employ to survive and to improve the situation for themselves and their families. Ethnic allegiances, as well as personal and private loyalties also explained why women took sides.

Reference 35 - 0.01% Coverage

Contrary to popular perceptions of an exclusively illiterate body comprised of marginalised lumpen youth, the RUF vanguards were actually a disparate collection of Sierra Leoneans and Liberians from across the demographic spectrum gelled together through coercion and training into a fighting force. The vanguards included among their number both men and women; Sierra Leoneans of most of the major ethnic groups in the country, including large numbers of Mendes and Temnes; boys as young as 11 years of age, ‘senior citizens’; illiterate labourers and secondary-school drop-outs through to a few highly educated professionals in diverse fields.

Reference 36 - 0.01% Coverage

“The training we received was all-round political-military commando training. It was political in the sense that the warfare was going to be exposed to civilians as well as military affairs, so basic political knowledge had to be introduced... such as the welfare of captives; such as administering people who have been cut off from their original style of livelihood; such as dealing with the old-aged; and dealing with women. The military training covered exposure to light weapons such as AK-47s, Berettas, G3s, RPGs and the like. The training was not for a long duration; it was a hasty training carried out basically to expose people to the use of arms on an emergency basis... and to prepare us for the revolution.”³⁶

Reference 37 - 0.01% Coverage

“As we were pulling out, we saw a truck and they said we were going to Magbosi. I was told that I should capture that village in order to get my height in the jungle. There was a Lt. Jongopie and others who wanted to know me. By then I was a small boy and everybody wanted to know me. We were then in control of Magbosie right unto Okra Hill; we made a short cut from Magbosie to Okra Hill. Magbosie was called Foday Sankoh’s Garage; there were a lot of cars there. We were there for a long time; people did not realize what we were doing; but in 91 area, the Temne area, they knew that rebels were there. We decided to find women; we laid ambushes for vehicles. Lungi and the surrounding villages were my area; when you approach the town from the direction of Bo, the first storey building was my office. I captured five SLA soldiers. I am not denying that I kill or burn houses, but to say that I killed an

Reference 38 - 0.01% Coverage

Most of the young people who testified before the Commission complained of forcible drugging by local commanders within the armed factions. Women, abducted and converted to “bush wives” were injected with the psychotropic substances or forced to consume them. In a drugging violation, the victim takes a substance, which alters, temporarily, or permanently, their mental state. The taking of the substance was also be achieved by devious means such as lacing drinks or food with the drugs. The drug may result in permanent physical and/or mental injury. Drugging was used mainly against children forcibly recruited into an armed faction to make them more inclined to fight.

Reference 39 - 0.01% Coverage

The RUF used rape to destroy the social respect and standing for pregnant and older women. A victim narrated an experience in 1991:

Reference 40 - 0.01% Coverage

Nothing seemed to attract the respect or deference of the RUF soldiers. Even pregnant women were beaten and raped.⁷⁸

Reference 41 - 0.01% Coverage

After their recruitment, a culture of total dependency prevailed among most of the individual combatant units established in the RUF. Junior fighters, the overwhelming majority of whom were forced recruits, depended totally on their commanders for provisions, for their livelihoods, for privileges such as drugs and women, or girls, whom they raped and for their ‘licence to kill’.¹³⁹ All of this was quite apart from the fact that if they disobeyed or

deviated from the orders they were given, they would almost certainly be either beaten severely or (in the worst cases) killed.

Reference 42 - 0.01% Coverage

Many testimonies received by the Commission traced the path of individuals who were brow-beaten into joining the RUF because they simply could not survive outside the movement. Living conditions in a town or village situated within an NPFL or RUF 'target area' seemed in its initial throes to be manageable. Government functionaries, many of whom were loathed, were typically chased out or killed and the distribution of provisions, including agricultural produce, became for a time more liberal and equitable than it was under the unjust 'system'. However, without exception, these ostensible benefits would prove to be a false dawn once the rule of law descended into rule by force. Armed commandos were often reported to have arrived at civilians' houses unannounced and invariably in the middle of the night, forced entry and helped themselves to food wherever it was available. Moreover the NPFL and RUF forces extended their terrorising of families to the raping and gang raping of women and girls in their homes, often in front of their husbands, parents or other family members. One witness who testified at a public hearing in Kailahun captured the plight of many families:

Reference 43 - 0.01% Coverage

EXPERIENCES OF WOMEN AND GIRLS DURING THE CONFLICT IN SIERRA LEONE

200. Women and girls in Sierra Leone were deliberately targeted by all of the armed groups involved in the conflict in Sierra Leone. They suffered a multiplicity of violations at the hands of their abusers. The violations included a range of sexual crimes such as rape, sexual slavery, forced pregnancy, and other crimes of sexual violence. Women and girls also suffered abductions, enslavement, torture and forced labour. Many women and girls were also killed in the most brutal circumstances. Many women and girls became displaced, many were forced to flee and become refugees. They also suffered extortion and looting. Despite their experiences, brutal though they were, many have managed to survive and have offered their testimonies to the Commission.

Reference 44 - 0.01% Coverage

Testimonies before the Commission confirmed that all the major armed groups in the conflict perpetrated violations against women. Government security forces, civil militia and opposing armed factions were all at different times in the conflict responsible for violations against women.¹⁹¹ A female health worker shared this experience of the conflict with the Commission:

References 45-46 - 0.01% Coverage

The Commission's statistics confirm that there was a deliberate policy on the part of the RUF and AFRC to target girls and women between the ages of 13 and 24 and forcibly "brand" them with the acronyms of the fighting forces.²¹⁰ Mutilation has been listed as a war crime under Art 8(2)(c)(i) of the Rome Statute. The ICC elements define mutilation as a permanent disfigurement or permanent disabling or removing an organ or appendage under circumstances that are not medically justified. The Commission finds that the RUF and the AFRC were responsible for the mutilation of women and young girls in that they carved the initials of their particular armed faction on the chests of women and girls with the intention of permanently disfiguring them, holding them hostage and discouraging them from escaping.

References 47-48 - 0.01% Coverage

Scores of thousands of Sierra Leoneans, including thousands of women, lost their lives in the conflict. There was a deliberate policy by certain of the armed forces, particularly the RUF and the AFRC, to target civilians in campaigns of killings. Many families and communities were massacred. One example is this mass killing of a family at Kono Kangana, Gorama Chiefdom in 1994:

Reference 49 - 0.01% Coverage

The Commission finds that all of the armed perpetrator forces pursued a deliberate policy of killing civilians, often in an indiscriminate fashion. In the course of pursuing this policy, the factions took the lives of many women and girls. The Commission finds that the RUF in particular pursued a strategy of mass killings under campaigns such as “Operation No Living Thing”. In terms of both international human rights law and humanitarian law, the killing of civilians is strictly prohibited.

Reference 50 - 0.01% Coverage

The Commission has found that most violations in this category are attributable to the RUF. Given that the RUF was responsible for the highest number of abductions, they are also found to be responsible for the highest number of gender-based violations perpetrated against women.²⁶⁰

Reference 51 - 0.01% Coverage

The Commission finds that all of the armed groups were responsible for the enforced sterilisation, torture and mutilation of women and girls. In particular, the Commission finds the RUF – through its practice of disembowelling pregnant women – responsible for the violations of “enforced sterilisation”, torture and mutilation of women and young girls for no reason other than to torture and inflict cruel and inhuman treatment on them.

Reference 52 - 0.01% Coverage

290. Women and girls were not safe from any of the armed groups, even those meant to protect them. Individual victims were raped in a multiplicity of different incidents over different periods of time, often by more than one different armed group, depending on whose hands they fell into.²⁸⁸ One rape victim testified to the Commission of her experiences of multiple rapes by different persons from different armed groups throughout the conflict and in the period beyond.²⁸⁹

References 53-54 - 0.01% Coverage

Having considered the testimonies given by women, which include the most horrific details of rape, the Commission finds that all of the armed factions, in particular the RUF and the AFRC, embarked on a systematic and deliberate strategy to rape women and girls, especially those between the ages of ten and 18 years of age, with the intention of sowing terror amongst the population, violating women and girls and breaking down every norm and custom of traditional society.²⁹⁷

References 55-56 - 0.01% Coverage

Pressure from society, anxiety about being identified and fear of being ostracised has led to women being extremely reticent about reporting this category of violation.

Given the testimony of the women who came to the Commission, the Commission finds that all of the armed perpetrator groupings were responsible for the sexual slavery of women and girls. The Commission finds that the RUF and the AFRC were the major perpetrators of sexual slavery and forced marriage of women and young girls.

Reference 57 - 0.01% Coverage

Sexual abuse violations also included acts of indecent touching or groping of women’s bodies and genitalia, putting sharp objects into their genitalia as well as forcing their genitalia into the mouths of other victims. Often these cruel acts led to the death of women victims as is testified to by a witness who saw her sister-in-law being killed:

“In March 1991, there was an attack by RUF rebels in Kuiva village in the morning hours. I managed to escape, narrowly, into the bush where I hid for safety. One of the junior workers for the women’s secret society (Bondo) was captured by the rebels. She was the wife of my elder brother, the town chief of Kuiva. She was stripped naked, hair shaved with cutlass and then beaten seriously. They then took her to the secret society bush for men, where the rebels finally shot her.”³¹⁸

Reference 58 - 0.01% Coverage

“The ‘Revolution’ of the RUF was not at all redemption for women. On the contrary, the RUF committed unspeakable crimes.”³²⁴

Reference 59 - 0.01% Coverage

The war from inception was a self-destructive conflict that consumed its own. Attacks on unarmed civilians by the RUF and its accomplices started from the very beginning of the war and continued unabated until its conclusion, with violation rates escalating and the nature of violations becoming ever more grotesque. In terms of the violations recorded in the TRC database, the Commission estimates that women make up 34% of victims of all violations throughout the conflict and that the average female victim suffered approximately three violations.³²⁵ This percentage testifies to the startlingly unconventional nature of the war, whereby civilians were the prime targets of all factions. Had the conflict in Sierra Leone assumed a more “conventional” character of battles between armies, then fewer civilians, especially women and children, would have met face-to-face with the various factions and suffered such levels of atrocities.

Reference 60 - 0.01% Coverage

It is also important to note that the major armed groups in the conflict, fighting both for and against the government, all committed gross human rights violations against women. In essence, the conflict did not offer any respite for the women from any of the armed groups, including those who were fighting for the government and who were supposed to protect civilians. On the side of government, the fluctuating nature and loyalties of the national Army that gave rise to the “sobel” phenomenon³²⁶ meant that the government lost any substantial control of the Army and as such forfeited a mechanism through which to protect all civilians, women included. Therefore, women were rendered vulnerable to attacks and abuses without any reliable institution of state to turn to for their protection.

Reference 61 - 0.01% Coverage

The use and abuse of drugs was widespread among the various armed factions. Many perpetrators lost all sense of reason and had no regard for human life, women’s included. In a drug-affected state, combatants committed atrocities without feeling and with total impunity. While drug use cannot excuse the conduct of perpetrators or the atrocities they committed, it is a factor to consider, particularly in the case of child and youth perpetrators, as drugs have been proven to alter minds and affect reason.³²⁸

Reference 62 - 0.01% Coverage

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THE PERPETRATORS OF SEXUAL VIOLENCE AGAINST WOMEN AND GIRLS 329.

The main armed groups accused of perpetrating sexual violence against women and girls during the conflict were the Revolutionary United Front (RUF), the Civil Defence Forces (CDF), the Armed Forces Revolutionary Council (AFRC), the Sierra Leone Army (SLA) and the Westside Boys.

Reference 63 - 0.01% Coverage

Given the widespread nature of rape and sexual violence by the armed groups mentioned above, it is clear that there were deliberate policies systematically to target women and girls and systematically to rape and sexually violate them. This section examines policies and parts played by each of the major factions.

Reference 64 - 0.01% Coverage

The Commission’s records reflect that the RUF was the major belligerent group in the conflict and dominates accounts of having committed the most savage acts against the civilian population. While it not only holds the record for the highest number of violations, the RUF is also responsible for most of the acts of rape and sexual violence recorded by the Commission.³²⁹ As reflected in the Commission’s narrative of the conflict, the RUF by 1994 switched from conventional warfare to guerrilla warfare. With the change in tactics, there was a corresponding change in behaviour towards women and girls. The number of women abducted began to rise. The TRC estimates that the number of victims abducted and kept in sexual slavery in 1995 was double that in 1991.

Reference 65 - 0.01% Coverage

During the early part of the conflict, the joint NPFL / RUF contingent moved into the Pujehun district. The following statement describes the harrowing experiences endured by a whole community in the Pujehun District in the first year of the war, 1991. The perpetrators were said to be “from Liberia”, which in the context of the Commission’s research indicates that they were probably comprised of a combination of NPFL and RUF members. They included both men and women; they were drawn from a variety of ethnic groups. The male statement giver describes sexual violations to which he was subjected both individually and as part of his community in his home village. The statement indicates a policy of using rape to terrorise the people and systematically to break down their sacred familial and cultural taboos:

References 66-67 - 0.01% Coverage

In terms of statements recorded by the Commission, the RUF and AFRC were the groups most likely to coerce women and girls into sexual slavery and forced marriages. A possible reason for this was that from 1993 to 1994, the RUF adopted a guerrilla mode of warfare and so its units were constantly on the move between bases in the bush. The fighters demanded women to perform domestic chores and to perform sexual services for them. Women and girls were vulnerable in their communities, so it was quite easy for a fighter to abduct them, force them under his immediate control and compel them into sexual slavery and forced labour.

336. While victims experienced some degree of protection as the exclusive property of one perpetrator through a “forced marriage”, the relationship in most instances was entirely abusive. Most victims who spoke to the Commission nevertheless suffered some manifestations of the so-called “Stockholm syndrome”, i.e. they tended in their testimonies to identify with their perpetrators and would insist that they had been treated well even though many of the experiences they were describing tended to be abusive. The economy of war also required that women make themselves useful to their captors or “bush husbands” in order to survive.

Reference 68 - 0.01% Coverage

In terms of the testimony provided to the Commission, it is clear that the RUF had a policy deliberately to target women and girls with the clear intention of abducting them and holding them for various purposes described in this report. One of the main reasons for abduction was to violate women and girls by raping them and holding them as sexual slaves. The RUF cannot deny this modus operandi in the face of overwhelming evidence that, immediately after an attack, women seized in a raid were assigned to either commanders or combatants for the purposes of using them as “bush wives”. The TRC did not receive any report of an RUF commander who attempted to return abducted women and girls to their families, nor was any effort made by the RUF High Command to condemn this practice or to stop it. The RUF leadership must therefore accept that they are responsible for the violations that took place.

Reference 69 - 0.01% Coverage

Immediately after the Abidjan Peace Accord in November 1996, there was a call for the cessation of hostilities from Foday Sankoh to RUF members. While there was a brief lull in the conflict in terms of RUF armed attacks, frankly there was no cessation in respect of the violence perpetrated against women. The ceasefire offered an opportunity to the RUF movement to deal honestly and conclusively with the issue of sexual violence and yet it did nothing.

Reference 70 - 0.01% Coverage

Human Rights Watch in its report notes that the RUF made occasional efforts to declare rape a crime in certain areas under its control and in a few incidents even endeavoured to punish “ordinary combatants” who had contravened orders to this effect.³³⁶ The Commission has also gathered testimony from witnesses who indicated that some commanders prohibited rape and sexual violence against women, particular where the abductee was very young.³³⁷

Reference 71 - 0.01% Coverage

However this kind of attitude to rape was not the typical one held by most RUF commanders, so perpetrators of violations against women and girls were not too concerned about possible punishment or repercussions.

Reference 72 - 0.01% Coverage

The Commission finds the Revolutionary United Front (RUF) responsible for pursuing a deliberate strategy of abducting women and girls with the express intention of keeping them under their control, exploiting their vulnerability and sexually violating them either by raping them and causing them to be harmed by acts of sexual violence, using them as sexual and domestic slaves, torturing them and practicing a range of cruel and inhuman acts upon them.

Reference 73 - 0.01% Coverage

In terms of the CDF code of practice after 1996, many witnesses claimed that a similar set of rules and taboos applied and that, additionally, all CDF members were obliged to protect civilians, particularly women and children.³⁴⁰

Reference 74 - 0.01% Coverage

In the latter period of the conflict, from 1997 onwards, the Commission has noted a massive increase in the number of violations attributed to the CDF. From anecdotal testimony received by the Commission, it appears that CDF forces acted with almost the same amount of savagery as the RUF towards women and girls.³⁴¹ According to the Commission's database, the CDF was responsible for 6% of the total violations recorded.³⁴² It is worthy of mention that for sexual violations recorded in the Commission's database, the percentage of allegations against the CDF is as follows: rape 12%; sexual slavery 0.8%; and sexual abuse 7.3%.³⁴³ These figures indicate that the CDF perpetrators whose violations were recorded in the Commission's database demonstrated twice as high a propensity to commit rape than their propensity to commit violations overall. The figures support the theory that, at least as far as the Commission's database can indicate, elements of the CDF made a point of committing rapes in the latter period of the conflict.³⁴⁴

Reference 75 - 0.01% Coverage

As CDF units were usually attached to a specific town or village for a specific period of time, they were not as mobile as the RUF or the AFRC. Thus in contrast to the "roaming detentions" of the RUF and the AFRC, the preferred modus operandi of the CDF in terms of sexual violations was to abduct women and girls and take them prisoner. They would then be confined to a single secure location, usually in a village or town where they were freely available to be used as sexual slaves. They would be held under the custody and complete control of the CDF and would be raped, either singly or gang raped, in a multiple number of ways. They would often be held naked and had to be freely available for sex.³⁴⁵

Reference 76 - 0.01% Coverage

The Commission has recorded many statements in its database and has heard testimony that women and their families reported CDF members for both rape and sexual violence to their commanders. The response was telling. Nothing happened and in many instances it became clear that rape and sexual violence was condoned, particularly where the women were thought to have spent time with or rendered assistance to the RUF or AFRC. No consideration seems to have been given to the possibility that women had been forced into these roles in order to survive. No evidence exists that the CDF took any action against its members who were accused of rape or sexual violence. On the contrary, such acts appear to have been condoned, particularly if the women were labelled "rebel collaborators" or "rebels", or if they had family members who were associated with the RUF, the SLA or the AFRC.

Reference 77 - 0.01% Coverage

The Commission finds that the CDF, particularly in the latter period of the conflict, pursued the deliberate strategy of abducting civilian women and girls believed to be in any way connected to the RUF or who had collaborated with them, and detained them in a cruel and inhuman way, with the intention of deliberately violating them, either by raping them or using them as sexual slaves. The Commission finds it particularly reprehensible that the CDF

behaved in this manner when it was duty-bound to protect the civilian population and prevent violations being perpetrated against them.

References 78-79 - 0.01% Coverage

Together the alliance of the RUF and the AFRC were incredibly brutal and savage in their conduct. They were responsible for the many atrocities and violations women and many others suffered during the infamous invasion of Freetown on 6 January 1999. It is worthy of mention that, in the Commission's database, the percentage of sexual violations recorded against the AFRC is as follows: rape 12,6%; sexual slavery 3,5%; and sexual abuse 31,8%. Overall, the AFRC is accountable for 11,1% of the sexual violations recorded in the Commission's database. The fact that the AFRC is responsible for three times as many sexual abuse violations recorded in the Commission's database as overall violations recorded in the Commission's database supports the theory of a deliberate plan to commit sexual abuses.³⁴⁶ While the Commission has not been able to obtain the precise statistics of the numbers of women that were tortured and sexually violated during this period, the NGO group FAWE (Forum for African Women Educationalists) in partnership with Médecins Sans Frontières (MSF) provided medical treatment and counselling to 1,862 female survivors of sexual violence.³⁴⁷

References 80-81 - 0.01% Coverage

The AFRC experienced the same kind of complexities and challenges with commandship as the RUF did, with many different combatant groups declaring allegiance only to a particular commander. During the conflict, some commanders acquired the reputation of being especially vicious in their targeting of women and girls. They became known by name and reputation among victims and Sierra Leonean society in general. In many statements and testimonies given to the Commission, women responded to the question of perpetrator identity by identifying the name of an individual perpetrator. A prominent example of an individual name that appeared frequently was "SAJ Musa", also recorded as "SAJ Musa's group".³⁴⁹ Many statements and testimony confirm the presence of the commander known as SAJ Musa at the scene of AFRC violations, particularly during the prolonged assault on the north of the country that culminated in the invasion of Freetown on 6 January 1999. Multiple violations, including sexual violations, were attributed to SAJ Musa personally and to other senior AFRC commanders in his unit.³⁵⁰

Reference 82 - 0.01% Coverage

The Commission finds the AFRC to have pursued a deliberate strategy of targeting girls and women with the specific intention of violating them by abducting them, raping them, perpetrating sexual violence upon them, torturing them as well as perpetrating cruel and inhuman acts against them. The Commission also finds that the AFRC together with the RUF were responsible for the rape and sexual violations perpetrated upon civilian women and girls during the January 1999 invasion of Freetown.

Reference 83 - 0.01% Coverage

362. SLA units, like their CDF counterparts, were typically attached to a specific town or village. SLA soldiers would be garrisoned in barracks or assigned to protect a location for several months. They were not mobile and thus tended to target women and girls by abducting them with the intention of detaining in a confined, secure location to be used at their whim and fancy as sex slaves. The Commission heard that women and girls detained in this way by the SLA were often kept naked to be available freely for sex or other abuses.

Reference 84 - 0.01% Coverage

The Commission finds that the SLA, which was primarily responsible for protecting the state and the civilian population, also pursued a strategy of abducting women and girls, particularly those believed to belong to the RUF or who had collaborated with the RUF / AFRC. The SLA deliberately detained women and girls in cruel and inhuman conditions with the intention of raping them and perpetrating other acts of sexual violence upon them.

Reference 85 - 0.01% Coverage

377. Women were often the main targets of extortion, as they were considered more vulnerable to this kind of demand than men. According to the TRC database, the CDF accounts for the most acts of extortion of all the armed factions perpetrated on the civil population under its areas of control. A victim told the Commission of what she and her husband experienced at the hands of the CDF Kamajors in Kabati village:

Reference 86 - 0.01% Coverage

Armed groups, particularly the CDF set up checkpoints and proceeded to extort money from passers-by, including women. Women traders were particularly targeted in this fashion.³⁷⁴ The setting up of checkpoints heightened tensions considerably in many communities. It became a major point of contention between communities in the south and the CDF forces stationed there.

Reference 87 - 0.01% Coverage

The Commission recorded 931 counts of looting perpetrated against women, amounting to 30,1% of all acts of looting that were reported to the TRC.³⁷⁶ In this category the RUF accounts for most of the violations reported (59,7% for women and girls; 58,4% for men and boys).³⁷⁷ Individual RUF commanders sent combatants on missions to find food. These missions led to looting and pillaging of the targeted communities. RUF members have in their testimonies stated that children were included in these missions as they were very good at foraging out what they could get when they went out on looting sprees.³⁷⁸ The RUF had a deliberate strategy of targeting the property of civilians. In RUF parlance, looting was known as "jaja". A woman in Pujehun told the Commission of her experiences:

Reference 88 - 0.01% Coverage

Combatants also looted the property of women and gave them to wives and girlfriends. A common feature of the conflict was the fact that businesswomen and traders often fell into ambushes of the different armed forces and lost their goods. The Market Women's Association of Sierra Leone testified to this in their appearance before the Commission.³⁸⁴

Reference 89 - 0.01% Coverage

Many women voluntarily joined the war for a variety of reasons including personal conviction and belief in the cause of the group or faction they belonged to. Others were enraged and angered by what they witnessed and chose to play an active role in an attempt to rectify perceived wrongs. Many women experienced personal losses, which hurt them a great deal and led them into enrolling in the Army to avenge their loved ones.³⁹⁰

390. Women who joined forces opposed to the legitimate government were regarded as perpetrators. Major Kula Samba, a soldier in the Sierra Leone Army who served under the AFRC, was charged and convicted of treason by the reinstated government of President Ahmad Tejan Kabbah. She was tried by Court Martial, sentenced to death with no right of appeal and executed in October 1998.³⁹¹ Other women accused of treason and put on trial were civilians among the large group charged to court in 1998, including Matilda King (third accused) Kaindeh Bangura (eleventh accused) and Mayilla Yansaneh (twelfth accused). They were all convicted of treason and sentenced to death

Reference 90 - 0.01% Coverage

Another woman perpetrator of note was Tina Musa, the wife of the late SAJ Musa, an AFRC commander of fearsome repute. Tina Musa, perhaps inevitably given her husband's central role in the AFRC, herself became embroiled in the conflict. While her initial role was purely one of connection to her husband, upon his death she came to wield enormous influence over his renegade group. A similar scenario of power dynamics was reported of women who were originally abducted and forced to become members of the other fighting forces.

Reference 91 - 0.01% Coverage

Some of the armed groups established special units solely staffed by women and girls. The RUF, for example, had a unit consisting solely of women known as the Women Auxiliary Corps (WACS), which was also charged with running the Small Girls' Unit of the RUF.³⁹⁴

394. Women involved in the conflict as perpetrators also committed notable human rights violations. Female commanders were often given appellations that characterised the forms of behaviour for which they were notorious: Adama "Cut Hand"; Lieutenant "Cause Trouble"; Kumba "Blood"; Lady "Jungle Law"; and Hawa "Two Barrel", for example. Killing, maiming, looting, burning and amputations were among the violations attributed to females in the TRC database. One female perpetrator gave the following personal testimony:

Reference 92 - 0.01% Coverage

Many women struggle to understand why women took up arms and committed violations in the Sierra Leone conflict. However war and conflict force women into many different roles, which are not monochromatic in nature. Survival is paramount for women in times of conflict. Once involved, the nature of women's involvement is little different from that of men. Violence became glorified during the conflict in Sierra Leone. Male and female combatants alike were celebrated and revered by their peers the more brutal and violent the violations they committed. The Commission heard that, in a perverse way, a combatant could only receive adulation and respect from his or her comrades by attaining a certain level of sheer ruthlessness and notoriety.⁴⁰⁰

Reference 93 - 0.01% Coverage

Many women combatants simply yearned to belong to the group and not to be perceived as weak or exhibit signs of femininity. These yearnings often led to women perpetrating even more cruel and violent behaviour than that carried out by men in their efforts to qualify for "inclusion" and "recognition".

