

NEAR EAST UNIVERSITY
THE GRADUATE SCHOOL OF SOCIAL SCIENCES
DEPARTMENT OF INTERNATIONAL RELATIONS
MASTER PROGRAM

MASTER'S THESIS

**THE ISSUE OF ELIMINATION OF ALL FORMS OF DISCRIMINATION
AGAINST WOMEN: A CASE STUDY OF SIERRA LEONE AFTER THE
CIVIL WAR (2002-2016)**

NUSIRATU KUTI BAH

NICOSIA

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Prepared By: Nusiratu Kuti Bah

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Kadına Karşı Her Türlü Ayrımcılığın Önlenmesi: İç Savaş Sonrası Sierra Leone Örneği

(2002-2016) Prepared by: Nusiratu Kuti Bah

January, 2017

Genel olarak bir kişiye karşı ayrımcılık yapmak, kişinin ekonomik, politik, kültürel ve sosyal haklarını kısıtlamak ve reddetmek demektir. İnsan hakları perspektifinden değerlendirildiğinde, ayrımcılığın her türü, insanların eşit haklara sahip olma temel ilkesini ihlal ettiği sonucunu doğmaktadır. Bu noktadan hareketle çalışmada, Sierra Leone'de kadınlara yönelik ayrımcılık uygulamaları incelenmiş, bu uygulamaların ortadan kaldırılabilmesi için oluşturulan ulusal ve uluslararası düzeydeki kontrol mekanizmaları değerlendirilmiştir. Araştırmada hem birincil hem de ikincil veri toplama araçları kullanılarak, sadece Sierra Leone'de kadınlara yönelik ayrımcılık sorunları değil, aynı zamanda kadınların gelişim potansiyelini olumsuz etkileyen bu tehdide karşı uygulanan ve uygulanması gereken stratejiler de açıklanmaya çalışılmıştır.

Dönemlere göre Sierra Leone'de kadınlara yönelik ayrımcılık uygulamalarının incelendiği çalışmada ülkedeki sivil savaşın kadınlar üzerindeki etkisi özellikle incelenmiş, barış inşa sürecinde Sierra Leone hükümetinin kadınlara yönelik ayrımcılığın giderilmesinde aldığı önlemlere yer verilmiştir. Bu çerçevede, başta 2007 Toplumsal Cinsiyet Yasaları olmak üzere iç hukukta alınan önlemler ile Birleşmiş Milletler Kadına Karşı Her Türlü Ayrımcılığın Önlenmesi Sözleşmesi (CEDAW) gibi uluslararası yükümlülükler incelenmiş, bunların ne kadar etkin olduğu tartışılmıştır. Son olarak da kadınlara yönelik her türlü ayrımcılığın önlenmesi için mevzuatta ve uygulamada ne gibi önlemlerin alınması gerektiği tartışılmıştır.

Anahtar Kelimeler: Cinsiyet Eşitliği, Kadın Hakları, Kadına Karşı Ayrımcılık, Sierra Leone, Birleşmiş Milletler, CEDAW, Denetimi Mekanizmaları.

ABSTRACT

The issue of Elimination of all Forms of Discrimination against Women: A case study of Sierra Leone after the Civil War (2002-2016)

Prepared by: **Nusiratu Kuti Bah**
January, 2017

Generally, to discriminate against somebody is to reject that individual from the full satisfaction of his/her economic, political, cultural, social rights and flexibilities. When critically assessed from a human right perspective, discrimination of all types and on which ever sex violates an essential principle of human rights owing to the fact that all people are equal in dignity and entitled to the same fundamental rights. This study has assessed eliminating all forms of discrimination against women in Sierra Leone and the controlling mechanism at both national and international levels. As a qualitative research, the study has used both secondary and primary data collection tools to explore not only issues of discrimination against women but also strategies put in place to eliminate this menace that has been seen disturbing the developmental potential of competent women in Sierra Leone.

The study clearly showed the status of women before and after the war in Sierra Leone with reflections into pre-colonial, colonial and post-colonial periods with a vivid assessment of the causes, effect and relevant in eliminating discrimination against women as well as the civil war and its effect on women. Their status according to the finding of the study has been deplorable as there were not many legal instruments binding on government to protect and promote their rights and this has among other things responsible for the low socio-economic status even in the peace building process. However, with the ratification and domestication of certain international instruments, like the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) which is a comprehensive document adopted by the United Nation (UN) General Assembly in dealing mainly with elimination and discrimination against women; Resolution No. 1325 which requires states to involve women in all matters of peace, security and development; and most importantly the national implementation plan set for women's empowerment and advancement in Sierra Leone, significant progress has been made in these areas.

Furthermore, acts of eliminating all forms of discrimination against women such as the Gender Acts of 2007, on domestic violence, Devolution of Estates and Registration of customary marriage have been enacted. These three Acts have been very instrumental in the elimination of such discriminations against women in Sierra Leone. The key challenge has however, been the full implementation of the said Acts. This has however been obvious due to lack of finance, the political will, perception of women's involvement in governance, unequal relations between men and women among others.

Key Words: Gender Equality, Women's Rights, Discrimination against Women; Sierra Leone; United Nations; CEDAW, Controlling Mechanisms.

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LIST OF ABBREVIATIONS

APC:	All People's Congress
AU:	African Union
CCPR :	Convention on Civil and Political Rights
CDF:	Civil Defense Force
CEDAW:	Convention on the Elimination of all Forms of Discrimination against Women
CoE:	Council of Europe
CRC:	Convention on the Rights of the Child
CSO:	Civil Society Organization
CSW:	Commission on the Status of Women
DPP:	Director of Public Prosecutions
DRC:	Democratic Republic of Congo
EBID:	ECOWAS Bank of Investment and Development
ECHR:	European Convention on Human Rights
ECtHR:	European Court of Human Right
ECOFEPA:	ECOWAS Female Parliamentarians
ECOSOC:	Economic and Social Council
ECOWAS:	Economic Community of West African States
EU:	European Union
FAWE:	Forum of African Women Educationalist
FBC:	Fourah Bay College
GBV:	Gender Base Violence

HRC:	Human Right Commission
ICT:	Information and Communication Technology
INGO:	International Non Governmental Organization
MSWGCA:	Ministry of Social Welfare Gender and Children's Affairs
NGO:	Non Governmental Organization
NOPSWECO:	Network for Peace and Security for Women in ECOWAS
NPRC:	National Provisional Ruling Council
OAU:	Organization of African Unity
RUF:	Revolutionary United Front
SLA:	Sierra Leone Armed Forces
SRVAW:	Special Rapporteur on Violence against Women
TRC:	Truth and Reconciliation Commission
UDHR:	Universal Declaration of Human Rights
UN:	United Nations
UPR:	Universal Periodic Review
USA:	United States of America
VAW:	Violence against Women

THE ISSUE OF ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN: A CASE STUDY OF SIERRA LEONE AFTER THE CIVIL WAR (2002-2016)

INTRODUCTION

Eliminating all forms of discrimination against women is a phenomenon adopted after the Second World War and it has been a widespread term all over the world. Different meaning and content of the principles of discrimination and inequality have been brought forward by various United Nations (UN) human right instruments. The UN Charter precludes segregation on the premise of race, sex, dialect or religion. The Universal Declaration of Human Rights (UDHR), embraced in 1948, developed the rundown to incorporate race, sex, political or other supposition, national or social roots and different status in all developmental strides.

Generally, to discriminate against somebody is to reject that individual from the full satisfaction of his/her economic, political, cultural and social rights. It is obvious that discrimination violates an essential principle of human rights base on the presumption that all people are equal in dignity and entitled to the same fundamental rights. This principle is seen in all human right documents like the UDHR in Article 2, Convention on Civil and Political Right (CCPR), Committee on the Right of the Child (CRC) Article 2, European Convention on Human Right (ECHR) Article 14 and Article 1 of Protocol No. 12 etc. as well as national constitutions which also make provisions for these rights. However, it is of essence to look at the definition of discrimination against women in the international Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), considering the crux of this thesis being one on women's rights. Article 1 of the convention states that:

“the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field”.¹

¹ Convention on the Elimination of all Forms of Discrimination against women, General recommendations on the Elimination of discrimination against Women, No. 23, 16th session, (1997). At <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm> Accessed: 2nd September 2016.

Discrimination against women is a serious issue discussed at national, regional and international level. Several countries that have faced and still facing civil war have also witnessed massive violations of women's right including Sierra Leone, Afghanistan, Democratic Republic of Congo, Sudan, Guatemala, Iraq as well as countries without civil wars like Mali, Saudi Arabia, Indian to name but few.

Without any hesitation and with evidence all over Africa and beyond, one could reliably refer to discrimination against women as an abomination to human existence, stability and development. Women's empowerment with the provision of the requisite environment for their development is necessary for the progress of any country.² In many countries, however, women are subject to laws which blatantly discriminate against them in many ways. Key among these forms of discriminations based on observation are the following: lack of access to property or land ownership; domestic violence; discriminatory traditional norms and practices; lack of educational facilities; unemployment; lack of health facilities; political inequality in decision making; discriminatory religious laws; other forms of cultural activities and socio-economic inequalities, to name a few. It is therefore seen that these discriminatory practices without doubt undermine women's economic opportunity, welfare and autonomy among other things.³ Freedman, in one of his publication stated that additional problems in the form of structural barriers hindering women's socio-economic development are:

“women's responsibilities for child-caring and the elderly; women's unpaid work in the home and in family concerns; the undervaluation of women's work; lack of access to credit or social security; lack of appropriate education or training, violence against women in the public space, the workplace and in the home; and stereotypes which are prejudicial to women.”⁴

Irrespective of the numerous international instruments calling states round the world to end discriminatory practices, there seem to exist with visible implications on women, blatant violations of their rights as human beings. This has however been condemned by CEDAW, an

² Zaiton Othman1 & Nooraini Othman, “A Literature Review on Work Discrimination among Women Employees in Asian Social Science”. *Canadian Center of Science and Education*, Vol. 11, No. 4; (2015): 27.

³ Sandra Freedman, (n.d.) “The Role of Equality and Non-Discrimination Laws in Women's Economic Participation, Formal and Informal”, Background Paper for the Working Group on Discrimination against Women in Law and Practice (the Working Group): Economic and Social Life, Oxford University
At: <http://www.ohchr.org/EN/Issues/Women/WGWomen/Pages/ESL.aspx> accessed: 20th September 2016.

⁴ Ibid.

international instrument calling on stakeholders around the world to eliminate all forms of discrimination against women. This study was commissioned in a bid to further assess this move by specifically focusing on post war Sierra Leone (after 2002). As a matter of fact, this study is structured in such a way that it throws light on the status of women in Sierra Leone prior, during and after the war; the socio-economic and political status of women in Sierra Leone, international and state controlling mechanisms against women's discrimination as well as their implementations, challenges and ways of overcoming those challenges.

1. Aim and Specific Objective

The overall aim of this study is to assess the level of discrimination against women in Sierra Leone and the impact of international and national/ state response to such discrimination in building the peace in post war Sierra Leone.

The specific objectives of the study therefore are:

- To assess the socio-economic and political status of women in Sierra Leone before, during and after the civil war.
- To examine the international documents and controlling mechanisms against women discrimination as well as the responsibilities of Sierra Leone.
- To identify state controlling mechanisms and the implementation of policies geared towards eliminating women discrimination and foster women's empowerment in Sierra Leone.
- To discuss measures to be taken for the elimination of discrimination against women in Sierra Leone.

2. Research Questions

This research aims to provide answers to the following questions:

- What has been the socio-economic and political status of women in Sierra Leone before and after the Civil War?

- How effective has the international controlling mechanism against women discrimination been and what have been the responsibilities of Sierra Leone as a country to enhancing this?
- What kind of measures can be taken for the elimination of discrimination against women in Sierra Leone?

3. Hypothesis

International controlling mechanisms against women's discrimination have had positive effect in Sierra Leone.

4. Relevance of the Study

This study can be relevant in the following ways:

- In a world where there is a major focus on the rights of individuals irrespective of sex, race, origin, or creed etc., it is prudent that the area of gender inequality, most especially in a patriarchal and war affected (11years civil war from 1999-2002) society like Sierra Leone be areas for comprehensive research. The issue of discrimination against women in Sierra Leone, despite the numerous interventions, has still posed threat to the survival and development of women. The gaps are easily seen in the way these women still yearn for more inclusion in solving issues that border them and those of state governance. As a result, there have been many women and young girls who have been quietly suffering from this diabolic and perennial problem in Sierra Leone. This study therefore serves as a comprehensive work on that area⁵
- This study will also identify state controlling mechanism already and the implementation gap at national level regarding the legal provisions made in the fight against women's discrimination in Sierra Leone. It is obvious that there had been lot of interventions made

⁵ Ministry Of Social Welfare, Gender and Children's Affairs (MSWGCA) Sierra Leone National Action Plan On Gender Base Violence, (2012):1-5 At <http://www.svri.org/sites/default/files/attachments/2016-07-25/Sierra%20Leone%20NAP%20on%20GBV.pdf>.

in the area of eliminating discriminatory practices against women in Sierra Leone. Despite several strives made, there is still evidence of loopholes in the full implementation of these laws and other international instruments. This study therefore with a focus on exploring such practices will further identify these gaps that need attention by all stakeholders.

- This study will serve as an additional literature on the issue of eliminating discrimination against women specifically in Sierra Leone. Irrespective of the plethora of interventions made in this area, it is still obvious that the underlying causes of discrimination and other contributing factors still exist within societies in Sierra Leone. Some of these could be seen in reviews relative to discrimination against women in Sierra Leone. This study will therefore provide additional review on that area which will also help other academics pursuing research activities in the same field.
- Finally, this study with a comprehensive analysis on discrimination against women and its implications on their personal development, will contribute to decision making and implementation in the said area. It will also provide recommendations that will help individuals, the government and even the international community on factors responsible for the prevalence of discriminatory practices against women and also with a reference guide and empirical findings on the problem and possible solutions. This will be considered helpful in eliminating discrimination against women in Sierra Leone.

5. Methodology

5.1. Design of the Study

This research is a case study of Sierra Leone. Being a case study, the design of the study is made up of qualitative tools to illicit data from key respondents through the use of interviews and desk reviews on pertinent policies relating to the advancement of women. These tools have helped the researcher into probing in-depth on issues around discrimination against women in Sierra Leone. It has also helped in assessing the causes, effect and relevance in eliminating these discriminations as well as the international and state controlling mechanisms against women's

discrimination in an attempt to see how best they have positively contributed in eliminating such discriminations in Sierra Leone.

5.2. Instruments of Data Collection

The validity and reliability of any study largely depends on the appropriateness of instruments of data collection. It is however believed that whatever procedure a researcher uses in collecting data is crucial as it determines the accuracy of the findings.⁶ Therefore, in carrying out this study, the researcher has deemed it fit to use both primary and secondary means of data collection. This has been done using the following instruments in collecting data:

5.2.1. Reading/Documentation:

The researcher whilst conducting this study has consulted related documents from various libraries including the E-Library as part of its secondary sources to review literature. Among these have been scientific articles, books, journals and other publications including reports on issues around eliminating all forms of discrimination against women.

5.2.2. In-depth interview:

As part of its instruments to collect data, the researcher did prepare an interview schedule/ guide on strategic issues around eliminating all forms of discrimination against women and the impact it has on their personal development. This has also facilitated probing into the challenges faced by the process and possible rooms for interventions.

⁶ Carole Kimberlin and Almut Winterstein, “ Research Fundamentals: Validity and Reliability of Measurement Instruments used in Research”, *American Journal Health-System Pharmacist*—Vol. 65.(2008): 5.

5.3. Units of Analysis

The population targeted during the course of the study consisted of government officials, university students, representatives from Non Governmental Organizations (NGOs) and International Non Governmental Organizations. The study has also considered as part of its units of analysis members of civil society organizations including few community based organizations, specific women's group and other individuals respectively.

A total of 50 respondents from 9 different organizations were interviewed during the course of the research and these respondents were taken from Freetown, the capital city of the Republic of Sierra Leone. As a frame from where these respondents were taken, the researcher focused on those structures that were responsible for the fight against all forms of discrimination against women. This was critically assessed considering the nature of the study before specific groups were targeted from where respondents were taken.

Three of these units forming part of the frame were part of the public sector and the other Six were part of the private sector but having strong relationship with the public sector considering the similar roles they perform in the elimination of all forms of discrimination against women.

10 of these 50 respondents were men and this was because of the key roles they perform in the various offices from where they were chosen. All other 40 respondents were women and this was to ensure detail and critical views on their experience.

A detail list of organisations consulted during the study, reasons for consulting them and specific number of people contacted will be found in annex.

6. Validity and Reliability

To enhance a more valid and reliable data, the researcher has among other things identified key units in the sample frame responsible for eliminating all forms of discrimination against women in Sierra Leone. Each of these units has been represented so as to explore the views of these respondents with a view to clearly discern current operations in these departments as to enhancing the elimination of discrimination against women in Sierra Leone.

Key ethical issues were also incorporated during the conduct of the study in a bid to providing the highest respect of subjects and also not to conclude on anything that may possibly have negative impact on the audience for which this study was commissioned.

Possible errors were also taken care of during the pilot survey. This process was used to pretest instruments of data collection (questionnaires and interview schedule/guide). Suggestions were accommodated from other experts in the field under review as to the objectivity of the tools and of also how relevant and strategic were the questions in exploring issues around the subject matter.

7. Problem Statement

“You don’t need to search far into history to start seeing striking evidence of discrimination against women. However, with more female leaders than ever, in politics and business, many people wonder if sexism is still an issue. Nonetheless, millions of women continue to fight for equality. The road to equality between the sexes has been a long and bumpy one, with many obstacles and turns throughout its course. Just in the past 50 years a profound number of changes have taken place, and this has led many people to believe that gender discrimination is something already in our past. Unfortunately, this is not always the case”.⁷

As highlighted by Francis (2012), discrimination against women is without doubt a global problem that is as old as human history. From empirical findings done by many scholars, women in almost every society has been going through series of discriminations and these have cut across working places, homes, markets, educational institutions and other settlements.

⁷ Movement against Bullying, “Discrimination against Women”, accessed at <https://nobullying.com/discrimination-history-against-women/> accessed: 19th September, (2016): 2-5.

Despite the fact that women's rights are also human rights and should be guaranteed by law, obligations on the part of states and other stakeholders have been blatantly violated thereby contravening fundamental human rights principals like equity, natural justice and good governance.⁸

The slogan which has gained prominence among international human rights activities that “*Women's Right are Human Rights*” adopted at the world conference on Human Rights in Vienna in 1993 and the declaration on the elimination of violence against women by the General Assembly in the same year have not only taken into consideration the full realization of the rights of women as fundamental in enforcing human rights, but also have seen these special opportunities for women as core in the general promotion, protection and education of human rights taking into account its key principles of universality, indivisibility, inherency and inalienability. These rights can be indicators to actually understand the well being of people around the world. Notwithstanding the crucial role played by women in society, they suffer the brunt of human rights violations and become very vulnerable in terms of poverty related ratings.⁹

In Africa, discrimination against women have been so pronounced and socially accepted that they exist in almost every societal activity or social interactions. Key among these is forced marriages, female genital mutilation, forced sterilization and forced prostitution, to name but a few. These problems have shown that the idea of just passing legislations is not enough as there can be other moves to be made other than that, and this will include other enforcement mechanisms.¹⁰

Sierra Leone as a post war country is among other African countries that have been experiencing wide discrimination against women as part of the legacies of the war. This as indicated in a press release, have witnessed delay in processing such alleged cases of domestic violence and other sexual offences reported to the police thereby forming part of the huge discriminations perpetrated against women. It is evident that state prosecutions in the provinces

⁸ Francis Anaema, “Reducing Gender Discrimination and Violence against Women through Library and Information Services”, *E-journal: Library Philosophy and Practice*, (2012): 1-5.

⁹ Ibid., 3.

¹⁰ Movement against Bullying, op.cit., 3.

and the Director of Public Prosecutions (DPP) unnecessarily delay certain matters sent to them for advice whilst some are sent back as a result of lack of evidence in investigation based on assessments done by Law Officers' Department, or the DPP Office, such acts just continue to widen the porous condition of women who are mostly discriminated against as a result of their sex.¹¹

According to the Editor-in-Chief, Salone Monitor, USA in his analysis of a report put out by Human Right Commission –Sierra Leone:

“The Human Rights Commission of Sierra Leone recorded an increase in the number of complaints on Gender Base Violence in 2012,” the report stated. “While the enactment of the sexual offences law will enhance the promotion and protection of the rights of women and girls, government still needs to do more to end violence against women and girls and also change people’s inclination towards violence against this group.”¹²

In a bid to provide evidence to support the claims made above, this article further indicated in its analysis on the Human Right Commission-Sierra Leone’s report that there has been an increase in domestic violence complaints recorded for 2012. Indicating how the report further identified 2% increase in 2010 to 4.7% in 2011 and 6.8% in 2012.¹³ This sky-rocketing speed as discovered is becoming a cause for concern irrespective of the numerous policies and legislations introduced by the government and its development partners on discriminations against women and their implications on women’s socio economic development.

This increasing complicated problem of discrimination against women is what this study aims to explore and therefore warranting a question as to why the increasing discrimination against women and girls in post war Sierra Leone.

¹¹ Ibid., 1-2.

¹² Joseph Sherman, “Increase Domestic Violence in Sierra Leone”: Human Rights Report Reveals: Editor-in-Chief, Salone Monitor, USA, (2013): 1-3 at <http://www.salonemonitor.net>, accessed: 9 August 2016.

¹³ Ibid.

8. Literature Review and Theoretical framework

Discrimination against women is a burning issue not only attracting heated international discourses, but also in practice spreading across national boundaries in the same way as it is integrating into socio-economic, cultural, racial and class distinctions. As a global problem, it has also not only geographically shaped, but as well consuming the fabrics of societal peace, love and harmony expected of all to enjoy. Despite its negative implications on others and the personal health of victims, yet its temporal achievements many have considered as a goal and reason for gradually accepting it as a behavior. Worthy to note is the fact that gender discrimination is becoming entrenched with negative impacts on its victims, majority of whom have been women and girls.

