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INTEGRACIÓN DE LOS DERECHOS HUMANOS DE LA MUJER Y LA PERSPECTIVA DE GÉNERO

LA VIOLENCIA CONTRA LA MUJER

Informe de la Relatora Especial sobre la violencia contra la mujer, sus causas y consecuencias, Sra. Radhika Coomaraswamy, presentado de conformidad con la resolución 2001/49 de la Comisión de Derechos Humanos*

Adición

Misión a Sierra Leona (21 a 29 de agosto de 2001)

* El resumen del informe de la misión se distribuye en todos los idiomas oficiales. El informe figura en el anexo al resumen y se distribuye únicamente en el idioma en el que ha sido presentado.

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Resumen

El presente informe contiene las conclusiones de la Relatora Especial sobre la violencia contra la mujer, sus causas y consecuencias a raíz de su visita a Sierra Leona en una misión oficial realizada del 21 al 29 de agosto de 2001. Trata de los numerosos actos de violencia cometidos contra la mujer durante el conflicto, e indica las medidas e iniciativas más indispensables que es necesario adoptar para que se respeten los derechos de la mujer después del conflicto.

Como personas civiles las mujeres y las adolescentes de Sierra Leona han sido objeto de violaciones de sus derechos humanos y de graves quebrantamientos del derecho internacional humanitario, como homicidios, amputaciones, desplazamientos forzados, reclutamiento forzado y saqueo y destrucción de sus propiedades. Como mujeres han sido objeto de abusos por su condición de tales, como violaciones, esclavitud sexual y matrimonios forzados con miembros de las distintas facciones. La violación sistemática y generalizada y otros tipos de violencia sexual han caracterizado el conflicto de Sierra Leona. Se ha practicado la violencia sexual contra mujeres de todas las edades, inclusive adolescentes muy jóvenes. Se ha informado de miles de casos, entre ellos de violaciones individuales y colectivas, agresiones sexuales con objetos y esclavitud sexual. La comunidad internacional ha prestado, en particular, poca atención a esas violaciones por razones de sexo. Debe señalarse que todas las partes en el conflicto armado han cometido esa clase de violaciones de los derechos humanos.

La Relatora Especial hace un llamamiento a todas las partes para que adopten medidas para proteger a las mujeres y a las adolescentes de las violaciones y de otras formas de violencia sexual, en particular pidiendo a todas las facciones beligerantes que respeten el derecho internacional humanitario. Les hace un llamamiento para que hagan saber públicamente que la violación durante los conflictos armados constituye un crimen de guerra y puede constituir un crimen contra la humanidad en determinadas circunstancias, y que todo aquel que comete una violación será puesto a disposición de la justicia. Les ruega asimismo que investiguen todos los informes de violaciones y otras formas de violencia sexual y procesen a los supuestos autores de tales crímenes. Además, insta a todas las partes a que pongan inmediatamente en libertad a todas las adolescentes y mujeres y a otros civiles que permanecen retenidos contra su voluntad y que velen por que no se cometan nuevos raptos.

La Relatora Especial señala que el hecho de que no se haya investigado, procesado y castigado a los responsables de las violaciones y de otras formas de violencia basadas en el género ha contribuido a crear en Sierra Leona un clima de impunidad que perpetúa la violencia contra la mujer, como las violaciones y la violencia doméstica. A la Relatora Especial le preocupa el sistema de justicia penal existente en relación con la mujer, y el reducido número de condenas por violación y otras formas de violencia basada en el género. Insta al Gobierno a que intensifique sus esfuerzos por combatir la violencia contra la mujer, adoptando medidas de carácter general, entre ellas una formación no sexista en el sistema de justicia penal. En el Estatuto de Roma de la Corte Penal Internacional se dice explícitamente que la violación, y otros abusos sexuales figuran entre los crímenes más graves que preocupan a la comunidad internacional, definiéndolos específicamente como crímenes de lesa humanidad y crímenes de guerra.

La Relatora Especial afirma que, de conformidad con la resolución 1325 (2000) del Consejo de Seguridad, de 31 de octubre de 2000, las mujeres y grupos de mujeres deben participar plenamente en el proceso de paz, y deben realizarse esfuerzos especiales para que las necesidades e intereses de las mujeres se incluyan en las negociaciones políticas. A este respecto, la Relatora Especial encomia los esfuerzos realizados por la red de paz de mujeres de la Unión del Río Mano para alcanzar la paz regional.

La Relatora Especial subraya que las experiencias sufridas durante la guerra por las mujeres y las adolescentes y sus necesidades después del conflicto deben tenerse plenamente en cuenta a la hora de formular planes de repatriación y reasentamiento y durante el proceso de desmovilización y desarme.

Deben establecerse las condiciones necesarias que permitan a las mujeres y adolescentes que fueron obligadas a convertirse en parejas sexuales de miembros de las fuerzas rebeldes (las llamadas "concubinas") abandonar a los combatientes desmovilizados si lo desean. Las organizaciones de financiación y humanitarias deberían reconocer también las necesidades especiales de las personas que estaban a cargo de los combatientes o que los seguían, y no únicamente a los combatientes. Los programas de rehabilitación deben tomar en consideración la gran amplitud del fenómeno de agresión y violación sexual y formular programas para atender a las necesidades específicas de las supervivientes. También deben organizarse programas para atender a las necesidades especiales de las mujeres ex combatientes. Además, deben establecerse iniciativas especiales para hacer que se resuelvan adecuadamente los problemas de seguridad y subsistencia de las viudas de guerra y otras mujeres cabezas de familia.

La Relatora Especial destaca también la preocupación que siente por las espantosas condiciones de los campamentos para personas desplazadas en el interior del territorio. La Relatora Especial insta a todas las partes a que respeten y garanticen el cumplimiento de los Principios Rectores de los desplazamientos internos. Dice que el Gobierno debe adoptar medidas eficaces para hacer que se atienda a los problemas particulares de seguridad de las mujeres y niños desplazados por el conflicto, entre ellas medidas contra las violaciones y otra violencia por motivos de sexo. La Relatora Especial insta al Gobierno y a la comunidad internacional a que adopte medidas inmediatas para que los desplazados internos tengan acceso a los servicios básicos, en particular a la alimentación, el alojamiento, la salud, la educación y la protección.

La Relatora Especial formula estas otras recomendaciones:

La comunidad internacional deberá velar por que todos los informes de violaciones y otras formas de violencia basada en el sexo sean plenamente investigados por las autoridades competentes para descubrir a los responsables y ponerlos a disposición de la justicia; para ello deberá:

- Prestar asistencia al Gobierno de Sierra Leona en la reestructuración y capacitación de las fuerzas de policía y en el establecimiento de un poder judicial competente, imparcial e independiente con los recursos necesarios para que funcione de forma eficaz y justa;

- Velar por que se imparta una formación apropiada a los fiscales, jueces y otros funcionarios sobre la manera de atender los casos que entrañan violaciones y otras formas de violencia basada en el sexo cometidas en los conflictos armados y en tiempo de paz, de conformidad con las normas actuales del derecho internacional, en particular el Estatuto de Roma de la Corte Penal de Justicia y la jurisprudencia del Tribunal Penal Internacional para Rwanda y del Tribunal Penal Internacional para la ex Yugoslavia;

- Velar por que en la capacitación del nuevo ejército de Sierra Leona y de las fuerzas de policía se imparta una formación sobre las normas de derechos humanos y el derecho internacional humanitario, y que aquellos que se ocupen de casos de mujeres tengan una experiencia en materia de violencia contra la mujer y crímenes basados en el sexo.

La comunidad internacional deberá incrementar la financiación para programas que se ocupan de las necesidades de las víctimas de la violencia sexual, como atención médica, ayuda psicológica a las personas traumatizadas, educación, formación profesional y planes para la generación de ingresos.

La Sección de Derechos Humanos de la Misión de las Naciones Unidas en Sierra Leona (UNAMSIL) deberá contratar a un especialista en asuntos relativos al género para que, entre otras cosas, vigile sistemáticamente las cuestiones de la violencia basada en el sexo e informe al respecto. El Fondo

de Desarrollo de las Naciones Unidas para la Mujer (UNIFEM) también deberá abrir en Sierra Leona una oficina para que las cuestiones relacionadas con la mujer reciban el buen trato que merecen.

La UNAMSIL deberá iniciar programas para informar a los agentes no estatales de sus obligaciones en virtud del derecho internacional humanitario.

La UNAMSIL deberá hacer que el personal de las Naciones Unidas encargado del mantenimiento de la paz cumpla su mandato de proteger contra la violencia física a los civiles, en particular a las mujeres y adolescentes que corren un riesgo de ser raptadas o violadas o de sufrir otras formas de violencia sexual; hacer que todas las tropas desplegadas por la UNAMSIL tengan una formación completa en materia de derechos humanos y derecho internacional humanitario, y que la UNAMSIL imparta una formación especializada en materia de violencia contra la mujer, en particular de los delitos basados en el sexo; y vele por que la Sección de Derechos Humanos de la UNAMSIL siga vigilando y registrando los casos de violación y otras formas de violencia sexual, para que se pueda investigar y procesar a los supuestos responsables.

Por último, la Relatora Especial recomienda que la norma de la Corte Penal Internacional se aplique a la composición de la Comisión Nacional de la Verdad y la Reconciliación y al Tribunal Especial. El Estatuto de Roma trata de una serie de cuestiones estructurales que son particularmente importantes para la Comisión Nacional de la Verdad y la Reconciliación y el Tribunal Especial de Sierra Leona para hacer que los casos que entrañen violencia contra la mujer sean juzgados y sus autores sean puestos a disposición de la justicia. Deben tenerse plenamente en cuenta las necesidades específicas de las víctimas de violaciones y de otras formas de violencia sexual durante el conflicto, y su derecho a una reparación.