Reference 94 - 0.01% Coverage

Drugs also played a major role in altering the mindset of many perpetrators, including women, thus allowing for the most horrible violations to be carried out.

In addition, many women, while not serving as combatants, took on collaborative roles. In a number of instances, women allegedly performed as spies on behalf of armed factions on both sides of the spectrum, acting both for and against the government.⁴⁰⁴ Women reputedly established relationships with some ECOMOG soldiers, which allowed them to garner information about ECOMOG's military strength. They also gained first-hand knowledge of garrisons as well as the deplorable conditions under which surrendered soldiers were kept and passed on this information to the AFRC.⁴⁰⁵

Reference 95 - 0.01% Coverage

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405. Women were additionally accused of assisting with the war efforts of some of the armed groups by buying and selling looted goods. Some female traders were even captured and charged to court on allegations that they trafficked small arms under the guise of trading their goods.⁴⁰⁶

Reference 96 - 0.01% Coverage

The women's meeting turned out to be a prelude to a much larger demonstration of opposition to the RUF on 8 May 2000, when a broad cross-section of the entire populace, including as many as 2,000 women, marched on Foday Sankoh's Spur Road Lodge in Freetown. A chaotic breakdown of public security ensued, with members of the RUF and other armed factions opening fire on civilians, leading to the deaths of up to 40 people.⁴¹⁵ Foday Sankoh was captured some ten days later and taken into custody until his death in 2003.

Reference 97 - 0.01% Coverage

The conflict has shown that while women are predominantly victims, they also play the roles of perpetrators and collaborators to armed groups. As combatants, they commit violations in the same way that men do. Militarisation and the presence of weapons create a culture of violence that often forces combatants to commit violations,

sometimes as a means of survival, especially for women who still remain vulnerable even as combatants. Women have collaborated with the armed groups, serving in various capacities.

Reference 98 - 0.01% Coverage

“The RUF, the National Army (SLA) and the CDF share one thing in common: they were highly undisciplined. They lacked clear ideological focus, esprit de corps or guidelines on the conduct of war. For the RUF, its membership, long-marginalised and alienated from mainstream society, felt no compulsion to conform to internationally agreed standards of war which protect innocent civilians, especially women and children... as the rate of its attrition among its combatants increased with the prolongation of war, the RUF gradually lowered the age-range of its recruits... There were no child soldiers amongst its ranks when the RUF entered Bomaru in 1991. Yet by 1997 when they occupied Freetown in alliance with the AFRC, half of their combatants were under-aged. The National Army (SLA) which was supposed to be the professional standing army of the country, behaved no better than the RUF... Like the RUF, the SLA also recruited under-aged boys to create an auxiliary army of irregulars... In character and behaviour, these irregulars were no different from the combatants of the RUF. The morale and professionalism of the army declined... The irregulars prosecuted the war with the same brutality and disregard for the civilian population as the RUF combatants. They became “sobels”: soldiers by day and rebels by night.”¹⁷⁷

Reference 99 - 0.01% Coverage

“When these areas were taken under control by these [RUF] people, a lot of civilians were captured or abducted and they were forced to undergo training... men, women – even old people and children”.¹⁹¹

Reference 100 - 0.01% Coverage

The Small Girls Units (SGUs) were structured along the same lines as the SBUs. Both units received the same training as adult combatants, with girls being treated in the same way without any regard for their gender. The only apparent structural difference between SBUs and SGUs was that the SGU Commanders were drawn from among the older women of the Women Auxiliary Corps (WACS), rather than from among the girls themselves.²¹⁶

Reference 101 - 0.01% Coverage

“After the Kamajors attacked us, we moved to Jimmy Bagbo and were left in the hands of older women commanders who greatly maltreated us.... we were all trained to fight and given only a handful of dry gari per day... we were also sent to raid neighbouring villages to loot food... If anyone disobeyed you were cruelly beaten up.”²¹⁷

AFRC

References or discussions of the AFRC and its members

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 15 references coded [0.09% Coverage]

Reference 1 - 0.01% Coverage

The Commission finds that the AFRC planned, authorised and executed a strategy to target women and girls during the invasion of Freetown in January 1999. AFRC combatants targeted women and girls with the express intention of abducting them, raping and sexually violating them and pursuing a range of other human rights violations against them.

Reference 2 - 0.01% Coverage

The Commission finds that the RUF and the AFRC deliberately embarked on systematic strategies to abduct and rape women and girls between the ages of ten and 14 years.

The Commission finds that the systematic raping of women was intended to humiliate, defile and violate women, their families and communities. The practice of systematic rape sowed terror among the local population and debased societal norms and customs.

Reference 3 - 0.01% Coverage

The Commission finds that the RUF and the AFRC were the major perpetrators of sexual slavery and forced marriages of women and young girls.⁴⁰

Reference 4 - 0.01% Coverage

The Commission finds the RUF and the AFRC primarily responsible for perpetrating the violation of “enforced sterilisation” for no reason other than to torture and inflict cruel and inhuman treatment on women. 39 Of the 2,058 abductions of women and girls reported to the Commission, 1,362 (66.2%) are

Reference 5 - 0.01% Coverage

519. The Commission finds that the RUF and the AFRC were responsible for the extensive mutilation of women and young girls. These groups are held responsible for the carving of the initials of their factions onto the chests of women and girls, as well as other abductees, with the deliberate intention of permanently disfiguring them and to discourage them from escaping.

Reference 6 - 0.01% Coverage

The Commission’s statistics confirm that there was a deliberate policy on the part of the RUF and AFRC to target girls and women between the ages of 13 and 24 and forcibly “brand” them with the acronyms of the fighting forces.²¹⁰ Mutilation has been listed as a war crime under Art 8(2)(c)(i) of the Rome Statute. The ICC elements define mutilation as a permanent disfigurement or permanent disabling or removing an organ or appendage under circumstances that are not medically justified. The Commission finds that the RUF and the AFRC were responsible for the mutilation of women and young girls in that they carved the initials of their particular armed faction on the chests of women and girls with the intention of permanently disfiguring them, holding them hostage and discouraging them from escaping.

Reference 7 - 0.01% Coverage

Scores of thousands of Sierra Leoneans, including thousands of women, lost their lives in the conflict. There was a deliberate policy by certain of the armed forces, particularly the RUF and the AFRC, to target civilians in campaigns of killings. Many families and communities were massacred. One example is this mass killing of a family at Kono Kangana, Gorama Chiefdom in 1994:

Reference 8 - 0.01% Coverage

Having considered the testimonies given by women, which include the most horrific details of rape, the Commission finds that all of the armed factions, in particular the RUF and the AFRC, embarked on a systematic and deliberate strategy to rape women and girls, especially those between the ages of ten and 18 years of age, with the intention of sowing terror amongst the population, violating women and girls and breaking down every norm and custom of traditional society.²⁹⁷

Reference 9 - 0.01% Coverage

Pressure from society, anxiety about being identified and fear of being ostracised has led to women being extremely reticent about reporting this category of violation.

Given the testimony of the women who came to the Commission, the Commission finds that all of the armed perpetrator groupings were responsible for the sexual slavery of women and girls. The Commission finds that the RUF and the AFRC were the major perpetrators of sexual slavery and forced marriage of women and young girls.

Reference 10 - 0.01% Coverage

In terms of statements recorded by the Commission, the RUF and AFRC were the groups most likely to coerce women and girls into sexual slavery and forced marriages. A possible reason for this was that from 1993 to 1994, the RUF adopted a guerrilla mode of warfare and so its units were constantly on the move between bases in the bush. The fighters demanded women to perform domestic chores and to perform sexual services for them. Women and girls were vulnerable in their communities, so it was quite easy for a fighter to abduct them, force them under his immediate control and compel them into sexual slavery and forced labour.

336. While victims experienced some degree of protection as the exclusive property of one perpetrator through a “forced marriage”, the relationship in most instances was entirely abusive. Most victims who spoke to the Commission nevertheless suffered some manifestations of the so-called “Stockholm syndrome”, i.e. they tended in their testimonies to identify with their perpetrators and would insist that they had been treated well even though many of the experiences they were describing tended to be abusive. The economy of war also required that women make themselves useful to their captors or “bush husbands” in order to survive.

Reference 11 - 0.01% Coverage

Together the alliance of the RUF and the AFRC were incredibly brutal and savage in their conduct. They were responsible for the many atrocities and violations women and many others suffered during the infamous invasion of Freetown on 6 January 1999. It is worthy of mention that, in the Commission’s database, the percentage of sexual violations recorded against the AFRC is as follows: rape 12,6%; sexual slavery 3,5%; and sexual abuse 31,8%. Overall, the AFRC is accountable for 11,1% of the sexual violations recorded in the Commission’s database. The fact that the AFRC is responsible for three times as many sexual abuse violations recorded in the Commission’s database as overall violations recorded in the Commission’s database supports the theory of a deliberate plan to commit sexual abuses.³⁴⁶ While the Commission has not been able to obtain the precise statistics of the numbers of women that were tortured and sexually violated during this period, the NGO group FAW (Forum for African Women Educationalists) in partnership with Médecins Sans Frontières (MSF) provided medical treatment and counselling to 1,862 female survivors of sexual violence.³⁴⁷

Reference 12 - 0.01% Coverage

The AFRC experienced the same kind of complexities and challenges with commandship as the RUF did, with many different combatant groups declaring allegiance only to a particular commander. During the conflict, some commanders acquired the reputation of being especially vicious in their targeting of women and girls. They became known by name and reputation among victims and Sierra Leonean society in general. In many statements and testimonies given to the Commission, women responded to the question of perpetrator identity by identifying the name of an individual perpetrator. A prominent example of an individual name that appeared frequently was “SAJ Musa”, also recorded as “SAJ Musa’s group”.³⁴⁹ Many statements and testimony confirm the presence of the commander known as SAJ Musa at the scene of AFRC violations, particularly during the prolonged assault on the north of the country that culminated in the invasion of Freetown on 6 January 1999. Multiple violations, including sexual violations, were attributed to SAJ Musa personally and to other senior AFRC commanders in his unit.³⁵⁰

Reference 13 - 0.01% Coverage

The Commission finds the AFRC to have pursued a deliberate strategy of targeting girls and women with the specific intention of violating them by abducting them, raping them, perpetrating sexual violence upon them, torturing them as well as perpetrating cruel and inhuman acts against them. The Commission also finds that the AFRC together with the RUF were responsible for the rape and sexual violations perpetrated upon civilian women and girls during the January 1999 invasion of Freetown.

Reference 14 - 0.01% Coverage

Many women voluntarily joined the war for a variety of reasons including personal conviction and belief in the cause of the group or faction they belonged to. Others were enraged and angered by what they witnessed and chose to play an active role in an attempt to rectify perceived wrongs. Many women experienced personal losses, which hurt them a great deal and led them into enrolling in the Army to avenge their loved ones.³⁹⁰

390. Women who joined forces opposed to the legitimate government were regarded as perpetrators. Major Kula Samba, a soldier in the Sierra Leone Army who served under the AFRC, was charged and convicted of treason by the reinstated government of President Ahmad Tejan Kabbah. She was tried by Court Martial, sentenced to death with no right of appeal and executed in October 1998.³⁹¹ Other women accused of treason and put on trial were civilians among the large group charged to court in 1998, including Matilda King (third accused) Kaindeh Bangura (eleventh accused) and Mayilla Yansaneh (twelfth accused). They were all convicted of treason and sentenced to death

Reference 15 - 0.01% Coverage

Another woman perpetrator of note was Tina Musa, the wife of the late SAJ Musa, an AFRC commander of fearsome repute. Tina Musa, perhaps inevitably given her husband's central role in the AFRC, herself became embroiled in the conflict. While her initial role was purely one of connection to her husband, upon his death she came to wield enormous influence over his renegade group. A similar scenario of power dynamics was reported of women who were originally abducted and forced to become members of the other fighting forces.

CDF

References or discussions of the CDF and its members

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 8 references coded [0.04% Coverage]

Reference 1 - 0.01% Coverage

The Commission finds that during the conflict in Sierra Leone the CDF carried out a deliberate strategy of perpetrating rape, sexual slavery and other sexual violations on girls. The Commission finds in particular that girls and women identified as relatives or associates of the opposing forces were specifically targeted by the CDF for such violations. The Commission finds such acts to be in clear contravention of international law and holds the leadership of the CDF responsible for the sexual violations carried out by members and combatants of the CDF faction.

Reference 2 - 0.01% Coverage

Findings against the CDF in respect of women 508. 509. 510.

The Commission finds that the CDF, particularly in the latter period of the conflict, abducted civilian women and girls whom they believed to be associated to or in collaboration with the RUF and the AFRC.

The Commission finds that the CDF detained women and girls and kept them under the most cruel and inhuman conditions with the intention of violating them by raping them and exploiting them as sexual slaves.

Reference 3 - 0.01% Coverage

In terms of the CDF code of practice after 1996, many witnesses claimed that a similar set of rules and taboos applied and that, additionally, all CDF members were obliged to protect civilians, particularly women and children.³⁴⁰

Reference 4 - 0.01% Coverage

In the latter period of the conflict, from 1997 onwards, the Commission has noted a massive increase in the number of violations attributed to the CDF. From anecdotal testimony received by the Commission, it appears that CDF forces acted with almost the same amount of savagery as the RUF towards women and girls.³⁴¹ According to the Commission's database, the CDF was responsible for 6% of the total violations recorded.³⁴² It is worthy of mention that for sexual violations recorded in the Commission's database, the percentage of allegations against the CDF is as follows: rape 12%; sexual slavery 0.8%; and sexual abuse 7.3%.³⁴³ These figures indicate that the CDF perpetrators whose violations were recorded in the Commission's database demonstrated twice as high a propensity to commit

rape than their propensity to commit violations overall. The figures support the theory that, at least as far as the Commission's database can indicate, elements of the CDF made a point of committing rapes in the latter period of the conflict.³⁴⁴

Reference 5 - 0.01% Coverage

As CDF units were usually attached to a specific town or village for a specific period of time, they were not as mobile as the RUF or the AFRC. Thus in contrast to the "roaming detentions" of the RUF and the AFRC, the preferred modus operandi of the CDF in terms of sexual violations was to abduct women and girls and take them prisoner. They would then be confined to a single secure location, usually in a village or town where they were freely available to be used as sexual slaves. They would be held under the custody and complete control of the CDF and would be raped, either singly or gang raped, in a multiple number of ways. They would often be held naked and had to be freely available for sex.³⁴⁵

Reference 6 - 0.01% Coverage

The Commission finds that the CDF, particularly in the latter period of the conflict, pursued the deliberate strategy of abducting civilian women and girls believed to be in any way connected to the RUF or who had collaborated with them, and detained them in a cruel and inhuman way, with the intention of deliberately violating them, either by raping them or using them as sexual slaves. The Commission finds it particularly reprehensible that the CDF behaved in this manner when it was duty-bound to protect the civilian population and prevent violations being perpetrated against them.

Reference 7 - 0.01% Coverage

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377. Women were often the main targets of extortion, as they were considered more vulnerable to this kind of demand than men. According to the TRC database, the CDF accounts for the most acts of extortion of all the armed factions perpetrated on the civil population under its areas of control. A victim told the Commission of what she and her husband experienced at the hands of the CDF Kamajors in Kabati village:

Reference 8 - 0.01% Coverage

Armed groups, particularly the CDF set up checkpoints and proceeded to extort money from passers-by, including women. Women traders were particularly targeted in this fashion.³⁷⁴ The setting up of checkpoints heightened tensions considerably in many communities. It became a major point of contention between communities in the south and the CDF forces stationed there.

RUF

References or discussions of the RUF and its members

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 41 references coded [0.21% Coverage]

Reference 1 - 0.01% Coverage

The main armed groups accused of perpetrating sexual violence against women and girls during the conflict were the Revolutionary United Front (RUF), the Armed Forces Revolutionary Council (AFRC), the Civil Defence Forces (CDF), the Westside Boys and the Sierra Leone Army (SLA).

54. While peace has returned to Sierra Leone, many of the wounds of war still remain open. Women and girls bear the scars of their horrible experiences. Many have borne children as a result of rape and sexual slavery. These mothers are shunned and punished by society for giving birth to 'rebel' children.

Reference 2 - 0.01% Coverage

The RUF carried out widespread rapes and acts of sexual violence against women and girls.

Reference 3 - 0.01% Coverage

Retarding the recovery of women is the fact that they lack adequate access to productive assets including land, credit, training and technology.

The Commission finds that the Government of Sierra Leone failed in its duty to protect women and girls from abuse during and after the conflict.

Before, during and after the conflict, women have been largely excluded from meaningful decision making in the political arena.

Main Findings Findings against the RUF in respect of women 502.

The Commission finds that the RUF was the primary perpetrator of human rights violations against women and girls. The RUF was responsible for targeting women and girls, abducting them with the express intention of exploiting their vulnerability.

Reference 4 - 0.01% Coverage

The RUF pursued a deliberate strategy of violating women by raping them and perpetrating acts of sexual violence against them. RUF combatants used women and girls (particularly those between the ages of 10 and 14) as sexual and domestic slaves and tortured them in a myriad of different ways. Women and girls were killed, assaulted and suffered cruel and inhuman acts at the hands of RUF fighters.

Findings against the AFRC in respect of women 504. 505.

The Commission finds that the AFRC pursued a deliberate strategy of targeting girls and women with the specific intention of violating them by abducting them, raping them and perpetrating acts of sexual violence against them.

The AFRC pursued a strategy of violating women and girls by using them as sexual and domestic slaves and tortured them in a variety of ways. Women and girls were killed, assaulted and suffered cruel and inhuman acts at the hands of AFRC fighters.

Reference 5 - 0.01% Coverage

The RUF was the organisation primarily responsible for the abduction of women and girls.³⁹

Reference 6 - 0.01% Coverage

The Commission finds that the RUF and the AFRC deliberately embarked on systematic strategies to abduct and rape women and girls between the ages of ten and 14 years.

The Commission finds that the systematic raping of women was intended to humiliate, defile and violate women, their families and communities. The practice of systematic rape sowed terror among the local population and debased societal norms and customs.

Reference 7 - 0.01% Coverage

The Commission finds that the RUF and the AFRC were the major perpetrators of sexual slavery and forced marriages of women and young girls.⁴⁰

Reference 8 - 0.01% Coverage

The Commission finds the RUF and the AFRC primarily responsible for perpetrating the violation of “enforced sterilisation” for no reason other than to torture and inflict cruel and inhuman treatment on women.

39 Of the 2,058 abductions of women and girls reported to the Commission, 1,362 (66.2%) are

Reference 9 - 0.01% Coverage

Of the 189 allegations of sexual slavery of women and girls reported to the Commission, 137 of them (72.5%) are attributed to the RUF and 22 (11.6%) are attributed to the AFRC.

The practice of disembowelling pregnant women with the intention of removing the foetus constitutes ‘enforced sterilisation’ in terms of international human rights law.

Reference 10 - 0.01% Coverage

519. The Commission finds that the RUF and the AFRC were responsible for the extensive mutilation of women and young girls. These groups are held responsible for the carving of the initials of their factions onto the chests of women and girls, as well as other abductees, with the deliberate intention of permanently disfiguring them and to discourage them from escaping.

Reference 11 - 0.01% Coverage

The Commission finds that all the armed perpetrator groupings and in particular the RUF violated the rights of women and girls by forcing them to flee from their homes and to abandon all their possessions.⁴² This caused women not only economic loss but also the loss of security and enormous trauma.

Reference 12 - 0.01% Coverage

The Commission finds all the factions, particularly the RUF, responsible for the forced ingestion of drugs and alcohol by women and girls. This tactic was carried out with the deliberate intention of causing its victims to lose control, both mentally and physically, and to exploit their vulnerability.

Reference 13 - 0.01% Coverage

Contrary to popular perceptions of an exclusively illiterate body comprised of marginalised lumpen youth, the RUF vanguards were actually a disparate collection of Sierra Leoneans and Liberians from across the demographic spectrum gelled together through coercion and training into a fighting force. The vanguards included among their number both men and women; Sierra Leoneans of most of the major ethnic groups in the country, including large numbers of Mendes and Temnes; boys as young as 11 years of age, ‘senior citizens’; illiterate labourers and secondary-school drop-outs through to a few highly educated professionals in diverse fields.

Reference 14 - 0.01% Coverage

The RUF used rape to destroy the social respect and standing for pregnant and older women. A victim narrated an experience in 1991:

Reference 15 - 0.01% Coverage

Nothing seemed to attract the respect or deference of the RUF soldiers. Even pregnant women were beaten and raped.⁷⁸

Reference 16 - 0.01% Coverage

After their recruitment, a culture of total dependency prevailed among most of the individual combatant units established in the RUF. Junior fighters, the overwhelming majority of whom were forced recruits, depended totally on their commanders for provisions, for their livelihoods, for privileges such as drugs and women, or girls, whom they raped and for their ‘licence to kill’.¹³⁹ All of this was quite apart from the fact that if they disobeyed or deviated from the orders they were given, they would almost certainly be either beaten severely or (in the worst cases) killed.

Reference 17 - 0.01% Coverage

Many testimonies received by the Commission traced the path of individuals who were brow-beaten into joining the RUF because they simply could not survive outside the movement. Living conditions in a town or village situated within an NPFL or RUF ‘target area’ seemed in its initial throes to be manageable. Government functionaries, many of whom were loathed, were typically chased out or killed and the distribution of provisions, including agricultural

produce, became for a time more liberal and equitable than it was under the unjust 'system'. However, without exception, these ostensible benefits would prove to be a false dawn once the rule of law descended into rule by force. Armed commandos were often reported to have arrived at civilians' houses unannounced and invariably in the middle of the night, forced entry and helped themselves to food wherever it was available. Moreover the NPFL and RUF forces extended their terrorising of families to the raping and gang raping of women and girls in their homes, often in front of their husbands, parents or other family members. One witness who testified at a public hearing in Kailahun captured the plight of many families:

Reference 18 - 0.01% Coverage

The Commission's statistics confirm that there was a deliberate policy on the part of the RUF and AFRC to target girls and women between the ages of 13 and 24 and forcibly "brand" them with the acronyms of the fighting forces.²¹⁰ Mutilation has been listed as a war crime under Art 8(2)(c)(i) of the Rome Statute. The ICC elements define mutilation as a permanent disfigurement or permanent disabling or removing an organ or appendage under circumstances that are not medically justified. The Commission finds that the RUF and the AFRC were responsible for the mutilation of women and young girls in that they carved the initials of their particular armed faction on the chests of women and girls with the intention of permanently disfiguring them, holding them hostage and discouraging them from escaping.

Reference 19 - 0.01% Coverage

Scores of thousands of Sierra Leoneans, including thousands of women, lost their lives in the conflict. There was a deliberate policy by certain of the armed forces, particularly the RUF and the AFRC, to target civilians in campaigns of killings. Many families and communities were massacred. One example is this mass killing of a family at Kono Kangana, Gorama Chiefdom in 1994:

Reference 20 - 0.01% Coverage

The Commission finds that all of the armed perpetrator forces pursued a deliberate policy of killing civilians, often in an indiscriminate fashion. In the course of pursuing this policy, the factions took the lives of many women and girls. The Commission finds that the RUF in particular pursued a strategy of mass killings under campaigns such as "Operation No Living Thing". In terms of both international human rights law and humanitarian law, the killing of civilians is strictly prohibited.

Reference 21 - 0.01% Coverage

The Commission has found that most violations in this category are attributable to the RUF. Given that the RUF was responsible for the highest number of abductions, they are also found to be responsible for the highest number of gender-based violations perpetrated against women.²⁶⁰

Reference 22 - 0.01% Coverage

The Commission finds that all of the armed groups were responsible for the enforced sterilisation, torture and mutilation of women and girls. In particular, the Commission finds the RUF – through its practice of disembowelling pregnant women – responsible for the violations of "enforced sterilisation", torture and mutilation of women and young girls for no reason other than to torture and inflict cruel and inhuman treatment on them.

Reference 23 - 0.01% Coverage

Having considered the testimonies given by women, which include the most horrific details of rape, the Commission finds that all of the armed factions, in particular the RUF and the AFRC, embarked on a systematic and deliberate strategy to rape women and girls, especially those between the ages of ten and 18 years of age, with the intention of sowing terror amongst the population, violating women and girls and breaking down every norm and custom of traditional society.²⁹⁷

Reference 24 - 0.01% Coverage

Pressure from society, anxiety about being identified and fear of being ostracised has led to women being extremely reticent about reporting this category of violation.

Given the testimony of the women who came to the Commission, the Commission finds that all of the armed perpetrator groupings were responsible for the sexual slavery of women and girls. The Commission finds that the RUF and the AFRC were the major perpetrators of sexual slavery and forced marriage of women and young girls.

