

SIERRA LEONE

Rape and other forms of sexual violence against girls and women

Mariatu (*not her real name*), now aged 16 years, was abducted from the village of Mamamah, some 40 kilometres from Freetown, as rebel forces retreated from the capital in January 1999. Both her parents were killed by rebel forces when they attacked the village. Mariatu was repeatedly gang-raped by a number of rebels. If she attempted to resist rape she was denied food and beaten. She was forced to accompany rebel forces first to Lunsar and then to Makeni, in Northern Province, and was eventually forced to become the “wife” of one of the rebels. Many other girls were held in the same situation. When she became pregnant, she was taken back to her family and abandoned. In May 2000, shortly after her release, her village was again attacked by rebel forces and she was forced to flee with her grandmother. She walked to Waterloo and then to an internally displaced people’s camp to the east of Freetown. She is now six months’ pregnant.

Rape and other forms of sexual violence during the internal armed conflict

Abduction, rape and sexual slavery of girls and women have been among the most abhorrent and distressing features of the nine-year internal armed conflict in Sierra Leone.¹ Rape and other forms of sexual violence committed by government officials or by armed opposition groups are acts of torture. Sexual slavery refers to situations where girls and women are forced into “marriage”, domestic servitude or other forced labour that ultimately involves forced sexual activity, including rape by their captors.

Rape, sexual slavery and other forms of sexual violence against girls and women by rebel forces have been systematic and widespread. Sexual violence has been directed at women of all ages, often including very young girls. Almost all the thousands of girls and women who have been abducted by rebel forces have been raped and forced into sexual

¹For further information, see previous documents published by Amnesty International, in particular, *Sierra Leone: Civilians face real and immediate threat to their fundamental human rights* (AI Index: AFR 51/06/00), 10 May 2000, *Sierra Leone: Escalating human rights abuses against civilians* (AFR 51/13/99), 30 November 1999, *Sierra Leone: Recommendations to the international contact group on Sierra Leone, New York, 19 April 1999* (AI Index: 51/05/99), 19 April 1999, and *Sierra Leone: 1998 - a year of atrocities against civilians* (AI Index: AFR 51/22/98), November 1998.

slavery. Studies by the United Nations Children's Fund (UNICEF) have shown that 75 per cent of abducted girls and young women have been sexually abused; other estimates put the figure at 90 per cent. In some cases girls and women have been forced to become the sexual partner or "wife" of a single combatant. In other cases they have been abused by several combatants.

Beyond the brutality and trauma of rape itself, which often causes life-long psychological damage to the victim, sexual assault can result in serious physical injury, forced pregnancy, disease and even death. All victims of rape and other forms of sexual violence suffer psychological trauma and almost all have required medical treatment for physical injuries inflicted during their ordeal. Many of the girls and women abducted and raped by rebel forces have become pregnant and have given birth.

Often victims of rape have suffered further brutality, including by having objects inserted into their vagina. A 14-year-old girl was stabbed in the vagina with a knife because she had refused to have sex with the rebel combatant who abducted her. Another woman had small pieces of burning firewood put into her vagina. One 16-year-old girl was so badly injured after repeated rape that, following her escape, she required a hysterectomy. Beatings have been common and most victims who have subsequently been released have bruising. Most have contracted sexually transmitted diseases and a high number are suspected of having contracted HIV/AIDS. Deaths of victims of rape as a result of AIDS have been reported. Those who have spent months or years in the bush after being captured by rebel forces also suffer from tuberculosis, malnutrition, malaria, skin and intestinal infections and respiratory diseases.

The terror wreaked by rebel forces on civilians has also included men being forced to rape members of their own family under threat of being mutilated by having their hands or arms cut off. Girls and women have been raped in front of their husbands and other members of their families.

