

# What the war left behind

A study on international policy for the social reintegration of stigmatized women in West Africa



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## Introduction

On April 14th 2014 the Nigerian based Islamic group *Boko Haram* kidnapped 276 girls from their school in Chibok.<sup>1</sup> These actions gained worldwide attention through the #Bringbackourgirls campaign.<sup>2</sup> Even though this was the most infamous case of kidnapping, it was not the first time Boko Haram used abductions as a way to terrorize the country. Since 2009, at least 2,000 women and girls have been taken from their homes and families by the Islamic extremist group.<sup>3</sup>

According to *Human Rights Watch* (HRW) these abducted girls and women were (and in a lot of cases still are) subjected to many human rights violations during their captivity such as rape, forced marriages and forced pregnancies.<sup>4</sup> HRW asserts that these violations are still underreported – largely due to the so-called culture of silence, stigma and shame surrounding sexual and gender-based violence (SGBV) in Nigeria's Northern areas.<sup>5</sup> Even after the escape or liberation of these women and girls, this culture is said to cause problems. Many returning victims face rejection by their family and community. There is a fear that they were radicalised during captivity or, in cases where women gave birth to children due to SGBV, they are rejected because these children have 'Boko Haram blood'.<sup>6</sup>

To successfully reintegrate into their community, meaning to be accepted, respected and fully participating in their community, these women and girls need help overcoming stigma and shame.<sup>7</sup> According to non-governmental organisations (NGOs) such as HRW and *Amnesty International*, governments of war torn countries often do not have the means to supply these victims with the support they need. Furthermore, victims of sexual violence often have no rights to remedy or justice under local law.<sup>8</sup> HRW states that victims in Nigeria expressed their frustration on the minimal efforts for support made by the Nigerian government. Some funds were set up with the help of international donors, but few victims have benefitted from or were even aware of these funds.<sup>9</sup>

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<sup>1</sup> Human Rights Watch (after this: HRW), 'Those terrible weeks in their camp. *Boko Haram* violence against women and girls in Northeast Nigeria' (October 27 2014), <https://www.hrw.org/report/2014/10/27/those-terrible-weeks-their-camp/boko-haram-violence-against-women-and-girls> (October 16 2016), 1.

<sup>2</sup> Bring Back Our Girls, 'Homepage' (2014), <http://www.bringbackourgirls.ng/> (December 4 2016).

<sup>3</sup> Mausi Segun, 'Dispatches. Return of Chibok schoolgirl renews hope' (May 19 2016), <https://www.hrw.org/news/2016/05/19/dispatches-return-chibok-schoolgirl-renews-hope> (December 4 2016).

<sup>4</sup> HRW, 'Those terrible weeks', 2.

<sup>5</sup> Ibidem, 3.

<sup>6</sup> UNICEF, 'Bad Blood. Perceptions of children born of conflict-related sexual violence and women and girls associated with *Boko Haram* in Northeast Nigeria' (February 2016), [https://www.unicef.org/nigeria/Nigeria\\_BadBlood\\_EN\\_2016.pdf](https://www.unicef.org/nigeria/Nigeria_BadBlood_EN_2016.pdf) (October 15 2016), 6.

<sup>7</sup> Susan McKay, Angela Veale, Miranda Worthen, and Mike Wessells, 'Community-based reintegration of war-affected young mothers. Participatory action research (PAR) in Liberia, Sierra Leone & Northern Uganda' (July 2010), [http://www.uwyo.edu/girlmotherspar/\\_files/pubs-final-report.pdf](http://www.uwyo.edu/girlmotherspar/_files/pubs-final-report.pdf) (October 19 2016), 23.

<sup>8</sup> Amnesty International, 'Liberia. Truth, justice, reparation for Liberia's victims' (February 15 2007), <https://www.amnesty.org/en/documents/afr34/001/2007/en/> (October 16 2016), 16;

HRW, 'My heart is cut. Sexual violence by rebels and pro-government forces in Côte d'Ivoire' (August 2 2007), <https://www.hrw.org/report/2007/08/02/my-heart-cut/sexual-violence-rebels-and-pro-government-forces-cote-divoire> (November 23 2016), 113-115; HRW, 'We'll kill you if you cry. Sexual violence in the Sierra Leone conflict' (January 16 2003), <https://www.hrw.org/report/2003/01/16/well-kill-you-if-you-cry/sexual-violence-sierra-leone-conflict> (October 27 2016), 5.

<sup>9</sup> HRW, 'Those terrible weeks', 5.

More substantial international aid is therefore crucial, and in the case of Nigeria many different international actors voiced opinions on the need to tackle the reintegration problems of women and girls. HRW, for instance, recommends members of the international community such as the *United Nations* (UN) to step in to support and encourage the prosecutions of perpetrators as well as to provide healthcare services for victims of abductions; the *United Nations Children's Fund* (UNICEF) states that governments and humanitarian actors such as the UN and NGOs should 'mitigate the risk of rejection, stigmatization and violence towards women, and children born of sexual violence.'<sup>10</sup> Even though many organisations agree with UNICEF and HRW and recognize the urgency of international support, no concrete plans have been drafted for helping victims of sexual violence in Nigeria.

In order to get a better grasp of the repertoire of tools at the disposal of international actors, a historical research into comparable situations could be helpful; after all, Boko Haram is not the first insurgence group to commit SGBV during conflict. The last two decades have witnessed widespread abductions of women and girls on the African continent in times of civil war. In the six years between 2000 and 2006, *The Lord's Resistance Army* (LRA) in Uganda, for instance, abducted over 75,000 people and committed serious SGBV against women and girls.<sup>11</sup> In West-African countries close to Nigeria gendered crime also occurred during various civil wars. In these earlier cases, international actors were confronted with reintegration problems of SGBV-victims that were very similar to those Nigerian victims face today. This research paper aims to look at the reaction(s) of international actors in these earlier cases: what methods and instruments were considered and used in these cases to address the issue of reintegration of women who had been victim of gender-related crimes?

It has been widely acknowledged that in post-conflict situations a more gendered approach is essential for the reconstruction of a society. In 2000, the *UN Security Council* adopted resolution 1325, acknowledging international protection of the rights and special needs of women and girls in conflict and post-conflict situations.<sup>12</sup> The UN's subdivision for gender equality, *UN Women*, earmarks the ending of violence against women and the involvement of women in political and social processes as two main conditions for post-conflict reconstruction.<sup>13</sup> In her report from 2015 on the LRA-crimes in Uganda, Virginie Ladisch recommends to 'develop a long-term approach to understanding conflict-related sexual violence leading to motherhood and its enduring consequences and a long-term vision for programming and remedial action.'<sup>14</sup> This research responds to this recommendation by giving an

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<sup>10</sup> HRW, 'Those terrible weeks', 6; UNICEF, 'Bad Blood', 23.

<sup>11</sup> International Center for Transitional Justice (after this: ICTJ), 'Confronting impunity and engendering transitional justice processes in Northern Uganda' (June 2014), <https://www.ictj.org/sites/default/files/ICTJ-Uganda-GenderBriefing-New-2014.pdf> (October 27 2016), 1.

<sup>12</sup> United Nations Security Council, 'Security Council resolution 1325' (October 31 2000), [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1325\(2000\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1325(2000)) (October 21 2016), 1,2.

<sup>13</sup> UN Women, 'Annual Report 2015-2016' (2016), <http://annualreport.unwomen.org/en/2016> (October 9 2016), II.

<sup>14</sup> Virginie Ladisch, 'From rejection to redress. Overcoming legacies of conflict related sexual violence in Northern Uganda' (October 2015), <https://www.ictj.org/sites/default/files/ICTJ-Report-Uganda-Children-2015.pdf> (October 6 2016), 35.

overview of the remedial action(s) the international community has taken in West-Africa. Much has been written on the problems victims of SGBV face in the post-war situation and what kind of support would improve their social reintegration. However, research that gives an overview of the methods and tools used by international actors to do so, is missing.

### Dealing with SGBV and its victims: practices and ideas

One crucial condition for reconciliation and a successful reconstruction of war-torn societies is the accountability of perpetrators and the acknowledgement of the harm done to victims. For victims of SGBV, recent developments in the field of transitional justice have been of great importance. Since the early 1990s, there is more specific attention for gender issues in transitional justice processes. A major item has been the ending of impunity for SGBV. International criminal law, for instance, has been extended to include SGBV as a crime against humanity and a war crime. Especially the *International Criminal Tribunal for the Former Yugoslavia* (ICTY), which was established in 1993, has taken important steps to enlarge the jurisdiction of international courts to try suspects of sexual and gender-based crimes.<sup>15</sup> The ICTY also adapted proceedings concerning the hearing, protecting and counselling of women. Important innovations were the stricter rules for the admissibility of evidence of consent, special protection services for victims of SGBV to improve their ability to testify, and psychosocial assistance for victims.<sup>16</sup>

A next expansion of international law was the ruling of rape as crime of genocide by the *International Criminal Tribunal for Rwanda* (ICTR), established in 1994.<sup>17</sup> According to Binaifer Nowrojee the proceedings of the ICTR considerably increased public acknowledgement of rape-victims. This was an important first step in the healing process of these victims.<sup>18</sup>

In her study published in 2008, Martha Walsh sums up three conditions for successfully addressing SGBV at international criminal tribunals. The first is gender mainstreaming, i.e. the equal participation of women in the procedure and the inclusion of gender perspectives. The second focusses on witnesses; according to Walsh, victims need special protection and a support-staff trained in gender issues. The last condition is access to justice: Walsh states that women should be encouraged to participate in judicial procedures, through extensive outreach and public information campaigns.<sup>19</sup>

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<sup>15</sup> Christine Bell and Catherine O'Rourke, 'Does feminism need a theory of transitional justice? An introductory essay', *The international journal of transitional justice* (2007) 1, 23-44, 26,27.

<sup>16</sup> ICTY, 'Innovative procedures' (n.d.), <http://www.icty.org/en/in-focus/crimes-sexual-violence/innovative-procedures> (December 19 2016).