Reference 25 - 0.01% Coverage

Sexual abuse violations also included acts of indecent touching or groping of women's bodies and genitalia, putting sharp objects into their genitalia as well as forcing their genitalia into the mouths of other victims. Often these cruel acts led to the death of women victims as is testified to by a witness who saw her sister-in-law being killed:

"In March 1991, there was an attack by RUF rebels in Kuiva village in the morning hours. I managed to escape, narrowly, into the bush where I hid for safety. One of the junior workers for the women's secret society (Bondo) was captured by the rebels. She was the wife of my elder brother, the town chief of Kuiva. She was stripped naked, hair shaved with cutlass and then beaten seriously. They then took her to the secret society bush for men, where the rebels finally shot her."³¹⁸

Reference 26 - 0.01% Coverage

"The 'Revolution' of the RUF was not at all redemption for women. On the contrary, the RUF committed unspeakable crimes."³²⁴

Reference 27 - 0.01% Coverage

The war from inception was a self-destructive conflict that consumed its own. Attacks on unarmed civilians by the RUF and its accomplices started from the very beginning of the war and continued unabated until its conclusion, with violation rates escalating and the nature of violations becoming ever more grotesque. In terms of the violations recorded in the TRC database, the Commission estimates that women make up 34% of victims of all violations throughout the conflict and that the average female victim suffered approximately three violations.³²⁵ This percentage testifies to the startlingly unconventional nature of the war, whereby civilians were the prime targets of all factions. Had the conflict in Sierra Leone assumed a more "conventional" character of battles between armies, then fewer civilians, especially women and children, would have met face-to-face with the various factions and suffered such levels of atrocities.

Reference 28 - 0.01% Coverage

The Commission's records reflect that the RUF was the major belligerent group in the conflict and dominates accounts of having committed the most savage acts against the civilian population. While it not only holds the record for the highest number of violations, the RUF is also responsible for most of the acts of rape and sexual violence recorded by the Commission.³²⁹ As reflected in the Commission's narrative of the conflict, the RUF by 1994 switched from conventional warfare to guerrilla warfare. With the change in tactics, there was a corresponding change in behaviour towards women and girls. The number of women abducted began to rise. The TRC estimates that the number of victims abducted and kept in sexual slavery in 1995 was double that in 1991.

Reference 29 - 0.01% Coverage

During the early part of the conflict, the joint NPFL / RUF contingent moved into the Pujehun district. The following statement describes the harrowing experiences endured by a whole community in the Pujehun District in the first year of the war, 1991. The perpetrators were said to be "from Liberia", which in the context of the Commission's research indicates that they were probably comprised of a combination of NPFL and RUF members. They included both men and women; they were drawn from a variety of ethnic groups. The male statement giver describes sexual violations to which he was subjected both individually and as part of his community in his home village. The statement indicates a policy of using rape to terrorise the people and systematically to break down their sacred familial and cultural taboos:

Reference 30 - 0.01% Coverage

In terms of statements recorded by the Commission, the RUF and AFRC were the groups most likely to coerce women and girls into sexual slavery and forced marriages. A possible reason for this was that from 1993 to 1994, the RUF adopted a guerrilla mode of warfare and so its units were constantly on the move between bases in the bush. The fighters demanded women to perform domestic chores and to perform sexual services for them. Women and girls were vulnerable in their communities, so it was quite easy for a fighter to abduct them, force them under his immediate control and compel them into sexual slavery and forced labour.

336. While victims experienced some degree of protection as the exclusive property of one perpetrator through a “forced marriage”, the relationship in most instances was entirely abusive. Most victims who spoke to the Commission nevertheless suffered some manifestations of the so-called “Stockholm syndrome”, i.e. they tended in their testimonies to identify with their perpetrators and would insist that they had been treated well even though many of the experiences they were describing tended to be abusive. The economy of war also required that women make themselves useful to their captors or “bush husbands” in order to survive.

Reference 31 - 0.01% Coverage

In terms of the testimony provided to the Commission, it is clear that the RUF had a policy deliberately to target women and girls with the clear intention of abducting them and holding them for various purposes described in this report. One of the main reasons for abduction was to violate women and girls by raping them and holding them as sexual slaves. The RUF cannot deny this modus operandi in the face of overwhelming evidence that, immediately after an attack, women seized in a raid were assigned to either commanders or combatants for the purposes of using them as “bush wives”. The TRC did not receive any report of an RUF commander who attempted to return abducted women and girls to their families, nor was any effort made by the RUF High Command to condemn this practice or to stop it. The RUF leadership must therefore accept that they are responsible for the violations that took place.

Reference 32 - 0.01% Coverage

Immediately after the Abidjan Peace Accord in November 1996, there was a call for the cessation of hostilities from Foday Sankoh to RUF members. While there was a brief lull in the conflict in terms of RUF armed attacks, frankly there was no cessation in respect of the violence perpetrated against women. The ceasefire offered an opportunity to the RUF movement to deal honestly and conclusively with the issue of sexual violence and yet it did nothing.

Reference 33 - 0.01% Coverage

Human Rights Watch in its report notes that the RUF made occasional efforts to declare rape a crime in certain areas under its control and in a few incidents even endeavoured to punish “ordinary combatants” who had contravened orders to this effect.³³⁶ The Commission has also gathered testimony from witnesses who indicated that some commanders prohibited rape and sexual violence against women, particular where the abductee was very young.³³⁷

Reference 34 - 0.01% Coverage

However this kind of attitude to rape was not the typical one held by most RUF commanders, so perpetrators of violations against women and girls were not too concerned about possible punishment or repercussions.

Reference 35 - 0.01% Coverage

The Commission finds the Revolutionary United Front (RUF) responsible for pursuing a deliberate strategy of abducting women and girls with the express intention of keeping them under their control, exploiting their vulnerability and sexually violating them either by raping them and causing them to be harmed by acts of sexual violence, using them as sexual and domestic slaves, torturing them and practicing a range of cruel and inhuman acts upon them.

Reference 36 - 0.01% Coverage

Together the alliance of the RUF and the AFRC were incredibly brutal and savage in their conduct. They were responsible for the many atrocities and violations women and many others suffered during the infamous invasion of Freetown on 6 January 1999. It is worthy of mention that, in the Commission's database, the percentage of sexual violations recorded against the AFRC is as follows: rape 12,6%; sexual slavery 3,5%; and sexual abuse 31,8%. Overall, the AFRC is accountable for 11,1% of the sexual violations recorded in the Commission's database. The fact that the AFRC is responsible for three times as many sexual abuse violations recorded in the Commission's database as overall violations recorded in the Commission's database supports the theory of a deliberate plan to commit sexual abuses.³⁴⁶ While the Commission has not been able to obtain the precise statistics of the numbers of women that were tortured and sexually violated during this period, the NGO group FAWE (Forum for African Women Educationalists) in partnership with Médecins Sans Frontières (MSF) provided medical treatment and counselling to 1,862 female survivors of sexual violence.³⁴⁷

Reference 37 - 0.01% Coverage

The AFRC experienced the same kind of complexities and challenges with commandship as the RUF did, with many different combatant groups declaring allegiance only to a particular commander. During the conflict, some commanders acquired the reputation of being especially vicious in their targeting of women and girls. They became known by name and reputation among victims and Sierra Leonean society in general. In many statements and testimonies given to the Commission, women responded to the question of perpetrator identity by identifying the name of an individual perpetrator. A prominent example of an individual name that appeared frequently was "SAJ Musa", also recorded as "SAJ Musa's group".³⁴⁹ Many statements and testimony confirm the presence of the commander known as SAJ Musa at the scene of AFRC violations, particularly during the prolonged assault on the north of the country that culminated in the invasion of Freetown on 6 January 1999. Multiple violations, including sexual violations, were attributed to SAJ Musa personally and to other senior AFRC commanders in his unit.³⁵⁰

Reference 38 - 0.01% Coverage

The Commission recorded 931 counts of looting perpetrated against women, amounting to 30,1% of all acts of looting that were reported to the TRC.³⁷⁶ In this category the RUF accounts for most of the violations reported (59,7% for women and girls; 58,4% for men and boys).³⁷⁷ Individual RUF commanders sent combatants on missions to find food. These missions led to looting and pillaging of the targeted communities. RUF members have in their testimonies stated that children were included in these missions as they were very good at foraging out what they could get when they went out on looting sprees.³⁷⁸ The RUF had a deliberate strategy of targeting the property of civilians. In RUF parlance, looting was known as "jaja". A woman in Pujehun told the Commission of her experiences:

Reference 39 - 0.01% Coverage

Some of the armed groups established special units solely staffed by women and girls. The RUF, for example, had a unit consisting solely of women known as the Women Auxiliary Corps (WACS), which was also charged with running the Small Girls' Unit of the RUF.³⁹⁴

394. Women involved in the conflict as perpetrators also committed notable human rights violations. Female commanders were often given appellations that characterised the forms of behaviour for which they were notorious: Adama "Cut Hand"; Lieutenant "Cause Trouble"; Kumba "Blood"; Lady "Jungle Law"; and Hawa "Two Barrel", for example. Killing, maiming, looting, burning and amputations were among the violations attributed to females in the TRC database. One female perpetrator gave the following personal testimony:

Reference 40 - 0.01% Coverage

The women's meeting turned out to be a prelude to a much larger demonstration of opposition to the RUF on 8 May 2000, when a broad cross-section of the entire populace, including as many as 2,000 women, marched on Foday Sankoh's Spur Road Lodge in Freetown. A chaotic breakdown of public security ensued, with members of the RUF and other armed factions opening fire on civilians, leading to the deaths of up to 40 people.⁴¹⁵ Foday Sankoh was captured some ten days later and taken into custody until his death in 2003.

Reference 41 - 0.01% Coverage

“When these areas were taken under control by these [RUF] people, a lot of civilians were captured or abducted and they were forced to undergo training... men, women – even old people and children”.¹⁹¹

SLA

References or discussions of the SLA and its members

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 3 references coded [0.01% Coverage]

Reference 1 - 0.01% Coverage

In particular, the Commission finds that the SLA, supported by civil militia men and women from the Koinadugu District known as Tamaboros, committed numerous excesses as it attempted to dislodge the RUF from Kono District in late 1992 and early 1993. Among the officers who carried out torture practices on captured rebel suspects was Colonel K. I. S. Kamara.

Reference 2 - 0.01% Coverage

Findings against the SLA in respect of women 511.

The Commission finds that the SLA, which was responsible for protecting the civilian population, abducted women and girls, particularly those believed to belong to the RUF or believed to have collaborated with the RUF / AFRC. Women and girls were detained under conditions of extreme cruelty with the deliberate intention of raping them and perpetrating other acts of sexual violence upon them.

Reference 3 - 0.01% Coverage

362. SLA units, like their CDF counterparts, were typically attached to a specific town or village. SLA soldiers would be garrisoned in barracks or assigned to protect a location for several months. They were not mobile and thus tended to target women and girls by abducting them with the intention of detaining in a confined, secure location to be used at their whim and fancy as sex slaves. The Commission heard that women and girls detained in this way by the SLA were often kept naked to be available freely for sex or other abuses.

Politics

References or discussions of politics, politicians and political parties

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 21 references coded [0.13% Coverage]

Reference 1 - 0.01% Coverage

A culture of exclusion and marginalisation in the management of economic and political affairs in Sierra Leone existed before and during the civil conflict. It persists today. Women have been excluded in practice and in fact from decision-making.

540. Women are largely absent from the structures of government and traditional forums that are critical in formulating policies. They are excluded in the processes involving security sector reform and other post-conflict and peace building measures undertaken by the State.

Reference 2 - 0.01% Coverage

347. Women have been excluded from decision-making in Sierra Leone. Women are largely absent in the structures of government and traditional forums that are critical in formulating policies.

Reference 3 - 0.01% Coverage

The Commission is persuaded that simply calling for the opening up of the political space for women is not sufficient. If Sierra Leone is serious about giving a meaningful voice to women in representative politics, then more serious efforts have to be made to achieve this end.

Reference 4 - 0.01% Coverage

Representation of at least 30% women in cabinet and political posts.

Reference 5 - 0.01% Coverage

High levels of illiteracy have also had implications at a political level, where women and women's issues have generally been relegated to the back burner. There has always been a great lack of awareness of the need for women to participate in issues affecting their lives, even among women themselves. It was therefore relatively easy for successive governments before the war to ignore issues affecting women and girls. The low level of female participation in formal education has had negative consequences in terms of economic viability, politics, health and social welfare level for women.

Reference 6 - 0.01% Coverage

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WOMEN AND POLITICS 43.

A paradox exists in Sierra Leone in the realms of women and politics: some women have been political pioneers, whilst the vast majority have languished on the sidelines. This paradox has its origins in the history of how women in Sierra Leone became involved in politics. At the end of World War I, women of Krio origin, born in the Colony,⁸ made their voices heard in the political arena. At the same time, in the Protectorate, a few women wielded political power by becoming Paramount Chiefs or Section chiefs. In Freetown, women of Protectorate extraction, e.g. Mende and Temne, served and still serve as both Section and Tribal Headmen.⁹

Reference 7 - 0.02% Coverage

The activities of those first, feisty women politicians in the Colony resulted in some landmark events. In 1938, Constance A. Cummings-John became the first woman to stand for office in Freetown in the municipal elections, which she went on to win.¹⁰ In 1951, the Sierra Leone Women's Movement (SLWM), a non-political representative

organisation, was established. Its goals were “to improve the status of all Sierra Leonean women, whether born in the Colony or in the Protectorate, and to seek female representation on government bodies concerned with education, social welfare and the economy.”¹¹ Due to the formation of this group, in 1954, one of the founding members, Mabel Dove, became the first woman in West Africa to be elected to the legislature.¹² The SLWM had a broad base of membership, with about 2,000 members from the Colony and about 3,000 from the Protectorate.¹³ The movement has been described as the only mass-based organisation in the 1950s that actively worked to unite all ethnic groups within its structure and to inculcate a common national identity among Sierra Leoneans.¹⁴

45. Women made real progress in the political arena, which resulted in some of them holding political office in the 1950s in Sierra Leone. In the process certain politicians made history that impacted on a world beyond Sierra Leone. In 1958, three women – Constance Cummings-John, Lena Weber and Stella Ralph-James – became members of the municipal council while, in 1960, one woman was elected Deputy Mayor of Freetown and another, Nancy Koroma, was elected Mende Headman in Freetown.¹⁵

46. Women personalities continued to make their voices heard on political issues in Freetown right through to the time of independence, despite the fact that the vast majority of women were excluded. In the 1957 election, despite the apathy shown by most women, four women did contest for election under the auspices of the SLPP and the two contesting seats in the Colony won.¹⁶ It is instructive to note that neither of these two women ultimately took up their seats in Parliament, due to election petitions filed against them.

Reference 8 - 0.01% Coverage

In spite of this kind of resistance, Cummings-John became the first black African woman to govern a capital city on the continent in 1961.²⁰ Alongside Cummings-John, notable women political leaders of this era included Adelaide Casely Hayford, Stella Thomas Marke, Edna S. Elliot-Horton, Lorine E. Miller, Lottie Black, Mabel Dove, Nancy Koroma and many others.

Reference 9 - 0.01% Coverage

After independence and undeterred by the fractious political climate that ensued over the years, some women continued to forge on in politics, with interesting results. During the reign of the APC Government of Siaka Stevens, another women’s organisation, the National Congress of Sierra Leone Women (NCSLW), headed by Nancy Steele, was formed based on a Marxist approach.²¹ This organisation enjoyed some measure of success but lost relevance as the APC became more and more distanced from the population and was eventually ousted from power.

Reference 10 - 0.01% Coverage

Among its other accomplishments, the NCSLW raised the level of women’s political consciousness and encouraged the appointment of women to high office. This continued momentum resulted in five women gaining office in Freetown City Council in 1975. In 1977, a woman again became the Mayor of Freetown.²² Also, from the Provinces, a woman Paramount Chief named Madam Honoria Bailor-Caulker represented Moyamba District in Parliament.²³

Reference 11 - 0.01% Coverage

During APC rule under Siaka Stevens, no woman held a Ministerial position, although women were members of the party’s central committee. This situation improved slightly during President J. S. Momoh’s tenure, with three women holding positions as Deputy Ministers.²⁵

53. While some women in Sierra Leone, especially the Krios, became deeply involved in politics quite early on in the post-independence period, it was much later that women from the Provinces were able to join the bandwagon. The Krios, on the whole, were better educated than those in the outlying areas and that disparity applied to Krio women as well. Their exposure to education led to their clear understanding of the need for women to be involved in the political process. Their links internationally meant that they were also exposed to the growing debates in the world on issues such as the suffrage of women, the abolition of slavery, the rise in African nationalism and the struggle for independence.

54. Women in Freetown had enjoyed access to various levels of education from as early as 1787. Their counterparts in the Provinces had access to only one secondary school, which was established in the 1940s. Women in the Provinces, mostly uneducated and affected by poverty, lacked awareness of their political rights and did not

participate in any political activities. In short, women in the Colony enjoyed a head start on women in the Provinces in terms of both education and politics.

Reference 12 - 0.01% Coverage

Tradition and culture also played its own role in inhibiting women in the Provinces from playing a role in politics. While it is true that women could be made Paramount Chiefs in some of the Provinces, their accession only took place on a hereditary basis. The prevailing system did not create any awareness of the need for women to participate in the political affairs of the day. Women in the Provinces have traditionally had a lower status than men and have not occupied any positions of genuine power other than those exceptions mentioned above. It was therefore much more difficult for women in the Provinces to break down traditional barriers and access political power as it would impact on the existing power structures in society.

Reference 13 - 0.01% Coverage

The Krios, descended from an “immigrant culture,” did not have any such entrenched traditional belief systems that barred women from political participation. The Krios had come to Freetown to express their desire for freedom in all spheres of life. The culture of independence that they brought with them facilitated the participation of Krio women in modern politics.

Reference 14 - 0.01% Coverage

Ironically of course, the voices of Krio women did not translate into more power for women more generally, or a greater awareness of the needs of women. While women had some token representation in government from the time of the nationalist era to the outbreak of the war, women politicians constantly struggled against the indifference or the outright opposition of their male colleagues.²⁶ Even in the final deliberations for self-government, male leaders would have ignored them had the women not raised a public outcry. According to one of the foremost female political activists of the time:

“This pattern of unthinking oversight [from men] occurred repeatedly. Many savvy women abandoned active political work once they realised the paucity of rewards.”²⁷

Reference 15 - 0.01% Coverage

Such was the prevailing situation before the conflict. While politics all over the world is a male-dominated field at the best of times, undoubtedly the inherently patriarchal nature of politics has exacerbated the exclusion of women. Sierra Leone is of course no exception. The participation of women in politics on a mass scale in Sierra Leone was largely limited to the provision of moral support, the raising and collection of party funds, voluntary labour and the organisation of catering or entertainment in their various political parties. Women leaders were often lent the somewhat patronising sobriquet “Mammy Queen”, indicating their aptitude in stereotypically “maternal” roles.

Reference 16 - 0.01% Coverage

Despite the efforts of the many women’s groups that have asked for more women to be included in government, there are currently only three women cabinet Ministers out of twenty-two, three deputy Ministers out of thirteen and sixteen women parliamentarians out of 120. These figures are insignificant in terms of the numbers of women in the country.

Reference 17 - 0.01% Coverage

The last election also saw the emergence of the first woman Deputy Speaker of the House of Parliament, the first woman Presidential candidate and the first two women Presidential running mates. In total the election saw 18 women, two of whom are Paramount Chiefs, become Members of Parliament. The previous parliament had only eight women in total. The current government has, at the time of writing, three women cabinet Ministers and three deputy Ministers compared to only two cabinet Ministers and two deputy Ministers in the previous administration.⁵⁰⁹

Reference 18 - 0.01% Coverage

The 50 / 50 group is also involved in lobbying government and political parties for the adoption of conditions that would encourage and enable women to participate in politics. To this effect, they advocated for the “zipper system”⁵¹² in the 2002 general election, which helped in getting some more women into office. At the time of writing, the group was lobbying the political parties for the reservation of a certain percentage of political seats for women during the 2004 local government elections.⁵¹³

Reference 19 - 0.02% Coverage

In spite of the increase in the number of women participating in the political arena, there has been no dramatic “multiplier effect”. The 50 / 50 Group noted that although women are always the best campaigners, they are not the decision-makers in their parties and only a handful hold executive positions. The use of women as “Mammy Queens”⁵¹⁴ during election campaigns exemplifies the use to which politicians put women. Women leaders are used to co-ordinate the women during electioneering for party members. These women mostly serve as cooks, “cheerleaders” and general rabble-rousers. In its submission to the TRC, the Sierra Leone Market Women’s Association lamented the perceived manipulation behind their roles:

“Most governments only recognise us market women when it is time for elections, campaigning and using us as instruments to get political power. We will then be assembled like herds of sheep and masqueraded for the public and the international community as cooks and “ashobi dancers”. Elaborate promises will be made to us about the education of our children, [or] providing housing and health care for us – promises that have never been kept... Over the years we have become pawns in a game of politics that we do not understand... This behaviour over the years has humiliated and demeaned us as women.”⁵¹⁵

567. While women do feature in politics, it is important to note that significant obstacles prevent them from participating as they should. The 50 / 50 Group identifies domination of politics by men and under-representation of women as a major obstacle to change, since it prevents women’s views from being heard and considered.⁵¹⁶ Another obstacle stems from the cultural practices that discriminate against women in some parts of the country. In the north of Sierra Leone, women are not allowed to be Paramount Chiefs, which debars them from representing any seats in that are contested exclusively by Paramount Chiefs.⁵¹⁷

Reference 20 - 0.01% Coverage

However the biggest stumbling block to enhanced women’s participation lies in the outlook of women themselves. Due to culture and tradition, women have been socialised into accepting that they should neither participate in politics nor seek to occupy positions of power, as these domains are “reserved” for men. It is an attitude that not only prevents women from attaining positions of political representation and leadership, but also in a perverse way discourages them from voting for and supporting the few women who do seek office.

Reference 21 - 0.01% Coverage

Despite the various remaining obstacles, women in Sierra Leone are no longer willing to be passive onlookers in the political arena. Their determination to improve the participation of women in politics can be seen in the activities of NGOs such as the 50 / 50 Group and the Network of Women Ministers and Parliamentarians (NEWMAP). The latter is a caucus of women Ministers and parliamentarians who are working in league to put issues concerning women forward in every facet of the society. According to the 50 / 50 Group:

“Sierra Leone women are not only asking for a slice of the pie, they are saying that they have learnt the lessons of the past and now want to make a difference to how the pie is shaped.”⁵¹⁸

PRESENT INSTITUTIONAL MECHANISMS FOR THE ADVANCEMENT OF WOMEN

Recommendations

References or discussions of the commission's recommendations

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 68 references coded [0.25% Coverage]

Reference 1 - 0.01% Coverage

The chapter titled, “Women and the Armed Conflict”, sets out the violations suffered by women and considers the current position of women in Sierra Leone.²⁰ The Commission makes specific recommendations to redress the marginalization of women in the political and social life of Sierra Leone, including a minimum percentage of women to be represented in public office and as candidates in national and local government elections. ²¹

Reference 2 - 0.01% Coverage

The recommendations cover the following areas and themes: the Protection of Human Rights, Establishing the Rule of Law, the Security Services, Promoting Good Governance, Fighting Corruption, Youth, Women, Children, External Actors, Mineral Resources, The Commission and the Special Court, Reparations, Reconciliation, National Vision for Sierra Leone, Archiving, Dissemination of The Commission's Report, and the Follow-Up Committee.

Reference 3 - 0.01% Coverage

The Commission found that the political elite in successive regimes excluded society-at-large from meaningful participation in decision-making, in particular youths and women. The Commission highlights its recommendations to increase the level of representation for youths and women in representative politics, in cabinet and government.¹⁵

Reference 4 - 0.01% Coverage

110. When codifying customary law, the Commission recommends that the drafters pay particular attention to those aspects of customary law that offend basic human rights. Such laws should not become part of an enforceable code of customary law. However, the reform of customary law should be undertaken creatively and democratically. The process of reform should commence with the people it will affect, such as women and peasant farmers at chiefdom level. They should be consulted on how they would like to see customary law changed.

111. The Commission recommends that the government, through the Law Commission, begins a national dialogue on the codification of customary law with special emphasis on the rights of women and children. The ultimate aim must be to bring customary and Islamic law in line with the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.

Reference 5 - 0.01% Coverage

Several areas of the law are out of step with modern developments. Such legislation ought to be amended, repealed and where appropriate completely rewritten. Examples of the law, which cry out for reform, are the criminal procedure laws, including provisions governing bail, laws dealing with the protection of women and children⁷² and land tenure.

Reference 6 - 0.01% Coverage

205. The Commission recognises that providing professional policing in these circumstances is extremely difficult. The temptation for policemen and women to engage in actions of “pay yourself” must be overwhelming. However, simply stating that the Government must improve the income of the police may prove to be an empty gesture, at least in the foreseeable future. Indeed the Government hardly needs to be told of the deplorable conditions in the security services.

Reference 7 - 0.01% Coverage

The civil war has aggravated matters for the youth. After ten years of war, thousands of young men and women have been denied a normal education and indeed a normal life. Their childhood and youth have been squandered by years of brutal civil conflict. Many young Sierra Leoneans have lost the basic opportunities in life that young people around the world take for granted. These young people constitute Sierra Leone's lost generation. The Commission recommends that the youth question be viewed as a national emergency that demands national mobilisation. This is an imperative recommendation.

Reference 8 - 0.01% Coverage

The Commission recommends that the President, as the "Father of the Nation" and as the Head of State, should acknowledge the harm suffered by women and girls during the conflict in Sierra Leone and offer an unequivocal apology to them on behalf of the government and preceding governments in Sierra Leone. This is an imperative recommendation.

Reference 9 - 0.01% Coverage

The Commission calls on the leadership of all political parties to acknowledge the harm suffered by women and girls during the conflict in Sierra Leone and to offer an unequivocal apology to them on behalf of their particular political parties.

319. Women and girls in Sierra Leone continue to suffer historic structural inequality on account of their gender. Gender inequality is entrenched in all spheres of social, political and economic life by discriminatory laws, customs, traditions and practices.

Reference 10 - 0.01% Coverage

The Commission's recommendations to address structural inequality encompass law reform, access to justice, the abolition of discriminatory customary law and practices, the building of institutional capacity and the establishment of educational programmes to counter attitudes and norms which lead to the oppression of women. The Commission views education, health, economic empowerment and political participation as priority areas for the progressive development of women in Sierra Leone.

Reference 11 - 0.01% Coverage

The Commission has identified war widows, aged women, girl mothers, and victims of displacement and female ex-combatants as particularly vulnerable groups. The recommendations attempt to address the specific needs of these victims.