After rebel forces, the majority of them members of the Armed Forces Revolutionary Council (AFRC) but also including members of the Revolutionary United Front (RUF), attacked the capital, Freetown, on 6 January 1999 many residents reported the rape of groups of girls and women, including in public places such as Koo Town Road in the centre of Freetown and Kissy to the east. A high incidence of rape was also reported at the Clay Factory internally displaced people's camp in Freetown. A policeman in Kingtom witnessed the rape of his three daughters before they were abducted by rebel forces. An 11-year-old girl abducted from Freetown in January 1999 was among 40 civilian captives freed in August 1999 in the Occra Hills region, 60 kilometres east of Freetown. She described being dragged from her home and then joined by scores of other girls as rebel forces went from house to house. Girls who were not selected to be the "wife" of a rebel commander were repeatedly raped by countless other rebel combatants.

Girls and women were rounded up in different areas of the city and forced to report nightly to rebel combatants. On 8 January 1999 in the Cline Town area in the east of Freetown a rebel commander ordered that all girls who were virgins report for a physical examination by a woman colleague. Those confirmed to be virgins, mostly aged between 12 and 15 years, were ordered to report each night to the rebel commander and other combatants who raped or otherwise sexually assaulted them. Some of the girls were subsequently abducted when rebel forces were forced to retreat from Freetown. As in the case of rape, forcibly subjecting girls and women to so-called “virginity tests” amounts to torture or cruel, inhuman and degrading treatment and is specifically prohibited by international humanitarian law.

More than 4,000 children were reported missing after the rebel incursion into Freetown in January 1999. Although Article XXI of the peace agreement signed by the government of Sierra Leone and the RUF on 7 July 1999 in Lomé, Togo, provided for the release of all captured civilians, some 2,000 children who were believed to have been abducted remained missing at the beginning of the year; 60 per cent of them were girls. UNICEF, the human rights section of the United Nations (UN) peace-keeping operation in Sierra Leone and child protection agencies which are trying to secure the release of civilians held by rebel forces have found it particularly difficult to obtain the release of girls and young women.

Girls and women abducted by rebel forces have been raped as a matter of course: many were threatened that they would be killed if they tried to resist rape. One rape victim quoted the combatant who abducted her as saying: “You don’t understand. This is the reason we go and capture you people. If you don’t sleep with me today, I’ll kill you.”

The human rights crisis continues

Following the signing in July 1999 of the peace agreement between the government of Sierra Leone and the RUF, the scale of human rights abuses against civilians, including rape and other forms of sexual violence, declined significantly. From October 1999, however, the previous pattern of human rights abuses again emerged. Rebel forces who had yet to disarm and demobilize continued to abduct, rape and sexually abuse large numbers of girls and women. On 1 February 2000 the human rights section of the UN Mission in Sierra Leone (UNAMSIL), which had visited Port Loko and Kabala in Northern Province, reported that harassment and abduction of civilians, rape and other forms of sexual violence, looting of villages and burning of houses were occurring almost daily in the area around Port Loko. In both Port Loko and Kabala, most girls and women who had been abducted by rebel forces and who had subsequently arrived in internally displaced people’s camps had suffered rape and other forms of sexual violence. These abuses were perpetrated by rebel forces of the RUF, the AFRC and former soldiers of the Sierra Leone Army. According to health care workers, pregnancies resulting from rape were so frequent that they “could not be counted”. They also reported that

girls and women often feel forced to marry their abductors or to live as their “wives” because they fear the social stigma attached to rape and resulting pregnancies.

At the beginning of May 2000, Sierra Leone was thrown into further crisis after rebel forces captured some 500 UNAMSIL peace-keeping troops. Hostilities between rebel forces and government forces, including the Sierra Leone Army, Civil Defence Forces (CDF) and the AFRC, now allied to the government, resumed. Renewed insecurity and fighting have further aggravated the incidence of rape.

In the area around Masiaka in mid-May 2000 rebel forces raped and abducted girls and women. Among the victims was a woman aged in her twenties, with a five-month old baby, who was abducted after rebel forces took control of Masiaka. At the time of her abduction, she was stripped and raped by seven combatants. Taken to a rebel camp, she was repeatedly raped by several rebel combatants and was forced to carry supplies, cook and cut wood.