Payne and Wermeling (2009) are of the opinion that violence implies not only destruction caused by parties involved, but also, anger, and pain in the family. This is mostly the case as these discriminations occurs at all domestic levels between parent-child relationships, sibling relationships, and dating relationships¹⁴ in this same publication, the society as part of its crucial responsibility is charged to protect its citizens from becoming victims to such practices. However, the present so called “Civilized societies” for over twenty years now have experienced not only the explosion, but also the incorporation of discriminations against women as a modus operandi in the way many domestic relations thrive; this has become a menace and eating into the fabrics of these societies despite the existence of laws meant to reduce them¹⁵

In a journal titled “A Collection of Personal Thoughts about Domestic Violence”, an indication is made of how lethargic the issue of domestic violence as part of discriminations against women is treated by authorities as well as victims thereby making it as assumed, an issue meant for private intervention (family affair):

“Domestic violence is still in some sectors of our community seen as a private matter. This means that the horrific violence and abuse of those who experience it continues to be hidden, and

¹⁴ Darrell Payne and Linda Wermeling, “Domestic Violence and the Female Victim: The Real Reason Women Stay”!; *Journal of multicultural, Gender and Minority Studies*, Vol. 3, No. 1, (2009): 9-13.

¹⁵ Ibid., 5-7.

invisible, behind closed doors. This de-humanization of domestic and family violence is part of the problem of why it continues”¹⁶

According to the National Center on Elder Abuse (2005) in Kaur and Suneela (2008), who spoke of domestic violence as being a key category of discrimination against women, the term domestic violence has not only been limited to mean argument, but rather it seems encompassing; it however constitutes a form of forceful control a person exercises over another, such perpetrators can use either physical or sexual violence, emotional insults, threats or depriving the person of another through economic means as also a way of exercising domination which the former believes will enhance compliance by the latter against her wish.¹⁷

Bell hook in her book from margin to centre argues that Sexist discrimination, exploitation, and oppression have created the war between the sexes; Traditionally the battleground has been the home,¹⁸ she took a different idea with regards feminist approach and argue for the inclusion of men’s liberation within its aims because men are also harmed by traditional gender role and continues by stressing the need for sisterhood and solidarity that instead of division and disagreement within feminist groups, every woman can stand in opposition to sexist, racist, heterosexist, and classist oppression. Bell further continues by rising importance to economic development and education as major tools in empowering women.¹⁹

Feminism involves using gender as a category of analysis or factor in order to highlight feminine perspectives on social issues and research. Contemporary feminism are committed to progressive goals, particularly achieving equality for women through the elimination of discrimination and unequal gender relations like the case of Sierra Leone²⁰. Gender, which embodies relationship of power inequality, is understandably the starting point of Feminist who defines gender as socially constructed.

¹⁶ Quentin Bryce, “A Collection of Personal Thoughts about Domestic Violence”. *Our Journal: Premier Special Officer’s Taskforce on Domestic and Family Violence*, (2015): 5.

¹⁷ Ravneet Kaur and Garg, “Addressing Domestic Violence against Women: An Unfinished Agenda”. *Indian Journal of Community Medicine*, Vol. 33, no. 2, (2008): 73–76.

¹⁸ Bell hooks, *Feminist Theory from Margin to Centre*, South end Press, United State (1984): 34

¹⁹ *Ibid.*, 100-108.

²⁰ Ann Tickner, “You Just Don’t Understand: Troubled Engagement between Feminists and IR Theorist”. *International Studies Quarterly*, University of California, Vol. no. 41, (1997): 611-632.

Masculinity is stereotypically associated with power; a reality often refers to human concern, self-empowered autonomy, and assumption of leadership in public roles. Conversely, socially constructed feminine characteristics include less assertive or less aggressive behavior, willful dependence or interdependence, monitoring relationships with others sensitivity to emotional aspects of issues and a focus on the private realm. The two gender categories are dependent upon one another for their meaning indeed, society reinforces the idea that to be a “real man means not to display “feminine” characteristics. Hence the emphasis on gender is not just about women, but men and masculinity as well.²¹

From the feminist perspective, gender as in the case of Sierra Leone before and after civil war is particularly important as a primary way to signify relationship of power not only in the home but also the world of foreign policy and international relations. By privileging masculinity, women can be socially but also legally cast into a subordinate status.²²

Feminist claim that as gender permits social life, it has profound and largely unnoticed effect on the actions of states, international organizations and transnational actors. Feminist scholarship seeks to develop a research agenda and associated concepts to trace and explain these effects. In the recent years now in Sierra Leone, women have cast the net much more widely by examining the interplay of gender, class and race. What connects all three is a concern for the nature of power relationships. To help answer the IR feminist question of epistemologies let us look at different theoretical approaches that build on feminist theory more generally.

According to John Baylis et al, the liberal feminist document contains various aspects of women’s subordination. They have investigated problems of refugee women, income inequalities between women and men, and the kinds of human right violations incurred disproportionately by women as in the case of Sierra Leone, especially during the civil war. Such cases have been trafficking and rape. They look for women in the institutions and practices of global politics and

²¹ Paul R. Viotti and Mark V. Kauppi, *International Relations and World Politics: Security, Economy, Identity*, upper Saddle River, Forth Ed., New Jersey, (2007): 25.

²² Paul R. Viotti and Mark V. Kauppi, *International Relations and World Politics: Security, Economy, Identity*. Fifth Ed., Pearson Publication, New York (2012): 36.

observe how their presence (or absence) affects, and are affected by international policy-making and argue that to eliminate women discrimination is to give them political equality.²³

Scott Burchill and Andrew Linklater argue that the initial liberal feminist imperialist movement demonstrates the falsity of gender aspirations on the basis that women have the same capacities as men and women can acquire masculine characteristics suitable for positions as statesmen and commanders in chief, like men. This establishes men masculinity as the unquestioned impartial standard from which to judge the equality of women to men²⁴. Here the difference of female embodiment is regarded as deviant excess, but in the public arena, it is the excess which must be made explicit. Elle Johnson was presented to African in particular and the world in general as the first African female president in Africa from Liberia, but also as a farmer's daughter.

Jones argues that contesting elections as Pakistani Prime Minister second time around, Benazir Bhutto assume the image of a traditional feminine Islamic women and wife to increase her popularity as a women leader. At the same time, feminine characteristics signify inferiority and are used to discredit women in power. Questions actually asked by women status qua (embodied as) women as subjects are silenced with this framework of equality or emancipation. For liberal feminist empiricists, the category of gender is hardly different from the category of sex, in so far as it refers to what is explicitly said about men and women rather than the mutual powerful construction of masculinity and femininity.²⁵

Rebecca grant and Kathleen Newland argue that when this liberal perspective (argues for political equality as a means to eliminate women's discrimination) is applied to feminist contributions to IR, it runs the risk of encouraging the views that the subject of women is just one of many possible, optional add-ons to IR something akin to an area specialization²⁶. Many IR feminists disagree with liberal feminism, post-liberal feminists emphasize that gender

²³ John Baylis et al., *Globalization of world politics: An Introduction to International Relations*, Oxford University Press, (2011): 266.

²⁴ Scott Burchill and Andrew Linklater, *Theories of International Relations*, Macmillan Press, (1996): 214.

²⁵ Karen Jones, *The Trouble with Authorities: Differences*, Vol.3, no. 1 (1991): 116.

²⁶ Rebecca Grant and Kathleen Newland, *Gender and International Relation*, London Press, (1991): 4.

inequality continues to exist in societies that have long since achieved formal legal equality. They suggest we must look more deeply at gender hierarchies in order to explain this inequality.

Chandra Mohanty argues that colonial relations of domination and subordination established under European imperialism in the 18th and 19th century is also another reason for women's discrimination. It is clear that this theory helps to continue to justify the military and economic subordination of the global South by the west countries against women. Post-colonial and post structural feminism make similar claims about the way western feminism have constructed knowledge about non-western women.²⁷ Mohanty suggests that women's subordination must be addressed within their own cultural context, rather than some universal understanding of women's needs.²⁸ She criticizes western feminist portrayal of third world women as poor, under-educated, victimized and lacking in agency. Apparently, post-colonial feminist suggest that women's subordination must be differentially under studies in terms of races, class and geography locations.

Betty Freeman on the other hand looks at the plight of a selected group of college-educated, middle and upper class, married white women-housewives bored with leisure, with the home, with children, with buying product, who wanted more out of life.²⁹ She concludes stating that “*we can no longer ignore that voice within women that says: I want something more than my husband and by children and my house*” (careers).³⁰

Modern feminist like Simone de Beauvoir in her book title “*The Second Sex*”, argues that “*one is not born a woman, but becomes one*”, that the views of individual are socially and culturally produced, femininity according to her is not inherent it is a construct that has been learned through socialisation to keep men dominant.³¹ She stated that women have historically been treated as inferior to men because of societal norms and traditions and to achieve liberation, one needs to recognise and get out of these ruts; these vague notions of superiority, inferiority,

²⁷ Chandra Mohanty, *Feminism Without Borders: Decolonization Theory, Practicing Solidarity*, Duke University Press (2003): 40.

²⁸ Ibid., 53.

²⁹ Betty Friedman, *The Feminine Mystique*, Vail-Ballou Press. inc, New York, (1963): 13.

³⁰ Ibid., 14

³¹ Simone de Beauvoir, *The Second Sex*, Vintage Book, New York (1949): 14

and inequality that have distorted all discussion must be discarded in order to start anew.³² Women need to determine their own destiny and embrace their subjectivity, aware and attention that other and oppress them.

In an article title “Bargaining with Patriarchy”; Kandiyoti argues that women strategize within a set of concrete constraints that reveal the blueprint of what he refers to as patriarchal bargain of any given society, which may exhibit variations according to class, caste and ethnicity. These patriarchal bargains exert a powerful influence on the shaping of women’s gendered subjectivity and determine the nature of gender ideology in different contexts.³³ He continues by stating that under classic patriarchy, girls are always given in marriage at a very young age and they are considered as subordinate not only to their husbands but also to the more senior (eldest wives and mother in-law). Women in this traditional setting, according to him have no claims on their husband or father patrimony.

Post modern feminist like V.S Peterson and A.S. Runyan question the oppressive effect of the masculine- feminine dichotomy and dichotomous classification in general.³⁴ In this theory, Moira gates and Judith Butler, together with others postmodern feminist argue that gender is not simply the socially-constructed category imposed on natural sex, but that sex itself is a socially constructed gender category and gender is its tool of production.³⁵ For feminist scholars, the disciplinary state of IR is not separated from the exclusionary practices of gender states and the real world of gender hierarchy: women and feminists have been just as excluded from the theory of IR as they have from the practice of real politics as Spike Peterson has articulated. The IR theory continues to avoid conversing with feminist approaches.³⁶

In a book title ‘Feminist and International Relations Theory for a Postmodern Era’ (1994), Christine Sylvester suggests an alternative postmodern feminist epistemology, variously

³² Ibid.,35

³³ Deniz Kandiyoti, “Bargaining With Patriarchy”, Richmond College, United Kingdom, June (2007): 8-10.

³⁴ Spike Peterson and Anne Runyan, *Global Gender Issue*, oxford press, (1993): 86.

³⁵ Mario Gatén, *Feminism and Philosophy* (1991), Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity*, New York, (1990): 7.

³⁶ Spike Peterson, *Transgressing Boundaries: Theories of Gender, Knowledge and International Relations*; *Millennium Journal of International Studies*, Vol. 21, No. 2, (1992): 183.

referred to as ‘*home steadying*’, ‘empathic co-operation.’³⁷ Women as actors and gender as analytic variable, she argues, are homeless in IR, all places to act and speak as women are problematic because they are socially and historically constructed and exclude other identities.³⁸ But she argues that women can be agents through creative and mobile acts of home steadying that admit a sense of homelessness in fixed positions and thus, refuses their inherited statuses and places in IR. Effectively, Sylvester relinquishes the pure feminist stand point position that women’s position can constitute a ground for a more critical theory of IR.

Wendy Brown, in his argument for global scope of feminist, stipulates that everything in human world is a gendered construction.³⁹ It is this trivialized places where gender makes the world to go round for us to understand that the personal life of women in a society is politically and international constructed.⁴⁰

Enloe reveals that construction of masculinity and femininity is at the heart of state legitimacy, social processes of militarization, nationalist struggles, successful capitalist accumulation and post-cold war reconstruction. For example in her book title ‘*The morning After: Sexual Politics at the end of the Cold War*’ she considers the withdrawal of Russian mothers support for soviet army, due to gross and un countable sacrifice of their sons in the USSR-Afghanistan war, as one of the many personal expression of gendered powered war.

Further analyzing the gulf war from the feminist perspective, Enloe challenges the ‘us vs them’ construction of the conflict between Iraq and the rest (symbolized by the veiled Arab women and the liberated US women soldiers) by focusing on the women war stories and experiences not featured in the multinational media coverage. The sexual harassment and abuse of US soldiers, the rape of Pilipino servants by their Kuwaiti employers, Iraqi soldiers’ rape of Kuwaiti women, and Kuwaiti women’s struggle to be included in the suffrage of their so- called

³⁷ Christine Sylvester, *Feminist Theory and International Relation in a postmodern Era*, Cambridge Press, (1994): 102.

³⁸ *Ibid.*, 12.

³⁹ Wendy Brown, *Manhood Politics*, New Jersey (1988): 44.

⁴⁰ Cynthia Enloe, *Bananas, Beaches and Bases, Making Feminist senses of Internal politics*, London press (1989): 95.

‘democratic’ country.⁴¹ Enloe’s method encourage us to broaden conventional way of knowing the truth of international politics, and to question from whose perspective state ‘legitimate’ force is the most significant expression of violence and potent explanation of the war.⁴²

Marxist feminists argue that ending religious dogmatism and traditional beliefs would not necessary bring the end of women’s inequality, because capitalism created new forms of social subordination by prevailing sexual division of labor. Marxist feminist believe that emergence of capitalism as a social and economic system has brought about clear distinction between the public world of work and the private real of home and the family as such “women work” came to be denigrated and undervalued. The male head of household was the breadwinner who provides for the family. This idealized view of the family disguised the reality of power relations and inequality that permeated both the public and private realm. The division of private/public effectively served to reduce women and children, to the private property of men. It also renders invisible the vital role that women’s unpaid labor in the home made to the capitalist economy. The privatization of women allowed their labor to be exploited, while at the same time disguising this exploitation behind a veil of idea about the naturalness of sexual division of labor and the women’s dependency on men.⁴³

For radical feminists, personal was in fact profoundly political: that is to say, areas of life conventionally held to characterize by particularizing and affection were actually characterized by processes of subordination and dominance. In this perspective women’s liberation would only be achieved through a transformation in the most private and intimate spheres of human relations. Radical feminist also develop the concept of patriarchy to explain the institutionalization of male dominance over women, and so demonstrate that gender was not just a question of individual identity, or sexuality. The structure of gender equality in a given society was determined, in a large part by prevailing social institutions and practices, as for example, the

⁴¹ Cynthia Enloe, *Making Feminist sense of the Persian Gulf Crisis: Village voice*, London press (1995): 82.

⁴² Scott Burchill et al., *Theories of International Relations*, St Martin’s Press USA, (1996): 239.

⁴³ Jill Steans et al, *Introduction to International Relations, Perspectives and Themes*. Second Edition, Ashford Color Press Ltd. London, (2005): 159.

institution of marriage, or the family, or the educational system which served to reinforce relations of inequality and subordination.⁴⁴

Critical Feminists stress the ideas about gender in legitimizing and perpetuating this form of social inequality. They argue that gender is constructed as a socially relevant difference that is then used to justify differential treatment between men and women. Gender is both a facet of individual identity, but is also institutionalized in a whole set for social institutions and practices; thus it can be seen in terms of the interweaving of personal life and social structures. Critical feminists view the state as a set of power relations and political processes in which patriarchy is constructed and contested, from this perspective, feminists can work through the state to achieve positive changes for women.⁴⁵

Generally, feminist International Relations emphasizes the falsity of knowing international relations from ontological position and objective epistemological perspectives, rather, they suggest the importance of contextualizing theoretical claims, theorizing relationships, situating political struggles and homesteading subjectivities on personal, local, national, transactional, regional, and global levels, in so far as these are interconnected. This thesis however, argues that women discriminations in sierra Leone are due to traditional perspective and lack of political will in creating effective laws and enforcement measures for perpetrators of violence against women and can be eliminated by not only ratifying international mechanisms but also create local laws, norms and practices, implement these laws and punish perpetrators.

9. Scope and Limitation

This study with an aim of assessing the issue of eliminating all forms of discrimination against women in Sierra Leone as the titled stipulates has focussed on Sierra Leone with a critical analysis on the status of women prior, during and after the war. With this in mind, the research has explored areas in Sierra Leone where women have been seriously discriminated

⁴⁴ Ibid., 161.

⁴⁵ Ibid.

against and the period under review covers from 2002 to 2016. This study has provided an overview of the civil war in Sierra Leone and its effect on women as well as the socio-economic and political status of women. It has also made reference to international controlling mechanisms and the responsibilities of Sierra Leone as signatory to most international treaties and conventions on gender equality. Respondents were limited to Freetown, the capital city of the Republic of Sierra Leone considering its strategic placement in not only the geography of the country, but also its crucial role played in governance as an area that is housing most stakeholders responsible to tackle the issues under review.

10. Setting

Apart from introduction and conclusion, this thesis is structured into three main chapters; each of these has been sub-divided into sections in order to make a clearer analysis that will inform the audience about the research. Chapter one covers a general look into the status of women in Sierra Leone before and during the civil war, causes, effect and relevance in eliminating discrimination against women, civil war in Sierra Leone and its effect on women and finally throws light on the role of women in peace making, peace keeping and peace building. The second chapter reviews international controlling mechanisms against women's discrimination and the responsibilities of the government of Sierra Leone in implementing international practices that promote and protect women's rights. The third chapter examines state controlling mechanism against women's discrimination in Sierra Leone by looking into laws established by parliament and the actions of the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) in eliminating women's discrimination as well as its implementations and challenges.

CHAPTER ONE: A GENERAL LOOK TO THE STATUS OF WOMEN IN SIERRA LEONE BEFORE AND DURING THE CIVIL WAR

Sierra Leone is a country that is located in the west coast of Africa between two countries (Guinea in the north and Liberia in the south). The country composed of sixteen ethnic groups who had early settled after the slave trade and others brought in as freed slaves to settle. These ethnic groups are Fullah, Gola, Koranko, Kissi, Kono, Krim, Krio, Limba, Loko, Mandingo, Mende, Sherbro, Susu, Temne, Vai and Yalunka.⁴⁶ Sierra Leone is divided into four regions (East, West, North and South) and reportedly some of these ethnic groups are seen dominating specific regions as the Mendes occupying the south and the Temnes largely occupying the north. These two ethnic groups are the largest in the country. The Krio whom majority have been freed slaves and had settled since the 19th century occupy the western area and as a result seem to be influential among other ethnic groups considering their strategic location in the western area where the capital city, Freetown is situated.⁴⁷ The official language of Sierra Leone is Krio and as a result has become the lingua franca whose vocabularies were taken from English. There are two dominant religions practiced in Sierra Leone; Islam and Christianity with the former being the largest.⁴⁸

According to the 2015 census results, the total population of Sierra Leone is 7,075,241 million. Among this number, 3, 601, 650 are females which amounts to 50.9% of the total population.⁴⁹ Irrespective of the fact that women in the current population of the country are considerable higher, it has been evident that this group of people has become the most vulnerable in terms of discrimination in various forms.

This chapter looks into the status of women in Sierra Leone from three main angles (Pre-colonial, colonial and post-colonial) with critical examination on their assigned responsibilities to the development of the society; causes, effects and relevance in eliminating women's

⁴⁶ See <http://www.odci.gov/cia/publications/factbook/geos/sl.html>, accessed: 14 September 2016.

⁴⁷ See <http://www.state.gov/g/drl/rls/irf/2001/5730.htm> accessed: 15 October 2016.

⁴⁸ Notwithstanding, the country however practice traditional religious activities, but this is not popular.

⁴⁹ Statistics Sierra Leone, Provisional Census Result (2015), at: <https://www.statistics.sl/wp-content/uploads/2016/06/2015-Census-Provisional-Result.pdf>, accessed: 15 October 2016.

discrimination; civil war in Sierra Leone; its effect on women and the specific roles played by these women in peacemaking, peace keeping and peace building.

1.1. Status of Women in Sierra Leone until the Civil War

This Section deals with the status of women in Sierra Leone during Pre-colonial, colonial and post colonial period.

1.1.1. Pre-Colonial Period and Colonial Period (1792-1961)

Sierra Leone was founded in the 1787 and since its discovery there had been glaring evidence of the fact that women who had mostly led in terms of population size and other developmental activities at traditional homes, have been a major influence in the political and economic development of the nation. These women, irrespective of their sex and societal perception of being weak and those who could just contribute in child bearing apart from other house chores, have relentlessly contributed in capacity building and laid the foundation for socio-economic development in the early days of Sierra Leone. Key players among these women had been Hannah Benka-Coker who played a pivotal role in the inception of the educational system of Sierra Leone through unflinching support in the establishment of schools and colleges with enviable educational systems.⁵⁰ As also not being enough, these women in the early days of what later became independent Sierra Leone stood side-by-side with their male counterparts in creating a highly competitive educational system. Key role-models among these women again who later became the first lady to graduate from Fourah Bay College (FBC) and in recognition of her tireless effort and support to the then educational system was being conferred a Doctor of Civil Law was Lati-Forster.⁵¹

In 1787, it became obvious that women were popularly known for their charismatic leadership qualities through maintaining control over her people. Majority of these were from the Sherbro, an early ethnic group who had occupied these territories before an interest was shown by

⁵⁰ Nancy Hafkin et al., *Women in Africa: Studies in Social and Economic Change*. Stanford University Press. (1976): 218.