<sup>17</sup> Binaifer Nowrojee, 'Your justice is too slow. Will the international criminal tribunal for Rwanda fail Rwanda's rape victims?', in: Donna Pankhurst (ed.), *Gendered peace. Women's struggles for post-war justice and reconciliation* (New York 2008) 107-136, 109, 110.

<sup>18</sup> Nowrojee, 'Your justice is too slow', 111, 112.

<sup>19</sup> Martha Walsh, 'Gendering international justice. Progress and pitfalls at international criminal tribunals', in: Donna Pankhurst (ed.), *Gendered peace. Women's struggles for post-war justice and reconciliation* (New York 2008) 31-64, 44-48.

Alessandra Dal Secco also emphasizes the importance of accountability of perpetrators and acknowledgement of victims. In her opinion this can best be achieved through *Truth and Reconciliation Committees* (TRCs), by addressing SGBV and adopting a gender-sensitive framework. She concludes that gender mainstreaming and attention to sexual and gender-based crimes have positive effects on 'gender-sensitive' reparations and institutional reform. As sexual crimes are not the only (international) crimes against women, Dal Secco urges for the inclusion of 'the gender aspect' in reviews of other crimes.<sup>20</sup>

At the same time, some scholars have been sceptical of the beneficial effect of TRCs for victims of SGBV. Dal Secco mentions that there has been an under-representation of reported sexual and gender-based crimes in TRCs. This, she believes, is the result of the fear of stigma and its silencing effect on women.<sup>21</sup> Donna Pankhurst considers this underrepresentation as part of 'the post-war backlash' women sometimes encounter.<sup>22</sup> In her research on so called 'bush wives', women who are forced to marry rebel leaders, Chris Coulter reaffirms that the victims are afraid to participate in transitional justice processes due to shame and stigma. She suggests that TRCs might also not be the best way to heal trauma as they are not always culturally rooted in a specific society.<sup>23</sup> Pankhurst notices a distinct trend in Africa of people turning towards local remedies besides or instead of a national TRC. Pankhurst is well aware of the problems attached to this trend, as local and traditional remedies do not always guarantee women's rights or the improvement of the situation of SGBV-victims. Caution should be taken when promoting such initiatives, she warns: gender awareness should be stimulated at these local institutions too.<sup>24</sup>

Thus, scholars tend to agree that accountability of SGBV and acknowledgement of its victims is a first condition for successful social reintegration of these victims: outreach and community sensitisation is a second. In Walsh's view women's organisations could play an essential role in facilitating victim's access to justice.<sup>25</sup> Coulter also underscores the value of outreach: without it, victims (and witnesses) cannot be expected to find their way to TRCs and criminal courts. Coulter's research also shows that a lack of outreach can lead to negative publicity and rumours, causing fear among victims for transitional justice institutions that are meant to support them.<sup>26</sup>

Together with outreach on transitional justice processes, general community sensitisation campaigns could equally attribute to destigmatization. This means that the community should be made sensitive to gender aspects and aware of the harms done to women and difficulties they face in the

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<sup>20</sup> Alessandra Dal Secco, 'Truth and reconciliation commissions and gender justice', in: Donna Pankhurst (ed.), *Gendered peace. Women's struggles for post-war justice and reconciliation* (New York 2008) 65-106, 66-70, 95.

<sup>21</sup> Dal Secco, 'Truth and reconciliation commissions', 95.

<sup>22</sup> Donna Pankhurst, 'Introduction. Gendered war and peace', in: Donna Pankhurst (ed.), *Gendered peace. Women's struggles for post-war justice and reconciliation* (New York 2008) 1-30, 3,5,6.

<sup>23</sup> Chris Coulter, *Bush wives and girl soldiers. Women's lives through war and peace in Sierra Leone* (Ithaca 2009) 170, 171.

<sup>24</sup> Pankhurst, 'Introduction', 12, 13.

<sup>25</sup> Walsh, 'Gendering international justice', 51.

<sup>26</sup> Coulter, 'Bush wives', 170, 171.



post-conflict environment. Susan McKay affirms in her research on girl's social reintegration in Uganda and Sierra Leone that SGBV should be addressed by creating public awareness. By locally addressing this type of violence openly, its incidence can be reduced. Within communities solutions should be thought of to address SGBV and provide security for victims. NGOs, civil society and especially women's groups can play an important role in accomplishing this. A change in attitude towards victims in the wider society can be promoted through media, for example via radio.<sup>27</sup> Community sensitisation can also be created by communicating outcomes of transitional justice processes. When for instance truth-seeking includes gender-awareness and a focus on SGBV, conclusions can be used to educate the population on these issues.

In her studies McKay draws our attention to another crucial precondition for successful reconstruction and reintegration of SGBV-victims, i.e. educational services that lead to the economic empowerment of victims. In order to survive in the post-war environment and overcome stigmatization, victims need to make livelihoods for themselves. In many cases, however, they lack opportunities to do so because they are not educated.<sup>28</sup> McKay's research on community-based reintegration of war-affected young mothers shows that once the mothers became more economically self-sufficient, family acceptance increased.<sup>29</sup> In this respect economic empowerment contributes to overcoming stigma and reintegrates victims into their community. The same research showed that for the young mothers themselves, creating a sustainable income was their top priority. Education was the way to achieve this.<sup>30</sup> Coulter shares McKay's opinion, but suggests that education as such is not beneficial. Especially skills training, she notes, is a viable option for women to improve their future prospects.<sup>31</sup> Programmes should focus on the usability of skills and offer additional services that contribute to the long-term effect of the programme. Therefore programmes should provide microcredit to victims to help them to start their own businesses with the newly acquired skills.<sup>32</sup> This can be essential because many victims were again rejected by the community when the projects ended and the victims did not have the means or knowledge to continue on their own.<sup>33</sup> Improving access to education and other ways of creating economic empowerment for women can therefore be seen as an important form of reparation for these victims.<sup>34</sup>

Past practices and ideas show us that there are different conditions for the successful social reintegration of SGBV-victims. These are acknowledgement of gender-based crimes, community awareness through outreach and sensitisation campaigns and economic empowerment through

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<sup>27</sup> Susan McKay, 'Reconstructing fragile lives. Girls' social reintegration in northern Uganda and Sierra Leone', *Gender and Development* 12 (2004) 3, 19-30, 28.

<sup>28</sup> McKay, 'Reconstructing fragile lives', 26.

<sup>29</sup> McKay, Veale, Worthen, and Wessells, 'Community-based reintegration', 37, 63.

<sup>30</sup> *Ibidem*.

<sup>31</sup> Coulter, 'Bush wives', 185.

<sup>32</sup> *Ibidem*, 198.

<sup>33</sup> *Ibidem*, 187.

<sup>34</sup> McKay, Veale, Worthen, and Wessells, 'Community-based reintegration', 37, 63.

education. Scholars mention different instruments that can be used to achieve these goals. Nowrojee and Walsh advocate acknowledgement created by international criminal courts that incorporate gender-awareness. Dal Secco, however, endorses the suitability of TRCs to achieve this goal. Other experts in the field, Coulter and Pankhurst, point out that local or ‘traditional’ processes might be better suited, under the condition that they pay attention to gender-awareness. Walsh and Coulter agree that it is essential for transitional justice initiatives to conduct outreach. Local women’s organisations play an important role in these outreach initiatives and according to McKay also in creating community sensitisation. Another thing she asserts is that education services can contribute to the economic empowerment of women. Coulter, however, is of opinion that focus should be put on skills training and microcredit to provide sustainable income-generating initiatives.

### Introduction of case studies

This paper will give an overview of international policy with regard to SGBV-victims and their reintegration in post-conflict society, in three different countries. This overview can contribute to our knowledge on handling situations as such, and to the planning for social reintegration support for victims in Nigeria. The case studies were chosen on their geographic location, the crimes committed, the perpetrators, the problems the victims face and the official end of the conflict. This research will focus on Sierra Leone, Liberia and Côte d’Ivoire. In all three countries civil wars happened in the last twenty years. In Sierra Leone the rebels of the *Revolutionary United Front* started a war in 1991 with the objective of overthrowing the government of the *All Peoples Congress* they claimed was corrupt and tyrannical. This war lasted until 2002 and saw many human rights violations.<sup>35</sup> Women and girls of all ages were sexually violated during the war but many of the rebels especially targeted young women and girls because they were virgins. Although no official numbers exist, HRW calculated that thousands of women had been abducted and over 200.000 endured SGBV.<sup>36</sup> The conflict officially ended with the signing of the *Lomé Peace Agreement* 1999. This agreement included provisions for international involvement in rehabilitation and reconstruction programmes and emphasized that the special needs of women should be taken into account in the implementation of such programmes.<sup>37</sup>

Liberia was involved in two civil conflicts between 1989 and 2003, first the Liberian civil war and after the *Liberians United for Reconciliation and Democracy* and *Movement for Democracy in Liberia* conflict.<sup>38</sup> As is the case in Sierra Leone, no official numbers of victims exist in Liberia.

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<sup>35</sup> Truth and Reconciliation Commission of Sierra Leone (after this: TRC SL), ‘Witness to truth. Report of the Sierra Leone truth and reconciliation commission’ (October 5 2004), <http://www.sierraleonetr.org/index.php/view-the-final-report/download-table-of-contents> (October 10 2010), 3.

<sup>36</sup> HRW, ‘We’ll kill you if you cry’, 3, 25.

<sup>37</sup> Government of Sierra Leone and the Revolutionary United Front of Sierra Leone, ‘Lomé Peace Agreement’ (July 7 1999), [http://www.usip.org/sites/default/files/file/resources/collections/peace\\_agreements/sierra\\_leone\\_07071999.pdf](http://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/sierra_leone_07071999.pdf) (November 25 2016), 11, 12.

<sup>38</sup> TRC SL, ‘Witness to truth’, 48.

