

# **ACCESSING JUSTICE PROGRAMME SIERRA LEONE**

**IMPACT ASSESSMENT REPORT  
SPECIAL PROGRAMME ON AFRICA [SPA]**

**AMNESTY  
INTERNATIONAL**



**AMNESTY INTERNATIONAL NETHERLANDS**

Special Programme on Africa (SPA)

P.O. Box 1968

1000 BZ Amsterdam

Email: [spa@amnesty.nl](mailto:spa@amnesty.nl)

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## ACKNOWLEDGEMENTS

This Survey report was written by Ellen Vermeulen (Special Programme on Africa/Amnesty International Netherlands), based on a first draft report by Mohammed Sidie Sheriff (consultant) and reviewed by Noeleen Hartigan (Amnesty International Ireland). The report reflects the data generated by the Impact Assessment conducted in Sierra Leone from February 5 to March 4, 2011.

In all, 1288 local respondents were interviewed in eight survey areas with the use of a semi-structured questionnaire. Nine open interviews were held with programme and field staff of the SPA coalition partners, and nine focus group discussions were conducted with specific groups of authorities. The questionnaires were administered by local enumerators, while all open interviews and focus group discussions were facilitated by the local consultant.

We would specifically like to thank all the individuals who participated in this survey for their time and the precious views and insights they openly shared with us.

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## EXECUTIVE SUMMARY

### INTRODUCTION AND METHODOLOGY

A full impact assessment of the *Accessing Justice Programme in Rural Sierra Leone* was carried out in February 2011 in two separate regional operations in the northern and the southern areas of the country. In total, 1288 respondents were interviewed in eight survey areas with the use of a semi-structured questionnaire. Nine open interviews were held with programme and field staff of the five coalition partners of the Special Programme on Africa (SPA). Nine focus group discussions were conducted with specific groups of authorities, including traditional practitioners (Soweis), chiefs, police and local court staff. 48 male and female enumerators were selected and trained in two batches and subsequently deployed in the eight selected survey areas to administer the questionnaire.<sup>1</sup> A local consultant facilitated all open interviews and focus group discussions. The results were measured against the data generated by a Baseline Survey initiated by the programme in 2007.

This assessment survey aims to measure the outcomes of the strategies and activities implemented in the course of the four-year programme. Secondly, the impact assessment aims to contribute to accountability and transparency to the various stakeholders, which includes beneficiary communities, coalition partners, the donor, and Amnesty International/SPA.

The Accessing Justice Programme in Sierra Leone started in 2007 after a coalition of (initially) six organisations was formed and funded for a period of four years (2007 – 2010) by the Human Dignity Foundation (HDF). The programme's focus was primarily on enhancing people's ability to seek and claim justice within the local justice mechanisms at community levels. The emphasis was on rural communities in general and on women and girls in particular, because of their subordinated position, their lack of equality before the law and the high levels of sexual and domestic violence.

### KEY FINDINGS ON HUMAN RIGHTS, JUSTICE AND INJUSTICE

The survey revealed a good number of achievements, challenges and lessons learned on which further programming is being built. As regards to the concepts of 'human rights', 'justice' and 'injustice', people's knowledge and understanding have clearly improved over the past few years. Respondents' understanding of 'human rights' has narrowed down compared to the answers provided during the 2007 Baseline Survey. A similar dynamic is visible with the concepts of 'justice'; which was referred to by many respondents as a '*fair administration of justice*' as well as the '*availability of mechanisms to seek justice*'. Participation levels in the operational areas are high, and a significant percentage of the respondents (80%) indicated to be aware of the human rights organisations operating in their midst. A high number of respondents (77%) attribute their enhanced understanding of human rights to the NGOs or the human rights committees attached to these organisations.<sup>2</sup>

People's responses to abuse and injustices seem to have improved too. Taboos around challenging authorities have crumbled, and court hearings or miscarriages of justice are openly discussed during community meetings. These critical open discussions are often facilitated by the human rights organisations and their community based volunteers, or human rights committees. The availability of these trained human rights workers has probably made the biggest difference in empowering individuals to not only discuss injustice, but to proactively seek and claim justice. Human rights committee members are widely seen as 'knowledgeable about the law' and a means of seeing justice done. Committee members have identified cases themselves, but have also been approached by people seeking support in challenging abuse or injustice.

## **TREATMENT OF WOMEN BY AND BEFORE THE LAW**

The vast majority of the respondents claimed that women were now more equally treated before the law. Gender rights were seen as much wider recognized, while more women were said to actively participate in community meetings. Although these responses are (overwhelmingly) positive, the extent to which an improvement in women's position has realistically taken place is difficult to determine. The barriers for women to access justice are numerous, and culturally ingrained attitudes towards women do not change overnight. Some attributions to this response could be based on a number of individual cases where human rights organisations successfully challenged unjust court proceedings involving female claimants.

Moreover, the introduction of the 2007 Gender Acts<sup>3</sup> may have contributed to people's perceptions about an 'expected improvement', as laws specifically protecting the rights of women were, until fairly recently, unheard of. The SPA partners have however played a strong role in incorporating the Gender Acts into local by-laws, relevant for the majority of the rural communities in the programme areas. This domestication seems to have had some impact on the treatment of women before traditional justice mechanisms. Most chiefs and traditional authorities participate in human rights activities frequently, and claimed to have developed a better understanding of women's rights as well as their own jurisdiction as a result. While this does not necessarily indicate a real improvement in justice delivery at the rural levels, larger numbers of people do claim an increased faith in the police as well as in their traditional leaders and chiefs.

## **KEY FINDINGS ON GENDER BASED VIOLENCE (GBV)**

Violence against women was a key focus within the Programme from the onset. The adoption of the three Gender Acts in 2007 finally provided a proper legal framework to protect women in areas primarily affecting them. Dissemination and discussion of the Acts became central to the community-based activities of the SPA partners.

The impact assessment survey shows that awareness of

women's rights and the three Gender Acts has increased significantly over the programme's lifetime. Moreover, responses from both the questionnaire and the focus group discussions indicated that people's standards are in fact changing; violence against women is more commonly perceived as a crime that should be followed by appropriate action. Traditional and formal authorities alike indicated that their communities no longer saw 'wife battery' as a cultural or traditional norm that should be condoned. Law enforcement in the various survey areas stated that people are more proactive in responding to domestic violence. Wife beating was now more frequently reported than before, often by friends, neighbours or relatives. Whether this indicates that domestic violence is either declining or possibly more hidden, is not clear. An overwhelming 90% of the respondents however claimed that people increasingly 'feared to abuse women', claiming that improved law response as well as human rights sensitization works as a deterrent.

## **COMMUNITY RESPONSE TO WIFE BEATING AND RAPE**

Many respondents further explained that both law enforcement and the 'human rights people' (SPA partners) had become more vigilant in addressing sexual violence and rape. Although the introduction of the Gender Acts defines a landmark in Sierra Leone's law making history, the Gender Acts do not govern sexual offences. The Sierra Leone laws that deal with sexual offences such as rape are highly outdated and confusing, even for those working in the judiciary or law enforcement. The various laws pertaining to sexual offence applicable in Sierra Leone do not define rape when a child below the age of 18 is involved. Misperceptions about definitions of what constitutes 'rape' or what constitutes 'unlawful carnal knowledge' are common, which may easily lead to misclassification of cases.<sup>4</sup>

Respondents by and large claimed to report rape to the police (81%), which is seen by the majority as the most appropriate channel. This could however not be corroborated by law enforcement, as official reports of rape are claimed to be rare. Due to the many loopholes in the law, communities may just as well misinterpret the various forms of sexual violence,

therewith downplaying rape even further. Interestingly, wife beating and sexual violence is increasingly perceived by communities as a crime. Knowledge of 'the laws that protect women' is widespread and people claim to increasingly refer (alleged) cases of wife battery or sexual violence to both law enforcement as well as the human rights organisations. While standards around gender based violence are clearly changing, a statistical reduction in rape could not be established. It is possible however, that rape has actually diminished in the operational areas as the various deterrent factors do seem to make a difference. It may however also be possible that incidents of rape have shifted to areas where law enforcement and human rights organisations are less visible. Following the attention given to the laws governing sexual violence, it may however also be the case that both victims, their relatives and the relatives of (alleged) perpetrators deal with the 'aftermath of rape' even more silently than before.

But there are many other barriers to report rape, as the legal response to sexual violence and rape is either late or entirely lacking. Police forces and SPA partners alike complain about the lack of appropriate procedures in the court system to address rape. Rape is officially a matter to be settled by the High Court, which is almost inaccessible to rural communities. Even if victims decide to report, the chance that the case will be followed through in the High Court is slim. The judicial system is still severely affected by a backlog in hearings, and the many journeys to the courts too costly. With poor referral systems in place between the police, the courts and the health facilities, very few victims will even consider to report a rape case.

Traditional authorities and law enforcement officials have participated in nearly all activities undertaken around the Gender Acts, and all claim to be more sensitive to gender based violence and women's position in society. Chiefs have, by and large, incorporated the Gender Acts and human rights norms into local byelaws. The SPA partners have supported this process of revising local bye laws, therewith creating a legal framework that is locally relevant and accessible.

## **KEY FINDINGS ON FEMALE GENITAL MUTILATION (FGM)**

The most common type of FGM practised in Sierra Leone is defined as 'excision' or type II FGM, following the classifications developed by the World Health Organisation (WHO). FGM in Sierra Leone is well entrenched in the belief and value systems of rural communities across the country, and affects an estimated 90% of all women and girls. The practice is associated with strong mystical powers related to the women's secret society. Although there are differences in the rituals performed, FGM is generally practiced on adolescent girls as an initiation rite into those secret ('Bondo') societies and as an entry into womanhood. While resistance to NGOs promoting abandonment of the practice is still happening, the coalition's work on FGM grew steadily with the introduction of the Child Rights Act (CRA) in 2007. Although FGM was never specified as a 'harmful practice' within the Act, SPA coalition partners started to introduce the Act into the various activities at community level. Focusing on the abandonment of 'girl-child initiation' while using the Child Rights Act was the entry point determined by the partners, as focusing on abandoning FGM for adult women was considered too confrontational and beyond the parameters of the new legal framework.

## **COMMUNITY AWARENESS AND RESPONSE TO RELEVANT LAW(S)**

Practitioners, traditional authorities and the wider communities are very well informed on the Child Rights Act, its prohibition of harmful practices and its legal consequences. Chiefs have by and large domesticated the 'prohibition-Act' by developing and passing new bye laws on under age initiation, often in collaboration with the SPA partners. Enforcement of these bye laws seem however weak, which is likely reinforced by the fact that chiefs profit from initiation too.

Overall, compliance to the law clearly outweighs personal conviction to abandon the practice. The differences between the responses of stakeholders in the north compared to those in the south were, however, significant. Northern (traditional) authorities and Soweis underscored the need for the law and claimed to support the need to recognize the rights of children. Authorities and Soweis in the south seemed less informed and did

not understand the legal age limitation of 18 for FGM and marriage, as most girls still marry –albeit illegally– under the age of 18. The remarkable contrast between the northern and the southern areas is arguably due to the different approaches as well as the duration of interventions. The SPA partners based in the northern areas have been focusing on FGM abandonment for many years, whereas the southern based partners started to focus on FGM fairly recently.

Over 80% of the respondents however claimed to agree with the law that forbids FGM on girls under 18. A slightly smaller group (69%) believed that underage initiation had indeed declined, both attributed to the law (35%) and the human rights activities of the SPA partners (26%). However, a bias seems to have slipped in here as additional questions around FGM exposed some contradictions. Where 69% believed that underage initiation had declined, over 58% indicated that Soweis in their community were still initiating children. The contradictions in respondents' answers could reflect the sensitivity of the practice and its relation to the secret societies. It is however also very likely that respondents were unwilling to make any statements about abandonment on behalf of the Soweis, who are seen as having a powerful relation with the spiritual world.

While there are indications that FGM has decreased, we have to be cognisant that the practice may have moved to areas where there is less human rights activity or monitoring. What is clear is that open celebrations that routinely follow initiation have visibly declined in all areas. Moreover, numerous Soweis now openly speak out against girl-child initiation, and claim to encourage their junior Soweis to obey the law. Chiefs have domesticated the prohibition law into new byelaws in most areas, providing a locally relevant legal framework on FGM abandonment. There are also strong indications that the human rights activities have had a deterrent effect among community members; both Soweis and chiefs interviewed attest that far fewer parents bring their daughters to be initiated.

## **PROGRAMME PERFORMANCE**

The *Accessing Justice Programme* was developed in 2006 by several selected partner organisations and the SPA. In aiming to achieve its goals, the programme promised: (i) to establish a network of trainers as to train other staff of partners; (ii) to establish a network of trained community based human rights activists; (iii) to strengthen the monitoring, documentation and reporting capacities of partner organisations, (iv) to create a network of Soweis supporting FGM abandonment, and to (v) ensure planning, sharing and coordination between coalition partners. The programme design underwent a few changes over the years to adjust to changing circumstances on the ground. In the original plan, establishing stronger advocacy links between programme activities at community levels and the policy makers in the capital was a clear objective. This advocacy strategy however never materialized, as programme activities simply consumed too much time in the rural areas.

Establishing a pilot paralegal service network was also part of the original plan. To assess the possibilities, a feasibility study was carried out which recommended to invest more in the voluntary human rights committees rather than establishing a whole new paralegal network.

## **COMMUNITY BASED HUMAN RIGHTS COMMITTEES**

The *community based human rights committees* attached to the partner organisations were by all SPA partners seen as the most effective structure established. According to coalition staff interviewed, these trained volunteers have been able to reach out to rural communities, gain peoples' confidence and address numerous abuses and miscarriages of justice on the ground. They either referred crucial cases to their offices or intervened themselves when not dealing with capital cases. As one programme manager stated: (...) *the introduction of the volunteer programme has helped to bring justice to the communities' doorstep.*<sup>5</sup> Most partners interviewed agreed that the locally based human rights committees managed to reach out to communities that otherwise would have been deprived. According to one programme manager, the locally based human rights activists were able to monitor the operational areas and show victims the right 'referral

pathways' to seek and claim their rights.<sup>6</sup> Due to the volunteer committees' monitoring and referral system, a lot of extra follow up work was created for the SPA partner organisations. If and when necessary, legal aid was provided by the paralegal service organisation to cases that were referred to their office. Their services, although limited to small numbers of individual cases, included counselling services provided to victims of sexual abuse, transport to courts and the payment of medical treatment if and when necessary.

Participatory community based activities such as *community dialogue sessions*, *justice workshops*, and later on the *Sowe Exchange Sessions* continued throughout the programme's life span in various forms. Differences in implementation also reflected partners' varying capacities as well as contextual differences. In particular the *facilitated dialogue* was perceived as an effective tool to openly discuss sensitive issues without being confrontational: *'the promotion of dialogue sessions have helped to break the silence on various sensitive issues in the communities, which previously were like a taboo'*.<sup>7</sup> Other field staff based in the northern areas claimed that these participatory community dialogue sessions *'have been able to get the community and key Stakeholders to participate, while at the same time helping them to access justice'*.<sup>8</sup>

Dialogue was also used to introduce the Child Rights and Gender Acts, which was widely perceived among partners as the right tool to gradually grasp people's attention to FGM. Through dialogue and *Sowe Exchange Sessions*, the practitioners were said to be given a lot of room to express their views too. *'Leh di Soweis Tok'* [let the Soweis talk] became the non-confrontational approach in openly addressing FGM with traditional practitioners.

Coalition partners interviewed were however also cautious in not being too optimistic; in their views, the so-called 'tipping point' for FGM abandonment was far from reached, referring to the situation where behavioural changes will continue without outside support.

Coalition partners were generally satisfied about the internal communication, collaboration and sharing.

Jointly developing programme activities or responding to urgent cases collectively was seen as a significant advantage. Communication lines with the administrative host organisation were seen as functional and effective, as well as with the locally based programme manager and the SPA in Amsterdam. This has however not always been the case, as the coalition has known troubling periods where miscommunication and accusations were made back and forth. The current situation of the 'one-host position'<sup>9</sup> was generally seen as a functioning structure. Several partners indicated however to be concerned too about the possibilities of the SPA or the administrative host partner to undermine the position of the programme officer.

## CONCLUSIONS AND LESSONS LEARNED

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Throughout the operational areas, programme activities have managed to ensure high levels of participation of men and women including key stakeholders, such as chiefs and other traditional or religious leaders. The survey clearly indicated that even those not having participated were still well informed on activities implemented. Moreover, it is fair to assume that the programme has managed to create an environment where communities have developed a significant interest in addressing human rights and justice issues openly. Following the 1288 interviews, it is clear that people generally have developed a more than basic understanding of human rights, specific gender issues and the laws governing children and women's rights in particular. Albeit being reluctant at first, local and traditional authorities became increasingly eager to participate. Their collaboration to the programme was overwhelmingly perceived as collaborative and constructive.

There are strong indications that the delivery of justice at the community levels has improved over the years. An overwhelming majority of the respondents (> 80%) indicated that the local justice system had improved. Of this figure, over one third of the respondents (34%) indicated that the human interventions were responsible for this improved delivery. This seems to be corroborated by the fact that the traditional authorities such as chiefs –who administer justice locally - clearly enjoy increased levels of

trust among their communities. More tangible indicators of improvements are the many revised byelaws and community regulations, which have brought relevant human rights laws such as the Gender Acts to the communities' doorstep. Whether these improvements have gone beyond individual success cases remains to be seen. Then again, even if improvements were limited to a small number of cases only, successfully challenging prevailing standards of injustice and abuse may have set a change in motion that is possibly irreversible.

Both men and women indicate that women are being treated more equally by and before the law. It is also likely that, due to the presence of and the monitoring by the human rights committees, observance of the (new) human rights laws has increased. To what extent however the Chiefs enforce the [new or revised] byelaws is questionable. Chiefs are widely known to defend their own interests and have a great influence on justice delivery at community levels to suit those interests. Monitoring the enforcement of and compliance with the new or revised byelaws therefore deserves more attention in the next funding cycle.

Norms, attitudes and people's responses towards gender based violence are changing. Wife battery, rape and sexual violence is more openly addressed than before and increasingly reported to the police. Law enforcement has been credited for their improved response to rape and sexual violence, albeit it seems likely that an improved response from law enforcement involved a few eye-catching incidents only. An adequate response from both authorities as well as the rural communities still seems to depend on the presence of the human rights organisations to monitor and follow up. It seems likely therefore that rape is still seen as a matter that should be dealt with privately. Contributing to those concerns is the fact that the legal framework on sexual violence and rape are utterly confusing and out of date. Misinterpretation of the laws and of what constitutes rape is common both among communities as well as among law enforcement. Moreover, the many barriers that affect the judicial system to see a case through will discourage victims even further.

FGM is clearly not as sensitive as it used to be. FGM is openly discussed in rural communities, often through community dialogue sessions facilitated by the SPA partners who have used the 2007 Child Rights Act and girl child education as an entry point. Many Soweis have participated in the various activities and many have shown to be cooperative in abandoning under-age initiation. The non-confrontational approach has been key in opening the discussions as well as to avoid retaliation or conflicts. The question however remains whether compliance with the law is stronger than conviction, as overall, many people do not seem to understand the harmful consequences of FGM.

## **KEY RECOMMENDATIONS**

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- While the levels of participation are high in the operational areas, 'participation by attendance' seems to be a primary indicator. Activities should move, where possible, towards a more active form of participation by understanding. Evaluation of community based activities should preferably make provision for assessing participants' levels of knowledge and understanding.
- Given the minimal presence of other human rights organisations, it is reasonable to suggest that the SPA coalition owes the largest credit for the changes observed. Although standards and attitudes are definitely changing, it seems unlikely that changes have reached sufficient levels to become irreversible, the so-called 'tipping point'. Intensification of the programme is recommended to sustain the changes made.
- While the revision of byelaws [to incorporate human rights laws and principles] is a strong indicator of tangible change, the SPA coalition should monitor actual implementation as well as observance to those byelaws more strictly.
- As the SPA programme focuses on the rural community levels, or on the 'demand side of justice', forging strategic partnerships with other justice sector agencies or programmes is needed to put pressure on the 'supply side of justice'. The SPA partners

should also invest more in creating partnerships with organizations beyond the coalition. Programme activities could stretch further when collaborating with community based organizations for example.

- Working relations between the SPA partners and the Sierra Leonean Family Support Units (FSUs)<sup>10</sup> are generally very good. The SPA partners should make use of these relationships and invest more in training the Family Support Units in the laws on sexual violence and gender specific issues. Furthermore, the SPA partners are recommended to identify to what extent serious abuses such as rape or FGM may have shifted to communities where either law enforcement or the human rights organizations are less visible.
- Activities on addressing FGM should increasingly focus on the possibilities of prosecuting those who either commit or facilitate underage initiation. SPA partners should monitor the issuance of licenses more closely. Extra training for Soweis and Chiefs in law and human rights is recommended.
- Programme activities with the Soweis should be intensified, and partners in the south could herein make use of the programme experiences in the north and strengthen their levels of collaboration. While the legal age for marriage is now set for 18, most girls are still wed below the age of 18. As underage marriage and FGM are obviously strongly linked, the programme needs to start focusing on underage marriage *in relation to* FGM.
- With the support of the SPA partners, bye laws and community regulations have largely been revised to incorporate the new human rights laws. However, both the proper application and observance of those laws need to be monitored more strictly. Coalition partners are also encouraged to identify and evaluate which of the new (or revised) bye laws have been most effective in reinforcing national and international gender and child rights laws.
- Both the SPA and the programme officer should strive to reach consensus with the other coalition partners, in particular when dealing with joint programme activities and advocacy work. It is crucial that the programme officer and the host ensure that lessons learned are shared systematically across the coalition.
- The SPA partners unanimously claim to have gained from working together and managed to overcome the difficulties in maintaining a coalition as such. However, there are still contrasting views on how a coalition of organizations should function or should be shaped. Further discussions may be required to address the different views herein.

# 1. BACKGROUND TO THE IMPACT ASSESSMENT SURVEY

## 1.1.

### INTRODUCTION

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This evaluation is intended to serve a dual purpose. It serves as an evaluation of the *Accessing Justice Programme in Rural Sierra Leone*, supported by the Special Programme on Africa (SPA) of Amnesty International-Netherlands, and funded by the Human Dignity Foundation during its four year duration (2007 - 2010). It aims to measure the outcomes of developed strategies and implemented activities. It also aims to contribute to accountability and transparency towards the various stakeholders including beneficiary communities, coalition partners, the donor, Amnesty International/SPA and the wider public with an interest in human rights issues.

Secondly, the information presented in this report will be used as baseline data for the programme's second funding cycle: 2011-2015. The evaluation aims to identify good practices and learning opportunities that will be used to improve future interventions in the following programme period of five years.

The Special Programme on Africa (SPA) of Amnesty International Netherlands (AINL) cooperates with and supports human rights initiatives in Africa. The SPA aims to explore and develop innovative ways for Amnesty International to contribute to the promotion of human rights and human rights awareness and works towards the prevention of human rights violations and abuses. The SPA focuses primarily on the rural parts of Africa, where many people have had little or no formal education and where illiteracy levels are high. The SPA encourages alternative and easily accessible means of raising human rights awareness, such as through training and support of community elected human rights volunteers. The SPA, established in 1994, primarily assumes a facilitating role in providing support in the development of programme strategies; such as through developing and sharing relevant training materials, offering the expertise of

professional trainers, engaging resource persons and consultants and liaising with [international] donors on behalf of programme partners.

## 1.2.

### THE ACCESSING JUSTICE PROGRAMME

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The Accessing Justice Programme in Sierra Leone started in 2007 after a coalition of six local organisations was formed, following several field assessments by the SPA. All six organisations were primarily operating in rural communities in the southern and northern provinces of the country.<sup>11</sup> The programmes' initial focus was on promoting and enhancing people's ability to seek and claim justice within the local community justice mechanisms. The emphasis was on rural communities but in particular on women and girls, because of their subordinated position, the high levels of sexual and domestic violence and women's lack of equality before the law.

The Accessing Justice Programme was scheduled for a period of 4 years (2007 – 2010), and was funded by the Human Dignity Foundation (HDF).

The programme was developed collectively by coalition partners and the SPA in early 2007. Partners and the SPA agreed to focus on three main areas: human rights, access to justice, and gender based violence including FGM.

Project activities varied but a number of key initiatives were implemented throughout: 'Community Dialogue or Stakeholder Forums'; 'Community Justice Workshops', and the establishment of locally based 'Human Rights Committees' or human rights volunteers. These committees were trained to provide basic legal advice, refer cases to the relevant authorities and inform communities about their rights and responsibilities. Training and awareness raising on human rights, gender, local justice instruments and relevant (national) laws were part of all activities implemented. Dialogue sessions had a dual purpose: to enhance people's knowledge and understanding

of laws, justice, rights and responsibilities, as well as to contribute to behavioural change. The justice workshops focused on identifying problems within the local justice mechanisms as well as finding ways to address these.