⁵¹ Fyle Magbaily, *Historical Dictionary of Sierra Leone*. New Ed, Scarecrow. (2005): 71.

the British to consider the Province of Freedom. Therefore, as a result of their role played in the maintenance of peace and stability in their respective territories, another key figure called Yamacouba became a party to the 1787 Treaty that finally granted the British full right to take over the control of these early settlements.⁵² In addition to this, Fyle (2005) also stated in his publication that one of the first British Commissioners, T. J. Alldridge had to include two other women in the signing of peace treaties during his rule in the 1880s.

In Pechacek (2008), clarifications were made on how the majority of slaves who were returned to Africa from Europe were from the Yoruba; this tribe seemed distinct from other African tribes in that their men did not create much barrier in their strides to trade. These women were given free hand to trade considering the support these men had from their women who proved to be industrious. As a result of this liberty given to them, many women (Yoruba) were opportuned to travel, which gave them the advantage to also divorce, hence they could independently source their survival. Socio-economically, they did contribute immensely to the development of their local communities.⁵³ This was also buttressed by Fyle (2005), who tried to describe women and their active role played in pre-colonial Africa. According to Fyle, notwithstanding the strides made by men in pre-colonial African politics, women also were seen contending with them and majority of these women were from the Yoruba tribe. A further reference was made to the female representative in the Yoruba political culture that was responsible for women issues (Iyalode). This representative was therefore a member of the Alafin's council –judiciary body in Yoruba. As a woman, she was the one serving as their spokeswoman and duly represented women in all their meetings.⁵⁴

By 1830, Sierra Leone had started experiencing some economic activities through petty trading in non-slave related items as the idea of slave trade was gradually being abolished. Women also became active players in these business activities and as a result contributed to the socio-economic development of their homes. A popular woman among these female traders was

⁵² Carol Hoffer, "Mendo and Sherbo Women in High Office". *Canadian Journal of African Studies*. Vol. 5, No. 2, (1972): 45.

⁵³ Bonnie G. Smith et al., *The Oxford Encyclopedia of Women in World History*. Oxford University Press. (2008): 442

⁵⁴ Fyle, op. cit., 26-29.

called Betsy Carew, who had very close ties with the army and used that as an opportunity to be selling meats to their members since her husband was a butcher.⁵⁵

In 1878, there were still internal conflicts between the British and other locals on territory. This therefore warranted the British to be forming alliances with local kings and queens who could opt for that. One of the local queens whom the British saw as relevant in forming an alliance was Madam Yoko, who was in charge of the Mende Seneghun, an area that had become so influential in the governance system of the interior. As a result of her alliance with the British, she had to fight other tribes as mandated by the British which further extended her territory. By the time of her demise, she had considerably expanded her area of command so much that this section was divided into 15 chiefdoms respectively.⁵⁶

In addition to the above, before 1900, majority of female traders were Krio, who used their trading as a means of spreading their religion (Christianity). This set of traders engaged in trading activities along the coast. Thus, they could not survive in their trading activities, more especially when the Europeans gained more authority in the interior. An option was later adopted by these Krio traders, who turned to other professions like teaching and medicine.⁵⁷

The situation for women during pre-colonial Sierra Leone was not too deplorable as the Mendes and Sherbros in Sierra Leone recognized them as heads of towns and sub-regions as put by Fatmata Koroma in an interview:

“It could be recalled that women even in pre-colonial Sierra Leone were given the leverage to become heads of specific areas. Key among these women was Madam Yoko who actively played a role in the administration of this country then through some assistance received from the British. Notwithstanding these positive contributions made by women, most of their influence was limited to domestic settings as being always considered as child bearers and a sex who could not stand pressure. Women if given then the leverage, why should they not be allowed to prosper in this modern time”⁵⁸

⁵⁵ Marilyn French, *From Eve to Dawn: A History of Women in the World*. Feminist Press at City University of New York (2008): 36–37

⁵⁶ Olsen, Kristin, *Chronology of Women's History*. Greenwood, (1994): 165.

⁵⁷ Christopher Stead, *A History of the Church in Africa*. Cambridge University Press, (2000): 193.

⁵⁸ Fatmata Koroma (An officer in the MSWGCA), An Interview Held on the Status of Women in Pre-colonial Sierra Leone and how that has Impact their Present Condition: Interview conducted on 12th September, 2016 in Freetown, Sierra Leone

Sierra Leone became a British Crown Colony in 1808 and was divided into two (The Colony and the Protectorate). There were key figures that laid the foundation for this status and among them were William Wilberforce, Thomas Clarkson, Granville Sharpe, and Lord Mansfield. These inspiring figures through their lobbies with the British government in 1806 had to form an administration which was the formidable force used not only to convince the British government into having an extension of their rule in Sierra Leone, but also the abolition of the Trans-Atlantic slave trade in 1807. As a result of their long standing trade, the Krio dominated Freetown which was the colony and as the case was, the indigenous Africans who had before this time occupied the hinterland continued their stay in what was later known as the protectorate thereby creating the divide differentiating Freetown from upcountry, a fundamental and social divide which had existed on to date.⁵⁹

It became clear from the commencement of the colony that certain characteristics had been strategically connected and linked with certain sex and these had become slightly imbibed culturally as well as educational among the Krio and other ethnic groups. This however, did not create the room for much negative impact on women as they were still encouraged and regarded as heads of their territories under the British rule.⁶⁰

Majority of women in agriculture, during the colonial rule were auxiliaries to Sierra Leonean labor. Men were seen doing works requiring physical strength while women on the other hand, were supporting these men through planting, harvesting, weeding, gathering wood, cooking, cleaning, marketing and child care. Young girls were also tolerated to assist with house chores.

In a whole, the status of women in colonial Sierra Leone seems relatively contradictory. On the surface, it would appear as if they seem to have low status considering the fact that as traditional women, they were seen respecting to high esteem their husbands, and could not do anything other than that which their men had consented to. To enhance their husbands' decision they tended to subdue some of their legal rights and they thought these rights could only be legal

⁵⁹ McFerson, Hazel, "Women and Post-Conflict Society in Sierra Leone". *Journal of International Women's Studies*, Vol. 13 No.1, (2012):46-67.

⁶⁰ *Ibid.*, 49-50

when their husbands acknowledged them. Educational opportunities were limited so many were considered illiterates as only few had educational opportunities. With all these, it could be broadly described that these women played a complementary role than mere subordinates as many could perceive them. Their power during colonial Sierra Leone was considerably influential and attractive; their camaraderie gained through the communal force created through, as referred by many, 'universal membership' to the Bondo and Sande traditional societies was beyond imagination.

Clearly seen in debate on the status of women in colonial Sierra Leone was the divide on the belief that these interactions enhanced by their secret societies had had positive implications on their unity whilst others had believed that the advantage posed by such unity were not only limited to just satisfying their traditional desires, but also had hidden sources of financial gains, capacity and form of independence that could undeniably ensure their well being. It was observed that this traditional society created had its own legal traditional mandate to determine social conduct and relations among these women with stringent codes binding even men with regards their affairs. It was firmly believed that such initiation practices gave young girls and other women a warm status (decision to get marry and bear children) which undoubtedly added to these women further prestige in society.

Ironically for these women even during colonial times, there was blatant discriminatory laws related to inheritance; these laws gave all rights of inheritance to men, leaving women who had been the backbone to acquiring these properties. In cases where the husband dies, who had been the head of the family, inheritance of his properties including land and personal property immediately goes to the eldest brother of the deceased who is alive. In many circumstances, such properties left behind by the deceased could include the wife or wives of the departed. On limited cases they had sought the consent of these women including their children. The rite of passage changes if there is no living eldest brother. In the event this happens, the eldest son is considered.

1.1.2. Post-Colonial Period until the Civil War (1961-1991)

Sierra Leone after numerous consultations gained independence in 1961 with a directly elected president under what is commonly known as a unicameral legislature. According to McFerson (2012):

“The president is elected for a five-year term by popular vote; there are 124 seats in Parliament, of whom 112 are elected concurrently with the presidential elections and 12 are filled by Paramount Chiefs from each of the country's administrative districts. There are currently 16 women in parliament (13.2%), ranking Sierra Leone at 86 out of 142 countries in parliamentary representation of women.”⁶¹

The status of women even after independence could not change drastically for the better as the similar urge for leadership and power among key political figures continued and the limitations they had were crushed forcefully. This indirectly could not permit women to be recognized in issues that bordered their socio-economic development. Umu Bundu⁶² in an interview had this to say: This issue of discriminating women continues after independence. Politicians after independence were keen of how to entrench themselves into power. The competition was high and therefore women who had long been limited to child bearing and other domestic activities, they were not given the leverage to thrive and this was seen in both local and national elections held. Most of the aspirants had been men including the vice with no space given to women so that they could have their voice too. As being a colonial problem, inculcating this after independence became a serious problem for politician.

Immediately after independence and upon the demise of Sir Milton Margai⁶³ in 1964 just three years after independence, the desperation for political powers could not allow for good

⁶¹ McFerson, op. Cit., 46-67.

⁶² Umu Bundu is one of the founders of the 50/50 women's lobbying group in Sierra Leone that Champaign for gender equality in political, economic and social spears. An interview held on the Views of Women as to why they Experience verse Discrimination in Society; interview conducted on 12th .September, 2016 in Freetown, Sierra Leone.

⁶³ Sir Milton Margai was a Sierra Leonean politician and the first prime minister of Sierra Leone. He was the main architect of the post-colonial constitution of Sierra Leone and guided his nation to independence in 1961. Though Margai was Pro-British and conservative in his political views, he felt that Sierra Leone would fare better as a self-determined state.

governance to thrive, as the relative stability and development issues were being undermined. Siaka Stevens who later became the Prime Minister in his attempt to establish one party state, incorporated lots of mechanism in order to frustrate any other attempt made by other political parties; this undoubtedly led to corruption and nepotism in performing state functions. As a final outcome, there were rampant unemployment, poverty, coupled with violent suppression of all dissent and opposition. Among other societal ills, this degenerated into a conflict which later engulfed the whole country.⁶⁴ The status of women could not be any better during this period. Only two women were elected to the new House of Representatives (Ella Koblo-Gulama and Constant Cummings-John). Lack of political will to implement laws, illiteracy, lack of training, access to finance and the traditional roles as well as responsibilities of women in their society have all restricted women from participating equally with men in politics and other developmental issues. This section however leads us to examine the causes, effect and relevance in eliminating discrimination against women.

1.2. Causes, Effect and Relevance in Eliminating Discrimination against Women.

This section tries to examine the causes, effect and relevance in eliminating discrimination in the bid of achieving gender equality in all spears of life.

1.2.1. Causes of Discrimination against Women in Sierra Leone

The UN Secretary General, Banki-Moon in his speech once says:

“The roots of discrimination against women lie in historically unequal power relations between men and women and pervasive discrimination against women in both the public and private spheres. Patriarchal disparities of power, discriminatory cultural norms, and economic inequalities serve to deny women’s human rights and perpetuate violence. Violence against women is one of the key means through which male control over women’s agency and sexuality is maintained.”⁶⁵

⁶⁴ Sierra Leone Government: The Truth and Reconciliation Commission’s Report, (2002). Accessed: 3rd December, 2004

⁶⁵ Susan Stomach and Gihan Abouzeid, “About Egypt Violence Against Women Study: Literature Review of Violence Against Women”, USAID, (2009): 15.

Power relations between a man and a woman has significant role to play in the way violence and other discriminatory practices are orchestrated against women, who have been the most vulnerable sex. There have been observations made and results that have confused the minds of those observing as to how, and why, should people who have claimed to live in peace and harmony, be practicing discrimination and these acts, focusing on a single sex?

In a UNDP publication, Campbell is of the view that there can be structural explanations as to why domestic violence and other acts of discrimination are prevalent in communities. These take onboard the extent to which societies are typified by societal norms and practices that encourage specific violence against women. On the other hand the degree to which there are provisions made by institutions that can enhance a counterbalance of such inhumane tendencies and differences inflicted on women.⁶⁶ This same publication provides explanations bordering on the individual and interpersonal factors also giving way to the prevalence of domestic violence among other acts of discrimination against women. This perspective throws light on childhood experiences, and how that can possibly let men be violent.

However, based on the empirical findings conducted through interviews, below are the causes of discrimination in Sierra Leone:

Power Relation between men and women: According to interviews conducted on this research, there is unequal power relation between men and women in Sierra Leone. This has placed men at the top and women at the bottom considering their usual roles played in the society. This has therefore made them vulnerable with respect to power and status among other social benefits that due them. Hawa Massaquo⁶⁷ in her responses stated that: Women in Sierra Lone have not been placed on an equal balance as their male counterparts. Men have since independence been occupying positions of trust and this has continued to present time. The effort made to empower women has concentrated on few women leaving the majority to fight for themselves and suffer discriminatory practice in traditional places. How can we be advocating

⁶⁶ UNDP Violence against Women as 'Relational' Vulnerability: Engendering the Sustainable Human Development Agenda; UNDP Human Development Report Office occasional paper, (2014): 6

⁶⁷ Hawa Massaquo, Gender activist at "Champaign for Good Governance": a national NGO advocating for governance and equal participation between men and women in politics through advocacy, campaigning, capacity building and civic education, Freetown, Sierra Leone.

and enforcing certain provisions made by certain international conventions without being placed at the right place?

Traditional Norms and practices: Sierra Leone has been a country whose population believes in customs and traditions inherited from predecessors. The crux of these traditions has seen women as care givers and not formal employees like their male counterparts. With this in mind respondents said, it has become difficult to change the mind set of people who have believed so much in a particular phenomenon (especially in rural areas). Traditional Practices like the Female Genital Mutilation (FGM) has been one major form of violence committed against young girls they considered as family members; this has inflicted on them several health implications and even loss of life. Tradition believes that boys should be educated and empowered, leaving girls home to learn house hold chores and given to marriage at a very early age. These practices among others, according to respondents have greatly contributed to discrimination and the economic underdevelopment of women.

Low Education: The majority of Sierra Leonean women are illiterate, poor and are denied certain basic rights; for example, the right to education. In Sierra Leone, girls start off at a disadvantaged background and as they continued their education, they fall out of school because of insufficient resources, lack of education of the girl child early marriage, pregnancy and lack of the 'educational will' by the government and some of the parents, respondents mentioned. Parents and government play a big role in taking decisions regarding girl child education, but in many cases, they sometimes care less. This among other things has been responsible for many dropouts thereby leading to low education by women. By so doing, they have been blatantly discriminated against.

Unemployment and Low Economic Status of Women: women's educational status has warranted an ugly situation of unemployment for many. The low level of education has not given them the required educational background for the formal sector, many respondents mentioned. Even the once who are fortunate to have been educated, faced several challenges in acquiring jobs because of their sex. Sierra Leone government is working on improving the economic status of women, but little has been done with lots of loopholes that hinder women's economic

advancement. This has also been a contributing factor to the mass discrimination they suffer. The low unemployment rate even with the basic start up to become self employed has not been there, respondents stated. This has therefore compounded their problems with regards low economic status, as many largely depend on men for their survival. These men knowing the heavy reliance of these women on them have also further aggravated the problem as many discriminatory practices have been instituted as conditional ties for help rendered, respondents mentioned.

Ineffective Laws: The laws incorporating women in matters of development through gender mainstreaming and empowerment have not been fully implemented which have made them useless. The main aim for enacting these laws has been left unattended, and this further deepens the situation, respondents mentioned. Because these laws are not well implemented with ineffective enforcement bodied, violence against women in Sierra Leone, especially in the rural areas is been practiced as a norm, and this has contributed to endless discrimination against women.

Civil War: It is of no doubt that women suffer the most during civil war. The atrocities committed (systematic rape, forceful abduction, amputation etc.) against women during this period; serve as a long term negative effect on their socio-economic development. Notwithstanding the inhuman treatment women encountered during the 11years war, they are still being discriminated against after the war. Mechanisms to redress their plight are not effective and resources for them to sustain their livelihood are inadequate.

1.2.2. Personal and National Effect of Discrimination against Women in Sierra Leone

It is obvious that the effects of discrimination against women are enormous and very negative on the sustainability of the state, considering the pivotal role played by women especially in sustaining the peace in Sierra Leone. However, according to the interviews conducted, below are some of the personal and national effects of discrimination against women in Sierra Leone.

Underdevelopment: Women according to respondents have strategic and relevant role to play in the development of Sierra Leone as a nation. This is seen in their contributions during the peace process and this continues today with their active involvement in state building among other activities. Discriminatory practices against them without doubt will stifle the developmental drives of Sierra Leone, since it will cater for their less involvement as it has been in some parts of the country where their active participation in governance has been challenged by many internal structures.

Hostility with their male counterparts: It is obvious that the continuous acts of discrimination against women will create hostility between them and their male counterparts. This as an outcome will not ensure the fulfillment of developmental drives as women on their own, have very crucial functions to perform, should development be sustained in Sierra Leone, respondents mentioned. Therefore, the discriminatory practices they suffer will create hostility and reserved opinions for men; this will hinder the peaceful co-existence and sustainability of the peace building process in Sierra Leone.

Low Moral: According to respondents, there have been instances where women have contributed enormously to state building. The courage they manifest has not been unconnected to the fact that the few have been given the space to do so. But where they are not allowed through discriminatory practices, it lowers their moral and makes them feel inferior in the eyes of their male counterparts. This may warrant lack of confidence and unpleasant situations.

Food insecurity: According to respondents, in many parts of Sierra Leone, the type of agriculture practiced is that related to subsistent farming where women have a huge role to play. Discrimination against them has without doubt reduced the potential contributions to further improving this outdated system of farming, thereby making the country unstable in terms of food security. Sierra Leone up to date depends largely on importation of its stable food (rice) and this has not been unconnected to the way women, who have been the backbone to agriculture, are treated in terms of owing lands for farming and among other requisite determinants.

Reduce the credibility of the government: women's right according to international community are human rights that society as a whole hold in high esteem. Rampant women right discrimination in any country will warrant dissatisfaction of that particular government, which will serve as a challenge to her governance system in a whole. This if left unattended can lead to national instability.

Therefore, the effect of discrimination as discussed above should be taken into in to consideration by working relentlessly to help fight against discrimination against women which is crucial for sustainable peace, security and development for a country that has once experienced the bitterness of war.

1.2.3. Relevance in Eliminating Discrimination against Women in Sierra Leone

There is huge relevance posed to eliminating discrimination against women in Sierra Leone especially now that the world is moving towards gender empowerment knowing its implications for sustainable economic development. During interviews, the following were unraveled as the relevance ending discrimination against women in Sierra Leone will ensure:

Ensures compliance to best human rights standard: There have been many international instruments Sierra Leone as a country has signed and ratified including: CEDAW, Beijing Declaration and Platform for Action, AU Protocol on Women, AU Heads of States Solemn Declaration on Gender Equality and ECOWAS Gender Policy. Eliminating such discriminations will serve as compliance to these international best standards in respecting the fundamental human rights of all individuals irrespective of sex.

Fosters socio-economic and political growth: according to respondents, eliminating discrimination against women will increase their educational standard, which will enhance their access to economic development and political participation geared towards economic growth and decision making process in Sierra Leone. The international community, despite its improvement in technology has seen of late the relevance women play in socio-economic and political development. Therefore has been calling on states around the world to do same. If enhanced in

Sierra Leone, respondents mentioned, that it will further improve the drive towards economy development in the country.

Reduces inter-personal conflict: The existence of discriminatory practices in Sierra Leone according to respondents has warranted interpersonal conflicts between men and women in Sierra Leone, especially at the family level. Eliminating such discriminatory practices will reduce these conflicts thereby concentrating on other issues. The time spent on such unhealthy relationships will be used for developmental purposes, which according to them seem very good. As relevance, ending discrimination against women in Sierra Leone actively reduces conflicts against these women and their male counterparts.

Helps achieves pillar eight of the agenda for prosperity: As an agenda for the government in its developmental goals, pillar eight of the agenda for prosperity has called on the active involvement of women in nation building and all other development plans. Therefore, ending discrimination against women in Sierra Leone will proudly enhance the fulfillment and actualization of this pillar thereby achieving the development goals set for 2015 to 2017, respondents mentioned.

With all these achievements mentioned above and many others, it is clear that eliminating discrimination against women is a major tool in sustaining peace and development in any country as these factors can serve as a guide to their nations. Women suffered more violent during the war in Sierra Leone and the effect of these is still felt even after 14 years gone when the war was declared an end.

1.3. Civil War in Sierra Leone and its Effect on Women

By 1961, it became clear that the seeds for independence of a nation had grown some fruits and added consultations were held with the British government at home and abroad by key national figures. As a result, Sierra Leone gained its independence from the United Kingdom. For over three decades after independence, Sierra Leone was ruled by the All Peoples Congress (APC). It also became obvious that the country, even before independence had been divided by

tribal and regional lines. This understanding, therefore catapulted the northern Temne and Limba ethnic groups to dominate the party that was considered as a political party for the northerners. Just few years after independence (1967), APC came to power with all hands put on deck to entrench itself to power. This therefore, warranted issues like corruption, nepotism and fiscal mismanagement with no other powerful authority to question such anomalies as the one party rule dictated.⁶⁸ Sierra Leone therefore had the second lowest living standards of any country in the world. During this period, the country was ruled by dictators who cared only for themselves and close family members. These set of politicians enriched themselves through illicit deals involving diamonds, while doing virtually nothing in respond to their expected functions to provide needed services such as health care and education for the citizens, who had become dissatisfied with the system. This therefore culminated into what was later referred to a civil war.⁶⁹ This section throws light on the civil war in Sierra Leone, the effects it had on women and the specific roles played by these women in peacemaking, peace keeping and peace building.