According to the *International Center for Transitional Justice* (ICTJ), however, up to 75% of the female population was subjected to SGBV.<sup>39</sup> In 2003 the *Comprehensive Peace Agreement* was signed and by request of the *National Transitional Government of Liberia* (NGTL) called for international humanitarian assistance and international support in providing for the need of vulnerable victim groups such as children and women. The NGTL would design and implement a program for the rehabilitation and reintegration of such victims together with the help of the international community.<sup>40</sup>

The third case study is Côte d'Ivoire. In 2002 a conflict started between rebel groups in the North and the Ivorian government and active hostilities ended in 2004. HRW reported in 2007 that no official estimations of victims of SGBV were made but that many NGOs spoke of thousands of victims.<sup>41</sup> Even though active conflict ended in 2004, violence started once again in 2010 when elections were held and the old-president Laurent Gbagbo refused to step down for the elected Alassane Ouattara. Hundreds of women suffered SGBV during this conflict that lasted a year.<sup>42</sup> During all of these wars estimates show that thousands of women and girls were abducted and subjected to sexual violence as well as forced marriages, forced pregnancies and sexual slavery by rebel forces.<sup>43</sup> And in each country stigmatization of these victims was a problem for their reintegration into society. In this paper the focus is on victims of SGBV and abduction. They will also be merely referred to as victims and will include women of any age but in particular the young women and girls who form the majority of this victim group. In many cases also children were victims of SGBV and therefore they are part of the victim group discussed in this paper. In some cases the topic of child soldiers is mentioned due to the fact that many of the victims were kidnapped by rebel groups by whom they were forced to work as rebel-wives. In these cases the victims are therefore seen as child soldiers.

An overview of international policy will be created by looking at three important international actors, in this paper also referred to as the international community. These actors are HRW, the UN and the *International Centre for Transitional Justice* (ICTJ). HRW is one of the most important international NGOs concerning human rights violations and has done research on all of the case studies in this paper. The organisation was established in 1979 and focusses on fact finding and analyses to strive for

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<sup>39</sup> Karen Campbell-Nelson, 'Liberia is not just a man thing. Transitional justice lessons for women, peace and security' (September 1 2008), <https://www.ictj.org/publication/liberia-not-just-man-thing-transitional-justice-lessons-women-peace-and-security> (November 7 2016), 4.

<sup>40</sup> Government of Liberia and the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL) and Political Parties, 'Comprehensive peace agreement of Liberia' (Augustus 18 2003), [http://www.usip.org/sites/default/files/file/resources/collections/peace\\_agreements/liberia\\_08182003.pdf](http://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/liberia_08182003.pdf) (October 31 2016), 19, 20.

<sup>41</sup> HRW, 'My heart is cut', 3, 21, 22.

<sup>42</sup> HRW, 'To Consolidate this peace of ours. A human rights agenda for Côte d'Ivoire' (December 8 2015), <https://www.hrw.org/report/2015/12/08/consolidate-peace-ours/human-rights-agenda-cote-divoire> (October 10 2016). 3.

<sup>43</sup> HRW, 'We'll kill you if you cry', 26; TRC SL, 'Witness to truth', 45; HRW, 'My Heart is Cut', 3.

sustainable change. HRW works together with local NGOs and does not involve itself with funds from governments to maintain neutrality.<sup>44</sup> The UN is one of the biggest players on the international level and is mandated to ‘maintain peace and security’, ‘develop friendly relations among nations’ and to ‘achieve international cooperation in solving international problems’. The UN works on promoting human rights and respect for international law and can take measures to ensure these goals. The organisation was established in 1945 and is a collaboration between 195 countries or member states.<sup>45</sup> It consists of many different divisions and programmes. Most important for this research are the missions in the case study countries for their involvement in creating safety for women and girls, UNICEF for its work for children and young mothers and UN Women (previously *UNIFEM*) for its gender related work. The last organisation central to this paper is the ICTJ, a non-profit organisation that specializes in transitional justice. The ICTJ provides technical assistance and expertise to state institutions but also works with victims groups, communities and to this paper of importance, women’s groups.<sup>46</sup> It has contributed in a big way to many of the transitional justice mechanisms in the countries both by doing research but also by being actively involved in transitional justice mechanisms in the countries. The organisations work separately but in some cases also together on projects.

By looking at three very different organisations that have all done extensive work, this paper offers a broad scope of methods and tools used and advocated by international actors. The work of these organisations will be evaluated through a study on policy and research papers on their involvement in Sierra Leone, Liberia and Côte d’Ivoire with a focus on the issues of acknowledgement, community awareness and economic empowerment. This paper will first concentrate on the issue of acknowledgement by discussing the ideas and actions of each international actor, starting with HRW. Chapter two will focus on the issue of community awareness and chapter three on that of economic empowerment. Each chapter will end with a short conclusion of the findings. The final chapter and conclusion of this paper will offer an analysis of findings and recommendations of importance for international assistance to improve the situation in Nigeria.

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<sup>44</sup> HRW, ‘About’, (n.d.), <https://www.hrw.org/about> (December 20 2016).

<sup>45</sup> United Nations, ‘purposes and principles’, (n.d.), <http://www.un.org/en/sections/un-charter/chapter-i/index.html> (December 20 2016).

<sup>46</sup> ICTJ, ‘About us’ (n.d.), <https://www.ictj.org/about> (December 20 2016).

## 1. Acknowledgment

As previously discussed there are three important things international actors should focus on in their policies directed at improving the social reintegration of stigmatized women: acknowledgement, community awareness and economic empowerment. In this chapter we will look at the first topic. According to Nowrojee acknowledgement of crimes can be an important first step in overcoming the stigmatisation of victims.<sup>47</sup> Acknowledgement can be created by addressing SGBV in truth-seeking initiatives but also by combatting impunity for SGBV.

Establishing the truth helps communities understand the causes of the abuse and can contribute to their goal of ending it. Truth can help the healing process, restore personal dignity and end public denial.<sup>48</sup> In many cases in West-Africa denial and the culture of silence out of fear of stigmatization problematize social reintegration. Since 1974 around twenty-five TRCs have been established around the world. These commissions have increasingly been attentive to gendered issues and SGBV.<sup>49</sup> Experts in the field emphasize that by including this gender-sensitive framework and addressing SGBV, acknowledgement can be created.<sup>50</sup> Scholars, however, also point out this is impeded by stigmatisation.<sup>51</sup> To prevent this, truth-seeking processes should conduct proper outreach and be culturally sensitive, though not disadvantageous to women.<sup>52</sup>

Next to establishing a record of truth, acknowledgement can also be done by prosecuting perpetrators of SGBV. Sexual violence is a crime under international criminal law. When committed as part of a systematic attack against civilian population, according to the Rome Statute for the International Criminal Court, it constitutes a crime against humanity. These crimes consist of: 'Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity'.<sup>53</sup> Next to sexual violence the women and girls in West-Africa discussed in this paper are also a victim of abduction or enslavement. Under the Rome statute, abduction, forced disappearance and enslavement are also crimes against humanity.<sup>54</sup> International help is often provided to make sure these crimes do not remain unpunished. In some cases special courts are created in collaboration with international organizations.

To create acknowledgement for victims the government of Sierra Leone established a TRC in 2000 that published its final report in 2008. The mandate of this commission included a special

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<sup>47</sup> Nowrojee, 'Your justice is too slow', 111, 112.

<sup>48</sup> ICTJ, 'Truth seeking. Elements of creating an effective truth commission' (2013), <https://www.ictj.org/publication/truth-seeking-elements-creating-effective-truth-commission> (December 4 2016), 4.

<sup>49</sup> Pankhurst, 'Introduction', 10, 11.

<sup>50</sup> Dal Secco, 'Truth and reconciliation commissions', 66-70, 95.

<sup>51</sup> Dal Secco, 'Truth and reconciliation commissions', 95; Pankhurst, 'Introduction', 3,5,6; Coulter, *Bush wives*, 170, 171.

<sup>52</sup> Pankhurst, 'Introduction', 12, 13; Coulter, *Bush wives*, 170, 171.

<sup>53</sup> International Criminal Court (after this: ICC), 'Rome statute of the International Criminal Court' (2011), <https://www.icc-cpi.int/NR/rdonlyres/ADD16852-AEE9-4757-ABE7-9CDC7CF02886/283503/RomeStatutEng1.pdf> (October 23 2016), 4.

<sup>54</sup> ICC, 'Rome statute', 3, 5.

attention to sexual crimes and the fate of children.<sup>55</sup> To end impunity for serious international crimes committed during the civil war in Sierra Leone, a court was created in 2002. The *Special Court for Sierra Leone* (SCSL) was founded by an agreement between the government of Sierra Leone and the UN. This collaboration made the SCSL a hybrid court.<sup>56</sup> The court's mandate included the prosecution of sexual and gender-based crimes of 'rape, sexual slavery, enforced prostitution, forced pregnancy and any other form of sexual violence', as crimes against humanity. 'Outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault', under the *Geneva Convention for the Protection of War Victims*. And the abuse of girls under the age of fourteen and the abduction of girls for immoral purpose under Sierra Leonean law.<sup>57</sup>

In 2005 the government of Liberia authorized the enactment of the TRC of Liberia through the TRC Act. The commission was in charge of investigating, identifying and determining responsibility for the domestic crimes and serious human rights violations committed between January 1979 and October 2003 in Liberia. The TRC Act consisted of six components. One of these six components was that special attention was to be paid to SGBV and special mechanisms were to be adopted to address the experiences of women, children and other vulnerable groups.<sup>58</sup> No national, hybrid or international court was given jurisdiction to prosecute crimes and human rights violations in Liberia.