Mid 2007, programme activities expanded towards Harmful Traditional Practices (HTP), such as Female Genital Mutilation (FGM) and (to a lesser extent) early marriages, mostly as a result of the passing of the Child Rights Act in June 2007<sup>12</sup>. Working specifically with the traditional practitioners (Soweis), became a key focus in this area, for which 'Swei Exchange Programmes' and 'Swei Dialogue Sessions' were developed. Both activities focused primarily on entering into a dialogue with the Soweis about encouraging collective abandonment of underage initiation.<sup>13</sup> The concentration of these activities has been in the southern region towns of Jendema extending to Ngon, Fairo, Kori-bondo, Yamandu, and recently Taninihu Mboka, Gondama Doweihun; and the northern region towns of Magburaka, Masiaka, Binkolo, Kamabai, Makolo, and Mabonkani.

Although all of SPA partners implemented similar activities, their focus, planning and implementation differed. The differences reflect the varying capacities as well as the different local environments in which the organisations operate. The southern areas have for example been less exposed to human rights messages or to policy developments in the capital as compared to many of the northern provinces. These levels of 'exposure' will have informed partner's strategies and modus operandi. Moreover, the SPA partners had developed their own areas of expertise prior to their participation within this programme. The southern organisations had gained ample experience in working with traditional authorities, but far less in addressing FGM. Northern partners on the other hand had developed expertise in working on FGM as well as in lobbying the national government to domesticate international laws that Sierra Leone had ratified.<sup>14</sup> Yet another partner was specialized in providing paralegal services, supported by a trained lawyer.

The NGO landscape in Sierra Leone is very fragmented, as competition over donor funding and resources is high. By establishing a coalition, the SPA

aimed for enhanced collaboration, sharing of experiences as well as to create opportunities for partners to learn from each other.

### 1.3.

#### MEASUREMENT PARAMETERS

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The data generated from this survey is used to analyse what has changed compared to the situation that prevailed in 2007 with respect to human rights knowledge and awareness; people's ability to claim and seek [access to] justice in the rural areas; the level of gender based violence and impunity towards gender based violence. While the overall goal of the programme remained unchanged, the programme underwent certain changes resulting from feasibility studies and changing realities on the ground. The new targets set were less ambitious, more relevant and more sustainable than previously conceived ones. Lobbying the national government for example or contributing to law change at national levels, appeared to be too ambitious. The programme therefore continued to focus on the rural communities, local authorities and policy change at local, customary levels.

The changes that were made to the original logistical framework were shared with the donor in August 2010. The narrative that accompanied the changes to the original logframe is attached as Appendix I.

The impact assessment aims to evaluate the extent to which the programme fulfilled its goal and measurable targets<sup>15</sup> as indicated in its logical framework. The overall goal was to *"contribute to increased awareness, respect for, and protection of people's human rights in rural Sierra Leone, with an emphasis on women and girls, through promoting social change, enhancing access to seek and claim justice, and to reduce gender based violence and impunity for gender based violence"*. In pursuit of the overall goal, specific objectives were set under the programme's different focus areas that were adjusted in the course of the programme. During the preparations of the assessment, the evaluation team decided to add a focus on the level of collaboration between coalition partners, as well as their level of satisfaction and communication with the SPA in the Netherlands. Table 1.3. shows the outcome

indicators selected for measurement.

All of the below indicators (i – xvi) are reviewed individually in the conclusions of each relevant chapter.

#### 1.4.

##### 2007 BASELINE SURVEY

A baseline survey was carried out in 2007, which aimed to provide information on the overall human rights situation back in 2007. This baseline survey meant to generate data to establish standards against which outcomes and impact

could be measured in 2011. During the 2007 survey, 1361 respondents were interviewed using a semi-structured questionnaire. No additional open interviews or focus group discussions were carried out in addition to the survey. As generic data was required, the questionnaire was more simplified and contained more closed questions than the questionnaire used in 2011. The survey areas selected for the 2011 impact assessment largely overlap the areas surveyed back in 2007. The evaluation team mutually agreed to change a number of the original questions of the 2007

**Table 1.3. Selected indicators of measurement**

INTERVENTION AREAS	MEASUREMENT INDICATORS
<b>(Access to) justice and human rights</b>	(i) (Level of) community participation in human rights programmes
	(ii) (Level of)/knowledge and understanding of the relevant laws on women and children's rights
	(iii) (Level of)/increased number of women and men seeking [legal] support from local human rights committees;
	(iv) (Increased) number of people, women in particular, seeking legal redress in the Local and the Chiefs' Courts
	(v) Level in which local and traditional authorities are challenged to address injustices in their courts
	(vi) Reduced number of miscarriages of justice in the Local and the Chiefs Courts, particularly those affecting women.
<b>Gender-based violence (including FGM)</b>	(vii) (Level of) increased provision of just and non-discriminatory bye laws and community regulations that provide more protection to women and girls
	(viii) (Level of)/Reduced level of gender based violence, including a diminishing number of cases of girl child initiation
	(ix) Increased understanding of (and compliance with) the Gender Acts.
	(x) (Level of)/Increased awareness and openness on harmful traditional practices and violations affecting women and girls
	(xi) (Increased number of) Soweis, chiefs and community leaders speak out against girl child initiation
	(xii) (Level of)/Increased understanding of (and compliance with) the Child Rights Act as regards to underage initiation
<b>Coalition partners</b>	(xiii) (Level of)/collaboration and effective cooperation between coalition partners;
	(xiv) (Level of)/effectiveness of programme development and programme implementation
	(xv) Level of trust and sharing as assessed by partners.
	(xvi) Level of programme sustainability as perceived by partners.

Source: Logistical Framework 2006 / 2010

questionnaire to increase its relevance. Hence the changes made to the 2007 questionnaire reflect the changed circumstances as well as the adjusted programme objectives.

In comparing the data from both surveys, we aim to display changes in the areas of human rights, justice and gender based violence between 2007 and 2011. While the baseline survey describes a fairly good picture of the situation in 2007, comparisons cannot be fully made in each of the research areas. Changed local circumstances, enhanced knowledge and revised views of both partners and the SPA led to the adjustments made to the original programme as described in section 1.3. Although the methodology of administering a semi-structured questionnaire was similar, the questionnaires are only partially overlapping. While the 2007 survey was meant to provide generic data, the impact assessment survey aims to provide a more complete picture of the situation in the operational areas. Reference to the baseline data of 2007 is made where and when possible, within each of the following chapters on Human Rights, Justice and Injustice; Gender Based Violence (GBV) and Female Genital Mutilation (FGM). Relevant tables reflecting the responses of the baseline survey 2007 and those of the impact assessment 2011, are attached as Appendix IV.

## 1.5.

### **AMNESTY INTERNATIONAL'S 'DIMENSIONS OF CHANGE'**

In measuring change, Amnesty International has developed and adopted the 'Dimensions of Change' framework for planning, monitoring and evaluation processes.<sup>16</sup> The framework, as shown in figure 1.5. below, displays four dimensions, of which the paramount dimension is 'change in people's lives' (dimension one). Achieving change in people's daily life is at the heart of every initiative undertaken by Amnesty International. The other three key dimensions reflect the changes that are required to affect people's lives, such as 'changes in accountability'; 'changes in (public) policies' and 'changes in activism and mobilization for human rights'. All dimensions are interrelated, as change within one may lead to change in one or all of the other dimensions. Different projects of Amnesty International may focus on just one dimension or on all at the same time.

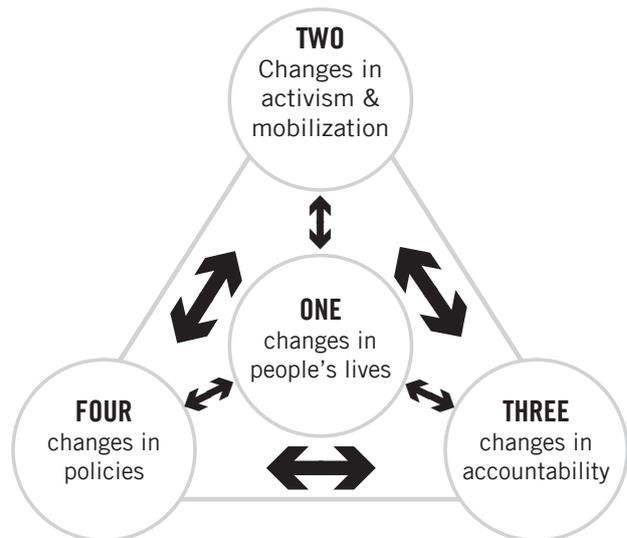


Figure 1.5. Amnesty International's Dimensions of Change Framework

Within the *Accessing Justice Programme* in Sierra Leone, the change measured relates to all four dimensions, although to varying degrees. The programme's primary goal was to effect *change in people's lives*, referring to local communities in general and women and girls in particular. Change in activism and mobilization refers to people's (increased) abilities to seek and claim justice and address injustices themselves. 'Accountability' refers to (increased) accountability of those in positions of power such as chiefs, law enforcement, practitioners of FGM and court staff towards their communities. 'Policies' refer to local (customary) laws, such as bye-laws or community regulations at the local community level. The programme does not focus on policy change at district or national levels. In the final chapter on Conclusions, Lessons Learnt and Recommendations (Chapter 7), reference is made to each of those four dimensions in relation to the changes measured.

## 2. METHODOLOGY

### 2.1.

#### INTRODUCTION

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Evaluation methodology including training materials were developed, prepared and tested by the evaluation team, which was formed by a local [Sierra Leonean] consultant, the Programme Officer of the SPA programme in Sierra Leone and the Project Manager of the SPA from Amnesty International Netherlands. The local consultant was recommended by one of SPA's partner organisations with consent from the other four partners. The impact assessment survey lasted the full month of February 2011.

### 2.2.

#### SURVEY INSTRUMENTS

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A mixed and fairly labour-intensive methodology was used to generate both qualitative and quantitative data to assess both the impact of the programme as well as the performance of the coalition partners and the SPA [respectively directly and indirectly] responsible for programme implementation. The three survey instruments used were: (i) a semi structured questionnaire; (ii) thematic focus group discussions; and (iii) open interviews with key programme stakeholders. Survey instruments were not used across the various respondent groups; the evaluation team decided to administer the questionnaire among community residents only; while focus group discussions only involved specific authorities. Open interviews were held with SPA's partner organisations and key informants. The choice for this selection in respondent groups was prompted by time limitations and available resources.

##### 2.2.1. SEMI-STRUCTURED QUESTIONNAIRE

A semi-structured questionnaire was aimed to obtain both qualitative and quantitative data. The questionnaire comprised 32 questions and four types of questions: 'open-ended questions'; 'closed questions'; 'enquiry type of questions', which aimed to obtain people's opinions on specific issues; and 'change measurement questions',

which encouraged the respondent to compare present situations to past situations related to areas of evaluation. The questionnaire was designed to assess the respondent's views on human rights, justice and the gender based violence within their communities. To capture data that is representative of the diverse age groups, respondents were clustered according to Sex (Male; Female); Age Group (Youth; Adult; Elderly) and Educational level (Literate; Illiterate). In all, 1288 questionnaires were administered, of which 1200 were considered valid. Questionnaires that were partially administered were cancelled as invalid.<sup>17</sup> The semi structured questionnaire is attached as Appendix II.

##### 2.2.2. THEMATIC FOCUS GROUP DISCUSSIONS

To obtain qualitative and in-depth data, facilitated focus group discussions were held with three specific groups of key informants relevant to the programme: (a) the Family Support Unit (FSU) of the Sierra Leonean Police (SLP)<sup>18</sup>; (b) traditional chiefs and Local Court chairpersons, and (c); traditional practitioners (Soweis). All three groups have specific responsibilities as regards to law enforcement; the administration of justice and FGM. The focus group discussions were facilitated by the consultant with the assistance of four selected interviewers. The discussions were meant to be as open as possible but did follow an interviewing checklist that was prepared beforehand. Additional questions were developed in the course of the discussions that often lasted up to two hours. Participants in each group were invited from various villages within the chiefdom. Meals and if necessary accommodation, were provided. Nine focus group discussions with a maximum of 12 participants per session were held in the various survey areas.

##### 2.2.3. OPEN INTERVIEWS

To obtain qualitative data from key informants, open interviews were conducted with coalition partners at management-, programme- and field levels; participants

involved in programme activities; the Programme Officer and the SPA Programme Manager. In all, nine open interviews were conducted.

### 2.3.

#### SELECTION OF GEOGRAPHICAL AREAS

Eight locations were selected for the assessment survey in the northern and southern operational areas. These locations included small to middle-sized towns in the Districts of Port Loko, Bombali, Tonkolili, Bo, and Pujehun. With the exception of two locations (Kamabai and Fairo), all selected survey areas were included in the 2007 Baseline Survey. A map showing the various districts covered by the Accessing Justice Programme is attached as Appendix III.

Selection was based on the following considerations:

- Maximum activity location: areas where partner(s) have systematically implemented core activities. In most of these 'core activity locations, the SPA partners are the dominant human rights organisations present. The maximum activity locations are Yamandu and Jendema in the south, and Koribondo, Binkolo and Kamabai in the north. In some of these locations, other NGOs (non-coalition partners) have implemented activities too but operated in most cases from the neighbouring district town headquarters.
- Minimum activity location: where partners have

operated or are still operational but on a much smaller scale. These minimum activity locations are Masiaka in the north and Fairo in the south.

Since interventions from other NGO's in the same geographic areas are fairly limited, the report generally refers to the SPA partners as 'the human rights organisations' or 'the NGOs'. Specific reference to the SPA partners is only then made when respondents or interviewees referred to those organisations directly.

Table 2.3 shows the eight survey areas, the sample of administered questionnaires per location, the number of 'invalid' interviews and the stratified sample per location.

The number of enumerators deployed and questionnaires administered reflected the population figures of each survey location. While the 2007 baseline survey interviews were conducted in many more localities (primarily clusters of smaller villages in the same districts), the evaluation team decided to focus on fewer, maximum activity locations instead.

#### 2.3.1. THE EVALUATION PROCESS

The evaluation was carried out in two separate regional operations; the southern followed by the northern areas. This choice was made for administrative, logistical and linguistic reasons. Prior to the survey, 48 male and female enumerators and 8 supervisors were hired in both regions

**Table 2.3. Geographic Representativeness of the Parent Population (1288) in the Sample (517)**

TOWN/VILLAGE	ADMINISTERED QUESTIONNAIRES		VOID	SAMPLED QUESTIONNAIRES
	FREQUENCY	VALID FREQUENCY		
Yamandu	224	223	1	90
Magburaka	224	198	26	93
Jendema	196	184	12	83
Masiaka	196	179	17	76
Koribondo	140	128	12	54
Binkolo	112	101	11	54
Kamabai	112	103	9	38
Fairo	84	84	0	29
<b>Total</b>	<b>1288</b>	<b>1200</b>	<b>88</b>	<b>517</b>

Source: Field Data, February 2011

through an open recruitment process. Selected enumerators and supervisors underwent a two-day intensive training on the modalities of administering a questionnaire in the two local languages; Mende for the South and Temne for the North. Enumerators were particularly trained on phrasing and rephrasing questions in each of their local languages, in order to minimize misunderstanding or misinterpretation by respondents. Categorizing the answers [the decoding process], took place after both operations were finalised.

The training of the enumerators took place in two batches, one per region. All selected interviewers and supervisors were highly educated and not in any way affiliated with partners of the SPA coalition nor with the SPA itself. Supervisors were selected on the basis of their seniority and assigned to a team of enumerators. Their role was primarily to supervise the interviewing process, disseminate and collect all questionnaires (used and unused) at the end of each surveying day. Supervisors were instructed to review a sample of the questionnaires to detect any errors made. Control sheets were used to keep a track record on each enumerator's performance. Enumerators had their own control sheet to document the personal details of each respondent including their address. In a few instances, enumerators revisited a respondent to seek further information if answers to certain questions were considered vague or incomplete.

## 2.4.

### SAMPLING AND SELECTION

The response groups were classified according to sex, age, education and profession. This was done to capture data in the surveyed towns and villages that reflect the social demographic diversity of the parent population in each town and village. In selecting the respondents, the enumerators were instructed to select one respondent per each second house. Enumerators were additionally instructed to alternate between male and female respondents and to pro actively, if and where possible, alternate between the different age and socio-economic groups. Prior to each interview, the respondent was asked his/her duration of stay in the village. This was done to rule out visitors or migrants having settled in the area within the past 2 years. Respondents having actually lived in the survey locations for two years or more were considered eligible for an interview.

#### 2.4.1. STRATIFIED SAMPLING

To save time and costs on the decoding process, *stratified random sampling* was conducted in determining the actual responses for analyses. The decision was made to select a workable sample of 40% of the total of 1288 questionnaires, using the interview clusters defined for the survey, [sex, age group and literacy/illiteracy], in ensuring a proper representation. To minimize a possible 'enumerator bias',

**Table 2.4.1. Demographic Representativeness of the Parent Population (1288) in the Sample (517)**

RESPONSE GROUP		ADMINISTERED QUESTIONNAIRES				SAMPLED QUESTIONNAIRES	
		FREQUENCY		VALID FREQUENCY		#	Σ
		#	Σ	#	Σ		
SEX	Male	628	= 1288	625	= 1280	257	= 517
	Female	660		655		260	
AGE GROUP	Youth	609	= 1288	609	= 1287	190	= 517
	Adults	450		449		187	
	Elderly	229		229		140	
EDUCATION	Literate	508	= 1288	507	= 1285	255	= 517
	Illiterate	780		778		262	

Source: Field Data, February 2011

random sampling was done on the basis of the enumerators as well. Following stratification, 517 valid questionnaires were randomly selected. Invalid questionnaires such as those partially administered, were eliminated during the stratification process. Table 2.4.1 shows the clusters represented in the stratified sample.

## 2.5.

### **DATA DECODING AND DATA ENTRY**

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After the administration of the interviews, tally sheets were developed to decode all responses per question across the 517 sampled responses. Decoding categories were developed by the evaluation team on each tally sheet to capture all possible responses to each open question. Decoding was done on the basis of scanning through a random sample of the returned questionnaires, so as to group the responses into categories covering a variety of comparable answers.

The data decoding and entry process showed that differences in the responses between the sexes, the various age groups or literacy levels were remarkably small. These limited varieties in answers that may have related to the different clusters were too insignificant to be analysed and used as such. Hence the evaluation team decided to not use the categories separately for analyses, but to limit analyses to geographical and linguistic differences. In other words, the raw data generated from responses to all questions in the questionnaire were disaggregated and analysed by region: north versus south.

#### **2.5.1. INTERPRETATION OF THE DATA**

Numerous interpretations are provided on the survey findings presented in the following chapters on Human Rights [3], Gender-Based Violence [4] and FGM [5]. These interpretations and analyses were shaped during the impact assessment operation in February, following long discussions among the evaluation team members. The impact assessment provided a significant amount of very valuable information, but drawing firm conclusions based on this information is difficult. The evaluation team decided to interpret (most of the) the data collectively while referring to 'assumptions' and 'indications of change'.

#### **2.5.2. POSSIBLE BIASES**

A number of explanations from respondents could not be categorized, as they were either too vague or not an answer to the particular question. These answers were subsequently recorded as 'vague', but still valid in terms of a 'Yes' or 'No' provided. The reason behind the fairly high number of 'vague responses' could be explained by the low educational level of most respondents, who found it apparently difficult to give further details. Moreover, rural communities [are said to] fear 'documents', research investigations and/or questions that concern their personal lives. Hence caution or perhaps fear may have been another reason why respondents did not elaborate on certain, in particular sensitive, issues.

Another explanation could be the interviewing skills of the enumerators. A proper training may enhance the necessary skills but around 60% of the enumerators lacked any interviewing or research experience. Translation into Mende and Temne is yet another complicating factor. Higher education in Sierra Leone does not guarantee a high level of proficiency in using one's native language. Mende for example has primarily an oral history, spoken by a limited number of people world-wide. Various related concepts such as 'justice', 'truth' and 'right' or 'rights', can realistically be translated in one Mende word only, of which its use determines the actual meaning. Hence misunderstanding or misinterpretation may have slipped in here. Moreover, enumerators were to translate the questions into their native language and to translate the answers again into English. While all mastered the spoken English, people's abilities to write in English varied widely.

Time could have been another factor, as each interview took approximately one hour. While the majority showed patience, a small number of respondents were either unable or unwilling to sit through the whole interview. Impatience or lack of time may have affected some of the answers provided.

A *response bias* was initially avoided by actively involving illiterate respondents, so avoiding an over representation

of literate respondents, as happened in during the 2007 baseline survey. Yet another (response) bias may however have slipped in as a result of avoiding one; while illiteracy levels in Sierra Leone's rural areas are an estimated 60%, the number of illiterate respondents is nearly equal to those who are literate. An under coverage bias

was however avoided, as the age group and sex clusters showed a proper representation. Proper representation was also seen in people's professional background and social class. Respondent groups varied from unemployed to those holding high communal positions, and nearly everything in-between.

## 3. FINDINGS ON HUMAN RIGHTS, JUSTICE AND INJUSTICE

### 3.1.

#### INTRODUCTION

Access to seek and claim justice at community levels was formulated as a key focus for the SPA coalition partners from the outset of the programme. This meant that local and traditional authorities were to be involved in all human rights activities in the organisations' operational areas.

Questions 1 to 19 of the semi structured questionnaire focused on human rights, justice and injustice issues. Most questions were openly formulated as to obtain people's views on these rather difficult concepts. Open questions may also provide a better indication of people's genuine understanding of these issues, and how human rights and justice, or the lack thereof, impact on people's daily lives. Furthermore, the survey aimed to expose people's response to injustices and abuse, as well as their perceptions on the delivery of justice by law enforcement, formal and traditional authorities. The tables referred to are either shown in the following chapters or attached as Appendix IV.

### 3.2.

#### UNDERSTANDING HUMAN RIGHTS

People's perceptions of 'human rights' indicate a fair understanding of the concept.<sup>19</sup> Answers generally signified fairly high abilities of most respondents in equating 'human rights' with the activities and benefits

that it generates. In comparison to the 2007 survey, one clear observation can be mentioned here. People's perceptions of 'human rights' back in 2007 were varying widely with over 50 different interpretations given. In contrast, most interpretations provided during the 2011 survey were surprisingly similar. This seems to indicate that people's perceptions of the concept of human rights has narrowed down over the years.

The largest number of respondents of the evaluation survey (30%) [Table 1, Appendix IV] explained human rights to be 'basic rights', entitled to all individuals. The majority of this group gave various examples of basic human rights, of which (access to) health facilities, fair treatment before the law, the right to vote and freedom of assembly were most often mentioned. Interestingly, respondents in the northern survey areas answered twice as often 'don't know' or 'do not understand' than respondents from the south. Whether this simply reflects a language bias seems far-fetched. This difference possibly reflects that awareness raising on [the concept of] human rights has had a wider impact in the southern areas.

In attributing a personal 'value' to the importance of human rights, over 64% indicated that human rights were important as shown in table 3.2. Respondents from the north seemed clearly less informed or less convinced about

**Table 3.2. Community's perceptions of human rights**

Q 2: PLEASE TICK ONE OF THE FOLLOWING STATEMENTS THAT YOU AGREE WITH MOST:				
	South	North	Total	Percentage
Human rights are important	204	129	333	64.40%
Human rights are important, but I do not understand much about it	36	65	101	19.50%
People say it is important, but I do not know how human rights can benefit me	6	17	23	4.50%
This is not for me, I am too busy with other things	2	26	28	5.40%
I do not get involved in these things	7	24	31	6.00%
None of the above [explain]	1	0	1	0.20%

Source: Field Data, February 2011

[the need for] human rights than the respondents from the southern areas. This overall figure is however significantly less than the baseline survey data, where 84% indicated that human rights were important.<sup>20</sup> This may suggest a decline in the value people give to human rights, which is probable when and if respondents translate 'human rights' directly to their socio-economic position, which has barely improved for most. In view of the other data presented in this report, a decline in the value people attribute to 'human rights' however seems unlikely.

In 2007, less than 1% claimed to lack a proper understanding of human rights, against nearly 20% in 2011. The same respondent group does nonetheless indicate to consider human rights important. It is difficult to fully explain these differences as several influences may have been of influence. This increased 'lack of understanding' may indicate that the human rights interventions have reached fewer numbers of people over the past few years. This does seem unlikely, considering the relatively high percentages of people who actually participated in human rights activities, as shown in section 3.3. The different figures may also reflect an increased interest in human rights issues, which may be reflected by the high levels of communal participation. Higher levels of participation may have triggered higher levels of interest in human rights issues, and visa versa. Higher levels of interest in human rights issues may have led to larger numbers of people indicating to lack a proper understanding.

### **3.2.1. OPEN COMMUNITY DISCUSSIONS ON HUMAN RIGHTS**

In 2007, 80% implied that human rights were discussed openly<sup>21</sup>, against nearly 90% in 2011.<sup>22</sup> This difference may also be explained by the fact that enumerators were now instructed to ask further about people's motivations behind discussing human rights issues, which was not done in 2007. Table 2 in Appendix IV shows that half of the 90% (46%) claimed that open discussions on human rights were prompted by activities of human rights organisations.

Around 60% indicated to have participated in human rights discussions<sup>23</sup>, against 69% in 2007<sup>24</sup>. 27% of

the impact assessment survey respondents indicated to have participated in meetings organized by human rights organizations. 17% had taken part in open discussions following cases that were decided upon by the chiefs, the local courts or the police. Following this, there seems to be an indication that less people now take part in open discussions about human rights. Based on these figures, it is not realistic to draw hard conclusions, as both 'human rights discussions or meetings' and 'participation' could have different meanings for different people. A genuine decline may again be possible if respondents widely feel that 'human rights' have not effected any real change in their socio-economic situation.