1.3.1. Civil War in Sierra Leone (1991-2002)

March 23, 1991 signaled the start of a brutal and formidable civil war in Sierra Leone by a rebellious group called the Revolutionary United Front (RUF) whom according to many scholars had its origin and mentorship in neighboring countries, and Liberia being an active player. The attack was successful using cross border invasions by cross sections of this rebellious group; majority of these rebels were believed to be students, who had dropped from their courses at the university and joined the revolution. They did receive training from Libya under the supervision of the then Libyan President, Colonel Muammar Gaddafi, who was also interested in revolutionaries ideas in Africa and other logistical support from the then Liberian President,

⁶⁸ Human Rights Watch , “We’ll Kill You If You Cry” Sexual Violence in the Sierra Leone Conflict, Vol. 15, No. 1 (a) (2003): 7

⁶⁹ Bellows John and Miguel Edward, “War and Local Collective Action in Sierra Leone”, Dept. of Economics, University of California, Berkeley, *USA journal of public economics*, (2009): 1145–1157, Accessed: 12 July 2015.

Charles Taylor,⁷⁰ who had once told Sierra Leoneans, that they would once taste the bitterness of war.⁷¹

An important aspect of the war at that initial stage became the issue of recruitment. Lots of consultations were held with those who had similar revolutionary beliefs. Key among such actors had been the former President of Liberia, Charles Taylor who was reported to have been a Chief Adviser to the rebel leader, Corporal Foday Sankoh. In one of their discussions, according to a witness during the trial at the Special Court of Sierra Leone, this former President advised Foday Sankoh to embark on mass recruitment as being the only way to succeed. Going further the witness stated that, in their discussions, this same former President said:

“Look, whenever you are fighting war, the strength of any revolutions, it depends on the manpower, the manner in which you carry out your recruitment. Therefore, you have to compulsorily recruit these people”⁷²

Even when these rebels used forceful recruitment strategy, they found it difficult to retain some of these recruits as many would escape, when they had the means. Therefore, the technique that was incorporated was that of ideological briefing on the actual motive of the war.

In a bid to enhance this motive, the rebel leader had to use anti APC ideology in enticing recruits to join the rebellion. This was followed by promises of restoring democracy; having a better life after they must have succeeded in their revolution and other better opportunities abroad. When the fighting continued, the said leader never adhered to his initial ideologies. They started wrecking havocs that had no bearing with national politics. Had they originally followed their plans, there was the belief that they would have still gained further popularity. The very civilians they claimed to have protected became their targets. Heinous war crimes and human right violations were then committed against them. This sudden change in their approach, made many Sierra Leoneans lost belief in their revolution, and therefore they started finding it difficult

⁷⁰ Charles Taylor former Liberian president support the rebels in Sierra Leone because he was interested in exploiting the Sierra Leone diamonds and he also wanted to revenge against the government for allowing ECOMOG to use Sierra Leone as a base to launch their attack against the Liberian government (Charles Taylor)

⁷¹ Macartan Humphreys and Jeremy Weinstein, “Who Fights? The Determinants of Participation in Civil War”, *American Journal of Political Science*, Vol. 52, No. 2, April (2008): 436–455.

⁷² Sesay et al., “Deposition”, 4 October (2004): 106, available at <http://www.sc-sl.org/Transcripts/RUF-100404.pdf> Accessed: 12 August 2016

to get fighters willingly. They later bent upon an option of conscripting young boys and girls into their different groups and at different parts of the country.⁷³

Further attempts were made by this group to occupy many territories in the eastern part of the country and this quest was a result of some failure made by the Sierra Leone Army (SLA). SLA fighters who were government owned became divided as there was evidence of military officers giving helping hand to the rebellions group considering the huge financial gains some had in return. This warranted the name “Sobels” which means soldiers during the day and rebels at night. The situation became further deplorable as the incumbent government could not adequately handle this new challenge posed during the fight. What later became a reality was the deposition of the APC by a military coup in 1992 with a new government called National Provisional Ruling Council (NPRC) which became determined to defeat the RUF. Among its initial plans became the hiring of a special fighting group from South Africa (The Executive Outcome) which chipped in and made some impact. This could however not last as there were series of rallies and demonstrations calling for civilian rule. In 1996 therefore, Sierra Leone again returned to civilian rule with Alhaji Dr. Ahmed Tejan Kabbah being the President under the Sierra Leone People’s Party. His popularity with the locals necessitated volunteerism from other civilians who formed civil militias by 1993-1994 and popular among these groups was the Civil Defense Force (CDF).⁷⁴

As put by another publication, the actual aim of the rebellious group changed when many started experiencing wealth through the illicit mining process majority embarked upon. This also as discovered by many scholars, became a key factor for derailing the war. Many factions did benefit from such illicit mining activities. Rebels therefore saw this as a motivation so there keen interest became possessing diamond areas. In accomplishing this, heavy machinery and technology was seen a core. It became clear that any armed group that took over these diamond rich areas could use that as an opportunity to mine.⁷⁵

⁷³ The Sierra Leone Truth and Reconciliation Commission (TRC), Vol. No. 3A, No. 1, Report (2004), Accessed: 30th September 2016.

⁷⁴ Macartan, op. Cit.

⁷⁵ Bellows John and Miguel Edward, “War and Local Collective Action in Sierra Leone”, Dept. of Economics, University of California, Berkeley, USA, *Journal of Public Economics*, (2009): 144–157.

There were peace agreements signed and the first of this agreement in 1996 (Abidjan peace Agreement) was flouted by the RUF through non adherence to the cease fire agreement. Some hostilities ensued after that and change of governments right on to 1999 when the second Peace accord was signed in Lome (Togo). This was also violated by the rebels and this prompted external intervention in 2000 by the United Nations Troops to allow peace in a nation that had been seriously damaged by civil war. Disarmament programmes started immediately as the UN became directly involved with massive troop deployment. The war was finally declared an end by the President, Dr. Alhaji Ahmed Tejan Kabba in his popular krio statement “De war don don” which in translated to mean the war has come to an end (2002). This process was followed by lot of peacekeeping and peace building activities which has kept the situation peaceful as it is today.

The civil war created room for torture and the death of thousands of people and on the same time left thousands with permanent disabilities. A small attack in a town called Bomaru in the eastern part of the country later consumed a nation for over a decade. Without doubt, this brought untold suffering for many people. Key set of people, who became more vulnerable during the war were women, children and the aged. It became clear during the war that everyone who had a gun shot should run. Many never knew where they were heading to as all did in a bid to save their lives. Fighting forces tried all they could to ensure that their targets were put under threat so that they adhered to their deadly demands and blood curdling tricks. In this process, rape and torture became weapons of war and these were used by various factions. These heinous crimes were focused on innocent women and children who became their targets.⁷⁶

These victims were also recruited into the different fighting factions while some volunteered into them for reasons of safety and personal security. Women became bush wives, sex slaves, spies, cooks and gun totters. The enormity of the war caught the attention of the international community especially with images of women and children amputated and mutilated.⁷⁷ In the views of Francesco (n.d.):

“The civil war cost over 50,000 lives, leaving over 10,000 civilians amputated and at least 215,000 women and girls subjected to sexual violence, The death toll amounted to over twelve

⁷⁶ Macartan, op. cit.

⁷⁷ Ibid.

people every thousand inhabitants, four times as high as that of the United States during the entire Second World War, comprising a much larger proportion of unarmed civilians.”⁷⁸

1.3.2. The Effect of Sierra Leone Civil War on Women

“I was captured together with my husband, my three young children and other civilians as we were fleeing from the RUF when they entered Jaiweii. Two rebels asked to have sex with me but when I refused, they beat me with the butt of their guns. My legs were bruised and I lost my three front teeth. Then the two rebels raped me in front of my children and other civilians. Many other women were raped in public places. I also heard of a woman from Kalu village near Jaiweii being raped only one week after having given birth. The RUF stayed in Jaiweii village for four months and I was raped by three other wicked rebels throughout this period.”⁷⁹

This has just shown the effect the civil war in Sierra Leone had on women and their personal development. It has become obvious in civil wars that civilian women and girls face multiple risks and this becomes serious as a result of their sex as compared to their male counterparts. Many factions have been able to use rape and other forms of assault against women as weapons of war. The worst of these have been their rejection by their various communities after they had been abused and misused by these fighting forces. Despite this entire trauma they face, society itself has again referred to them as used products.⁸⁰

The civil war in Sierra Leone showcased how brutal and senseless men could sometimes be to women. Thousands of women and young girls of all ages, ethnic groups and socio-economic class had to experience different forms of abuses and these ranging from abduction, rape and other forms of violence. These war crimes and crimes against humanity were used by these warring factions as weapons of war thereby targeting women especially young girls, who were believed to have been virgins as they were public and brutally raped. The shame and disgrace meted out on these women coupled with some other health complications could not allow these victims to survive. Many died in the process or few days and months after their

⁷⁸ Francesco Cecchi et al., “Civil War Exposure and Competitiveness: Experimental Evidence from the Football Field in Sierra Leone Department of Economy”, University of Cambridge.

⁷⁹ Human Rights Watch, op. cit.

⁸⁰ Augustine Mubika and Bukaliya Richard, “Causes of Armed Conflicts and Their Effects on Women”, *International Journal of Research in Humanities and Social Studies*, Vol. 2, No. 4, April (2015): 77-85.

ordeals. Thus, the force used by these perpetrators caused severe bleeding and tearing of genital area on these female victims.⁸¹

Human Rights Watch in a publication captured the tormenting effect of the civil war on women. In this document they said:

“Thousands of women and girls were abducted by the rebels and subjected to sexual slavery, forced to become the sex slaves of their rebel “husbands.” Abducted women and girls who were assigned “husbands” remained vulnerable to sexual violence by other rebels. Many survivors were kept with the rebel forces for long periods and gave birth to children fathered by rebels. Some abducted women and girls were forcibly conscripted into the fighting forces and given military training, but even within the rebel forces, women still held much lower status and both conscripted and volunteer female combatants were assigned “husbands.” For civilian abductees, aside from sexual violence their brutal life with the rebels included being made to perform forced labor, such as cooking, washing, carrying ammunition and looted items, as well as farm work. Combatants within the rebel forces had considerable latitude to do what they wanted to abducted civilians, who were often severely punished for offenses as minor as spilling water on a commander’s shoes.”⁸²

As a result of the grotesque human right abuses and violations experienced by women during the war in Sierra Leone, as part of its recommendations, the Truth and Reconciliation Commission (TRC),⁸³ established after the war as a transitional justice mechanism recommended that women should be apologized to taking into cognizance the brutality and severe pains they suffered during the war. This was done as recommended by the TRC in 2010 leaving many other recommendations that were made in recognition of the mass violence faced by these women during the war.⁸⁴

⁸¹ Florence N. Bangalie, “An Examination of the Role of Women in Conflict Management: Sierra Leone a case study”, (A dissertation presented to the Faculty of Arts in the University of Malta for the Degree of Master in Contemporary Diplomacy), (2011).

⁸² Human Rights Watch, op. cit., 1-5.

⁸³ The Sierra Leone Truth and Reconciliation Commission was established as a condition of the Lomé Peace Accord with the assistance of the international community in the wake of the 11 year civil war there. It was signed by President Ahmad Tejan Kabbah and RUF leader Foday Sankoh on July 7, 1999. the Truth and Reconciliation Commission's mandate was to "create an impartial historical record of violations and abuses of human rights and international humanitarian law related to the armed conflict in Sierra Leone, from the beginning of the Conflict in 1991 to the signing of the Lome Peace Agreement; to address impunity, to respond to the needs of the victims, to promote healing and reconciliation and to prevent a repetition of the violations and abuses suffered.

⁸⁴ James Vincent, *A Village-up View of Sierra Leone's Civil War and Reconstruction: Multilayered and Networked Governance*. Research Report, Brighton: IDS., (2012): 75.

By the end of the war in Sierra Leone, it became clear and evident through the various testimonies made by women during the TRC investigation and other forms of investigations done by international development partners, that many of the country's priceless jewels suffered what was commonly known as gang rape. Also cutting across these testimonies, were evidences of women been taken by rebels as sex slaves' and bush wives to satisfy the sexual urges of these warring lords. These women had no option as many testified but rather resigned to faith.⁸⁵

Worthy to mention about the effect of the war on women has been the increasing new roles adapted by these women (single parents) in times when their husbands would have either been killed, or taken away by these warring factions as combatants. The painful fact now is that women have not only been discriminated against in various ways, but also they have been under-represented in the traditionally male-dominated political and socio-economic structures in Sierra Leone. Just as inequalities, between men and women have taken central stage in all interactions around the globe, Sierra Leone became no exception. It has been observed that women are more likely than men to be illiterate in societies across Sierra Leone. As a result of their sex, they suffer extreme poverty. Their rights have frequently been violated and abused; they have little access to local resources or opportunities as men always have clamored for these scarce resources. A pessimistic mind could say, these have been disadvantages that would have directly limited the contributions of women to end the war, but interestingly, this has not been the case. Women despite their challenges had contributed positively in ensuring that Sierra Leone experienced an end to the war and the beginning of sustainable peace, security and development.⁸⁶

1.4. Women and their Role in Peace Making, Peace Keeping and Peace Building

Of crucial relevance to the present peace enjoyed in Sierra Leone was the active role played by women and their various groups at a time when rampant war crimes and crimes against humanity were at their peak; a time when rebel factions knew nothing other than attack on innocent civilians. Notwithstanding their initial roles as mothers and sometimes care givers

⁸⁵ Truth and Reconciliation Commission, Vol. 3B, Chapter Three, Women and the Armed Conflict in Sierra Leone. available at <http://www.sierraleonetr.com/index.php/view-report-text-vol-3b/item/volume-three-b-chapter-three>.

⁸⁶ Ibid.

for which they had been seen as dormant, these set of people took the central stage and advocated for negotiations when majority of the stakeholders responsible to end hostilities saw it impossible. In their view, the war had been fought and there seemed no solution to the underlying problems that necessitated the war. Therefore, they were tired of war. They wanted peace at all cost in their advocacy for peace before election. It was clear that they needed after the peace a democratic election.⁸⁷

According to Brigitte, the contributions made by women to war and peace seem to be neglected in many cases. As women, they have contributed to war and sometime can make way for peace. Taking advantage of their sex, it becomes easy for them to entice men to defend them. Having such power and attraction has made them also a powerful instrument to maintain law and order. These women have taken up responsibilities in the absence of their husbands. These roles have opened their capacity therefore making them more instrumental as government stakeholders in a bid to enhance reconciliation, reviving local economies and rebuilding social networks.⁸⁸

When the war had become tough and many Sierra Leoneans badly needed peace, women from all over Sierra Leone and from diverse background devoid of status, religion, region and tribal line came together and did form active organizations. These women in groups poised for peace embarked on marches and other forms of rallies calling for peace and justice. Key women's organizations who were actively involved in these were the Mano River Women's Peace Network, Women's Movement for Peace, Forum of African Women Educationalists (FAWE), Sierra Leone Women's Forum, Network of Women Ministers and Parliamentarians, 50/50 group and the Sierra Leone Women's Movement for Peace. Among other activities they embarked upon, these women were at the forefront in the Bintumani 1&2 conference where Mary Turay's⁸⁹ loud and unequivocal speech in favor of elections took courage and was considered a turning point in favor of holding civilian elections. They also conducted wide scale education on the culture of peace and non violence, elections and how they should be carried

⁸⁷ Ibid.

⁸⁸ Birgitte Sørensen, "Women and Post-Conflict Reconstruction: Issues and Sources", United Nation Research Institute for Social Development Program for Strategic and International Security Studies, WSP Occasional Paper No. 3, June (1998).

⁸⁹ Mary Turay was one of the Leaders of the Women's Lobbying Organizations Fighting for Peace and Democracy during the Peace Process in Sierra Leone.

with emphasis on democratic principles, assisted in the recruitment and capacity building of national observers and piled pressure on the military, a wing that had created problems all that period with acts of coup to respect the results of elections.⁹⁰

Women and their actions had been very instrumental to the peace process in a way that had shaped both informal and formal peace process which was seen crucial in bringing the conflict to an end. During the 1996 cease fire agreement that came just after Valentine Strasser, a military leader and dictator, women were among key actors that put pressure on another military leader, Brigadier General Maada Bio to start negotiations with the RUF for a return to civilian rule.⁹¹

It could be recalled that a pivotal incident that signaled adherence at all cost by the rebel factions was the arrest of Foday Sanko, their executive leader. This was a key as many saw this very harsh by the international community with their frantic support felt all over Sierra Leone. Women and their rallies culminated into this arrest. Their activities continued even after the war.

In the upcoming chapter, it will be visible that the discrimination against women in Sierra Leone cannot be controlled only by using one mechanism, but by a multitude of international controlling mechanisms implemented by the UN and its specialized agencies like United Nations General Assembly, CEDAW committee, The Economic and Social council etc. as well as regional controlling mechanisms including the Council of Europe, African unity and the ECOWAS.

⁹⁰ Ibid.

⁹¹ Birgitte, op. cit., 2-7.

CHAPTER TWO: INTERNATIONAL CONTROLLING MECHANISMS AGAINST WOMEN'S DISCRIMINATION AND THE RESPONSIBILITIES OF SIERRA LEONE

It is clear that violence against women according to the UN amounts to an infringement of essential human rights. The UN has proclaimed conventions, protocols, documents, announcements, treaties and rules that specifically address the privileges of women and young girls as well as specifying government commitments to ensure these rights. All UN essential human rights document apply without any forms of discrimination against women and men. This is to say that the UN recognized and respect the principle of equality. The UN additionally repeats the restriction against gender based violence inside the world conference document like the 1995 4th World Conference in Beijing which consists of effective laws in eliminating violence against women and similarly calling on states to work relentlessly in promoting gender equally in their respective communities.

This chapter looks at the International controlling mechanism against women's discrimination. In doing this, this chapter will throw light on the UN and some of its mechanisms put in place to combat discrimination against women, The Council of Europe (CoE) and European convention on Human Right, African Union (AU) and Economic Community of West African States (ECOWAS) with focus on their mechanisms established in eliminating discrimination against women.

2.1. United Nations

It is obvious that the fundamental thoughts for having the UN established had its foundation from the UN Charter, which in its preamble makes it clear that *“to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women.”*

Following the establishment of the UN, the UNDHR was adopted in 1948, which also places emphasis on the liberties and freedoms of every person in its first and second articles where it mentions, that every human being is freely and equally born. Therefore they are given dignity and rights they should not be discriminated against; they should enjoy these rights

unhindered either on the basis of “*race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.*”

From the UDHR came other two instruments put together and called the “*International Bill of Rights*” ; these instruments being the International Covenant on Civil and Political Rights and that of International Covenant on Economic, Social and Cultural Rights have also reiterated the need to fairly and equally accord humans their rights without any form of hindrance.

The UN has a long history of addressing women’s human rights and much progress has been made in securing women’s rights across the world in recent decades. However, important gaps remain and women’s realities are constantly changing with new manifestations of discrimination against them regularly emerging. Some groups of women face additional forms of discrimination based on their age, ethnicity, nationality, religion, health status, marital status, education, disability and socioeconomic status, among other grounds. These intersecting forms of discrimination must be taken into account when developing measures and responses to combat discrimination against women.

Women's rights are protected by law, because they are codified in treaties and fundamental international conventions of human rights, including the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Elimination of all Forms of Racial Discrimination (1966), the Convention on the Elimination of all Forms of Discrimination against women (1979), the Convention against Torture and other Cruel, Inhuman or Degrading Treatment (1984), the Convention on Children's Rights (1989) and the Convention on Migrant Workers etc.

At the UN level, several international treaties were signed and ratified by states, including Sierra Leone. Some are specific, and they relate to specific aspects of women's rights, others however, have general application on human rights. The need for the protection of women's rights at the universal level was explicitly expressed at the UN Charter and subsequent conventions and treaties on the matter. The UN has established its charter through a complex set of mechanisms to prepare and adopt specific standards and to ensure compliance.

In this regard, the UN building today includes an impressive number of international instruments (treaties, conventions, declarations, protocols) on various topics related to human rights, specifically those of women and implemented by its members (the Economic and Social Council and the General Assembly) as well as subsidiary bodies including: the Committee on Human Rights, Committee on the Status of Women and the United Nations High Commissioner for Human Rights.

From the above, it should be recalled that all the principal organs of the UN, namely the General Assembly, the Security Council, the Economic and Social Council, the International Court of Justice and the General Secretariat are called, more or less, under their respective powers to deal also with the issue of women's rights.

In this perspective, it becomes pivotal examining the protection of rights of women in Economic and Social Council and protection of women's rights at the General Assembly.

2.1.1. Protection of Women's Rights at the ECOSOC Level

Established in 1946 by the UN Charter, the UN Economic and Social Council (ECOSOC) became one of the six key organs of the UN with core functions on not only coordination and policy review on economic, social and environmental matters, but also to offer recommendations on such matters as well as in areas of implementation on any internationally agreed development goals.⁹² It could, however, be noticed that, the ECOSOC⁹³ derives its jurisdiction from articles 62 and 68 of the UN Charter which stipulates the following:

“ The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly to the Members of

⁹² Background Note, United Nations Economic and Social Council (ECOSOC) Youth Forum: “Youth Engagement in the Transition from MDGs to SDGs: What Will it Take?”- United Nations Headquarters, New York. 3 February. (2015)

⁹³ The United Nations Economic and Social Council is one of the principal organs of the United Nations established in 1946, responsible for coordinating the economic, social and related work of 14 UN specialized agencies, their functional commissions and five regional commissions. The ECOSOC has 54 members.

the United Nations, and to the specialized agencies concerned; It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all; It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence and It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.”⁹⁴

It should be noted that it is under these powers that ECOSOC had created since 1946 the Commission on Human Rights and of the condition of women's rights, and in turn the Subcommittee for the fight against discrimination and protection of minorities. A subcommittee of the freedom of the press and information, created in 1947, was dissolved after a final session in 1952. ECOSOC in all its activities has made considerable effort to improve on gender equality through the fight against women's discrimination. This has been seen evident in its 2030 Agenda for sustainable development. Recently, in the opening of the 60th session of the Commission on the Status of Women (2016), the Vice President of ECOSOC, H.E. Ambassador Jürg Lauber, Permanent Representative of Switzerland, on behalf of the President of the Economic and Social Council H.E. Ambassador Oh Joon, Permanent Representative of the Republic of Korea to the UN mentioned how connected the achievement of gender equality and the empowerment of all women and girls is to achieving the sustainable development goals they had already set. In this statement what became clear, was the fact that gender equality through eliminating discrimination against women, is a sine qua non for achieving the development goals. An inclusion of CEDAW and the Beijing Platform for Action was made as guiding tools to achieve this goal.⁹⁵

Whilst addressing gender equality and economic development, ECOSOC refers to the effects of improving work conditions, education, wages, and many other social and economic aspects between men and women as prerequisite for economic development to thrive in any country. Therefore, this council is of the conviction that the reason why many developing countries face obstacles in their developmental strides is simple, because of the manner with

⁹⁴ Article 62 of the UN Charter, sec 1,2,3 and 4; see also Resolution 9 (II) UN Human Rights, Information Fiche, No. 1, of 21/6/(1946): 6.