Annex

REPORT OF THE SPECIAL RAPPORTEUR ON VIOLENCE AGAINST WOMEN, ITS CAUSES AND CONSEQUENCES, ON HER MISSION TO SIERRA LEONE (21-29 AUGUST 2001)

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List of acronyms

AFRC	Armed Forces Revolutionary Council
APC	All People's Congress
CDF	Civil Defence Forces
CEDAW	Committee on the Elimination of Discrimination against Women
COOPI	Cooperazione Internazionale
ECOMOG	Military Observer Group of the Community of West African States
FAWE	Forum for African Women Educationalists
FGM	female genital mutilation
ICC	International Criminal Court
IDP	internally displaced person
IMC	International Medical Corps
IRC	International Rescue Committee
NCDHR	National Commission for Democracy and Human Rights
NCRRR	National Commission for Rehabilitation, Reconstruction and Reintegration
OCHA	Office for the Coordination of Humanitarian Affairs
RUF	Revolutionary United Front
RVF	recto-vaginal fistula
SLA	Sierra Leone Army
SLAUW	Sierra Leone Association of University Women
SLPP	Sierra Leone People's Party
TRC	Truth and Reconcilation Commission
VVF	vasico-vaginal fístula
WFP	World Food Programme
WHO	World Health Organization
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNAMSIL	United Nations Mission in Sierra Leone

I. INTRODUCTION

1. At the invitation of the Government of Sierra Leone, the Special Rapporteur on violence against women, its causes and consequences visited Sierra Leone on official mission from 21 to 29 August 2001 to study the issue of violence against women committed during the conflict and to identify key measures and initiatives needed to ensure the rights of women in the aftermath of the conflict. The Special Rapporteur visited Freetown, Kenema, Bo and Makeni.

2. The Special Rapporteur would like to express her appreciation for the cooperation and the assistance extended to her by the Government of Sierra Leone.

3. The Special Rapporteur is especially grateful for the efficient cooperation and support provided by Mr. Rodolfo Mattarollo, Chief of the Human Rights Section of the United Nations Mission in Sierra Leone (UNAMSIL), and his staff for ensuring a substantively and logistically successful visit.

4. During her visit to Sierra Leone, the Special Rapporteur met with President Dr. Ahmed Tejan Kabbah, the Minister of Social Welfare, Gender and Children's Affairs, Ms. Shirley Gbujama, the Attorney-General, the Chairman of the National Commission for Democracy and Human Rights (NCDHR) and the Spokesperson of the Revolutionary United Front (RUF), Mr. Gibril Massaquoi. In addition, the Special Rapporteur also met with members of the diplomatic community, the United Nations country team, the Deputy Special Representative of the Secretary-General, the Deputy Field Commander and international and local non-governmental human rights and women's organizations. She also took testimonies from female victims of violence.

5. The Special Rapporteur would like to express her heartfelt thanks to all the women who agreed to tell their very personal stories to her, so that she could attempt to understand the suffering which they had endured. The Special Rapporteur would also like to thank the organizations/individuals that facilitated meetings with women survivors of violence.

II. CASES

6. These testimonies illustrate the different kinds and level of violence that women and girls have been subjected to throughout the 10-year armed conflict in Sierra Leone. As civilians, the women and girls of Sierra Leone have been subjected to human rights abuses and grave breaches of international humanitarian law, including killing, amputation, forced displacement, forced conscription and the looting and destruction of their property. As women, they have been subjected to gender-specific abuses, including rape, sexual slavery and forced marriages to members of the various factions. These gender-specific violations, in particular, have been underreported. It should also be noted that human rights abuses have been committed by all parties to the armed conflict.

7. HK (16 years old)[1] was at home in Kissy, Freetown in 1997 when she heard gunshots. Her whole family rushed out to see what was happening. The AFRC came into the neighbourhood chanting "we want peace". They started killing and shooting people at random. Her family began running in every direction. She watched as the AFRC members cut in half the newborn child of her aunt. Then they told her to vacate the premises and captured her, while they set fire to the house with everyone else inside. She was taken to a camp and told that she would have to fight for the AFRC. When she said that she did not want to fight she was put in the "looting" contingent and given a weapon and 58 rounds of ammunition. From then on she went on the operations of the AFRC. Before they went out, a man called Dr. Prince would inject them with a substance. The first time it was given to her she passed out. Then they carved AFRC on her body with a razor. When she was given the substance, she was always disoriented and did not know what she was doing. She was a virgin when captured but on the first

evening she was given rum with some tablets. She fell asleep and when she woke up she noticed that she was completely "messed up" and there was pain between her legs. After that she was raped repeatedly at gun-point when any one of the male rebels wanted her. By 1999, she had moved from the looting contingent to becoming a fully-fledged combatant. On 6 January of that year, she was taken back to Freetown and ordered to kill people and cause as much havoc as possible. With other child combatants, she cut off people's arms, heads and breasts under orders from the AFRC commanders. They were driven back from Freetown and they joined the RUF forces and went to Makheni. She stayed there until she heard that there was "peace" and that anyone who wanted to go would be released. With another friend she went to Port Loko. There she found (ECOMOG) soldiers from Nigeria. They took her to the camp for internally displaced persons in the stadium and later she was moved to the Grafton camp. At that time she was five months pregnant. The baby was finally born in the Grafton camp. A few months later it died - the doctors said that it was because of the cold and the conditions in the camp.

8. PC (18 years old) lived with her father in Freetown and went to school. In 1996 she went to Kenema with her father to visit her mother, when the RUF attacked. Her father took her and her sister and ran but her mother got lost. To this day she does not know where her mother is. The rebels caught her, her father and her sister and asked them to accompany the rebels to Makheni. They made them carry heavy loads. They gave a very heavy load to her father and when he objected they beheaded him. The rebels forced her to carry her father's head all the way to Makheni. She was 15 years old. At Makheni, she and her sister, who was 12, were raped continuously. Each girl had 8 to 10 men that she had to sleep with regularly. Her sister died from the repeated rape. PC was with the rebels for three years. She was pregnant twice but lost her babies. In 1999 she was pregnant again, when the rebels decided to attack Freetown. During the attack, she escaped. A young woman took her in and hid her for six days. Then the young woman bribed officials at the Grafton camp for 40,000 leons and bought her a place in a booth. Since she is illegal she has no card and therefore does not get rations. She braids hair and sells firewood to earn her living. Her daughter was born in the camp and is always sickly and highly anaemic. She has no access to health care and her child no access to school.

9. FC (40 years old)[2] was told by the Kamajors (see paragraph 50, below), after the intervention in 1998, to leave Kono so that she did not get caught up in the crossfire between them and the rebels as they tried to secure Kono. She was three months pregnant. She and her brother, along with some of her children, left for her husband's village, Loma, one of the villages that border Guinea.

10. They took a bush path to try to get to their destination. When they arrived at a village called Simbakoro they took refuge there and rested for a little while after an exhaustive walk. On the following day, they heard firing; they left the village and moved on to another village called Jabayma Fiama. They stayed at Jabayma Fiama for three days. Then the rebels (RUF) attacked the village and abducted them. They took all their belongings and food. They gave them heavy loads to carry and ordered them to come with them. Her 13-year-old daughter was crying bitterly because of the heavy load she was carrying. After walking for a few miles one of the commandos, Ibrahim, ordered her to return to the village where they came from with her younger daughter, but said he would not release her 13-year-old daughter. She pleaded with him not to take her away; and then he scolded her to obey him. She returned to the village where they were camping and found her brother, who had escaped the rebel attack, waiting for her. They took another direction in the forest and continued their journey.

11. On their way, they met a man at a farmhouse who was cooking cassava. She asked him to kindly share some with them because they were starving. He said he did not have enough, but he showed them where they could get some fresh ones. She went and got some. The man allowed them to cook; he went away and left them at the farmhouse. After cooking, she went to fetch drinking water from a drain. On the way, she heard a whistle sound and got scared. She did not know if it was a bird or a human being. She decided to return to the farmhouse. She heard the same sound again and was even more frightened.

She doubled her steps and quickly arrived at the farmhouse. As they were about to eat, she heard the same sound for the third time. Hardly had they heard the third whistle sound than they were surrounded by rebels, some of whom wore combat fatigue and red and white bandannas, others wore plain clothes and bandannas. All of them carried guns. She was terribly frightened. Then the rebels started interrogating them about the whereabouts of the Kamajors and the ECOMOG forces. They said they did not know. The rebels kept harassing them to tell; they kept pleading in vain that they did not know. The rebels did not believe them. They accused her brother of being a Kamajor, he said he was not but they wasted no time with him. One of the rebels took out his dagger, slashed her brother's penis, put it in his mouth, the others beat him up mercilessly and finally killed him in her presence.

12. The rebels continued interrogating her about the hiding places of the Kamajors. She was crying and said she honestly did not know. She thought they would kill her. They said they would rape her because she did not cooperate. They stripped her naked; and then three of them raped her violently on the spot in the presence of her four-year old daughter. As they raped her, they insulted her and used all sorts of obscene language. As she was about to get up, she was ordered to remain lying down. She did and was raped for the fourth time. She was extremely worried and thought she was going to miscarry because she was experiencing abdominal pain. After the fourth one, one of the rebels told the others to stop raping her because she was pregnant. Then they ordered her to get up and carry a heavy load and follow them to a village called Waima.

13. During the journey, the rebels were insulting her and threatening her that the worst was yet to come. They accused her of being a Tejan-Kabba, ECOMOG and Kamajor supporter. They said that they had grievances because they had worked very hard for the country. Tejan-Kabba had refused to pay them, instead he had hired mercenaries to kill them, so she would pay the price for what Tejan-Kabba had done to them.