### **3.3.**

#### **INVOLVEMENT OF HUMAN RIGHTS ORGANISATIONS**

Table 4 in Appendix IV demonstrates that 80% of the respondents indicated to be aware of organisations and/or individuals working on human rights issues in their communities. Of this figure, 58% claimed to be aware as they had participated in the human rights activities of those organisations. Table 3.3. shows that another 51% indicated that participation in human rights activities had increased their understanding of human rights. 26% attributed their increased [human rights] knowledge to the activities of these organisations, without having participated. This may suggest that there is trickle down effect of the activities of the human rights organisations. Although no further information is available, it may imply that people discuss programme activities within their communities. A total of 77% of the respondents attributes their enhanced understanding of human rights to the NGOs or the human rights committees, as shown in Table 3.3.

Overall, people's responses to the questions related to human rights suggest that the human rights organisations are not only widely known in these communities, but that many have actually taken part in their activities. This was particularly true for the maximum activity survey areas, where SPA partners are predominantly present, such Jendema, Binkolo, and Yamandu. This seems to imply that these SPA partners have managed to make themselves both visible and available.

As to whether respondents had ever sought help from human rights organisations [Table 3.3.1], 51% indicated to have not been in need, while 39% claimed to have sought help for themselves, on behalf of others or for reasons not identified. This was an open question, but the responses do indicate that people perceive the human rights NGOs as an instrument of seeking redress. This perception seems to correspond with the work of the SPA coalition partners, whose volunteer human rights committees operate from within the communities in providing basic [legal] advice, referring abuse or other cases for follow up.

### 3.4.

#### UNDERSTANDING JUSTICE AND INJUSTICE

As with the concept of 'human rights', respondents' perceptions of 'justice' have narrowed down significantly compared to the wide variety in views provided in 2007.<sup>25</sup> Table 3.4. shows that the majority of the respondents share similar ideas about accessing justice, referring either to fair treatment or giving and getting 'truth' in justice cases. 18% translated 'access' more literally, referring to the *availability* of justice means. Only 7% of the respondents provided a response that could not be categorized, hence was recorded as 'vague'.

**Table 3.3. Community's perceptions on NGO involvement**

Q 7: HAVE HUMAN RIGHTS AGENCIES OR VOLUNTEERS WORKING IN YOUR COMMUNITY CONTRIBUTED TO YOUR UNDERSTANDING OF HUMAN RIGHTS?				
	South	North	Total	Percentage
NO. Because I have not noticed them around	23	0	23	4.40%
NO. I have noticed them but I don't know what they really do around here	8	35	43	8.30%
NO. No/vague reason	24	0	24	4.60%
NO. vague reason	25	0	25	4.80%
YES. because I have participated in their programme activities	107	156	263	50.80%
YES. Because I have learned about their activities through other ways	39	40	79	15.20%
YES. Vague reason	28	27	55	10.60%
YES. No reason	2	3	5	1.00%

Source: Field Data, February 2011

**Table 3.3.1. Help sought from human rights organisations**

Q6: HAVE YOU EVER SOUGHT HELP FROM HUMAN RIGHTS ORGANISATIONS?				
	South	North	Total	Percentage
NO. No need for help since I have never been abused nor affected	129	134	263	51.00%
NO. I have been abused/affected but I don't seek their help	12	0	12	2.30%
NO. No reason	32	5	37	7.10%
YES. I sought their help because I have been personally affected	20	38	58	11.20%
YES. I sought their help on behalf of others	20	41	61	11.70%
YES. No/vague reason	19	40	59	15.60%
No response	2	3	5	1.00%

Source: Field Data, February 2011

As demonstrated in table 3.4. there is a [slight] difference in understanding 'accessing justice' between the northern and the southern survey areas. Where respondents in the northern areas tend to refer to 'fair or truthful justice', southern respondents valued the 'availability of justice mechanisms' much higher. It is difficult to understand what may have caused those different, albeit related views.

The answers do seem to indicate that people's knowledge and understanding of [access to] justice has improved. It is however evident that respondents in the survey areas generally seem to equate 'justice' with 'fair administration' [of justice]. Secondly, many respondents translate justice as the 'availability of justice mechanisms'.

In explaining 'injustice', fairly similar answers were provided, mostly referring to a 'denial of rights' [in justice cases] (34%), 'unfair treatment/justice' (23%), or 'lack of truth' (16%).<sup>26</sup> A reasonably high percentage of respondents (20%) gave an answer that was considered 'vague' hence was not categorized. Among many of these responses, people were unable to define injustice but claimed to either 'disagree', 'resist' or 'fight it'<sup>27</sup> Even if the concepts were difficult to define for some, those respondents openly stated to pro actively resist whatever they considered to be injustice.

### 3.4.1. OPEN COMMUNITY DISCUSSIONS ON JUSTICE AND INJUSTICE

Injustice issues were openly discussed according to 70% of the respondents according to Table 6, Appendix IV. The

fairly high figure of 'vague responses' (22%) seems to reflect the many respondents unable to explain the concept of injustice. Table 7 in Appendix IV however does show that more than half (55%) of the respondents indicated to participate in discussions around injustice issues. 20 % of this group claims that their participation is prompted by the human rights organisations working in their community.

### 3.5. DEMAND AND DELIVERY OF JUSTICE

Six questions from the survey focused on the demand side and local delivery of justice. Table 8 in Appendix IV illustrates that one third of the respondents (34%) have faith in the police in terms of settling justice fairly. Human rights organisations were credited a second best place with 31%. Chiefs are people's third preferred choice with 19%, while local courts were only referred to by 9% of the respondents.

As Table 3.5. shows, a significant 89% is of the opinion that the 'justice authority' of their choice had improved over the years. 35% of this figure attributes the improvement in the delivery of justice to the human rights interventions, while another 47% claimed that the opportunities to demand fair justice have either improved or increased. Similar answers were provided as regards to 'resisting injustice', where nearly 50% attributed this improvement to an increased availability of opportunities/mechanisms to demand justice.<sup>28</sup>

These figures demonstrate a remarkable improvement in how the delivery of justice at the local level is perceived.

**Table 3.4. Community perceptions on accessing justice**

Q8: WHAT COMES FIRST TO YOUR MIND WHEN YOU THINK ABOUT ACCESSING JUSTICE IN YOUR COMMUNITY?				
	South	North	Total	Percentage
Giving/getting rights to those who deserve	60	35	95	18.30%
Free and fair treatment/justice	45	74	119	23.00%
Giving/getting truth [in justice cases]	49	72	121	23.40%
Availability of justice means/authorities [to report to]	61	35	96	18.50%
Demanding assistance from HR organisations	10	22	32	6.10%
Don't know/no response	9	10	19	3.60%
Vague response	22	13	35	6.70%

Source: Field data, February 2011

Further specifications on what respondents meant by 'more or better opportunities to demand justice' are not provided. People may have referred to the new laws [the Gender and Child Rights Acts], which were widely introduced in the rural communities. There are also indications however, as shown in the next chapter on Gender Based Violence, that law response has on occasions become more vigilant. In specific reference to 'more' opportunities, it is very well possible that respondents referred to the human rights organisations. Considering that human rights organisations are widely perceived as a means to *seeing justice done* [section 3.3.], one can assume that some level of contribution to this observed change was made. This seems to be substantiated by the 43% who indicates that progress has been made out of the contributions of the human rights organisations, as demonstrated in Table 10, Appendix IV.

A similar question was asked to crosscheck people's answers on the 'improvement of the justice system', as shown in Table 3.5.1. As these figures demonstrate, the answers were almost the same to the previous question in which respondents were asked to judge the functioning of their 'preferred justice-settling authority. Overall, people indicate that the justice system in general within their communities has improved over the years.

### 3.6.

#### **EQUAL TREATMENT OF MEN AND WOMEN**

As regards to the treatment of women in justice system, an overwhelming 85% claimed that men and women are equally treated before the law, as shown in Table 11, Appendix IV. In 2007, these figures were quite different as 53% claimed that women were not equally treated.<sup>29</sup> Of this figure, 22%

**Table 3.5. Indicated improvement in justice system**

Q13: DO YOU THINK JUSTICE SETTLED BY THE CATEGORY YOU CHOSE HAS IMPROVED OVER THE YEARS?				
	South	North	Total	Percentage
NO. Same as before	28	0	28	5.40%
NO. Worse than before	7	0	7	1.30%
YES. Through human rights interventions/sensitization	91	93	184	35.50%
YES. More/better opportunities to demand justice	109	135	244	47.00%
YES. No/vague reason	17	20	37	7.00%
Don't know	4	6	10	1.90%
No response	8	7	15	2.90%

Source: Field Data, February 2011

**Table 3.5.1. Indicated improvement in justice system**

Q17: DO YOU THINK THE JUSTICE SYSTEM IN YOUR COMMUNITY HAS IMPROVED OVER THE YEARS?				
	South	North	Total	Percentage
NO. Same as before	16	39	55	10.60%
NO. Worse than before	2	0	2	0.40%
YES. Through human rights interventions/sensitization	88	90	178	34.40%
YES. More/better opportunities to demand justice	130	108	238	46.00%
YES. No reason	9	15	24	4.60%
Don't know	11	4	15	2.90%
No response	0	5	5	1.00%

Source: Field Data, February 2011

indicated that women (gender) rights are more recognized as a result of the human rights interventions. More than twice that figure (53%) claims that the law makes provision for equal treatment between men and women. Whether the treatment of women has *improved* over the years, another 84% responded affirmative, as shown in table 3.6.

Similar responses followed the question on women's involvement in community meetings, where decisions affecting the community as a whole are made. 45% of the respondents claimed that women understand their rights better now, while 30% attributed women's increased participation directly to the human rights interventions [Table 12, Appendix IV]. Following these responses, women's participation in human rights meetings may have led to an increase in understanding their rights. This in turn may to have prompted a higher level of participation of women in community meetings.

Although these figures seem to indicate a significant improvement in the treatment of women before the law, the question remains on how to interpret this response. Recent sources continue to refer to the numerous barriers for women to access fair justice, including discriminatory laws and discrimination within the justice sector, which reflect deeply ingrained inequalities within the Sierra Leonean society.<sup>30</sup> Efforts have been made by the UN, the Justice Sector Development programme (JSDP) and various aid agencies that have made some meaningful improvements, but so far, limited to specific locations only.<sup>31</sup>

The overwhelming positive response does not tell the whole story, but indicates that some changes have taken place in terms of equality, or the notion thereof. Without discrediting people's opinions, several contributing factors are likely. On a number of occasions, the human rights organisations successfully challenged unjust court proceedings involving female claimants, which likely had a major impact in areas where injustice is the prevailing standard.<sup>32</sup> Human rights agencies have introduced the Gender Acts in the rural areas, therewith emphasising the need for increased equality while using a legal framework.<sup>33</sup> Moreover, these Gender Acts have been incorporated into numerous local bye laws and community regulations, as is further discussed in the following chapter on Gender Based Violence. Policy changes as such have possibly had some impact on the treatment of women before the law. To what extent an improvement has realistically taken place, could not be determined on the basis of the available data.

### 3.7.

#### FOCUS GROUP DISCUSSION FINDINGS ON HUMAN RIGHTS AND JUSTICE

Nine focus group discussions with selected groups were held in the survey areas of Jendema, Binkolo, Yamandu, Kamabai and the non survey area Makeni, head quarter town of the Northern Province. All three groups selected for an in depth focus group discussion [chiefs, police, traditional practitioners] presented a fairly good understanding of the concept of 'human rights'. Human

**Table 3.6. Indicated improvement in treatment of women by law**

Q19: DO YOU THINK THE TREATMENT OF WOMEN BY THE JUSTICE SYSTEM HAS IMPROVED OVER THE YEARS?				
	South	North	Total	Percentage
NO. Same as before	9	12	21	4.00%
NO. Worse than before.	1	4	5	1.00%
YES. Women's rights are more recognized now	119	122	241	46.60%
YES. Women are now more equally treated before the law	100	97	197	38.00%
YES. No reason given	19	15	34	6.50%
Don't know	4	6	10	1.90%
No response	4	5	9	1.70%

Source: Field Data, February 2011

rights were described as both tangible such as food, and intangible, such as freedom to speak one's mind, and 'applying to all humans equally'. All three groups claimed to have taken part in various human rights activities, such as community dialogue sessions, training or justice workshops.

The majority of the participants attributed their increased knowledge [of human rights, the new laws and gender based violence], directly to the work of the human rights organisations. Several of the SPA partners were specifically mentioned during the group discussions. Other, non-coalition partners were mentioned too as having made a contribution, such as Save the Children and the National Movement for Justice and Democracy (NMJD).

### 3.7.1. DISCUSSIONS WITH LAW ENFORCEMENT

The Family Support Unit of the Sierra Leonean Police in Jendema made specific reference to the human rights committee members that were based within the villages. To these police officers, there was a difference between the 'come and go NGOs' and those operating from within. The human rights committee volunteers were said to 'add great value to the work of the FSU', as 'the human rights volunteers were physically on the ground to speedily respond to human rights cases and interact with us'.<sup>34</sup> The officers further claimed that the human rights volunteers had strong ties with their communities, as they were democratically elected by their own villages.<sup>35</sup> The officers furthermore stated that their 'perspectives and knowledge had deepened by their participation in human rights activities'.<sup>36</sup> FSU officers in Yamandu added that they 'learned a lot about the gender and child rights laws and international conventions on children and women's rights'.<sup>37</sup> To the consultant's question whether this increased knowledge had translated into improved action, officers claimed that 'both speediness and fairness of the [police] treatment in grave offences such as rape had changed for better'.<sup>38</sup> The officers from Makeni maintained that human rights meetings were 'often centred on gender based violence and other abuses and how to overcome those challenges'. These officers mentioned that 'the human rights organisations normally involve chiefs, traditional leaders, formal and in-

formal justice personnel and the FSU' to address pertinent issues in the chiefdom'.<sup>39</sup>

Participating FSU officers stated that collaboration with the human rights committees was cordial and effective. Collaboration often involved 'referral of cases' identified by the volunteers. Human rights volunteers were also said to monitor and follow up on referred cases, and provided information to the officers where and if necessary. In some instances, 'the human rights organisations were facilitating the movement of victims and witnesses from far distances during investigations or court hearings'.<sup>40</sup> In others, 'medical fees were paid by these organisations to victims of sexual violence as to facilitate the FSU's investigation'.<sup>41</sup>

### 3.7.2. DISCUSSIONS WITH LOCAL & TRADITIONAL AUTHORITIES

Similar responses followed the discussions with chiefs and local court staff. All claimed to have participated in various human rights activities, and that their knowledge and understanding of human rights and human rights laws had improved. Local and traditional authorities in Jendema stated that 'they never used to be sensitive to a violation of human rights such as wife beating before'. They also claimed to have mainstreamed human rights laws into their community by laws and regulations. Others claimed that, 'they [the human rights organisations] use some of us chiefs as human rights volunteers so we are very much involved'.<sup>42</sup> Both chiefs and court staff further stated that they had a better understanding of their jurisdiction, and now referred grave offences such as rape to the police for follow up.

Local court staff in Kamabai was more explicit, arguing to have been trained on the Local Courts Act which defines the local court's jurisdiction. Participants referred to section 13 of the Local Courts Act that limits the courts' jurisdiction to 'land dispute', 'debt', 'abusive language', 'women palaver'<sup>43</sup> and other minor cases. Chiefs in Yamandu claimed that they 'now had the skills to manage conflicts when they arise, which helps us to adjudicate cases properly'.<sup>44</sup> The chiefs in Yamandu alleged that the relationship with their communities had improved. Their constituencies 'now listen to us and obey

us more than before'. The chiefs attributed this increased confidence to their enhanced understanding of human rights and the limitations of their jurisdiction.<sup>45</sup> The chiefs of Kamabai were even more outspoken, claiming that 'more awareness of human rights had helped to reduce the incidence of abuses and violations within their communities'.<sup>46</sup> They also said to 'have worked as 'ambassadors' in places where the human rights organisation could not reach'.<sup>47</sup> As regards to women, all participants maintained that women were equal before the law. None of them were however aware of any (former) community bye laws that discriminate against women.

### 3.8.

#### CONCLUSIONS

People's knowledge and understanding of human rights, justice and injustice has clearly narrowed down to more concrete perceptions. Human rights organisations have seemingly made a great contribution here, as significant numbers of respondents repeatedly referred to the activities of those NGOs. Many have participated in the activities

prompted by human rights organisations, which seems to indicate a high level of interest in human rights and justice issues. In reference to indicator (i), community participation in human rights programmes is evidently high. Whether the level of participation has actually increased over the years can however not be determined. During the 2007 baseline survey, questions on participation referred to 'open community discussions' only, not necessarily to activities organized by human rights organisations.

In understanding the concept of 'human rights', the responses showed a clear difference between the southern and the northern survey areas. This difference is quite explicit, as the 'don't know' responses were twice as high in the north compared to the south. What could be assumed here is that organisations in the south may have been more successful in disseminating information on human rights. Contributing factors could (partially) relate to the differences in language, ethnicity, or the exposure to education and information in general.



Chiefs praying during a justice workshop in which the new laws on women and children's rights and FGM were openly discussed. During the discussion, various justice cases were addressed that were brought to the attention of the human rights organisation that facilitated this meeting. Makeni, 2007. (Photo: E. Vermeulen).

Human rights organisations, particularly a number of the SPA partners, are widely known within the communities. Both survey respondents, local authorities and chiefs attributed significant levels of [positive] change to the human rights interventions. In reference to indicator (iii), 39% of the respondents indicated to have sought support from the human rights NGOs. Although the baseline survey questions were formulated differently, the 2011 figures indicate an increase in the numbers of individuals seeking advice or support from human rights organisations. This view is corroborated by the views expressed during the focus group discussions with local authorities and law enforcement. The voluntary human rights committees were seen as enjoying a high level of local legitimacy as members were democratically elected from within the communities.

Whether respondents had appealed with the human rights organisations or committees or not, their understanding of what the NGOs (can) do or aim to deliver, is clear to most; human rights organisations [and the voluntary committees] are by and large seen *as a means of addressing injustices or abuse*. Referring to indicator (ii), respondents, law enforcement and local authorities attributed their increased understanding of human rights, the various [new] laws and their jurisdiction directly to the human rights interventions.

In all, it seems that justice mechanisms at community level have improved over the past years, as indicated by the vast majority. It is difficult to make exact and unbiased comparisons to the baseline data, as the questions were formulated differently. Still, it is safe to assume that significant numbers of people have increased faith in the police as well as in the chiefs, claiming that their services in terms of justice delivery have improved. Local and traditional authorities confirm this view, maintaining to adjudicate matters more fairly following a better understanding of the limitations of their jurisdiction. Chiefs strengthened these views by indicating that the relationship with their communities had improved as a result.

Real change is reflected by the fact that the Gender Acts are, to a certain level, incorporated into local bye laws. To what extent these bye laws are obeyed and enforced is difficult to tell. People's perceptions are likely to have been inspired by a number of incidents in which the authorities and law enforcement were credited for following up swiftly.<sup>48</sup> The FSU's and authorities' collaboration with the human rights organisations may also have been reflected in respondents' opinions. Whether the number of miscarriages of justice in the chiefs' courts have diminished [indicator (vi), is likely. This assumption is however only based on the communities' perceptions that justice delivery has improved and women's rights are more recognized by and before the law. The number of cases of gender based violence that was responded to satisfactorily over the past few years seem to corroborate that assumption.<sup>49</sup>

What is important to understand is whether increased awareness leads to higher levels of response to abuse and unjust treatment. In reference to indicator (v), the data collected seems to suggest that communities have become more knowledgeable as well as more vocal. Local and traditional authorities have indeed been challenged on several occasions when court proceedings failed, mostly however initiated by the human rights organisations and their community based committees.

In reference to indicator (iv), it seems likely though not certain that people, women in particular, increasingly seek legal redress in the chiefs' courts. This assumption can only be based on people's perceptions of improved justice delivery. Exact comparative figures are not available, hence firm evidence to corroborate this assumption is lacking. As regards to the local court, this is still one of the least preferred justice options for most. Several factors may contribute to this, as local courts are less accessible distant wise, and suffer widely from a lack of well educated court staff.<sup>50</sup> The 2011 survey data does however suggest that the increased numbers of claimants seek redress as these local courts as well.

## 4. FINDINGS ON GENDER BASED VIOLENCE (GBV)

### 4.1.

#### INTRODUCTION

Incidents of gender based violence including sexual and domestic violence were for long not seen as 'criminal' in Sierra Leone. Even today, traditional communities may still perceive rape or wife battery as internal affairs that need to be solved at family levels or by the chief. The levels of gender based violence in Sierra Leone are high, which illustrates the low societal position women have, both socially as well as economically.<sup>51</sup> Coalition partners decided to focus on violence against women from the start, due to the high and disturbing levels of GBV, particularly in the rural areas. Women's poor societal position is not only reflected in the high levels of violence against them, but also in the widespread discrimination of women both before and by the law.

The introduction of the three Gender Acts in 2007 created opportunities for coalition partners to address gender based violence, including domestic violence, within a legal framework. Dissemination and discussion around the Acts became central to the community based activities. Due to the importance of these new laws, they are briefly discussed in the next sub-section.

#### 4.1.1. SIERRA LEONE'S LEGAL FRAMEWORK ON SEXUAL AND DOMESTIC VIOLENCE

Although Sierra Leone ratified the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), it never legally domesticated any of the rights contained in the convention. For long, the Sierra Leonean Government (GoSL) was reluctant to interfere with matters that were considered family and community affairs, often involving domestic and sexual violence against women. The creation in 2007 of a proper legal framework to protect women -in areas particularly relevant for women and girls-, could be seen as a landmark in Sierra Leone's law making history. The three Gender Acts provide protection to women under Sierra Leone's three sets of law: Formal Law, Customary Law and Muslim law.

Although widespread, domestic violence was not a criminal offence in itself prior to 2007. The introduction of the 'Domestic Violence Act' provided the Family Support Unit (FSU) of the Sierra Leonean Police the ability to investigate and charge sexual and domestic violence offences to court. The law provides a broad definition of domestic violence, including economic abuse [unreasonably withholding or destroying the other person's financial resources], harassment; emotional, verbal or psychological abuse; intimidation; physical abuse, sexual abuse and marital rape.

The 'Devolution of Estates Act' defines the rules of inheritance and may, when observed, lead to considerable changes in women's economic positions. Prior to the Act, widows were ejected from their family home, often with their children, while all property was left with the deceased family. Widows were expected to marry the deceased husband's brother just to be able to remain in her own house. Under the Act, surviving spouses of either gender inherit property equally and are entitled to remain in their family home until they die.

The 'Registration of Customary Marriage and Divorce Act' sets 18 as the legal age for marriage and requires consent from both parties. The law also requires customary marriages and divorces to be registered as to provide people with a marital status.<sup>52</sup>

Whilst the three Gender Acts provide the much needed legal framework to enhance women's protection, they do not deal with sexual offences. The relevant laws governing sexual offences including rape -outside marriage- are out of date and confusing. The law defining rape in Sierra Leone is the British 'Offences Against the Person Act' dating back from 1861, under which rape is defined as 'the unlawful carnal knowledge of a woman without her consent by force, fear or fraud', for which penetration (however slight) is required to actually constitute the crime of rape.<sup>53</sup> Moreover, while Sierra Leone defines children as any person under the age of 18, the laws governing rape of a child date back to

the 1960 'Prevention of Cruelty to Children Act', where a child is defined as a person under the age of 16 years.<sup>54</sup> In response to the gaps in laws affecting the protection of children, Sierra Leone passed the Child Rights Act (CRA) in 2007, which is compatible with the Convention the Rights of the Child (CRC) and overrules all other laws applicable to children. With the passing of this act, the age definition changed accordingly from 16 to 18, but the CRA does not deal with sexual offences. Hence in the absence of relevant laws defining rape or sexual violence of a child under 18, the 1960 Prevention of Cruelty to Children Act is still valid.<sup>55</sup>

In this rather outdated law, a confusing distinction is made between the 'unlawful carnal knowledge'<sup>56</sup> of a girl of below the age of 13 and unlawful carnal knowledge of a girl between 13 and 14 years of age. Unlawful carnal knowledge of a girl *under* the age of 13 is considered a felony and liable for an imprisonment not exceeding 15 years. Unlawful carnal knowledge of a girl above the age of 13 but below the age of 14 is however considered a misdemeanor, punishable by a maximum prison sentence of two years.<sup>57</sup> To further complicate matters, the age of consent is not explicitly defined although it may be assumed by implication that it is 16 years following the age definition of a child in Sierra Leone. This contradicts however with the fact that consent becomes relevant at the age of 14. Rape of a girl over 14 (and below 18) is still commonly defined as unlawful carnal knowledge, but proven consent becomes relevant as a defense in court, implying that the age of consent is in fact, 14 years.<sup>58</sup>

In addressing the many legal loopholes, a Committee on Sexual Offences was established in 2003 to review all necessary laws pertaining to sexual offence applicable in Sierra Leone. The 'Sexual Offences Act for Sierra Leone' was subsequently drafted by the Law Reform Commission in 2004, which aimed to provide a new, more comprehensive definition of rape. Despite being forwarded to the Attorney General and the Minister of Justice in 2004, the Bill has not been ratified nor implemented by the government to date.<sup>59</sup> With the current confusing legal framework on sexual violence, 'rape' of a child is still legally impossible in Sierra Leone. This is particularly serious as rape in the rural areas primarily affects girls between 11 to 15 years, often committed by men who are usually much

older.<sup>60</sup> Sierra Leoneans do however commonly use the term 'rape' in referring to sexual abuse of a child, albeit definitions or age implications are likely unknown to most.