⁹⁵ Statement made by the Vice-President of ECOSOC on the Opening of the 60th session of the Commission on the Status of Women , Monday, 14th March, 2016 at 10:00 am (General Assembly Hall) available at <https://www.un.org/ecosoc/sites/www.un.org.ecosoc/files/files/en/president/2016/statement-ecosoc-president-14-march-2016.pdf> accessed: 15th October 2016.

which they treat issues of wage gap, legal restrictions and societal standards for women. The slow rate women gain employment, means income inequality, which also negatively hinders development in any country.⁹⁶

2.1.2. UN Human Rights Council

The replacement of the UN Commission on Human Rights (CHR) after sixty years of existence with the UN Human Rights Council has prompted debates all around the UN with regards effectiveness of the newly formed Council as opposed to the former (UN Human Rights Commission).⁹⁷ During these debates, it has been uncovered that the essence for having a change in the name and structure of the Human Right Commission of the United Nations to UN Human Right Council has been of two pronged; on the one hand has been based on the classical conflict of developing an effective international human right system, and on the other, preservation of national sovereignty. These changes after series of deliberations took effect in 2006.⁹⁸

According to resolution A/RES/60/251 of 15 March 2006 the Human Right Council replaces the Commission on Human Right, and at the same time takes up its entire mandate, mechanisms, functions and other responsibilities. Apart from the functions of the Commission of Human Right assumed, there was also addition on its mandate, which according to the resolution establishing it:

- To protect universal respect for all human and the protection of fundamental freedom of all with no form of discrimination.
- To promote effective coordination in mainstreaming human right within the UN and address issues of human right violation including gross and systematic violation and provide recommendations thereon.

⁹⁶ Economic and Social Council, Background Guide: Topic B- “Addressing Gender Equality in the Context of Economic Development”, at <http://www.houstonareamun.org/wp-content/uploads/2015/10/ECOSOC-TOPIC-B.pdf> accessed on 12 November, 2016.

⁹⁷ Spohr Maximilian, *United Nations Human Rights Council, Between Institution-Building Phase and Review of Status*, von Bogdandy and R. Wolfrum, Max Planck Year book of United Nations Law, Netherland, Vol. 14, (2010): 169-218.

⁹⁸ Ibid., 171.

- And finally undertake a Universal Periodic Review (UPR), make recommendations with regard to the promotion and protection of human rights and submit an annual report to the General Assembly.⁹⁹

Formally based in Geneva, the Human Right Council based on its structure, meets for at least 10 weeks a year, and this including no less than three sessions. Inasmuch the commission replaced was under the supervision of ECOSOC, the Human Right Council then becomes a subsidiary organ of the General Assembly. Taking into account its multiple functions, it also addresses violations of human rights. This include gross and systematic violations, thus promoting the effective coordination and also mainstreaming of human rights within the system of the United Nations.¹⁰⁰ The council, ever since its establishment have shown commitment to women's right especially issues related to elimination of violence against women and in other to achieve this, the resolution on the elimination of violence against women was adopted by the council. The council work closely with the High commissioner for human right, special rapporteur on violence against women by considering their report related to violence against women.

2.1.3. UN Commission on the Status of Women

Considering the aim of establishing the UN being one related to attaining world peace, commitments to advance women rights started with UN. This was prompted by the less involvement of women in matters of peace. This was clearly felt since the inception of the UN in signing the Charter which establishes the UN. Surprisingly, of the 160 delegates who attended, only four of them were females. Despite their less involvement, they, however, succeeded in including issues related to women's advancement in this founding document.¹⁰¹

⁹⁹ Ibid., 176.

¹⁰⁰ Office of the United Nations High Commissioner for Human Rights, *Working with the United Nations Human Rights Programme: A Handbook for Civil Society*, 75 available at <http://www.ohchr.org/Documents/Publications/NgoHandbook/ngohandbook5.pdf>. accessed on 17th November, 2016

¹⁰¹ "Short History of the Commission on the Status of Women", (1946). available at <http://www.un.org/womenwatch/daw/CSW60YRS/CSWbriefhistory.pdf>. Accessed: 2nd November 2016.

Worthy to mention in this background note is the contributions made by Eleanor Roosevelt, a United States delegate in an inaugural meeting of the General Assembly in London, February, 1945. In this meeting she read in a letter:

“To this end, we call on the Governments of the world to encourage women everywhere to take a more active part in national and international affairs, and on women who are conscious of their opportunities to come forward and share in the work of peace and reconstruction as they did in war and resistance.”¹⁰²

After seeing the relevance this poses, it was agreed few days later to have a sub-commission dedicated to handling issues on the status of women under the Commission of Human Rights. This was seen as a bold step taken by the General Assembly as many NGOs and other stake holders deemed it prudent to have a special commission on women’s issue. On 21st June, 1946, the Commission on the Status of Women (CSW) was established as an independent body to tackle issues of women’s right.

In a document published by the United Nations Women on gender equality and the need for empowerment indicated that:

“The Commission on the Status of Women is a functional commission of the United Nations Economic and Social Council (ECOSOC) and a global policy-making body, dedicated exclusively to promoting gender equality and the empowerment of women. The Commission was established by ECOSOC resolution 11(II) of 21 June 1946 to prepare recommendations and reports to the Council on promoting women’s rights in political, economic, civil, social and educational fields. The Commission also makes recommendations to ECOSOC on urgent problems requiring immediate attention in the field of women’s rights.”¹⁰³

According to UN Women,¹⁰⁴ the CSW happens to be the principal global intergovernmental body that has assiduously worked towards promoting gender equality and the empowerment of women. As an organ of ECOSOC, the CSW has been seen instrumental in not only promoting women’s rights, but also documenting the reality of women’s lives and the

¹⁰² Ibid.

¹⁰³ UN Women: United Nations Entity for Gender Equality and the Empowerment of Women, The Commission on the Status of Women, Fifty-seventh session, New York, 4-15 March 2013.

¹⁰⁴ UN women: was created by the UNGA in July 2010 as the UN entity for gender equality and the empowerment of women. Its main role is to support inter-governmental bodies like CSW in formulation of policies, global standard norms to fight against women discrimination; help member state implement these standards by providing technical and financial support and monitors their activities.

constraint they face worldwide in order to shape effective global standards on gender equality and the empowerment of women with the aim of reducing the host of discriminations they face as a result of their sex.¹⁰⁵

The committee since its establishment have been successful in several areas in dealing with the issues of gender equality like the organization of the international women's year in Mexico city in 1975 with the theme "Equality, Development and Peace" which main goal was the improvement of status of women by adopting a global plan of action as well as the fourth World Conference on Women in Beijing in 1995 where the Beijing Declaration platform of action which present global policy framework for gender equality and empowering women, was adopted by member states of the United Nations and other international bodies such as organization and civil society network. The commission also ensures that Gender equality principles were included in the Universal Declaration of Human Right and was active in the establishment of other conventions and resolutions like the Convention on the Political rights of Women adopted by the General Assembly in 1952 as well as CEDAW which is an effective accountability mechanism to complement the policy of the commission.¹⁰⁶

2.1.4. Protection of Women's Rights at the UN General Assembly

The General Assembly was established in 1945 by Chapter IV of the UN Charter, considering the hierarchy of the UN and its bodies, the General Assembly without doubt occupies a central position as the chief in all deliberations, policy making and representation of the UN as a world body advocating for peace. The dynamic it creates in its 193 member states has made it peculiar in discussing and taking control of key issues covered by the UN Charter, thereby playing a pivotal role in setting standards, and the codification of laws bordering operations of the UN with regards international peace and stability.

¹⁰⁵ UN Women: Commission on the Status of Women accessed at on 15th November, 2016 at <http://www.unwomen.org/en/csw>.

¹⁰⁶ Carolyn Hannan, "The achievements of the Commission on the Status of Women, Division for the Advancement of Women", Department of Economic and Social Affairs, NGO consultation, Plenary 1, 50 years of CSW, 26 February 2006. At: <http://www.un.org/womenwatch/daw/csw/csw50/statements/NGOCSWConsultationCH26feb06.pdf>

The General Assembly¹⁰⁷ takes office in this area of the provisions of Article 13 of the Charter to the effect that the General Assembly shall initiate studies and make recommendations for developing international cooperation in the Economic, Social, Cultural, Education of public health, and enhance opportunities for all, without discrimination, the enjoyment of human rights and fundamental freedoms. However, it is important to note that by the promotion and protection of rights of women in the world, the UN General Assembly has an important role to play. This role is therefore to ensure that women benefit from the universal application of the rights and principles of equality, security, freedom and dignity proper given to all human beings. This is clearly evident in its resolution on the declaration against all forms of violence against women in 20 Dec. 1993.

In making a preamble, the General Assembly states among other things that: Recognizing the urgent need for the universal application to women on the rights and principles with regard to equality, security, liberty, integrity and dignity of all human beings, noting that those rights and principles are enshrined in international instruments.¹⁰⁸ Sadly proclaims the Declaration on the Elimination of Violence against Women (DEVAW) and thereby urges that every effort made by its supplementary bodies and other international partners provisions will generally be known and respected as well.¹⁰⁹

Worthy also to mention has been the adoption of soft law¹¹⁰ instruments by the Assembly which has contributed to promoting gender equality. Among its efforts made in the fight against discrimination against women has notably become the establishment of the 1979 CEDAW following the adoption by the Assembly of the 1967 DEVAW. According to Centre for Women,

¹⁰⁷ The United Nations General Assembly is one of the six principal organs of the UN and the only one in which all member nations has equal representation. Its powers are to oversee the budget of the United Nations, appoint the non-permanent members to the Security Council, receive reports from other parts of the UN and make recommendations in the form of General Assembly Resolutions.

¹⁰⁸ including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

¹⁰⁹ Declaration on the Elimination of Violence against Women , Proclaimed by General Assembly resolution 48/104 of 20 December 1993 accessed: 15th November, 2016.

¹¹⁰ Soft law refers to rules that are neither strictly binding in nature nor completely lacking legal significance. In the context of international law, soft law refers to guidelines policy declarations or codes of conduct which set standards of conduct. However they are not directly enforceable.

Peace and Security, the General Assembly's codification work has immensely contributed to the development and expansion of international law;¹¹¹ this law with taking into account the vulnerabilities experienced by women have provided security for women in numerous ways as enshrined in following instruments: Convention on the Political Rights of Women (1954), Convention against Discrimination in Education (1960), Convention on the Consent of Marriage, Minimum Age and Registration of Marriage (1962), Protocol to Prevent, Suppress and Punish Trafficking in Person especially Women and Children (2003) and many others.¹¹²

2.1.5. Specific Mechanisms in the Convention on the Elimination of all Forms of Discrimination against Women

Despite the numerous instruments that had been established since the inception of the UN, the actual prevention and protection of the fundamental human rights of women was still a challenge as the 1960s witnessed new trend of discrimination against women in most parts of the world. This therefore drew the attention of states and other international organization. The CSW had to embark on numerous programmes as to identify discriminatory practices against women and in 1974, in its twenty-fifth session and in connection with a special reporting system with the working group on identifying and taking data of these discriminatory practices. It became apparent that a single document was necessary in which these discriminatory practices would be identified and also a binding legal instrument that would kick against such discrimination was established.¹¹³

The CSW and its working groups had extensive deliberations on the said proposal and draft the establishment of a comprehensive document on the elimination of discrimination against women from 1977-1979. Towards the celebration of the International Women's year, drafting was requested by the World Planning Action of the objectives of that particular celebration. During the World Conference of the International Women's Year held in Mexico in 1975, it was unanimously agreed that the proposal should be further developed and the General

¹¹¹ LSC Center for Women, "Peace and Security: Tackling Violence against Women". at <http://blogs.lse.ac.uk/vaw/int/charter-bodies/general-assembly/> accessed: 15th November, 2016

¹¹² Ibid.

¹¹³ United Nations Women, "Convention on the Elimination of All forms of Discrimination against Women, Short History". at <http://www.un.org/womenwatch/daw/cedaw/history.htm>, accessed: Monday, 15th November, 2016

Assembly asked the CSW to have finished their work by 1976. However after much effort to ensure its completion, CEDAW was finally adopted in 1979.

Article 1 of CEDAW defined discrimination as follows:

“For the purposes of the present Convention, the term ‘discrimination against women’ shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment and exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

This instrument consists of 30 articles divided into two parts. The first (Art. 1-6) defines the term ‘discrimination against women’ (Art. 1), and sets out general obligations that the Convention requires states parties to eradicate all these forms. In order to rapidly establish equality between men and women, it provided the opportunity for states parties to adopt temporary special measures in favor of the latter, in other words the establishment of a positive discrimination (Art. 4).

- Parts 2 to 4 (Art.7 and 16) describe the measures that States Parties must adopt in order to Eliminate Discrimination against Women, as regards participation in political life (Art. 7) acquisition, change, conservation and transmission of nationality (Art. 9), access to education (Art. 10), health (Article. 12), equal economic and social life (Art. 13); protection of women in rural area (Art. 14); Equality before the law (Art. 15); Particularly the Convention cares to ensure that States take measures to end the discrimination against women in all matters relating to marriage and family relations (Art.16).
- States also agree to be bound by the treaties and to implement its provisions at the national level through a ratification or accession as well as enforcement mechanism which if negotiation fails will be transferred to the international court of justice (Art. 29)

The mechanism of reports of States parties is established by CEDAW in Article 18. One must say in this regard that this mechanism is mandatory. Under this article, States parties

undertake to submit to the UN Secretary General for consideration by the CEDAW Committee¹¹⁴ a report on the legislative, judicial, administrative or other measures they have adopted to give the provisions of this Convention and on the progress made regarding Women and/or Human Rights.

2.1.6. UN Special Rapporteur on Violence against Women

The establishment of the Special Rapporteur on Violence against Women (SRVAW) in 1994 was as a result of finding an efficient and effective way of handling issues of violence against women (VAW) as a fundamental human right concern among operations of the United Nations. Years after adopting CEDAW, there were still rampant women right violations and taking cognizance of these became difficult, as there were other issues at hand to handle by the UN. The Women International Bill which was the expert committee monitoring the implementation of the convention had to adopt general recommendation 19 in 1992. Notwithstanding, at the Vienna Conference in 1993, it was clearly unrevealed that VAW was becoming a serious human right concern. The declaration on the elimination of Violence against Women by the General Assembly in the same year created the need for mechanism that would be used to monitor violence against women globally. Thus on 4th March, 1994, the Commission on Human Rights had to adopt a resolution for incorporating the rights of women into the human rights mechanisms of the UN and the elimination of violence against women respectively. As an outcome, there was the appointment of a Special Rapporteur on VAW including its causes and consequences.¹¹⁵

¹¹⁴ The committee is a body of independent expert that monitors implementation of CEDAW established in 1982. Consist of 23 experts on women's right from around the world. Countries who have become party to the treaty are obliged to submit regular report to the committee on how the rights of the convention are implemented (National measures). In accordance with the optional protocol to the convention, the committee is mandated: Receive communication from individuals submitting claims of violation of rights protected under the convention, Initiate inquiries into situations of grave or systematic violations of women's right, it also formulates general recommendations and suggestions directed to states.

¹¹⁵ Rashida Manjoo, "The United Nations Special Rapporteur on Violence against Women, Its Causes and Consequences", 66th session of the General Assembly third committee, New York, 10 Oct. 2011. Accessed: 9 November 2016

In an article done by the United Nations Human Rights Office of the High Commissioner on Special Rapporteur on violence against women, its causes and consequences, the core mandate of the Rapporteur among other things is to do the following:

- Seek and receive information on VAW, its causes and consequences from Governments, specialized agencies, treaty bodies, other special rapporteur responsible for various human rights questions, non-governmental and intergovernmental organizations like women's organizations in order to render effective response;
- The rapporteur also recommend necessary measures to be taken at international, regional and national levels in order to eliminate VAW, its causes and consequences;
- Work in collaboration with other human rights mechanism and special procedure in the UNHRC making sure that women's rights and gender perspective are included in all aspect in their works and cooperate with the CSW in discharging their function;
- Finally the rapporteur should adopt comprehensive universal approach in eliminating violence against women, its causes and consequences especially in the political, civil, economic social and cultural spheres.

Whilst discharging his/her mandate, the rapporteur does the following: pass on urgent appeals and communications to States regarding alleged cases of violence against women that come to his or her notice; undertakes country visits to specific countries when the need arises and finally submits annual thematic reports to authorities concerned regarding his/her monitoring and other observations done through visits made to specific countries.¹¹⁶

In addition to the above, the UN Rapporteur has conceptualized violence against women takes place in three specific spheres (In the family including domestic violence and marital rape; in the community including sexual assault; sexual harassment in the workplace and educational institutions and that of trafficking for no less a purpose, than for sexual exploitation; the last has

¹¹⁶ Ibid.

been the violence orchestrated by the state and that includes custodial violence, sexual assault during periods of war and violence inflicted on refugee women.)¹¹⁷

Compliant Mechanism on the Special Rapporteur on Violence against Women: ¹¹⁸ individuals and NGO's can make complain through the model complaint form like on gender specific issues like act of violence directed against women and the Special rapporteur in turn request government of that particularly country to take measure to handle the women right violation and can provide recommendation to the government.

2.1.7. Beijing Declaration Platform of Action adopted by the UN

In September 1995, approximately 17,000 representatives and 30,000 activists from all different part of the world, but with a single goal which was to eliminating discrimination against women and promoting gender equality and empowerment of all women worldwide, attended the Fourth World Conference on women in Beijing, China.

After two weeks of political debate and information sharing on experiences in good practicing and lesson lent, 189 government representatives and thirty thousand non-governmental activists kept the pressure going through lobbying, advocacy, training, and networking, were able to develop comprehensive and unprecedented commitment in achieving their goal. This conference gave birth to holistic declaration, which became known as the Beijing Declaration and Platform for Action being the most progressive blueprint ever for advancing women's right¹¹⁹

As a characterizing structure for change, the Platform for Action made complete responsibilities under 12 critical areas of concern: Women and poverty; Education and training of women; Women and health; Violence against women; Human rights of women; Women and the economy; Women and armed conflict; Institutional mechanisms for the advancement of

¹¹⁷ International Law, "United Nations System on UN Special Rapportuer on Violence against Women" at <http://hrlibrary.umn.edu/svaw/law/un/enforcement/Rapporteur.htm>, accessed: 15th November, 2016.

¹¹⁸ Ibid.

¹¹⁹ UN women, "United Nation entity for gender equality and empowerment of women: The Beijing platform for Action turns 20". At: <http://beijing20.unwomen.org/en/about> Accessed: 10 November 2016.

women; Women in power and decision-making; Women and the media; Women and the environment and the girl-child. Indeed, even after 20 years, it remains an intense wellspring of direction and motivation for gender equality.¹²⁰

Since the adoption of the Beijing Declaration and platform for Action, substantive efforts right across the globe have been geared towards women's empowerment and gender equality. Post Beijing has seen increased interest and better legislations to promote violence against women and gender equality. Girls' enrolment in primary education has increased. Women's involvement in maintaining peace has been gaining momentum. A remarkable progress has been made in having women participate fully in sensitive political decision as well as in the private sectors, with an expected increase over the 30 percent required threshold of women participation in politics in 2017. Also considerable progress has been achieved in limiting human rights violations against women, increased women access to proper and affordable health care as well as rise in legal rights of women to take part in decisions that affect them directly.

Notwithstanding these gains, the limitations that were highlighted during the signing of the Beijing declaration remain strong future concerns. resulting audits of the implementation of the Beijing Declaration and Platform for Action have uncovered that little critical advance has been made in a few territories of woman's human rights, "discriminatory legislation and additionally destructive traditional practices and negative stereotyping of women and men still persevere" especially in family, civil, work and business laws or codes, or administrative guidelines and regulations.¹²¹ However, activists continue to hold their governments responsible and enhance improvement faster.

¹²⁰ UN Women, "Beijing Declaration and Platform for Action, Beijing+5 Political Declaration and Outcome", (1995): 9 At: http://www.unwomen.org/~media/headquarters/attachments/sections/csw/pfa_e_final_web.pdf Accessed: 1 November 2016.

¹²¹ General Assembly resolution S-23/3, annex, para 27, accessed: 25th October 2016 at: <http://www.un.org/womenwatch/daw/followup/ress233e.pdf>.