Many cases of rape - including gang-rape and rape of very young girls - have also been reported from Makeni, which remains under the control of rebel forces, and other towns, such as Lunsar, where government-allied forces have regained control but which has subsequently been retaken by rebel forces. Among those reported to have been raped in Makeni was a 14-year-old schoolgirl who was raped by rebel combatants in front her parents at their home in Makeni on 1 May 2000. The following day, 2 May 2000, two women were reported to have been raped as their home in Makeni was looted. In the village of Mayaki in Kambia District, rebel forces were reported to have raped several women on 24 May 2000 when they attacked the village and killed livestock. Girls and women in those areas of the country still controlled by rebel forces continue to face the threat of rape and abduction.

During June 2000 an Amnesty International delegation in Sierra Leone met a number of women who had been raped in Northern Province during the preceding weeks.

“It was the last Friday in May when we were trying to escape. My sister was running with her baby when the RUF caught us. The baby was placed elsewhere. Then the RUF raped my sister. My husband wanted to take the baby but he was caught and mercilessly beaten, and he collapsed. I managed to take the baby. My husband was later killed. My sister died later the same day.”

A woman aged 19 years from Magburaka, close to Makeni, who was attacked on 26 May 2000.

“We fled to a village called Makoth; we hid ourselves in the bush together with our children. We were later surrounded by the RUF who grabbed my husband and tied his hands behind his back. They asked him to choose who will die; the choice was between me and him. He asked them to spare my life. They then tied him to a tree and they tried to cut his throat; this was difficult to do with their

knife, so they shot him. I'm still breast-feeding but five RUF rebels raped me. I'm still bleeding."

A woman aged 29 years who fled Makeni on 30 May 2000.

"The RUF rebels dressed in UNAMSIL uniforms entered our house. I was very happy that we had been liberated, not knowing that they were rebels. They asked me to have intercourse with them; when I refused they hit me on my sides with their guns. My children managed to escape. Three of them raped me; the fourth one ordered them to stop what they were doing. After the rape, they looted my house. I escaped naked looking for a hiding place."

A woman aged 45 years who was attacked by RUF forces at her home in Lunsar.

Preventing rape and other forms of sexual violence

All combatants in Sierra Leone, both rebel and government-allied forces, must be explicitly instructed by those who exercise chain-of-command control to respect international humanitarian law and to end rape and other forms of sexual violence immediately. All reports of rape and other forms of sexual violence must be investigated and those suspected of committing these offences prosecuted. Any combatant suspected of committing rape or other forms of sexual violence must be immediately removed from active service and from situations where such abuses might recur.

The UNAMSIL peace-keeping force has a mandate to protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment. UNAMSIL must, however, have a clearer mandate to protect the human rights of all civilians at all times, including girls and women at risk of abduction, rape and other forms of sexual violence by rebel forces, by taking a more determined and active approach to protecting civilians. This would include extending, as far as is possible, the area of deployment of UNAMSIL troops, particularly in those areas of Northern Province where abuses against civilians are continuing, and making every effort to defend civilians from attacks by rebel forces.

Bringing those responsible for human rights abuses to justice

It is now generally accepted that, under customary international law, rape committed by government officials or armed opposition groups during armed conflict - whether international or non-international - constitutes torture. Rape and other forms of sexual violence by combatants in the conduct of both types of armed conflict are now recognized as war crimes, most recently in the Rome Statute of the International Criminal Court which Sierra Leone signed on 17 October 1998 and intends to ratify shortly. When rape is committed on a systematic basis or a large scale, or, as confirmed in the Rome Statute, when it is committed

as part of a widespread or systematic attack directed against any civilian population, it is a crime against humanity. As such, it is subject to universal jurisdiction.

As well as violating international humanitarian law, notably common Article 3 of the Geneva Conventions of 1949, rape is a crime under Sierra Leone national legislation: the 1960 Protection of Girls and Women Act and also the 1960 Prevention of Cruelty to Children Act.

Abuses of the human rights of women in situations of armed conflict are contrary to the fundamental principles of international human rights and humanitarian law. All abuses of this kind, including rape and sexual slavery, require a particularly effective response. In Sierra Leone the systematic way in which rape and other forms of sexual violence have been used, and committed so extensively with impunity, indicates a deliberate strategy to use rape and other forms of sexual violence against women and girls as a weapon of war and to instil terror.