In Côte d'Ivoire several national transitional justice mechanisms were created to investigate the crimes committed especially the ones during the post-election crisis, and to promote reconciliation. In 2011 the *Cellule Speciale d'Enquête* (CSE) was established. This commission was mandated to investigate the post-election violence. After two years the commission terminated its proceedings, even before any trial had been held. However in 2013 investigations were continued under the *Cellule Spéciale d'Enquête et d'Instruction* (CSEI), this time the commission was only in charge of investigating serious crimes and offences related to the post-election violence. One of the categories of these investigations was violent crimes which included sexual and gender-based crimes such as rape and assault.<sup>59</sup> Next to national criminal prosecution the government of Côte d'Ivoire also established a TRC in 2011, the *Commission Dialogue, Vérité et Réconciliation* (CVDR) that finished its work in 2014. This TRC was mandated to investigate human rights violations committed between 1990 and

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<sup>55</sup> TRC SL, 'Witness to truth', 23, 25.

<sup>56</sup> Hans Corell and Solomon Berewa, 'Agreement between the United Nations and the government of Sierra Leone on the establishment of a Special Court for Sierra Leone' (January 16 2002), <http://www.rscsl.org/Documents/scsl-agreement.pdf> (November 25 2016), 1.

<sup>57</sup> Secretary General of Sierra Leone, 'Report of the Secretary-General on the establishment of a Special Court for Sierra Leone. Annex: Statute of the Special Court for Sierra Leone' (October 4 2000), <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/661/77/PDF/N0066177.pdf?OpenElement> (November 25 2016), 21-22.

<sup>58</sup> Truth and Reconciliation Commission of Liberia (after this: TRC L), 'Volume 1. Preliminary findings and determinations' (December 19 2008) [http://trcofliberia.org/resources/reports/final/volume-one\\_layout-1.pdf](http://trcofliberia.org/resources/reports/final/volume-one_layout-1.pdf) (October 31 2016), 16,17.

<sup>59</sup> ICTJ, 'Disappointed hope. Judicial handling of post-election violence in Cote d'Ivoire' (April 2016), <https://www.ictj.org/publication/judicial-handling-post-election-violence-cote-divoire> (November 3 2016), 1, 10, 14, 127.

2011.<sup>60</sup> The government also enacted the *Commission Nationale pour la Reconciliation et Indemnisation des Victimes* (CONARIV) to implement a reparations programme.<sup>61</sup> In the following paragraph we will discuss international policy on creating acknowledgement in the case studies, starting with HRW.

### 1.1 Human Rights Watch

In all three of our case studies HRW has done research on sexual and gender-based crimes committed during civil war. With this research they bring recommendations and advocate for policy changes of important organisations such as the UN and the local governments in Sierra Leone, Liberia and Côte d'Ivoire. HRW has conducted extensive research on sexual and gender-based crimes during the Sierra Leonean war from 1991 to 2001. In the report *We'll kill you if you cry* from 2003 HRW gives an elaborate description of all the sexual crimes committed by different parties of the conflict.<sup>62</sup> Up until the release of the report, no national prosecutions for sexual crimes had taken place. HRW noted that this provided for a culture of impunity. Victims remained reluctant to seek justice which made them vulnerable to continued violence in the post-conflict situation. The organisation recognized the necessity of transitional justice mechanisms such as the TRC and the SCSL and hoped it would contribute to ending impunity for SGBV.<sup>63</sup> HRW therefore recommended that the international community should monitor all aspects of the SCSL and the TRC to ensure that sexual violence is adequately investigated and prosecuted. The international community should also provide protection and support for victims, during transitional justice processes as well as after.<sup>64</sup> Next to this, HRW calls for international funding of these institutions. The recommendations do not only focus on the TRC and the SCSL. HRW also advocates capacity building for local women's and human rights organisations to increase women's rights in Sierra Leone.<sup>65</sup>

Liberia has also been on HRW's radar. The organisation conducted research on crimes committed during the second Liberian civil war and concluded that all fighting factions had committed crimes against civilians including SGBV such as rape and abuse of women and girls. HRW believes that acknowledgement and justice for serious crimes in Liberia is essential for bringing justice to victims, punish perpetrators and build respect for the rule of Liberian and international law.<sup>66</sup> It recommended that the international community works together with the NTGL to fund the TRC and

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<sup>60</sup> Commission Dialogue, Vérité et Réconciliation (after this : CDVR), 'Rapport finale' (December 2014), [http://news.abidjan.net/documents/docs/fichier\\_01401.pdf](http://news.abidjan.net/documents/docs/fichier_01401.pdf) (November 29 2016), 114.

<sup>61</sup> ICTJ, 'Disappointed Hope', 1.

<sup>62</sup> HRW, 'We'll kill you if you cry'.

<sup>63</sup> Ibidem, 73.

<sup>64</sup> Ibidem, 7.

<sup>65</sup> Ibidem, 8.

<sup>66</sup> HRW, 'Letter to the Liberian Truth and Reconciliation Commission on prosecution for serious crimes' (June 16 2009), <https://www.hrw.org/news/2009/06/16/letter-liberian-truth-and-reconciliation-commission-prosecution-serious-crimes> (December 4 2016).

expressed its concerns that inadequate funding could compromise the functioning of the commission.<sup>67</sup> Most research and recommendations by HRW however focus on criminal prosecutions of war crimes in Liberia. In three elaborate reports on the crimes committed and the situation in Liberia HRW stresses the need for adequate prosecution of crimes. In 2002 it called upon the international community to put pressure on Liberia and surrounding countries to respect human rights and to punish war crimes.<sup>68</sup> In 2004 it suggested the UN should oppose any general amnesty for perpetrators of gross human rights violations.<sup>69</sup> The following year in another report HRW again asked the international community to help bring justice to victims in Liberia. This recommendation was made due to concerns about the willingness and foremost the ability of the national courts and government in Liberia to prosecute these crimes. Even though the organisation stresses that they highly support that crimes should be prosecuted within national borders, they also stress that when national justice systems are not capable, international involvement is necessary.<sup>70</sup> In this way HRW initially deviates from Nowrojee's and Walsh's view that international criminal courts are the preferred tool. Asserting that national courts should be given precedence. After the final report of the TRC was published, HRW stressed the need for the implementation of the recommendation of the TRC for the establishment of a hybrid court the Extraordinary Criminal Court for Liberia.<sup>71</sup>

Similar to the research HRW conducted in Sierra Leone, it did research on sexual violence in Côte d'Ivoire. Next to this report, three other reports with recommendations on the need for justice for crimes committed during the Ivorian civil war and the post-election crisis were published.<sup>72</sup> HRW acknowledges the importance of the CDVR for the prevention of future abuses and as a platform for victims to share their stories and be heard.<sup>73</sup> It recommends that the United Nations Mission in Côte d'Ivoire provides financial and technical assistance to the CONARIV and calls for the recommendations of the CDVR on justice and accountability to be discussed by the National Assembly.<sup>74</sup> Comparable to its view on justice in Sierra Leone and Liberia, HRW called for important steps to be taken to tackle impunity. More specific recommendations against impunity for sexual crimes included: the acknowledgement of the government of Côte d'Ivoire of the sexual abuses

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<sup>67</sup> HRW, 'Liberia at a crossroads. Human rights challenges for the new government' (September 30 2005), <https://www.hrw.org/report/2005/09/30/liberia-crossroads/human-rights-challenges-new-government> (November 10 2016), 16, 17.

<sup>68</sup> HRW, 'Back to the Brink. War crimes by Liberian government and rebels' (May 1 2002), <https://www.hrw.org/report/2002/05/01/back-brink/war-crimes-liberian-government-and-rebels> (November 1 2016), 15.

<sup>69</sup> HRW, 'The guns are in the bushes. Continuing abuses in Liberia' (January 21 2004), <https://www.hrw.org/report/2004/01/21/guns-are-bushes/continuing-abuses-liberia> (October 31 2016), 22, 23.

<sup>70</sup> HRW, 'Liberia at a crossroads', 18-19.

<sup>71</sup> HRW, 'Justice for Liberia. The Truth and Reconciliation Commission's recommendation for an internationalized domestic war crimes court' (December 10 2009), <https://www.hrw.org/news/2009/12/10/justice-liberia> (December 4 2016).

<sup>72</sup> HRW, 'My heart is cut'; HRW, 'They Killed Them Like It Was Nothing. The Need for Justice for Côte d'Ivoire's Post-Election Crimes' (October 5 2011), <https://www.hrw.org/report/2011/10/05/they-killed-them-it-was-nothing/need-justice-cote-divoires-post-election-crimes> (October 10 2016); HRW, 'To Consolidate this peace of ours'; HRW, 'Justice re-establishes balance. Delivering credible accountability for serious abuses in Côte d'Ivoire' (March 22 2016), <https://www.hrw.org/report/2016/03/22/justice-reestablishes-balance/delivering-credible-accountability-serious-abuses> (November 23 2016).

<sup>73</sup> HRW, 'To consolidate this peace of ours', 56.

<sup>74</sup> Ibidem, 17, 60.



committed by government forces, and investigation of such violence and prosecution of perpetrators.<sup>75</sup> Next to prosecution of SGBV committed during conflict, HRW also calls for a general improvement of judiciary response on such crimes. Most recommendations are directed at the national judicial level in Côte d'Ivoire; the only recommendation at the international level is that the International Criminal Court should be given jurisdiction to conduct a mission to the country to investigate serious crimes committed, including sexual violence committed by all factions involved in the conflict.<sup>76</sup>

## 1.2 International Center for Transitional Justice

The ICTJ has been significantly involved in the transitional justice processes in Sierra Leone, Liberia and Côte d'Ivoire by supplying counselling, trainings, funds and conducting research. It started working on transitional justice in Sierra Leone in 2001 where it trained staff from the TRC on public hearings and community-based reconciliation.<sup>77</sup> The ICTJ also provided consultants to the commission and helped fund and set up an outreach project called *National Vision for Sierra Leone*.<sup>78</sup> While the TRC and the SCSL operated at the same time the ICTJ advised both institutions on their relationship and connected them with other TRCs around the world. It also contributed to connecting the SCSL to the national justice system reform by establishing a court monitoring project. As an important information hub on transitional justice, it supplied the SCSL with policy advice on different aspects of the court.<sup>79</sup>

In 2004 the ICTJ began its involvement in Liberia working both with local communities, the government and transitional justice initiatives. It has conducted extensive work on the TRC between 2006 and 2009. The ICTJ helped clarify the responsibilities of the TRC and, comparable to their work in Sierra Leone, trained TRC staff and held public hearings. It also contributed to the exchange of knowledge between the TRC of Liberia and other TRCs such as the one in Sierra Leone. In 2006 the ICTJ became a member of the gender committee of the TRC. This committee was responsible for advising the TRC on the participation of women in the process and to guarantee that women's needs were adequately addressed by the TRC.<sup>80</sup> The ICTJ conducted research on the recommendations of the TRC and made additional ones. Among these were recommendations that emphasized the importance of including women and children in the transitional justice process and community-based reconciliation.<sup>81</sup> In a report on disarmament, demobilisation and reintegration (DDR) and transitional

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<sup>75</sup> HRW, 'My heart is cut', 8.