2.1.8. UN Security Council Resolution 1325

The UN traditionally has not been known for what it later showed great interest in (Women, peace and security). In 2000, a landmark resolution known as the 1325 Security Council Resolution focusing exclusively on women as partners in their own rights during periods of war and armed conflict.¹²² This resolution was met after lots of deliberations and without doubt signaled a shift in the way that perceives women, peace and security. Unlike in the past, but the resolution has made the UN to consider women in every matter of peace, and security and other decision making consultations¹²³

Women's Refugee Commission in one of their publications mentioned that:

“SCR 1325 recognized the disproportionate impact of conflict on women and girls. It also noted that little was being done to address women's and girls' needs during or after conflict or to strengthen their participation in peace building processes. It therefore established three pillars (often referred to as three “Ps”) in relation to women and armed conflict: Prevention, Protection and Participation. Member States and UN entities are now expected to address women's and girls' protection and assistance needs during conflict and post conflict periods and also to facilitate and support women's involvement in conflict prevention, peace building and post conflict reconstruction processes.”¹²⁴

It is however obvious that the Resolution 1325 has further increased awareness in the international community of the needs of vulnerable women and girls who have most times been observed affected by conflict. Irrespective of them being victims, matters related to ameliorating their situation has now warranted the incorporation of women as driving tools based on the view that their contributions may help stabilize situations of conflict. Resolution 1325 as an outcome has provided other resolutions among which have been the following: 1889, 1820, 1888, 1960, and most recently 2106, which was adopted in June 2013.¹²⁵

¹²²UN Security Council Resolution 1325 on “Women, Peace and Security: Towards an Effective and Inclusive Irish National Action Plan”, A Good Practice Guide, June (2010).

¹²³ Ibid.

¹²⁴ Women's Refugee Commission, “Women, Peace & Security”, Background to Resolution at: <https://www.womensrefugeecommission.org/wps/background-to-resolution-1325> 1325. accessed: 16th November, 2016.

¹²⁵ Ibid.

Resolution 1325 has played a pivotal role in enhancing women's equal and full participation as active players in not only the prevention of conflicts, but also resolution as the case maybe. According to the Resolution women has a stake in such matters and even in keeping the peace in post war countries. Therefore, it calls for non discrimination in their involvement. Member states according to this Resolution should ensure equal participation and full involvement of women in these activities. To enhance this, a gender perspective should be created in this regard. A follow up to this resolution 1325 was Resolution 1889 which also complements effort made by 1325 in strengthening women's participation in peace processes and also the monitoring of these activities as a means of measuring progress.¹²⁶

2.2. Council of Europe

As the oldest political organization in Europe, the Council of Europe (CoE) was founded in 1949. From its structure and functions, it could be noticed that this organization is different from European Union (EU) but interestingly, there has not been a single country in the EU as member without first becoming a member of the Council. Base on its ideology, the aims of the said organization are the following:¹²⁷

- To protect human rights, pluralist democracy and the rule of law;
- To promote awareness and encourage the development of Europe's cultural identity and diversity and find common solutions to the challenges facing European society like corruption, terrorism, organized crimes, discrimination, human trafficking etc;
- To consolidate democratic stability in Europe by backing political, legislative and constitutional reform. During the third summit of heads of state in May 2005, CoE recent political mandate was adopted.

Gender equality and violence against women remains a serious challenge to the place and role of women in the society. This is not limited to countries that are put in the bracket of

¹²⁶ United Nations Peace Keeping Department, "Women, Peace and Security", accessed: 6th November, 2016 at <http://www.un.org/en/peacekeeping/issues/women/wps.shtml>.

¹²⁷ Sophie Lobey, "History, Role, and Activities of the Council of Europe: Facts, Figures and Information Sources", 2010. At http://www.nyulawglobal.org/globalex/Council_of_Europe.html. Accessed: 17th Novembre, 2016.

developing states, but also in democratic, rich and developed countries like Europe. Against this backdrop, the education and promotion of the women's right goes right across the world. As a Council, the CoE has shown commitment to the elimination of all forms of discrimination against women ever since its establishment.

2.2.1. European Convention on Human Rights and the European Court of Human Rights

Gender equality and violence against women remains a serious challenge to the place and role of women in the society. This is not limited to countries that are put in the bracket of developing states, but also in democratic, rich and developed countries like Europe. Against this backdrop the education and promotion of the women's right goes right across the world. In Europe, the European Convention on Human Rights (ECHR) is the major instrument under which the campaign for violence against women is promoted and implemented.

ECHR commonly known as the Convention for the Protection of Human Rights and Fundamental Freedoms in Europe is an international treaty signed by member states of the CoE¹²⁸ on 4 November 1950 and entered into force on 3 September 1953. While there is no specific provision in the convention that deals with violence against women, the European Court of Human Right (ECtHR) has highlighted a number of provisions within the convention that raise concern to the issues of violence against women. These provisions include;

Right to life, article 2 of the convention states that *“Everyone’s right to life shall be protected by law. No one shall be deprived of his/her life intentionally. Deprivation of life shall not be regarded as inflicted in contravention of this Article when it results from the use of force which is no more than absolutely necessary”*¹²⁹ This article is seen as one the major provisions of the convention that deals with violence.

¹²⁸ The Council of Europe should not be confused with the European Council, also called the Council of Ministers, since it brings together the ministers of the different Member States, the latter being European Constitution, to avoid current confusion). The European Council brings together the Heads of State and Government of the European Union. These last two institutions are institutions of the European Union.

¹²⁹ See http://www.echr.coe.int/Documents/Convention_ENG.pdf: 6

The third article of the convention prohibit torture and inhuman treatment while Article 4 further include the elimination of slavery and Article 6, right to fair trails¹³⁰. The ECHR also emphasize the right of individuals in their private and family lives, with no interference by public authority except issues arise that have to do with law in the interest of state security. (Art. 8),¹³¹ Article 14 prohibit discrimination of any kind in enjoyment of freedom and right stated in the convention such as religion, sex, language, race or other status¹³² And above all Art. 13, makes provision for the enforcement measure of the convention by stating that any violation of the convention have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity¹³³. Knowing that a convention without an enforcement measure is not effective, the ECHR in Art.19 makes provision for the establishment of the European Court of Human Right.

The European Court of Human Rights (ECtHR) is an international court established in 1959 by the Council of Europe. Its mission is to ensure respect for the commitments entered into by the signatory states of the European Convention on Human Rights.

The jurisdiction of the Court shall extend to all matters relating to the interpretation and application of the Convention and its additional protocols.¹³⁴ The application may be brought before the Court by a State or by any natural person, Non-governmental organization or any group of individuals who consider themselves a victim of a violation of their rights or freedoms guaranteed by the Convention.¹³⁵

The above mentioned articles have been provision under which the court has gone to examine various complaints brought forward to its jurisdiction. However, the court's involvement in dealing with violence has been a debatable issue owing to its involvement into private matters that go beyond its preview. So the court has gone to invoke article 2 to oblige member states to adopt domestic laws which makes violence against women a crime.

¹³⁰ Ibid., 6-9.

¹³¹ Ibid., 10.

¹³² See http://www.echr.coe.int/Documents/Convention_ENG.pdf. 14.

¹³³ See http://www.echr.coe.int/Documents/Convention_ENG.pdf. 13.

¹³⁴ A protocol to the Convention is a text which adds one or more rights to the original text of the Convention or modifies certain provisions thereof, they are binding only on those States which have signed and ratified them.

¹³⁵ Article 33: "Inter-State Cases", and Article 34: "Individual Applications".

2.2.2. Additional Protocols to the European Convention on Human Rights

The ECHR is supplemented by 16 additional protocols (AP). Protocols 1, 4, 6, 7, 12 and 14 contain provisions of substantive law which guarantee rights not enshrined in the Convention (such as the right to property guaranteed in the 1st Protocol), or extend existing rights in the Convention (such as the 12th AP, which reaffirms the general prohibition of discrimination).

The other additional protocols amend the procedures of the European Court of Human Rights (ECtHR) or grant it additional powers. The particularity of these amending protocols lies in the fact that each procedural change they entail applies to all States, as they modify the text of the ECHR. For this reason, these additional protocols must be signed and ratified by all States before coming into force, whereas this is not the case for additional protocols containing substantive provisions. The oldest procedural protocols were gradually replaced by new ones.

To further address issues of women's violation, the CoE establishes the Steering Committee for Gender Equality between Women and Men (CDEG) and was tasked in the 1990's to embark on a number of programmes in line with bridging the gap between women and men in different fields especially on issues related to violence against women. Not too long, the Ministerial Conference on Equality between Women and Men was focused on "Strategies for the elimination of Violence against Women in Society: the Media and others respectively."¹³⁶

The CoE also in 2002 made recommendations to all member states to protect women against violence and other forms of discrimination. An Action Plan to Combat Violence against Women was developed which became the first comprehensive policy framework for national administrations. Giving more strength to this drive, the CoE also in 2005 stakeholders meeting including Heads of states, decided to carry out a campaign and this continued from 2006-2008 which was monitored by the CoE Task Force to combat violence against women among other

¹³⁶ Ibid.

issues. Many of these stake holders were advised to carry out their campaigns on the full implementation of the Recommendations by the CoE.¹³⁷

Notwithstanding the positive outcome of the above stated measures, there was still room for improvement as stated by the Task force in their final activity report in 2008 of the Europe wide campaign and call for the establishment of Human Right Convention to Prevent and Combat Violence against Women.¹³⁸ This however led to the adaptation of Ad Hoc Committee on prevention and combating violence against women and domestic violence in the CoE 1044th meeting on 10 Dec. 2008. The Committee in just two years submitted a draft of convention to the Parliamentary Assembly for opinion and in May 2011 the Convention on Prevention and Combating Violence against women and Domestic Violence also known as the Istanbul Convention was adopted by the CoE Committee.¹³⁹

2.2.3. Istanbul Convention

The Istanbul Convention is the first legally-binding instrument which *"creates a comprehensive legal framework and approach to combat violence against women"* and is focused on preventing domestic violence, protecting victims and prosecuting accused offenders.¹⁴⁰

The convention contains reach articles to foster women's empowerment and ending violence: Violence against women according to the convention is a violation of human right and an act of discrimination (Art, 3 (a).); According to the convention, (Art. 3 (c), Gender is defined as the *"the socially constructed roles, behaviors, activities and attributes that a given society considers appropriate for women and men"*; In Art. 5, countries should prevent violence against

¹³⁷ Ibid.

¹³⁸ Council of Europe (CoE) Task Force to Combat Violence against Women, Including Domestic Violence (EG-TFV) (2008), *"Final Activity Report"*, Retrieved 28 October 2012.

¹³⁹ Handbook for Parliamentarians: "Council of Europe Convention on Preventing and Combating Violence against Women and Domestic violence (Istanbul Convention)," Council of Europe, 17, Aug. 2012, available at <http://assembly.coe.int/Communication/Campaign/DomesticViolence/HandbookParliamentarians.pdf>.

¹⁴⁰ Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and explanatory report, Istanbul (Turkey) 11.Vol. 2011, CETS No. 210 (2012). https://www.revolvy.com/main/index.php?s=Council%20of%20Europe%20Convention%20on%20preventing%20and%20combating%20violence%20against%20women%20and%20domestic%20violence&item_type=topic

women, protect victims and prosecute perpetrators (due diligence); in other for state to implement the convention better, certain offences were characterized as violations against women and these , include: psychological violence (Art. 33); stalking (Art. 34); physical violence (Art. 35); sexual violence, including rape, explicitly covering all engagement in non-consensual acts of a sexual nature with a person (Art. 36), forced marriage (Art. 37); female genital mutilation (Art. 38), forced abortion and forced sterilization (Art. 39); Art. 40 lay emphasis on sexual harassment which is subject to legal sentence; realizing the effect traditional norms and practices have on women, Art. 42 prohibited crimes committed in the name of so-called honor.¹⁴¹

The convention in the following years became successful in eliminating violence against women: The principle of “Due diligence” was included in art. 5(2) in the Convention to portray the responsibility of the state which means that state have the obligation of means and result: establish effective measures to prevent, investigate, punish and provide reparation to victims. The prevention, protection, prosecution and integrated policies must be implemented by member state and any Failure by state amounts to Sanctions.¹⁴²

The Convention contains two main monitoring bodies: Group of Experts on Action against Violence of Women and Domestic Violence (GREVIO) and composed of qualify individuals in Gender equality, human rights, violence against women, criminal law etc charged with the responsibility of monitoring the implementation of the convention by state parties as well as receiving information from Civil society organizations and NGOs on issues of Human Right/women rights (Art. 66), and the Committee of the Parties comprises of representatives of state party to the convention to report on implementation measures of the convention in their various states (Art. 68).

As not being enough, the Istanbul convention also calls for protection of victims as it does provide deterrent measures for perpetrators. In this same convention there are provisions on

¹⁴¹ Luana Bezzina, An Important Addition: “The Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence”. Malta Girl Guide, at: <http://www.maltagirlguides.com/an-important-addition>; accessed: 16th Nov 2016.

¹⁴² Council of Europe (CoE): “Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence – Explanatory Report”. Retrieved: 26 October 2012.

changing the perception of masculinity and attitude of boys and girls respectively in relation to development.¹⁴³

Most importantly, the CoE in its wisdom also established a whole Commission of Gender Equality. The essence for having this established was to incorporate gender issues regarding equality into all policies formulated and implemented by the council and also to reduce the widening gap between communities at international levels and in actual circumstances of discrimination against women on the basis of their sex. The commission, however, whose members appointed by these heads of state perform the function of providing advice, guidance and also support to other bodies of the council in areas of gender equality. This commission in clear terms supports the work of the CoE in key areas to combat violence against women:¹⁴⁴

Under the strict supervision of the Committee of Ministers, the Gender Equality commission does the following: to ensure that gender equality is consider in all activities carry out by the committees and bodies of the Organization; to asses and provide advices on issues of violence against women; provide experts, training and materials to member state government, civil society and private sector for the development of policies, laws and practices to implement international standards at national level; work closely with the CoE gender equality strategy; Advise the Committee of Ministers and Secretary General on action to be taken in relation to gender equality.¹⁴⁵

All of these mechanisms discussed above have been instrumental in fighting against women's discrimination and the empowerment of women in Europe. With the help of the ECtHR which serves as an enforcement mechanism, we can say the issue of women's right is gradually becoming a success if more effort is taken in eliminating discrimination against women in Europe.

¹⁴³ Ibid.

¹⁴⁴ The Council of Europe Gender Equality Commission. Available at <http://www.coe.int/en/web/genderequality/gender-equality-commission>; Council of Europe, 2016: Accessed: 18th November, 2016.

¹⁴⁵ Ibid.

2.3. African Union

The African Union (AU) as a replacement of the Organization of African Unity (OAU), It was established on July 8, 2001 after numerous consultations. The OAU was established in 1963 by a Charter detail of which was prepared in the 1950's and 1960's and the motivation coming from the aim to support Africans who were still then under colonial rule with a view to incite change using peaceful means.¹⁴⁶ The key objectives of the OAU initially were to get the continent out of colonialism and to:

“ to promote unity and solidarity among African states; to coordinate and intensify cooperation for development; to safeguard the sovereignty and territorial integrity of Member States; and to promote international cooperation within the framework of the UN.”¹⁴⁷

The approach to the advancement of women's rights and gender equality of the AU has been taken largely from the UN Framework and that includes the CEDAW among other key instruments formulated. The contextual African situation was also taken on board as to providing laws that will reflect happenings in the African continent. The commitment of the AU to gender equality is rooted in the African Charter on Human and Peoples Rights. Realizing that a similar issue is reinforced by the Protocol of the African Charter on Human and People's Rights, the Solemn Declaration on Gender Equality in Africa, the issue of gender equality through the elimination of all forms of discrimination against women has not been treated with any levity.¹⁴⁸ A gender policy was established by AU to address issues of gender equality

The mandate of this gender policy has been focused on three key factors and these are:

- The strong AU commitment to gender equality
- The aspirations and achievements of the African women's
- The necessity to consolidate the positive experiences that have taken place.¹⁴⁹

¹⁴⁶ Makaria Green, "The African Union: Review Digest, Right Based Approaches to Development" At: <http://www.du.edu/korbel/hrhw/researchdigest/development/au.pdf>. Accessed: 19th October 2016.

¹⁴⁷ Ibid.

¹⁴⁸ The AU Gender Policy available at http://www.uneca.org/sites/default/files/images/flier_on_au_gender_policy_english.pdf, accessed: 8th November, 2016.

¹⁴⁹ Ibid.

It is believed that the African system for the protection of human rights of all individuals including women consists of the African Commission on Human and Peoples' Rights. This also serves as a complaints and reporting mechanism with the African Court on Human and Peoples' Rights for issues of remedies. Whatever decision taken by this court has implications on the status of its members and therefore legally binding on the State Parties.¹⁵⁰

The mandate of the African Commission on Human and People's Rights is the protection of humans and people's rights in Africa and also responsible for the interpretation of provisions made by the African Charter on Human and Peoples' rights. Taking into consideration, however, the Charter of the OAU (now the Constitutive Act of the AU), the commission framework is centered on institution and instrument in the field of Human Right and people' right such as the UDHR, other UN organizations, African instruments etc.¹⁵¹

There is also the African Declaration on Gender Equality enshrined in the constitutive act of the AU (Art. 4(1) and other international instrument on human and women's right like the CEDAW (1979), Beijing platform of action (1995), African platform of action (1994) and the African protocol to the African charter on human and people's right on the right of women in Africa (2003).¹⁵²

2.3.1. Maputo Protocol

The Protocol to the African Charter on Human And Peoples' Rights on the Rights of Women in Africa, commonly known as the Maputo Protocol, provides widespread rights to women as well as the right to participate in political process, to social and political equality with men, enhanced self-sufficiency in their reproductive health decisions, and an end to woman genital damage or mutilation. As this suggests, the Maputo protocol was adopted by the AU and it contains 25 articles. The main articles include the elimination of discrimination against

¹⁵⁰ The African Commission on Human and Peoples' Rights, Natural Justice, 63 Hout Street, Cape Town 8001, South Africa. At: file:///C:/Users/KutiMMD/AppData/Local/Temp/ACHPR%20brochure%20-%20final.pdf

¹⁵¹ Ibid.

¹⁵² African Commission on Humans and People's Rights, Declaration on Gender Equality in Africa available at <http://www.achpr.org/instruments/declaration-on-gender-equality-in-africa/> accessed: 18th November, 2016.

women, right to dignity, right to life, integrity and security, eliminating harmful practices like Female Genital Mutilation (FGM), right to marriage, right to divorce, right to access to justice, right to participate in politics, right to education, economic and social welfare rights, special protection of women with disability etc.¹⁵³

In article 2, section 1 (a),(b),(c),(d) and (e), of the Maputo Protocol state that:

“a) Include in their national constitutions and other legislative instruments, if not already done, the principle of equality between women and men and ensure its effective application; b) Enact and effectively implement appropriate legislative or regulatory measures, including those prohibiting and curbing all forms of discrimination particularly those harmful practices which endanger the health and general well-being of women; c) Integrate a gender perspective in their policy decisions, legislation, development plans, programmes and activities and in all other spheres of life; d) Take corrective and positive action in those areas where discrimination against women in law and in fact continues to exist; e) Support the local, national, regional and continental initiatives directed at eradicating all forms of discrimination against women.”

The African Court on Human and Peoples' Rights is a continental court established through a Protocol to the African Charter by African countries to ensure the protection of human and peoples' rights in Africa. This court is an enforcement mechanism of the Maputo protocol and any violation committed against women. It complements and reinforces the functions of the African Commission on Human and Peoples' Rights and its decisions are final and binding on state parties to the Protocol.

The above are key mechanisms put in place at international level by the AU in respect to the fight against all forms of discrimination against women.

2.4. Economic Community of West African States (ECOWAS)

The ECOWAS happens to be a regional organization established on 28 May 1975 and comprised 15 member States. Irrespective of its main goal in the promotion of the economic integration among its members, the ECOWAS community has been seen playing important role in gender equality through its various mechanism key among which has been the Community Court of

¹⁵³ Maputo Protocol, Art. 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, and 23. At: http://www.un.org/en/africa/osaa/pdf/au/protocol_rights_women_africa_2003.pdf.

Justice. The Court addresses issues of compliant brought to it by any of its members.¹⁵⁴ It has an executive Secretariat, Parliament and Special Commissions among which is the Legal and Justice Commission handling issues that require legal considerations. The Community comprises three main branches of power; Executive, Legislature and Judiciary. A fourth has however been the ECOWAS Bank for investment and Development (EBID) which deals on Economic affairs.

Women's right is a major issue under the ECOWAS level and the community has been working hard by putting mechanism in place to deal with issues of violence against women and means to combat it. This is evident in Article 63 of the Revised ECOWAS Treaty that calls on *“Member States to formulate, harmonize, coordinate and implement the appropriate policies and mechanisms to improve the economic, social and cultural conditions of women.”*¹⁵⁵

In other to achieve this goal, the Commission set up an institutional framework for the promotion of gender equality. Among these have been ; the ECOWAS Gender Development Centre in 2003; ECOWAS Gender policy which was adopted in 2004; a Gender management system in 2005; transformation of the Gender, Youth, CSO, Employment, Drug Control Division into a Directorate and creation of the office of the commissioner of Human right and Gender in 2007 etc.

As an outcome of other efforts made with regards empowering women within the West African Sub-region, in 2001 stakeholders among the community provide ECOWAS groundwork women's empowerment policy with great emphasis on the framework and appropriate mechanisms for gender-mainstreaming in ECOWAS programmes. This framework showed the commitment and respect the community had for gender equality. Thus, in 2003, there was the adoption and establishment of a gender department within the ECOWAS Commission.¹⁵⁶

¹⁵⁴ International Democracy Watch, Economic Community of West African States: available at <http://www.internationaldemocracywatch.org/index.php/economic-community-of-west-african-states-> and accessed: 19th November, 2016.

¹⁵⁵ Ibid. Art. 63.

¹⁵⁶ Ibid.

2.4.1. ECOWAS Gender Development Centre

In matters on gender equality with specific reference to the discrimination of women and girls, the community has a center called ECOWAS Gender Development Centre (EGDC) which finally came into existence in 2003 with a mission statement on striving to develop women in the sub-region. The key areas of interest as stated by ECOWAS by the center are the following: governance; decision-making and representation; education and health; agriculture and environment, peace and security; economy and trade. Working on these areas, the community believes will be easily done through initiating, developing, facilitating and co-coordinating strategic issues that would necessitate policies geared towards gender mainstreaming and other community development programmes.¹⁵⁷ The Centre's work is guided by four basic principles: Justice, Equity, Equality, Peace and Security.