Women affected by the Armed Conflict

323. Women were subjected to systematic abuse during the conflict. Violations perpetrated against women included torture, rape, sexual abuse, and sexual slavery, trafficking, enslavement, abductions, amputations, forced pregnancy, forced labour and detentions.

324. Never again should women in Sierra Leone be subjected to brutality. Every man and boy in Sierra Leone owes a duty to respect women and girls and to protect them from abuse at all times.

Reference 12 - 0.01% Coverage

The Commission calls on communities to make special efforts to encourage acceptance of the survivors of rape and sexual violence as they reintegrate into society. The physical and emotional well being of the women victims of rape and their children born as a result of rapes should be protected.¹¹⁵

Reference 13 - 0.01% Coverage

The Commission notes that women who have been sexually violated during the conflict period deliberately avoid being identified, as they fear stigmatisation. The Commission notes that assisting them with long-term mental and physical injuries depends on making services accessible.

¹¹⁵ The health needs of women victims of the conflict are addressed in the chapter on Reparations,

Reference 14 - 0.01% Coverage

The Commission recommends that a directory be established by the Ministry of Social Welfare and Gender Affairs in conjunction with UNIFEM, the World Health Organisation and other stakeholders which should contain a list of donor agencies and service providers assisting women together with their contact details both in the provinces and Freetown. The emphasis should be on where women can obtain information and access assistance. The launch of the directory should be accompanied by a media campaign. The Ministry of Social Welfare and Gender Affairs should work towards the implementation of this recommendation.

Reference 15 - 0.01% Coverage

Domestic violence against women intensified during the civil war and endures in the post-conflict period. The Commission notes that the laws of Sierra Leone relating to the prosecution of domestic violence are inadequate and offer little protection to women and girls. The Commission recommends that Government work towards the enactment of specific legislation to address domestic violence. Such laws should facilitate the prosecution of offenders and empower women to access protection orders.

329. Women and girls experience great difficulty in pressing charges in respect of rape and sexual violence as police and judicial officers are reluctant to investigate and prosecute such cases. The Commission recommends that the Ministry of Social Welfare and Gender in conjunction with UNIFEM and the Gender Desk of the police work towards the creation of an educational programme for the police, prosecutors and judicial officers raising awareness of issues of gender, educating and training them in the investigation and prosecution of gender-based crimes and sensitising them on how to deal properly with complainants.

Reference 16 - 0.01% Coverage

The Commission recommends that a directory be created, which includes all the information existing in regard to the various skills programmes and the providers of such services. The release of such a directory should be accompanied by a media campaign, which will lead to more women learning of the programmes being offered.¹¹⁶
332. Women and girls who are sexually violated rarely lay complaints, as the current environment is not conducive to doing so. This has led to a culture of impunity in respect of crimes of a sexual nature.

Reference 17 - 0.01% Coverage

The Ministry of Social Welfare and Gender Affairs should consider the creation of one network to co-ordinate all organisations working with women and the issuance of one directory setting out all their services – which could be updated annually.

Reference 18 - 0.01% Coverage

The Commission recommends that the Government should launch a campaign to end the practice under the customary law of compelling women and girls who have been raped to enter into marriage with the offender. This is an imperative recommendation.

Reference 19 - 0.01% Coverage

The Commission recommends that the Ministry of Social Welfare and Gender Affairs, in conjunction with UNIFEM, should work towards a national campaign, together with other agencies, to raise awareness about the culture of silence that pervades the issue of rape and sexual violence and encourage the abolition of customary practices which impact negatively on the rights of women.

Reference 20 - 0.01% Coverage

The Commission recommends that the Government work towards the harmonisation of the customary law with the common law and that to ensure laws dealing with the protection of women, particularly in regard to domestic violence and crimes of sexual violence, accord with international human rights standards.

117 See the Protection of Women and Girls Act 1960, which can be found at Chapter 30 of the

Reference 21 - 0.01% Coverage

Discrimination against Women

341. Women and girls in Sierra Leone, before, during and after the conflict, were subjected to discrimination by practice, custom and law. There is no basis to justify the discrimination that women have endured in Sierra Leone. The legal apparatus that entrenches discrimination against women must be dismantled. The Commission recommends the repeal of all statutory and customary laws that discriminate against women.

Reference 22 - 0.01% Coverage

Laws that should be repealed include those provisions that discriminate against women in relation to marriage, the administration of estates, inheritance, and divorce and property ownership. This recommendation requires the repeal of sections 26(4)(d) and (e) of the Constitution, which permit discrimination against women in these areas and on the grounds of customary law. Constitutional provisions that authorise discrimination on the basis of gender have no place in a modern democratic society based on equality and respect for human dignity.

Reference 23 - 0.01% Coverage

The Commission recommends that Sierra Leone ratify the Protocol to the African Charter on the Rights of Women. The Protocol enjoins signatories to address “Harmful Practices” against women. Harmful Practices are defined as all behaviour, attitudes and practices which negatively affect the fundamental rights of women and girls, such as their right to life, health, dignity, education and physical integrity.

Reference 24 - 0.01% Coverage

The Commission recommends that all aspects of customary law¹²⁰ as well as practices which discriminate against women in the realm of inheritance, land ownership, marriage, divorce and the administration of estates be abolished by Parliament.

Reference 25 - 0.01% Coverage

The Commission is persuaded that simply calling for the opening up of the political space for women is not sufficient. If Sierra Leone is serious about giving a meaningful voice to women in representative politics, then more serious efforts have to be made to achieve this end.

Reference 26 - 0.01% Coverage

The Commission recommends that political parties be required to ensure that at least 30% of their candidates for public elections are women. This includes national elections, local government and district council elections. Legislation should be enacted to make this a legal requirement. The National Electoral Commission should be required to enforce this minimum representation. Such a stipulation will require all political parties to nurture and develop meaningful participation of women. This is an imperative recommendation.

Reference 27 - 0.01% Coverage

The Commission recommends that the Government work towards achieving a representation of at least 30% women in cabinet and other political posts. Government should also work towards incrementally achieving 50/50 gender parity in cabinet and political posts within the next 10 years.

Reference 28 - 0.01% Coverage

The Commission notes the lack of young women in positions of leadership and calls on the government, UNIFEM and the NGO sector to establish leadership programmes for women in both the provinces and Freetown to ensure that there is a new generation of women with sufficient skills to participate in public life.

Reference 29 - 0.01% Coverage

The Commission notes that many women ex-combatants were not able to participate in the skills training programmes provided on demobilisation. The Commission also notes the proliferation of skills training programmes in the country run by various international and local organisations. The Commission recommends that, to ensure that women are able to access the skills training programmes that are being offered by the various agencies, the Ministry of Social Welfare and Gender Affairs should establish a network of service providers and agencies offering the various skills training programmes and ensure that services are decentralised and that women in the provinces are able to access them.

Reference 30 - 0.01% Coverage

The Commission notes that a major obstacle for many of the women who have gone through skills training programmes is the absence of suitable opportunities to practise their skills as well as the lack of accessible markets. The Commission recommends that the Ministry of Social Welfare and Gender Affairs, in conjunction with UNIFEM, explore opportunities for women to utilise the skills acquired and market opportunities, where their items can be sold.

Reference 31 - 0.01% Coverage

The Commission recommends that micro-credit schemes should target women ex-combatants, internally displaced women, female heads of households and war widows. Those providing micro-credit should be encouraged to incorporate a basic business management course into the provision of micro-credit.

Reference 32 - 0.01% Coverage

The Commission recommends that the Ministry of Education in conjunction with the Ministry of Social Welfare and Gender Affairs and UNIFEM consider the establishment of adult education programmes for women in which basic literacy and numeric skills can be taught.

Reference 33 - 0.01% Coverage

The Commission notes that women do not enjoy adequate access to legal aid. The Commission calls on the Fourah Bay University Legal Aid Clinic, together with LAWCLA and the Bar Council, to consider initiating a specific focus on domestic and sexual violence against women as well as issues pertaining to inheritance, land and marriage.

Reference 34 - 0.01% Coverage

The Commission recommends that the Ministry of Social Welfare and Gender Affairs, in conjunction with UNIFEM and the NGO sector, work towards the launching of an education programme, which addresses both men and women on safe sex practices.

Reference 35 - 0.01% Coverage

The Gender Commission should be representative of all sectors of Sierra Leone society. The Gender Commission should co-ordinate and drive all issues pertaining to the advancement of women in Sierra Leone.

Reference 36 - 0.01% Coverage

367. War widows, aged women, girl mothers, victims of displacement and female ex-combatants are among the most vulnerable groups in Sierra Leone today. The Commission urges the government and relief agencies to pay particular attention to their needs.

Reference 37 - 0.01% Coverage

The government should provide psychosocial support and reproductive health services to women affected by conflict. These services should be provided free to those who have experienced physical trauma, torture and sexual violence.¹²¹ Government should work towards the early fulfilment of this recommendation.

Reference 38 - 0.01% Coverage

The Commission calls on the Bondu societies¹²³ to serve as mechanisms for change and that they should use their influence in communities to improve the quality of life for widows and elderly women.

Reference 39 - 0.01% Coverage

Now that the formal disarmament and reintegration programmes are complete, the Commission calls on communities to continue with the accepting back of former girl and women soldiers into their villages and neighbourhoods. Communities should do this with compassion. The same applies to the many women who were displaced by the conflict and have not as yet returned to their communities.

Reference 40 - 0.01% Coverage

The Commission has made the imperative recommendation that all laws and customs that discriminate against women should be repealed. This recommendation includes the repeal of provisions on Sierra Leone's statute books, which undermine the inheritance and property rights of women.¹²³

Bondu societies are secret societies for women. They assist women in household and domestic management and play an important role in the socialisation of girls and women into community life.

Reference 41 - 0.01% Coverage

Many girl and women ex-combatants did not benefit from the disarmament programmes. The Commission calls on relief agencies to continue to assist these women with skills training and their rehabilitation back into society. Similar support should be given to non-combatant women who were internally displaced by the civil war and who found themselves economically and socially marginalised.

Elderly Women ³⁷⁵.

A large number of elderly women have been rendered destitute and unemployable by the conflict. The war was accompanied by the breakdown of social and cultural values that would normally have ensured protection and support for elderly women. These women have been largely abandoned by society. They now live on the margins of society. Elderly women should be treated with dignity.

Reference 42 - 0.01% Coverage

The Commission recommends that Government establish old people's homes in all the main urban centres and ensure that elderly women have access to land in rural areas. The Commission further recommends that Government attend to the social and medical needs of elderly women. The Government should work towards the fulfilment of these recommendations.

Reference 43 - 0.01% Coverage

The Commission calls upon the member states of the Economic Community of West African States (ECOWAS) to take concerted action to implement the Political Declaration and Action Plan against trafficking in human beings, especially women and children. The Action Plan commits the ECOWAS countries to take specific steps, such as launching public awareness campaigns to alert potential victims to methods used by traffickers; creating special police units to combat trafficking; and training police, customs, and immigration officials to catch and prosecute traffickers and to protect the rights of victims.

Reference 44 - 0.01% Coverage

The UN and the member states of ECOWAS should take effective action to prevent the movement of mercenaries and soldiers of fortune within the subregion. The fact that Sierra Leonean fighters have taken part in the internal armed conflicts of Liberia and Cote d'Ivoire should be of serious concern to all. For more than two decades, many young men and women, within the Mano River Basin, have known no occupation other than fighting and violence. Countries within this zone should cooperate with each other to initiate effective economic programmes that target the youth in order to provide them with viable and peaceful means of survival.

Reference 45 - 0.01% Coverage

The Commission recommends that, at least, four representatives of civil society should be represented on the Follow-Up Committee, one of whom should represent women and one other should represent the youth.

Reference 46 - 0.01% Coverage

Repeal sections 27(4)(d) and (e) of the Constitution which permits discrimination against women.

Reference 47 - 0.01% Coverage

WOMEN Imperative

Government and factions to conflict to issue a full and frank apology to women for abuses sustained in the war. Repeal all statutory and customary laws discriminatory against women, including provisions that prevent their inheritance and land access.

Reference 48 - 0.01% Coverage

Provide women with micro-credit along with focussed skills training.

Reference 49 - 0.01% Coverage

Sierra Leone to ratify the Protocol to the African Charter on the Rights of Women.

All political parties to be required to ensure that at least 30% of their candidates for all public elections are women. Repeal provision in Protection of Women and Girls Act which links the prosecution of sexual offences to the 'moral character' of the complainant.

Reference 50 - 0.01% Coverage

Adult education programmes to teach literacy and numeric skills to women.
Ca

Reference 51 - 0.01% Coverage

Provide psychosocial support and reproductive health services to women affected by the conflict.
Na

Reference 52 - 0.01% Coverage

Representation of at least 30% women in cabinet and political posts.

Reference 53 - 0.01% Coverage

Fourah Bay Legal Aid Clinic, LAWCLA and Bar Council to focus on domestic and sexual violence against women.

Reference 54 - 0.01% Coverage

UNIFEM and NGOs to establish leadership programmes for women

Reference 55 - 0.01% Coverage

Establish directory of service providers assisting women.
Establish old peoples' homes in main urban centres and attend to the social and medical needs of elderly women.
CHI

Reference 56 - 0.01% Coverage

At least four representatives of civil society should serve on the Follow-up Committee. One to represent women and one to represent youth.

Reference 57 - 0.01% Coverage

The Commission determined the categories of beneficiaries who should benefit from the reparations programme by considering those victims who were particularly vulnerable to suffering human rights violations. Most Sierra Leoneans agree that amputees, war wounded, women who suffered sexual abuse, children and war widows would constitute special categories of victims who are in dire need of urgent care. The Commission also considered those victims who are in urgent need of a particular type of assistance to address their current needs, even if this only serves to put them on an equal footing with a larger category of victims. The reparations programme aims at contributing to the rehabilitation of those victims, even if complete rehabilitation is not possible.

Reference 58 - 0.01% Coverage

The Commission recommends that the health care be made available at primary health units, district hospitals, and tertiary health units. However, in the short-term, recognizing that many health centres may not be able to provide the care that is needed, the Commission recommends that the government strengthen the referral system between hospitals in the area of reproductive and women's health and to the Princess Christian Maternity Hospital (PCMH) hospital in Freetown where fistula surgery is being performed, so that the medical needs of the victims of sexual violence can be met.

Reference 59 - 0.01% Coverage

Considering the stigmatisation that many victims of sexual violence suffer, the Commission recommends that trauma counselling be available in all medical facilities that currently treat women, such as the reproductive health centres and the PCMH hospital, where the fistula surgeries are being performed.

Reference 60 - 0.01% Coverage

The Commission recommends that the government assist programmes providing trauma counselling services specifically for women. These programmes include the Rainbo Centre and the Sexual Assault Referral Centres set up by the International Rescue Committee (IRC) Gender Based Violence Programme.

Reference 61 - 0.01% Coverage

Regarding areas of the country with high concentrations of victims of sexual violence, the Commission recommends that the Implementing Body deploy as many female staff members as possible to ensure the privacy and convenience of women who wish to identify themselves as victims.

Reference 62 - 0.01% Coverage

The absence of progressive legal reform in Sierra Leone has resulted in the continued application of discriminatory laws and leaves women largely unprotected. Rape continues to go largely unpunished. Legislation is necessary to protect women adequately from all forms of violence, particularly domestic and sexual violence.

Reference 63 - 0.01% Coverage

The African Charter on Human and People's Rights entered into force in October 1986. Article 18 (3) of the charter states that "the state shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions". By this Article, the African Charter has incorporated all of the international declarations and conventions that relate to women. There is a protocol on the Rights of African Women approved in July 2003 that offers wide protection for the rights of women. Sierra Leone needs to ratify this protocol, which will allow the rights provided in it to be enjoyed in Sierra Leone.

The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)

Reference 64 - 0.01% Coverage

General Recommendation 21 of the CEDAW Committee on Marriage recognises that common law principle and religious and customary laws contribute to the persistence of gender stereotypes and women's inequality. The Committee calls for governments to bring traditional practice in line with existing law. It recognises 18 as the appropriate age for marriage and rejects arguments of an earlier age for girls because of the associated health risks.

Reference 65 - 0.01% Coverage

General Recommendation 19 dealing with violence against women advocates for the enactment and enforcement of legislation to prevent and punish acts of domestic violence. The Committee has also criticised State parties who place undue emphasis on marital reconciliation, particularly in cases involving violence. It calls on governments to suppress all forms of trafficking in women and exploitation of the prostitution of women. It further recognises that economic factors such as poverty adversely contribute to prostitution and the trafficking of women. The Committee has also identified sexual harassment as a form of violence against women, particularly in school or work environments, and has recommended that state parties enact sexual harassment laws.

16

Reference 66 - 0.01% Coverage

General Recommendation 14 specifically addresses female genital mutilation. It recognises the cultural, traditional and economic factors that perpetuate the practice of FGM. It also identifies the health related consequences and makes recommendations to State on how to eliminate it. FGM is also specifically mentioned in General Recommendation 19 equating the practice as a form of violence against women committed by private or state actors. General Recommendation 24 recommends the enactment and effective enforcement of laws that prohibit genital mutilation.

Reference 67 - 0.01% Coverage

The Commission has made recommendations on how the lives of women can be improved. They involve legal, political, social and economic reforms, which have the potential to offer women and girls an opportunity to have a better life. The recommendations are contained in the dedicated Recommendations chapter in Volume Two of this report. The Commission has set out in the Recommendations chapter those measures it regards as imperative and those the country should strive towards achieving. It also suggests who should be responsible for implementing these recommendations.

Reference 68 - 0.01% Coverage

The African Charter on Human and People's Rights entered into force in October 1986. Article 18 (3) of the charter states that "the state shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions". By this Article, the African Charter has incorporated all of the international declarations and conventions that relate to women. There is a protocol on the Rights of African Women approved in July 2003 that offers wide protection for the rights of women. Sierra Leone needs to ratify this protocol, which will allow the rights provided in it to be enjoyed in Sierra Leone.

Violence

References or discussions of violence

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 144 references coded [0.76% Coverage]

Reference 1 - 0.01% Coverage

Women and the Armed Conflict

20. Women and girls became targets for abuse in the brutal conflict in Sierra Leone. They suffered abductions and exploitation at the hands of their abductors. Their vulnerability was exploited in order to dehumanize them. Women and girls were raped, forced into sexual slavery and endured acts of sexual violence. Many suffered mutilations, torture and a host of other cruel and inhumane acts.

Reference 2 - 0.01% Coverage

During the conflict, women and children were the victims of the most brutal violations and abuses. It was necessary that they participated in all the activities of the Commission to ensure that their voices were heard. There was no single body or group representing victims' interests in Sierra Leone. There are instead various institutions and agencies, both local and international, providing services to women and children victims of the war. Many of these agencies existed long before the TRC was established and have been documenting violations and abuses, providing psychosocial support services and carrying out school enrolment and training programmes for women and children. The Commission worked closely with many such organisations. Furthermore, in 2001, UNICEF organised a consultation on the participation of children in the work of the Commission. That consultation supported the participation of children in the work of the Commission and outlined a number of measures to ensure the protection of participating children.

Reference 3 - 0.01% Coverage

Women victims of sexual abuse or rape In most countries around the world, sexual abuse and rape are socially attached to feelings of shame. According to some cultural values, women victims of sexual abuse or rape feel guilty about their experience and may be reluctant to speak about it. It is therefore highly important that the statement taker establish trust with the statement-giver and avoid asking for embarrassing details when these details are not indispensable to the telling of the story. The statement-giver should not be pushed to relate details that she does not feel comfortable revealing. The Commission will allow for women victims of sexual abuse or rape to request that a female statement taker take their statement.

Reference 4 - 0.01% Coverage

abductions of women and children, recruitment of children as combatants, rape, sexual slavery, cannibalism, gratuitous killings and wanton destruction of villages and towns. This was a war measured not so much in battles and confrontations between combatants as in attacks upon civilian populations. Its awesome climax was the destruction of much of Freetown in January 1999.

Reference 5 - 0.01% Coverage

Women

50. Women and girls became the targets in the brutal conflict in Sierra Leone. They suffered abduction and brutality at the hands of their perpetrators. Their vulnerability was deliberately exploited in order to dehumanise them. Women and girls were raped, forced into sexual slavery and endured other acts of sexual violence, including mutilations, torture and a host of other cruel and inhumane treatment. They were taken from their homes and villages by force. Refusal to comply with their captors often met with death. For those fortunate enough to escape, displacement invariably followed, either in exile or in camps inside or outside the country. They were not safe even in these camps, as humanitarian workers meant to protect them also violated their rights. Women and girls were

compelled to barter their bodies in order to access aid to which they were rightfully entitled. Girls as young as 12 were forced to pay for aid with sex in order to gain assistance for their families.

Reference 6 - 0.01% Coverage

24. Women and girls were raped, forced into sexual slavery, tortured and suffered cruel and inhumane acts.

Reference 7 - 0.01% Coverage

The RUF carried out widespread rapes and acts of sexual violence against women and girls.

Reference 8 - 0.01% Coverage

The Commission finds that during the conflict in Sierra Leone the CDF carried out a deliberate strategy of perpetrating rape, sexual slavery and other sexual violations on girls. The Commission finds in particular that girls and women identified as relatives or associates of the opposing forces were specifically targeted by the CDF for such violations. The Commission finds such acts to be in clear contravention of international law and holds the leadership of the CDF responsible for the sexual violations carried out by members and combatants of the CDF faction.

Reference 9 - 0.01% Coverage

The Commission finds that, during the conflict in Sierra Leone, all armed groups perpetrated human rights violations against women and girls. Women and girls were targeted for rape and sexual slavery. Violations committed against women included killings, rape, sexual violence, sexual slavery, slave labour, abductions, assaults, amputations, forced pregnancy, detention, torture, enforced sterilisation, trafficking, mutilations, enforced cannibalism, displacement and economic violations such as looting, extortion, theft and the destruction of property.

Reference 10 - 0.01% Coverage

The Commission finds further that many humanitarian workers, who were meant to protect and assist women, exploited the extreme vulnerability of women and violated their rights by compelling them to barter their bodies in order to access aid and survive.

References 11-13 - 0.01% Coverage

The RUF pursued a deliberate strategy of violating women by raping them and perpetrating acts of sexual violence against them. RUF combatants used women and girls (particularly those between the ages of 10 and 14) as sexual and domestic slaves and tortured them in a myriad of different ways. Women and girls were killed, assaulted and suffered cruel and inhuman acts at the hands of RUF fighters.

Findings against the AFRC in respect of women 504. 505.

The Commission finds that the AFRC pursued a deliberate strategy of targeting girls and women with the specific intention of violating them by abducting them, raping them and perpetrating acts of sexual violence against them. The AFRC pursued a strategy of violating women and girls by using them as sexual and domestic slaves and tortured them in a variety of ways. Women and girls were killed, assaulted and suffered cruel and inhuman acts at the hands of AFRC fighters.

References 14-15 - 0.01% Coverage

The Commission finds that the AFRC planned, authorised and executed a strategy to target women and girls during the invasion of Freetown in January 1999. AFRC combatants targeted women and girls with the express intention of abducting them, raping and sexually violating them and pursuing a range of other human rights violations against them.

References 16-17 - 0.01% Coverage

Findings against the CDF in respect of women 508. 509. 510.

The Commission finds that the CDF, particularly in the latter period of the conflict, abducted civilian women and girls whom they believed to be associated to or in collaboration with the RUF and the AFRC.

The Commission finds that the CDF detained women and girls and kept them under the most cruel and inhuman conditions with the intention of violating them by raping them and exploiting them as sexual slaves.

Reference 18 - 0.01% Coverage

Findings against the SLA in respect of women 511.

The Commission finds that the SLA, which was responsible for protecting the civilian population, abducted women and girls, particularly those believed to belong to the RUF or believed to have collaborated with the RUF / AFRC. Women and girls were detained under conditions of extreme cruelty with the deliberate intention of raping them and perpetrating other acts of sexual violence upon them.

References 19-20 - 0.01% Coverage

Findings against the West Side Boys in respect of women 512.

The Commission finds the West Side Boys responsible for abducting women and girls, holding them against their will, forcing them into marriage, raping them, using them as sexual slaves and perpetrating a range of brutal and inhuman acts upon them.

Violations perpetrated against women and girls o Abduction and Forced Recruitment

Reference 21 - 0.01% Coverage

The Commission finds that all of the armed groups pursued a deliberate strategy of targeting young girls between the ages of 10 and 14. Women and girls were abducted for the purposes of keeping them under their control, exercising rights of ownership over them, exploiting their vulnerability, coercing them into becoming combatants and using them as sexual slaves and as forced labour.

Reference 22 - 0.01% Coverage

The Commission finds that the RUF and the AFRC deliberately embarked on systematic strategies to abduct and rape women and girls between the ages of ten and 14 years.

The Commission finds that the systematic raping of women was intended to humiliate, defile and violate women, their families and communities. The practice of systematic rape sowed terror among the local population and debased societal norms and customs.

Reference 23 - 0.01% Coverage

The Commission finds that the RUF and the AFRC were the major perpetrators of sexual slavery and forced marriages of women and young girls.⁴⁰

Reference 24 - 0.01% Coverage

The Commission finds that all the armed perpetrator groups coerced women and girls under their control into doing forced labour.

Reference 25 - 0.01% Coverage

The Commission finds that women and girls were assaulted, tortured and subjected to cruel and inhuman treatment by all the armed perpetrator groups, with the deliberate intention of inflicting serious mental and physical suffering or injury on them.

42 Of the 2,941 forced displacement violations against women and girls where the perpetrator is

Reference 26 - 0.01% Coverage

The Commission finds that all the factions pursued a deliberate strategy of perpetrating torture on women and girls perceived to be associated with the “enemy”, by inflicting or threatening to inflict sexual violence, other acts of violence and cruel and inhuman acts upon them or on persons close to them.