<sup>76</sup> Ibidem, 8.

<sup>77</sup> ICTJ, 'Sierra Leone' (n.d.), <https://www.ictj.org/our-work/regions-and-countries/sierra-leone>, (November 20 2016).

<sup>78</sup> TRC SL, 'Witness to truth', 3.

<sup>79</sup> ICTJ, 'Sierra Leone'.

<sup>80</sup> TRC L, 'Women and the Conflict' (December 19 2008), [http://trcofliberia.org/resources/reports/final/volume-three-1\\_layout-1.pdf](http://trcofliberia.org/resources/reports/final/volume-three-1_layout-1.pdf) (October 10 2016), VII, 12.

<sup>81</sup> ICTJ, 'Liberia'; Paul James-Allen, Aaron Weah, and Lizzie Goodfriend, 'Beyond the Truth and Reconciliation Commission. Transitional justice options in Liberia' (April 25 2011), <https://www.ictj.org/publication/beyond-truth-and-reconciliation-commission-transitional-justice-options-liberia> (November 7 2016).

justice in Liberia, the ICTJ takes the position that not having the DDR process and TRC operate simultaneously contributed to sustainable peace in the country. Many Liberians feared that prosecution would increase instability. This was avoided by first focussing on creating stability in the country through the DDR process, and then secondly focus on starting transitional justice processes. After the TRC was put into operation, Liberians no longer feared prosecutions would cause instability and criminal justice was back up for discussion.<sup>82</sup> However, up to this day, no national prosecutions have taken place and no international or hybrid courts have been established in Liberia. The ICTJ advises that the international community should support the strengthening of the criminal justice system to enable it to address human rights abuses.<sup>83</sup>

The emphasis that the ICTJ put in its TRC follow-up recommendations on community-based reconciliation, also concerns addressing crimes. The ICTJ states that especially for the involvement of women, community-based processes to mediate lesser violence could play an important role.<sup>84</sup> According to the ICTJ local opportunities for alternative truth-telling and community reconciliation should be created, taking into account that these initiatives should lead to long-term development in the communities.<sup>85</sup> On this subject it agrees with Coulter and Pankhurst. The ICTJ acknowledges the benefit of the Palava Hut process and encourages the establishment of other alternative truth-telling initiatives.<sup>86</sup> The TRC recommended the establishment of the Palava Hut after victims and community leaders expressed the feeling that ex-combatants seemed to be rewarded through the reintegration programmes rather than punished for their crimes. The Palava hut process is a forum for building accountability at the grassroots that uses local and traditional judicial mechanisms. It is intended to resolve the ongoing discontent regarding justice.<sup>87</sup>

The ICTJ started working together with Ivorian transitional justice mechanisms in 2012 a few years later than in Sierra Leone and Liberia. It has provided capacity building and technical assistance to the CDVR in various stages of the commission's work. It has helped to map investigations, taking statements and writing reports. Similar as in Sierra Leone and Liberia the ICTJ has been involved in public hearings and has trained and supported TRC staff. The ICTJ paid special attention to SGBV by providing assistance to the CDVR's gender sub-commission. The ICTJ assisted the implementation of gender-sensitive approaches for hearings and report writing. The ICTJ also worked together with civil society groups such as women's rights groups and child protection agencies to increase women's and children's capacity to participate in the TRC process.<sup>88</sup> Though it has been

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<sup>82</sup> Thomas Jaye, 'Transitional justice and DDR. The case of Liberia' (June 1 2009), <https://www.ictj.org/publication/transitional-justice-and-ddr-case-liberia-case-study> (November 7 2016), 32, 33.

<sup>83</sup> Campbell-Nelson, 'Liberia is not just a man thing', 4.

<sup>84</sup> Ibidem, 22.

<sup>85</sup> James-Allen, Weah, and Goodfriend, 'Beyond the truth', 23-26.

<sup>86</sup> Ibidem, 23.

<sup>87</sup> TRC L, 'Volume 2. Consolidated final report' (June 30 2009), [http://trcofliberia.org/resources/reports/final/volume-two\\_layout-1.pdf](http://trcofliberia.org/resources/reports/final/volume-two_layout-1.pdf) (November 10 2016), 339, 364.

<sup>88</sup> ICTJ, 'Côte d'Ivoire' (n.d.), <https://www.ictj.org/our-work/regions-and-countries/c%C3%B4te-divoire> (November 29 2016).

involved in many aspects of the commission, the ICTJ states that the truth-seeking process faced many conditions that were not ideal for an inclusive examination of the past and faced many challenges in fulfilling its mandate.<sup>89</sup> Next to the truth-seeking process the ICTJ also contributed to the criminal justice process by providing training and technical assistance to the CSE.<sup>90</sup> This October 27<sup>th</sup> the ICTJ hosted the Abidjan Conference on Transitional Justice to ensure the government and international actors pursue a victim centred approach to justice. This conference was organised together with the UN and discussed the challenges that still remained for transitional justice in Côte d'Ivoire. One of the ICTJ's main arguments here was that the government should closely cooperate with civil society groups to ensure this victim-centred approach.<sup>91</sup> This year the ICTJ also published a report on the judicial handling of the post-election violence in Côte d'Ivoire. The organisation reviewed the workings of the CSEI and concluded that though the government has taken steps to combat impunity, it still has not been able to provide justice for the victims. The ICTJ therefore makes some important recommendations that focus on improving the functioning of the CSEI and therefore on the national judicial process. It does recommend the international community to support this process by providing training to Ivorian judges and attorneys on international law and especially by strengthening their capabilities in the handling cases of sexual and gender-based crimes.<sup>92</sup>

### 1.3 United Nations

The UN has been present in all three case studies in many different ways and forms. In Sierra Leone the UN Special Representative of the Secretary General in Sierra Leone (Secretary General) and the *UN High Commission for Human Rights* were involved in the general composition of the TRC by appointing candidates for the position of chairman and deputy-chairman of the TRC.<sup>93</sup> The *UN Development Programme* (UNDP) and the *UN Mission in Sierra Leone* (UNAMSIL) also provided administrative and logistical support to the commission.<sup>94</sup> Next to this, some specific assistance was provided by UNICEF and UNIFEM. UNICEF worked together with the commission on truth-seeking for children and UNIFEM assisted and advised the commission on addressing the role of women in the conflict.<sup>95</sup> Another important contribution made by UNIFEM to the TRC concerns the participation of women. UNIFEM mobilized local women's groups to participate in activities from the TRC. Especially to the SCSL assistance was provided by the UN. The court was established by an

<sup>89</sup> Virginie Ladisch and Joanna Rice, 'Cote d'Ivoire youth find voice through storytelling' (October 27 2016), <https://www.ictj.org/news/cote-divoire-youth-political-voice-stories-war> (November 29 2016).

<sup>90</sup> ICTJ, 'Côte d'Ivoire'.

<sup>91</sup> Mohamed Suma, 'Beyond the UN. The pursuit of justice must continue in Côte d'Ivoire' (October 20 2016), <https://www.ictj.org/news/beyond-un-justice-cote-divoire-victims> (November 29 2016).

<sup>92</sup> ICTJ, 'Disappointed hope', 35, 37.

<sup>93</sup> Solomon E. Berewa, 'The truth and reconciliation commission act 2000' (February 2000), <http://www.sierra-leone.org/Laws/2000-4.pdf> (November 23 2011), 2.

<sup>94</sup> TRC SL, 'Witness to truth', 3.

<sup>95</sup> Ibidem.

agreement between the government of Sierra Leone and the UN in 2002.<sup>96</sup> The Secretary General was partly responsible for the appointment of staff of the SCSL such as three of the judges, a prosecutor and a registrar. Next to this the UN also had financial obligations towards the court.<sup>97</sup> Interesting is that the registrar was authorized to set up a special *Victim and Witness Unit*, which provided security and trauma counselling for victims and witnesses.<sup>98</sup> Complying with one of Walsh's requirements for criminal courts when dealing with SGBV. The UN also had one important influence on the mandate of the SCSL regarding the prosecution of children. The government and civil society of Sierra Leone had voiced the wish for the court to address crimes committed by child soldiers. International non-governmental organisations working on childcare however were against holding children accountable. The Secretary General therefore included special provisions in the court's statute that were to ensure child rehabilitation programmes would not be compromised and alternative truth and reconciliation mechanisms should be addressed. The Secretary General also included that the Office of the Prosecutor should include staff with experience in gender-based crimes and juvenile justice.<sup>99</sup>

In Liberia the UN was involved in the truth and reconciliation process through the *International Technical Advisory Committee*. The United Nations High Commissioner for Human Rights chose one of the members of the committee that was to attend all meetings and forums of the commission and give legal and technical advice.<sup>100</sup> In 2006 different UN divisions became involved in the TRC by funding and becoming a member of the gender committee of the TRC just like the ICTJ. The committee included members of UNDP, the gender section of UNMIL and UNIFEM.<sup>101</sup> October 14<sup>th</sup> this year UNMIL and the *Office of the High Commissioner for Human Rights* (OHCHR) released a report on rape and impunity for its perpetrators in Liberia. The report states that the high incidence of these crimes in Liberia is in part a consequence of the civil war where many women and girls were raped but no criminal accountability for these crimes has taken place.<sup>102</sup> Therefore UNMIL and OHCHR recommended that steps will be taken in Liberia to address SGBV and that the government should seek help from the UN to accomplish this.<sup>103</sup> UNMIL includes a *Human Rights and Protection*

<sup>96</sup> Secretary General of Sierra Leone, 'Report on Special Court', 21.