The impunity enjoyed by perpetrators of human rights abuses throughout the internal armed conflict was further entrenched by the peace agreement signed in July 1999 which provided a blanket amnesty for all acts undertaken in pursuit of the conflict. This therefore included the gross human rights abuses which have characterized the conflict, including systematic sexual violence against girls and women.² Amnesty International believes that the amnesty in the peace agreement violates fundamental human rights principles by providing impunity to the perpetrators of gross human rights abuses and provides no deterrent against further abuses.

The UN added a disclaimer to the peace agreement that it did not recognize the amnesty as applying to crimes of genocide, crimes against humanity, war crimes and other serious violations of human rights and humanitarian law. There can be no amnesty for serious breaches of international humanitarian law and for human rights abuses which may amount to crimes against humanity. The duty to prosecute or extradite people responsible for crimes against humanity and grave violations of human rights, such as extrajudicial execution, forced disappearance, torture and violence against women, means that national amnesties and pardons which prevent the emergence of the truth and accountability for such violations are inconsistent with the duty to bring to justice those responsible for such violations and the rights of victims to justice.

Furthermore, human rights abuses committed since the signing of the peace agreement are not covered by the amnesty. Those rebel combatants who are responsible for continuing

²For further information, see previous documents published by Amnesty International, including *Sierra Leone: Real and credible justice is needed* (AI Index: AFR 51/45/00), 22 June 2000, *Sierra Leone: Human rights violators must be brought to justice* (AI Index: AFR 51/11/00), 17 May 2000, *Sierra Leone: the Security Council should clarify the United Nations' position on impunity* (AI Index: AFR 51/10/99), 4 August 1999, *Sierra Leone: a peace agreement but no justice* (AI Index: AFR 51/07/99), 9 July 1999.

abuses, including abduction and rape of girls and women, must be identified and brought to justice.

Assistance for the victims of rape and other forms of sexual violence

The psycho-social consequences of the systematic campaign of rape and other forms of sexual violence in Sierra Leone are great and need to be addressed urgently. A non-governmental humanitarian organization, *Médecins Sans Frontières* (MSF), working in Sierra Leone identified in January 2000 that the psycho-social and mental health consequences of conflict on civilians are all too often neglected.³

Following the incursion by rebel forces into Freetown in January 1999, a non-governmental organization, the Forum for African Women Educationalists (FAWE) - Sierra Leone Chapter, with support from other national and international agencies, developed a program to help victims of rape and other forms of sexual violence by providing medical care and counselling. Between March 1999 and February 2000, more than 2,000 girls and women who had been abducted, mostly from Freetown and the Western Area, were treated; more than 1,900 had been raped. Most had sexually transmitted diseases and many were pregnant; 80 per cent of those pregnant were aged between 14 and 18 years. FAWE has also opened a centre for women and girls who have had babies as a result of rape and provides training in skills such as tailoring, tie-dying and soap-making to enable them to make a living. In March 2000 there were more than 100 girls and women with babies and small children at the centre in Freetown.

Much more, however, needs to be done to assist the victims of rape and other forms of sexual violence. Outside Freetown, little or no help is available.

Following the signing of the peace agreement, a process of disarmament, demobilization and reintegration was to begin. It suffered serious delays, however, and only half of an estimated 45,000 combatants had been disarmed and demobilized by April 2000. When an Amnesty International delegation visited Sierra Leone in March 2000, it identified that the process of disarmament, demobilization and reintegration of former combatants appeared often not to provide any real opportunity to those girls and women who had been abducted by rebel forces and forced to become their sexual partners to free themselves from former combatants when they reported for disarmament and demobilization. The Fourth Report of the UN Secretary-General on UNAMSIL⁴ of 19 May 2000 recognized “the need to protect dependants of ex-combatants, the majority of whom are women and children” and that “the majority of “wives” of the combatants are in fact abductees and, if not interviewed separately

³*Assessing Trauma in Sierra Leone*, Médecins Sans Frontières (Holland), 11 January 2000.

⁴S/2000/455

from their “husbands”, would most likely not feel free to express their wish to return to their original families”.