Reference 27 - 0.01% Coverage

In addition to atrocities associated with the exploitation of women’s sexuality and vulnerability, women and girls were not exempted from the full range of atrocities suffered by men.

Thousands of women and girls were killed and had their limbs amputated. Women and girls were subjected to forced cannibalism. Women had their property and possessions looted by members of all armed groups, thereby depriving them and their families of food, clothing, money and assets.⁴³

Women as combatants and perpetrators 532.

The Commission finds that while most women were compelled to become combatants and collaborators in order to survive, a number of them chose voluntarily to take up these roles. Some women joined the war because they believed in the cause of the armed revolution or the defence of the country.

Reference 28 - 0.01% Coverage

The Commission finds it particularly disturbing that many cases of abuse by humanitarian workers on women and children have occurred in Sierra Leone. Aid workers who were supposed to render humanitarian aid to women abused their power by exploiting the vulnerability of those under their care.

Reference 29 - 0.01% Coverage

The Commission finds that women and girls were forced to barter their bodies to humanitarian workers in exchange for aid.

Reference 30 - 0.01% Coverage

Sexual violence experienced by women during the conflict has had lasting negative effects on their reproductive health. Rape and sexual violence were rife, which caused a massive rise in the incidence of HIV / AIDS and sexually transmitted infections (STIs). This is of immediate concern to the survivors.

Reference 31 - 0.01% Coverage

316. Women and girls were the deliberate targets of sexual violence and rape by all the armed groups during the conflict. Women continue to be victims of gender-based violence. The Commission has noted the submissions made by women’s groups, which point to the failure of successive governments to protect women and girls during the conflict and post-conflict periods.

Reference 32 - 0.01% Coverage

Domestic violence against women intensified during the civil war and endures in the post-conflict period. The Commission notes that the laws of Sierra Leone relating to the prosecution of domestic violence are inadequate and offer little protection to women and girls. The Commission recommends that Government work towards the enactment of specific legislation to address domestic violence. Such laws should facilitate the prosecution of offenders and empower women to access protection orders.

329. Women and girls experience great difficulty in pressing charges in respect of rape and sexual violence as police and judicial officers are reluctant to investigate and prosecute such cases. The Commission recommends that the Ministry of Social Welfare and Gender in conjunction with UNIFEM and the Gender Desk of the police work towards the creation of an educational programme for the police, prosecutors and judicial officers raising awareness of issues of gender, educating and training them in the investigation and prosecution of gender-based crimes and sensitising them on how to deal properly with complainants.

Reference 33 - 0.01% Coverage

330. Women and girls in Sierra Leone continue to be the victims of sexual violence. The Commission notes that the national laws of Sierra Leone are inadequate to deal with the prosecution of crimes of sexual violence, including rape, sexual harassment and other forms of sexual abuse. The current rules of procedure and evidence in respect of crimes of sexual violence are not only discriminatory but are also offensive to women and girls.

Reference 34 - 0.01% Coverage

Victims of sexual violence are defined as those women and girls who were subjected to such acts as rape, sexual slavery, mutilation of genital parts or breasts, and forced marriage. To the extent boys and men suffered from sexual violence, they will also be beneficiaries of this programme.

Reference 35 - 0.01% Coverage

Women whose husbands were killed as a consequence of any abuse or violation and who, as a result, have become the primary breadwinners for their families.

Reference 36 - 0.01% Coverage

As part of a sustained campaign in the Pujehun District, the SSD burnt down several whole villages across various Chiefdoms and killed many innocent civilians, including women and children. Hundreds of Demby opponents were arrested, while more than half of those detained died in jail.

Reference 37 - 0.01% Coverage

That night my whole family and I were taken by four armed men to a nearby jail; there we met over 85 other foreign nationals, including women, children and the elderly. The old, the women and the children were released two weeks later and allowed to return to their homes, while a number of us were still held in detention. Executions were carried out for every time the ECOMOG jet bombed their areas, even without killing anyone. I came to understand that multiple executions

Reference 38 - 0.01% Coverage

The Commission heard similar testimonies from several other Sierra Leoneans who were taken into detention in different parts of Liberia during the same operation by the NPFL. One long-term resident, who was arrested along with a fellow Sierra Leonean teacher at his local college, described how he was locked up with up to a hundred others in “a large container that had been used to transport frozen fish or meat.”²³ He testified that NPFL gunmen would periodically open the hatch at the top of the container and fire rounds of bullets indiscriminately into the crowd below, among whom were many women and children.

Reference 39 - 0.01% Coverage

[...] By the other side of the bridge there was a big pit; the commander told all the men to stand in one line and the women in another line. Four of the Kamajors stood in front of the rows and began to slaughter the people with their swords and daggers and dump them into the pit.

Reference 40 - 0.01% Coverage

The list is deliberately short, numbering 16 violations. Each is precisely defined to avoid ambiguity, ensuring a common understanding of the violations recorded by the Commission. While the list is short, there is scope for a broad analysis of each one. For example, acts of rape should be considered as not only happening in the context of abduction as sex slaves or “bush wives”; but as a violation perpetrated against women during attacks on villages or as part of encounters at checkpoints or in the bush. Furthermore, the burning of property should be understood, not just as an economic crime, but on occasion, as a means of murdering the persons detained within the property.

Reference 41 - 0.01% Coverage

The violations occurring in the context of abduction are dealt with more specifically in the chapters of this report dealing with Women, Children and Youth respectively. Indeed, sexual slavery was perpetrated mostly against women and girls. Forced recruitment was targeted at children and youths by the RUF, the AFRC and the CDF. The targeted age group for forced recruitment violations were those 10-14years.¹

Reference 42 - 0.01% Coverage

“People armed and in combat uniforms attacked our village and killed many people. They went all round and shouted that we, in the village had voted for President Kabbah as President of the Republic of Sierra Leone and because President Kabbah is a proud man they are going to cut off our arms so that we will never vote for him again. It was in 1996 and they said that we should go to him to treat us and give us another hand. Four of us were amputated, two men and two women.”⁷

Reference 43 - 0.01% Coverage

These violations have been dealt with comprehensively in the chapters of the report on women and children respectively. Forced recruitment is the forced or unwilling recruitment of any individual to an armed group or organisation by threat, or intimidation to self or family members and /or violence, while sexual slavery is where the perpetrator exercised all or any of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons or by imposing on them a similar deprivation of liberty; and where the perpetrator caused such person or persons to engage in one or more acts of a sexual nature.²⁴ The victim often known as a “bush wife” is held by one or more perpetrators.

Reference 44 - 0.01% Coverage

Upon entering a town or village, the factions usually recruited all the ablebodied men and women as forced labour. The civilians had to cook and carry looted property for them back to their base or to another town, and to perform sundry other services for them. The following account involved the SLA in Yele in 1994:

Reference 45 - 0.01% Coverage

I left for another nearby village in search of salt. It was that same night that the rebels entered this village and commanded us all to come out of our various houses and homes. They ordered us to undress ourselves naked, both men and women, and to dance, men on one side, women on the other. The rebels then ordered the women to lie down on the ground on their backs.

The rebels then made the men to identify their relationships with these women on the ground. Each time when a man points to one lady or girl to identify her as his sister or mother those rebels will force him by the gun to have sex with her. We did this for over one hour.

Reference 46 - 0.01% Coverage

The RUF used rape to destroy the social respect and standing for pregnant and older women. A victim narrated an experience in 1991:

Reference 47 - 0.01% Coverage

women, they raped them. Some of these grand mothers died from sex with these young men. Sometimes, a woman who had just given birth would be used for sex until she dies.”⁴⁹

In traditional Sierra Leonean society, men did not have sex with pregnant or lactating women. It was a social taboo. The rape of such women during the conflict was aimed at destroying the traditional social fabric, stigmatising the old and pregnant women and nullifying the boundaries of acceptable behaviour within the community.

Reference 48 - 0.01% Coverage

The Commission recorded testimony that pregnant women were killed by the Kamajors in order to extract parts of their bodies for use in initiation ceremonies. Furthermore some Kamajors carried 'charms' or 'fetishes' with them which were constituted of human remains, including the mutilated genitalia of women.

Reference 49 - 0.01% Coverage

Nothing seemed to attract the respect or deference of the RUF soldiers. Even pregnant women were beaten and raped.⁷⁸

Reference 50 - 0.01% Coverage

Adama Gribow, of Moyamba town, fled to the bush with part of her family when the RUF first attacked her town. They stayed in the bush for two months until the rebels captured them and other displaced women. She was forced to watch the torturing to death of her mother and aunt. She was also made to sing and dance as the atrocities were taking place.⁸⁰

"One morning the rebels met us in the forest. They threatened to shoot anyone who attempted to run. We were asked to line up in groups, children in one line, women in another. They later separated pregnant women from us. My mother's younger sister, Moinya, was pregnant. She was made to stand in front of all the pregnant women. An argument erupted among the rebels. One rebel argued that Moinya was carrying a baby boy, while the other denied and maintained that the baby was a girl. They bet 10,000 Leones on who was correct. The argument lasted for nearly twenty minutes. A young rebel boy was appointed as a judge, and four other young rebel boys were appointed to split the stomach of Moinya. The rebels split her stomach and removed the baby while my aunt was crying in pain. While they were splitting her stomach they told us to sing and dance. My mother refused to dance. She too was arrested. She was forced to lie on the ground. They beat her with sticks. They also kicked her in the stomach until she started bleeding. We stood around them singing and dancing until both my mother and her sister died. No reasons were given as to why my mother and my aunty were killed."

Reference 51 - 0.02% Coverage

"[Following the 25 May 1997 coup] our shops, business premises and even our residences were vandalized and destroyed. Our women were raped, our Sierra Leonean wives were humiliated on the streets, and many of our people were killed. Some were maimed and rendered destitute. Some lost their properties and everything they possessed to the hoodlums. Some managed to escape into the bush where they lived miserable lives until 1998. Only the Almighty God, on whose mercies we relied, saved us and ensured our inexplicable survival. We lost less than 100 Nigerians within this period. Among many other pathetic and unforgettable experiences, the one at Mammy Yoko Hotel on the morning of June 2nd 1997 stood out. On that day, nearly all the Nigerian citizens in Freetown sought refuge at the hotel awaiting evacuation to Guinea. The only help the Nigerian government could render was for those who could make it to Guinea. On this day, AFRC/RUF forces attacked the hotel from the sea and land, launching heavy military artillery at the building with hundreds of Nigerians in there. A Nigerian army detachment was then lodged at the Mammy Yoko hotel. They put up a fight and the heavy firing went on till evening when the Nigerian Army surrendered after mediation by the RED CROSS, because of the consideration about the possibility of heavy civilian casualties. Civilians were then allowed to board an American helicopter on standby nearby. As the civilians (mostly Nigerians) left the hotel, they were stripped of virtually all they owned all their lives by AFRC/RUF fighters. Cash, jewelries and other priceless items were forcibly taken from Nigerians fleeing the country. Some were taken to Military headquarters for detention and to be used as human shield in case of a Nigeria-led attack on the military base."¹¹⁸

Reference 52 - 0.01% Coverage

After their recruitment, a culture of total dependency prevailed among most of the individual combatant units established in the RUF. Junior fighters, the overwhelming majority of whom were forced recruits, depended totally on their commanders for provisions, for their livelihoods, for privileges such as drugs and women, or girls, whom they raped and for their 'licence to kill'.¹³⁹ All of this was quite apart from the fact that if they disobeyed or deviated from the orders they were given, they would almost certainly be either beaten severely or (in the worst cases) killed.

Reference 53 - 0.01% Coverage

Many testimonies received by the Commission traced the path of individuals who were brow-beaten into joining the RUF because they simply could not survive outside the movement. Living conditions in a town or village situated within an NPFL or RUF 'target area' seemed in its initial throes to be manageable. Government functionaries, many of whom were loathed, were typically chased out or killed and the distribution of provisions, including agricultural produce, became for a time more liberal and equitable than it was under the unjust 'system'. However, without exception, these ostensible benefits would prove to be a false dawn once the rule of law descended into rule by force. Armed commandos were often reported to have arrived at civilians' houses unannounced and invariably in the middle of the night, forced entry and helped themselves to food wherever it was available. Moreover the NPFL and RUF forces extended their terrorising of families to the raping and gang raping of women and girls in their homes, often in front of their husbands, parents or other family members. One witness who testified at a public hearing in Kailahun captured the plight of many families:

Reference 54 - 0.01% Coverage

"... On 23 March 1991, there was a cross border attack on Bomaru town, Upper Bambara Chiefdom... The elders resolved to send a fact-finding mission to ascertain what happened...I led a team of seven men to Bomaru. On our arrival, we were shocked and dismayed about the killings of up to 13 civilians. We went to the point where Major Foday was killed. I met his body hanging through the roof and blood flowing freely on the ground. Among the 13 civilians killed were 7 men, 4 women and 2 children. They had bullet holes all over their bodies. We were informed that the conflict was...between the Sierra Leone Army stationed at Bomaru and rebels of the NPFL of Liberia....

Reference 55 - 0.01% Coverage

Women and girls became particular targets of malice and violence during the conflict. They suffered abduction and exploitation at the hands of the various perpetrator factions. Their vulnerability was deliberately exploited in order to dehumanise them and perpetrate against them the most gross of violations. They were raped, forced into sexual slavery and endured acts of great sexual violence. They suffered mutilations, torture and a host of cruel and inhuman acts. They were taken from their homes and villages by force. Refusal to comply with the demands of their captors often met with death. For those fortunate enough to escape, there followed displacement and separation from families. While some went into exile, many were housed in camps in Sierra Leone and in neighbouring countries. Shockingly, women and girls were not safe even in these camps. Humanitarian workers – meant to offer them respite and protection – also violated their rights. Women and girls were compelled to barter their bodies in order to survive and access aid to which they were rightfully entitled. Girls as young as 12 were forced to pay for aid with sex to secure assistance for their families.

Reference 56 - 0.01% Coverage

Statistics pertaining to the numbers of women affected by the conflict in Sierra Leone remain a huge concern. In 2003, Human Rights Watch published a report in which they stated that as many as 275,000 women and girls may have been sexually violated during the war.¹

Reference 57 - 0.01% Coverage

The abductions and use of young girls and women as bush wives and sex slaves by armed groups during the war could be attributed to the traditional beliefs that governed this issue prior to the war. Some of the armed groups did not consider it an aberration to rape young women or use them as sex slaves. A testimony to the Commission from a girl child who went fishing with other children and was captured during the conflict illustrates this point:

Reference 58 - 0.01% Coverage

Amongst all ethnic groups in Sierra Leone, it is accepted practice for husbands to chastise or beat their wives or female relatives. Under customary law, a husband has the right to "reasonably chastise his wife by physical force".⁵³ Tellingly, significant numbers of women believe that it is appropriate for men to beat their wives. During a

study of gender-based violence by the NGO Physicians for Human Rights, more than half of the women interviewed agreed with the view that a man has the right to beat his wife.⁵⁴

Reference 59 - 0.01% Coverage

According to Rehn and Sirleaf⁵⁸, the extreme violence that women suffer during conflict does not arise solely out of the conditions of war, but is directly linked to the violence that exists in women's lives during peacetime in the society in question. The authors state that "throughout the world, women experience violence because they are women."⁵⁹ They mostly attribute this situation to women's lack of political rights and authority. They conclude by stating that:

"Because so much of this persecution goes largely unpunished, violence against women comes to be an accepted norm, one which escalates during conflict as violence in general increases."⁶⁰

Reference 60 - 0.01% Coverage

Domestic violence as well as sexual violence is usually condoned or tolerated particularly in traditional societies. This is usually because of unequal power relations. In addition, conditioned by culture and status to be subservient to men, some African women especially the rural and poor ones have less safety mechanisms to combat violence leading to an acceptance of violence in the society.

Reference 61 - 0.01% Coverage

There are frequent reports in Sierra Leone of violence that has resulted in death, permanent disability or serious injuries to women. In each such case, the woman's right to health, liberty and security of person, as well as her right to physical integrity, are severely undermined. In a case where a woman dies as a result of physical injury inflicted by her partner, despite having made multiple reports to the police, the Government should be held accountable for having breached its duty of care to protect its citizens' human rights.

Reference 62 - 0.01% Coverage

The rules of procedure in Sierra Leone's courts, which require corroboration and cross-examination by formidable defence lawyers, discourage women from instigating legal proceedings. Such a perceptibly hostile environment in the courts has often had the consequence of making victims, most of them without legal representation, feel that they are responsible for the crime they have suffered. Even where cases are reported, most of them end up not being prosecuted, as those responsible for prosecution prevail upon the victim to settle the matter out of court. The approach of the police and judicial officers suggests that they regard rape and other gender-based crimes as lesser crimes not worth prosecuting.

Reference 63 - 0.01% Coverage

The complex provisions of the general law have been misinterpreted to the detriment of minors who have been raped or sexually assaulted, resulting in perpetrators being charged with unlawful carnal knowledge of a child, for which the sentence is lighter than rape.⁹⁸ Another area of concern is the need for corroborating evidence relating to these offences, which is extremely unlikely considering their nature and the circumstances in which they are typically committed. Until recently there was only one police doctor in Freetown who was competent to provide medical services to victims and furnish the courts with the requisite medical reports. The police and judicial officers remain outwardly reluctant to prosecute sexual offences and the legal system that is supposed to serve women remains unfriendly to them.

Reference 64 - 0.01% Coverage

During the conflict, women were targeted by the different perpetrator groups and systematically raped and sexually violated. Rape was used as a weapon of war to dominate and humiliate women to undermine traditional cultural values and community relationships. Women and girls were raped and sexually attacked in front of their families, mothers, fathers, husbands and children, as a means of heightening the crime against them, torturing their loved ones and terrorising the community.⁹⁹

Reference 65 - 0.01% Coverage

Under traditional customary law, the consent of the woman or girl for the purposes of sex is immaterial. If a girl is raped or indecently sexually assaulted, her parents can bring an action under customary law for compensation.¹⁰⁰ If the girl is a virgin the amount of compensation includes “virgin money”. The same situation applies where the offender is a prospective husband of the victim. If the girl is married her husband can bring an action for compensation commonly referred to as “woman damage”.¹⁰¹ The fact that communities were in no position to demand compensation for these crimes when they were committed against women and girls during the war has further degraded the status of women. There is no doubt that the reduction of a sexual offence from a heinous crime to a mere action for damage money has contributed to the low status that women occupy in traditional society. Access to justice for women facing sexual violence under general law and under customary law

148. Women victims of sexual violence in Sierra Leone face considerable challenges in seeking to achieve justice. Some of the problems they face are as follows:

Reference 66 - 0.01% Coverage

149. Women suffered a multiplicity of violations during the war, including abduction, forced recruitment, detention, forced displacement, forced labour, assault, torture, forced drugging, amputation, forced cannibalism, forced cannibalism, rapes, sexual slavery, sexual abuse, extortion, looting, destruction of property and killing.¹⁰² Many of these violations constitute crimes under Sierra Leone’s criminal law. Torture, forced drugging and amputation may be prosecuted as assaults under the Offences Against the Persons Act 1861. The killing of women may be prosecuted as murder or manslaughter. Detention may be prosecuted as false imprisonment. The acts of extortion, looting and destruction of property may be prosecuted under the Larceny Act 1916 or the Malicious Damage Act. The national laws of rape under the common law, indecent assault and procuring for prostitution could be applied to crimes of sexual violence committed during the war.

Reference 67 - 0.01% Coverage

Rape remains the silent war crime in Sierra Leone and in the world: throughout history, the rape of hundreds of thousands of women and children in all regions of the world has been a bitter reality.¹⁴⁴ Reversing this legacy remains the obligation of every transitional justice institution charged with examining or prosecuting crimes committed during conflict. It is critical to ensuring inclusive and non-discriminatory justice as well as to combating the stigma and blame that are at the core of the shame, isolation and abandonment suffered by women in post-conflict situations. Whilst international humanitarian law has long prohibited rape, it was characterised as an offence against honour and dignity¹⁴⁵. The Fourth Geneva Convention continued the practice of characterising rape as an attack on women’s honour. The list of grave breaches of Common Article 3 does not refer explicitly to rape. Again in 1977, in Protocol II while offences of sexual violence were explicitly included, they were characterised as offences against dignity and honour or humiliating and degrading treatment as listed as rape, forced prostitution and any other form of indecent assault. As a consequence, women whether combatants or civilians, have been consistently targeted for sexual violence such as rape, sexual mutilation and sexual slavery, while for the most part their attackers go unpunished.

Reference 68 - 0.01% Coverage

This characterisation is based, however, on the notion of women as property and sexual violence as a moral affront described in largely moralistic terms. The word honour thus alludes to chastity, sexual virtue and good name and refers equally to the honour of the male – the husband or father – with whom the woman is related. Thus, the traditional view of rape as an offence against honour has failed to treat rape and sexual violence as a crime of violence, an attack on women’s physical and mental integrity. The notion of honour has also obscured the atrocious nature of the crime and further contributed to the widespread misperception of rape as an “incidental” or “lesser” crime by comparison to killing, torture or enslavement.

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Reference 69 - 0.01% Coverage

There is no doubt that sexual violence against women was closely associated with war in that it occurred as part of the rewards of war and as a weapon of war – it was committed to achieve the humiliation and degradation of women, and of the enemy, men and of the community. The war provided the opportunity for the most grotesque and brutal forms of violence against women.

Reference 70 - 0.01% Coverage

Forced “marriage” is a form of sexual slavery as is the detention of women in “rape camps” or any circumstances under which women are subjected repeatedly to rape or the threat of rape or any other sexual violence. In Sierra Leone, as well as in many other conflicts, women and girls were given as

Reference 71 - 0.01% Coverage

Enslavement is named as a crime against humanity (Art. 7(1)(c) Rome Statute and Art. 2(c) Special Court Statute). It is also prohibited by numerous international human rights and humanitarian law instruments and is one of the original universally condemned crimes under customary international law. Enslavement is also a jus cogens violation.¹⁷⁹ The sexual form of enslavement is now codified as “sexual slavery”. Beyond that enslavement takes many forms, some of them gendered. Young girls and boys, men and women can be enslaved in one of many ways: in domestic labour, mining, arms factory, demining and medical experiments. It becomes a gender crime when an individual is enslaved because of his or her particular function in the society: women used for domestic labour (cooking, washing, cleaning, and serving, educating children), men for transport or fighting, young girls for spying, girls and women for sex and reproduction.

Reference 72 - 0.01% Coverage

In the Kunarac Judgement, the ICTY recognised that both forced domestic labour and sexual services of women and girls constituted enslavement¹⁸⁰. The essential element of enslavement as discussed above the exercise of any or all of the powers attaching to the right of ownership. This has been elaborated by the Kunarac Appeals Chamber to include restriction or control of an individual’s autonomy, restriction of freedom or choice or freedom of movement, extraction of forced or compulsory labour or service, often without remuneration though not necessarily, involving physical hardship: sex: and human trafficking. Enslavement may be accompanied by a claim of exclusivity; torture, cruel treatment and abuse including sexual; and other means of psychological as well as physical control. Enslavement does not require a showing to nonconsent since the exercise of free will by the victim may be irrelevant or impossible because of the coercive environment. It does not require detention or the absence of any avenues of escape. It may also be the product of a commercial exchange, but this condition is clearly not required.¹⁸¹

Reference 73 - 0.01% Coverage

The crime of mutilation has been listed as a war crime by Art 8(2)(c)(i) of the Rome Statute and the ICC Elements explain mutilation as permanent disfigurement or permanently disabling or removing an organ or appendage under circumstances that are not medically justified. ICC Elements, Article 8(2) (c) (i)-2. Consequently, sexual mutilation includes disfiguring or removing a woman’s breasts, face or other part of the body; removing the uterus or foetus of a woman; burning and cutting sexual organs and breasts, burning and cutting the vagina. It is clear that the reported cases of cutting open women to remove the foetus constitute mutilation as well as torture and enforced sterilisation.

Reference 74 - 0.01% Coverage

EXPERIENCES OF WOMEN AND GIRLS DURING THE CONFLICT IN SIERRA LEONE

200. Women and girls in Sierra Leone were deliberately targeted by all of the armed groups involved in the conflict in Sierra Leone. They suffered a multiplicity of violations at the hands of their abusers. The violations included a range of sexual crimes such as rape, sexual slavery, forced pregnancy, and other crimes of sexual violence. Women and girls also suffered abductions, enslavement, torture and forced labour. Many women and girls were also killed in the most brutal circumstances. Many women and girls became displaced, many were forced to flee and become refugees. They also suffered extortion and looting. Despite their experiences, brutal though they were, many have managed to survive and have offered their testimonies to the Commission.

Reference 75 - 0.01% Coverage

The violations that women and girls experienced were characterised by the most extraordinary, inexplicable acts of violence, leaving many of them permanently scarred. Many witnesses told the Commission of how they still relive the horror of it all in their minds. One of the victims who came before the Commission told of what she witnessed:

Reference 76 - 0.01% Coverage

More detail on violations rates and the levels of different violations experienced by women can be found in the Statistical Report produced as an Appendix to this report. Theresa Blackie, TRC statement, Bo Kakua, 16 December 2002. TRC confidential statement recorded in Bo District, 24 March 2003.

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206. Women and girls constituted a particularly vulnerable group who could be exploited and brutalised. While they were themselves the victims of multiple violations and abuses, they were also forced to witness family members, neighbours, friends and relatives being killed, raped and tortured.¹⁸⁹ Torture in international law may be inflicted against a person through the infliction or the threat of infliction of violence on a third person. Age was not respected; neither did it offer any immunity from being violated. Both young and old were abused in the most egregious fashion, as is shown by this testimony of a 70-year-old woman who made a statement to the Commission:

Reference 77 - 0.01% Coverage

The act of abduction placed the victim under the total control of the perpetrator grouping. Women were particularly vulnerable, as they were deliberately abducted in order to be exploited for the purposes of sexual violence, forced labour and sexual slavery.¹⁹⁶ Young girls were deeply traumatised by the experience as they were snatched from the bosom of their families, forced to endure separation from family members and the society they belonged to, raped and sexually brutalised and forced to endure a brutally savage life to which they were unaccustomed. Many died in captivity.