## 4.2.

### COMMUNITY RESPONSES TO WIFE BEATING AND RAPE

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Instead of asking people to give their *personal views* on how they would respond to incidents of gender based violence, respondents were asked to give their impressions on how *people in their communities* generally react to wife beating and rape. This was done intentionally, as to minimize a social desirability bias that evidently affected questions on GBV during the 2007 baseline survey.<sup>61</sup> On communities' response to 'rape', 81% claimed that people would refer rape to the police as shown in table 4.2; 5% indicated that rape was mostly solved at family level while less than 4% thought that chiefs were the first port of call. The 2007 baseline survey figures indicate a difference here, as 63% claimed to report rape to the police while 26% felt inclined to have the chiefs solve rape incidents.<sup>62</sup> Only 1% referred to family resolution as the best option.<sup>63</sup> In 2007, the figure of 63% referral to the police seemed unlikely at the time, as traditional customs were widely seen as determining people's response to [sexual] violence against women and girls.<sup>64</sup>

The 2011 figure of 81% [Table 4.2.] seems still far too high to be realistic, as traditional ways of dealing with rape incidents has impossibly died down within four years only. What does however add to the current figures' reliability, is that coalition partners have persistently introduced the Gender Acts in their activities. As shown in section 3.2. of the previous chapter 3, two thirds of the respondents interviewed indicated to have gained a better understanding of human rights due to these human rights interventions. Hence it seems likely that people have gained a better understanding of the Gender Acts, including the legal consequences of gender-based violence.

Respondents were subsequently asked whether '*people respond differently to rape now compared to a few years ago*'. Table 4.2.1. shows that 87% indicated that people's response had indeed changed, 29% indicating that a different response followed an improved law response. 34% claimed that people now report rape to the

**Table 4.2. Community response to rape**

Q20: HOW DO PEOPLE RESPOND MOST OF THE TIME WHEN RAPE TAKES PLACE IN YOUR COMMUNITY?				
	South	North	Total	Percentage
Most of the time they solve it at family level	12	14	26	5.00%
Most of the time they refer it to the chiefs	9	10	19	3.60%
Most of the time they refer it to the police	208	210	418	81.00%
Most of the time they refer it to HR organisations/human rights committees/paralegals	16	10	26	5.00%
Other	11	17	28	5.40%

Source: Field Data, February 2011

police, while 15% indicated that response had changed due to the human rights interventions.

Many respondents who answered positively felt encouraged to give additional information. People often referred to the responsiveness of the law or community members: *'this [rape] is not taken lightly here anymore'*, or *'people fear to do that kind of thing'*.<sup>65</sup>

On the questions referring to 'wife beating', Table 13 in Appendix IV shows that 52% claimed that they expected people to report such incidents to the

police, against 31% in 2007.<sup>66</sup> 19% of those interviewed indicated that family resolution was still the most common alternative, against 5% back in 2007. Yet another 16% assumed that wife beating was to be addressed by the chiefs, against 37% in 2007. As to whether wife beating was dealt with differently now, 85% responded affirmative as shown in table 4.2.2. Of this figure, 30% claimed that response from the law had improved, another 30% claimed that people now refer incidents of wife beating to the police, and 20% attributed the change in response to wife

**Table 4.2.1. Comparative community response to rape**

Q21: DO YOU THINK PEOPLE RESPOND DIFFERENTLY NOW TO RAPE COMPARED TO A FEW YEARS AGO?				
	South	North	Total	Percentage
NO: Same as before	16	18	34	6.50%
NO: Worse than before	1	5	6	1.10%
YES: Through HR intervention/sensitization	37	40	77	15.00%
YES: People now report to the police	90	86	176	34.00%
YES: Response from law has improved/more opportunities	80	70	150	29.00%
YES: No answer	20	28	48	9.30%
Don't know	6	10	16	3.10%
No response	6	4	10	2.00%

Source: Field Data, February 2011

**Table 4.2.2. Comparative community response to wife beating**

Q23: DO YOU THINK PEOPLE RESPOND DIFFERENTLY NOW TO WIFE BEATING COMPARED TO A FEW YEARS AGO?				
	South	North	Total	Percentage
NO: Same as before	20	25	45	8.70%
NO: Worse than before	0	5	5	1.00%
YES: Through HR intervention/sensitization	50	55	105	20.30%
YES: People now report wife beating to the police	78	75	153	29.50%
YES: Response from law has improved/more opportunities	82	74	156	30.00%
YES: No answer	16	13	29	5.60%
Don't know	6	8	14	2.70%
No response	4	6	10	2.00%

Source: Field Data, February 2011

beating to the human rights interventions.

Changes attributed to 'human rights interventions' do unfortunately not explain exactly how people's response to GBV was affected. Hence it remains unclear whether an increased understanding of human rights and relevant laws led to higher numbers of reporting to the police. From the bulk of the interviews conducted, it is evident that respondents interpreted all of these questions in terms of 'improvement'. Still, nearly 9% indicated that nothing had changed in people's response to wife beating.

Clearly, wife beating is considered less of an issue that should be legally addressed and possibly regarded as a less severe offence. Still largely seen as a private matter [wife beating mostly concerns husbands and wives], solutions are often sought at chiefs or family levels. A social desirability bias may have influenced people's response, as police intervention for wife beating is generally only sought when blood is spilled.

#### **4.2.1. FEAR TO ABUSE WOMEN**

Over 90% of the respondents indicated that 'fear' among community members [to abuse women and girls sexually or domestically], had increased over the years.<sup>67</sup> Of this figure, 46% claimed that 'fear' had increased [among community people] as the improved law response worked as a deterrent. Another 19% thought that reporting to the police (19%) worked as a deterrent, while 20% believed that human rights sensitization created fear among (potential) perpetrators.<sup>68</sup>

### **4.3.**

#### **FOCUS GROUP DISCUSSION FINDINGS ON GBV**

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Three focus group discussions were held with the FSU of the Sierra Leonean Police in Jendema, Yamandu, and Makeni, (head quarter town of the Northern Province). In all stations, the FSU is mostly confronted with domestic violence, followed by child neglect, teenage pregnancies, denial of inheritance rights and in very few instances: rape.

All police officers interviewed corroborated the respondents' views that communities react differently to wife beating compared to some years back. In Jendema and Yamandu, the FSU claimed that most cases of wife beating are reported by the human rights volunteers or by

the victims themselves, which was fairly unusual in the past. Whether all abuses were reported was questioned: *'it is presumably only those offences that escape the eyes of the human rights volunteers which are not reported to the police'*.<sup>69</sup> Whether there was a reduction in wife battery was difficult to tell. In all three discussions, officers claimed to be working closely with the human rights organisations and frequently served as facilitators or resource persons during training sessions or workshops.

Police officers in Makeni expressed the view that communities, including the victims, used to view wife battery as cultural or traditional norm or as a control measure. Since wife battery was not seen as a crime, it was widely condoned. Participants claimed that that attitude has changed due to the *'aggressive sensitization done on the Domestic Violence Act of 2007; people have now started to view wife battering differently'*.<sup>70</sup> The officers claimed that wife beating was now more often reported by relatives, neighbours or friends, which to them was an indication of the community's changed perception of domestic violence. The officers were unable to give statistics but claimed a reduction in the incidents and prevalence of wife beating. According to them, awareness raising through radio, workshops and training had attributed to a reduction in domestic violence. The officers also claimed that *'perpetrators increasingly use alternative means against their victims, such as psychological maltreatment and non-provision of maintenance support'*,<sup>71</sup> referring to less visible forms of abuse. Complaints of that nature they said, is now on the increase.

#### **4.3.1. POLICE RESPONSE TO RAPE**

Rape was clearly considered a different matter. In contrast with the respondents' statements: rape was rarely reported in Jendema. One officer continued that *'if such reports [on rape] are made here, they are now pursued with more vigilance than before'*.<sup>72</sup> In reinforcing this argument, the officers referred to a rape case in 2009, where the victim's father was a member of the locally based human rights committee of the SPA partner. The case was instantly reported to their office, the [alleged] perpetrator arrested and referred to the High Court in Bo. The case

was finally dismissed for unknown reasons.<sup>73</sup> During all of the discussions with the FSU, similar complaints were openly made about 'the undue procedures in the court system', due to which victims and relatives often give up pursuing their case. Therefore, participants claimed: *'the appropriate courts were not able to set any serious example to perpetrators, who continue to commit these crimes with impunity'*.<sup>74</sup> It was suggested to empower the FSU to charge cases directly to the High Court where they belong, as the current procedure *'is doing more harm than good'*.<sup>75</sup>

In Yamandu, rape reports had increased from one report every three months to four every quarter. The officers however felt that there was an 'improvement in the proactiveness of citizens to promptly address and report sexual violence cases'.<sup>76</sup>

The Makeni Officers, clearly confused about the Sierra Leonean laws on sexual violence; observed a decline in rape cases but an increase in unlawful carnal knowledge. According to them, 'rape' is defined as *'unlawful sex with a woman of 17 and above'*. Unlawful Carnal Knowledge meant *'unlawful sex with a girl of 13 years and below'*, but does not constitute rape. The officers were just as explicit in explaining that *'sex with a girl of 14 to 16 years was defined by the law as abuse on a young girl'*, but again, not to be considered rape. When asked about the issue of 'consent', officers claimed that for both categories, *'consent was irrelevant'*. In investigating 'rape', [referring to victims of 17 and above], at least one of the three elements of non-consent had to be established: 'force', 'trick' or 'fear'.<sup>77</sup>

Participants in Jendema unanimously agreed that 'misclassification' of cases may happen, and referred to one particular case where the FSU had recorded a sexual offence case as Unlawful Carnal Knowledge. The claimant had however openly stated that the sex was non-consensual and that she was raped. Officers said to be accused by community members of 'twisting cases', in particular in circumstances where the accused were either 'powerful' or 'influential', hence turning rape into consensual sex with a minor. Similar charges were made against the Yamandu police station, where the FSU was accused of 'shuffling rape cases under the carpet'.

#### 4.3.2. INCORPORATING RELEVANT LAWS INTO COMMUNITY JUSTICE SYSTEMS

Three separate focus groups discussions with chiefs and local court staff took place in Jendema, Yamandu and Kamabai, involving participants from various towns within each Chiefdom. All participants acknowledged to have been empowered by the human rights organisations and that their attitude towards human rights in general and violence against women in particular, had changed. Chiefs in the southern town of Jendema claimed to *'have never been sensitive to wife beating before, but are now aware that wife beating is a violation of women's rights'*.<sup>78</sup> Chiefs in Yamandu claimed that that [they] *'never knew that rape was not to be settled by them nor by the local court, but by the High Court. We refer rape cases to the police now'*.<sup>79</sup> Participants also claimed that rape may still continue in places where the human rights monitoring is less.

The chiefs claimed that changes were made, as they had increasingly incorporated the human rights norms and laws into their community bye laws and regulations. Wife-beating was now forbidden by community bye law in Yamandu, which followed a process of bye-law revision supported by the SPA partner. Community regulations were also adjusted in Yamandu to guarantee women's inheritance rights as stipulated by the Gender Acts. The Town Chief of Yamandu was eager to give examples of how chiefs were now assuming their responsibilities in disseminating human rights; he claimed for example to have used 'town criers' to disseminate messages relating to wife-beating, sexual-harassment, rape and child-neglect among others. Community guidelines revised with the SPA partner were now said to be used by chiefs to respond appropriately to gender based violence and child rights abuses.<sup>80</sup> To what extent the 'new laws' were enforced, the chiefs claimed to be 'deciding over cases appropriately now'.

The Chiefs (and local court staff) in Kamabai had very different views on incorporating relevant Acts into their community bye laws. According to them, the Gender Acts and the Child Rights Act exceed their community bye laws, hence mainstreaming was not considered necessary. *'Even when there is no bye law to protect women from*

wife beating, the Gender Acts are now known to the community'.<sup>81</sup>

The limited opportunities to legally address capital cases such as rape are widely known. The chiefs in Jendema recounted the story of a rape case that was dismissed by the High Court in Bo. Following his release, the alleged perpetrator fled across the border into Liberia and was never seen again. Even though justice was not achieved, the chiefs considered this case as a strong deterrent for future offenders. In their eyes, some form of justice had nonetheless prevailed: *'there was now at least a price to pay for rape, a price that was non-existent just a few years back.'*<sup>82</sup>

#### 4.4. CONCLUSIONS

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People's response to GBV has seemingly improved over the past few years, at least as regards to the awareness on women's rights and the three Gender Acts. Responses from both the questionnaire as from the focus group discussions do seem to indicate that people's standards are changing; violence against women is now widely perceived as a crime which should be followed by appropriate action. It seems safe to assume that those communities where interventions have taken place have become more vocal in terms of seeking justice for [certain incidents of] gender based violence and in addressing impunity.

The community-wide introductions of the Gender Acts has possibly worked as an 'eye-opener', especially in those rural areas where people have been deprived of information for decades. Whether domestic violence is declining or changing into different forms of [less visible] abuses, can not be determined. There seem to be enough indications however that there an increased community response to wife beating. Neighbours, friends or relatives of victims are now more inclined to report wife beating.

An improvement in the legal response towards gender based violence seems likely. There have been a number of incidents to which the FSU has apparently responded

timely and appropriately. But a vigilant police response also appears erratic and case dependent. The officers admit to be accused of 'twisting cases' on allegations of bribery or to obstruct the course of justice.

Human rights standards and the Gender Acts were subsequently incorporated into various local bye laws and regulations in the communities. Human rights interventions were often referred to as having set this change in motion, and both the chiefs and law enforcement attributed this change directly to several of the SPA's coalition partners. In reference to indicator (vii); there is a demonstrable increased provision of just and non-discriminatory bye laws and community regulations, that aim to provide more protection to women and girls. On this note, a reference can be made to indicator (ix); as an increased knowledge and understanding of the Gender Acts among both communities and local authorities is obvious and widespread. Authorities' compliance with those laws can also be demonstrated by the numerous revised bye laws that domesticate the Acts locally. The extent to which those new laws are being enforced and observed remains unclear. Where human rights organisations and their committees are present, enforcement and compliance to the Acts seem more likely. Where human rights organisations are absent, complaint opportunities are scarce to begin with but are even less accessible to women and girls.

Chiefs and local court staff's knowledge of their own jurisdiction has certainly improved, primarily attributed to the interventions of the human rights organizations. Rape is now widely considered as a capital crime by most, and appropriate channels are said to be used. To what extent chiefs genuinely refer [all] rape cases to the police is not clear. The high figures of 'reporting rape to the police' as indicated by respondents, was already questioned in 2007 (63%), but seems just as unlikely now as rape cases were barely brought to the FSU's attention. Social desirability may have biased peoples' responses, but the loopholes in the Sierra Leonean laws followed by a poor notion of what actually constitutes rape may have

influenced people's responses too. This is certainly the case with a good number of the law enforcement officers interviewed. While the officers did display some slight knowledge about the laws applicable in the case of sexual offences, it is clear that the legal loopholes have contributed greatly to the misinterpretation of definitions of 'rape', 'unlawful carnal knowledge' and sexual abuse. Confusion seems also widespread when it concerns age. The 1960 Prevention of Cruelty to Children Act is still valid but provides difficult distinctions between the various definitions applicable to various ages of a child. Contributing to the confusion is the lack of a legally defined 'age of consent', as this is left to ones' own interpretation of the various laws. Moreover, the outdated laws governing rape and sexual violence are conflicting with the current age definition of a child, which is 18 years under the 2007 Child Rights Act.

With all the confusion that the conflicting laws create, it seems very likely that survey respondents have displayed similar misperceptions and tend to define 'rape' only as 'rape' when it involves a girl over 17 or 18. Moreover, young victims face a real risk to be blamed by the parents on charges of being promiscuous, often followed by beatings or worse.<sup>83</sup> Seen in that light, it is almost certain that most young victims will try to hide their ordeal, minimizing the chances of legal redress even further.

There are many other barriers to reporting rape. Even if victims or their relatives decide to report, the chances of receiving a fair and timely court hearing, are slim. The

backlog in hearings, the distance to the High Courts and the need for funds to see the case through will undoubtedly discourage many. Rape cases also require a medical certificate, which is difficult to obtain in a country where one physician serves 18.000 people.<sup>84</sup> According to the FSU director in Freetown, referral systems between the police, health facilities and the court system are often unclear or not standardized, which will discourage victims even further.<sup>85</sup>

While norms and standards towards gender based violence including rape have evidently changed, there are not enough indicators to suggest that rape is genuinely on the decline. Even if authorities and law enforcement are more vigilant, this vigilance seems hardly translated into concrete legal actions. Changed standards, improved law response and human rights monitoring, may however work as a deterrent. This 'deterrent factor' is validated by the many respondents and several SPA partners, claiming that retribution to sexual offence cases was now widely feared.<sup>86</sup>

As regards to indicator (viii), a reduction in gender based violence seems likely in the case of wife beating, following increased awareness and demonstrable attitudinal change. It is not feasible within the framework of this evaluation to demonstrate any real change in the prevalence of rape. Rape may just as well have diminished in those areas where human rights organisations operate. It may also have shifted to areas where both law enforcement and human rights organisations are less visible.

## 5. FINDINGS ON FEMALE GENITAL MUTILATION (FGM)

### 5.1.

#### INTRODUCTION

Among the most prevalent traditional practices in Sierra Leone is that of Female Genital Mutilation (FGM) also described as Female Genital Cutting (FGC). This is a long-standing, well cherished and fairly unchallenged cultural rite, widely practised by nearly all ethnic groups.<sup>87</sup> The practice affects an estimated 90 % of all women in Sierra Leone. The most common type of FGM practised in Sierra Leone is defined as 'excision', or type II FGM, following the classifications developed by the WHO.<sup>88</sup> The practice is well entrenched in the belief and value systems of rural communities across the country and is associated in certain communities (such as the survey areas of Binkolo and Kamabai), with strong mystical powers. In other communities such as the surveyed town of Jendema, traditional practitioners (Soweis) regard their secret society ('Bondo') activities, including FGM, as a sacred process of socialization. Going through that process entitles girls to enter womanhood. Without that womanhood title, respect and esteem is socially denied.<sup>89</sup> While the work on FGM has expanded significantly in Sierra Leone, it is still a very sensitive issue. Responses from politicians and other powerful stakeholders to human rights organisations were initially fairly strong. In 2005, the first lady sponsored the circumcision of some 1.500 young girls in an attempt to win votes for her husband, former president Ahmed Tejan Kabbah. Moreover, the previous Minister of Tourism and Culture made a threatening statement in 1999 to 'sew up the mouths' of those who preach against FGM.<sup>90</sup> Ironically, this Minister later became Minister of Social Welfare, Gender and Women's Affairs, only recently defending FGM in Sierra Leone as being '*not as bad as in other countries; in Sierra Leone, they just cut you*'.<sup>91</sup>

Although the situation has definitely improved, several coalition partners have faced difficult situations, some even recently, where intimidating statements

were made against them by local political key players.<sup>92</sup> And even more recently (2009), two female journalists reporting on FGM abandonment were temporarily held hostage by an angry crowd and publicly humiliated.<sup>93</sup>

The passing of the Child Rights Act in 2007 created opportunities to open the discussion on FGM abandonment for children. The Act provides a legal framework that prohibits traditional practices that harm children, but remains silent on squarely equating FGM to harmful traditional practices. The Act furthermore specifies that consent is required for the initiation of women over 18. Despite the lack of a definition, SPA coalition partners introduced the Act into the various activities at the community level. Focusing on *girl-child abandonment* became an entry point determined by the partners, as focusing on FGM abandonment for adult women was considered too confrontational and beyond the legal framework. Among this 'soft' approach was a focus on the education of the girl child, as initiation not only interrupts the education of initiates, but often terminates their schooling indefinitely. In 2007, the Senegalese organisation 'Tostan' invited SPA partners to an introduction training on their methodologies and their field work. Tostan is widely known for their many successes in encouraging communities to collectively abandon FGM.<sup>94</sup> This introduction clearly motivated the SPA partners, and inspired them to look at both 'cautious and collective' approaches to abandonment, as individual abandonment will undeniably lead to the individual being ostracised.

### 5.2.

#### COMMUNITY AWARENESS AND RESPONSE TO RELEVANT LAW(S)

The figures on increased openness to discuss FGM, as shown in Table 15 (Appendix IV), do not suggest that FGM is being discussed more openly in 2011 as compared to a few years ago. Those who denied increased openness constituted 41%, while those who claimed that secrecy is less

now constitute 48% of the total number of respondents. Table 16 (Appendix IV), shows that over 80% of the respondents of the surveyed communities are aware of the law that prohibits harmful traditional practices for children<sup>95</sup>, out of which 55% indicated to have learned about the law through the programme activities of the human rights organizations. These figures do attest to some level of impact as regards to community sensitization activities of the partners. Concerning people's opinions about the law, responses were much more divided, as shown in table 5.2; 34% indicated to agree with the law, considering the practice harmful to children. A little over 20% felt that the law should be obeyed, often without providing any personal opinion. In all, 83% claim to agree to the law hence abandonment of children undergoing FGM, while only a minority (15%) rejects the law.

The distinction that can be made here is between those agreeing out of conviction (34%) as compared to those agreeing out of obedience to, or possibly fear, of the law. It is obvious that the majority does not seem to have reached that point of conviction yet, possibly due to not being aware and/or convinced of the physical and mental consequences of FGM. This is probable, as partners have primarily used the law and continuation of girl-child education, instead of focusing on the harmfulness of the

practice itself.<sup>96</sup> Moreover, as human rights organizations have opened the discussions on abandonment since at least 2007, respondents may have felt inclined to provide answers that are socially more desirable. This assumption also follows the statements a number of female respondents made at the end of the interview. Although not many in number, these respondents felt the need to attest that FGM was part of an inherited tradition and that it should remain. All of those respondents claimed to agree with the law against child initiation during the interview. This demonstrates that an unspecified number evidently gave an answer they essentially disagreed with.<sup>97</sup>

Similar dynamics may have come in to play regarding the question of whether people would still continue with the practice even when prohibited by law. As shown in table 5.2.1., 68% expected practitioners (and parents alike) to stop under-age initiation, while 30% expected the Soweis to continue, in secret if necessary. It seems likely that respondents felt the need to answer that the law will ensure discontinuation.

Within this context these responses make sense, as Sierra Leoneans are generally seen as law abiding citizens. This attitude may also be motivated by fear, as clashing with authorities could easily result in disproportionate punishment in Sierra Leone's rural areas.

**Table 5.2. Community response on FGM law**

Q26: DO YOU AGREE WITH THE LAW THAT PROHIBITS THE INITIATION INTO BONDO OF A GIRL CHILD UNDER 18?				
	South	North	Total	Percentage
NO. The law has no basis	11	8	19	3.60%
NO. The law harms our culture and tradition	10	15	25	4.80%
NO. But it is the law so we have to abide by it	1	4	5	1.00%
NO. No/vague reason	12	16	28	5.40%
YES. The practice is harmful to children	96	81	177	34.20%
YES. The practice is harmful to women of all ages	19	24	43	8.30%
YES. It is the law so we should abide by it	52	54	106	20.50%
YES. No/vague reason	52	55	107	20.60%
No response	3	4	7	1.30%

Source: Field Data, February 2011

**Table 5.2.1. Community response to continuation of FGM**

<b>Q27: DO YOU THINK PEOPLE CONTINUE TO PRACTICE BOND0 FOR UNDER AGED GIRLS EVEN THOUGH IT IS PROHIBITED BY LAW?</b>				
	<b>South</b>	<b>North</b>	<b>Total</b>	<b>Percentage</b>
NO. Because it is the law they will not continue to practice	95	98	193	37.30%
NO. I have not noticed any initiation (<18) in this community	31	36	67	13.00%
NO. No reason	47	45	92	17.70%
YES. They continue as it is our / their tradition	28	30	58	11.20%
YES. They continue as they may not be aware of the law	11	8	19	3.60%
YES. They continue even though they are aware. They do it secretly	25	20	45	8.70%
YES. Vague reason	17	20	37	7.10%
No response	2	4	6	1.10%

### 5.3.

#### **CHANGES IN UNDER-AGE INITIATION**

When asked if underage initiation has decreased, the majority of respondents (69%) indicate that FGM on minors has indeed declined (Table 17, Appendix IV). Nearly 26% think that the decrease can be attributed to human rights activities, while 35% holds the opinion that the law is the main reason behind a decrease. Among those answers, many respondents added that they *'had not seen any initiation taken place recently/during the past few years'*<sup>82</sup>. In asking people's awareness of Soweis having indeed abandoned girl child initiation (Table 18, Appendix IV), nearly 42% claimed to not be aware. 15% expected the Soweis to continue as it is there culture and livelihood. 40% believed that the Soweis have abandoned, of which half (21%) claimed to base their opinion on practitioners who had openly pledged to abandon.