14. They finally arrived at Waima village at night after a long walk. The rebels gave her and her daughter food to eat. She told them she did not feel like eating, but they forced her to. At daybreak they left Waima for Jabayma Fiama. On the way, they came across a woman carrying a suitcase of her valuables on her head, apparently trying to escape. The rebels rushed towards her and scrambled for her belongings. FC noticed that they had forgotten about her and took advantage of this opportunity to escape from the rebels. She pulled her daughter hard and sneaked away. She walked the whole day and arrived at a camp around 4 p.m. She saw some women she had met before and told them that she was heading for her husband's village. They warned her not to proceed because the rebels were everywhere. They explained that the camp was a rebel camp for abductees. They were detained as slaves to cook and carry out any hard labour orders given by the rebels. They persuaded her that it was safer to stay with them. She decided to join them at the camp.

15. At 5 p.m., the rebels returned to the camp to have dinner. After dinner one of the rebels raped FC in the presence of everyone. At night, the rebels took all of them to a nearby village. They raped all the women at random; some were raped in the presence of their husbands. Women were gang-raped or raped multiple times. She was raped by four men that night, in the presence of her four-year-old daughter.

16. In the morning, they were taken to the camp and given diamba (marijuana) to boil. After boiling it, they were all ordered, including children and women who were pregnant (as she was), to drink it. After drinking the diamba, one of the rebels ordered them to form a queue, which they did. He was about to kill them, but another rebel stopped him. He ordered them to say "yes, sir" to whatever he said. He insulted them, as well as their parents, several times; they answered "yes, sir". He used all sorts of obscene and degrading language towards them; they answered "yes, sir". He asked if they had all enjoyed the "fucking" they received last night; they answered "yes, sir".

17. One morning, one of the abducted men in the camp encouraged them to escape as soon as the rebels left for their routine tour. They did exactly that; they took a bush path in the opposite direction the rebels had taken. That was how FC escaped.

18. FC continued her journey to her husband's village. She was with her four-year-old daughter. They walked for a week. She arrived at Loma, sick, with swollen feet and extremely exhausted. At Loma, she was told that her husband was in Guinea. She crossed over to Guinea to join him at the refugee camp. He was very happy to see her. On the third day after her arrival, she was very much confused and feared that, if she did not tell him her experience, he would hear about it from someone else. She mustered courage and confided in him. After he heard her ordeal, he rejected her and said that her pregnancy was cursed and contaminated. He disowned her, her four-year-old and the baby that was yet to be born. He said that the baby was a rebel baby. He blamed her for the rape and accused her of being promiscuous. He said she belonged to the rebels, not him. She pleaded with him in vain not to abandon her, but he was adamant. He threw her out of the house with her four-year old. Her husband, his other two wives and other members of the family said she should not stay with them because she was a shame to the family. She had nowhere to go. She was sleeping on the verandas and in the kitchens of neighbours with her child.

19. They were very ill. Every morning she went to a nearby hospital to beg for treatment, but did not receive any. She would hang around the hospital, crying out in pain and suffering. One day a woman from Action contre la Faim came to the hospital, found her crying and asked her what the problem was. She explained to her what she had gone through. The woman took her to Gueckedou hospital, where she was hospitalized for about four months until she had her baby. When she had the baby she asked the nurse to kill her by injecting her, because her husband would never accept her. She was encouraged by the senior nurse not to. After she was discharged, she pleaded with her husband again to accept her because of their nine children; and he did reluctantly. But their relationship has never been the same. He

is maltreating her and he does not want to see the child. He has warned her not to come close because she is a disgrace to him. He has no affection for her. She says it is a very painful life. She is now living at Grafton camp.

20. K, a 30-year-old with a small baby, described how she was raped in the small prison inside the CDF headquarters:[3] "We were in the HQ all day and then at night they placed us in the guardroom [prison] and ordered us to pay a bail to be let free. From there they started picking out the women they wanted to use. About 20 CDF said 'either we kill you or we use you. Everything is left to you'. We told them we are not bad people. Those goods are what we work with, we are traders not rebels. Then a Kamajor called 'Z'(name withheld) forced me into the guard room and raped me on the hard ground and with my little baby next to me. I begged him and said he was supposed to be fighting for us, not killing us, but he said: 'Shut up, there's no one who'll ask me anything. I'm a government man. Even if I kill you, no one will know'. Next door I could hear my cousin, another trader from my village, screaming and being beaten. When she came out she was bleeding from four places on her head where they had beaten her with a flashlight. She had tried to resist but they still raped her. They stole all my rice and money and even the clothes I had bought in Freetown for my children."

III. BACKGROUND

21. Sierra Leone is a small West African country. It covers an area of 71,740 square kilometres, surrounded by larger neighbours, Guinea and Liberia and bordering the Atlantic Ocean. Fourteen ethnic groups live according to Islamic, Christian and animist traditions in Sierra Leone. Geographical-based tensions between the Mende in the south and Temne and Limba in the north, manipulated by politicians, were one of the causes of the progressive collapse of the State system since independence. The educated Krio minority initially occupied a higher social and economic position and have traditionally been resented by the other groups. The Mendes from the south took over control of the Sierra Leone People's Party (SLPP); the Temnes and Limbas from the north became drawn to the All People's Congress (APC).

22. Sierra Leone is one of the poorest countries in the world, despite having rich mineral resources. Diamonds have been a major factor in the cross-border war that has engulfed Sierra Leone for the past decade, and have financed the rebel movements. Years of civil war in Sierra Leone, preceded and interspersed with periods of poor and sometimes corrupt governance, have led to major weaknesses in infrastructure and services. Urban areas have become highly populated as a result of the arrival of large numbers of internally displaced persons (IDPs) from areas under rebel control.

History of events

23. Much has already been written on the recent history of Sierra Leone[4] and it is not the purpose of this report to provide a detailed history, but, to provide the context of the current situation, there follows a short chronology of events.

24. Sierra Leone gained independence from the British in 1961. In 1991, the dire economic and political conditions in the country were the setting for the emergence of the Revolutionary United Front (RUF), which claimed to be a political movement that had the aim of saving the country from the corruption of the APC. In 1992, the APC regime was overthrown in a military coup. Subsequent international and local pressure led to democratic elections in 1996, which were won by Tejan Kabbah. The struggle between the RUF and three successive governments raged throughout the 1990s against the backdrop of three decades of State disintegration. Under President Kabbah, the Civil Defence Force (CDF), a pro-government militia, was strengthened to protect government held areas against the rebels. In May 1997, the Sierra Leone Army (SLA) overthrew Kabbah, formed the Armed Forces Revolutionary Council (AFRC) and joined forces with the RUF. In March 1998, the Military Observer Group of the Community of West African States (ECOMOG) ousted the AFRC/RUF regime and reinstated Kabbah.

25. Between 1996 and 1999, three separate negotiation processes between the Government and the RUF failed to bring peace to Sierra Leone.

26. Systematic and widespread rape and other sexual violence has been a hallmark of the conflict in Sierra Leone. Sexual violence has been directed against women of all ages, including very young girls. Thousands of cases of sexual violence have been reported, including individual and gang rape, sexual assault with objects and sexual slavery.

27. In January 1999, the RUF/AFRC invaded the capital, Freetown. During this rebel offensive, there were hundreds of reports of women and girls being rounded up and brutally raped. The rebel forces also abducted several thousand civilians from Freetown at this time. Of the women and girls who were abducted, it is estimated that more than 90 per cent were raped. Many girls subsequently released were pregnant, had given birth or had contracted sexually transmitted diseases.

28. In 1999, the international community brokered a cease fire, which led to the signing of the Lomé Peace Agreement, a power-sharing agreement between the Government and the Revolutionary United Front (RUF) that granted amnesty to all combatants, except those who had committed crimes of genocide, crimes against humanity or war crimes. The United Nations Mission in Sierra Leone (UNAMSIL) was established to assist in the implementation of the Peace Agreement. The Peace Agreement brought about a relative reduction in many of the worst abuses, except for sexual assault against women and girls, which continued unabated.

29. In May 2000, the RUF took 500 United Nation Peacekeepers hostage, sparking renewed fighting. As the peace process collapsed and fighting escalated once again, all sides in the conflict - the RUF and rebel militias, and, increasingly, pro-government forces - committed horrific crimes against the civilian population, including systematic and widespread sexual assault, rape and mutilation of women.

30. Following this development, the Security Council adopted resolution 1315 (2000) on 14 August 2000, in which it requested the Secretary-General to negotiate an agreement with the Government of Sierra Leone to create a special independent court. The court will exercise jurisdiction over those individuals who bear the greatest responsibility for the commission of crimes against humanity, war crimes and other serious violations of international humanitarian law, as well as crimes under relevant Sierra Leonean law committed in Sierra Leone.

31. In September 2000, the RUF staged cross-border attacks into neighbouring Guinea. Guinean armed forces subsequently invaded Sierra Leone to dislodge the RUF. Two ceasefire agreements were signed between the RUF and the Government of Sierra Leone. Under the Lomé Peace Agreement, the Truth and Reconciliation Commission (TRC) is only one of the various bodies created as part of the framework for national reconciliation and the consolidation of peace. Among the other institutions are the Committee for Humanitarian Assistance, the Committee for the Consolidation of Peace, the National Commission for Disarmament, Demobilization and Reintegration and the Human Rights Commission.

32. In 2001, President Kabbah's public declaration of his intent to extend his Government's mandate by six months in order to organize elections[5] provoked a strong reaction from the RUF leadership, including threats that they would discontinue participation in the disarmament process if an interim government was not put in place. At the time of the Special Rapporteur's visit the situation remained relatively stable and the peace process continued. However, there were continuing reports of CDF attacks against RUF held villages in the Kono and Koinadugu districts, as well as of an RUF attack against Henekuma village that had taken place in July 2001.

Status of women

33. Sierra Leone ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1990. To date, however, no reports have been submitted to the Committee on the Elimination of Discrimination against Women (CEDAW). The Special Rapporteur recommends that the Government set up a working committee, including women's organizations, in order to prepare reports and to implement any recommendations made by CEDAW. The Special Rapporteur welcomes the National Policy on the Advancement of Women and the National Policy on Gender Mainstreaming and encourages the Government to implement these policies and eliminate any gender-specific obstacles to the equal enjoyment of rights and freedoms, in order to make a real difference to women's lives, in compliance with its international obligations.