<sup>97</sup> Corell and Berewa, 'Agreement on the establishment of a Special Court for Sierra Leone', 1-3; HRW, 'Bringing Justice: The Special Court for Sierra Leone. Accomplishments, shortcomings, and needed support' (September 8 2004), <https://www.hrw.org/report/2004/09/08/bringing-justice-special-court-sierra-leone/accomplishments-shortcomings-and> (December 4 2016), 41, 42.

<sup>98</sup> Secretary General of Sierra Leone, 'Report on Special Court', 26.

<sup>99</sup> Ibidem, 7,8.

<sup>100</sup> TRC L, 'Mandate of the TRC of Liberia' (May 12 2005), <http://trcofliberia.org/about/trc-mandate> (October 10 2016).

<sup>101</sup> TRC L, 'Women and the Conflict' (December 19 2008), [http://trcofliberia.org/resources/reports/final/volume-three-1\\_layout-1.pdf](http://trcofliberia.org/resources/reports/final/volume-three-1_layout-1.pdf) (October 10 2016), VII, 12.

<sup>102</sup> United Nations Human Rights, Office of the High Commissioner (After this: OHCHR), 'UN report urges Liberia to act on rape' (October 14 2016), <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20680&LangID=E> (October 31 2016).

<sup>103</sup> OHCHR, Human Rights and Protection Service of the United Nations Mission in Liberia, 'Addressing impunity for rape in Liberia' (October 2016), [http://www.ohchr.org/Documents/Countries/LR/SGBV\\_ReportLiberia\\_October2016.docx#sthash.yfKGuGd6.dpuf](http://www.ohchr.org/Documents/Countries/LR/SGBV_ReportLiberia_October2016.docx#sthash.yfKGuGd6.dpuf) (November 25 2016), 4,5.

*Service* that is mandated to monitor and protect human rights in Liberia and includes a special attention to crimes committed against women and children.<sup>104</sup>

In Côte d'Ivoire the UN functions as a financial and technical partner to the CDVR, through UNDP.<sup>105</sup> The final report of the CDVR states that the commission also conducted a literature study on human rights reports of the UN and incorporated these into their findings.<sup>106</sup> In this way the UN indirectly contributed to the CDVR. Similar to their involvement in the truth-seeking process in Sierra Leone, UNICEF trained staff of the CDVR and developed appropriate methods for children's statement-taking.<sup>107</sup> Next to truth-seeking the UN and its different divisions also worked on criminal justice for victims. One of the mandates of the *UN Operation in Côte d'Ivoire* (UNOCI) was assistance in the field of human rights. This meant that the mission was to 'contribute to the promotion and protection of human rights in Côte d'Ivoire with special attention to violence committed against women and girls, and to help investigate human rights violations with a view to help ending impunity.'<sup>108</sup> The Human Rights Division of UNOCI has contributed to accountability in different ways. It documented human rights violations and provided assistance to national government bodies.<sup>109</sup> Initially UNOCI also included a rule of law section that would help the government with the strengthening of the national judicial system. It provided technical and financial assistance and included an emphasis on the improvement of the treatment of children and women victims.<sup>110</sup> This division however was closed at the end of 2014.<sup>111</sup> A recent report released by the UN on rape in Côte d'Ivoire states that although some progress has been made in the judicial response to sexual crimes, it still remains insufficient. Though most cases now seem to be investigated, only 20 percent of them result in conviction.<sup>112</sup> The Special Representative of the Secretary General in Côte d'Ivoire also stressed during a Security Council meeting on the situation in the country in January 2016, that the government should step up to ensure the CSEI effectively continues and finishes its work.<sup>113</sup> Though no direct involvement in the CSE or the CSEI by the UN has taken place, it did contribute in other ways in creating accountability and acknowledgement.

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<sup>104</sup> UN Security Council, 'Security Council resolution 2239' (September 17 2015), [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2239\(2015\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2239(2015)) (November 25 2016), 5.

<sup>105</sup> CDVR, 'Rapport finale', 34.

<sup>106</sup> Ibidem, 58.

<sup>107</sup> UNICEF, 'UNICEF Annual Report 2014 Cote d'Ivoire' (2014), [https://www.unicef.org/about/annualreport/files/Cote\\_dIvoire\\_Annual\\_Report\\_2014.pdf](https://www.unicef.org/about/annualreport/files/Cote_dIvoire_Annual_Report_2014.pdf) (November 23 2016), 43, 44.

<sup>108</sup> UN Security Council, 'Security Council resolution 1528' (February 27 2004), [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1528%20\(2004\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1528%20(2004)) (November 10 2016), 4.

<sup>109</sup> OHCHR, 'OHCHR in Côte d'Ivoire (2010-2011)' (n.d.), <http://www.ohchr.org/EN/Countries/AfricaRegion/Pages/CI2010-2011.aspx> (November 29 2016).

<sup>110</sup> ONUCI, 'Rule of law section' (n.d.), [http://www.onuci.org/ren.php?id\\_rubrique=162](http://www.onuci.org/ren.php?id_rubrique=162) (November 29 2016).

<sup>111</sup> ICTJ, 'Disappointed Hope', 30.

<sup>112</sup> OHCHR, 'Côte d'Ivoire. UN report calls for fight against rape to be strengthened' (July 11 2016), <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20258&LangID=E#sthash.tokG4zbZ.dpuf> (November 29 2016).

<sup>113</sup> UN News Centre, 'Côte d'Ivoire. L'ONU estime qu'il faut accélérer les efforts de réconciliation nationale' (January 13 2016), <http://www.un.org/apps/newsFr/storyF.asp?NewsID=36420#.WD2purLhDIU> (November 29 2016).

#### 1.4 Concluding remarks

All three organisations have endeavoured to create acknowledgement for SGBV-victims through truth-seeking processes and/or criminal justice processes. HRW's main emphasis concerning acknowledgement of SGBV in each country was criminal justice. This focus on accountability for crimes can be explained by the core value of the organisation: 'defending human rights'.<sup>114</sup> To accomplish this HRW is 'guided by international human rights and humanitarian law'<sup>115</sup>, which explains why they focus on judicial aspects in their recommendations. Why HRW prefers national judicial handling of crimes is less obvious. This might be because the organisation wants to improve human rights worldwide and recognizes that a long term approach is needed.<sup>116</sup> Reforming national judicial systems to make them able to try perpetrators of SGBV could contribute to the improvement of respect for human rights in the country.

To create acknowledgement for victims of SGBV the ICTJ has worked both on truth-seeking and criminal justice. Regarding criminal justice in Sierra Leone, it provided assistance to the hybrid court. In the ICTJ's work in Liberia and Côte d'Ivoire however, we can see a shift towards the strengthening of national judicial systems instead of international prosecutions. In Liberia the ICTJ encouraged the international community to help build national capacity to try criminals. It also encourages local dispute resolution initiatives in Liberia, such as the Palava Hut, to mediate lesser violence. According to the ICTJ this could especially be of great benefit for women. Interesting in this respect is that Liberia is the only country that has not made any initiative to try perpetrators of SGBV or any other crimes committed during the civil war, which could explain the exploration of other ways to create accountability. In Côte d'Ivoire the ICTJ's focus has been on strengthening the CSE by providing training to Ivorian staff on international law and handling sexual and gender-based crimes.

Regarding truth-seeking the ICTJ worked with TRC's in all three countries. The organisation trained staff of the TRCs on public hearings and on how to deal with SGBV. In Liberia and in Côte d'Ivoire the ICTJ was a member of special gender sub-committees of the TRCs that were there to ensure a gender-sensitive approach was taken, and that women were stimulated to participate in the truth-seeking process. Participation of women and children in the CDVR was also stimulated by the ICTJ by their collaboration with civil society.

The UN has been most extensively involved in transitional justice initiatives in Sierra Leone. Especially the SCSL has been influenced by the UN. This was due to the fact that the court was created partly upon request of the UN and therefore a collaboration between the organisation and the government of Sierra Leone. Relevant arrangements made by the UN for victims of SGBV and abductions were: The *Victim and Witness Unit*, ensuring that the court was staffed with SGBV

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<sup>114</sup> HRW, 'About'.

<sup>115</sup> Ibidem.

<sup>116</sup> Ibidem.

specialists and restrict the court's ability to try child soldiers. The UN has not made similar efforts for the establishment of a court in Liberia even though it does express the necessity of addressing crimes in Liberia. An important difference between the countries that could provide an explanation is that the government of Liberia does not seem to be as willing as the government of Sierra Leone to enter into such a cooperation, or even address the crimes nationally. This makes it difficult for the UN or any other international actor to end impunity in Liberia. In Côte d'Ivoire the government did show willingness to create accountability through national criminal justice. The UN therefore worked on the strengthening of the national system and paid attention to improving the treatment of children and women. This will have a positive effect on the participation of these victims.

In Sierra Leone the UN was responsible for the appointment of staff of the TRC. UNICEF and UNIFEM also attributed to the TRC by assisting in addressing the role of women and children in the conflict. The UN was more comprehensively involved in truth-seeking in Sierra Leone than in Liberia and Côte d'Ivoire. In the latter it mainly provided financial and advisory assistance. In Liberia, however, it did provide members for the gender-committee of the TRC. In this way it did contribute to improving the participation of women in the process which, according experts in the field, is important for the creation of acknowledgement for victims.

For acknowledgement to have impact on the lives of the victims, communities should have knowledge of findings and conclusions. Outreach is therefore an important element for the diminishing of stigma and will be the topic of the next chapter.