By posing both questions, the evaluation team aimed at getting people's genuine views from different angles. The answers however seem to indicate a contradiction; while the majority attests that initiation has decreased due to the law or human rights interventions (69%), a somewhat smaller but relatively large percentage (58%), believes that Soweis in their midst have not abandoned.

There is no quick fix to understanding the contradiction in respondents' views. It is clear however that the question concerning Soweis was difficult to answer for many, if not most. Interfering with the practitioners or with what they stand for might have been perceived as too sensitive, as

the Soweis are seen as having a powerful relation to the secret society and the spiritual world. What may have been the case is that many respondents may not have been willing to make any statement related to the practitioners' practices.<sup>99</sup> As FGM is still a sensitive issue, Soweis having abandoned girl child initiation may be reluctant in openly sharing that with their communities. The differences may also reflect a bias in peoples' interpretation of question 27 as shown in table 5.2.1. Respondents may, to a large extent, have referred to parents of underage girls instead of to the Soweis. It is after all the parents who have to apply for their daughters' initiation with the practitioners. Social desirability could have caused these differences too. When questions referred to the law, people seemed more convinced of a decrease in under age initiation. When questions however referred to the Soweis, people seemed more reluctant to answer desirably.

### 5.4.

#### **COALITION'S WORK ON FGM**

As shown in table 5.4., 59% of the respondents were aware of the organisations working on FGM in their communities, either through hearsay or through participation in their activities (19%). 38% claimed not to be aware of any NGOs working on FGM.

Whether the organisations may have contributed to a 'reduction in FGM', 56% attributed a reduction in FGM to the human rights organisations as shown in table 5.4.1. Of this figure, 31% indicated that sensitization of the

**Table 5.4. Community awareness of HR organisations working on FGM**

<b>Q31: ARE YOU AWARE OF PEOPLE OR ORGANIZATIONS WORKING ON FGM IN YOUR COMMUNITY?</b>				
	<b>South</b>	<b>North</b>	<b>Total</b>	<b>Percentage</b>
NO. Because I am not interested and I don't seek to know	15	20	35	6.70%
NO. Because no one has ever told me even though I am interested	35	45	80	15.40%
NO. No reason	41	42	83	16.00%
YES. Because I am interested and know the organisation(s)	82	78	160	31.00%
YES. Because I have participated in their activities	48	50	98	19.00%
YES. Vague reason	26	20	46	8.80%
YES. No reason	1	0	1	0.20%
No response	8	6	14	2.70%

Source: Field Data, February 2011

**Table 5.4.1. Community response to NGO involvement**

<b>Q32: DO YOU THINK THEY HAVE CONTRIBUTED TO THE REDUCTION OF FGM INCIDENCES IN YOUR COMMUNITY?</b>				
	<b>South</b>	<b>North</b>	<b>Total</b>	<b>Percentage</b>
NO. Because I am not aware of their contribution	24	30	54	10.40%
NO. I don't think their activities have contributed to reducing FGM here	30	26	56	10.80%
NO. No/vague reason	40	45	85	16.40%
YES. The Soweis are now sensitized	77	85	162	31.30%
YES. Because there are now community bye laws against under age initiation	46	40	86	16.60%
YES. No/vague reason	23	20	43	8.30%
No response	16	15	31	6.00%

Source: Field Data, February 2011

Soweis had helped to reduce initiation, while 16% referred to the existence community bye laws against girl child initiation. The figure of 56% is substantiated by 50% of the respondents who claimed to either be familiar with the organisations working on FGM, without having participated, and those actively having participated in the NGOs activities. Moreover, respondents' referral to bye laws is crucial, as the development and the passing of community laws indicate a direct involvement of the chiefs. Section 5.5.2. will go deeper into the involvement of local and traditional authorities in FGM abandonment strategies.

## 5.5.

### **FOCUS GROUP DISCUSSION FINDINGS ON FGM**

Focus group discussions with Soweis took place in three of the survey areas, Jendema, Yamandu and Binkolo, to which Soweis from the wider chiefdom were invited. Discussions with the police in the various areas revealed that underage initiation cases were primarily left with the chiefs and Soweis to deal with.<sup>100</sup>

All Soweis participants seemed fairly well informed on the concepts of 'human rights' and 'justice'. They were

equally informed on the Child Rights Act (2007) and the prohibitions of underage initiation as mentioned in the Act. Almost without exception, all Soweis had participated in the activities of the human rights organizations on several occasions. It was during those activities that the Soweis learned of the new law on FGM. They had also been informed through radio discussion programmes. All of them argued that the human rights organizations had increased their understanding of human rights and of this law. All equally denied that any child was ever harmed as a result of the practice.

#### 5.5.1. DISCUSSING FGM EXIT STRATEGIES

In addition to challenges of developing an entry strategy of an FGM campaign, reaching consensus with the Soweis on a workable exit strategy has been difficult too. The Soweis in Jendema claimed initially to have abandoned, but that underage initiation is still happening in areas where *'human rights interventions are minimal or non-existent.'* They testified to *'verify a girl's age'* when brought before them and to comply, although reluctantly, to the law. These Soweis also indicated to not agree to

the law's prohibition as regards to the age limit. To them, the legal definition of a child adopted by Sierra Leone was *'unrealistic'*, as girls between the ages of 16 to 18 were no longer considered children. Girls in Sierra Leone, they said, reach their puberty at 12 to 13 and become culturally eligible to marry at 15. Furthermore, girls at 16 or 17 may already have given birth, which surely undermines the official age definition in their view.

In giving up the practice, the Soweis in Jendema initially claimed that: *'the law makers of Sierra Leone should revisit the age criteria, and alternative sources [of income] should be provided'*.<sup>101</sup> In a second instance, they requested NGOs to facilitate collaboration between the Soweis and medical staff, as to ensure enhanced safety during the initiation of women over 18. Others suggested NGO assistance in equipping them with sterilized and modern instruments to improve hygiene.

However, the majority suggested some form of micro credit as to provide an alternative source of income. Soweis from Yamandu said they would abandon the practice if the *'deep mystical powers attached to it are*



Temne Soweis, recognizable by their red and white head scarves, join in a farewell dance after having participated in a Dialogue Session on the prohibition of underage initiation. Bombali District, 2009. (Photo: E.Vermeulen).

made to be overcome through the intervention of powerful oracles'.<sup>102</sup> These Soweis, peculiar to the north, also lamented that they might be willing to negotiate another 'phasing down strategy from FGM', by ensuring that no Soweis are permitted to practise 'Bondo' until 'she attains a certain mystical status'. For example, a Soweis with the title, 'N'fat', (a junior Soweis who had graduated but is yet to qualify to practise Bondo), may be forbidden to practise initiation until she reaches the title of 'Baromi', which refers to a middle class or senior Soweis.

Soweis from the survey areas of Yamandu indicated that they needed 'a better understanding of the reasons why they should avoid initiation'. By introducing this law, which was difficult to understand, the human rights organizations were accused of 'boycotting their enterprise and undermining their culture'. According to them, 'the real purpose of the 'Bondo' (the initiation), is to prepare girls for womanhood, which has no meaning when girls are initiated when they are already women'. They further claimed that due to the human rights interventions, parents did not take their children to them any more hence their business was diminishing. Although they initially claimed to comply with the law, initiation of an underage girl would follow 'without delay' if parents would give their consent and bring the child before them.

The Yamandu practitioners also displayed a firm belief that 'uninitiated women' are unclean and mostly driven by an 'unmanageable sexual appetite which leads to promiscuity before marriage and unfaithfulness during marriage life'.<sup>103</sup>

The views and responses from the Soweis in the survey town of Binkolo in the north were very different from the south. Although similar human rights activities had taken place in their communities, they were seemingly better informed and much more inclined to underscore the importance of the Child Rights Act. These women openly acknowledged that some practitioners would possibly continue in secret. The Binkolo Soweis furthermore testified that 'a child should mature first before giving consent', and that 'they were not in favour of the interruption of the girls' education'.<sup>104</sup> More importantly, the Soweis shared that they did not only comply with the law, but that they 'wanted to

recognize and respect the rights of children'. In addition, these women argued that children were simply too young to 'keep the secrets of the society safe'. If parents would take an underage child to them to be initiated with their consent, they claimed they 'would refuse no matter what'.

What is particularly striking is the different opinion on 'maturity'. Where the southern Soweis determine immaturity as a *criterion* for initiation, northern Soweis claim the opposite: a girl needs to mature first before initiation takes place. Furthermore, several of the participants in the north claimed to have been 'very active in encouraging colleagues who were not there yet', and that through that process, 'they were able to prevent the initiation on the basis of the girls' height'. They openly blamed the government for not enforcing the law.

#### **5.5.2. ENFORCEMENT OF THE 'UNDER-AGE INITIATION LAW'**

In all three focus group discussions with chiefs and local authorities, chiefs claimed to be involved as they are responsible for the issuance of 'initiation licenses'. Moreover, participating chiefs from all three survey areas claimed to have passed community bye laws that prohibit initiation of under 18s. The Jendema chiefs were the most outspoken, as they declared to enforce the law and thus to monitor the age limitation. Monitoring and enforcement of these bye laws could be questioned, as chiefs and authorities were unable to show any serious records of penalizing practitioners for breaking these bye-laws and the Child Rights Act. Enforcement seems even more unlikely as the chiefs had similar strong sentiments regarding the age limitation. According to them, the age set on 18 was 'unrealistic', and needed to be lowered from 18 to 15. Chiefs in the northern survey area of Yamandu were nevertheless convinced that underage initiation had decreased, simply as Soweis were no longer receiving applications from parents.

#### **5.6.**

#### **CONCLUSIONS**

There is no doubt about the high levels of community awareness on the Child Rights Act and the related bye-laws that prohibit girl child initiation. Soweis and traditional and local authorities alike were very well informed about the Act and its legal consequences. Regarding this high knowledge, the

SPA partners have evidently been able to put underage initiation and the law on the agenda within the communities. In reference to indicator (xii), the understanding of the relevant Act is seemingly high, but understanding the level of compliance paints a different picture. Compliance is claimed by most Soweis and chiefs interviewed, but compliance with the law seems stronger than personal conviction. Chiefs have domesticated the prohibition law by developing and passing new bye laws on underage initiation, but enforcement does not seem too convincing. Chiefs and the Soweis in the south struggle with the age limitation set on 18, as customary law never specified a minimum age for marriage. Although this has legally changed with the adoption of the Registration of Customary Marriages and Divorce Act<sup>105</sup>, the majority of girls still marry under 18. High levels of compliance and enforcement seem unlikely too, as 'Bondo' activities, including FGM, do not only generate extra income for the practitioners but also for paramount- and section chiefs. Initiation cannot take place until after the issuing of a permit by these authorities, for which fees are required. It is unlikely that both Soweis and chiefs would fully give up this remuneration based on a law from Freetown that conflicts with their customary laws and practices. Although the data suggests that increased numbers of Soweis and chiefs speak out against girl child initiation, [indicator xi), continuation in secret – to

an unknown extent - seem inevitable.

However, in reference to indicator (viii), a real albeit small reduction in underage initiation may actually have been set in motion. A reduction could not be expressed in figures nor can it be verified on the basis of this survey. There are indications nonetheless that the human rights activities have had a deterrent effect on both Soweis and parents. In particular the Soweis in the north seem to genuinely agree to an age limit based on various motivations. Protecting children's rights as well as the Bondo society's secrets are two seemingly important motivations.

This may also suggest that initiation has gone 'underground' or shifted towards those areas where the 'human rights presence' is felt less. Soweis in the north seem to confirm this shift, as they felt 'undermined' by the human rights organisations as well as under pressure to abandon. While 'going underground' may be possible, a shift will still have consequences for the number of girls initiated as well as for the way the rites are performed. Initiation is routinely followed by celebrations, during which the initiated and the 'Bondo-devil' parade through the community. These open celebrations have evidently reduced, as many respondents have stated on several occasions.



Senior and junior (to be) Soweis take part in a Sowe Dialogue Session discussing the Child Rights Act (2007) in Binkolo, Bombali District, Northern Sierra Leone. Girls as young as seen in the centre of the picture could be predestined to become a Sowe, as the tradition is often passed on from mother to daughter. (Photo: E.Vermeulen).

The remarkable contrast in views between the northern and the southern Soweis could follow from the different approaches as well as the duration of interventions. The SPA partners working on FGM abandonment in the north have been doing so for many years. Soweis and communities in the north have been exposed to the law and human rights dialogue on abandonment for several years. SPA partners in the southern areas started to focus on FGM fairly recently, hence the same level of impact is less likely. The 'FGM campaign' in the north is also characterized by a more vigilant approach and has witnessed a few specific incidents. These incidents, such as a threat from a district politician, were openly addressed by the organisation and covered in the local media.<sup>106</sup>

Both Soweis and chiefs claim that fewer parents bring their young daughters to be initiated, possibly out of conviction, more likely out of fear of the law. To what extent a reduction in girl child initiation is occurring, if at all, the information still reliably suggests that people's standards and thinking around FGM is changing.

While the data does not indicate that FGM is discussed more openly as compared to 2007, evidence suggests that there is a significant increase in awareness on traditional practices including FGM. In reference to indicator (x), this awareness primarily seems to refer to the laws and prohibitions. Soweis, and possibly respondents too, do not seem convinced of the harmful consequences of FGM. Even the more submissive Soweis of the north indicate a lack of sufficient information on the need for this law. A much stronger focus on the [physical and mental] consequences of FGM and its relation to human rights is paramount to achieve a 'no turning back' point.

The lack of conviction and understanding became particularly clear in the discussions with the southern Soweis. In addition to claiming support for sterilized and modern instruments to continue the practice, many demanded alternative sources of income. The SPA representative contested this viewpoint, arguing that micro-financing may not serve as a reliable incentive to sway Soweis from initiation, as the economic benefits are relatively small compared to the practitioner's entrenched traditional beliefs in continuing with the practice.<sup>107</sup>

## 6. PROGRAMME PERFORMANCE

### 6.1.

#### INTRODUCTION

The *Accessing Justice Programme* outline was developed by selected partner organisations and the SPA over the course of several months and was approved by all stakeholders late 2006. No funding was available at the initial phase back in 2006.<sup>108</sup> Approval was followed by a Memorandum of Understanding (MOU), which was signed by all partners and the SPA/Amnesty International. The original design underwent a number of changes in the course of the programme in order to adjust to changing circumstances and demands on the ground. The primary focus was on rural communities in various northern and southern provinces, but a link was to be maintained with the country's capital Freetown to create lobby opportunities with national [and international] institutions.

### 6.2.

#### PROGRAMME DESIGN AND ADJUSTMENTS MADE

As of mid 2007, activities focused increasingly on using the three Gender Acts and the Child Rights Act. Capacities of the human rights committees were strengthened and expanded. Where available, the programme build upon the community contacts some organisations already worked with.

Specific community based activities such as *community dialogue*, the *community justice workshops* and later on the *Sowei exchange visits* were designed to contribute toward the achievement of the overall stated aim. Specifically, the programme promised, among other things, to ensure that: (i) a network of [senior] trainers was established in order to further train staff of partners; (ii) a network of community based human rights activists was trained and established; (iii) monitoring, documentation and reporting capacities of partner organisations were strengthened; (iii) a network of Soweis supporting abandonment created and strengthened; and (iv) planning,

sharing and coordination meetings were held frequently by coalition partners. Training was adjusted to local levels and needs and involved human rights, participatory [training & mobilization] techniques, various national and international laws, and monitoring, documentation and reporting techniques, among other areas.

Planned activities were developed and implemented following the programme outline. The original programme however aimed [in the longer run] to establish a stronger link between rural-based activities and the capital policy levels: "*Senior management will have a major responsibility in lobbying government institutions and developing campaigning strategies using information and case studies deriving from the rural areas*".<sup>109</sup> A coalition-led lobby strategy however never materialized that focused on authorities beyond a district or provincial level. What may have been of influence is the fact that most partners are operational in the rural areas, at a relative far distance from the capital and its policy makers. Secondly, programme activities at the community levels consumed most of the partners' time and energy, hence developing a lobby strategy may simply have been too ambitious.

The coalition's set up was different at the onset, when one capital based organisation served as an administrative host to the coalition as a whole. Funds were transferred via this host to the other partners based on a six month plan and earmarked budgets. This physical link with the capital Freetown was finally cut loose when this administrative host resigned from the programme, following a discord over financial management and reporting. Having learned from previous experiences, earmarked funds were to be transferred directly to each partner individually. An administrative basis was however maintained with one partner in the southern city of Bo, serving as a host for the coalitions' programme officer and

the programmes' resources, including office materials and the vehicle.

Establishing a pilot paralegal service network was originally part of the overall plan. In order to assess the possibilities, the SPA organized a feasibility study led by an international expert in the paralegal field. The study's main recommendation was to invest more in the voluntary human rights committees rather than establishing a whole new paralegal network.<sup>110</sup>

### **6.3.**

#### **ACCOMPLISHMENTS AND PROGRAMME RELEVANCE ACCORDING TO SPA PARTNERS**

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Coalition partners were asked to share their views on programme relevance and programme accomplishments during a series of open interviews that took place between February 16 and March 10. Programme and field staff attached to the SPA programme were selected for the interviews.

According to one programme officer; the SPA Programme came at the right moment after a community based project with Christian Aid had just been finalized. During this project, the organisation identified 'access to justice for women' as a major problem in the organisation's operational areas. 'So when the SPA programme came, we embraced it and saw it as an opportunity to address that gap'.<sup>111</sup> The organisation decided to focus more on women as a result, in particular in the field of building capacity and enhancing the awareness levels of the communities. The organisation indicated to have strengthened existing community structures while creating new ones. According to the interviewee, 'it is about promoting an enabling environment that promotes human rights'. Due to the high poverty levels of the organisation's operational areas, they focused increasingly on providing some form of economic support to vulnerable groups in order to strengthen the human rights work. 'Although this was not supported by the SPA programme directly, it came about as a result of the engagement with the SPA programme'. The organisation also worked increasingly with local authorities and societal heads<sup>112</sup> – as they are the custodians of

traditional laws and practices. 'We realized that, even if they are not directly perpetrating human rights abuses, they could be facilitating it'.<sup>113</sup>

#### **6.3.1. COMMUNITY BASED HUMAN RIGHTS COMMITTEES**

Community based human rights committees as part of the SPA programme were established, tasked with monitoring and reporting human rights abuses as well as encouraging human rights activism at the local level. This structure has proven very effective according to most staff interviewed. The volunteers have been able to address a significant number of abuses on the ground and are seen as people who know the laws. The volunteer committee was said to be effective in terms of adaptability, costs, knowledge of local customs and norms and claimed to have gained the community's confidence. Another issue that was referred to was sustainability, as the committee members receive stipends in the form of small income generating activities but are not paid.

Programme management staff attached to a northern based partner organisation, equally referred to the alleged successes of the community based committees: 'They (the committee members) are the ones to receive complaints from people or simply observe incidents themselves, and refer them to our office. We respond by contacting the police that is not present within these remote areas, and support the victim's case wherever we can. The introduction of the volunteer programme has helped to bring justice to the communities' doorstep'.<sup>114</sup>

This partner continued by stating that without this programme, most of these targeted communities would have been deprived. 'The activities are unique in the sense that they have been able to get the community and key stakeholders to participate, while at the same time helping them to access justice. Therefore this programme in my view is significant in protecting and promoting human rights and justice issues at community levels'.<sup>115</sup>

According to this respondent, communities were now much more sensitive to their rights and more willing to report human rights abuses they only now perceive as crimes. Open discussions now take place on FGM and on how chiefs administer justice. This situation, he continued,

was very different from before where abuses were concealed, chiefs' positions unchallenged and many violations seen as traditional norms. Staff from another organisation claimed that the volunteer committees monitor their areas, and manage to show victims of abuse the right 'referral pathways'.<sup>116</sup>

Various partners stated that the community human rights committees required a lot of tangible follow up from their side. Legal aid was provided [by the paralegal service organisation] to cases that were referred to their office, counselling services provided to victims of sexual abuse, victims being transported to the police stations or courts, and medical treatment was provided for victims if and when needed. To what extent these extra services are delivered or to what extent follow up is assured, is not known. According to the organisations, referral cases of violence and abuse are addressed at all times.

### 6.3.2. COMMUNITY JUSTICE & COMMUNITY DIALOGUE

All partners implemented community based activities such as the justice workshops and dialogue sessions following a similar strategy. Differences in implementation are however visible and reflect the varying capacities and

specific contextual needs. A southern based partner thus claimed to focus more on training court administrators as to strengthen these structures. The lack of knowledge on the jurisdiction was considered a major problem in this area, hence local court jurisdiction was reconciled with the limitations set by the Local Courts Act [1963].

Other partners referred to the community activities as highly effective; '*the promotion of dialogue sessions have helped to break the silence on various sensitive issues in the communities, which previously were like a taboo*'. Field based staff of another organisation claimed that dialogue and small community meetings were the right entry point to address FGM. '*This could never have been done directly, so we started to use the three Gender and the Child Rights Act. They were very much interested, as they had never learned about rights for women or children specifically before. We gradually captured people's attention to FGM. Now we are making breakthroughs in discussing FGM.*'<sup>117</sup>

Staff from one of the northern based partners claimed that the programme's relevance is huge due to its focus on remote areas. He claimed that his organisation shifted



Community Human Rights Volunteers come together in Jendema, Pujehun District, Southern Sierra Leone, to discuss their plans and the issues they encountered during the past two weeks. They come together twice a month and report back to their host organisation monthly. (Photo: E. Vermeulen).

its focus from urban to rural areas, where the justice delivery systems are much weaker. The interviewee furthermore claimed that *'the programme also helped us shift our focus towards prioritizing strengthening the demand side of justice. This by empowering communities to become more human rights conscious and sensitive. Before our organisation's focus was more on urban areas and more limited in scope'*.<sup>118</sup> In explaining how change was affected, the officer claimed that due to their activities, realisation and awareness had gained ground among community people, becoming increasingly aware that they have a responsibility in taking community justice issues forward.

One of the southern based partners referred to the programme's relevance in terms of 'focusing on remoteness' as well: *'there would have been an upward trend of abuses towards women and children in these human rights -needy communities. Especially as there were no other organisations at the time [2007] to have targeted such remote communities with the types of programmes and methodology that we apply now'*.<sup>119</sup>

Staff attached to the paralegal organisation claimed that the community based activities had set change in motion in their operational areas. People's awareness and knowledge on human rights and gender issues had risen to the extent that people will take abuse less easily for granted; that taboos were broken and complaints made to either the authorities or the human rights committees. *'Through our community based interventions in combination with legal representation, we believe we have succeeded in reducing the arrogance, immunity and impunity that perpetrators of sexual violence offences often used to enjoy'*.<sup>120</sup>

Partners all agreed that community dialogue helped to break the silence on sensitive issues. Justice workshops were said to challenge and question the roles of chiefs and traditional leaders, without becoming too offensive. One partner indicated that the dialogue forums had contributed to improving the justice system at the communities of operation. These forums encouraged

people to participate in identifying those issues and structures that are responsible for (facilitating) violations: *'Through these forums, communities were able to meet with their duty bearers and to express themselves. Plans of action were put together and implemented'*.<sup>121</sup>

Partners furthermore claimed that people now have the courage to question the dispensation of justice, as is openly done in the various justice workshops and dialogue sessions. In dialogue and exchange sessions with the Soweis, the practitioners are said to be given plenty of space to express their own views, concerns and ideas. *'Leh di Soweis tok'* [let the soweis talk] became the non-confrontational approach partners used, in particular in the northern areas where the openness on FGM seemed far more advanced than in the southern parts of the country.

Most staff interviewed were cautious too, in claiming that the work needed to continue as to ensure a point 'where there is no turning back'. Some referred to this point as the 'tipping point', referring to the stage where changes in behaviour will continue the process of change without outside support. The tipping point was not fully reached by some. Another respondent claimed that although much was achieved, some 75% needed to be done more to achieve that particular stage. Both field and management staff among several of the partner organisations expressed the need to expand to other areas within their chiefdoms, feeling that coverage was too limited. Field staff also felt the need to be more empowered to reach out to other areas; improved logistics was indicated as a necessity.

#### **6.4. COLLABORATION AND COMMUNICATION**

Without exception, all interviewees indicated to be satisfied about the communication and collaboration between coalition partners and between partners and the SPA. Several mentioned that 'speaking in one voice' has helped the advocacy and media work of the coalition. 'Collaboration' furthermore meant the sharing of information through coalition meetings, sharing trainers and jointly developing programme activities.

Staff also claimed that partners actively worked together during training sessions, in working with the media and during specific incidents. Two partners claimed to have responded together to a case of FGM that resulted in the death of the girl: *'there was a case of an under-age initiation in Bombali Sebora, which led to the death of a young girl. Partner X documented the case and contacted us. This was not our operational area, but we responded immediately and took the issue up since we have the legal capacity. We provided legal services and prepared the court papers on the matter for prosecution.'*<sup>122</sup>

Others gave examples of how trainers were shared between the organisations where and if needed. In case of urgency, respondents indicated to be able to depend on each other to respond rapidly. One northern based partner with ample experience in FGM programming ensured that the 'Sowei Exchange Programme' was extended to the southern regions. As the partners in the south have less experience with working on FGM, this expansion allegedly contributed to strengthening the latter's programme.