Reference 78 - 0.01% Coverage

The Commission's statistics confirm that there was a deliberate policy on the part of the RUF and AFRC to target girls and women between the ages of 13 and 24 and forcibly "brand" them with the acronyms of the fighting forces.²¹⁰ Mutilation has been listed as a war crime under Art 8(2)(c)(i) of the Rome Statute. The ICC elements define mutilation as a permanent disfigurement or permanent disabling or removing an organ or appendage under circumstances that are not medically justified. The Commission finds that the RUF and the AFRC were responsible for the mutilation of women and young girls in that they carved the initials of their particular armed faction on the chests of women and girls with the intention of permanently disfiguring them, holding them hostage and discouraging them from escaping.

Reference 79 - 0.01% Coverage

222. Women reported to the Commission that they were often beaten and tortured while detained for the flimsiest of reasons:

Reference 80 - 0.01% Coverage

Violence against women in camps ²³⁵.

The Commission found that many Sierra Leonean women had their rights violated in the refugee camps. It is regrettable that those meant to protect the vulnerable were often responsible for further victimising them. In April 2002, the UNHCR and Save the Children-UK issued a report on Sierra Leonean Refugees in Guinea detailing the violations which women and girls amongst others suffered while refugees in Guinea.²²⁷ Young girls and women were forced to have sex in return for food and assistance. Many of them were forced to become prostitutes in brothels established in the camps. More than 1,500 people were interviewed and told similar stories. Men complained of how they were not given access to food because they had no wife or daughter to barter for food or supplies.

Reference 81 - 0.01% Coverage

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236. Women and girls told of how their names would be taken off lists for food and aid if they refused to have sex with peacekeepers and humanitarian workers. The Commission finds it absolutely reprehensible that those who are meant to assist and render humanitarian aid to the most vulnerable women and girls used the very fact of their vulnerability to exploit them and violate their rights. In this regard, the Commission finds that those responsible should be prosecuted. Also in this regard, the Commission intends to make recommendations in order to prevent this kind of abuse taking place in the future.

Reference 82 - 0.01% Coverage

Isatu Kaula Kamara, TRC statement, Magbema Chiefdom, Kambia, 5 December 2002. Vol Three B Chapter Three Women and the Armed Conflict in Sierra Leone Page 147

239. Women were coerced into forced labour by all of the armed forces. They were subjected to even further violations as they carried out their duties.²³¹ A victim who suffered in the hands of some “sobels” in her village and later was abducted by them described her experiences:

“On our arrival at the court barray in the centre of the town, they told the town elders to appoint the town commander and the town mother. Mr. Osman Kortor and I were “appointed” by the town elders... One day, they forcefully tasked us to prepare food for them and at that time there was a shortage of salt, but I managed to cook the food. When they found out that there was no salt in the soup, they commanded me and some other women to eat the food. After eating the food, they gave us the dirty water that we used to wash the basin to drink – if not they will kill us. Three weeks later, they took us to Gbangbanlia in the Lugbu chiefdom and we stayed there for four months carrying their loads and pounding rice for them. They also took us to Jimmi Bagbo and we were later sent to the bush around the village to process gari for them.”²³²

Reference 83 - 0.01% Coverage

In effect, women constituted the largest category of victims compelled to do forced labour. Many victims who made statements to the Commission conveyed a traditional acceptance of what constitutes the tasks of women, in most instances accepting this role and not seeing fit to report it as a violation. Women accounted for 497 violations of forced labour from a total of 1,878 reported to the Commission. However a reading of the statements submitted to the Commission reveals that almost all of the women and girls abducted were compelled to perform forced labour, usually continuously throughout their period in the captivity of an armed group.²³⁵

Reference 84 - 0.01% Coverage

The Commission finds that all of the armed perpetrator groupings coerced women and girls under their control into doing forced labour and notes that, in terms of the Rome Statute for the ICC, such abuse becomes a gender crime when an individual is enslaved because of her particular function in society.

Reference 85 - 0.01% Coverage

particularly as most statement givers passed over the nature of the chores that women and girls were made to perform and instead placed emphasis on different violations, such as killings, rapes and acts of torture. Nonetheless, the Commission regards the fact that people are “conditioned” to take such treatment of women and girls for granted as testament to the widespread practice of the violation of forced labour.

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Reference 86 - 0.01% Coverage

Life for women with the armed groups was brutal. They were treated savagely and were constantly humiliated. Assaults and beatings were commonplace and were doled out for the slightest infraction. The frequent assaults and beatings were meant to sow terror, fear and complete insecurity of person. Women were cowed into submission. One of the victims indicated her sense of vulnerability in her statement to the Commission:

Reference 87 - 0.01% Coverage

244. Women were beaten with sticks, guns and sometimes with bayonets, which resulted in severe injuries to their bodies. No regard or consideration was given to those who were ill or expecting a baby. A victim who was pregnant at the time of her ordeal recounted her story to the Commission:

“O

Reference 88 - 0.01% Coverage

Of the 3,281 cases of assault recorded by the Commission, where the gender of the victims is known, 914 cases recorded women victims.²⁴⁰

The Commission finds that women and girls were subjected to cruel and inhuman treatment by all of the armed perpetrator groups, with the deliberate intention of inflicting serious mental and physical suffering or injury.

Reference 89 - 0.01% Coverage

Acts of torture, carried out on a systematic scale, are regarded as both a crime against humanity and a war crime. The requirements though are different. The right not to be tortured is one of the fundamental rights of a non-derogable nature, in other words it is a *jus cogens* norm. Rape and other forms of sexual violence are recognised both under international human rights law and humanitarian law as torture. Women experienced intense mental and physical torture in the hands of the armed forces, particularly the RUF. The intention was to strip them of any sense of identity or self worth. They were treated like animals with the clear purpose of dehumanising them. Cruel and degrading treatment was extensively practiced on women and girls. A girl-child who lived with the RUF described some sordid acts she witnessed:

Reference 90 - 0.01% Coverage

250. Women because of their nurturing instincts were singled out for a particular kind of torture. They were forced to watch their children and spouses being violated and ultimately killed. An elderly woman at Bonthe recounted to the Commission how her only son was killed. His head had been cut off and she was then forced to hold his head and breastfeed it.²⁴³ Women were in many instances compelled to exhibit mock high spirits by laughing and clapping at the torture or death of family members. Torture was often accompanied by acts that were intensely degrading and cruel. A female victim testified to the Commission about the attack at Bumpeh Gao:

Reference 91 - 0.01% Coverage

Torture took a number of different forms. Women were put into a hole in the ground, which was filled with water that covered a greater portion of their bodies. They were made to stay like that for a number of days. Some women were forced into cages smaller than their bodies.²⁴⁵ Others had hot oil poured over them, burning the skin away. Others had their bodies and faces mutilated. A female witness described this disturbing incident:

“I witnessed where a rebel named David captured two women and said their buttocks were not equal. He took a cutlass and sliced the fat woman’s buttock and stuck the flesh to the other woman’s buttock. The fat one was bleeding seriously. I don’t think she made it.”²⁴⁶

Reference 92 - 0.01% Coverage

Of the 2,086 torture violations recorded in the Commission’s database, women accounted for 538 violations where the gender of the victim is known.²⁴⁷

The Commission finds that all of the armed perpetrator groupings pursued a deliberate strategy of inflicting torture on women and girls, by inflicting or threatening to inflict sexual violence, other acts of violence and cruel and inhuman acts upon them or on a third person or persons close to them.

Reference 93 - 0.01% Coverage

Scores of thousands of Sierra Leoneans, including thousands of women, lost their lives in the conflict. There was a deliberate policy by certain of the armed forces, particularly the RUF and the AFRC, to target civilians in campaigns

of killings. Many families and communities were massacred. One example is this mass killing of a family at Kono Kangana, Gorama Chiefdom in 1994:

Reference 94 - 0.01% Coverage

The Commission finds that all of the armed perpetrator forces pursued a deliberate policy of killing civilians, often in an indiscriminate fashion. In the course of pursuing this policy, the factions took the lives of many women and girls. The Commission finds that the RUF in particular pursued a strategy of mass killings under campaigns such as “Operation No Living Thing”. In terms of both international human rights law and humanitarian law, the killing of civilians is strictly prohibited.

Reference 95 - 0.01% Coverage

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DISEMBOWELMENT OF PREGNANT WOMEN 263.

Disembowelment was a gruesome violation perpetrated on women during the conflict expressly because of their gender. What is particularly repugnant is that many pregnant women had their stomachs disembowelled because members of the armed forces wanted to place bets as to the gender of the unborn baby.²⁵⁴ Some witnesses gave these testimonies to the TRC:

Reference 96 - 0.01% Coverage

The Commission recorded only a few incidents of disembowelment,²⁵⁷ but strongly suspects that the figure is not indicative of the actual number of women who suffered the violation or those that witnessed it during the conflict. Specialist consultants to the Commission on gender-based crimes spoke of the tendency of victims and witnesses of such crimes to “suppress” memories of the event, which may explain why more people did not come forward to the TRC to speak about it. Interviews conducted by the Commission also unearthed the story of a woman who nearly suffered disembowelment but was saved because the induced trauma of the fear of disembowelment forced her into immediate labour where she gave birth to the child in the bush where the disembowelment would have taken place.²⁵⁸ Some disembowelments of pregnant women took place in front of family members, leaving behind deep scars in the minds of the living. One witness described, among other violations, the gruesome manner in which her pregnant sister was killed with her child:

Reference 97 - 0.01% Coverage

“...They were snatching babies and infants from their mother’s arms and tossing them in the air. The babies would free fall to their deaths. At other times, they would also chop them from the back of their heads to kill them, you know like you do when you slaughter chickens... One time, we came across two pregnant women. They tied the women with their legs spread eagled and took a sharpened stick and jabbed them inside their wombs until the babies came out on the stick.”²⁶³

Reference 98 - 0.01% Coverage

The Commission finds that all of the armed groups were responsible for the enforced sterilisation, torture and mutilation of women and girls. In particular, the Commission finds the RUF – through its practice of disembowelling pregnant women – responsible for the violations of “enforced sterilisation”, torture and mutilation of women and young girls for no reason other than to torture and inflict cruel and inhuman treatment on them.

Reference 99 - 0.01% Coverage

The conflict in Sierra Leone is most visibly associated with amputations. Pictures of amputees have been shown on television screens and newspapers all across the world. Amputation is also the violation that has had the most devastating effect on the morale of the population. Due to a variety of factors, the Commission has found that it has not been able to establish absolutely reliable statistics on how many people suffered amputations or died from their injuries. In terms of alternative sets of figures, the United Nations Mission in Sierra Leone (UNAMSIL) has relied in its reports on the statistics of the Norwegian Refugee Council, which estimates that there are currently 1,600

surviving amputees in Sierra Leone, with more than 40% of them being women.²⁶⁴ Figures available for 2002, estimate that 19% of the 225 registered amputees in the Southern region were women.²⁶⁵

Reference 100 - 0.01% Coverage

The vast majority of amputations resulted in the loss of the victim's hands.²⁷¹ No category of victims was spared this gruesome and inhuman act. Children and pregnant women were also affected. A witness described to the Commission the amputation of a pregnant woman:

Reference 101 - 0.01% Coverage

Cannibalism was another gruesome feature of the conflict in Sierra Leone. Cannibalism was forced on many of the women captured by the various armed groups. Women were given the dismembered body parts of family members and forced at gunpoint to eat them. Many women who were abducted told the Commission how, under threat of death, they were compelled to cook human parts for members of the armed groups to eat. In Bonthe in September 1997, an 83-year-old woman suffered this violation at the hands of AFRC soldiers:

Reference 102 - 0.01% Coverage

During the conflict in Sierra Leone, women were systematically raped and sexually violated. The Commission received more than 800 statements from women and girls reporting and describing acts of rape. Girls in the age group from ten to 18 years were most likely to be the victims of rape. Women were gang raped and suffered multiple rapes as well as being kept in sexual slavery. In instances where women and girls were abducted, their capture was often the prelude to being handed over to and assigned to one of the fighters with the sole purpose of being his sexual slave.

Reference 103 - 0.01% Coverage

In a large number of cases, women were handed over to combatants and became their "bush wives" for the purpose of satisfying not only their sexual needs but also to perform a host of different duties including domestic chores.²⁷⁷ Having analysed the systematic and widespread use of rape during the conflict period, the Commission came to the conclusion that all of the armed forces systematically raped and sexually violated women.

282. While rape was the major violation perpetrated against women, other acts of sexual violence were additionally carried out indiscriminately on women of all ages, of every ethnic group and from all social classes. In the views of many Sierra Leoneans who testified to the TRC, just being a woman in Sierra Leone during the conflict period was enough to create the likelihood that you would be raped and sexually violated in the most horrible ways, regardless of whether you were a pre-pubescent girl, an elderly woman or pregnant.²⁷⁸

Reference 104 - 0.01% Coverage

284. While many of the women who made statements to the Commission did report that they had been victims of rape, rape as a violation still remains largely under-reported. Cultural taboos associated with rape and the societal stigma that attaches to women who disclose that they have been raped have constrained women from being completely open in their statements to the Commission. Women have been even more reticent about disclosing that they have been gang-raped, as they have not wanted family members or the society they live in to know the traumatic details. In a number of instances, spouses of women raped have not wanted their wives to disclose these details, fearing that it would bring shame on them and the family. A common feature of victims' reactions to rape violations has been husbands and wives entering into a conspiracy of silence about what has happened.

Reference 105 - 0.01% Coverage

The special coding exercise reflected a whole range of rape violations against women, including: women who suffered a single rape; women who suffered gang rape; women who were abducted and kept as a sexual slave or as a "bush wife"; and women who suffered rape or gang rape on more than one separate occasion.

Reference 106 - 0.01% Coverage

In terms of the Commission's special coding sample, more than 58% of all women raped by all of the armed groups suffered rape violations on multiple occasions.²⁸⁵ Some rape victims recounted their experiences to the TRC in the following testimonies:

Reference 107 - 0.01% Coverage

290. Women and girls were not safe from any of the armed groups, even those meant to protect them. Individual victims were raped in a multiplicity of different incidents over different periods of time, often by more than one different armed group, depending on whose hands they fell into.²⁸⁸ One rape victim testified to the Commission of her experiences of multiple rapes by different persons from different armed groups throughout the conflict and in the period beyond.²⁸⁹

Reference 108 - 0.01% Coverage

The Commission was also told that a deliberate strategy of the various armed groups was to carry out rapes of the women on the "other side" of the conflict. As such, rape and counter rape of each other's abducted women or "bush wives" during raids was said to have happened quite frequently.²⁹⁰ In addition to the "bush wife" phenomenon, where women were assigned to a combatant for the purposes of both sex and to perform domestic duties, another category of violation carried out on women was to keep them isolated for the purpose of being available to satisfy the sexual needs of several combatants. Whenever combatants had the urge, there was a ready-made harem of women to rape. A witness to the Commission revealed the following details of her experiences in the hands of her captors:

Reference 109 - 0.01% Coverage

295. Women were not only raped in the presence of their families but were forced on many occasions into committing incest. Brothers were forced to rape their sisters and mothers; fathers were forced to rape their daughters. In some communities, mass incestuous rape imposed on the residents. A witness testified to the Commission of an event that occurred in her village Bumpeh:

Reference 110 - 0.01% Coverage

"In the morning, we saw many rebels coming towards us... we were about to run but they said if you move, we will fire on you and they started firing all about... they came back to us and surrounded us. They stripped us naked... we were over twenty that were stripped naked. They instructed us to lie down on the ground. Then the civilian men who were amongst us were divided out, one man to a woman, until it came to a time that there was no other man for the remaining women who were lying on the ground. So after the distribution, they instructed the men to rape us. The women who were left without civilian men, they dug sticks into their vagina."²⁹⁴

297. Women were also made to endure the forced insertion of objects such as sticks, pestles, hot coal and oil into their genitalia.²⁹⁵ An ex-combatant with the RUF gave this account to the Commission:

Reference 111 - 0.01% Coverage

Having considered the testimonies given by women, which include the most horrific details of rape, the Commission finds that all of the armed factions, in particular the RUF and the AFRC, embarked on a systematic and deliberate strategy to rape women and girls, especially those between the ages of ten and 18 years of age, with the intention of sowing terror amongst the population, violating women and girls and breaking down every norm and custom of traditional society.²⁹⁷

Reference 112 - 0.01% Coverage

In terms of international law, the two essential elements unique to the crime of sexual slavery are the "exercise of any or all of the powers attaching to the right of ownership over one or more person" and the "forced participation in one or more acts of sexual violence".²⁹⁸ In Sierra Leone, hundreds of abducted women and girls were compelled to endure the violation of "sexual slavery". The Commission identified the act of "forced marriage" as synonymous

with “sexual slavery”. This violation is colloquially referred to by Sierra Leoneans as being forced to become a “bush wife”. In describing the experiences of what the Commission has termed “sexual slavery”, the pattern that emerged was as follows: women were captured and abducted; they became part of the entourage of the armed group to which their captors belonged; and they were continuously sexually violated as their captors moved along with them. Again this violation was particularly prevalent for the RUF and the AFRC, who kept women as sexual slaves under what could only be termed “roaming detention”, which could last for time periods ranging from one or two days to several months and years.

Reference 113 - 0.01% Coverage

In the course of the violation of “forced marriage”, or the “bush wife” phenomenon, abducted women and girls abducted were also given out to combatants, commanders or superiors for the purposes of sex and domestic duties.³⁰⁰ Women assumed the traditional role of “wives” to the combatants who captured them. In many instances, these abducted women lived with their captors until the cessation of hostilities in Sierra Leone.³⁰¹ In terms of international law, “forced marriage” is as much a form of sexual slavery as is the detention of women in “rape camps” or any other circumstances under which women are subjected repeatedly to rape or the threat of rape or other sexual violence. “Forced marriage” involves forced sex or the inability to say no or control sexual access or exercise sexual autonomy. The Special Rapporteur for Systematic Rape, Sexual Slavery, and Slavery-Like Practices during Armed Conflicts recognised “forced marriage” as a form of “sexual slavery”.³⁰²

Reference 114 - 0.01% Coverage

The manner in which “bush wives” were treated varied. While in the majority of instances they were protected by their “bush husbands” from being raped by other combatants, there were many instances where they were not. The absence of a “bush husband” left a woman vulnerable and easy prey for combatants who were predators.³⁰³ In other instances, women’s so-called “husbands” would offer them to fellow combatants for sexual purposes. One witness and victim told the Commission of this practice:

“Every woman was supposed to be picked by someone – a rebel – and we were supposed to sleep with them. So in actual fact, I believed it could be one man today and a different one tomorrow. So if there is a bachelor amongst them, those that didn’t have women were free to go and pick any woman to make them happy for the night.”³⁰⁴

Reference 115 - 0.01% Coverage

The RUF adopted a guerrilla mode of conflict during the period 1993 to 1996. Their fighters moved between bases in the bush. The AFRC was also a highly mobile force, initially fleeing Freetown towards Koinadugu in 1998 and then returning to invade Freetown in January 1999. It is this roaming character, common to both these perpetrator groups, which explains their tendency to abduct women and use women as “sexual slaves” and “domestic slaves”.

Reference 116 - 0.01% Coverage

Abducted women and girls who lived with the armed groups for long periods of time were subjected not only to the trauma of living in captivity, forced to endure sexual slavery and daily humiliation, but were also compelled to live under the constant fear of attack from opposing armed groups. Moreover, even if they managed to escape the combatant group, they experienced hostility from civilians and were ostracised from society.³¹⁰ One victim began recounting her ordeal to the Commission in the following terms:

Reference 117 - 0.01% Coverage

The Commission interpreted all sexual violations other than rape as ‘sexual violence or sexual abuse’. Sexual abuse took many different forms and accounted for 486 violations recorded in the Commission’s database, nearly half of which were perpetrated against women.³¹³ The ICC elements define sexual violence as “encompassing both involuntary sexual assaults and sexual performance”, which also applies to “coercion resulting in sexual entertainment or nakedness”.

Reference 118 - 0.01% Coverage

The scope of sexual violence is very broad and “is not limited to physical invasion of the human body and may include acts which do not involve penetration or even physical contact.”³¹⁴ Sexual abuse could include biological or medical experimentation of a sexual nature or experimentation on reproductive capacities, sexual mutilations, harassment and threats of rape or other sexual violence. Forcing a woman to lick a penis or to perform sexual acts that are not rape, such as cutting or sexual touching of the body or breasts, are forms of sexual violence. The Rome Statute has recognised acts of sexual abuse or sexual violence as belonging to the category of the most severe violence.

Reference 119 - 0.01% Coverage

During the conflict in Sierra Leone, acts of sexual violence or abuse took many forms and included forcing women to go naked in public or in private in front of their family members.³¹⁵ A woman in Freetown recounted her story to the Commission:

Reference 120 - 0.01% Coverage

Sexual abuse violations also included acts of indecent touching or groping of women’s bodies and genitalia, putting sharp objects into their genitalia as well as forcing their genitalia into the mouths of other victims. Often these cruel acts led to the death of women victims as is testified to by a witness who saw her sister-in-law being killed:

“In March 1991, there was an attack by RUF rebels in Kuiva village in the morning hours. I managed to escape, narrowly, into the bush where I hid for safety. One of the junior workers for the women’s secret society (Bondo) was captured by the rebels. She was the wife of my elder brother, the town chief of Kuiva. She was stripped naked, hair shaved with cutlass and then beaten seriously. They then took her to the secret society bush for men, where the rebels finally shot her.”³¹⁸

Reference 121 - 0.01% Coverage

Rape and sexual violence in the conflict have left many women and girls in Sierra Leone suffering from gender-specific medical problems such as Vesico Vaginal Fistula (VVF), Recto Vaginal Fistula (RVF), incontinence and prolapsed uterus, among others. The Forum for African Women Educationalists (FAWE), an NGO working with women after the conflict, reported the following anecdotes in its submission to the Commission:

“55.4% of the abductees [in FAWE assistance programmes] were raped and some of the girls were raped by one, two, three or even ten men. Two women particularly were raped by 15 and 30 rebels respectively. The former had only given to a baby two weeks before being raped. Both patients suffered from prolapses of the uterus (the womb descending out of the vagina). The former woman had a repair to replace the uterus in its proper position. The latter woman had a major degree of prolapse and therefore the uterus had to be taken out (a total hysterectomy was done).”³²³

321. Women and girls have had their lives broken and shattered by the loss of family members, the breakdown of family structures and the total loss of dignity. Emotionally and psychologically, they suffered to an incomprehensible degree. The social fabric of society in Sierra Leone was torn apart and the rules of civilised society meant to protect women and girls were discarded. In analysing the conflict, its aftermath and its impact on women, the Commission has had to confront the question of why women became such a specific target of the war. The answers to this question are complex and difficult to pinpoint.

Reference 122 - 0.01% Coverage

[...] It was at night that these rebels entered [the village] and they asked us all out of the various houses and homes. We were told to strip ourselves naked, both men and women; [we were also told] to dance, men on one side, women on one side.

[...] The rebels told the women to lie down on the ground. These rebels then asked the men to tell them their relationships with these women on the ground.

Reference 123 - 0.01% Coverage

In terms of statements recorded by the Commission, the RUF and AFRC were the groups most likely to coerce women and girls into sexual slavery and forced marriages. A possible reason for this was that from 1993 to 1994,

the RUF adopted a guerrilla mode of warfare and so its units were constantly on the move between bases in the bush. The fighters demanded women to perform domestic chores and to perform sexual services for them. Women and girls were vulnerable in their communities, so it was quite easy for a fighter to abduct them, force them under his immediate control and compel them into sexual slavery and forced labour.

336. While victims experienced some degree of protection as the exclusive property of one perpetrator through a “forced marriage”, the relationship in most instances was entirely abusive. Most victims who spoke to the Commission nevertheless suffered some manifestations of the so-called “Stockholm syndrome”, i.e. they tended in their testimonies to identify with their perpetrators and would insist that they had been treated well even though many of the experiences they were describing tended to be abusive. The economy of war also required that women make themselves useful to their captors or “bush husbands” in order to survive.

Reference 124 - 0.01% Coverage

In terms of the testimony provided to the Commission, it is clear that the RUF had a policy deliberately to target women and girls with the clear intention of abducting them and holding them for various purposes described in this report. One of the main reasons for abduction was to violate women and girls by raping them and holding them as sexual slaves. The RUF cannot deny this *modus operandi* in the face of overwhelming evidence that, immediately after an attack, women seized in a raid were assigned to either commanders or combatants for the purposes of using them as “bush wives”. The TRC did not receive any report of an RUF commander who attempted to return abducted women and girls to their families, nor was any effort made by the RUF High Command to condemn this practice or to stop it. The RUF leadership must therefore accept that they are responsible for the violations that took place.

Reference 125 - 0.01% Coverage

The Commission finds the Revolutionary United Front (RUF) responsible for pursuing a deliberate strategy of abducting women and girls with the express intention of keeping them under their control, exploiting their vulnerability and sexually violating them either by raping them and causing them to be harmed by acts of sexual violence, using them as sexual and domestic slaves, torturing them and practicing a range of cruel and inhuman acts upon them.

Reference 126 - 0.01% Coverage

The Commission has recorded many statements in its database and has heard testimony that women and their families reported CDF members for both rape and sexual violence to their commanders. The response was telling. Nothing happened and in many instances it became clear that rape and sexual violence was condoned, particularly where the women were thought to have spent time with or rendered assistance to the RUF or AFRC. No consideration seems to have been given to the possibility that women had been forced into these roles in order to survive. No evidence exists that the CDF took any action against its members who were accused of rape or sexual violence. On the contrary, such acts appear to have been condoned, particularly if the women were labelled “rebel collaborators” or “rebels”, or if they had family members who were associated with the RUF, the SLA or the AFRC.