## 2. Community awareness.

As discussed in the previous chapter, acknowledgement can be created through truth-seeking initiatives and the prosecution of SGBV. For this to have an effect on the communities that problematize the social reintegration of women, it needs to be communicated towards the local population. According to Walsh, transitional justice institutions need to conduct outreach to improve the participation of women in the process.<sup>117</sup> Coulter agrees with Walsh and explains that a lack of outreach can prevent women from participating due to shame, but also because rumours might make them afraid of the institutions.<sup>118</sup> Therefore outreach essential. By participating in transitional justice processes, victims will be acknowledged and reparations can be provided. The table below gives an overview of statements given to the TRC by women in the three case studies.

	Sierra Leone	Liberia	Côte d'Ivoire
Total number of statements	7.706	17.416	72.483
Number of statements by women	2.728 (35,5%)	8.218 (47,2%)	28.024 (38,7%)

Table 1. *Female statements received by TRCs in Sierra Leone, Liberia and Côte d'Ivoire.*<sup>119</sup>

We can see that Sierra Leone collected the least statements in total but also the least statements by women. When we look at the percentages, the TRC of Liberia has accomplished to collect the highest amount of statements by women, almost half of the total amount of statements. The CDVR has received the most statements in total and also the most statements by women. In terms of percentage, however, almost twice as many statements were given by men.

According to McKay's research on the social reintegration of girls, communities play key roles in social and cultural reconstruction.<sup>120</sup> A focus on communities is therefore of great importance. Awareness of SGBV and the consequences it has should be created amongst communities to stimulate them to stop rejecting victims. This public awareness can be created by engaging with communities through civil society organisations such as women's groups and local representatives but also by promoting attitudinal change through the media.<sup>121</sup> Outreach on findings of the TRC can also create

<sup>117</sup> Walsh, 'Gendering international justice', 47, 48.

<sup>118</sup> Coulter, *Bush wives*, 170, 171.

<sup>119</sup> Richard Conibere et al., 'Statistical Appendix to the Report of the Truth and Reconciliation Commission of Sierra Leone' (October 5 2004), [http://www.sierraleonetr.com/images/docs/statistical\\_report.pdf](http://www.sierraleonetr.com/images/docs/statistical_report.pdf) (21 December 2016), 3, 9; Kristen Cibelli, Amelia Hoover and Jule Krüger, 'Descriptive Statistics from Statements to the Liberian Truth and Reconciliation Commission' (June 2009), <http://trcofliberia.org/resources/reports/final/descriptive-statistics-from-statements-to-the-liberian-trc-benetech.pdf> (December 21 2016), 4, 24; CDVR, 'Rapport finale', 69.

<sup>120</sup> McKay, 'Reconstructing fragile lives', 19; Ladisch, 'From rejection to redress', 35.

<sup>121</sup> McKay, 'Reconstructing fragile lives', 28.



awareness of SGBV. In this chapter we will discuss the way the international community has been involved in outreach initiatives to improve the participation of SGBV-victims. Policy considerations on community sensitisation will also be reviewed.

## 2.1 Human rights watch

In the previous chapter we saw that HRW advocated acknowledgment for victims of SGBV through criminal prosecutions. But in what way has the organisation addressed outreach and community sensitisation? In HRW's 2003 report on sexual violence in Sierra Leone, one important recommendation was to: 'Promote awareness of gender-based crimes through the media umbrella organisations, NGOs and mobile community outreach teams as well as the creation of information and resource centres'<sup>122</sup> and was directed at the TRC. In this way HRW focusses community sensitisation through outreach of the TRC. Other specific actions for the benefit of outreach were not made in any of the reports on the situation in Sierra Leone.

Outreach in Liberia, however, was discussed more elaborately. In a webpage article HRW evaluates the recommendations the final report of the TRC made for a criminal tribunal. HRW supports this idea and the recommendations but does make some side notes. In the area of outreach HRW supports and emphasizes the ideas of the TRC. It states that educating local population on the TRC, the criminal trials and the way these processes work is important for the relevance of their work and for preventing frustration due to a lack of understanding. The organisation shares Coulter's view that a lack of outreach can create negative and inaccurate perceptions on TRCs and courts. It states that previous experiences of the tribunals in Rwanda and former Yugoslavia have taught us that. Therefore an effective campaign should be empowered and lessons from the outreach programmes of the transitional justice mechanisms in Sierra Leone should be drawn. Effective outreach by the TRC of Sierra Leone was created through radio, video and public discussions and similar outreach should be implemented by the TRC of Liberia.<sup>123</sup> Other outreach initiatives should include special materials to explain the complex structure and functioning of the tribunal, the basing of staff in the countryside so they can disseminate information locally and to conduct workshops for legal staff to strengthen the understanding of fair trials and international standards.<sup>124</sup>

HRW was less positive about the outreach initiatives of the TRC in Côte d'Ivoire. It states that the CDVR planned to disseminate the public hearings in the media and broadcast them on television. However HRW found that none of these plans were executed, leading to an increased secrecy surrounding these hearings.<sup>125</sup> Another failure of the CDVR was the inability of the commission to

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<sup>122</sup> HRW, 'We'll kill you if you cry', 8.

<sup>123</sup> HRW, 'Justice for Liberia'; HRW, 'Letter to the Liberian Truth and Reconciliation Commission'.

<sup>124</sup> HRW, 'Justice for Liberia'.

<sup>125</sup> HRW, 'To consolidate this peace of ours', 59.

make their report public.<sup>126</sup> Only this October the 26<sup>th</sup> after the research for this paper had already started and over two years after the official delivering of the final report by the commission, the report was finally released to the public.<sup>127</sup> HRW stated that by not giving people the ability to discuss the CDVR's findings it undermines the commission's goal of examining and addressing the root causes of the violence, and it advocated for the release of the report.<sup>128</sup> After the government received the final report of the commission, but without releasing it to the public, they set up CONARIV to oversee reparations for victims.<sup>129</sup> With regard to this institution HRW recommends that funds should be provided, including donations made by the international community, to support outreach to victims.<sup>130</sup> HRW also makes a more general recommendation for outreach to improve the situation of victims of SGBV and that is to:

‘launch a nationwide public awareness campaign on sexual and domestic violence against women to highlight the extent of the problem, consequences for survivors and strategies to reduce exploitation, and judicial consequences for perpetrators of exploitation and abuse’.<sup>131</sup>

This could improve negative attitudes towards victims and women's rights.<sup>132</sup>

## 2.2 International Center for Transitional Justice

The ICTJ conducts research but also establishes programs and other activities to create outreach and raise community awareness. In Sierra Leone the centre provided TRC staff with training on community-based reconciliation. They also engaged with victims groups and other civil society members to discuss which, and in what way reparations should be implemented. They also engaged in more specific and direct outreach initiatives with the media in Sierra Leone. They trained journalists on the way they should report on transitional justice and also established the *National Vision For Sierra Leone*. This was an outreach project together with the TRC in which victims could express their hopes for the future through art.<sup>133</sup> Another initiative the ICTJ undertook was the creation of a

<sup>126</sup> HRW, ‘To consolidate this peace of ours’, 60.

<sup>127</sup> Abidjan News, ‘Côte d’Ivoire: le rapport de la CDVR disponible pour le grand public’ (October 25 2016), <http://news.abidjan.net/h/602871.html> (December 4 2016).

<sup>128</sup> HRW, ‘To consolidate this peace of ours’, 58.

<sup>129</sup> Ibidem, 10.

<sup>130</sup> Ibidem, 17, 63.

<sup>131</sup> HRW, ‘My heart is cut’, 9.

<sup>132</sup> Ibidem.

<sup>133</sup> ICTJ, ‘Sierra Leone’;

‘Towards the end of its mandate, the Commission launched a National Vision Campaign calling for contributions from the people of Sierra Leone on their ideas and inspirations on the future of their country. The campaign was advertised in print and electronic media. (...)An exhibition of the contributions was formally launched at the National Stadium in December 2003. Subsequently, the exhibition was put on display in Freetown at the National Museum. The exhibit was viewed by hundreds of Sierra Leoneans, including President Kabbah and a number of government Ministers.’ TRC SL, ‘Witness to truth’, 163.

handbook for the TRC and SCSL. This was a simplified explanation of the functioning of the institutions to increase the understanding and participation of the non-professional population in the mechanisms.<sup>134</sup> The ICTJ also released a podcast discussing the lessons on outreach we could learn from the Special Court for Sierra Leone. The main argument that was made was that one of the most important things that contributed to the effectivity of outreach was that the court itself was based in Sierra Leone. This provided for easy access to archives, information and engagement with civil society and local NGOs.<sup>135</sup> Had the court been located in a different country, outreach would have been more difficult.

The work the ICTJ has done in Liberia includes both research on transitional justice as well as practical input and assistance. The ICTJ developed multiple activities to raise awareness of the recommendations of the TRC in local communities and organised seminars with victim groups.<sup>136</sup> The organisation's research on transitional justice in Liberia has included many recommendations on outreach. It stresses the need for 'far-reaching and comprehensive public information programmes to encourage the participation of internally displaced persons, including clarity on the value of participation in such processes.'<sup>137</sup> Many people have been displaced during the war, this is also true for many women and children who were forced from their homes or abducted by rebels. According to the ICTJ outreach initiatives should be conducted to reach this group of people. The ICTJ payed special attention to vulnerable victim groups such as children and women. A case study on the role of women in transitional justice mechanisms in Liberia by the ICTJ called upon the need to assist the TRC in developing community-based schemes for women's protection and community-based reconciliation.<sup>138</sup> Through research on a child sensitive approach to transitional justice, the ICTJ concluded that outreach requires a special approach for children. It suggests that transitional justice mechanisms should invest in creating different kinds of outreach materials that are accessible to diverse target audiences such as a younger generation. In this regard one can think of a child-friendly version of the report or an illustrated one. Information should however not be restricted to written or report form. The ICTJ also acknowledges that information can be communicated through art, theatre or film and can be brought through different media channels such as radio, television or schools.<sup>139</sup> Regarding transitional justice in Liberia the ICTJ found that outreach had not reached its full potential.