Over the past four years, several troubling periods occurred in which miscommunication, misunderstandings and accusations back and forth were rife. The quarrels seemed to have been inspired by the host position, which is generally seen as an 'advantage', as well as by unilateral decisions made by the SPA. Programme objectives or an MOU did not always seem to have inspired coalition members which direction to take.

The situation has seemingly stabilized, as partners unanimously indicated to be satisfied with the communication lines between each other, with the locally based programme officer as well as with the SPA. Concerns for the future were however expressed too. Some indicated to agree to the idea of a single host arrangement, but also shared their concern over the possibility that either the SPA or the host could weaken the position of the locally based programme officer. Nor did all agree to some of the procedures that took place to appoint a new administrative host. For partners to recognize one host organisation

responsible for channelling financial information will also likely remain a sensitive issue, according to one interviewee. One person expressed to be less satisfied with the 'one-host' structure, and suggested that a new entity be created and legally registered. This entity would then serve as the coalition through an independent secretariat, for which coalition partners would serve as board members.

## 6.5. CONCLUSIONS

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Overall, SPA coalition partners indicated to be satisfied about their participation within the programme.

Several individually referred to the 'uniqueness' of the programme. Activities were said to have contributed greatly to the openness among communities to take action and challenge injustices. Without exception, the volunteer human rights committees were praised as one of the most successful initiatives within the programme. These committees, according to most respondents, had proven to be effective in identifying and following up on abuse cases that were otherwise swept under the carpet. Another indicator of success for partners was that increasing numbers of people are now making complaints to the committees or the human rights organisations.

As one partner translated that observation: *'this to me indicates that the communities are now not only aware of their human rights, they are prepared to expose them as well.'*<sup>123</sup> The claimed effectiveness of the volunteer committees was a result of being locally based and thus being familiar with the local contexts and communities. The volunteers were also said to be cost effective, as they were not dependent upon salaries from the programme hence seen as ensuring a level of sustainability. Monitoring, providing basic [legal] advice referral of cases was claimed to be among the volunteers' main duties, which they, according to all interviews, carried out 'thoroughly and satisfactorily'.

Partners also made a clear reference to the perceived impact at both the 'demand-side of justice' as well as at the 'supply side of justice'. All claimed that an increased un-

derstanding of human rights and the relevant laws, as well the increased openness to discuss sensitive issues, had evidently led to a more proactive community response. Concerns were expressed too, though to a fairly limited extend. Organisational staff primarily referred to the limited coverage geographically as well as in terms of thematic areas. Expanding activities was said to be crucial in order to reach the 'tipping point', which was not

reached by some, and not [yet] reached at all by others. Other concerns reflected the host arrangements that were seen by some as functional, by others as a continuous source of 'uneasiness'. Despite sharing some of these concerns, partners' perceptions were overwhelmingly positive with very little critical observations. The fact that funding for the new programme cycle of another five years has recently been granted may have been of influence.

## 7. CONCLUSIONS, LESSONS LEARNED AND RECOMMENDATIONS

### 7.1.

#### **INTRODUCTION**

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In spite of some of the less steady periods of the SPA programme between 2007 and 2010, its activities across the operational communities have triggered a number of changes. These changes observed are however not always easy to interpret and vary strongly, ranging from slight to significant. In this final chapter, overall conclusions will be summarized based on the survey findings reflected in the previous chapters on Human Rights and Justice, Gender-Based Violence (GBV) and Female Genital Mutilation (FGM). Following the conclusions, recommendations for the new funding cycle 2011-2015 are provided.

### 7.2.

#### **PARTICIPATION AND KNOWLEDGE LEVELS**

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In all, the programme has managed to ensure high levels of participation of among the communities, both men and women as well as stakeholders in positions of authority. Significant numbers of people within the operational areas have been exposed to the various human rights interventions. Many of those not having participated still seem to be informed on the activities that take place and the organisations that implement these. Knowledge and understanding of the concepts of human rights, justice and injustice has improved greatly, to which the interventions have evidently made a vast contribution. It is possible that the organisation's activities are *primarily* responsible for this upward trend. The operational areas are generally remote and have had little exposure to the post war changes visible within large parts of the country. Irrespective of the levels of attribution or contribution, the human rights organisations have clearly managed to create an environment that is conducive to openly discuss human rights, justice as well as challenge injustice openly.

The introduction of the relevant laws, such as the Child Rights Act and the three Gender Acts have not been in vain; communities are not only aware of the existence of various human rights laws, but seemingly have developed a more than basic understanding of what children's and women's rights constitute. Moreover, a large percentage seems to be perfectly able to translate these laws to their own situation, particularly as regards to domestic violence and the right to inherit property. There are strong indications that the systematic focus on women's [marginalized] position and gender rights have led to a certain level of behaviour change among both men and women. How significant this change is and to what extent it really impacts on people's daily lives and those of women in particular, is as of yet difficult to tell.

Programme partners have managed to reach out to authorities too, including those responsible for the delivery of justice. Throughout the operational areas, law enforcement, traditional authorities such as chiefs and local authorities [including court staff and district counsellors], have all systematically participated in multiple activities at community and district levels. While the human rights organisations have openly addressed the many flaws within the justice delivery, the initial reluctance of chiefs to be involved has turned into an eagerness to participate.<sup>124</sup> Authorities have evidently benefited from the human rights activities in many ways. Collaboration and information sharing between authorities and the human rights organisations and/or their voluntary committees, is claimed to be high.

Enhanced knowledge and understanding is important, but is only a first step towards accomplishing sustainable change. Whether this increase in awareness has led to people becoming more responsive to human rights abuse and injustices, is yet another.

### 7.2.1. JUSTICE DELIVERY AT COMMUNITY LEVEL

There are strong indications that suggest that the justice delivery at community levels has improved. Verification of these indications is however difficult, as there are no comparative figures or qualitative units of measurement available to assess traditional court hearings between 2007 and 2011. One of the indications that suggest an improvement is the increased level of trust the traditional authorities now seem to enjoy. Treatment of women by these traditional mechanisms has seemingly improved too, according to the majority of the respondents participating in the survey. The question remains however whether successes only refer to a limited number of fairly isolated cases, pushed forward and followed up by the human rights committees and their organisations. Hence, whether this 'improvement' has gone beyond 'setting an example', remains to be seen. But even if so, successfully challenging prevailing standards of injustice and abuse, may possibly carry on much further.

More tangible indicators of change in the justice delivery are the law amendments made at the local community levels. Relevant human rights laws [such as the various 2007 Acts], have largely been translated into local bye laws and community regulations as described in chapters three to five. In relation to Amnesty International's Dimension of Change four (*'changes in policies'*), this dimension has been achieved, although limited to the rural [operational] areas only.<sup>125</sup>

It obviously remains a possibility that revised laws merely serve a procedural function, but this does not seem very likely in the SPA operational areas. With the organisations and their human rights committees present to both support and monitor these policy changes, observance to the new human rights laws will have increased. Observance to those laws by chiefs can however not be fully guaranteed, as chiefs continue to have a great influence in deciding matters according to their own interests. Still, the chiefs have played an instrumental role in disseminating information on the laws within their own communities. Moreover, people's enhanced understanding of human rights and the relevant

laws will likely encourage chiefs to observe the laws they have implemented themselves. In reference to AI's Dimension of Change three (*'changes in accountability'*), it seems safe to indicate that accountability by traditional authorities has changed for the better.

People's responses to abuse and injustices seem to have increased. Taboos around challenging authorities have crumbled, and court hearings or miscarriages of justice are openly discussed during community meetings. These critical open discussions are often facilitated by the human rights organisations and their community based volunteers. The availability of these trained human rights workers has probably made the biggest difference in empowering individuals to not only discuss injustice, but to seek and claim justice. The committees have proven effective to address and follow up on cases where the law response was either lenient or non-existent. Committee members are widely seen as 'knowledgeable about the law' and a means of seeing justice done. In the past few years, committee members have proactively identified cases themselves, but have also been approached by people seeking support in challenging abuse or injustice. It is safe to assume that people have become more vocal as well as less inclined to passively accept injustices or abuse. In reference to AI's Dimension of Change two therefore (*'changes in activism and mobilization'*), there are sufficient reasons to believe that local activism has indeed increased. Little can however be said on the levels in which communities [dare to] challenge injustice.

Although presumably small, the human rights committees have managed to fill a gap in the delivery of justice at community levels. In terms of empowering individuals in seeking justice, their achievements probably outweigh some of the other interventions that have had less direct and less tangible results. While committee members do receive stipends for specific tasks, their work is primarily non-paid hence based on commitment. Another assumption that can be drawn here is that voluntarism, under a number of conditions, is possible in Sierra Leone's rural areas.

The scope of these voluntary committees is however limited and the level of quality and effectiveness vary substantially between the different partners as well as between the individual members. Success stories are limited in actual numbers of cases, but may have a wider deterrent effect. Quality differences between the various committees are likely caused by the varying degrees of support these networks receive from their 'host organisation'. Without adequate support, coaching and supervision, committee members will likely lose their interest and resign as a result, as has been the case in a number of instances.

### **7.2.2. RESPONSE TO GENDER BASED VIOLENCE**

Communities' response to gender based violence has seemingly albeit slightly improved. There are indications that domestic violence in particular is less acceptable now and that standards are changing. Increasing numbers of people report domestic violence, mostly when it concerns wife beating. A reduction in wife battery may be possible, but cannot be verified on the basis of the data collected.

As regards to rape, standards do seem to be changing too, as rape and sexual violence is more openly addressed and increasingly seen as a crime. The data could not in any way verify whether rape is on the decline or perhaps even on the increase. A few success stories may have worked as a deterrent, but rape cases may also have become less visible in the sense that victims and relatives deal with the 'aftermath' of rape more secretly than before. Law enforcement and authorities have improved their response to sexual violence, but possibly on an ad hoc basis only. An adequate response from the authorities possibly depends primarily upon the availability of the human rights activists and their organisations. Rape is still by and large seen as a private matter that should be solved at the lowest level possible.

Particularly worrisome is the widespread misinterpretation of what constitutes rape. Law enforcement uses definitions that rule out that rape of children even exists, while rape and sexual violence primarily affects underage girls. It seems likely that communities widely misinterpret the various forms of sexual violence, therewith contributing to downplaying the seriousness of these crimes.

### **7.2.3. RESPONSE TO FGM**

FGM is openly discussed in the rural communities. Discussions have been broadcasted over the radio and even National Television dedicated an item on partners' work with practitioners. The many claims that underage initiation has reduced and that parents are now more reluctant to have their daughters initiated, should not be brushed aside. But measuring real changes in the prevalence of a sensitive taboo such as FGM is challenging to say the least. Underage initiation hence may take place on the same scale, having gone underground or perhaps continued in places where people feel less monitored. The reduction in public celebrations normally following FGM may however also indicate a decline. There is nonetheless enough reason to suggest that standards around FGM are changing.

Significant numbers of Soweis have worked together with the human rights organisations and openly renounce girl child initiation. Abandonment or the claim thereof is however largely inspired by compliance to the law, as Soweis are not convinced about the reasons behind abandonment, nor is the age limitation fully understood. Partners' work with the northern Soweis has evidently moved further, where statements to give up the practice sound much more convincing. The relationship of FGM to human rights seems misunderstood by most.

This limited understanding likely follows from the [non-confrontational] approach the SPA partners have applied from the onset. Their approach focused primarily on the law or on [the continuation of] girl child education as an entry point. What has been underexposed is that FGM is a damaging violation of human rights, one that blatantly denies women and girls' right to physical and mental integrity.<sup>126</sup>

While abandonment for women of all ages is definitely the overall goal of the SPA coalition, the cautious choice for these 'fairly safe' entry points is understandable. FGM in Sierra Leone relates directly to the secret societies which determine the relation to the spiritual world and which are indisputably powerful. Even though the government has passed an important legislation to prohibit harmful traditional practices on children, that

same government does not seem at all convinced about the seriousness of the practice. Where even the Minister of Social Welfare, Gender and Women's Affairs trivialises FGM, one realizes that there are still many hurdles to overcome.

What makes discouraging FGM even more difficult, are people's perceptions of the benefits of the practice. FGM is seen as a means to 'control women's sexual appetite'. Sex is widely available in Sierra Leone, often practised at a young age leading to high levels of teenage pregnancies. With the high levels of sexual violence in Sierra Leone, FGM could be related to rape as well. Rape of underage girls is often blamed on the victim's alleged promiscuity, which in turn could be prevented by having girls undergo FGM. Hence FGM is not only a strong cultural convention, it is also deeply ingrained in the many social dynamics affecting the society as a whole.

What has received less attention within partners' focus on FGM is the required consent of initiation of women over 18. This legal obligation for a woman's consent may not seem to contribute much to the human rights discussion on FGM; it does however serve a purpose. There is evidence from various sources that indicates that women of 18 and above increasingly refuse to undergo FGM, in particular those having enjoyed a number of years of education.<sup>127</sup> This seems to be supported by the views of the southern Soweis who disagree with the age limitation, possibly fearing that many will no longer accept the practice voluntarily once they turn 18. Hence a process of voluntary abandonment of adult women -yet to be initiated- may have been set in motion following the conditions specified within the law. It could be of interest for the coalition to collect more information on the levels of 'refusal' of women having reached 18, and build on those.

The non-confrontational approach has however been key in opening the discussion on FGM in the rural areas, in getting the Soweis to participate and to avoid conflicts or ostracism. It is clear though that much more needs to be done in this area, where the differences between the north and the south should be considered in the next funding cycle.

#### **7.2.4. CHANGES IN PEOPLE'S LIVES**

Even if slight or significant changes are demonstrable in various areas, what really matters is whether these changes have had a genuine effect on people's lives, referring to AI's first Dimension of Change. While it is impossible to make statements on behalf of the communities as a whole, it is possible to assume that changes in the lives of some people have materialized, stemming directly from the human rights interventions. This is likely on an individual basis only, affecting those people who have directly benefited from improved justice delivery or increased protection by the law or the human rights organisations. Whether peoples' perceptions of 'improved and fairer justice delivery' contribute to an increased sense of safety and well-being, is mere speculation.

### **7.3. RECOMMENDATIONS**

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During the evaluation process in February 2011, the evaluation team discussed the survey findings throughout and largely agreed on the conclusions to be drawn as well as on the recommendations. The recommendations below are a combination of those provided by the consultant and by the SPA programme manager for Sierra Leone.

#### **RECOMMENDATION 1:**

The SPA programme underwent changes in its original framework that seems to underscore the importance of programme flexibility and adaptation to changing contexts. The enactment of the gender and child rights acts of 2007 created ample opportunities for the programme to strengthen its focus on gender based violence and moreover: FGM. It would however have been more [cost]effective if the coalition had anticipated on the passing of the acts, and to factor this foreseeable change into the initial programme design.<sup>128</sup> The SPA partners are urged to continue the good practice of responding to changing realities. Where possible, the new programme should more effectively anticipate on future changes that are foreseeable at an early stage.

**RECOMMENDATION 2:**

The levels of participation are high within the operational areas. While participatory methods have intrinsically been part of any SPA training programme, 'participation by attendance' seems to have been the primary indicator. While participation by attendance is itself a sign of increased openness and interest, the activities at community level should move towards a more active form of participation indicated by understanding. For this to happen, reporting and evaluation of community based activities should make provision for assessing the levels of knowledge and understanding of its participants.

**RECOMMENDATION 3:**

Given the minimal presence and intensity of other human rights organizations, it is reasonable to suggest that the SPA coalition owes the largest credit for the changes observed in the operational areas. However, the behaviour of people on both the demand and supply side of justice still seem to vary between 'the contemplation and the action stage'. This means that changes have mostly not reached sufficient levels to become irreversible, hence have not reached the so-called 'tipping point'. This implies the need to intensify sensitization activities to sustain the changes made, and to ensure that a process of change will continue beyond the SPA programme or any other intervention.

**RECOMMENDATION 4:**

While bye laws and community regulations have largely been revised to incorporate the new [human rights] laws, the SPA partners are recommended to monitor the proper application as well as observance to those laws more strictly. Partners are also encouraged to evaluate which of the new bye laws have been most useful in reinforcing national and international gender and child rights laws.

**RECOMMENDATION 5:**

Although underage initiation is now forbidden by the law, no instances are known where Soweis have been prosecuted or even arrested for breaking the law. Intensification of community dialogue with community

stakeholders should increasingly focus on the possibilities of prosecution of those either committing or facilitating underage initiation. Age determination as well as the issuance of initiation licenses should be monitored more closely, where and if possible. Increased law and justice training for local and traditional authorities and Soweis are recommended.

**RECOMMENDATION 6:**

To further recommendation 3, the programme needs to review its sensitization and dialogue work, particularly as regards to FGM. Key messages on FGM should increasingly reflect an angle on human rights and the practice's consequences. SPA partners need to reflect on the differences between the northern and the southern achievements in the field of FGM. A more effective or perhaps more direct approach in working with the Soweis should aim to shift practitioners' attitudes from 'compliance' to 'conviction'.

**RECOMMENDATION 7:**

To intensify the activities with the Soweis, including the Soweis exchange programme. The exchange programme could be of particular good use to strengthen the involvement and interest of the southern Soweis [see recommendation 6]. Partners should strengthen their levels of collaboration as the experiences of the northern partners in FGM could benefit the FGM approach in the south. Identifying 'best practices in working with Soweis', seems worthwhile to be explored.

Another crucial area for coalition partners is to strengthen the focus on 'underage marriage' as a harmful traditional practice. While the age limitation for FGM has been set on 18, many girls are still being wed below that age.<sup>129</sup> Underage marriage and underage FGM are strongly linked. If the coalition is to address this age limitation successfully, the programme needs to focus on underage marriage *in relation to FGM*.

In addition, it is of interest to SPA programmes' work on FGM to understand the level in which women of 18 and above are either hesitant about being initiated or refuse initiation.

**RECOMMENDATION 8:**

Since the SPA programme is limited to addressing human rights and justice issues at a local level, an effective follow up on the cases it generates at the level of the higher courts would significantly add to the programmes' credibility. Forging strategic partnerships with other justice sector agencies or programmes focusing on the prosecution and judgement side, is advisable.<sup>130</sup> Furthermore, a strategy should be devised by the SPA programme to understand whether and to what extent serious and sensitive abuses such as rape and FGM may have shifted to other communities.

**RECOMMENDATION 9:**

The SPA programme is a product of the SPA coalition. So it should be in theory and practice. Both the SPA and the programme officer need to strive to reach consensus with the partner agencies, in particular on matters relating to joint activities and advocacy work. It is also crucial that the programme officer and the host ensure that individual reports and lessons learned are shared across the coalition. It is recommended that the SPA partners have a programme as well as an administrative focal point. These focal points should interact periodically, to share information and experience.

**RECOMMENDATION 10:**

The benefits that the SPA partners gained from the collaboration and sharing within the coalition undoubtedly outweigh the difficulties they have faced in maintaining it. However, there are still contrasting views held by certain key stakeholders about how a coalition should function or should be shaped. While the majority of the partners seems satisfied, further discussions may be required in ensuring all partners are on the same page.

**RECOMMENDATION 11:**

The programme has produced numerous case studies indicating [a certain level of] change at the rural levels, which have hardly been shared. Case studies and success stories could be used more systematically and more effectively by the partners and the SPA. Cases could be used to liaise with justice delivery agencies or justice

programmes at the capital level [see recommendation 8], or as an advocacy tool in the media.

**RECOMMENDATION 12:**

The SPA coalition should invest more in creating beneficial partnerships *beyond* coalition partners. Collaboration with community based organizations could extend the programme's activities and services. Creating relevant partnerships could provide a means to have abuse cases being treated by the higher courts. Partnerships with third parties should also look into the possibilities of addressing the alternative livelihood demands of the Soweis.

**RECOMMENDATION 13:**

Knowledge among police units is very poor in terms of understanding the legal definitions of the various forms of sexual violence. This limitation has significant consequences at the level of investigations undertaken and the gravity of the charges made. As the relationships of the organizations with the Family Support Unit's are generally good, the coalition should prioritize building capacity among the various FSU's in gender related issues. Extra training, particularly targeting the FSU's dealing with sexual violence offences, is highly recommended.

**7.4.****SITUATIONAL SNAP SHOT (2007 - 2011)**

Drawing a snap shot of the situation in 2007 as compared to 2011 provides an interesting image. The country's infrastructure has been improved significantly over the years. Many small economic enterprises have been established, and Sierra Leone has seen yet another free and fair election during which people voted en masse for the opposition. The further away from the ending of the rebel war in 2002, the more comfortable people seem that 'peace is here to stay'.

There is enough evidence to suggest that HDF funding has made a major contribution to an ongoing process of change in the rural areas. Due to partners' activities, rural communities have opened up to human rights messages

and interventions, and are increasingly informed in policy changes at the capital level. Where the government is either unable or unwilling to invest in the rural areas, NGOs such as the HDF funded SPA partners filled that void. In collaboration with the SPA, HDF funded organisations were among the very first to introduce the human rights laws locally, using highly participatory approaches which significantly contributed to a community sense of ownership. Those administering justice were systematically brought together with those whose rights and justice is all so often denied.

Close to three hundred dialogue sessions have been implemented with HDF funding, albeit in different forms and with different numbers of participants. The direct beneficiaries of those activities are hundreds of individuals, possibly more, but the trickle down effect to the wider communities and chiefdoms is clearly much larger. As several partners have openly stated during the survey interviews, the human rights situation has improved and would have deteriorated if funding would not have made this programme possible.<sup>131</sup>

Dialogue and exchange sessions with the Soweis were unheard of prior to 2007. With HDF funding, part of the programme focusing specifically on FGM came off the ground. Soweis' participation in the justice dialogue sessions early in 2007 and 2008 turned out to be crucial, as senior Soweis asked SPA partners to be involved in further human rights activities.

The introduction of the human rights laws by SPA partners in the rural areas has had an enormous impact. Violence against women is not as condoned as it used to be. People increasingly report and resist violence against women, and feel supported by the human rights activists and organisations. Traditional leaders joined this changing dynamic by translating the human rights laws into local bye-laws, accessible to the vast majority of the Sierra Leonean population. HDF funding has primarily made this work of partners possible.

#### **7.4.1. ACTIVITIES 2007 - 2011**

With HDF funding, the Sierra Leone Programme started with a *Training of Trainers*, an extensive training for 12 selected staff members from partner organisations. These trainers were subsequently used to train field staff as well as the human rights committee members that were elected. In all, 108 committee members have been trained of whom the majority are active within their own communities. These training sessions were divided into three series, leading to a total of 54 training sessions of six days each. An estimated 40 field and programme staff have been trained in monitoring, documentation and reporting of human rights abuses. Management staff participated in an introduction training on Economic, Social and Cultural (ESC) rights, facilitated by a Ugandan expert in this field. Training alone is obviously not enough. All participants were encouraged to implement specific community based activities, develop methodologies as well as longer term programme plans. Committees were coached in developing a longer term strategy, in which several steps of their programmes had to be elaborated, explained, and agreed upon by all. To facilitate learning and sharing, committees attached to the different partner organisations were brought together several times a year.

Initial community meetings were restructured as to work according to a strategy, with clear goals set and developed by partners as well as participants. Following each activity, a plan of action was developed by the participants, of which the results were addressed in follow-up meetings. Participatory training in human rights, relevant laws and international standards were also systematically introduced. Radio stations were approached and increasingly broadcasted dialogue sessions with Soweis or on justice issues. Radio is an important tool in rural Africa, and practitioners started to show up spontaneously for meetings from other parts of the country, either just out of curiosity or eager to take part in the discussion.<sup>132</sup>

Community based interventions aimed to be as pragmatic and locally relevant as possible; those invited were actively encouraged to identify the burning issues for their particular group. Participants were also coached to look for solutions that would be acceptable to all. The combination of awareness raising, sharing information and letting people identify and deal with issues themselves, seemed to be key to the success of the dialogue concept. In order to understand this, one needs to have a better picture of post war Sierra Leonean society. Adequate communication between the different community groups, stakeholders and even between the sexes is still a problematic issue. Fear, trauma, and widespread suspicion towards government institutions combined with high levels of (extreme) poverty, have had a detrimental effect on communities' social infrastructures and support networks.

Tipping points may not have been reached as of yet, but in order to be able to do so, social conventions, attitudes and standards, have to change first. Even if tipping points have not been reached, the changes that have visibly been set in motion are unlikely to be reversed.

## 7.5.

### **REFLECTIONS FROM AMNESTY INTERNATIONAL (AI)**

This programme started before the formal launch of our global Demand Dignity campaign, and offers a number of important lessons to the movement about our theory and methods of change.

AI always had elements of active participation of rights holders in our work, and has, as part of the Demand Dignity campaign formalised this approach. We define active participation, as an *“empowering and enabling process through which Rights Holders participate in and influence the processes and decisions which affect their lives in order to gain recognition and attainment of their Human Rights”*.<sup>133</sup> The Special Programme on Africa has been in existence for seventeen years, and has been a relatively unique entity within AI, as it has predominantly adopted active participation methodologies. The

Accessing Justice in Rural Sierra Leone Programme is a very robust example of active participation. The partners came together to agree to their objectives, not in response to the availability of funding, but based on the human rights and justice needs of the rural communities in which the organisations operate. Prior to the Sierra Leone Programme, the SPA had extensive experience of working on long term projects with local organisations in Africa. The SPA's programme in neighbouring Liberia<sup>134</sup> had demonstrated that effecting change is possible in marginalized rural communities. The approach of creating partnerships based on mutual interests, training and supporting of rural human rights activists has proven effective, even in the fluid Liberian context affected by renewed hostilities.<sup>135</sup>

The partners in Sierra Leone, most of whom come from communities which practice FGM, decided on the goals, the methodologies and the changes to the programme design along the way.