34. Even before the conflict, women in Sierra Leone had been marginalized in all spheres of life. Some of the reasons for this were low or no literacy, poverty, lack of capacity to participate in decision-making and cultural constraints, all of which contributed to the low status of women in society. The conflict has exacerbated the problem by creating many female headed households which face, inter alia inappropriate shelter conditions, family separations and legal inequality, for example discrimination under the law in regard to property ownership and inheritance rights.

35. The Special Rapporteur is also concerned that harmful traditional practices continue in Sierra Leone. Female genital mutilation (FGM) is widespread and is part of the initiation into the "Bundu society". One survey indicated that it affected as many as 89 per cent of women.[6] Some African defenders of the practice explained to the Special Rapporteur that this was about "being a woman the African way". They felt that eradicating FGM would strike at the heart of Sierra Leone society. The Bundu society is an integral part of the initiation of young women and, besides undergoing FGM, they are taught the skills and practices of Sierra Leone culture. Nevertheless the health problems associated with FGM have been widely discussed by, amongst others, the World Health Organization. These problems include pain, because no local anaesthetic is used; haemorrhage and shock due to the sudden blood loss and unexpected pain; acute urinary retention, which leads to urinary tract infection; the use of unsterilized equipment and the application of local dressings of cow dung and ashes; septicaemia (blood poisoning), fever, tetanus and death. Other complications that may arise well after the operation are delay in the wound healing, infection of the urinary tract, difficulty in urinating and difficult penetration during sexual intercourse. In terms of her reproductive health, the circumcised mother may face prolonged and obstructed labour due to the tough post-circumcision scar, and unnecessary Caesarian sections. The child may be stillborn or suffer from brain damage as a result of the prolonged and obstructed labour. Both CEDAW and the Committee on the Rights of the Child affirm the right of the girl child to be free from harmful traditional practices, including FGM. It is therefore essential that the Government of Sierra Leone take effective action against this practice.

Legal framework

36. Sierra Leone is a party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and the Geneva Conventions of 12 August 1949, as well as to the African Charter on Human and Peoples' Rights. Sierra Leone has ratified the Convention on the Elimination of All Forms of Discrimination against Women and signed its Optional Protocol, and has ratified the Rome Statute of the International Criminal Court and signed the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment. The Government of Sierra Leone signed, on 8 September 2000, the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict, and on the sale of children, child prostitution and child pornography. In addition, the Government has committed itself to prohibiting the recruitment and use of child soldiers by the army of Sierra Leone.

37. Despite its plethora of international obligations, the accompanying legislation to incorporate the international obligations in domestic law is reportedly lacking.

38. Years of civil war in Sierra Leone, preceded and interspersed with periods of poor and sometimes corrupt governance have led to major weaknesses in infrastructure and services. In particular, the Sierra Leonean domestic judicial process is weak and gender insensitive; juvenile justice procedures are barely existent. Police forces and prosecutorial mechanisms are poorly equipped; legal defence capacity is weak. The Government of Sierra Leone and the international community must strengthen the national judicial process as part of efforts to rehabilitate the country.

39. Sierra Leone has a dual judicial system of formal and customary law. The Constitution provides for the equal treatment of men and women, but the rights and status of women vary considerably under customary law. Furthermore, under the current state of emergency powers the Government has suspended many of the rights and guarantees which the Constitution contains. Political prisoners have been detained under the powers without legal counsel or access to their families.

40. Gender discrimination exists in the law, inter alia in regard to property ownership and inheritance rights. It has been shown that the denial of inheritance rights, and the resulting economic vulnerability

and tenure insecurity, often prevent women from leaving abusive situations in which they are subject to physical, sexual and/or psychological violence. With the increase in female headed households caused by male fatalities during the conflict, women and girls often lack either the legal means or the cultural community support with which to reclaim their property.

41. Rape in the community was a problem before the conflict, but with the conflict its incidence and prevalence have escalated. Women often remain silent out of shame, guilt, fear of reprisals and the futility of reporting given the lack of redress for gender-based violations. The expectation of impunity for violations of women's human rights encourages such violations. The most effective deterrent to sexual violence is to hold the perpetrators responsible for their crimes. Similarly, there is no specific law that protects women from domestic violence. The Government must take gender-based crimes seriously, in accordance with its international obligations to prevent, investigate and prosecute the perpetrators of such crimes.

IV. GENERAL FINDINGS

42. The Special Rapporteur took individual testimonies from women and girl survivors of gross violations of human rights committed by all the warring factions. UNAMSIL, human rights non-governmental organizations and academics have started to document gender-based violence cases to be submitted to the TRC and the Special Court, to ensure that violations of women's rights are recognized as gross and systematic violations of International Humanitarian Law. Their data was also shared with the Special Rapporteur.

43. According to statistics based on 733 testimonies collected from Sierra Leonean women and girls[7] 72 per cent of them reported having experienced human rights abuses. Over 50 per cent reported having been subjected to sexual violence; 47.1 per cent reported having been raped; 55.7 per cent reported having been gang raped; and 1.4 per cent reported having been raped with a foreign object. Other forms of violence reported included being forced to strip naked.

44. Slightly less than half of the interviewees (41.7 per cent) were abducted by the various factions. Of these interviewees, the majority (87.9 per cent) reported having been raped and subjected to sexual slavery; 8.2 per cent reported that they were forced to marry their abductor; 1.6 per cent reported that they were forcibly conscripted.

45. Of the 733 interviewees, 19.5 per cent were between 6 and 17 years old. Of these 4.9 per cent reported that they had been virgins when raped. The youngest rape victim interviewed was 7 years old, while the oldest was 72 years old. One hundred and twenty-four interviewees reported that their husbands had been killed during the conflict. Of these interviewees, 58.1 per cent of them reported having been raped.

46. The interviewees also reported having been subjected to other human rights violations, including forced labour, amputations, gunshot wounds, burnt dwellings, looted property and being intentionally burnt.

47. Given the widespread nature of the human rights violations, the interviewees complained of various conflict-related health problems. Of the 733 interviewees, 26.2 per cent reported such health problems. Of these, 78.6 per cent reported sexual violence-related health problems. Of the 345 women who reported rape 32 (9.3 per cent) reported forcible impregnation. Of the 32 women forcibly impregnated, 12 (37.5 per cent) had given birth, 3 (9.4 per cent) had lost children, 9 (28.1 per cent) had had a miscarriage and 8 (25 per cent) were pregnant at the time of the interview.

48. Of the 534 interviewees who reported human rights abuses, 389 women (72.8 per cent) were able to identify the faction(s) responsible for committing the abuses and the year the abuses occurred. Some were able to identify individual perpetrators in command positions within the RUF and AFRC.

49. According to information provided to the Special Rapporteur, the RUF and the AFRC were the worst perpetrators of violence against civilians, especially women and children, during the conflict and in the Northern Province the RUF continues to hold many abductees, the majority of whom are women and children. The Special Rapporteur calls on all parties to release all remaining women and girl abductees in their custody, in accordance with their obligations under article XXI of the Lomé Agreement.

50. Numerous testimonies also reported cases of gender-based violence, including gang rape perpetrated by the warring factions loyal to the Government. The scale and nature of abuses committed by ECOMOG and by the Civilian Defence Forces (CDF), the largest and most powerful of which are the Kamajors, differ from those committed by the other warring factions, but are no less horrific. After the signing of the Lomé Peace Agreement, abuses by the Sierra Leonean Army (SLA), including rape, extortion and excessive use of force, increased. The 1991 State of Emergency Act has reportedly been used by the Government to detain rebels without authorizing ICRC and other monitoring groups access to them.

51. Women and girls have not only been victims but also perpetrators. Atrocities committed by a small number of women have been documented. According to reports (inter alia, E/CN.4/Sub.2/2000/21) in January 1999, a local rebel commander ordered all virgin girls to report for a physical examination. The girls were checked by a female companion of the commander, who "verified" whether they were virgins. The role of women in this capacity has been limited and the testimonies suggest that most did not act voluntarily. Many claim they were abducted, forced to watch the execution of their loved ones and then taken and trained to fight.

52. Rape, sexual slavery and other forms of sexual violence have been directed against women and girls of all ages, including very young girls. A survey of 226 victims, conducted by the University of Sierra Leone Gender Research and Documentation Centre in collaboration with the Sierra Leone Association of University Women (SLAUW), Médecins Sans Frontières, UNICEF and the Forum for African Women Educationalists (FAWE),[8] found the average age of rape survivors to be between 12 and 32 years.

53. Women and girls were brutally raped and gang raped by members of the warring parties or raped with objects, such as burning sticks. In some cases the same woman was abducted and raped multiple times by different groups. The crimes of sexual violence were often accompanied by other forms of violence. Murder or mutilation often accompanied the rape. Many were forced to work as porters and witness their family members being raped, having limb amputations, being abducted or being murdered. Reports have been received that pregnant women were targeted. Mutilated bodies of pregnant women whose foetuses had been cut out of their wombs or who died of gunshot wounds to the abdomen were found. Pregnant women were also forced into labour by the extreme physical hardship of having to flee their homes, and at times died in flight from complications in childbirth.

54. Many of the incidents of rape took place when victims were abducted and forced to become sexual slaves (forced into marriage, domestic servitude or other forced labour that involves forced sexual activity, including rape by their captors) or "bush wives" of their captors, as well as being forced to fight in some cases. Those attempting to resist the abduction of a family member were beaten, maimed or killed.