Reference 127 - 0.01% Coverage

“They captured our sisters and women and used them to their satisfaction. When using them, they sometimes inserted steel irons or the sharp edge of a stick into their vaginas and abandoned them. They also amputated some of their hands.”³⁵⁵

Reference 128 - 0.01% Coverage

The Commission received statements and testimony implicating the West Side Boys in rape and sexual violence against women. They have been described as a gang of bandits rather than credited as a politically motivated fighting force.³⁶³ Many of the statements the Commission received came from young girls who were forced to become “bush wives” to some of the members of this group.³⁶⁴ TRC statements also confirm that the Westside Boys continued to carry out abductions, rape and other violations against women right up to 10 September 2000, when they were wiped out by a dawn raid on their Okra Hills base involving Sierra Leone security services and British paratroopers.³⁶⁵

Reference 129 - 0.01% Coverage

The Commission finds the West Side Boys responsible for pursuing a policy of abducting women and girls, holding them against their will in forced marriages, raping them and using them as sexual slaves, perpetrating a range of cruel and inhuman acts upon them.

Reference 130 - 0.01% Coverage

Sexual violence and the kind of sexual violations that women suffered are themselves acts regarded as taboo in Sierra Leone. Sexual acts involving children, violations against older women, rape and disembowelment of pregnant women, rape and sexual abuse of pre-pubescent girls and virgins were all widespread in the conflict. These acts were carried out everywhere, defiling places regarded as sacred such as mosques, churches and the secret society “bushes” of the Bondo society. To carry out such heinous acts in highly sacred places is to undermine cultural and religious values yet further. Incest is regarded as a major crime and the forced acts of incest by many of the armed groups broke one of the major taboos not only of Sierra Leone but also in the wider world.⁴²⁴ The Commission finds that the RUF and the AFRC, in particular, deliberately engaged in strategies designed to destroy all the norms and values of traditional Sierra Leonean society.

Reference 131 - 0.01% Coverage

Rape and sexual violence as well as acts of extreme violence carried out on women and girls carry with them a price which women inevitably pay. Perversely women in most traditional societies are regarded as the custodians of the honour of men and society. Raping and violating them have come to symbolically represent the violation of the man and the society he belongs to. The bodies of women become the battleground over which opposing forces fight.⁴²⁵ In Sierra Leone women were raped and sexually violated often in front of their loved ones, humiliating and denigrating them. Women were forced to bear children belonging to the enemy. They are doubly victimised, they bear the burden of being raped which itself carries with it a stigma ‘that of family honour being desecrated’.

Reference 132 - 0.01% Coverage

Confidential testimony received before TRC Closed Hearings, Kailahun District, April 2003. Rehn and Johnson-Violence against women, page 12

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436. Women who are identified as having been raped or who disclose that they have been raped are regarded in Sierra Leone as bringing shame to their families. In addition to the pain and anguish of the rape and sexual violence, they mostly carry with them the pain of not being able to disclose their status for fear of being ostracised. In cases where women have made the rape and sexual violence known to families, efforts are frantically made to hush up the “disgrace”. The anguish and perceived shame is understandably even worse where the victim has borne the child of her rapist or captor. Many young mothers have been forced to give their children up to adoption.

Reference 133 - 0.01% Coverage

According to a submission made by FAWE,⁴⁴² the gang rape and multiple rape of two women who were raped by 15 and 30 rebels respectively, where one of the victims had only given birth two weeks before being raped, led to both victims suffering from a prolapsed uterus. In the case of the first victim, repairs took place, which focused on the uterus assuming it proper position. For the second, the severity of the prolapse required the uterus to be taken out.⁴⁴³

Reference 134 - 0.01% Coverage

FAWE reports that in terms of the work it has done with women victims, injuries have ranged from small scars to big lower abdominal laparotomy wounds. The latter category results from women having their stomachs opened by the armed forces while pregnant.⁴⁴⁵

Reference 135 - 0.01% Coverage

574. Women and girls suffered terrible atrocities in the Sierra Leone conflict. Many died and their stories remain untold. And yet, many brave and courageous women and girls survived and were able to come forward to tell the Commission of the brutality they experienced and of how they were stripped of humanity and dignity. Others told of how they were afraid to reveal their stories because of the way in which they will be shamed by their loved ones, families, friends and communities. Many women have borne children and are outcasts because of it. They are doubly punished, because society has let them down and because of vile deeds perpetrated against them in the first place.

Reference 136 - 0.01% Coverage

“We were attacked on the road, on a vehicle and I was captured again... along with some other people, we were taken into the bush... afterwards they went to attack and we were left with some other rebels. These rebels forcefully had sex with us. All the women and girls were raped...”¹³⁴

Reference 137 - 0.01% Coverage

“In 1992, my village Foindu Mawie was attacked by the RUF rebels... on their way going; they captured a young girl called Musu who was newly initiated into the women’s society. She was taken to a village called Juhun in the Upper Bambara chiefdom, where she was raped by the rebels. Her vagina became swollen and there was no medical treatment at that time. She later died of pains because she was newly initiated...”¹³⁵

Reference 138 - 0.01% Coverage

“After the Kamajors attacked us, we moved to Jimmy Bagbo and were left in the hands of older women commanders who greatly maltreated us.... we were all trained to fight and given only a handful of dry gari per day... we were also sent to raid neighbouring villages to loot food... If anyone disobeyed you were cruelly beaten up.”²¹⁷

Reference 139 - 0.01% Coverage

Life in the refugee camps in Guinea was fraught with violations such as arbitrary arrest and detentions, police abuse and lack of freedom of movement. A major problem in the camps was the commission of sexual violations against refugee women and girls. According to UNICEF:

Reference 140 - 0.01% Coverage

The Commission has noted the contents of the report on sexual exploitation in refugee camps as experienced by Sierra Leone girl-children and women, which was the result of the survey on sexual exploitation carried out by UNHCR and Save the Children UK.³⁰² The report found that sex in exchange for money or gifts appeared to be widespread. The majority of the victims indicated that it was the only option they had in order to access money or receive food and other basic necessities. The majority of the children involved in this racket were girls between the ages of 13 and 18 years. Girls between the ages of four and 12 were also reported as being sexually harassed, either verbally or through the groping of their buttocks, breasts or genitals.

Reference 141 - 0.01% Coverage

“Sexual exploitation in Sierra Leone is far more common than documented in the report [by UNHCR and Save the Children UK]... The inherent power differential between a man with access to resources, however minimal, and a young woman or girl with less or none renders any sexual relationship between the two non-consensual sexual exploitation. In particular in the context of the horrors of war, the desperate poverty and hunger, and the consequent enormity of the needs of civilians, men in positions of power, both Sierra Leoneans and expatriates, have systematically taken advantage of this situation for their own sexual gratification. Hiding behind the cloak of words such as “prostitution” and “commercial sex work” lurks the reality of young women who are survivors of a sickeningly widespread pattern of exchange of desperately-needed goods and services for sex.”³⁰⁷

Reference 142 - 0.01% Coverage

364. While many people knew of the war in the Sierra Leone and the amputations that had taken place, very few people knew that most of the affected women and girls had experienced sexual violations. The nature and extent of the sexual violations that women and girls suffered during the conflict remain as yet unknown. Most women and girls in Sierra Leone experienced sexual violations on account of their gender. UNICEF, in describing the impact of sexual violations on children, has stated:

Reference 143 - 0.01% Coverage

“When I was in the bush... I committed many violations and abuses. I killed innocent people, took away their property by force... asked them to leave their houses for me to sleep inside... and forced their women to make love to me.”³

Reference 144 - 0.01% Coverage

I’m kindly making an appeal to all of you to be forgiven for what had happened during the war. Crimes we had committed against humanity... using women for sexual slavery, looting properties, burning of houses and many others... we did not initially plan it. I am taking responsibility and I am taking the name of the Lord, asking for forgiveness. I am kindly asking you to forgive us; this is my plea to you in this community. I am pleading, please forgive me and talk to my people to forgive me.

Killings

References or discussions of killings

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 9 references coded [0.04% Coverage]

Reference 1 - 0.01% Coverage

As part of a sustained campaign in the Pujehun District, the SSD burnt down several whole villages across various Chiefdoms and killed many innocent civilians, including women and children. Hundreds of Demby opponents were arrested, while more than half of those detained died in jail.

Reference 2 - 0.01% Coverage

That night my whole family and I were taken by four armed men to a nearby jail; there we met over 85 other foreign nationals, including women, children and the elderly. The old, the women and the children were released two weeks later and allowed to return to their homes, while a number of us were still held in detention. Executions were carried out for every time the ECOMOG jet bombed their areas, even without killing anyone. I came to understand that multiple executions

Reference 3 - 0.01% Coverage

[...] By the other side of the bridge there was a big pit; the commander told all the men to stand in one line and the women in another line. Four of the Kamajors stood in front of the rows and began to slaughter the people with their swords and daggers and dump them into the pit.

Reference 4 - 0.01% Coverage

The Commission recorded testimony that pregnant women were killed by the Kamajors in order to extract parts of their bodies for use in initiation ceremonies. Furthermore some Kamajors carried ‘charms’ or ‘fetishes’ with them which were constituted of human remains, including the mutilated genitalia of women.

Reference 5 - 0.01% Coverage

“... On 23 March 1991, there was a cross border attack on Bomaru town, Upper Bambara Chiefdom... The elders resolved to send a fact-finding mission to ascertain what happened...I led a team of seven men to Bomaru. On our arrival, we were shocked and dismayed about the killings of up to 13 civilians. We went to the point where Major Foday was killed. I met his body hanging through the roof and blood flowing freely on the ground. Among the 13 civilians killed were 7 men, 4 women and 2 children. They had bullet holes all over their bodies. We were informed that the conflict was...between the Sierra Leone Army stationed at Bomaru and rebels of the NPFL of Liberia....

Reference 6 - 0.01% Coverage

250. Women because of their nurturing instincts were singled out for a particular kind of torture. They were forced to watch their children and spouses being violated and ultimately killed. An elderly woman at Bonthe recounted to the Commission how her only son was killed. His head had been cut off and she was then forced to hold his head and breastfeed it.²⁴³ Women were in many instances compelled to exhibit mock high spirits by laughing and clapping at the torture or death of family members. Torture was often accompanied by acts that were intensely degrading and cruel. A female victim testified to the Commission about the attack at Bumpeh Gao:

Reference 7 - 0.01% Coverage

Scores of thousands of Sierra Leoneans, including thousands of women, lost their lives in the conflict. There was a deliberate policy by certain of the armed forces, particularly the RUF and the AFRC, to target civilians in campaigns of killings. Many families and communities were massacred. One example is this mass killing of a family at Kono Kangana, Gorama Chiefdom in 1994:

Reference 8 - 0.01% Coverage

The Commission finds that all of the armed perpetrator forces pursued a deliberate policy of killing civilians, often in an indiscriminate fashion. In the course of pursuing this policy, the factions took the lives of many women and girls. The Commission finds that the RUF in particular pursued a strategy of mass killings under campaigns such as “Operation No Living Thing”. In terms of both international human rights law and humanitarian law, the killing of civilians is strictly prohibited.

Reference 9 - 0.01% Coverage

“...They were snatching babies and infants from their mother’s arms and tossing them in the air. The babies would free fall to their deaths. At other times, they would also chop them from the back of their heads to kill them, you know like you do when you slaughter chickens... One time, we came across two pregnant women. They tied the women with their legs spread eagled and took a sharpened stick and jabbed them inside their wombs until the babies came out on the stick.”²⁶³

Rape and Sexual Assault

References or discussions of rape and sexual assault

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 58 references coded [0.32% Coverage]

Reference 1 - 0.01% Coverage

The RUF pursued a deliberate strategy of violating women by raping them and perpetrating acts of sexual violence against them. RUF combatants used women and girls (particularly those between the ages of 10 and 14) as sexual and domestic slaves and tortured them in a myriad of different ways. Women and girls were killed, assaulted and suffered cruel and inhuman acts at the hands of RUF fighters. Findings against the AFRC in respect of women 504. 505.

The Commission finds that the AFRC pursued a deliberate strategy of targeting girls and women with the specific intention of violating them by abducting them, raping them and perpetrating acts of sexual violence against them. The AFRC pursued a strategy of violating women and girls by using them as sexual and domestic slaves and tortured them in a variety of ways. Women and girls were killed, assaulted and suffered cruel and inhuman acts at the hands of AFRC fighters.

Reference 2 - 0.01% Coverage

The Commission finds that the AFRC planned, authorised and executed a strategy to target women and girls during the invasion of Freetown in January 1999. AFRC combatants targeted women and girls with the express intention of abducting them, raping and sexually violating them and pursuing a range of other human rights violations against them.

Reference 3 - 0.01% Coverage

Findings against the CDF in respect of women 508. 509. 510.

The Commission finds that the CDF, particularly in the latter period of the conflict, abducted civilian women and girls whom they believed to be associated to or in collaboration with the RUF and the AFRC.

The Commission finds that the CDF detained women and girls and kept them under the most cruel and inhuman conditions with the intention of violating them by raping them and exploiting them as sexual slaves.

Reference 4 - 0.01% Coverage

Findings against the SLA in respect of women 511.

The Commission finds that the SLA, which was responsible for protecting the civilian population, abducted women and girls, particularly those believed to belong to the RUF or believed to have collaborated with the RUF / AFRC.

Women and girls were detained under conditions of extreme cruelty with the deliberate intention of raping them and perpetrating other acts of sexual violence upon them.

Reference 5 - 0.01% Coverage

Findings against the West Side Boys in respect of women 512.

The Commission finds the West Side Boys responsible for abducting women and girls, holding them against their will, forcing them into marriage, raping them, using them as sexual slaves and perpetrating a range of brutal and inhuman acts upon them.

Violations perpetrated against women and girls o Abduction and Forced Recruitment

Reference 6 - 0.01% Coverage

The Commission finds that the RUF and the AFRC deliberately embarked on systematic strategies to abduct and rape women and girls between the ages of ten and 14 years.

The Commission finds that the systematic raping of women was intended to humiliate, defile and violate women, their families and communities. The practice of systematic rape sowed terror among the local population and debased societal norms and customs.

Reference 7 - 0.01% Coverage

The Commission finds that women and girls were forced to barter their bodies to humanitarian workers in exchange for aid.

Reference 8 - 0.01% Coverage

Sexual violence experienced by women during the conflict has had lasting negative effects on their reproductive health. Rape and sexual violence were rife, which caused a massive rise in the incidence of HIV / AIDS and sexually transmitted infections (STIs). This is of immediate concern to the survivors.

Reference 9 - 0.01% Coverage

316. Women and girls were the deliberate targets of sexual violence and rape by all the armed groups during the conflict. Women continue to be victims of gender-based violence. The Commission has noted the submissions made by women's groups, which point to the failure of successive governments to protect women and girls during the conflict and post-conflict periods.

Reference 10 - 0.01% Coverage

330. Women and girls in Sierra Leone continue to be the victims of sexual violence. The Commission notes that the national laws of Sierra Leone are inadequate to deal with the prosecution of crimes of sexual violence, including rape, sexual harassment and other forms of sexual abuse. The current rules of procedure and evidence in respect of crimes of sexual violence are not only discriminatory but are also offensive to women and girls.

Reference 11 - 0.01% Coverage

Victims of sexual violence are defined as those women and girls who were subjected to such acts as rape, sexual slavery, mutilation of genital parts or breasts, and forced marriage. To the extent boys and men suffered from sexual violence, they will also be beneficiaries of this programme.

Reference 12 - 0.01% Coverage

The list is deliberately short, numbering 16 violations. Each is precisely defined to avoid ambiguity, ensuring a common understanding of the violations recorded by the Commission. While the list is short, there is scope for a broad analysis of each one. For example, acts of rape should be considered as not only happening in the context of abduction as sex slaves or "bush wives"; but as a violation perpetrated against women during attacks on villages or as part of encounters at checkpoints or in the bush. Furthermore, the burning of property should be understood, not just as an economic crime, but on occasion, as a means of murdering the persons detained within the property.

Reference 13 - 0.01% Coverage

I left for another nearby village in search of salt. It was that same night that the rebels entered this village and commanded us all to come out of our various houses and homes. They ordered us to undress ourselves naked, both men and women, and to dance, men on one side, women on the other. The rebels then ordered the women to lie down on the ground on their backs.

The rebels then made the men to identify their relationships with these women on the ground. Each time when a man points to one lady or girl to identify her as his sister or mother those rebels will force him by the gun to have sex with her. We did this for over one hour.

Reference 14 - 0.01% Coverage

The RUF used rape to destroy the social respect and standing for pregnant and older women. A victim narrated an experience in 1991:

Reference 15 - 0.01% Coverage

women, they raped them. Some of these grand mothers died from sex with these young men. Sometimes, a woman who had just given birth would be used for sex until she dies."49

In traditional Sierra Leonean society, men did not have sex with pregnant or lactating women. It was a social taboo. The rape of such women during the conflict was aimed at destroying the traditional social fabric, stigmatising the old and pregnant women and nullifying the boundaries of acceptable behaviour within the community.

Reference 16 - 0.01% Coverage

Nothing seemed to attract the respect or deference of the RUF soldiers. Even pregnant women were beaten and raped.⁷⁸

Reference 17 - 0.01% Coverage

After their recruitment, a culture of total dependency prevailed among most of the individual combatant units established in the RUF. Junior fighters, the overwhelming majority of whom were forced recruits, depended totally on their commanders for provisions, for their livelihoods, for privileges such as drugs and women, or girls, whom they raped and for their 'licence to kill'.¹³⁹ All of this was quite apart from the fact that if they disobeyed or deviated from the orders they were given, they would almost certainly be either beaten severely or (in the worst cases) killed.

Reference 18 - 0.01% Coverage

Many testimonies received by the Commission traced the path of individuals who were brow-beaten into joining the RUF because they simply could not survive outside the movement. Living conditions in a town or village situated within an NPFL or RUF 'target area' seemed in its initial throes to be manageable. Government functionaries, many of whom were loathed, were typically chased out or killed and the distribution of provisions, including agricultural produce, became for a time more liberal and equitable than it was under the unjust 'system'. However, without exception, these ostensible benefits would prove to be a false dawn once the rule of law descended into rule by force. Armed commandos were often reported to have arrived at civilians' houses unannounced and invariably in the middle of the night, forced entry and helped themselves to food wherever it was available. Moreover the NPFL and RUF forces extended their terrorising of families to the raping and gang raping of women and girls in their homes, often in front of their husbands, parents or other family members. One witness who testified at a public hearing in Kailahun captured the plight of many families:

Reference 19 - 0.01% Coverage

Statistics pertaining to the numbers of women affected by the conflict in Sierra Leone remain a huge concern. In 2003, Human Rights Watch published a report in which they stated that as many as 275,000 women and girls may have been sexually violated during the war.¹

Reference 20 - 0.01% Coverage

The rules of procedure in Sierra Leone's courts, which require corroboration and cross-examination by formidable defence lawyers, discourage women from instigating legal proceedings. Such a perceptibly hostile environment in the courts has often had the consequence of making victims, most of them without legal representation, feel that they are responsible for the crime they have suffered. Even where cases are reported, most of them end up not being prosecuted, as those responsible for prosecution prevail upon the victim to settle the matter out of court. The approach of the police and judicial officers suggests that they regard rape and other gender-based crimes as lesser crimes not worth prosecuting.

Reference 21 - 0.01% Coverage

The complex provisions of the general law have been misinterpreted to the detriment of minors who have been raped or sexually assaulted, resulting in perpetrators being charged with unlawful carnal knowledge of a child, for which the sentence is lighter than rape.⁹⁸ Another area of concern is the need for corroborating evidence relating to these offences, which is extremely unlikely considering their nature and the circumstances in which they are typically committed. Until recently there was only one police doctor in Freetown who was competent to provide medical services to victims and furnish the courts with the requisite medical reports. The police and judicial officers remain outwardly reluctant to prosecute sexual offences and the legal system that is supposed to serve women remains unfriendly to them.

Reference 22 - 0.01% Coverage

During the conflict, women were targeted by the different perpetrator groups and systematically raped and sexually violated. Rape was used as a weapon of war to dominate and humiliate women to undermine traditional cultural values and community relationships. Women and girls were raped and sexually attacked in front of their families,

mothers, fathers, husbands and children, as a means of heightening the crime against them, torturing their loved ones and terrorising the community.⁹⁹

Reference 23 - 0.01% Coverage

Under traditional customary law, the consent of the woman or girl for the purposes of sex is immaterial. If a girl is raped or indecently sexually assaulted, her parents can bring an action under customary law for compensation.¹⁰⁰ If the girl is a virgin the amount of compensation includes “virgin money”. The same situation applies where the offender is a prospective husband of the victim. If the girl is married her husband can bring an action for compensation commonly referred to as “woman damage”.¹⁰¹ The fact that communities were in no position to demand compensation for these crimes when they were committed against women and girls during the war has further degraded the status of women. There is no doubt that the reduction of a sexual offence from a heinous crime to a mere action for damage money has contributed to the low status that women occupy in traditional society.

Access to justice for women facing sexual violence under general law and under customary law

148. Women victims of sexual violence in Sierra Leone face considerable challenges in seeking to achieve justice. Some of the problems they face are as follows:

Reference 24 - 0.01% Coverage

Rape remains the silent war crime in Sierra Leone and in the world: throughout history, the rape of hundreds of thousands of women and children in all regions of the world has been a bitter reality.¹⁴⁴ Reversing this legacy remains the obligation of every transitional justice institution charged with examining or prosecuting crimes committed during conflict. It is critical to ensuring inclusive and non-discriminatory justice as well as to combating the stigma and blame that are at the core of the shame, isolation and abandonment suffered by women in post-conflict situations. Whilst international humanitarian law has long prohibited rape, it was characterised as an offence against honour and dignity¹⁴⁵. The Fourth Geneva Convention continued the practice of characterising rape as an attack on women’s honour. The list of grave breaches of Common Article 3 does not refer explicitly to rape. Again in 1977, in Protocol II while offences of sexual violence were explicitly included, they were characterised as offences against dignity and honour or humiliating and degrading treatment as listed as rape, forced prostitution and any other form of indecent assault. As a consequence, women whether combatants or civilians, have been consistently targeted for sexual violence such as rape, sexual mutilation and sexual slavery, while for the most part their attackers go unpunished.

Reference 25 - 0.01% Coverage

This characterisation is based, however, on the notion of women as property and sexual violence as a moral affront described in largely moralistic terms. The word honour thus alludes to chastity, sexual virtue and good name and refers equally to the honour of the male – the husband or father – with whom the woman is related. Thus, the traditional view of rape as an offence against honour has failed to treat rape and sexual violence as a crime of violence, an attack on women’s physical and mental integrity. The notion of honour has also obscured the atrocious nature of the crime and further contributed to the widespread misperception of rape as an “incidental” or “lesser” crime by comparison to killing, torture or enslavement.

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Reference 26 - 0.01% Coverage

Violence against women in camps 235.

The Commission found that many Sierra Leonean women had their rights violated in the refugee camps. It is regrettable that those meant to protect the vulnerable were often responsible for further victimising them. In April 2002, the UNHCR and Save the Children-UK issued a report on Sierra Leonean Refugees in Guinea detailing the violations which women and girls amongst others suffered while refugees in Guinea.²²⁷ Young girls and women were forced to have sex in return for food and assistance. Many of them were forced to become prostitutes in brothels established in the camps. More than 1,500 people were interviewed and told similar stories. Men complained of how they were not given access to food because they had no wife or daughter to barter for food or supplies.

Reference 27 - 0.01% Coverage

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236. Women and girls told of how their names would be taken off lists for food and aid if they refused to have sex with peacekeepers and humanitarian workers. The Commission finds it absolutely reprehensible that those who are meant to assist and render humanitarian aid to the most vulnerable women and girls used the very fact of their vulnerability to exploit them and violate their rights. In this regard, the Commission finds that those responsible should be prosecuted. Also in this regard, the Commission intends to make recommendations in order to prevent this kind of abuse taking place in the future.

Reference 28 - 0.01% Coverage

During the conflict in Sierra Leone, women were systematically raped and sexually violated. The Commission received more than 800 statements from women and girls reporting and describing acts of rape. Girls in the age group from ten to 18 years were most likely to be the victims of rape. Women were gang raped and suffered multiple rapes as well as being kept in sexual slavery. In instances where women and girls were abducted, their capture was often the prelude to being handed over to and assigned to one of the fighters with the sole purpose of being his sexual slave.

Reference 29 - 0.01% Coverage

In a large number of cases, women were handed over to combatants and became their “bush wives” for the purpose of satisfying not only their sexual needs but also to perform a host of different duties including domestic chores.²⁷⁷ Having analysed the systematic and widespread use of rape during the conflict period, the Commission came to the conclusion that all of the armed forces systematically raped and sexually violated women.

282. While rape was the major violation perpetrated against women, other acts of sexual violence were additionally carried out indiscriminately on women of all ages, of every ethnic group and from all social classes. In the views of many Sierra Leoneans who testified to the TRC, just being a woman in Sierra Leone during the conflict period was enough to create the likelihood that you would be raped and sexually violated in the most horrible ways, regardless of whether you were a pre-pubescent girl, an elderly woman or pregnant.²⁷⁸

Reference 30 - 0.01% Coverage

284. While many of the women who made statements to the Commission did report that they had been victims of rape, rape as a violation still remains largely under-reported. Cultural taboos associated with rape and the societal stigma that attaches to women who disclose that they have been raped have constrained women from being completely open in their statements to the Commission. Women have been even more reticent about disclosing that they have been gang-raped, as they have not wanted family members or the society they live in to know the traumatic details. In a number of instances, spouses of women raped have not wanted their wives to disclose these details, fearing that it would bring shame on them and the family. A common feature of victims’ reactions to rape violations has been husbands and wives entering into a conspiracy of silence about what has happened.