AI is acutely aware of the need, when working with communities, to invest in long term strategies, and to understand that change, particularly when it comes to cultural norms (and in this case deeply rooted secret society practices), takes a long time. The support of the Dutch Government in continuing this work for a further five years is thus extremely encouraging.

Two of the key learnings from programme are reflective of this 'bottom up' approach.

The first is in relation to the lack of a **coherent political lobby** at a national level to enhance the community work. There are recommendations to this effect and for increased strategic litigation to maximise on the individual cases that arise and thus shore up legal norms.

On the one hand we have seen substantial change, with local chiefs adopting the new national gender acts and children's rights act in local laws. However, the original plan to have a national advocacy strategy was amended by the partners as it was deemed

to be too ambitious in the early stages of the programme. While this was an appropriate outcome for the partners, AI must reflect on the leadership role we take, and how we ensure that all grassroots work is closely linked to our overall advocacy strategy at a national and international level. Future lobbying of the Sierra Leone Government both in country and through international mechanism could use examples from this project and ensure that human rights activists are using all available tools to deliver the 'tipping point' on FGM and access to justice. Our planned Demand Dignity projects have a strong grass roots basis that is firmly situated within a national and international lobbying context.

The second issue is **whether we have reached a 'tipping point' in the FGM debate**. AI has categorically stated that the practice of FGM violates the right to physical and mental integrity, the right to the highest attainable standard of health, the right to be free from all forms of discrimination against women (including violence against women), to right to freedom from torture or cruel, inhuman or degrading treatment, the rights of the child, and in extreme cases, right to life. The evaluation found that a human rights analysis of FGM wasn't as strong as hoped for and that while Soweis were increasingly speaking about abandonment, it was not believed that this change was based on personal conviction but understanding that national law now made FGM on girls under 18 untenable.

As noted elsewhere in this report and in previous reports to the HDF, in Sierra Leone, the practice of FGM is completely engrained in the culture, and is intrinsic to the survival of the secret societies. Apart from the Christian Krio's, FGM is practised widely and guarantees entry to the societies, respect and esteem from the community. It is strongly linked to the perception of 'controlling women's sexual appetite', which seems further reinforced by the high levels of teenage pregnancies and sexual abuse. FGM in Sierra Leone is not only an established

cultural custom, it also seems to be a way for parents to deal with the threat of sexual violence and rape.

One of the major successes of the project, as reported to the donor relatively early on in the process, was the capacity to talk about FGM directly. We did not believe this would happen as early as it did, and we believed we would need to talk about justice issues more generally before we got into the topic of FGM. The programme partners agreed that the most appropriate entry point was to discuss the need to abandon FGM for girls under the age of 18. Their rationale was that while the Children's Rights Act had not specifically named FGM (it had been in a previous draft of the legislation but was omitted for political reasons), it did specifically outlaw practices that were harmful to children, thus giving project participants a very clear starting point and mandate for their position. It is worth noting that women of 18 and above are increasingly refusing to undergo FGM.

While partners support FGM abandonment for women of all ages as the ultimate goal, the focus was on the abandonment of the practice on the under 18s. Focusing on one key aspect of a national law is a standard campaigning tactic. However, the question remains to what extent coalition partners may still accept the idea of adult women voluntarily undergoing FGM. The tension between what human rights law or AI states and how to engage with people who are effectively committing human right violations, will undoubtedly remain a challenge for AI.

The same is true in a European context. While we welcome the fact that the Special Rapporteur on Violence Against Women has stated unequivocally that FGM is torture, the ramifications for the victim, should a parent or extended family member be convicted of torture, could be very detrimental.

**Noeleen Hartigan, Programmes Director, AI Ireland**

### **AMNESTY INTERNATIONAL / SPECIAL PROGRAMME ON AFRICA**

#### **NARRATIVE TO ACCOMPANY REVISED LOGFRAME**

The original logframe of the *Facilitating Access to Justice Programme* dates from March 7, 2007. This matrix was approved by the Human Dignity Foundation (HDF), after which funding followed for a period of 4 years. As expected, the original document has undergone a number of changes during the course of the programme to adjust with the realities on the ground. The following narrative will explain which changes have been made and the reasons behind it.

The different sections within the logframe are:

- I. Access to Justice
- II. Local, National and Traditional Authorities
- III. Community Mobilisation
- IV. Coalition building, Networking and Lobby

#### **I. ACCESS TO JUSTICE**

In this section reference is made to *establishing a pilot paralegal network* in the southern district of Pujehun, as well as *strengthening and expanding existing paralegal networks* in various northern chiefdoms.

#### **Establishing Pilot Paralegal Services**

Developing a network of paralegals was originally part of the overall plan. In 2008, we undertook a feasibility study in Sierra Leone guided by an expert in the paralegal field. One of main recommendations of this study was to invest more in the community –based work through the local human rights committees rather than through establishing a whole new (paralegal) network with a legalistic approach. The following reasons are given for this shift in planning:

- i. The study showed that establishing ‘paralegal services’ might have both legal and social consequences in the current Sierra Leonean context. The term ‘paralegal’

gave rise to unrealistic expectations in terms of salaries and legal support, while ‘paralegals’ are not [yet] recognized as such under Sierra Leonean law.

- ii. Paralegal work has a clear *legal* component while the Magistrates and Higher Courts are malfunctioning. They are either affected by delays and inadequate staff or are simply inaccessible, distance wise. The legal litigation component is thus not particularly useful within those rural areas.
- iii. The paralegals that currently exist within other programmes (for example TIMAP for Justice<sup>136</sup>) primarily focus on *conflict resolution* and *mediation*, instead of litigation.
- iv. A serious *paralegal services network* requires the services of a [human rights] trained lawyer. Lawyers are scarce in Sierra Leone; human rights lawyers even scarcer. Committing a well-trained lawyer to the network on a retainer basis in the rural [and often remote] areas would be both difficult and costly.
- v. The word ‘paralegal’ is being randomly used in Sierra Leone and has created high expectations both among local NGOs as well as among [potential] claimants. In the Sierra Leonean environment, paralegal networks require strict monitoring, as abuse is unfortunate but realistic feature of services that are high in demand. Coalition partners have recommended investing more in the volunteer communities who, with extra training and increased financial support, could provide similar -but basic- legal services.<sup>137</sup> We have decided to avoid the term ‘paralegal services’ and refer to ‘community justice work’ instead.

#### **Strengthening paralegal services**

Among the 6 coalition partners, only the Access to Justice Law Centre (AJLC) provides proper paralegal services.<sup>138</sup> Following the many cases of injustice, discrimination and sexual violence the organisation’s volunteers encountered in the rural areas, AJLC asked for additional support

to address the extra caseload. AI/SPA agreed to further strengthen and support the expansion of legal aid services by the AJLC within this programme. The primary focus is on female victims of unfair and discriminatory court rulings, economic abuse, sexual exploitation and violence in Kholifa Rowalla, Tane and Kunike Chiefdoms in Tonkolili District. Human rights volunteers refer cases to the organisation's paralegals. Under this project activity as of July 2009, legal advice, mediation services, court representation, psycho- social counselling and follow-up visits to clients was provided to 39 women free of charge. The programme's budget is covering the costs of legal advice, counselling and transportation costs for clients. Four of the organisation's paralegals are trained in psychosocial counselling, one in guidance and counselling, who do follow- up sessions with traumatized victims.<sup>139</sup>

Currently, the volunteer committees inform communities on their rights, inform people on where and how to seek legal support; report and refer cases to the local police authorities and follow up on these cases. In addition, they strongly encourage people to follow the law in reporting cases of sexual violence, as rape cases are often settled by chiefs between the families.<sup>140</sup> In the (near) future, we hope to invest further in the basic legal human rights work of the volunteer committees as to strengthen their [basic] legal knowledge and the services they provide to claimants.

## II. LOCAL, NATIONAL AND TRADITIONAL AUTHORITIES

- *Training for local authorities and local court staff* has changed from the initially planned training methodology into the dialogue approach. Local authorities (incl. court staff) have systematically been involved in the various Stakeholder Dialogue Meetings and Community Justice Workshops. These types of interventions both have a training component but are more focused on identifying and addressing local human rights and justice issues.
- *Development of Local Courts Act and the Sierra Leone Constitution in local languages (logframe p. 3)* has not been implemented. The Local Courts Act 1963 and the Constitution are part of the training provided by SPA. However, partners and SPA jointly

agreed that the three Gender Acts and the Child Rights Act of 2007 are of much more value at the rural community level. Hence work of our partners focused on these Acts within most activities. These Acts are translated and discussed in local languages during dialogue and training sessions.

- A proper *training of Paramount Chiefs* has taken place once. Partners are more convinced of involving the various Chiefs (Paramount Chiefs; Chiefdom Speakers, and lower chiefs) in the community dialogue sessions than focusing on the Chiefs separately. This makes sense, as community dialogue (such as community justice workshops) focus on practically addressing local problems within a community setting. Chiefs, including Paramount Chiefs, are always part of these sessions. Community dialogue is strictly supervised and invites people to openly address justice issues with their Chiefs and the Local Court staff.<sup>141</sup>

## III. COMMUNITY MOBILISATION

- *Effective use of drama groups in community activities* did not work out as planned. A local drama consultant was hired to ensure effective use of various theatre methods and local groups. This consultant did not perform as expected and left for Liberia suddenly. The Amnesty International Section was keen on following up using the Amnesty Artist Group and coalition partners mutually agreed, but experienced some capacity problems. There is as of yet no follow-up on theatre work.
- *Community Based Interest Groups* are viable only when established by locals who are motivated to contribute to change. Several of these groups have been formed in the operational areas over the past few years, following initiatives from partners. It is unclear to what extent they are still running. Recently, a local committee for the monitoring and advocacy of the local court was established in the northern Tonkolili District. This committee focuses specifically on monitoring local court decisions and has applied for training within the Justice Programme via one of our partners.<sup>142</sup> To date, we have not funded any of these community initiatives.

## RESEARCH ON HARMFUL PRACTICES IN BO AND PORT LOKO DISTRICTS

As partners were cautious in addressing something as sensitive as Female Genital Cutting, we proposed conducting field based research to first identify people's perceptions on FGC to assess the opportunities to work on it.. Although the idea was initially welcomed, the research was never carried out. Campaign for Good Governance (CGG) assumed responsibility for the implementation but seemed rather reluctant to take the first steps. This reluctance exposed an interesting social dynamic. It turned out that coalition partners had very little confidence of this work being carried out by an organisation that is run by 'non-initiates'- CGG's senior staff are primarily Krio's, the only ethnic group in Sierra Leone that do not practice FGC, and thus not part of the Bundo (secret) society. Although locally based researchers were to be hired this did not change that perception; the feedback was non-initiates should simply not touch matters that belong to [initiated] secret society members. The work on FGC really took off after partners spent time with an organisation based in Senegal, Tostan. They have many years of experience in using non-threatening methods of working with local communities to encourage collective abandonment of FGC. Almost simultaneously, the Government of Sierra Leone passed the Child Rights Act 2007, in which practices that harm underage children are punishable by law. Partners immediately seized this opportunity to discuss the new laws at community levels in encouraging people to abide by the law in abandoning underage initiation.

*Defining non-harmful and less costly alternatives to initiation practices such as FGC.* Partners combined introduction of the Acts at community level with addressing the consequences of FGC on underage girls.

Additionally, partners developed an interesting concept of working with practitioners (Let the Soweis Talk), many of whom were fairly easily convinced about the necessity to stop initiating 'girls that are too young'.<sup>143</sup> Community dialogue on FGC and stakeholder discussions focus more on abandoning the 'bad' traditions of the secret societies while identifying and preserving the 'good' [non-harmful] traditions. Although alternative initiation is on-and off-part of the ongoing discussion, it is less important within the FGC debate as children are increasingly seen as 'unsuitable [secret] society members'.<sup>144</sup>

## IV. COALITION BUILDING, NETWORKING & LOBBY

Slight changes have been made in this section. Although the work on FGC has seriously expanded, our intention to *lobby at national authority level on alternative practices to FGC* was simply too ambitious. As initiation has become a political instrument over the years, the National Government is not receptive to any lobby in this field.<sup>145</sup> Working with and lobbying local governments (Local Councils) is a different story. Local Councils are systematically involved in the FGC debate at community and regional levels. Coalition partners generally maintain good relations with the local authorities in their districts.

- *Lobbying and influencing major key donors such as EU and DfID.* Both EU and DfID are major investors in Sierra Leone's recovery strategy. Both are however primarily focused on the macro economic and political levels. DfID's Justice Sector Reform Programme was initially keen on involving the coalitions programme and possibly support it financially. That interest died down when DfID had to cut down on their expenditure due to the financial crisis.

**Amsterdam, August 2010**

## APPENDIX II. SEMI STRUCTURED QUESTIONNAIRE

### ACCESSING JUSTICE COALITION IN SIERRA LEONE AND THE SPECIAL PROGRAMME FOR AFRICA (SPA) OF AMNESTY INTERNATIONAL-NETHERLANDS

#### IMPACT EVALUATION OF THE “ACCESSING JUSTICE PROGRAMME” IN SIERRA LEONE

Impact Assessment and Second Baseline Survey  
Questionnaire

QUESTIONNAIRE No .....

February 2011

- Fully Administered
- Partially Administered
- Cancelled
- Retained

#### BACKGROUND NOTE ON THIS FEBRUARY 2011 QUESTIONNAIRE

This questionnaire is one of the survey instruments used to do a comprehensive impact evaluation of the *Accessing Justice Programme* in Sierra Leone that was funded under the *Special Programme on Africa (SPA)* of the Amnesty International-Netherlands and implemented by the Accessing Justice coalition partners, including *PRM-SL, RADA-SL, CDHR, AJLC, and Amnesty International-SL*.

The questions it contains aim to solicit the views of the respondents that seek to measure the extent to which the Sierra Leone programme activities from 2007 through 2010 contributed to changing the lives of people and communities, whether positive or negative, expected or unexpected, in the various operational chiefdoms in the districts of Bo, Tonkolili, Bombali, Pujehun and Port Loko.

The change being assessed by this survey is the extent to which the *Accessing Justice* programme in Sierra Leone promoted and enhanced people's ability to access and claim justice in targeted communities. This includes a particular focus on women who are vulnerable to injustice or are denied justice whenever they become victims of human rights abuse.

The data to be generated by this survey will be measured against those generated by the Baseline Survey which was conducted in December 2007. The data will also be adapted to become useful as a baseline survey for the project's next funding cycle.

A methodology similar to the one used for the 2007 baseline study will be applied in this current survey but the questionnaire now used has been fine-tuned to adjust to some of the changes made to the programme over the past four years and to correct inconsistencies that were observed during the analyses of the data back in 2007.

This questionnaire survey together with a qualitative analysis based on the responses from six focused group discussions as well as an open interview with selected project stakeholders will feed into the final evaluation of the programme.

**ENUMERATOR**

---

Name of Enumerator: .....

Supervisor:.....

District: .....

Chiefdom:.....

Village: .....

**RESPONDENT**

---

Respondent's name: .....

Respondent's village:.....

Duration of stay in village.....

Respondent is:     Male    Female

Age group:         Elderly (55+ yrs)    Adult (30 – 55yrs)    Youth (15 – 30yrs)

Education:         Literate- respondent enjoyed basic education    Higher education    Illiterate

Profession:         Civil Servant    Teacher    Student    Housewife    Unskilled Labourer    Unemployed

Other: .....

Greetings! My name is .....I am conducting this survey to understand people's ideas around human rights and accessing justice. You have been chosen at random. We are conducting these interviews all over this district. Your answers will be used confidentially. With the answers you provide, these organisations may improve their activities within your community to your benefit. We have no means to pay you for your answers. All questions must be asked. Respondents must answer first. When the respondent has difficulty answering, answers must be read out slowly. The correct answer must be shaded. When in doubt, repeat the question. When there is more information the respondent likes to share, note it down.

*Developed by: Mr. M. S. Sheriff; Mr. J. Lamin & Ms. E. Vermeulen*

# SECTION ONE: HUMAN RIGHTS

**1. What comes first to your mind when you think about human rights in your community?**

.....  
.....  
.....  
.....

**2. Please tick one of the following statements about human rights that you agree with most**

- Human rights are important
  - Human rights are important, but I do not understand much about it
  - People say it is important, but I do not know how human rights can benefit me
  - This is not for me. I am too busy with other things
  - I don't get involved in these things
  - None of the above (Explain) .....
- .....

**3. Do people in your community discuss human rights issues openly?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- Don't Know
- Other? (State) .....
- .....

**4. Have you ever participated in open discussions about human rights?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- Don't Know
- Other? (State) .....
- .....

**5. Are you aware of people or organizations working on human rights protection in your community?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**6. Have you ever sought help from them?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**7. Do you think human rights organisations or volunteers working in your community have in any way contributed to your understanding of human rights?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

## SECTION TWO: JUSTICE

8. What comes first to your mind when you think about accessing justice in your community?

.....  
.....  
.....  
.....

9. What about injustice? Can you say what it is?

.....  
.....  
.....  
.....

10. Do people in your community discuss injustice openly?

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

11. Do you ever participate in open discussions about injustice?

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

12. Choose only one of the authorities stated below that you think often settle justice more fairly than the others in your community?

- Chiefs
- Police
- Local courts
- Human rights organisations, human rights volunteers/peace volunteers/paralegals
- Don't know
- Others (Specify) .....

**13. Do you think that the justice settled by the category you chose above has improved over the years?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**14. Do you think that there are more opportunities now in your community than few years ago to resist injustice?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**14. Do you think that there are more opportunities now in your community than few years ago to resist injustice?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**15. Do you think women are now more involved in community meetings than few years ago?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**16. Do you feel progress has been made out of the contributions of human rights organizations for you and your community?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**17. Do you think the justice system in your community has improved over the years?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**18. Do you think men and women are equally treated by the justice system in your community?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**19. Do you think the treatment of women by the justice system has improved over the years?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

## SECTION THREE: GENDER BASED VIOLENCE

### 20. How do people respond most of the time when rape takes place in your community?

- Most of the time they solve it at family level
- Most of the time they refer it to the chiefs
- Most of the time they refer it to the Police
- Most of the time they refer it to human rights organisation/ volunteers/ paralegals/ peace monitors
- Others (Explain) .....

### 21. Do you think people respond differently now to rape compared to a few years ago?

- No (any reason?) .....
- Yes (Explain) .....
- Don't Know
- Other? (State) .....

### 22. How do people respond most of the time when wife beating takes place in your community?

- Most of the time they solve it at family level
- Most of the time they refer it to the chiefs
- Most of the time they refer it to the Police
- Most of the time they refer it to human rights organisation/ volunteers/ paralegals/ peace monitors
- Others (Explain) .....

### 23. Do you think people respond differently now to wife beating compared to a few years ago?

- No (any reason?) .....
- Yes (Explain) .....
- Don't Know
- Other? (State) .....

### 24. Do you think people now have more fear in them to abuse women than a few years ago?

- No (any reason?) .....
- Yes (Explain) .....
- Don't Know
- Other? (State) .....

**25. Do you know of any law that prohibits traditional practices that are harmful to a child under eighteen?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**26. Do you agree with the law that prohibits the initiation into Bondo of a girl child under 18 years?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**27. Do you think people continue to practice Bondo for under aged girls even though it is prohibited by law?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**28. Do you know of any Soweis in your community who have abandoned girl child initiation?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**29. Do you think people in your community now speak more openly about the Bondo than a few years ago?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**30. Do you think that under aged Bondo initiation has decreased over the past few years in your community?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**31. Are you aware of people or organizations working on FGM in your community?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**32. Do you think they have contributed to the reduction of FGM incidences in your community?**

- No (any reason?) .....
- Yes (Explain) .....
- .....
- .....
- Don't Know
- Other? (State) .....
- .....

**Additional notes**

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**THANK YOU!**

## APPENDIX III. DISTRICT MAP OF SIERRA LEONE

This map of Sierra Leone shows the 13 Districts of the country. The SPA coalition partners are operational in the following six districts: Port Loko; Bombali; Tonkolili; Bo; Pujehun and Moyamba District [since 2010].

Source: [en.wikipedia.org/wiki/File:Sierra\\_Leone\\_Districts.png](http://en.wikipedia.org/wiki/File:Sierra_Leone_Districts.png)



## APPENDIX IV. TABLES IMPACT ASSESSMENT SURVEY 2011 & TABLES BASELINE SURVEY 2007

**Table 1. Understanding human rights**

Q1: WHAT DO YOU UNDERSTAND BY HUMAN RIGHTS IN YOUR COMMUNITY?				
	South	North	Total	Percentage
One's entitlements	26	14	30	6.00%
One's basic rights	83	72	155	30.00%
Equal rights	36	6	42	8.10%
Fair treatment/justice	23	14	37	7.10%
What must be given	4	9	13	2.50%
Women/children's rights	12	0	12	2.30%
What is good for people	11	9	20	3.80%
Means of benefitting society	0	9	9	1.70%
One's freedom	9	0	9	1.70%
Proactive pursuit of rights	8	8	16	3.00%
Equality between men/women	7	18	25	4.80%
Truth in decisions	3	6	9	1.70%
Peaceful coexistence	1	3	4	0.70%
Do not understand	4	46	40	7.70%
Insufficient response	32	26	58	11.20%
Don't know/No response	6	32	38	7.30%

Source: Field Data, February 2011

**Figure 4.1. Are human rights important**

DO YOU THINK HUMAN RIGHTS ARE IMPORTANT?				
	Frequency	Percent	Valid Percent	Cumulative Percent
Yes, I think so	1146	84.2	84.2	84.2
Yes, I think so, but I not understand much of human rights	6	.4	.4	84.6
Yes, people say so, but I do not know how human rights could benefit me	21	1.5	1.5	86.2
No, this is not for me	8	.6	.6	86.8
Other	180	13.2	13.2	100.0
Total	1361	100.0	100.0	

Source: Baseline Survey 2007, page 6.

**Figure 4.2. Discuss human rights openly**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	1093	80.3	80.3	80.3
	No	74	5.4	5.4	85.7
	Don't Know	194	14.3	14.3	100.0
	Total	1361	100.0	100.0	

Source: baseline Survey 2007, page 6.

**Table 2. Discuss human rights openly**

Q3: DO PEOPLE IN YOUR COMMUNITY DISCUSS HUMAN RIGHTS OPENLY?				
	South	North	Total	Percentage
NO. They fear to discuss	11	2	13	2.50%
NO. They have no interest	3	4	7	1.30%
NO. They are often too busy to discuss	14	4	18	3.40%
NO. No reason	13	10	23	4.40%
YES. Mostly prompted by programme activities of HR organisations	117	120	237	46.00%
YES. Mostly about HR cases decided by local courts, chiefs and police	36	47	83	16.00%
YES. Sometimes the discussions are quarrels	12	19	31	6.00%
YES. Vague reason	47	55	102	19.70%
YES. No reason	3	0	3	0.60%

Source: Field Data, February 2011

**Table 3. Participation in human rights discussions**

Q 4: HAVE YOU EVER PARTICIPATED IN OPEN DISCUSSIONS ABOUT HUMAN RIGHTS?				
	South	North	Total	Percentage
NO. Fear to participate	17	0	17	3.30%
NO. I have no interest	23	35	58	11.20%
NO. I am often too busy	14	54	68	13.20%
NO. no reason	39	25	64	12.30%
YES. Participation is mostly prompted by programme activities of HRO's	89	52	141	27.20%
YES. Mostly about cases decided by the local courts, chiefs and the police	25	67	92	17.70%
YES. Sometimes in the form of quarrels	10	8	18	3.40%
YES. Vague reason	35	17	52	10.00%
YES. No reason	3	2	5	1.00%
No response	1	1	2	0.30%

Source: Field Data, February 2011

**Figure 4.3. Participation in human rights meetings**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes, sometimes	941	69.1	69.4	69.4
	No	185	13.6	13.7	83.1
	Other	20	1.5	1.5	84.6
	Don't	215	15.8	15.8	100.0
Total		1361	100.0		

Source: Baseline Survey 2007, page 7.