55. Particularly vulnerable were young women between the ages of 14 and 18 who were sought after and targeted for being virgins. The rebels often entered homes and asked for virgin girls. The virgins were given to the younger fighters. Girls, some as young as 4 years old, were abducted by rebel forces and forced to be sexual slaves. Many survivors testified to seeing girls bleed to death after gang rape. Those who testified to the Special Rapporteur spoke of being shared among the combatants, who would rape them on a daily basis. Those who did not manage to escape often tried to attach themselves to one rebel, to avoid constant gang rape, be given a certain amount of protection, and be subjected to less hardship. Many became pregnant, had children and stayed with the rebels for years, and often suffered other forms of physical violence.

56. After rebel forces attacked Freetown on 6 January 1999 many people reported rape of groups of girls and women in public places. Girls and women were rounded up in different parts of the city and forced to report nightly to rebel commanders. It is reported that in some cases rebel commanders ordered all girls who were virgins to report for a physical examination by a female colleague. Those confirmed to be virgins, mostly aged between 12 and 15 years were ordered to report each night to the rebel commander and other combatants, who raped and physically assaulted them. Some of the girls were abducted when the rebel forces were forced to retreat from Freetown. More than 4,000 children were reported missing after the rebel incursion into Freetown in January 1999. According to reports received by the Special Rapporteur, more than half of the children abducted in January 1999 were girls, the vast majority of whom were reported to have been sexually abused.

57. Victims described the widespread use by rebels of drugs (cocaine), marijuana and alcohol. Women abductees reported being forcibly cut and injected with drugs, or being given food and drink laced with drugs.

58. Refugees from Sierra Leone (as well as from Liberia) who sought refuge in Guinea were also victims of violence. According to information received, following a statement on national radio by the President of the Republic of Guinea on 7 September 2000 blaming refugees for sheltering armed rebels who had allegedly carried out attacks on Guinea from Sierra Leone and Liberia, mobs attacked thousands of refugees in the capital, Conakry. Many refugees were forced out of their homes and beaten. There were also credible reports of rape and sexual abuse of women and girl refugees by Guinean police, soldiers and civilians, in many instances by multiple attackers. Non-governmental organizations collected numerous testimonies of victims. Following rebel attacks from September 2000 in the forest region of Guinea, thousands of refugees fled, seeking shelter in local villages and some opting to return to Sierra Leone despite the uncertain situation. Before and during the movement back to Sierra Leone, some

of the women were taken by the rebels as sex slaves. They were subjected to sexual, physical and psychological abuse. Men were also captured to fight with the rebels or carry loads, leaving women to head families and exposing them to sexual abuse and exploitation. Eighty-seven per cent of returnees are unable to return to their areas of origin because they are unsafe. They are taken to UNHCR run camp settlements or host communities, depending on their area of origin.

Social consequences

59. The extensive and systematic sexual abuse of young girls and women is one of the most painful and traumatic legacies of the conflict. It is also the one that has been least addressed by the international community, the focus being on child ex-combatants and amputees. The victims' trauma is compounded by social stigma, rejection by their communities and reluctance to address the issue. A special programme is needed to address the special needs of this group of victims, including their health needs. Such a programme should also include a campaign of sensitization of local communities.

Health

60. In addition to the trauma of the rape itself, which may cause life-long psychological damage to the victim, sexual assault can result in serious physical injury, forced pregnancy, disease and death. All victims of rape and other forms of sexual violence suffer trauma and almost all will require medical treatment for the physical injuries inflicted on them during the ordeal.

61. A significant number of the young women and girls who were victims of sexual violence were impregnated, adding to the growing number of child mothers in Sierra Leone. Many of the girls are suffering from vesico-vaginal fistula (VVF) which is clearly identified as a result of rape and child-bearing when their bodies are still immature. Mothers whose pelvis and birth canal are not fully developed often endure very prolonged labour. Unless the mother receives emergency obstetric care, relentless pressure from the baby's skull can damage the birth canal, causing breakages in the wall that allow uncontrollable leakage from the bladder into the vagina. The same problem may also occur in relation to the rectum, with leakage of faeces (recto-vaginal fistula or RVF). Fistula conditions are permanent without surgical intervention to reseal the tissues. Such intervention may not be sought or may be very hard to access in Sierra Leone. There is also evidence that FGM practices that damage the vagina may also increase the likelihood of VVF.

62. Obstetric and gynaecological care for victims of sexual violence and young mothers must be made available urgently. Poor quality of care and inaccessibility of services, and high costs are all major obstacles. The Government must create a gender sensitive health policy and programme environment to address women's and girls' needs, in particular health needs resulting from the conflict.

63. As a consequence of widespread sexual violence during the conflict, it is predicted that the number of HIV-infected persons and AIDS-related deaths will rise dramatically. Reports signal a potentially grave health situation for the nation if resources are not provided for an intensive and sustained educational campaign. Access to health care is inadequate owing to lack of availability of heath facilities and medical personnel, and the cost of treatment. Furthermore, there is a serious imbalance in favour of Freetown. In the rural areas the majority of people use traditional healers and traditional birthing attendants.

64. WHO is providing basic assistance, but it is very limited. The health infrastructure is non-existent following years of corruption and conflict. Sierra Leone is in desperate need of international assistance in regard to both financial and personnel resources. Under the Lomé Peace Agreement, the parties made a commitment to set up a special fund for war victims. There is an urgent need for the fund

to be established and it should give particular priority to the special needs of sexually abused women and girls.

Refugees, the internally displaced and humanitarian assistance

65. International organizations and local NGOs are working in Sierra Leone to address the complex humanitarian emergency that has emerged from the ongoing conflict. The situation of IDPs in Sierra Leone is of serious concern. As observed by the Secretary-General in his twelfth report to the Security Council on the United Nations Mission in Sierra Leone (S/2001/1195), the refugee and internally displaced persons crisis in and around Sierra Leone is one of the most serious human rights, humanitarian and political crises facing the international community. In total, there are over 1 million refugees, internally displaced persons and other war-affected victims in Sierra Leone, Guinea and Liberia. According to information from the Office for the Coordination of Humanitarian Affairs (OCHA), as at August 2001 there were some 126,959 IDPs residing in camps, 120,631 IDPs in host communities (communities that are formally supported by the food pipeline agencies (the World Food Programme (WFP), Catholic Relief Services, CARE and World Vision)) and UNHCR was formally supporting 75,580 returnees with humanitarian assistance.

66. The UNAMSIL Human Rights Section estimates that IDPs in recognized camps number 130,000. However, there are no statistics for the numerous newly discovered IDPs in rebel held areas. Although the data has not been disaggregated by gender, the majority of IDPs are women and children.

67. UNHCR has stretched its mandate to include "returnees". In this context, a returnee is a person who has been a refugee outside the country, has returned to Sierra Leone and is at present in need of humanitarian assistance. IDPs who are returnees from either Guinea or Liberia would fall into this category. UNHCR collects Sierra Leonean refugees, brings them back to Sierra Leone and holds them in returnee camps. This is supposed to be a temporary arrangement for five days, after which they will be relocated to their villages or IDP camps. However, people generally do not want to be uprooted again, and remain in the returnee camps for many months. According to information received, the returnee camps have even fewer facilities than the IDP camps and living conditions in them are very poor.

68. The management of the IDP camps is national, under the NCRRR. OCHA coordinates international humanitarian assistance.

69. The Special Rapporteur visited Grafton IDP camp, outside Freetown, which has a population of 7,572 officially recognized residents and 1,602 unofficial residents. Official status means that residents are provided with WFP ration cards and have access to the food assistance provided. According to information received, new arrivals remained with unofficial status and were unable to receive food assistance owing to the fact that at the time of the previous delivery of food supplies, WFP had come without the requisite documentation to register them. World Relief is said to be managing the camp, WFP provides food, Action Contre la Faim provides water, Médecins Sans Frontières Holland provides health care and organizes psycho-social counselling, and Plan International provides educational facilities. The monthly food supply per person consists of 9 kg of maize meal, 4 cups of beans and some oil. One booth is given to each family (approximately eight or nine people). There is one clinic in the camp, with no doctor, just three nurses. The only guaranteed health assistance is provided by the traditional birthing attendants. Serious medical cases can be referred to hospital, where they are treated at the patients' own cost. Educational services consist of one primary school with 1,966 students and 28 teachers, who are IDPs. There is no high school or training for adults. For the security of camp residents there is one police post, but residents say that it is rarely manned.

70. The conditions in the IDP camps are desperate. In one of the camps visited by the Special Rapporteur, the camp manager reported an increase in infant mortality and reported that two children died

a day as a result of the extremely poor living conditions. Overcrowding and insufficient food and medical care are among the most urgent concerns. The medical care that exists is very basic, consisting of traditional birth attendants, who operate a system of referral to local hospitals which is supposed to be free but, the Special Rapporteur was told, in practice is not. Security is another concern. Rape in the camps is common; families reportedly settle matters themselves through the payment of money. The majority of the women interviewed by the Special Rapporteur were female heads of household and were struggling to make a living selling firewood which they collect in the hills behind the camp. Others said they were forced to work as prostitutes to have enough food for themselves and their children to survive. More needs to be done to provide alternative forms of employment. The ration card system did not appear to be operating correctly, with one card having to be shared among numerous persons.

71. The humanitarian assistance provided in UNHCR-run camps visited by the Special Rapporteur seemed to be much better. A review should be undertaken of the living conditions in the different camps to urgently improve the assistance provided, in line with the government and international community commitments. Projects for survivors of gender-based violence should be supported and strengthened (see section IV below on social support for victims).

V. ACCOUNTABILITY AND IMPUNITY

72. There is growing recognition of the central importance of combating impunity in order to achieve a sustainable peace in Sierra Leone. The Truth and Reconciliation Commission (TRC) and the Special Court are being established in the context of the end of a protracted civil war and efforts to achieve some form of national reconciliation. The Special Rapporteur urges all concerned to ensure that a gender perspective is integrated into the work of the TRC and the Special Court.