Reference 31 - 0.01% Coverage

The special coding exercise reflected a whole range of rape violations against women, including: women who suffered a single rape; women who suffered gang rape; women who were abducted and kept as a sexual slave or as a “bush wife”; and women who suffered rape or gang rape on more than one separate occasion.

Reference 32 - 0.01% Coverage

In terms of the Commission’s special coding sample, more than 58% of all women raped by all of the armed groups suffered rape violations on multiple occasions.²⁸⁵ Some rape victims recounted their experiences to the TRC in the following testimonies:

Reference 33 - 0.01% Coverage

290. Women and girls were not safe from any of the armed groups, even those meant to protect them. Individual victims were raped in a multiplicity of different incidents over different periods of time, often by more than one different armed group, depending on whose hands they fell into.²⁸⁸ One rape victim testified to the Commission of her experiences of multiple rapes by different persons from different armed groups throughout the conflict and in the period beyond.²⁸⁹

Reference 34 - 0.01% Coverage

The Commission was also told that a deliberate strategy of the various armed groups was to carry out rapes of the women on the “other side” of the conflict. As such, rape and counter rape of each other’s abducted women or “bush wives” during raids was said to have happened quite frequently.²⁹⁰ In addition to the “bush wife” phenomenon, where women were assigned to a combatant for the purposes of both sex and to perform domestic duties, another category of violation carried out on women was to keep them isolated for the purpose of being available to satisfy the sexual needs of several combatants. Whenever combatants had the urge, there was a ready-made harem of women to rape. A witness to the Commission revealed the following details of her experiences in the hands of her captors:

Reference 35 - 0.01% Coverage

295. Women were not only raped in the presence of their families but were forced on many occasions into committing incest. Brothers were forced to rape their sisters and mothers; fathers were forced to rape their daughters. In some communities, mass incestuous rape imposed on the residents. A witness testified to the Commission of an event that occurred in her village Bumpah:

Reference 36 - 0.01% Coverage

“In the morning, we saw many rebels coming towards us... we were about to run but they said if you move, we will fire on you and they started firing all about... they came back to us and surrounded us. They stripped us naked... we were over twenty that were stripped naked. They instructed us to lie down on the ground. Then the civilian men who were amongst us were divided out, one man to a woman, until it came to a time that there was no other man for the remaining women who were lying on the ground. So after the distribution, they instructed the men to rape us. The women who were left without civilian men, they dug sticks into their vagina.”²⁹⁴

297. Women were also made to endure the forced insertion of objects such as sticks, pestles, hot coal and oil into their genitalia.²⁹⁵ An ex-combatant with the RUF gave this account to the Commission:

Reference 37 - 0.01% Coverage

Having considered the testimonies given by women, which include the most horrific details of rape, the Commission finds that all of the armed factions, in particular the RUF and the AFRC, embarked on a systematic and deliberate strategy to rape women and girls, especially those between the ages of ten and 18 years of age, with the intention of sowing terror amongst the population, violating women and girls and breaking down every norm and custom of traditional society.²⁹⁷

Reference 38 - 0.01% Coverage

The Commission interpreted all sexual violations other than rape as ‘sexual violence or sexual abuse’. Sexual abuse took many different forms and accounted for 486 violations recorded in the Commission’s database, nearly half of which were perpetrated against women.³¹³ The ICC elements define sexual violence as “encompassing both involuntary sexual assaults and sexual performance”, which also applies to “coercion resulting in sexual entertainment or nakedness”.

Reference 39 - 0.01% Coverage

The scope of sexual violence is very broad and “is not limited to physical invasion of the human body and may include acts which do not involve penetration or even physical contact.”³¹⁴ Sexual abuse could include biological or medical experimentation of a sexual nature or experimentation on reproductive capacities, sexual mutilations,

harassment and threats of rape or other sexual violence. Forcing a women to lick a penis or to perform sexual acts that are not rape, such as cutting or sexual touching of the body or breasts, are forms of sexual violence. The Rome Statute has recognised acts of sexual abuse or sexual violence as belonging to the category of the most severe violence.

Reference 40 - 0.01% Coverage

During the conflict in Sierra Leone, acts of sexual violence or abuse took many forms and included forcing women to go naked in public or in private in front of their family members.³¹⁵ A woman in Freetown recounted her story to the Commission:

Reference 41 - 0.01% Coverage

Sexual abuse violations also included acts of indecent touching or groping of women's bodies and genitalia, putting sharp objects into their genitalia as well as forcing their genitalia into the mouths of other victims. Often these cruel acts led to the death of women victims as is testified to by a witness who saw her sister-in-law being killed:

"In March 1991, there was an attack by RUF rebels in Kuiva village in the morning hours. I managed to escape, narrowly, into the bush where I hid for safety. One of the junior workers for the women's secret society (Bondo) was captured by the rebels. She was the wife of my elder brother, the town chief of Kuiva. She was stripped naked, hair shaved with cutlass and then beaten seriously. They then took her to the secret society bush for men, where the rebels finally shot her."³¹⁸

Reference 42 - 0.01% Coverage

Rape and sexual violence in the conflict have left many women and girls in Sierra Leone suffering from gender-specific medical problems such as Vesico Vaginal Fistula (VVF), Recto Vaginal Fistula (RVF), incontinence and prolapsed uterus, among others. The Forum for African Women Educationalists (FAWE), an NGO working with women after the conflict, reported the following anecdotes in its submission to the Commission:

"55.4% of the abductees [in FAWE assistance programmes] were raped and some of the girls were raped by one, two, three or even ten men. Two women particularly were raped by 15 and 30 rebels respectively. The former had only given to a baby two weeks before being raped. Both patients suffered from prolapses of the uterus (the womb descending out of the vagina). The former woman had a repair to replace the uterus in its proper position. The latter woman had a major degree of prolapse and therefore the uterus had to be taken out (a total hysterectomy was done)."³²³

321. Women and girls have had their lives broken and shattered by the loss of family members, the breakdown of family structures and the total loss of dignity. Emotionally and psychologically, they suffered to an incomprehensible degree. The social fabric of society in Sierra Leone was torn apart and the rules of civilised society meant to protect women and girls were discarded. In analysing the conflict, its aftermath and its impact on women, the Commission has had to confront the question of why women became such a specific target of the war. The answers to this question are complex and difficult to pinpoint.

Reference 43 - 0.01% Coverage

[...] It was at night that these rebels entered [the village] and they asked us all out of the various houses and homes. We were told to strip ourselves naked, both men and women; [we were also told] to dance, men on one side, women on one side.

[...] The rebels told the women to lie down on the ground. These rebels then asked the men to tell them their relationships with these women on the ground.

Reference 44 - 0.01% Coverage

The Commission finds the Revolutionary United Front (RUF) responsible for pursuing a deliberate strategy of abducting women and girls with the express intention of keeping them under their control, exploiting their vulnerability and sexually violating them either by raping them and causing them to be harmed by acts of sexual violence, using them as sexual and domestic slaves, torturing them and practicing a range of cruel and inhuman acts upon them.

Reference 45 - 0.01% Coverage

The Commission has recorded many statements in its database and has heard testimony that women and their families reported CDF members for both rape and sexual violence to their commanders. The response was telling. Nothing happened and in many instances it became clear that rape and sexual violence was condoned, particularly where the women were thought to have spent time with or rendered assistance to the RUF or AFRC. No consideration seems to have been given to the possibility that women had been forced into these roles in order to survive. No evidence exists that the CDF took any action against its members who were accused of rape or sexual violence. On the contrary, such acts appear to have been condoned, particularly if the women were labelled “rebel collaborators” or “rebels”, or if they had family members who were associated with the RUF, the SLA or the AFRC.

Reference 46 - 0.01% Coverage

“They captured our sisters and women and used them to their satisfaction. When using them, they sometimes inserted steel irons or the sharp edge of a stick into their vaginas and abandoned them. They also amputated some of their hands.”³⁵⁵

Reference 47 - 0.01% Coverage

The Commission received statements and testimony implicating the West Side Boys in rape and sexual violence against women. They have been described as a gang of bandits rather than credited as a politically motivated fighting force.³⁶³ Many of the statements the Commission received came from young girls who were forced to become “bush wives” to some of the members of this group.³⁶⁴ TRC statements also confirm that the Westside Boys continued to carry out abductions, rape and other violations against women right up to 10 September 2000, when they were wiped out by a dawn raid on their Okra Hills base involving Sierra Leone security services and British paratroopers.³⁶⁵

Reference 48 - 0.01% Coverage

The Commission finds the West Side Boys responsible for pursuing a policy of abducting women and girls, holding them against their will in forced marriages, raping them and using them as sexual slaves, perpetrating a range of cruel and inhuman acts upon them.

Reference 49 - 0.01% Coverage

Sexual violence and the kind of sexual violations that women suffered are themselves acts regarded as taboo in Sierra Leone. Sexual acts involving children, violations against older women, rape and disembowelment of pregnant women, rape and sexual abuse of pre-pubescent girls and virgins were all widespread in the conflict. These acts were carried out everywhere, defiling places regarded as sacred such as mosques, churches and the secret society “bushes” of the Bondo society. To carry out such heinous acts in highly sacred places is to undermine cultural and religious values yet further. Incest is regarded as a major crime and the forced acts of incest by many of the armed groups broke one of the major taboos not only of Sierra Leone but also in the wider world.⁴²⁴ The Commission finds that the RUF and the AFRC, in particular, deliberately engaged in strategies designed to destroy all the norms and values of traditional Sierra Leonean society.

Reference 50 - 0.01% Coverage

Rape and sexual violence as well as acts of extreme violence carried out on women and girls carry with them a price which women inevitably pay. Perversely women in most traditional societies are regarded as the custodians of the honour of men and society. Raping and violating them have come to symbolically represent the violation of the man and the society he belongs to. The bodies of women become the battleground over which opposing forces fight.⁴²⁵ In Sierra Leone women were raped and sexually violated often in front of their loved ones, humiliating and denigrating them. Women were forced to bear children belonging to the enemy. They are doubly victimised, they bear the burden of being raped which itself carries with it a stigma ‘that of family honour being desecrated’.

Reference 51 - 0.01% Coverage

Confidential testimony received before TRC Closed Hearings, Kailahun District, April 2003. Rehn and Johnson-Violence against women, page 12

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436. Women who are identified as having been raped or who disclose that they have been raped are regarded in Sierra Leone as bringing shame to their families. In addition to the pain and anguish of the rape and sexual violence, they mostly carry with them the pain of not being able to disclose their status for fear of being ostracised. In cases where women have made the rape and sexual violence known to families, efforts are frantically made to hush up the “disgrace”. The anguish and perceived shame is understandably even worse where the victim has borne the child of her rapist or captor. Many young mothers have been forced to give their children up to adoption.

Reference 52 - 0.01% Coverage

According to a submission made by FAWE,⁴⁴² the gang rape and multiple rape of two women who were raped by 15 and 30 rebels respectively, where one of the victims had only given birth two weeks before being raped, led to both victims suffering from a prolapsed uterus. In the case of the first victim, repairs took place, which focused on the uterus assuming it proper position. For the second, the severity of the prolapse required the uterus to be taken out.⁴⁴³

Reference 53 - 0.01% Coverage

“We were attacked on the road, on a vehicle and I was captured again... along with some other people, we were taken into the bush... afterwards they went to attack and we were left with some other rebels. These rebels forcefully had sex with us. All the women and girls were raped...”¹³⁴

Reference 54 - 0.01% Coverage

“In 1992, my village Foindu Mawie was attacked by the RUF rebels... on their way going; they captured a young girl called Musu who was newly initiated into the women’s society. She was taken to a village called Juhun in the Upper Bambara chiefdom, where she was raped by the rebels. Her vagina became swollen and there was no medical treatment at that time. She later died of pains because she was newly initiated...”¹³⁵

Reference 55 - 0.01% Coverage

Life in the refugee camps in Guinea was fraught with violations such as arbitrary arrest and detentions, police abuse and lack of freedom of movement. A major problem in the camps was the commission of sexual violations against refugee women and girls. According to UNICEF:

Reference 56 - 0.01% Coverage

The Commission has noted the contents of the report on sexual exploitation in refugee camps as experienced by Sierra Leone girl-children and women, which was the result of the survey on sexual exploitation carried out by UNHCR and Save the Children UK.³⁰² The report found that sex in exchange for money or gifts appeared to be widespread. The majority of the victims indicated that it was the only option they had in order to access money or receive food and other basic necessities. The majority of the children involved in this racket were girls between the ages of 13 and 18 years. Girls between the ages of four and 12 were also reported as being sexually harassed, either verbally or through the groping of their buttocks, breasts or genitals.

Reference 57 - 0.01% Coverage

“Sexual exploitation in Sierra Leone is far more common than documented in the report [by UNHCR and Save the Children UK]... The inherent power differential between a man with access to resources, however minimal, and a young woman or girl with less or none renders any sexual relationship between the two non-consensual sexual exploitation. In particular in the context of the horrors of war, the desperate poverty and hunger, and the consequent enormity of the needs of civilians, men in positions of power, both Sierra Leoneans and expatriates, have

systematically taken advantage of this situation for their own sexual gratification. Hiding behind the cloak of words such as “prostitution” and “commercial sex work” lurks the reality of young women who are survivors of a sickeningly widespread pattern of exchange of desperately-needed goods and services for sex.”³⁰⁷

Reference 58 - 0.01% Coverage

364. While many people knew of the war in the Sierra Leone and the amputations that had taken place, very few people knew that most of the affected women and girls had experienced sexual violations. The nature and extent of the sexual violations that women and girls suffered during the conflict remain as yet unknown. Most women and girls in Sierra Leone experienced sexual violations on account of their gender. UNICEF, in describing the impact of sexual violations on children, has stated:

Slavery

References or discussions of slavery or forced labour

<Files\\Truth Commission Reports\\Africa\\Sierra.Leone_.TRC-Report-FULL> - § 23 references coded [0.13% Coverage]

Reference 1 - 0.01% Coverage

The RUF pursued a deliberate strategy of violating women by raping them and perpetrating acts of sexual violence against them. RUF combatants used women and girls (particularly those between the ages of 10 and 14) as sexual and domestic slaves and tortured them in a myriad of different ways. Women and girls were killed, assaulted and suffered cruel and inhuman acts at the hands of RUF fighters.

Findings against the AFRC in respect of women 504. 505.

The Commission finds that the AFRC pursued a deliberate strategy of targeting girls and women with the specific intention of violating them by abducting them, raping them and perpetrating acts of sexual violence against them. The AFRC pursued a strategy of violating women and girls by using them as sexual and domestic slaves and tortured them in a variety of ways. Women and girls were killed, assaulted and suffered cruel and inhuman acts at the hands of AFRC fighters.

Reference 2 - 0.01% Coverage

Findings against the CDF in respect of women 508. 509. 510.

The Commission finds that the CDF, particularly in the latter period of the conflict, abducted civilian women and girls whom they believed to be associated to or in collaboration with the RUF and the AFRC.

The Commission finds that the CDF detained women and girls and kept them under the most cruel and inhuman conditions with the intention of violating them by raping them and exploiting them as sexual slaves.

Reference 3 - 0.01% Coverage

Findings against the West Side Boys in respect of women 512.

The Commission finds the West Side Boys responsible for abducting women and girls, holding them against their will, forcing them into marriage, raping them, using them as sexual slaves and perpetrating a range of brutal and inhuman acts upon them.

Violations perpetrated against women and girls o Abduction and Forced Recruitment

Reference 4 - 0.01% Coverage

The Commission finds that all of the armed groups pursued a deliberate strategy of targeting young girls between the ages of 10 and 14. Women and girls were abducted for the purposes of keeping them under their control, exercising rights of ownership over them, exploiting their vulnerability, coercing them into becoming combatants and using them as sexual slaves and as forced labour.

Reference 5 - 0.01% Coverage

The Commission finds that the RUF and the AFRC were the major perpetrators of sexual slavery and forced marriages of women and young girls.⁴⁰

Reference 6 - 0.01% Coverage

The Commission finds that all the armed perpetrator groups coerced women and girls under their control into doing forced labour.

Reference 7 - 0.01% Coverage

The violations occurring in the context of abduction are dealt with more specifically in the chapters of this report dealing with Women, Children and Youth respectively. Indeed, sexual slavery was perpetrated mostly against women and girls. Forced recruitment was targeted at children and youths by the RUF, the AFRC and the CDF. The targeted age group for forced recruitment violations were those 10-14 years.¹

Reference 8 - 0.01% Coverage

These violations have been dealt with comprehensively in the chapters of the report on women and children respectively. Forced recruitment is the forced or unwilling recruitment of any individual to an armed group or organisation by threat, or intimidation to self or family members and /or violence, while sexual slavery is where the perpetrator exercised all or any of the powers attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons or by imposing on them a similar deprivation of liberty; and where the perpetrator caused such person or persons to engage in one or more acts of a sexual nature.²⁴ The victim often known as a “bush wife” is held by one or more perpetrators.

Reference 9 - 0.01% Coverage

Upon entering a town or village, the factions usually recruited all the able-bodied men and women as forced labour. The civilians had to cook and carry looted property for them back to their base or to another town, and to perform sundry other services for them. The following account involved the SLA in Yele in 1994:

Reference 10 - 0.01% Coverage

The abductions and use of young girls and women as bush wives and sex slaves by armed groups during the war could be attributed to the traditional beliefs that governed this issue prior to the war. Some of the armed groups did not consider it an aberration to rape young women or use them as sex slaves. A testimony to the Commission from a girl child who went fishing with other children and was captured during the conflict illustrates this point:

Reference 11 - 0.01% Coverage

Forced “marriage” is a form of sexual slavery as is the detention of women in “rape camps” or any circumstances under which women are subjected repeatedly to rape or the threat of rape or any other sexual violence. In Sierra Leone, as well as in many other conflicts, women and girls were given as

Reference 12 - 0.01% Coverage

Enslavement is named as a crime against humanity (Art. 7(1)(c) Rome Statute and Art. 2(c) Special Court Statute). It is also prohibited by numerous international human rights and humanitarian law instruments and is one of the original universally condemned crimes under customary international law. Enslavement is also a jus cogens violation.¹⁷⁹ The sexual form of enslavement is now codified as “sexual slavery”. Beyond that enslavement takes many forms, some of them gendered. Young girls and boys, men and women can be enslaved in one of many ways: in domestic labour, mining, arms factory, demining and medical experiments. It becomes a gender crime when an individual is enslaved because of his or her particular function in the society: women used for domestic labour

(cooking, washing, cleaning, and serving, educating children), men for transport or fighting, young girls for spying, girls and women for sex and reproduction.

Reference 13 - 0.01% Coverage

In the Kunarac Judgement, the ICTY recognised that both forced domestic labour and sexual services of women and girls constituted enslavement¹⁸⁰. The essential element of enslavement as discussed above the exercise of any or all of the powers attaching to the right of ownership. This has been elaborated by the Kunarac Appeals Chamber to include restriction or control of an individual's autonomy, restriction of freedom or choice or freedom of movement, extraction of forced or compulsory labour or service, often without remuneration though not necessarily, involving physical hardship; sex; and human trafficking. Enslavement may be accompanied by a claim of exclusivity; torture, cruel treatment and abuse including sexual; and other means of psychological as well as physical control. Enslavement does not require a showing to nonconsent since the exercise of free will by the victim may be irrelevant or impossible because of the coercive environment. It does not require detention or the absence of any avenues of escape. It may also be the product of a commercial exchange, but this condition is clearly not required.¹⁸¹

Reference 14 - 0.01% Coverage

Isatu Kaula Kamara, TRC statement, Magbema Chiefdom, Kambia, 5 December 2002. Vol Three B Chapter Three Women and the Armed Conflict in Sierra Leone Page 147

239. Women were coerced into forced labour by all of the armed forces. They were subjected to even further violations as they carried out their duties.²³¹ A victim who suffered in the hands of some "sobels" in her village and later was abducted by them described her experiences:

"On our arrival at the court barray in the centre of the town, they told the town elders to appoint the town commander and the town mother. Mr. Osman Kortor and I were "appointed" by the town elders... One day, they forcefully tasked us to prepare food for them and at that time there was a shortage of salt, but I managed to cook the food. When they found out that there was no salt in the soup, they commanded me and some other women to eat the food. After eating the food, they gave us the dirty water that we used to wash the basin to drink – if not they will kill us. Three weeks later, they took us to Gbangbanlia in the Lugbu chiefdom and we stayed there for four months carrying their loads and pounding rice for them. They also took us to Jimmi Bagbo and we were later sent to the bush around the village to process gari for them."²³²

Reference 15 - 0.01% Coverage

In effect, women constituted the largest category of victims compelled to do forced labour. Many victims who made statements to the Commission conveyed a traditional acceptance of what constitutes the tasks of women, in most instances accepting this role and not seeing fit to report it as a violation. Women accounted for 497 violations of forced labour from a total of 1,878 reported to the Commission. However a reading of the statements submitted to the Commission reveals that almost all of the women and girls abducted were compelled to perform forced labour, usually continuously throughout their period in the captivity of an armed group.²³⁵

Reference 16 - 0.01% Coverage

The Commission finds that all of the armed perpetrator groupings coerced women and girls under their control into doing forced labour and notes that, in terms of the Rome Statute for the ICC, such abuse becomes a gender crime when an individual is enslaved because of her particular function in society.

Reference 17 - 0.01% Coverage

In terms of international law, the two essential elements unique to the crime of sexual slavery are the "exercise of any or all of the powers attaching to the right of ownership over one or more person" and the "forced participation in one or more acts of sexual violence".²⁹⁸ In Sierra Leone, hundreds of abducted women and girls were compelled to endure the violation of "sexual slavery". The Commission identified the act of "forced marriage" as synonymous with "sexual slavery". This violation is colloquially referred to by Sierra Leoneans as being forced to become a "bush wife". In describing the experiences of what the Commission has termed "sexual slavery", the pattern that emerged was as follows: women were captured and abducted; they became part of the entourage of the armed group

to which their captors belonged; and they were continuously sexually violated as their captors moved along with them. Again this violation was particularly prevalent for the RUF and the AFRC, who kept women as sexual slaves under what could only be termed “roaming detention”, which could last for time periods ranging from one or two days to several months and years.

Reference 18 - 0.01% Coverage

In the course of the violation of “forced marriage”, or the “bush wife” phenomenon, abducted women and girls abducted were also given out to combatants, commanders or superiors for the purposes of sex and domestic duties.³⁰⁰ Women assumed the traditional role of “wives” to the combatants who captured them. In many instances, these abducted women lived with their captors until the cessation of hostilities in Sierra Leone.³⁰¹ In terms of international law, “forced marriage” is as much a form of sexual slavery as is the detention of women in “rape camps” or any other circumstances under which women are subjected repeatedly to rape or the threat of rape or other sexual violence. “Forced marriage” involves forced sex or the inability to say no or control sexual access or exercise sexual autonomy. The Special Rapporteur for Systematic Rape, Sexual Slavery, and Slavery-Like Practices during Armed Conflicts recognised “forced marriage” as a form of “sexual slavery”.³⁰²

Reference 19 - 0.01% Coverage

The manner in which “bush wives” were treated varied. While in the majority of instances they were protected by their “bush husbands” from being raped by other combatants, there were many instances where they were not. The absence of a “bush husband” left a woman vulnerable and easy prey for combatants who were predators.³⁰³ In other instances, women’s so-called “husbands” would offer them to fellow combatants for sexual purposes. One witness and victim told the Commission of this practice:

“Every woman was supposed to be picked by someone – a rebel – and we were supposed to sleep with them. So in actual fact, I believed it could be one man today and a different one tomorrow. So if there is a bachelor amongst them, those that didn’t have women were free to go and pick any woman to make them happy for the night.”³⁰⁴

Reference 20 - 0.01% Coverage

The RUF adopted a guerrilla mode of conflict during the period 1993 to 1996. Their fighters moved between bases in the bush. The AFRC was also a highly mobile force, initially fleeing Freetown towards Koinadugu in 1998 and then returning to invade Freetown in January 1999. It is this roaming character, common to both these perpetrator groups, which explains their tendency to abduct women and use women as “sexual slaves” and “domestic slaves”.

Reference 21 - 0.01% Coverage

Abducted women and girls who lived with the armed groups for long periods of time were subjected not only to the trauma of living in captivity, forced to endure sexual slavery and daily humiliation, but were also compelled to live under the constant fear of attack from opposing armed groups. Moreover, even if they managed to escape the combatant group, they experienced hostility from civilians and were ostracised from society.³¹⁰ One victim began recounting her ordeal to the Commission in the following terms:

Reference 22 - 0.01% Coverage

In terms of statements recorded by the Commission, the RUF and AFRC were the groups most likely to coerce women and girls into sexual slavery and forced marriages. A possible reason for this was that from 1993 to 1994, the RUF adopted a guerrilla mode of warfare and so its units were constantly on the move between bases in the bush. The fighters demanded women to perform domestic chores and to perform sexual services for them. Women and girls were vulnerable in their communities, so it was quite easy for a fighter to abduct them, force them under his immediate control and compel them into sexual slavery and forced labour.

³³⁶ While victims experienced some degree of protection as the exclusive property of one perpetrator through a “forced marriage”, the relationship in most instances was entirely abusive. Most victims who spoke to the Commission nevertheless suffered some manifestations of the so-called “Stockholm syndrome”, i.e. they tended in their testimonies to identify with their perpetrators and would insist that they had been treated well even though

many of the experiences they were describing tended to be abusive. The economy of war also required that women make themselves useful to their captors or “bush husbands” in order to survive.

Reference 23 - 0.01% Coverage

I’m kindly making an appeal to all of you to be forgiven for what had happened during the war. Crimes we had committed against humanity... using women for sexual slavery, looting properties, burning of houses and many others... we did not initially plan it. I am taking responsibility and I am taking the name of the Lord, asking for forgiveness. I am kindly asking you to forgive us; this is my plea to you in this community. I am pleading, please forgive me and talk to my people to forgive me.