**Table 4. Awareness of human rights organisations/people**

Q5: ARE YOU AWARE OF PEOPLE OR AGENCIES WORKING ON HUMAN RIGHTS PROTECTION IN YOUR COMMUNITY?				
	South	North	Total	Percentage
NO. Because I have not noticed them around	26	14	40	8.00%
NO. I have noticed them but I don't know what they really do around here	9	22	31	6.00%
NO. No reason	13	11	24	5.00%
YES. I have noticed them around but I do not participate in their activities	25	23	48	9.20%
YES. I have participated in their activities	149	151	300	58.00%
YES. I hear others talk about their activities	9	8	17	3.00%
YES. Vague reason	17	20	37	7.00%
YES. No reason	6	9	15	3.00%
No response	2	3	5	1.00%

Source: Field Data, February 2011

**Table 5. Community response to 'injustice'**

Q9: WHAT ABOUT INJUSTICE? CAN YOU SAY WHAT IT IS?				
	South	North	Total	Percentage
Denying rights to those who deserve	79	100	179	34.60%
Unfair treatment/justice	69	52	121	23.40%
Lack of truth [in justice cases]	54	32	86	16.60%
Don't know	5	8	11	2.10%
Vague response	39	63	102	19.70%
No response	10	8	18	3.50%

Source: Field Data, February 2011

**Table 6. Discussing injustice openly**

Q10: DO PEOPLE IN YOUR COMMUNITY DISCUSS INJUSTICE OPENLY?				
	South	North	Total	Percentage
NO. They fear to discuss	24	0	24	4.60%
NO. They have no interest	3	20	23	4.40%
NO. They are often too busy to discuss	6	10	16	3.10%
NO. No reason	30	55	85	16.40%
YES. Mostly prompted by programme activities of HR organisations	37	20	57	11.00%
YES. Mostly about HR cases decided by local courts, chiefs and police	68	76	144	28.00%
YES. Sometimes the discussions are quarrels	17	30	47	9.00%
YES. Vague reason	68	45	113	22.00%
No reason	3	5	8	1.50%

Source: Field Data, February 2011

**Table 7. Discussing injustice openly**

Q11: HAVE YOU EVER PARTICIPATED IN OPEN DISCUSSIONS ABOUT INJUSTICE?				
	South	North	Total	Percentage
NO. I have not participated as I have no interest in this	40	24	64	12.30%
NO. I have not participated even though I have interest in this	26	48	74	14.30%
NO. No reason	51	39	90	17.40%
YES. My participation is due to programme activities of human rights organisations	60	47	107	20.60%
YES. As I am very interested	29	33	62	12.00%
YES. No reason	6	10	16	3.10%
YES. Vague reason	44	60	104	20.10%

Source: Field Data, February 2011

**Table 8. Authorities settling justice fairly**

Q12: WHICH OF THE FOLLOWING AUTHORITIES DO YOU THINK OFTEN SETTLE JUSTICE FAIRLY IN YOUR COMMUNITY?				
	South	North	Total	Percentage
Chiefs	69	33	102	19.70%
Police	83	95	178	34.40%
Local Courts	24	23	47	9.00%
Human rights organisations/volunteers/paralegals	64	96	160	31.00%
Don't know	8	7	15	2.90%
Other [unspecified]	8	7	15	2.90%

Source: Field Data, February 2011

**Table 9. Opportunities to resist injustice**

Q14: DO YOU THINK THAT THERE ARE MORE OPPORTUNITIES NOW IN YOUR COMMUNITY THAN FEW YEARS AGO TO RESIST INJUSTICE?				
	South	North	Total	Percentage
NO. Same as before	16	20	36	6.90%
NO. Worse than before	1	3	4	0.70%
YES. Through human rights interventions/sensitization	84	82	166	32.10%
YES. More/better opportunities to demand justice	130	126	256	49.50%
YES. No reason	7	10	17	3.20%
Don't know	12	13	25	4.80%
No response	6	7	13	2.50%

Source: Field Data, February 2011

**Table 10. Contributions of human rights organisations**

Q16: DO YOU FEEL PROGRESS HAS BEEN MADE OUT OF THE CONTRIBUTIONS OF HUMAN RIGHTS ORGANISATIONS FOR YOU AND YOUR COMMUNITY?				
	South	North	Total	Percentage
NO. Same as before	21	24	45	8.70%
NO. Worse than before	0	3	3	0.60%
YES. Through human rights interventions/sensitization	111	114	225	43.50%
YES. More/better opportunities to demand justice	85	82	167	32.30%
YES. No reason	20	18	38	7.30%
Don't know	13	20	33	6.30%
No response	6	0	6	1.10%

Source: Field Data, February 2011

**Table 11. Treatment of women by the law**

Q18: DO YOU THINK MEN AND WOMEN ARE EQUALLY TREATED BY THE JUSTICE SYSTEM IN YOUR COMMUNITY?				
	South	North	Total	Percentage
NO. Men are treated better	21	10	31	6.00%
NO. Women are treated better	7	10	17	3.20%
NO. No reason	4	6	10	2.00%
YES. Due to human rights interventions, gender rights are now more recognized	57	60	117	22.60%
YES. The law makes provision for equal treatment of men and women	141	134	275	53.10%
YES. No reason	3	10	13	2.50%
YES. Vague reason	20	18	38	7.30%
No response	3	13	16	3.10%

Source: Field Data, February 2011

**Figure 4.22. Equal treatment of men and before the law**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes, equal treatment	498	36.6	53.6	53.6
	No, no equal treatment	729	53.6	36.6	90.2
	Others	68	5.0	5.0	95.2
	Don't know	66	4.8	4.8	100.0
	Total	1361	100.0	100.0	

Source: Baseline Survey 2007, page 14.

**Table 12. Involvement of women in community meetings**

Q15: DO YOU THINK WOMEN ARE NOW MORE INVOLVED IN COMMUNITY MEETINGS THAN FEW YEARS AGO?				
	South	North	Total	Percentage
NO. Same as before	7	10	17	3.20%
NO. Worse than before	0	2	2	0.40%
YES. Through human rights interventions/sensitization	78	80	158	30.50%
YES. As women understand their rights better now	115	117	232	45.00%
YES. No reason	48	40	88	17.00%
Don't know	2	4	6	1.10%
No response	6	8	14	2.70%

Source: Field Data, February 2011

**Figure 4.9. Reporting rape**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Police	864	63.5	63.5	63.5
	Chiefs	360	26.5	26.5	89.9
	Community Elders	20	1.5	1.5	91.4
	Human Rights Organizations	20	1.5	1.5	92.9
	Paralegals	56	4.1	4.1	97.0
	Family Resolution	17	1.2	1.2	98.2
	Don't Know	24	1.8	1.8	100.0
	Total	1361	100.0	100.0	

Source: Baseline Survey 2007, page 10.

**Table 13. Community response to wife beating**

Q22: HOW DO PEOPLE RESPOND MOSTLY WHEN WIFE BEATING TAKES PLACE IN YOUR COMMUNITY?				
	South	North	Total	Percentage
Most of the time they solve it at family level	45	53	98	19.00%
Most of the time they refer it to the chiefs	38	44	82	15.80%
Most of the time they refer it to the police	138	130	268	52.00%
Most of the time they refer it to HR organisations/human rights committees/paralegals	14	16	30	6.00%
Other	21	18	39	7.50%

Source: Field Data, February 2011

**Figure 4.10. Reporting wife battery**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Police	422	31.0	31.0	31.0
	Chiefs	503	37.0	37.0	68.0
	Community Elders	25	1.8	1.8	69.8
	Human Rights Organizations	103	7.6	7.6	77.4
	Paralegals	140	10.3	10.3	87.7
	Family Resolution	74	5.4	5.4	93.1
	Don't Know	94	6.9	6.9	100.0
	Total	1361	100.0	100.0	

Source: Baseline Survey 2007, page 10.

**Table 14. Fear to abuse women**

Q24: DO YOU THINK PEOPLE NOW HAVE MORE FEAR IN THEM TO ABUSE WOMEN THAN A FEW YEARS AGO?				
	South	North	Total	Percentage
	8	10	18	3.40%
NO: Less than before	0	3	3	0.60%
YES: Through HR intervention/sensitization	46	60	106	20.50%
YES: People now report wife beating to the police	45	54	99	19.10%
YES: Response from the law has improved/more opportunities	141	96	237	46.00%
YES: No answer	9	20	29	5.60%
Don't know	3	15	18	3.50%
No response	4	3	7	1.30%

Source: Field Data, February 2011

**Table 15. Increased openness in discussing FGM**

Q29: DO YOU THINK PEOPLE IN YOUR COMMUNITY NOW SPEAK MORE OPENLY ABOUT THE BONDO THAN A FEW YEARS AGO?				
	South	North	Total	Percentage
NO. Same as before	100	105	205	39.60%
NO. Less open then before	2	8	10	1.90%
YES. Through human rights interventions	69	60	129	24.90%
YES. Secrecy is less now	58	51	109	21.00%
YES. No answer	5	8	13	2.50%
Don't know	11	15	26	5.00%
No response	11	14	25	4.80%

Source: Field Data, February 2011

**Table 16. Community awareness of laws**

Q25: DO YOU KNOW OF LAWS THAT PROHIBIT TRADITIONAL PRACTICES HARMFUL TO UNDER18S?				
	South	North	Total	Percentage
NO. I have not heard about the law from anyone	14	16	30	6.00%
NO. I care but I have not been informed about it	2	5	7	1.3%
NO. This is not my business	0	4	4	0.70%
NO. No reason	15	20	35	6.70%
YES. I have been informed about the law by human rights organisations	146	142	288	55.70%
YES. I have heard about it within my community	48	44	94	18.00%
Don't know	4	6	10	1.90%
YES. Vague reason	25	20	45	8.70%
No response	2	4	6	1.00%

Source: Field Data, February 2011

**Table 17. Community perceptions of [possible] decrease of FGM**

<b>Q30: DO YOU THINK THAT UNDER-AGED BONDO INITIATION HAS DECREASED OVER THE PAST FEW YEARS IN OUR COMMUNITY?</b>				
	<b>South</b>	<b>North</b>	<b>Total</b>	<b>Percentage</b>
NO. Same as before	49	58	107	20.60%
NO. More as before	10	13	23	4.40%
YES. Through human rights interventions/sensitization / (have not seen initiation around here)	63	70	133	25.70%
YES. Because of the law	93	88	181	35.00%
YES. No answer	23	20	43	8.30%
Don't know	9	7	16	3.00%
No response	9	5	14	2.70%

Source: Field Data, February 2011

**Table 18. Community perceptions of Soweis having abandoned**

<b>Q28: DO YOU KNOW OF ANY SOWEIS IN YOUR COMMUNITY WHO HAVE ABANDONED GIRL CHILD INITIATION?</b>				
	<b>South</b>	<b>North</b>	<b>Total</b>	<b>Percentage</b>
NO. they are still doing it. It is their tradition [livelihood, culture]	39	40	79	15.20%
NO. I am not aware of this	65	70	135	26.10%
NO. No reason	44	41	85	16.40%
YES. The soweis say they have abandoned it	56	53	109	21.00%
YES. I think the soweis have abandoned it because of the law	40	33	73	14.00%
YES. Don't know	3	6	9	1.70%
YES. Vague reason	8	10	18	3.40%
YES. No reason	0	3	3	0.50%
No response	1	5	6	1.10%

Source: Field Data, February 2011

## ACRONYMS

AJLC	Access to Justice Law Centre
AI	Amnesty International
AINL	Amnesty International Netherlands
AISL	Amnesty International Sierra Leone
CBO	Community Based Organisation
CDHR	Centre for Democracy and Human Rights
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CRA	Child Rights Act
DfiD	Department for International Development
FGC	Female Genital Cutting
FGM	Female Genital Mutilation
FSU	Family Support Unit
GBV	Gender Based Violence
GoSL	Government of Sierra Leone
HDF	Human Dignity Foundation
HRO	Human Rights Organisation
HTP	Harmful Traditional Practices
IRIN	Integrated Regional Information Network
JSDP	Justice Sector Development Programme
LPP	Liberian Pilot Project
NGO	Non Governmental Organisation
PRM	Peace and Reconciliation Movement
RADA	Rehabilitation and Development Agency
SLP	Sierra Leone Police
SPA	Special Programme on Africa
WHO	World Health Organisation

## ENDNOTES

- 1 See table 2.3 for the eight survey areas, chapter 2 on Methodology.
- 2 See table 3.3, chapter 3 on Human Rights, justice and Injustice.
- 3 The 'Devolution of Estates Act', the 'Domestic Violence Act' and the 'Registration of Customary and Divorce Act', see Chapter 4, section 4.1.1.
- 4 Police officers in Jendema agreed that 'misclassification' of cases is possible.
- 5 Interview with organisational staff (programme manager), Makeni, March 2.
- 6 Ibid.
- 7 Interview with organisational staff (project officer/coordinator – different partner), Makeni, March 2.
- 8 Ibid.
- 9 Since 2010, funds are no longer transferred through the administrative host partner but to each coalition partner individually.
- 10 The FSU is a special branch of the Sierra Leonean Police focusing particularly on gender based violence and family matters, such as wife battery, sexual violence, maintenance of children etc.
- 11 Rehabilitation and Development Agency, (RADA) - Bo/Pujehun District. Centre for Democracy and Human Rights, (CDHR) - Bombali/Tonkolili District. Peace & Reconciliation Movement (PRM) – Bo/ Pujehun District. Access to Justice Law Centre, (AJLC) Diocese of Makeni - Tonkolili/Bombali District. Amnesty International Sierra Leone, (AI-SL) – Port Loko, Moyamba District. Originally, the coalition comprised of six partners, one left the coalition early 2010.
- 12 The Child Rights Act was introduced in 2007 and legally prohibits harmful traditional practices including FGM. The Child Rights Act and other relevant Acts passed in 2007 are further explained in the following chapters 3, 4 and 5.
- 13 The decision to focus on 'underage initiation' was made by partners as to facilitate an entry point, as well as to make use of the Child Rights Act that legally prohibited harmful practices to a child since 2007. The collective approach was considered crucial as to encourage participation and avoid individual repercussions or ostracism.
- 14 One organisation has been a strong advocate for domesticating the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).
- 15 These actually refer to the outcome indicators specified in the revised logical framework, 24 August 2010.
- 16 Amnesty International's Impact Toolkit, version 1. Learning and Impact Unit (LIU), December 2010.
- 17 The Semi-structured questionnaire is attached as Appendix II.
- 18 The FSU is a special branch of the Sierra Leonean Police focusing particularly on gender based violence and family matters, such as wife battery, sexual violence, maintenance of children etc.
- 19 Impact Assessment data 2011: Table 1, Appendix IV.
- 20 Baseline data 2007: Figure 4.1. Appendix IV.
- 21 Baseline data 2007: Figure 4.2. Appendix IV.
- 22 Impact Assessment Data 2011: Table 2. Appendix IV.
- 23 Impact Assessment Data 2011: Table 3. Appendix IV.
- 24 Baseline data 2007: Figure 4.3. Appendix IV.
- 25 The questions between the two surveys (2007 and 2011) were however too different to effectively compare the responses. In 2007, people were asked to explain 'justice' according to their own views, while the impact assessment survey asked people to explain 'access to justice'.

26 Impact Assessment Data 2011: Table 5. Appendix IV.

27 Sample of semi-structured questionnaires administered in Jendema and Yamandu.

28 Impact Assessment Data 2011: Table 9. Appendix IV.

29 Baseline data 2007: Figure 4.22. Appendix IV.

30 2009 Annual Human Rights Report; Human Rights Commission of Sierra Leone (HRCSL) ; Building Accountable Justice in Sierra Leone, 2009 Working Paper FRIDE , Clare Castillejo.

31 Such as the capital Freetown and the southern Moyamba District.

32 Quarterly reports coalition partners (2007 -2010).

33 The three Gender Acts are described in chapter 4 on Gender Based Violence.

34 Focus group discussion, Jendema Police Station, February 16.

35 Ibid.

36 Ibid.

37 Focus group discussion, Yamandu Police Station, February 19.

38 Ibid.

39 Focus group discussion with the FSU, Makeni, Mena Hills Police Station, March 1.

40 Ibid

41 Ibid. Alleged sexual violence cases can only legally be pursued following a medical investigation and certificate, to prove the victim has indeed been raped.

42 Focus group discussion with chiefs, Jendema, February 17.

43 'Women palaver' refers to women's 'talk' or 'idle chatter'. Palaver originally derives from the Portuguese word Palavra, which means 'speech'.

44 Focus group discussion with chiefs, Yamandu, February 19.

45 Ibid.

46 Focus group discussion with chiefs. Kamabai, March 3.

47 Ibid.

48 Coalition's quarterly reports 2008 -2010.

49 Coalition's quarterly reports 2008 -2010.

50 Amnesty International Annual Report 2010.

51 An estimated 67% of urban Sierra Leonean were victims of sexual violence in 2008, Ministry of Social Welfare, Gender and Children's Affairs. Interview with IRIN.

52 Sierra Leone Web.

53 Offences Against the Person Act, 1861 \*24 & 25 Vict c 100), 2 63. Taken from "We Will Kill You If You Cry" Sexual Violence in the Sierra Leone Conflict, Human Rights Watch Report, Vol. 15, No. 1 (A) – January 2003, page 19.

54 Prevention of Cruelty Against Children Act 1960, Interpretation 2, Part I.

55 Almost simultaneously with the three Gender Acts, the Child Rights Act was passed in 2007, which is to provide for the promotion of the rights of the child compatible with the Convention of the Right or the Child (CRC). The legal age definition of a child changed accordingly in 2007 from 16 to 18. The Child Rights Act does however not deal with sexual offences. The Act is further discussed in Chapter 5 on Female Genital Mutilation (FGM).

56 Unlawful Carnal Knowledge is commonly translated as 'taboo or forbidden sex' and generally refers to 'statutory rape' or 'underage rape'.

57 Prevention of Cruelty Against Children Act 1960, S.6 & 7.

58 Interview with B. Jalloh, lawyer, Access to Justice Law Centre, Diocese of Makeni.

59 Law Reform Commission, Annual Report 2004.

60 'H. Kargbo, rape counsellor, Sierra Leone, "Parents tend to blame the children". IRIN, 2008. The rape counsellor works at one of the countries' Rainbo Centres, rape and gender based violence counselling and health clinics established and funded by the International Rescue Committee (IRC).

61 Baseline survey 2007, p. 9, 10 on rape and wife battery.

62 Baseline data 2007: Figure 4.9. Appendix IV.

63 'Family resolution' as regards to rape generally means a compensation is paid by the 'perpetrator's family' to the 'victim's family'. In other occasions (figures unknown), the rape victim is forced to marry her rapist to minimize the families' honour and shame.

64 Baseline survey 2007.

65 Semi structured interview questionnaires, Jendema, February 2011.

66 Baseline data 2007: Figure 4.10. Appendix IV.

67 The use of the word 'fear' was done intentionally as it is a terminology locally often used, primarily in relation to 'abandoning or giving up something'. 'Fear' may easily be interpreted as a deterrent in this context.

68 Impact Assessment Data 2011: Table 14. Appendix IV.

69 Focus group discussion, Jendema Police Station, February 16.

70 Focus group discussion, Makeni, Mena Hills Police Station, March 1.

71 Ibid.

72 Focus group discussion, Jendema Police Station, February 16.

73 This case created a lot of commotion in 2009, as it was the first time a rape case was fiercely pursued by the human rights committee. Interview with victims' father, October 2009, Jendema.

74 Focus group discussion with the FSU, Makeni, Mena Hills Police Station, March 1.

75 Ibid.

76 Focus group discussion, Yamandu Police Station, February 19.

77 Focus group discussion, Makeni, Mena Hills Police Station, March 1.

78 Focus group discussion with chiefs, Jendema, February 17.

79 Focus group discussion with chiefs, Yamandu, February 19.

80 Ibid.

81 Focus group discussion with chiefs, Kamabai, March 3.

82 Focus group discussion with chiefs, Jendema, February 17.

83 Punishments by the parents of a victim may as go as far as 'shaving their heads' or 'inserting chilli peppers into their vagina'. 'H. Kargbo, rape counsellor, Sierra Leone, "Parents tend to blame the children". IRIN, 2008.

84 WHO, 2008.

85 Statement by I. Bangura, Director of the Family Support Unit (FSU), Freetown. 'Sierra Leone: Sexual violence defies new law'. IRIN, 2009.

86 Notes on the interviews with SPA partners are displayed in chapter 6.

87 With the exception of the Christian Krio's.

88 Type II FGM , 'excision', involves 'partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora'.

89 Focus group discussion session with Soweis, Jendema, February 17.

90 In depth: Razor's Edge. The Controversy of Female Genital Mutilation. Sierra Leone: Female Circumcision is a vote winner. IRIN news, 2005.

91 Interview with Shirley. Y. Gbujama, Minister of Social Welfare, Gender and Women's Affairs. 'In Sierra Leone They Just Cut You, and There is Not Much Problem With That'. The Female Genital Cutting Education and Networking Project,

- 92 One partner was threatened by a regional politician that ‘their human rights office would be closed down’. Quarterly and activity reports, 2007 – 2009.
- 93 Impunitywatch.com.
- 94 www.tostan.org.
- 95 Sierra Leone has ratified the Convention of the Rights of the Child, which entails that children are defined by Sierra Leonean Laws as people under the age of 18.
- 96 Email exchanges between SPA partners and the SPA programme manager, 2008.
- 97 Random sample of survey questionnaires, Jendema, February 2011.
- 98 Respondents did not refer to the practice itself, but to the celebrations that used to follow initiation.
- 99 This s could particularly be true for non-initiates and men, who are not supposed to be involved in any possible way.
- 100 Focus group discussion, Jendema police Station, February 16.
- 101 Focus group discussion with Soweis, Jendema, February 17.
- 102 Focus group discussion with Soweis, Yamandu, February 19.
- 103 Ibid.
- 104 Focus group discussion with Soweis, Binkolo, March 3.
- 105 See chapter 4, section 4.1.1 on the three Gender Acts.
- 106 Coalition’s quarterly reports 2009 - 2010.
- 107 Interview with the SPA programme manager, Makeni, March 3.
- 108 The original programme outline was drafted to raise funds with donors that were yet not identified.
- 109 ‘Strengthening Human Rights Activism in West Africa: The Sierra Leone Programme’. Programme Outline, Freetown – Amsterdam, 2006.
- 110 Post Field Visit Design, Rob Watson, February 2009.
- 111 Interview with organisational staff, (programme manager), Bo, February 16.
- 112 Societal heads are the leading spiritual figures of the secret (male and female) societies.
- 113 Interview with organisational staff, (programme manager), Bo, February 16.
- 114 Interview with organisational staff (programme manager), Makeni, March 2.
- 115 Ibid.
- 116 Ibid.
- 117 Interview with field based staff, (animator/project officer), Jendema, February 20.
- 118 Interview with organisational staff; (Project officer, coordinator), Makeni, March 2.
- 119 Interview with organisational staff, (programme manager), Bo, February 16.
- 120 Interview with organisational staff; (Project officer, coordinator), Makeni, March 2.
- 121 Interview with organisational staff; (country manager), Freetown, March 10.
- 122 Interview with organisational staff (Project officer/coordinator), Makeni, March 2.
- 123 Interview with organisational staff (programme manager), Makeni, March 2.
- 124 Reluctance and even outright resistance towards human rights interventions were initially encountered by several of SPA’s partner organisations. Quarterly reports 2007 – 2008.
- 125 Amnesty’s International’s four Dimensions of Change are described in Chapter 1, Section 1.5.
- 126 Amnesty International follows the UN Special Rapporteur on Violence against Women’s findings who has stated that FGM amounts to torture. ‘FGM furthermore constitutes a serious breach of sexual and reproductive freedoms, and is fundamentally and inherently inconsistent with the right to health’. UN Special Rapporteur on Violence against Women, 2004 Report.
- 127 A UNICEF research on FGM in Sierra Leone in 2008 collected the opinions of several young women, of whom some claimed that: ‘a lot of girls do refuse initiation, those that have read books on safe motherhood, anatomy and physiology

- say they won't go. These are the books we get in school'. Patterns of Female Genital Cutting in Sierra Leone: A Preliminary Study. UNICEF, April 2008.
- 128 Timely anticipation was possible as the Bills were close to passage earlier in 2007 when the SPA programme was being conceived and designed.
- 129 Just as FGM, the legal age for girls to get married is 18 as defined in the Child Rights Act. As 'underage marriage' has been far less focused on, knowledge on the age minimum for marriage is possibly not widely known.
- 130 Such as the Justice Sector Development Programme (JSDP), implemented by the British Council/DFID.
- 131 See Chapter 6 on Programme Performance.
- 132 Coalition quarterly reports (2008 – 2010).
- 133 Working definition of Active Participation, IS, November 2010.
- 134 Liberian Pilot Project, (LPP), which run from 1998 to 2004.
- 135 Renewed hostilities between rival factions led to wide-scale displacement in 2003, affecting the communities in which the LPP was implemented.
- 136 Timap for Justice provides basic justice services in three districts through 26 community based paralegals. Before the end of 2010, they will expand to five other districts and the Western Area. Timap is funded by Trocaire, GTZ, Christian Aid, OSI and receives technical support from the World Bank.
- 137 Amnesty International - Narrative Report for 2008. February 2009, Paragraph 2f, page 4.
- 138 The paralegals are registered, well trained, paid, supervised and supported by a lawyer.
- 139 Amnesty International Penultimate Report 2009, paragraph 3.2. page 3.
- 140 See case studies volunteers in Pujehun; Accessing Justice Penultimate Report Final, Amnesty/SPA, 2009.
- 141 Quarterly Report March – May 2010; Access to Justice Law Centre (AJLC), Makeni.
- 142 Ibid.
- 143 In many locations, increased competition between Soweis led to initiations of girls as young as 3 weeks years old. Several 'Senior' or 'Lead' Soweis understood that this competition affected the 'sacred traditions of the (secret) society as well as affected the girls' families.
- 144 For a good reason: children simply do not understand the societies' complex rules [made for and by adults] and easily reveal it's secrets.
- 145 Prior to the 2003 and 2007 elections, presidential candidates paid 'initiation fees' for hundreds of families to win their votes.