73. The TRC is in the process of being established to address impunity, break the cycle of violence, provide a forum for both the victims and perpetrators of human rights violations to tell their stories, and obtain a clear picture of the past in order to facilitate genuine healing and reconciliation. In a spirit of national reconciliation, the Commission will address the question of human rights violations since the beginning of the Sierra Leonean conflict in 1991 and will, among other things, recommend measures to be taken for the rehabilitation of victims of human rights violations. Membership of the Commission will be drawn from a cross section of Sierra Leonean society, with the participation of and some technical support from the international community.[9] The Special Representative of the Secretary-General is in the process of selecting national candidates for the TRC, and it is hoped that it will be functioning by the end of 2001.

74. Pursuant to Security Council resolution 1315 (2000), there is an agreement between the Secretary-General and the Government of Sierra Leone for the creation of an independent special court to bring to justice those persons who bear the greatest responsibility for the commission of crimes against humanity,[10] war crimes and other serious violations of international humanitarian law,[11] as well as crimes under relevant Sierra Leonean law committed within the territory of Sierra Leone since 30 November 1996. (At the time of the Special Rapporteur's visit, the Government had requested that the temporal jurisdiction of the court be extended, in line with that of the TRC, to the beginning of the conflict in 1991; at the time of writing this report a decision had not been made on whether to extend the temporal jurisdiction or not.) The Office of Legal Affairs at the United Nations Headquarters in New York is charged with the Special Court's establishment. It should be noted that the decision not to prosecute a person alleged to have committed acts covered by the Special Court (whether under the minimum age provisions of the court's statute or by prosecutorial decision) does not imply innocence or prevent the person's prosecution in domestic courts.

75. The Special Rapporteur emphasizes the need to ensure cooperation between the Special Court and the Truth and Reconciliation Commission, including with respect to the involvement of women witnesses in their processes, and to ensure that a gender perspective is integrated into the work of both bodies, in accordance with the standards set in the Rome Statute of the International Criminal Court (ICC). Given the specific nature of the human rights violations perpetrated in Sierra Leone it is imperative that there is compliance with the international standards for an international court, including a gender-balanced composition, and judges with specific knowledge of gender-based crimes.[12]

76. The views of the women survivors who testified to the Special Rapporteur differed on the punishment of perpetrators. Roughly half of the survivors thought the perpetrators should be punished, the rest thought the perpetrators should not be punished. The most common reasons given by the women for not punishing the perpetrators were, "in the spirit of reconciliation", fear of reprisal, lack of

confidence in the justice system or that they wanted to forget the incident. However, the same women also expressed a fear of meeting the perpetrators in their villages, so there was a degree of conflict in their responses. The Special Rapporteur feels that in these circumstances a victim and witness protection unit is crucial. The ICC Rome Statue makes specific provisions for a victim and witness unit, which will "provide, in consultation with the Office of the Prosecutor, protective measures and security arrangements, counselling and other appropriate assistance for witnesses, victims and others who are at risk on account of [their] testimony." The unit should also include staff with expertise in trauma, including trauma related to sexual violence.

77. The Lomé Peace Agreement granted a general amnesty for all crimes committed during the conflict, including sexual violence. The Special Representative of the Secretary-General made a reservation to the peace agreement indicating that the United Nations did not recognize the amnesty as applicable to crimes of genocide, crimes against humanity, war crimes and other serious violations of human rights and humanitarian law. On 14 August 2000, the Security Council adopted resolution 1315 (2000), in which it requested the Secretary-General to negotiate an agreement with the Government of Sierra Leone to create an independent special court and recommended that the subject matter jurisdiction of the court should include notably crimes against humanity, war crimes and other serious violations of international humanitarian law. Rape by combatants in the conduct of armed conflict is a war crime and, when committed on a systematic basis or when widespread, is a crime against humanity and should come within the jurisdiction of the court. The Special Rapporteur urges that the Government ensure that sexual violence, slavery, abductions and mutilations will receive a judicial response suitable to the gravity of the crimes.

78. It should be noted that while the peace accord offers amnesty to those persons who committed abuses during the war, such amnesty would pertain only to criminal prosecutions within the domestic jurisdiction of Sierra Leone, and only to acts preceding the effective date of the amnesty. Thus, crimes of gender based violence must be investigated and documented for possible criminal prosecution in the domestic courts of other States which may have jurisdiction, and for possible civil action in Sierra Leone. Once constituted, the Truth and Reconciliation Commission of Sierra Leone also should devote attention to documenting crimes of sexual violence committed during the conflict and should propose remedial actions to be taken by the Government of Sierra Leone, with support from the international community.

79. Women have been the main victims of the war and as such must be encouraged to attend the TRC and the Special Court and to testify either in public or, in appropriate cases, in camera. Women's organizations hope that a gendered approach to women's testimony and cases before the TRC and Special Court will begin the process of sensitizing national institutions/the criminal justice system to the unique problems posed by gender-based human rights abuses. The TRC presents a unique opportunity to develop an accurate account of and statistics on gender based violence and the ways women suffer as a result of armed conflict. The success of the TRC and the Special Court will depend on how well they address the needs of women and how actively women participate in the process.

80. The Special Rapporteur stresses the importance of women's participation in rebuilding the country, noting that women have been at the forefront of political development in Sierra Leone. Their role in national consultative conferences in 1995, the conferences that forced the NPRC military government to hand over power to the democratically elected government, is well known.[13] The TRC and the Criminal Court are an opportunity for women again to overcome any barriers and raise their voices.

VI. SOCIAL SUPPORT FOR VICTIMS

Government programmes

81. Article XXVIII of the Lomé Peace Agreement provides for the Government, through the National Commission for Rehabilitation, Reconstruction and Reintegration (NCRRR) and with the support of the international community, to provide appropriate financial and technical resources for post-war rehabilitation, reconstruction and development. The Lomé Agreement notes that women have been particularly victimized during the war and states that special attention should be accorded to their needs and potential in formulating and implementing national rehabilitation, reconstruction, and development programmes, to enable them to play a central role in the moral, social, and physical reconstruction of Sierra Leone.

82. The Special Rapporteur's Sierra Leoneans interlocuters communicated their concern to her with regard to the overall implementation of the programmes established under the Lomé Agreement. The non-governmental organizations told the Special Rapporteur that there was a vast difference between the Agreement and reality.

83. In the rehabilitation process, special programmes need to be designed for women who have been abducted - so-called "camp followers". In resolution 1314 (2000) on children and armed conflict of 11 August 2000, the United Nations Security Council underlined the importance of giving consideration to the special needs and particular vulnerabilities of girls affected by armed conflict, including, inter alia, those heading households, orphaned, sexually exploited and used as combatants and urged that their human rights, protection and welfare be incorporated in the development of policies and programmes, including those for prevention, disarmament, demobilization and reintegration.

84. To date the disarmament, demobilization and reintegration (DDR) process has overlooked the protection needs of camp followers, as evidenced by the clear lack of policy and procedural guidelines on camp followers. The lack of a clear policy has meant that responsibility for their welfare has fallen between government institutions (NCDHR and

NCRRR) and implementing agencies, resulting in an ad hoc, inappropriate and inadequate humanitarian response. For example, ad hoc arrangements are being made with WFP to treat them as IDPs and distribute food to them. But a more systematic, holistic package needs to be designed to meet their specific needs.

85. Camp followers can broadly be defined as female adults and children who have been abducted by combatants. Adult camp followers include abducted women who have been forced to marry a combatant (bush wives) and become his sex slave, as well as perform domestic chores (cook, clean, carry loads). Many women were originally abducted as girls and coerced into relationships as bush wives. In addition, many women camp followers have given birth to children in the bush. Families provide for the social needs of the combatants and it is therefore often in the interest of combatants to retain control over camp followers. There is a need to interview women separately so that they are able to give their own opinion. This has been done successfully in the form of pre-discharge orientation for women, which has been introduced in some demobilization camps.

86. Women who want to leave the ex-combatants have few alternative economic or social options. They are very vulnerable as a group, with little or no alternative means of support. They are often unable to return to their villages of origin out of fear, lack of funds and social stigma, especially if they have given birth to children in the bush. The women are therefore forced to remain in situations in which they are vulnerable to continuing abuse. The lack of alternative means of support underscores the urgent need for the relevant government departments, in consultation with donors and implementing agencies, to establish policy and procedural guidelines on how to provide immediate (shelter, food, medical care) and longer-term protection (education, livelihood start-up assistance and employment-based schemes) for this group.

87. With the increase in breakdown of the family structure due to displacement and poverty, thousands of young girls are turning to prostitution. Many victims of rape and abduction turn to prostitution as they feel this is the only option available to them. Controlled by pimps, these girls are selling themselves on the streets and in bars and hotels. The clients are military personnel (national and international), rebel forces, police and other security personnel, expatriate workers, seamen, miners, truck drivers, etc. Support is needed to facilitate the economic empowerment of women and girls, including skills training programmes that will enhance their competitiveness in the market economy (for example, computer training or training in carpentry, business management and farming).

88. The Special Rapporteur raised with UNAMSIL the issue of misconduct by peacekeepers. It is reported that any alleged misconduct by peacekeepers is investigated by an UNAMSIL committee. At the time of the Special Rapporteur's visit, inquiries were being made by the DFC into three cases of alleged misconduct. ECOMOG troops were also accused of having second families in Sierra Leone.

Human rights activities of the United Nations in Sierra Leone

89. The UNAMSIL Human Rights Section is a collaborative venture between the Department of Peacekeeping Operations (DPKO) and the Office of the High Commissioner for Human Rights (OHCHR) based on the Memorandum of Understanding between the two offices. The Human Rights Section monitors the human rights situation in Sierra Leone and provides technical assistance in building the capacity of national institutions. The Section also assists OHCHR to implement its mandate to establish the TRC and is working to sensitize the population to the need for the TRC, including through launching a sensitization campaign. The Section conducts human rights training for United Nations agencies, the Sierra Leonean police and the Sierra Leonean army. The training focuses on the basis of international humanitarian law, with special emphasis on the treatment of civilians during armed conflicts, the issue of

criminal responsibility for war crimes, crimes against humanity, gross human rights violations and the consequences of such violations under international law. The Special Rapporteur recommends that the training should be extended to non-State actors.