The EGDC engaged in several activities geared towards women's empowerment: networking and coordination like the Association of ECOWAS female parliamentarian (ECOFEPA), West Africa Network of young women leaders, Network on peace and Security for women in the ECOWAS region (NOPSWECO); capacity building in Gender training, sensitization, analysis, Mainstream through workshops, training for ECOWAS parliamentarians, Judges and staffs, female entrepreneurship, gender-responsive budgeting as well as ICT training for EGDC focal point; Development programs in areas of Health, Education, Economic empowerment and Technical support for women empowerment through medical support, award of scholarships, technical and financial support to set up business and support to National gender machineries; finally research on women's capacity building, identification of gender-specific discriminatory and equality in national legislation of ECOWAS state.¹⁵⁸

¹⁵⁷ ECOWAS: ECOWAS Centre Promotes Gender Equity at <https://www.modernghana.com/news/188432/1/ecowas-centre-promotes-gender-equity.html> accessed: 18th November, 2016.

¹⁵⁸ ECOWAS Gender Development Centre (EGDC), "From an ECOWAS of States to an ECOWAS of People, What We Have Done". At: <http://www.ccdg.ecowas.int/what-we-do/what-we-have-done/> Accessed: 10th October 2016.

Inasmuch discrimination against women is seen a human right violation and abuse by the United Nations, there has been other international instruments confirming this. The UN in its UDHR has called all state parties to respect the rights of all individuals and this includes women. ECOSOC among other things has called for the inclusion of women into the economic and social opportunities, thus it advocates to improving conditions of work, education and wages as key for economic growth.

With the belief that women need benefit from empowerment, there socio-economic status needs to be improved. The UN Commission on the Status of women has advocated for the advancement of women in all works of life which also has links to their condition in present Sierra Leone through the series of advancement opportunities catered for them.

The UN General assembly has enhanced the establishment of additional instruments that has handled the different forms of discrimination which had had impacts on the situation of women in Sierra Leone with special reference to education, trafficking, age consent before marriage and registration of marriage thereby reducing discrimination in education, employment and occupation as well as the issue of citizenship and nationality. Special focus has been given to violence against women which was the reason behind the establishment of a special rapporteur on violence against women with authority over the causes and consequences.

Another crucial issue has been with the issue of poverty majority of women face. The Beijing Platform of Action has also taken this into consideration. Above all, taking into account the issue of peace and security where the majority of women have been neglected and abused. The Security Council Resolution No. 1325 has as part of its core functions taken this which also has impacted Sierra Leone as was observed during the peacekeeping phase and the current peace building activities going on.

Organizations such as the Council of Europe, AU and ECOWAS has also serve as measure in enhancing women's right in Sierra Leone. The provisions (Education, funding, training etc) made by these organizations in relation to women's right empowerment has serve as a stepping stone in empowering and eliminating violence against women in Sierra Leone.

Therefore the various international mechanism used to fight against discrimination in Sierra Leone cannot be ignored because it has acted as a gigantic tools for women emancipation. The government of Sierra Leone and other international organizations have develop mechanism to fight against women's discriminations and enhancing the level of gender equality as discussed in the subsequent chapter.

CHAPTER THREE: STATE CONTROLLING MECHANISMS AGAINST WOMEN'S DISCRIMINATION AND SOCIO-ECONOMIC AND POLITICAL STATUS OF WOMEN IN SIERRA LEONE AFTER THE CIVIL WAR

Even though Sierra Leone as a country has not only signed, but has ratified most treaties and conventions on women and their empowerment forming part of the peace building process, there seems to be other plethora of problems challenging such empowerment. These have been considered as key in sustaining peace building structures that have already been created. Seen evidential is the prevailing occurrences within the economic, social, cultural and political spheres in Sierra Leone as noted by Awareness Times (2007):

“One of the main constraints most women face in participating in politics, particularly electioneering, is the lack of financial means. Because of their low economic status most women cannot effectively compete with their male counterparts in political campaigns that precede elections.”¹⁵⁹

It could be noticed from the above that low economic status of women is one major factor that hinders women's political participation in Sierra Leone. Irrespective of the fact that Sierra Leone, since 1988 has been among other countries that have ratified CEDAW, there has been issues connected to the 'political will' in terms of fully implementing the provisions that will enhance gender equality. Inasmuch the situation has been appalling, there have, however, been certain strides made by incorporating gender instruments in legal provisions made locally. This chapter aims to highlight and explain state controlling mechanisms against women's discrimination in Sierra Leone after the civil war. Facilitating this shall cover the following: State controlling mechanisms, their implementation and challenges faced in implementing these mechanisms.

¹⁵⁹ Ambassador Famah Joka Bangura, “Political & Economic Empowerment of Sierra Leone Women”, *Awareness Times Newspaper*, December 2007, 20:48. At <http://news.sl/drwebsite/exec/view.cgi?archive=4&num=7125> accessed: 15th October, 2016.

3.1. State Controlling Mechanisms against Women's Discrimination

This section examines state controlling mechanisms geared towards eliminating discrimination against women by looking into the rights of women in Sierra Leone (legislation), The Ministry of social Welfare, Gender and Children's Affairs, women's interest lobbying group and non-governmental organizations.

3.1.1. Rights of Women in Sierra Leone

At state level, Sierra Leone as a country, has domesticated many international instruments that have warranted provisions made therein to be fully implemented and protected by law. These international instruments, considering their domestication are seen as must operating human right tools that will foster equality, empowerment, protection and promotion of the rights of women at national level. Key among these instruments has been the following: the Universal Declaration of Human Rights, The International Covenant on Civil and Political Rights, The Beijing Rules, and most importantly CEDAW. All of these and their provisions have now been seen active by operatives in Sierra Leone. Any breach of provisions made in these human rights instruments that have been gender-sensitive is bound to redress at both national and international level.¹⁶⁰

As a democratic state, Sierra Leone has been incorporating gender issues in all its policy formulation and implementation efforts, even though this has been done as a last resort to meet certain international requirements. The legal framework on the rights of women is provided for, in the country's fundamental legal instrument, (1991 Sierra Leone Constitution), other amendments and additional acts provided underpinning provisions made in this said constitution. Chapter 3 of the Sierra Leone Constitution throws light on the recognition and protection of fundamental human rights and freedoms of the individual. This chapter which is referred to the 'Bill of Rights' draws attention to promoting and upholding the rights of every person as

¹⁶⁰ Savitri Goonesekere, "A Rights-Based Approach to Realizing Gender Equality", A paper in Co-operation with the UN Division for the Advancement of Women. available at <http://www.un.org/womenwatch/daw/news/savitri.htm>, accessed: 3th December, 2016.

provided for in section 15. Such recognition of rights according to this section should be done regardless of sex. Every Sierra Leonean, according to this section 15, has the right to life, liberty, and security of person, the enjoyment of property, the protection from deprivation of property and the protection of the law. In further emphasizing these rights, section 27 of this same constitution reaffirms that “*no law shall make any provision which is discriminatory either in itself or its effect.*”¹⁶¹ This has shown the initial commitment to the protection of rights of every person irrespective of his or her sex.

In addition to the above, there have been policies and other agendas formulated in the drive to empower women. These policy documents have been the following: National Gender Strategic Plan and the Sierra Leone National Action Plan on United Nations Security Council Resolutions 1325 and 1820 that were introduced in 2010. Apart from these, there have also been two other major policies (National Action Plan on Gender-Based Violence; National Referral Protocol on Gender-Based Violence) developed by the Ministry of Social Welfare, Gender and Children’s Affairs. All these have been blueprints made in fighting discrimination against women and young girls in Sierra Leone.

In a bid to further improve the position of women and to promote gender parity, the government of Sierra Leone has enacted additional legal instruments that help fight discrimination against women. Enacted in 2007, these laws commonly called the “*Gender Bill*” have been instrumental in reducing discriminations against women after the war in Sierra Leone. The Domestic Violence Act which criminalizes domestic violence, and addresses issues of sexual, physical, emotional, psychological and economic violence perpetrated against an individual in a domestic setting,¹⁶² though the act states that these are common offences perpetrated against women and girls in Sierra Leone, there has been strict penalties put in place for any of their breach. The Registration of Customary Marriage and Divorce Act which also legalizes all marriages under the customary law;¹⁶³ Mohamedan and the civil laws and Christian belief with an assumption that over 70% of Sierra Leonean women, more so from the North, do practice such marriage. They also did suffer the consequences before the establishment of this

¹⁶¹ Sierra Leone Constitution, 1991.

¹⁶² Government of Sierra Leone, Domestic Violence Act of 2007.

¹⁶³ Government of Sierra Leone, The registration of Customary Marriage Act, 2007.

act. This was because; such marriages were not recognized by the laws of Sierra Leone (before the enactment of the act.). The Devolution of Estate, an act which protects the rights of women whose rights are been violated to access the property of their deceased husband. In addition to these, the Anti Trafficking Act has also been another which criminalizes the transaction of human beings for purpose, including to exploit in the form of prostitution, labour and other forms of exploitation.¹⁶⁴

Enacting the laws without creating the mechanism for their full implementation will absolutely be bad. To enhance this, the Government of Sierra Leone also initiated in 2003, the establishment of Family Support Unit (FSU) within the Sierra Leone Police (SLP) as the main law enforcement body to ensure the full implementation of such laws, and investigate those who come in conflict with the law.

3.1.2. The Ministry of Social Welfare Gender and Children Affairs in Sierra Leone.

This ministry was created in 1996 after the civil war to help promote the rights of women, children and the aged. The ministry has been instrumental in assembling extra assets, through UN Agencies, embassies and foreign government foundations, similar to the British Council and the Commonwealth Secretariat, NGOs, the private divisions and other city gatherings to aid programs on gender, women, children, the disabled and the aged.

The ministry advocates for the incorporation of ladies into the improvement procedure at all levels through projects and policies; work nearly in a joint effort with all government ministries and national promotion and welfare groups like the Women's Forum, the Network of Women Ministers and Parliamentarians, the 50/50 bunch, Friendship Society of the Elderly and the Retired and the Forum for African Women Educationalists (FAWE).

The mission of the ministry is: “ *to promote and protect the rights of women, children, the aged, persons with disability, and other vulnerable groups through development and review*

¹⁶⁴ Government of Sierra Leone, Anti Trafficking Act of 2005.

*of policies , advocacy coordination with stakeholders, building capacity and effective monitoring and evaluation in order to enhance equity for all.”*¹⁶⁵

Their vision is a: *“Sierra Leonean society where women, men, children, the elderly and people with disability live a life of dignity and respect are not discriminated and their human rights are fully protected. They are able to make their voices heard and are active agents in their own protection”*.¹⁶⁶

To reflect on the commitment of Sierra Leone’s government, legislative reforms have exhibited such responsibilities through the improvement of strategies, arrangements and declaration of enactments for the insurance, welfare and progression of women and girls. In 2000, the ministry added to the twin strategies or policies to be specific: National Policy on the Advancement of Women and the National Gender Mainstreaming Policy.¹⁶⁷

To support the full execution of these legislations, the administration has created national policies and action plans including the National Gender Strategic Plan (2010-2013); the new Ministry of Social Welfare, Gender and Children's Affairs Strategic Plan (2013-2018) which is yet to be launched, Sierra Leone National Action on UNSCR 1325 and 1820 (2010-2014); National Action Plan on GBV (2012) and National Referral Protocol on GBV (2012) – among others.

With the visionary administration of the President, Ernest Bai Koroma, the legislature of Sierra Leone created and formally dispatched the Agenda for Prosperity utilizing two

¹⁶⁵ Sierra Leone Ministry of Social Welfare, Gender and Children's Affairs available at <http://www.poverty-action.org/organization/sierra-leone-ministry-social-welfare-gender-and-childrens-affairs>.

¹⁶⁶ Ministry Of Social Welfare, Gender and Children’s Affairs “Strategic Plan 2014-2018”, November 2013 At: https://www.google.co.in/?gws_rd=ssl#q=ministry+of+social+welfare+gender+and+children%27s+affairs+sierra+leone+pdf. Accessed: 25 April 2016.

¹⁶⁷ The gender mainstreaming is a “concept-method” which refers to the (re) organization, improvement, development and evaluation of decision-making , for the purpose of incorporating the prospect of equality between women and men in all areas and at all levels by the actors normally involved in the implementation of policies. It is a strategy aiming to strengthen the equality of women and men in society by integrating the gender dimension into the content of public policy. Gender Mainstreaming: An Overview. Office of the Special Adviser on Gender Issues and Advancement of Women, New York, 2002; at: <http://www.un.org/womenwatch/osagi/pdf/e65237.pdf>. Accessed: 2 April 2016.

approaches: mainstreaming sexual orientation and in the whole record whilst having Gender Equality and Women's Empowerment pillar.

The Gender Equality and Women's Empowerment Pillar has four principal groups including administration, viciousness against women and girls, training and financial strengthening of women. The administration of Sierra Leone has been generally acclaimed for such a striking methodology and the model is been examined as the best practice for the future motivation. The Government of Sierra Leone is aware of its dedication to the Beijing Declaration and Platform for Action and has stepped in tending to the different basic ranges of concern.

3.1.3. The Role of women's Interest Lobbying Group and Non-Governmental Organizations in Promoting Women's Right

The 50/50 Group in Sierra Leone has been instrumental in promoting the rights of women. It is a non-partisan body that advocates and campaigns for increased female participation and equal representation in decision-making processes and initiatives at all levels in Sierra Leone with major focus on political offices. The organization's vision is to achieve "*Equal representation and participation of men and women in political and governance processes as well as all level of public life in Sierra Leone*". The organization specifically seeks to have a female president of Sierra Leone; and 50% women's representation in Parliament, local government and other decision making positions at all levels.¹⁶⁸

50/50 Group works through it members and targets organized groups such as women NGOs, local government structures, community-based women's groups, media organizations; and religious and traditional leaders; Community-based women's groups; traditional and religious leaders. It is run by an executive board led by a president.

Apart from representation in politics and public life, the organization also focuses on capacity building by providing training activities for young school girls in democracy and human rights, rights and responsibilities of citizens, leadership roles, gender-based violence and sexual

¹⁶⁸ Hussainatu Abdullah et. al. "Women's Voices, Work and Bodily Integrity in Pre-Conflict, Conflict and Post-Conflict Reconstruction Processes in Sierra Leone", IDS Bulletin Vol. 41. No. 2 (2010): 37-45.

harassment. Also, this organization has been conducting training with a special focus on other domestic and international women's right instruments in order to ensure continuity of its operations. The group also conducts leadership training for women on breaking barriers to democratic politics, and on human rights and the rule of law.

50/50 advocacy programmes with various political leaders have made strides resulting in the passing of the Devolution of Estate Act, 2007; Registration of Customary Marriage Act, 2007; Domestic Violence Act, 2007 and the domestication of international women's right instruments as well as the adoption of a memorandum requiring all political parties to ensure 30% quota of candidates in general elections. This quota has been included in the proposed new revised constitution of 2015 (Abridged Constitution, 2015).¹⁶⁹

Numerous non-governmental organizations have been instrumental in promoting women's right in Sierra Leone by collaborating with women interest lobbying group like the 50/50 and its partner, Mamaya Group etc. Some of these include OXFAM GB, Trocaire-Ireland, and Westminster Foundation for Democracy, British Council, and International Rescue Committee (IRC), to name a few.

Oxfam GB supported women's-rights coalitions in Sierra Leone in their advocacy efforts on the ratification and domestication of the African Women's Protocol. It has also supported advocacy activities to lobby for the popularization, ratification and domestication of the Africa Women's Protocol and similar international instruments.

The Westminster Fund for Democracy (WFD) has been supportive in its gender parity in the realms of politics in Sierra Leone. This includes workshops and training on voter education, and mentoring women to run for public offices. WFD enhances the institutional capacity of women's Group to use policy spaces created by regional and international bodies such as the AU and the UN to advance women's rights.

¹⁶⁹ Sierra Leone Constitutional Review Committee Abridged Constitution, 2015. The CRC's task was to review the 1991 Constitution of Sierra Leone together with the Peter Tucker's Constitutional Review Commission Report (PTCR) which was submitted to government in January 2008 as a working document. His Excellency, Dr Ernest Bai Koroma in his speech delivered on the 30th July 2013 said: *"This is a committee constituted from people of every region, political affiliation and socio-economic group to perform a sacred task. The constitution is the supreme law of the land, and we must all ensure that this document captures our better habits, our better values and our better aspirations"*.

Trocaire-Ireland was very instrumental in the campaign for the passing of the three gender act in 2007, and the domestication of international women's right instruments. Also support the 16 days of Activism, a strategy embarked on by women's group in Sierra Leone to stop gender base violence and other human right abuses and violations against women. Trocaire-Ireland also supported efforts to integrate international conventions into national legal and policy frameworks.

The International Rescue Committee (IRC) was instrumental in establishing the rainbow centres for girls who have suffered from sexual violence and refuge centres, for women who have suffered from domestic violence. The organization has also provided education for the girl child and conduct training in rural health care for new born babies and mothers, IRC also supports the campaign against female genital mutilation FGM which is seen by many traditional women as a rite of passage for girls into womanhood. (There shouldn't be any space in between)

Action Aid has also been instrumental in supporting women's Group in advocating for equal access to education and equal opportunities for both male and female.

3.2. Implementations: Positive Effect of Controlling Mechanism on the Political and Socio-Economic Status of Women in Eliminating Discrimination against Women in Sierra Leone

From the above, it could be noticed that there has been different mechanisms put in place as an effort to stop discrimination against women in Sierra Leone. These efforts have cut across enactments of laws and other institutional provisions through a specific line ministry. From the private sector, NGOs have also played their role in complementing the effort of the state. It has been seen clearly that despite the challenges, there have been some positive effects in implementing these mechanisms at national level on discrimination against women. This section throws light on the implementation aspect of state controlling mechanism in the political, Socio-economic status of women to assess how best these mechanisms have contributed in eliminating discrimination against women in Sierra Leone. It will further discuss the challenges in implementing these mechanisms.

The Program of Action in Sierra Leone emphasizes the central importance of the Convention on the Elimination of all Forms of Violence against Women for the advancement of women and achieving gender equality. The Convention establishes not only an international law on women's rights, but also an agenda for governments (States) to ensure women's enjoyment of their human rights.

Since the end of the war, Sierra Leone has developed more concerns relative to social security and women's violation issues by ratifying several treaties, protocols and conventions geared towards eliminating discrimination against women.

Table 1: List of Conventions, Treaties and Protocol that has been ratified by Sierra Leone¹⁷⁰

	Denomination of the Conventions	Date & Place of Adoption	Ratification by Sierra Leone
	Convention on the Elimination of All Forms Discrimination Against Women	18 December 1979, New York	11 Nov. 1988
	Convention on the Political Rights of Women	20 December 1952, New York	25 July 1962
	Convention for the Suppression of the Traffic Persons and of the Exploitation of the Prostitution of Others	21 March 1950, New York	26 September 2003
	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	25 May 2000, New York	8 September 2000
	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and pornography of children	25 May 2000, New York	17 September 2001

¹⁷⁰ Sierra Leone: Summary Table of Key International Agreements and Conventions, Sub-regional and Regional Human Rights, at : <http://www.fr.westafricagov.org/files/SIERRA%20LEONE.pdf> Accessed: 2nd April 2016.

	Optional Protocol to the International Covenant on Civil and Political Rights	16 December 1996, New York	23 August 1996
	International Covenant on Economic, Social and Cultural Rights	16 December 1996, New York	23 August 1996
	International Covenant on Civil and Political Rights	16 December 1966, New York	23 August 1996

This table shows that Sierra Leone has signed, ratified or acceded to almost all the International legal instruments and regional women's right instruments. It indicates a certain willingness of the country to work in these areas and comply with the obligations stated in these instruments.

3.2.1. Positive Implementations on Political and Socio-Economic Status of Women in Sierra Leone

The government of Sierra Leone and other stakeholders according to findings of the study have worked relentlessly in the area of implementing these conventions thereby enabling their reflection into the political and socio-economic status of women in Sierra Leone:

Politically, Sierra Leone government has changed the constitution to ensure equality between women and men and to constitutionally establish the protection of women's human rights. The political rights of women were enhanced when they received the right to vote and be represented in the government.¹⁷¹ Chosen female politicians and local councilors have built up cross-gathering associations to advance women and women issues in parliament and also creating a solid and effective neighborhood government structures.

There has been the enactment of additional laws and policies touching on specific discriminatory practices whilst other implementations have been seen in the total inclusion of women in governance and other security related matters. The agenda for prosperity (2013-

¹⁷¹ Ministry of Social Welfare, Gender and Children's Affairs, "Country report by sierra Leone on Implementation of the Beijing Platform for Action (1995) and the Outcome of the Twenty-Third Special Session of the General Assembly (2000)". June, (2014).

2017)¹⁷² has witnessed the inclusion of women and their empowerment in pillar 8. Women have also been appointed to head government ministries, departments and agencies additional outcomes that were not happening in the past. In recent times, there have been frequent appointments of women to head specific ministries in government.¹⁷³ This has been parts of government effort to enact a bill requesting 30% quota representation.