The current crisis in Sierra Leone has disrupted the process of disarmament, demobilization and reintegration of former combatants. When it resumes, effective provision needs to be made for those girls and women, many of whom are pregnant or have young children, to leave former combatants, if they wish. This would require: firstly, the opportunity to indicate privately to UN personnel their desire to leave the men who abducted and sexually abused them; secondly, support to enable them to receive all necessary medical and psycho-social care; and thirdly, support either to return to their families where this is possible or to re-establish their lives together with their children.

Urgent and sustained assistance from the international community is needed to address the needs of girls and women who have been victims of rape and other forms of sexual violence. In April 2000 the United States Ambassador to Sierra Leone, Joseph H. Melrose Jr., said that: “Child and women abductees and victims of gender violence are far too numerous, and we do not yet even have a clear picture as to how many there really are. What is clear is that these victims and their injuries, both physical and psychological, must not be ignored. If these injuries do not heal, they will have implications for future generations of Sierra Leoneans and the success of the peace process”.

Amnesty International’s recommendations

Recommendations to leaders of the RUF:

- take all measures to protect girls and women from rape and other forms of sexual violence, including by instructing all RUF combatants to respect international humanitarian law and to end rape and other forms of sexual violence immediately;
- state publicly that rape in the conduct of armed conflict constitutes a war crime and may constitute a crime against humanity under defined circumstances;
- immediately remove any combatant suspected of committing rape or other forms of sexual violence from situations where such abuses might recur;
- order the immediate release of all girls, women and other captured civilians who remain held and ensure that no further abductions are carried out.

Recommendations to the Sierra Leone government and leaders of the Sierra Leone Army, the Armed Forces Revolutionary Council (AFRC) and Civil Defence Forces (CDF):

- instruct all combatants fighting with government-allied forces not to commit rape and other forms of sexual violence;
- reaffirm that rape in the conduct of armed conflict constitutes a war crime and may constitute a crime against humanity under defined circumstances;

- state publicly that anyone who commits such a crime will be brought to justice;
- investigate all reports of rape and other forms of sexual violence by those combatants under their control and prosecute those alleged to have committed these offences;
- immediately remove from active service anyone suspected of committing rape or other forms of sexual violence.

Recommendations to the United Nations Mission in Sierra Leone (UNAMSIL):

- ensure that UN peace-keepers fulfil their mandate to protect civilians from physical violence, including girls and women at risk of abduction, rape and other forms of sexual violence, by encouraging a more active and determined approach to protecting civilians and by providing all necessary training and logistical support;
- ensure that all troops deployed by UNAMSIL are fully trained in international human rights and humanitarian law and that expertise in violence against women, including gender-based crimes, is provided within UNAMSIL;
- ensure that cases of rape and other forms of sexual violence continue to be monitored and recorded by the UNAMSIL human rights section with a view to the investigation and prosecution of those alleged to be responsible;
- during the demobilization and disarmament process, provide the necessary conditions to enable those girls and women forced to become the sexual partners of rebel forces to leave demobilized combatants, if they wish to do so.

Recommendations to the international community:

- continue to publicly condemn rape and other forms of sexual violence and apply sustained pressure on those in control of combatants to end these abuses;
- ensure the provision of sustained and adequate assistance to the victims of rape and other forms of sexual violence, including by supporting those organizations which are providing medical and psycho-social care and programs to rehabilitate the victims and assist them in returning to their families and communities;
- ensure that all reports of rape and other forms of sexual violence are fully investigated by the appropriate authorities in order to identify those responsible and bring them to justice; this should include providing assistance to the government of Sierra Leone in restructuring and training the police force and establishing a competent, impartial and independent judiciary with the necessary resources to function effectively and fairly, and ensuring that appropriate training is provided to prosecutors, judges and other officials in handling cases involving rape and other forms of sexual violence in armed conflict;
- ensure that all training provided to the new Sierra Leone Army and the police force includes training in international human rights and humanitarian law and that those dealing with women who are victims of violence, including sexual violence, have expertise in violence against women, including gender-based crimes;

- in the event of a review of the peace agreement concluded in Lomé in July 1999, ensure that the specific needs of victims of rape and other forms of sexual violence during the internal armed conflict and their right to redress are fully taken into account.