90. At the time of the Special Rapporteur's visit in August 2001 the Human Rights Section was trying to recruit a new gender adviser to the team, but as of the time of finalization of this report, December 2001, the post has unfortunately still not been filled. UNAMSIL should recruit someone who will be able to work with the Government of Sierra Leone to establish procedures for the TRC and Special Court that are gender sensitive and to ensure that rape and other forms of gender-based violence are treated as priority crimes. UNAMSIL is working with the Government to strengthen the laws that protect women and, in the light of the poor response to rape cases, UNAMSIL is also working with the Commonwealth police, who have recently established a family unit to educate the local police on sexual and domestic violence in the community.

91. UNAMSIL and Physicians for Human Rights have conducted an assessment of the prevalence and impact of sexual violence and other human rights abuses among IDPs in Sierra Leone. The report, "War-related sexual violence: a population-based assessment", containing the findings of the study is due to be released in early 2002.

92. Unfortunately, there is no UNIFEM office in Sierra Leone, despite the enormous problems women in the country face. Given the UNIFEM mandate relating to violence against women and armed conflict, such an office would help focus attention on the needs of women victims and help coordinate strategies among United Nations agencies with regard to women victims of violence. The Special Rapporteur strongly recommends the setting up of such an office.

93. UNICEF chairs a committee on sexual violence comprised of international, local and government agencies which addresses the problem of sexual and gender-based violence for children. The Special Rapporteur would encourage the committee to expand its scope to include all organizations working on sexual violence, so that they can plan to help all women and girl survivors. The committee has provided sensitization sessions for ECOMOG and UNAMSIL, and acts as a referral system for women and girls who were abducted and raped during the conflict.

94. The Women's Helpline Centre, which opened in Freetown in July 2001, is an interagency initiative to address the problem of sexual and gender-based violence. It consists inter alia of organizations dealing with gender-based violence, police, lawyers and doctors. At the time of

the Special Rapporteur's visit, it was too early to determine its success, but the Special Rapporteur supports the aim of the Helpline to create centres around the country where women survivors of violence can go for counselling, medical and legal support and assistance.

95. UNHCR supports local NGO programmes to assist returnee women in the reintegration process, including a programme implemented by the Forum for African Women Educationalists (FAWE);[14] FAWE which stresses counselling and trauma healing, medical, education and income-generating activities for survivors of sexual and gender-based violence. FAWE is providing information to returnees at entry points and in transit centres and settlement areas. Its other activities include raising awareness about the adverse effects of sexual and gender-based violence, identifying survivors, and establishing linkages with partners working on the issue at the port and in transit centres and settlements.

96. In the Guinea-Sierra Leone operation the UNHCR emergency response teams included for the first time a gender specialist, who had the task of providing practical and policy advice to strengthen the gender responsiveness of the operation.

97. Most non-governmental organizations working on gender-based violence are providing treatment, although there has been an increase in those documenting abuses and working to improve the protection and status of women through education and institutional capacity building.

98. The Special Rapporteur visited Cooperazione Internationale **(**COOPI**)** an Italian NGO which helps children who have been released by the rebels and operates several interim care centres where family tracing services, medical care, counselling and skills training are provided. COOPI is working actively to sensitize communities and families to be more accepting and supportive of young mothers who have been the victims of violence and their babies. COOPI has also established psycho-social teams which make house calls in IDP camps and host communities, and have created self-help groups in a number of IDP camps. The Special Rapporteur would encourage donors to fund this and other similar initiatives to assist women and girl survivors of gender-based violence.

99. The International Rescue Committee (IRC) is providing comprehensive maternal and child health services (including sexual and gender-based violence services) and is operating an interim care centre for former child soldiers in Kenema district. IRC was the first international NGO to focus on sexual violence, beginning in November 1999. IRC has been providing SGBV (sexual-and gender-based violence) services under the umbrella of a safe motherhood programme, which addresses basic reproductive health. The IRC team trains core groups of local women, who reach out to their chiefdoms. They use reproductive and maternal/child health as an entry point to introduce the subject of gender-based violence.

100. Médecins Sans Frontières (MSF), an international medical relief organization, has been providing a range of health care and psychosocial services in Sierra Leone. MSF - Holland released a report documenting high levels of trauma among the population and has since advocated for donors to provide more funds to treat post-traumatic stress among the general

population. It also identified the need for specialized surgery for VVF and RVF cases. MSF has been providing referral services for FAWE and other members of the sexual violence committee, and has supplied medication required by participants in the programme.

101. The International Medical Corps (IMC) is focusing on providing health care to ex-combatants, dependents of fighters, the displaced and the community at large. Reproductive health services, including the treatment of sexually transmitted diseases, are offered at IMC clinics, IMC health workers have identified a need among their patients for specialized VVF and VRF surgery. While the organization has secured a place at Lunghi hospital, there is a need for an expert surgeon, some additional equipment, and referral/transport assistance for patients from Freetown.

102. Civil society and the women's movement in Sierra Leone, which promoted the 1996 elections, suffered a setback when many leaders were forced to flee when the AFRC/RUF took over Freetown. However, at the time of the Special Rapporteur's visit women and human rights organizations were again starting to play an important role in the peace process and in rebuilding the country. The UNAMSIL human rights training specialist is working with the 50/50 group, a political NGO dedicated to advancing women's participation in Sierra Leonean politics, having recently completed a series of training courses for women funded by the British Council.

103. Several NGOs and academics are undertaking research on and documenting cases of violence against women. Women's organizations such as FAWE, the Sierra Leone Association of University Women (SLAUW), the National Displaced Women's Organization, and Legal Access for Women Yearning for Equal Rights (LAWYER) should be consulted in the process.

104. The National Forum of Human Rights is a consortium of local human rights groups and organizations working for the promotion of human rights nationwide. The Forum has been active in the peace process and calling for the Truth and Reconciliation Commission to address human rights abuses committed during the conflict and impunity.

105. The Campaign for Good Governance (CGG) is an NGO that works to facilitate the full participation of all Sierra Leoneans in the political, social and economic development of their country. CGG has been at the forefront of fighting for gender equality and is interested both in improving women's lives by enhancing their status as a group and as individuals and in improving national government and civil society by involving women at all levels. It played a critical role in the success of the 1996 democratic elections. CGG has also been addressing gender-based violence in various ways, including through efforts to change trial procedures, which required victims to testify in front of their rapist.

VII. CONCLUDING OBSERVATIONS AND RECOMMENDATIONS

A. At the national level

106. The Special Rapporteur calls on all parties to take measures to protect women and girls from rape and other forms of sexual violence, including by instructing all the warring factions to respect international humanitarian law; to state publicly that rape in the conduct of armed conflict constitutes a war crime and may constitute a crime against humanity under defined circumstances; to state publicly that anyone who commits rape will be brought to justice; and to investigate all reports of rape and other forms of sexual violence and prosecute those alleged to have committed such crimes.

107. The Special Rapporteur urges all parties to release immediately all girls, women and other civilians who remain held against their will, and to ensure that no further abductions take place.

108. In accordance with Security Council resolution 1325 (2000), women and women's groups should be fully involved in the peace process and special efforts should be taken to ensure that women's needs and interests are included in the political negotiations. In this regard, the Special Rapporteur commends the efforts of the Mano River Union Women's Peace Network towards regional peace.

109. The wartime experiences and post-conflict needs of women and girls must be fully taken into account in the formulation of repatriation and resettlement plans, as well as during the demobilization and disarmament process. The necessary conditions must be provided to enable those women and girls who were forced to become the sexual partners of members of the rebel forces (so-called "bush wives") to leave demobilized combatants, if they wish to. Financing and humanitarian organizations also need to recognize the special needs of the dependents of combatants or camp followers and not only the combatants themselves. Currently there only exist ad hoc arrangements made with WFP to cater for them as IDPs.

110. Rehabilitation programmes must take into account the widespread nature of sexual assault and rape and formulate programmes to address the specific needs of survivors. Programmes must also be developed for the special needs of female ex-combatants. Special initiatives must be developed to ensure that the security and subsistence concerns of war widows and other female heads of household are adequately addressed.

111. The Government, in conjunction with women's non-governmental organizations, should launch a public awareness campaign on violence against women, inter alia to highlight that the crime of rape dishonours the perpetrator, not the victim.

112. The failure to investigate, prosecute and punish those responsible for rape and other forms of gender-based violence has contributed to an environment of impunity that perpetuates violence against women in Sierra Leone, including rape and domestic violence. The Special Rapporteur is concerned about the criminal justice system in relation to women, and the reported low level of conviction for rape and other forms of gender-based violence. The Government must intensify its efforts to combat violence against women, through comprehensive measures, including gender sensitive training of the criminal justice system. The Statute of the ICC, known as the Rome Statute makes explicit that rape and other gender-based violence are among the most serious crimes of concern to the international community by specifically defining them as constituent acts of crimes against humanity and war crimes.

113. The Special Rapporteur encourages the Government to review the formal and customary judicial systems to ensure that gender discriminatory provisions are removed and that adequate protection is provided, in line with the Convention on the Elimination of All Forms of Violence against Women. Inheritance rights and legislation preventing domestic violence are specific concerns.

114. The Special Rapporteur also encourages the Government to pass the necessary accompanying legislation so that all ratified international instruments are incorporated in domestic law to ensure that the legal standards created therein are fully respected and that those who violate these instruments are held accountable.

115. The Special Rapporteur further encourages the Government to submit a report to CEDAW, in accordance with its obligations. She recommends that the Government establish a working committee together with women's organizations to prepare reports to CEDAW and help implement any recommendations CEDAW may make. In this context, the Government should also develop and improve national systems for the collection of comprehensive data disaggregated by gender.