More so, there is an expansion in the participation of women' in chieftdom group gatherings and enticing them to plan and make move regarding positions as town and area chiefs and councilors – both civil and local levels, leaders, region chamber chairpersons and individuals from parliament. This however, is a result of the implementation of 30% quota which gives women's 30% position in parliament to enable them to bring forward laws that will help promote women's empowerment. In the current parliament cycle 2007-2012, ¹⁷⁴ it is interesting to note that women account for 13.5% of parliamentarians and 18.9% of councilors.¹⁷⁵

The constant lobbying by women's group and pressure received from the international community have also prompted the formulation of two policies commonly known as the twin policies (National Policy on the Advancement of Women and the National Policy on Gender Mainstreaming). These two policies as being positive effects on the controlling mechanism, have as basic requirements, urged every ministry, departments and agency to include issues around women's empowerment and gender mainstreaming in their planning and implementation of core activities. It is evident as stated by Mariam Bundu, a gender equality expert in an interview:

“Current strides made towards gender mainstreaming will effectively reduce the discriminatory practices that had been going on in the past. This is because in almost every planning and

¹⁷² Sierra Leone's "Agenda for Prosperity" (A4P) develop by the government will define the development path for 2013–2017. It builds on the 2nd PRSP: "Agenda for Change" (2008-2012). Eight Pillars: Economic diversification for inclusive growth; Ensuring natural resources are a blessing, not a curse; Accelerating Human Development; International competitiveness; Employment and Labour strategy; Social protection; Governance and public-sector reform; Gender Equality.

¹⁷³ Diana Konomanyi: minister of lands and country planning, Sylvia Blyden: minister of social welfare, gender and children's affairs, Christiana Thorpe: Deputy Minister of Education Etc.

¹⁷⁴ This figure is as of 2012 general election held in Sierra Leone. New figure of women in decision making process will however be identify in the 2017 general Election in Sierra Leone.

¹⁷⁵ African Development Bank, "Sierra Leone Country Gender profile", October (2011): 13 At: [http://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Sierra%20Leone%20Country%20Gender%20long%20version%20final%20\(2\).pdf](http://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Sierra%20Leone%20Country%20Gender%20long%20version%20final%20(2).pdf) Accessed: 19th November 2016.

implementation of government policies, there has been consideration of incorporating women participation. This includes legislations that are enactment in present time. Apart from the gender laws in 2007, there has been the incorporation of women's issues in the Anti-Trafficking Act of 2005 and specifically for women, the 2013 Sexual Offences Act which as a response to many other discriminatory practices and issues of victimization, this policy as part of its provisions, makes clear certain acts that have been considered common criminal.”¹⁷⁶

Finally, There has also been as an outcome the development of specific instruments to be used in mainstreaming gender and key among these have been: National Gender Strategic Plan (2010), Sierra Leone National Action Plan on UNSCR 1325 & 1820 (2010), National Action Plan on GBV (2012), National Referral Protocol on GBV (2012), and the draft National Land Policy on the acquisition of land which intends giving women high consideration considering the way they have suffered in property acquisition among other opportunities in Sierra Leone.

Socio-economically, a huge progress has been made in capacity building to upgrade the livelihood of women by supporting policy advocacy and training programs; building women's ability to set up independent businesses, and creating foundation to enhance wage through access to business sectors. According to a respondent at Ministry of Social Welfare Gender and Children's Affairs: In other to boost women's economic status in Sierra Leone, the Ministry of Social Welfare Gender and Children's Affairs is working with other ministries, departments and agencies of government together with other private partners to sharpen women's empowerment by providing credit organizations and set up systems for women in little and medium businesses. These activities have immensely increased the economic independence of women.

Due to the establishment of the National Committee on Gender Based Violence; there has been a promotion of women's sexual and reproductive health rights (WSRHR) by forming WSRHR committees at all levels; establishing response mechanisms for GBV survivors (e.g., free medical treatment and legal services); human immunodeficiency virus (HIV) commission Act 2011 further strengthens partnerships to reduce women's vulnerability to HIV; capacitating traditional birth attendants on sexual and reproductive health rights and referral procedures; advocating for accessible health services in rural areas; lobbying for the inclusion of family planning in school curriculum; and advocating for the passage of a Sexual Offenses Act into law.

¹⁷⁶ Mariam Bundu, a Gender Equality Expert working at the Ministry of Social Welfare, Gender and Children's Affairs in collaboration with Sierra Leone Parliament. Interview: 15 September 2016.

A Campaign was launched in March 2010 whose major focus was family planning (a plan to reduce maternal rate integrated in the free health care initiatives for women) and the prevention and treatment of related pregnancy complications which have, however, reduced the death rate in child birth in the entire country.¹⁷⁷

In terms of education, government has placed preference on women by awarding them scholarships based on the fact that they have not been actively involved in formal educational activities. This scheme has concentrated more on those in the pure and applied sciences who once admitted for programmes in any of the universities, will be awarded Sierra Leone Grant-in-Aid. In 2001, the government also implemented a policy to provide free primary education for all pupils attending government school as well as supplying school materials to foster the educational system. Additionally, the equivalent of le 250,000 (77USD) is spent per girl yearly for junior secondary school which has significantly increased the girl child education. Several centers of adult education have also been established by the government and other NGOs to foster education for women, who were not given the opportunity to have early education.

Within civil society, a respondent from 50/50 group stated that: a coalition of women's gathering made the Women's Solidarity Fund in 2008 to support female contesting for political position. This Fund is primarily to promote female independent candidates to financially strengthen them for political competition and upgrade women in trade sectors. Such empowerment as stated by the agenda for prosperity is on economic empowerment, which many believe will serve as a boost in improving the socio-economic status of women in Sierra Leone.

Also, the Ministry of Social Welfare, Gender and Children's Affairs has included in a great deal of activities towards the security and advancement of the privileges of women. Evidence of an expanded political will to address women's right issues is the setting up of the Family Support Unit by the Sierra Leone Police Force to address sexual violence and aggressive behavior at home. There has additionally been an increase in the reporting, examination and

¹⁷⁷ International Center for Advocates against Discrimination, UNHRC: "Universal Review: Sierra Leone", New York: 4. At: <https://www.icaad.ngo/wp-content/uploads/2015/06/ICAAD-Submission-24th-UPR-Session-Sierra-Leone.pdf> Accessed 11th November 2016.

indictment of SGBV cases over the years. The media also frequently reports rates of sexual violence, especially against minors, and abusive behavior at home.¹⁷⁸

The legal framework for gender equality in Sierra Leone has been strengthened and it is slowly approaching the requirements of the CEDAW. Sanction mechanisms against violations of women's rights have improved and the Supreme Court of Sierra Leone are more likely to ensure compliance with the legislation on women's rights. Sierra Leone government has also recognized the need to match their legislative additional provisions, including social reforms, to ensure the realization of women's rights in practice.

Impact could also be felt in the security forces like the Sierra Leone police for introducing the security Sector reform programme that targeted among many other things, the involvement of women in strategic management. This could not have been achieved without policies that will ensure their strategic involvement. As a result, in 2008 there was the formulation of two policies (Gender Mainstreaming and Sexual Exploitation, Abuse and Harassment). These two referred to as twin policies warranted the creation of a Gender Directorate. This directorate has been ensuring that provisions made in these policies regarding eliminating discriminations on recruitments, transfers, posting, travelling opportunities abroad and UN Peacekeeping are adequately handled. Thus, this has not been made possible without the domestication and implementation of international controlling mechanism.

In reference to positive implementation discussed above, I strongly believe that much progress has been done in issues of eliminating discrimination and empowering women in Sierra Leone and it is now clear that the root of all these progress was due to the ratification of international instruments against women's discrimination. This has without doubt proved the hypothesis stated earlier right that international controlling mechanisms have had positive effects in Sierra Leone. It could however, be noted that there are still major gaps in achieving full gender equality in Sierra Leone. It is a fact that many structures that will enhance the full elimination of such discriminations have been put in place, but the implementation aspect of

¹⁷⁸ Ibid., 10.

these provisions made and the effectiveness of these established structures have been the problem.

3.3. Challenges in implementing Controlling Mechanism against women discrimination in Sierra Leone

Despite the positive implementation of the state controlling mechanisms, there have also been challenges and these have been the following:

Weak monitoring and coordination of mainstreaming programmes, projects, plans and legislations: It has been very clear that the coordination and monitoring of programmes geared towards empowering women have been very weak and this is not unconnected to the implementation of these policies. Project plans have not been fully implemented, and this has catered for gap in the full realization of outcomes proposed.

Institutional and technical capacity of Ministry of Social Welfare, Gender and Children's Affairs still remains a challenge due to limited staff: The Ministry of Social Welfare, Gender and Children's Affairs as the designated body responsible to handle most empowerment programmes has been seriously challenged with their capacity building opportunities and this is clearly seen in their technical interventions that have been referred to as ineffective by many. There seems limited staff to handle empowerment issues and this as many mentioned in interviews, has been responsible for the poor condition of service in the public sector which has not adequately handled retention issues.

Limited financial support to fully implement the policies, plans and legislations put in place: Many people contacted during interviews have clearly indicated that the financial support to implement most of these programmes outlined in implementation plans and some of these policies are low. Implementing these in their view requires high financial support, which has not been forth coming. Therefore, the implementation programmes have either been stopped half way, or not implemented at all. This situation got worse during the Ebola outbreak and the austerity measures presently put in place by the government in tackling the global financial problems faced by governments.

The notion that implementation of gender programme is the sole responsibility of Ministry of Social Welfare, Gender and Children's Affairs: There has also been the notion among many professionals that the implementation of programmes and activities geared towards gender mainstreaming is the sole responsibility of the ministry. This has created according to many the feeling of neglect by many possible intervention avenues thereby creating more problems for women.

The practice of child marriage: Despite the adoption of the Child Rights Act and the Registration of Customary Marriages and Divorce Act in 2007 including their provisions and the domestication of other international human right instruments stating the age limit for marriage as being 18 girls, there still exists the practice of child marriage in many places around Sierra Leone especially in provinces.¹⁷⁹ Many of these marriages are conducted in closed doors and no actions have been taken in certain places where even they occur. It was estimated that 62% of girls under the age of 18 were married.¹⁸⁰

Continues spread of violence: Despite the Domestic Violence Act in 2007, domestic violence is still visible and women being the victims. A bad practice in all this has been the silence culture which has not been seriously dealt with in the moment. Even among women, incidences of violence still occur as mentioned by respondents in interviews conducted. The practice of female genital mutilation, according to many has been seen as the highest form of violence which is tolerated by the culture that exists in most of these communities

Access to property: Sierra Leone has a very verse land for agriculture and many of the women in traditional homes and other areas in the provinces do agriculture. Irrespective of their

¹⁷⁹ This is so because most women in these areas lack opportunities to be educated as most of the facilities are centred based (capital city: Freetown) they are exploited and more vulnerable so the only option they have is to get married early and start their family which tradition believes brings respect to the bridal family.

¹⁸⁰ Defence for Children international, "Harmful practices affecting girls in West Africa, Perspective from Ghana Liberia and Sierra Leone", UNICEF survey. (2011):1. At <http://www.ohchr.org/Documents/HRBodies/CEDAW/HarmfulPractices/DefenceforChildrenInternational.pdf> Accessed 12 Dec 2016; See also: Rosina Conteh, "Child Marriage in Sierra Leone at the UNICEF Learning program on Advances in Social Norms and Social Change", Pennsylvania University. (2010): 4.

contributions, the laws put in place for their acquiring such lands are discriminatory as they as women have not been allowed to possess these lands, but rather through their husbands and other male relatives. As of December 2016, this still poses a challenge to the full inclusion into the agricultural sector in the country.

Employment and under-representation in political and public life: According to Mohamed Fofanah in an interview on the status of women in Sierra Leone:

“There are currently no measures in Sierra Leone to accelerate the achievement of *de facto* equality between women and men in political and public life, education, and employment in the formal economy and the proportion of women in each of these fields remains very low. Most illiterate women work in the informal sector and do not benefit from a social security scheme. Women remain underrepresented in political, economic, social and Justice Sector in Sierra Leone. life”¹⁸¹

This in respondents’ view has not been supportive of gender mainstreaming and empowerment since women have to be seen occupying positions of trust and positions where they would advocate for their advancement among other better opportunities.

Existence of discriminatory laws: Irrespective of the domestication of international controlling mechanisms, there are still instance of existing discriminatory laws that allows discrimination between the two sexes and below are some of these laws: Sec. 27(1) of the 1991 Constitution states that “*no law shall make any provision that is discriminatory in itself or its effect.*” This without doubt has been contradicted by the exceptions in Sec.27 (4) d and e, that also state that “*it shall not apply to any law that makes provision for adoption, marriage, divorce, burial, devolution of property on death and customary law.*” This seems confusing and somehow rhetoric.¹⁸²

Also, Sec.7 of the Christian Marriage Act (CAP 95), 1960 makes provision for parties to marriage with regards their age. This Act states that if the party to a marriage is below 18, the consent of the father is to be sought before marriage, and only if the father is dead or unable for

¹⁸¹ Interview with Mohamed Fofanah, A paralegal at Timap for Justice in Sierra Leone, (An NGO providing free legal aid to Sierra Leonean people), An Interview on the Status of Women in Sierra Leone 12 September 2016.

¹⁸² The 1991 Sierra Leone Constitution.

any reason to give consent, should the mother be consulted. This also sounds very discriminatory for the mother; On the other side, Sec. 9(2) of the Mohammedan Marriage Act (CAP 96) also excludes women from administering estates of the intestate whereas it grants such powers to the son, the eldest brother of the intestate, or the official administrator; Secs. 47 and 48 of the Employers and Employed Ordinance states that “no girl or women irrespective of the age should be employed in mines or at night” This has denied women the right to certain employment as accorded to men; Sec 15 of the Criminal Procedure Act (CPA) states that in selecting jurors, a male juror should be over 21 years and a female juror should be above 30 years. The question there remains why should men be selected at an early age as compared to women who must have attained 30 years?

CONCLUSION

This thesis was aimed to access discrimination against women and examines the effectiveness of both international and national controlling mechanisms geared towards eliminating these discriminations. Considering the problem being a worldwide problem affecting the development of women particularly in Sierra Leone, this study made use of qualitative method in conducting its investigation. During Pre colonial period, it was discovered that because the early settlers did not hold any grip of the country, women were allowed to hold key positions and played active roles in governance as some were heads of certain territories. Their might and other sense of responsibility shown during this period allowed them to participate in peace talks, trade and other forms of socialization. This continued till independence.

After independence there was also another struggle on which party among the SLPP and APC was seen to govern the people. This also created some serious problems among politicians, majority who were men. Women in this political struggle right on to the war were marginalized and their participation was in minor roles. But active involvement in politics by women was not any topic of attraction, or academic debate during that period.

By 1991, the ugly political system which ensued few years after independence could not be settled amicably so the country degenerated into a war that later engulfed the whole country

for over a decade. Irrespective of the fact that women played key roles in the civil war, they have as well played pivotal role in the peace process and this has been seen during the different peace building activities implemented by women.

Sierra Leone like many other countries in Africa has been affected by an uneven relationship between men and women which has created a platform for women's discrimination in all aspect of life. From the findings of this study, it could be asserted that the patriarchy, traditional norms, lack of political will among others have posed serious problem for women's empowerment. It is because of this structure already entrenched in different parts that have warranted the relegation women thereby creating a situation where they continue to suffer different forms of discrimination.

Even though women could not participate in the war out of their free will as observed during the study, yet they were the ones who suffered the brunt and became victims of circumstance with little done on areas of redress after the conflict in Sierra Leone. Yet they have joined other men in fighting the peace process to commence like demonstration and rallies requesting for peace. They have also played a part in sustaining this peace process through their various involvements in peace building activities. Despite all these, they have been going through blatant acts of discrimination taking into account the sentiments and other emotional issues attached to the implementation of the controlling mechanism put in place by both local and international partners.

International controlling mechanisms on human rights have specifically called for women's involvement in issues of peace building and key among these instruments has been CEDAW and UN Resolution no. 1325. This resolution among other international conventions and treaties with regional provisions on the same issue have attracted many actions taken at national level to domestic provisions made herein through the formulation of policies and implementation plans.

The Ministry of Social Welfare, Gender and Children's Affairs has been seen as a key in all national actions taken in this drive. The study uncovered positive implementations in the

political and socio-economic life of women in areas of political participation, education, health, employment, capacity building etc. which were not present before the ratification of international controlling mechanisms against women's discrimination. Nonetheless, the study at the same time discovers ineffectiveness and inefficiency in the full implementation of national and international provisions made in eliminating these forms of discrimination against women. Factors responsible for this failure have not been unconnected with issues of funding, traditional norms and practices, corruption and the lack of political will to include women as anticipated by the proposed 30% quota Bill. Even though several instances of such has been made in the form of promises, not much have been done to actualize this promise among other things have shown the low level of commitment by the government to issues of discrimination against women.

Among key objectives of this study is to provide recommendations that will further improve issues related towards ending all forms of discrimination against women in Sierra Leone. The following below are therefore recommendations provided to women's groups, the government and the international partners.

Base on the outcome of this study, the researcher has identified key areas necessary for further research and these areas are:

- Dynamics between men and women
- Assessment of legal framework of cases of discrimination against women in Sierra Leone and
- Implications of discrimination against Women on their personal development.

Male dominance has overcome national opportunities provided in terms of job, which is key in repositioning women in areas of advancement and socio-economic development. The striking acts of discrimination noticed will warrant questions like which implications has such discriminations caused on the relationship between men and women in Sierra Leone.

It is obvious that there has been many instruments enacted in a bid to handle issues of discrimination against women and these instruments have been international and national in

nature with clear indications as to ways this situation could be improved. Yet, there seem to exist blatant discriminations irrespective of the existence of these mechanisms. Therefore, a research needs to be conducted on how such cases are handled and off what effect has the legal framework been in ensuring compliance. Considering the high prevalence of such discrimination, it has also been necessary to conduct a study on the high prevalence of discrimination against women and its implication on their personal development as women in Sierra Leone.

The government of Sierra Leone should do all within her powers to ensure that it repeals all discriminatory laws in the legal framework of Sierra Leone. This should happen in conformity with CEDAW and other international and regional instruments against discrimination of all types meted on women. The policies on gender equality and empowerment herein provided should enhance sufficient funding and effective implementations. These policies should contain clear goals with effective mechanisms to regularly monitor and evaluate progress in their implementation.

The government should also ensure women's participation in governance. This will be done by adopting a specific mechanism like ensuring that the 30% be implemented when electing representatives in governance. Also the constitutional review committee should repeal the chieftaincy act to allow women's participation in chieftaincy election

The government should adopt all necessary measures to enhance the elimination of all forms of discrimination against women including traditional practices (Norms and laws that affect women's access to resources: early marriage, female genital mutilation) It is obvious that they have become another key form of discrimination against women in Sierra Leone. A country wide campaign should be launched on the discrimination and empowerment of women (three gender act 2007) to educate the masses on gender equality related issues.

Economic empowerment of women is a prerequisite for sustainable development. As such, I recommend the government to create more job opportunities, income generation projects, enhance the women revolving loan schemes (Micro Credit), promote family life education in

secondary schools and functional literacy for women's enrolment and retention in school at the tertiary and other educational institutions like vocational trainings, technical training and adult education.

Government should further strengthen the Ministry of Social Welfare, Gender and Children's Affairs and ensure that sufficient funding and provide women right experts in the ministry to help identify and tackle issues on eliminating discrimination against women and empowerment processes.

Finally, government should establish effective enforcement mechanism to try and punish perpetrators of women's right violation and abuse. This can be done by providing forensic tools and enough resources to the family support unit to be able to identify evidence on cases like rape and also establish gender base violence/family courts in all districts in Freetown (Saturday Court) to try and punish perpetrators at district level, especial in rural arrears where violation is rampant because of ineffective laws and impunity

Women's group in Sierra Leone should come together and ensure that they embark on strategic awareness raising programmes on discriminations against women in Sierra Leone. This will help create the awareness of bad practices thereby establishing standard operating procedures for preventing such discriminations. Thus, this may also settle the challenge in perception.

Solidarity and togetherness: by organizing themselves and taking collective actions, women would get increase control over access to resources thereby reducing gender disparity and increasing women's participation in the democratic process (economic, social, political and cultural life).

There should also be advocacy programmes embarked upon by women's group as this will fight for victims who must have gone through adverse discriminatory practices with hug implications on their socio-economic well being. Such advocacy programmes will serve as deterrence to some of these acts of discrimination against women and girls in Sierra Leone.

Women's group should also embark on capacity building for their colleagues in areas where mass discrimination is experienced in terms of employment. Such capacity building programmes will address the capacity gap that is in existence and for which certain women are discriminated against.

Women who are capable and have the qualification to attain higher political position should use the opportunities and come onboard to contest for these positions. It has been observed that women lack the confidence to actively involve in decision making. Therefore I recommend that women should come onboard and ask for more opportunities, demonstrate exceptional qualities and believe that they can do whatever a man can do.

The international community should be providing the requisite support in terms of funds and other expertise needed in the formulation and implementation of certain provisions requiring extra support. This will be effective in the implementation of these policies and also serve as oversight on the domestication, ratification and implementation of these international provisions which will in turn force the government and its partners including civil society organizations to embark of strategic activities that will continue to eliminate these forms of discrimination against women and girls in Sierra Leone.

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APPENDIX

Annex 1 Sample question guide used for interviews

What is your understanding of discrimination against women in Sierra Leone?

Has there been any difference in the status of women in pre-colonial, colonial and post colonial period?

What have been the causes of Discrimination against women in Sierra Leone?

What have been the personal effects of discriminations against women in Sierra Leone?

What is the relevance in eliminating all forms of discrimination against women in Sierra Leone?

What have been the types of discriminations experienced by women during the war in Sierra Leone?

What were the roles performed by women during the peace process?

What are some of the international and state controlling mechanism against women discrimination?

Has the controlling mechanism for discriminations against women in Sierra Leone been very effective?

What are the challenges in eliminating all forms of discrimination against women in Sierra Leone?

Recommend ways that will further improve the elimination of all forms of discrimination against women in Sierra Leone

Annex 2**Names of organizations and total number of respondents used for interviews**

Names of Organizations	Number of Respondents for Interviews
Fourah Bay College. University of Sierra Leone	10
Campaign for Good Governance	5
50/50 women'	5
Trocaire International	5
Sierra Leone Parliament	5
Timap for Justice	5
Sierra Leone Police	5
Market Trader Union	5
Ministry of Social Welfare, Gender and Children's Affairs	5