116. The Special Rapporteur is concerned about the widespread practice of female genital mutilation and its harmful effects on the health of girls, and urges Government to pass legislation banning FGM and undertake preventive information campaigns. The Government needs to carry out sensitization and awareness raising campaigns for practitioners and the general public, to change traditional attitudes and discourage harmful traditional practices. The Special Rapporteur recommends the adoption of an alternative practice of a merely ceremonial nature, which does not involve violating the physical integrity of girls.

117. There is poor access to basic health care across the country and very high rates of child and maternal mortality, malnutrition and preventable disease. The Special Rapporteur is concerned that Sierra Leone has insufficient capacity, both financial and in terms of human resources, to deal with the health consequences of the conflict, and lacks adequately trained personnel.

118. Urgent and sustained assistance is needed to address the needs of women and girls who have been victims of rape and other forms of sexual violence, including VVF surgery for girl survivors of rape or pregnancy and psycho-social assistance for those suffering from psychological trauma. The Government should prioritize this area and seek technical assistance in this domain. The Special Rapporteur urges the Government to invest sufficient resources and give free health care for those who need it. The Special Rapporteur requests the donor community to cooperate in the implementation of this recommendation.

119. The Special Rapporteur is deeply concerned that the incidence of HIV/AIDS has escalated during the period of the conflict and displacement of the population. The Government needs to develop a strategy for prevention of the disease, including information campaigns, and for care of people who are victims of HIV/AIDS.

120. The Special Rapporteur is concerned about the appalling conditions in the IDP camps. Reportedly there is a high incidence of rape in the camps. Many of the IDPs she interviewed said that they had not received a displaced person's card which would enable them to benefit from the limited privileges accorded to displaced persons. The Special Rapporteur urges all parties to abide by and ensure enforcement of the Guiding Principles on Internal Displacement. The Government must adopt effective measures to address the particular security concerns of women and children displaced by conflict, including measures against rape and other gender-based violence. The Special Rapporteur urges the Government and the international community to take immediate action to ensure that IDPs have access to basic services, particularly in regard to food, shelter, health, education and protection.

121. The Special Rapporteur is concerned that under the state of emergency powers the Government is allowed to suspend many rights and guarantees. According to information received, political prisoners, some of whom are female, are detained without legal counsel or access to their families.

122. The Special Rapporteur is concerned over high rates of illiteracy among women and low levels of enrolment in primary education and graduation of girls. She recommends that the Government make every effort to increase the enrolment of girls in primary education and graduation rates, inter alia through the promotion of women's rights and through the enforcement of compulsory education requirements.

B. At the international level

123. The international community should ensure that all reports of rape and other forms of gender-based violence are fully investigated by the appropriate authorities in order to identify those responsible and bring them to justice; this should include:

(a) Providing assistance to the Government of Sierra Leone in restructuring and training the police force and establishing a competent, impartial and independent judiciary with the necessary resources to function effectively and fairly, and

(b) Ensuring the appropriate training is provided to prosecutors, judges and other officials in handling cases involving rape and other forms of gender-based violence in times of armed conflict and in peacetime, in accordance with current standards of international law - notably the ICC Rome Statute and jurisprudence of the International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the former Yugoslavia.

(c) Ensuring that any training of the new Sierra Leone army and the police force includes training on international human rights and humanitarian law and that those dealing with women's cases have expertise in violence against women and gender-based crimes.

124. UNAMSIL should also initiate programmes to inform non-State actors of their obligations under international humanitarian law.

125. The UNAMSIL human rights section should recruit a gender specialist to, inter alia, systematically monitor and report on issues of gender-based violence. UNIFEM should also open an office in Sierra Leone so that women's issues receive the high-profile treatment that they deserve.

126. UNAMSIL should ensure that United Nations peacekeepers fulfil their mandate to protect civilians from physical violence, including women and girls at risk of abduction, rape and other forms of sexual violence; ensure that all troops deployed by UNAMSIL are fully trained in international human rights and humanitarian law and that expertise in violence against women, including gender-based crimes is provided within UNAMSIL; ensure that cases of rape and other forms of sexual violence continue to be monitored and recorded by the UNAMSIL human rights section with a view to the investigation and prosecution of those alleged to be responsible.

127. The Special Rapporteur encourages the ICC standard to be applied to the composition of the Truth and Reconciliation Commission and the Special Court. The Rome Statute deals with a number of structural issues that are particularly important for the TRC and the Special Court in Sierra Leone, to ensure that cases involving violence against women are prosecuted and the perpetrators brought to justice. The specific needs of victims of rape and other forms of sexual violence during the conflict, and their right to redress must be fully taken into account. In the selection of judges the Rome Statute calls for "a fair representation of female and male judges", as well as appointing judges with legal expertise on specific issues, including violence against women or children. The Office of the Prosecutor is similarly required to appoint advisors with expertise on "sexual and gender violence and violence against children". The Statute also makes specific provisions for a victim and witness unit, which will "provide, in consultation with the Office of the Prosecutor, protective measures and security arrangements, counselling and other appropriate assistance for witnesses, victims and others who are at risk on account of [their] testimony. The unit shall also include staff with expertise in trauma, including trauma related to sexual violence".

128. The international community should increase funding for programmes that address the needs of victims of sexual violence, including medical care, trauma counselling, education, vocational skills training and income-generating schemes.

129. The international community should work towards improving the coordinating mechanism mandated to protect and assist IDPs, so that there can be a quick and uniform international response to situations of internal displacement as has been outlined by the Representative of the Secretary-General on internally displaced persons.

Notes

[1] The ages given are the ages of the survivors of violence at the time of the mission.

[2] Testimony collected for the Special Rapporteur by Ms. B. Mansary.

[3] Ibid.

[4] See, inter alia, reports of the Secretary-General to the Security Council on UNAMSIL and John L. Hirsche, *Sierra Leone: Diamonds and the Struggle for Democracy*, International Peace Academy Occasional Paper Series, 2001.

[5] In September 2001, the Government announced that elections were scheduled to take place in May 2002.

[6] See Thomas Olayinka, *The Circumcision of Women: A Strategy for Eradication* (London, Zed Books, 1987).

[7] The Invisible Human Rights Abuses in Sierra Leone: Conflict-related Rape, Sexual Slavery and Other Forms of Sexual Violence, B. Mansaray, June 2001.

[8] Gender-Based Violence in Conflict Situations: A Research Report.

[9] Article XXVI of the Lomé Peace Agreement.

[10] Article 1 of the draft statute of the Special Court.

[11] Articles 2 to 5 of the draft statute of the Special Court.

[12] Rome Statute of the International Criminal Court, 1998, inter alia article 36.8 (a) (iii) and (b) Qualifications, nomination and election of judges; article 42.9, The Office of the Prosecutor; article 43.6, The Registry.

[13] Yasmin Jusu-Sheriff, "Sierra Leonean women and the peace process", *Accord: an international review of peace initiatives*, issue 9, 2000, p. 46.

[14] The Forum for African Women Educationalists (FAWE) is a pan-African NGO, which has been successfully promoting education of the girl child. After the January 1999 incursion by rebels into Freetown, FAWE became the primary organization providing medical and counselling services to rape survivors. Its ultimate goal is to get girls back to school.

Annex

SELECTIVE LIST OF PERSONS/ORGANIZATIONS THE SPECIAL RAPPORTEUR MET WITH DURING HER MISSION

Freetown

Dr. Ahmed Tejan Kabba	President of Sierra Leone
Ms. Shirley Gbujama	Minister of Social Welfare, Gender and Children
Mr. Solomon Berewa	Attorney-General, Minister of Justice
Mr. Joe Pemagbi	Chairman, National Commission for Democracy and Human Rights (NCDHR)
Mr. Francis Gabbidon	Ombudsman
Mr. Pehrooz Sadry	Deputy Special Representative of the Secretary-General
Mr. Rodolfo Mattarollo	Chief, UNAMSIL Human Rights Section
Mr. M.L. Agwai	Deputy Field Commander
	Chief of Civil Affairs
	Chief Military Officer
	United Nations focal point for women
	UNHCR
	WHO
	UNICEF
Ms. Amy Smythe	Researcher/academic
Ms. Binta Mansaray	Researcher/academic
Mr. Joseph Rahall	Chairperson, The National Forum for Human Rights

Ms. Memunatu Pratt	Vice-Chairperson, The National Forum for Human Rights
Ms. Marie Bangura	Coordinator, Sierra Leone Market Women's Association
Ms. Helen Bash-Taqi	Network Movement for Justice and Democracy
Ms. Abu Brima	Network Movement for Justice and Democracy
Ms. Zainab Bangura	Coordinator, Campaign for Good Governance
Ms. Louise Taylor	International Human Rights Law Group
Ms. Augusta Taqi	Forum for African Women Educationalists (FAWE)
Ms. Bola Malcom-Palmer	Sierra Leone Women's Forum
Ms. Lucinda Amara	Women's International League for Peace and Freedom
Ms. Barbara Bangura	Grassroots Empowerment for Self-Reliance
Ms. Claudia Taylor	President, Legal Access through Women Yearning for Equality Rights and Social Justice (LAWYERS)
Ms. Martha Chigozie	Less Privileged Women's Association
	COOPI
	Planned Parenthood Association of Sierra Leone
	Ambassador of the United States of America
	Ambassador of the United Kingdom of Great Britain and Northern Ireland
	High Commissioner of Nigeria
	High Commissioner of Ghana

Kenema and Bo

	Resident Minister in Kenema
	Resident Minister in Bo
Mr. Udeme Essien	UNAMSIL Human Rights Officer/ Field Coordinator
Ms. Ada Samai	Association for the Welfare of Women Cooperatives International Rescue Committee

Makeni

Mr. Gibril Massaquoi	RUF spokesperson