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<sup>134</sup> Paul James Allen, Sheku B.S. Lahai & Jamie O'Connell, 'Sierra Leone's truth and reconciliation commission and special court. A citizen's handbook' (March 1 2003), <https://www.ictj.org/publication/sierra-leones-truth-reconciliation-commission-and-special-court-citizens-handbook> (November 30 2016), III.

<sup>135</sup> ICTJ, 'A court for victims. Podcast on the Special Court for Sierra' (January 18 2012), <https://www.ictj.org/news/court-victims-podcast-special-court-sierra-leone> (November 30 2016).

<sup>136</sup> ICTJ, 'Liberia'.

<sup>137</sup> Awa Dabo, 'In the presence of absence. Truth-telling and displacement in Liberia' (July 2012), <https://www.ictj.org/sites/default/files/ICTJ-Brookings-Displacement-Truth-Telling-Liberia-CaseStudy-2012-English.pdf> (October 30 2016), 14.

<sup>138</sup> Campbell-Nelson, 'Liberia is not just a man thing', 4.

<sup>139</sup> ICTJ, 'Through a new lens. A child-sensitive approach to transitional justice' (August 2011), <https://www.ictj.org/publication/through-new-lens-child-sensitive-approach-transitional-justice> (November 15 2016), 36, 37.

Most Liberians including people that had been involved in the truth finding process had not gained access to the final report of the TRC. This was due to a low availability of printed copies and lack of internet access. This meant that even government officials and people from other institutions that are responsible for policies concerning the fate of victims of SGBV, had not read the report.<sup>140</sup>

The ICTJ is involved in outreach initiatives in Côte d'Ivoire in multiple ways. It engages with women's rights groups to enhance their capacity to participate in the truth and reconciliation processes. It works with media to train them on transitional justice issues and how they should report on them. And they put particular effort into engaging with youth and children and creating outreach towards them.<sup>141</sup> In collaboration with UNICEF the ICTJ started a project in 2013 for youth to engage in truth-seeking. The project would create opportunities for truth seeking for this group and open new communication channels between them and authorities. The project started with dialogues between local youth group leaders and it then went on by providing funds for the groups to organize their own truth-telling events. A large brainstorm session led to the idea of creating a radio report about the conflict and the influence it had on children and youth. After a year of working together on this programme, the youth leaders decided to continue it by creating their own association: the Réseau Action Justice et Paix (RAJP). The organisation went on collaborating with the ICTJ on children's consultations and making recommendations for the CONARIV, some of which made it to the final report.<sup>142</sup> What started off as a UNICEF-ICTJ collaboration project to reach out to the youth that was severely affected by the war, grew into a new association that connected local youth to the truth-seeking process in Côte d'Ivoire. Regarding outreach on criminal prosecutions the ICTJ recommended the following: An outreach campaign should be designed to inform the public on the workings of the CSEI. It should reach beyond the capital city and should make its decisions easily accessible to victims.<sup>143</sup>

### 2.3 United Nations

Different departments of the UN participated in outreach initiatives to communicate transitional justice issues. In Sierra Leone one of the mandates of UNAMSIL was to promote peace and national reconciliation.<sup>144</sup> The Secretary General called upon UNAMSIL, the government and NGOs to undertake a public information campaign on the SCSL. The campaign should include the message that although they may have committed crimes, children are first and foremost victims.<sup>145</sup> The mission was

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<sup>140</sup> ICTJ, 'Through a new lens', 36, 37.

<sup>141</sup> ICTJ, 'Côte d'Ivoire'.

<sup>142</sup> ICTJ, 'Côte d'Ivoire youth find voice through storytelling'.

<sup>143</sup> ICTJ, 'Disappointed hope', 35.

<sup>144</sup> UN Security Council, 'Security council resolution 1270' (October 22 1999), <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/315/02/PDF/N9931502.pdf?OpenElement> (November 30 2016), 4.

<sup>145</sup> Secretary General of Sierra Leone, 'Establishment of a Special Court for Sierra Leone', (October 4 2000), <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/661/77/PDF/N0066177.pdf?OpenElement> (November 25 2016), 2.

involved in different ways to promote the work and outcome of the truth-seeking process and the SCSL. They conducted sensitisation activities together with local and international non-governmental organisations.<sup>146</sup> They were also actively involved in the outreach programme of the TRC by having a representative from the human rights section of UNAMSIL take place in the steering committee of the TRC, that would oversee effective sensitisation and public information. Unfortunately, due to management problems this committee could initially not implement its original plans. After being revitalised in 2002 however it managed to conduct multiple sensitisation campaigns such as radio broadcasts, publication of literature, training of chiefs and the organisation of public meetings throughout the districts. Radio UNAMSIL broadcasted an hour long programme on the TRC throughout the duration of the commission's work.<sup>147</sup> Next to broadcasting on the TRC, Radio UNAMSIL also reported on the decisions of the SCSL.<sup>148</sup> This was considered one of the most effective ways to reach a large audience because it is the only way many remote communities are connected and due to the high level of illiteracy in the country printed reports would not be understood.<sup>149</sup> UNAMSIL provided funds for the *National forum for human rights* to conduct training sessions for chiefs and NGOs in the provincial areas.<sup>150</sup>

The UN also funded outreach through the *Office of the High Commissioner on Human Rights* (UNCHR) who created funds for the TRC working group to conduct sensitisation and public education campaigns. With this help different workshops and sensitisation activities, television and radio broadcasts as well as a magazine and booklets on the TRC were established.<sup>151</sup> UNICEF believed that any sensitisation should include raising awareness of the experiences of children during the conflict such as abduction and sexual violence.<sup>152</sup> Therefore it was involved in outreach of the TRC by supporting the commission in its findings concerning children, but most importantly by designing and printing the children's version of the final report.<sup>153</sup> This simplified version of the final report was written to reach out to children and tell the story from their perspective and included an explanation of SGBV against children. It can also be used by teachers to educate on the civil war and crimes committed.<sup>154</sup> The other vulnerable victim groups, women and girls, were included in outreach

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<sup>146</sup> Secretary General of Sierra Leone, 'Report of the Secretary General on United Nations mission in Sierra Leone' (March 4 2002), <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N02/285/18/IMG/N0228518.pdf?OpenElement> (October 30 2016), 8.

<sup>147</sup> TRC SL, 'Witness to truth', 158-161.

<sup>148</sup> Rachel Kerr and Jessica Lincoln, 'The Special Court for Sierra Leone. Outreach, legacy and impact' (February 2008), <http://www.rscsl.org/Documents/slfinalreport.pdf> (October 26 2016), 16.

<sup>149</sup> TRC SL, 'Witness to truth', 143-144; Kerr and Lincoln, 'The Special Court for Sierra Leone', 16.

<sup>150</sup> TRC SL, 'Witness to truth', 157.

<sup>151</sup> Ibidem.

<sup>152</sup> Natalie Mann and Bert Theuermann, 'Children and the Truth and Reconciliation Commission for Sierra Leone. Recommendations for policies and procedures for addressing and involving children in the Truth and Reconciliation Commission' (June 2001), <https://www.unicef.org/emergencies/files/SierraLeone-TRCReport.pdf> (October 26 2016), 40.

<sup>153</sup> TRC SL, 'Witness to truth', 3.

<sup>154</sup> TRC SL, 'Truth and Reconciliation Commission report for the children of Sierra Leone. Child friendly version' (2004), <http://www.sierraleonetr.org/index.php/view-the-final-report/popular-reports/item/truth-and-reconciliation-commission-report-for-the-children-of-sierra-leone> (October 26 2016).

initiatives by UNIFEM. They organised a workshop for civil society groups and women from the provinces to gain input for the recommendations on reparations that should be made for women.<sup>155</sup> Creating outreach to include them in the truth-seeking process.

The mandate of the UN mission in Liberia included the same support for the promotion of the peace process. It included the stressing of the need for an effective public information campaign and allowed for the establishment of a UN radio station to promote understanding of the peace process among local communities.<sup>156</sup> UNMIL assisted the special interactive outreach presentations of the TRC and worked together with UNIFEM as members of the gender committee of the commission. This committee was designed to include women in the truth-seeking process and reach out to them. UNIFEM undertook community-based programmes to increase women's participation in the process but the final report of the TRC highlights this with a critical note that none of the information reflected in the report. It also critically raises the point of the funding that the United Nations Development Fund (UNDP) distributed among civil society organisations to increase women's participation in the TRC. The TRC report states that no reports from those societies or the UNDP came back to them and they have no knowledge of the programmes that were established with these funds.<sup>157</sup> Next to UNIFEM, UNMIL and UNDP, UNICEF also cooperated with the TRC on outreach aiming it specifically on creating child participation processes for truth-seeking such as awareness workshops and collecting statements.<sup>158</sup> Though the final report of the TRC emphasizes that an extensive outreach campaign was established it also claims: 'Notwithstanding these efforts and extensive strategic planning, the necessary financial support from the donor community was not forthcoming, and consequently, the TRCs outreach programs were adversely affected.'<sup>159</sup>

Comparable to the UN missions in Sierra Leone and Liberia, the mandate of UNOCI included a section on public information. This section called for the establishment of a United Nations radio station to promote understanding of the peace process among local communities.<sup>160</sup> The other way the UN was involved in outreach in Côte d'Ivoire was through UNICEF. As mentioned in the previous paragraph on the ICTJ, UNICEF worked together with the ICTJ on a successful programme for Ivorian youth. In 2010 the organisation also started working in affected communities on community mobilisation and sensitisation to help victims speak out on sexual violence. This has led to an increasing number of victims and families of victims reporting violence to authorities. It has also

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<sup>155</sup> TRC SL, 'Witness to truth', 163.

<sup>156</sup> UN Security Council, 'Security Council resolution 1509' (September 19 2003), <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Liberia%20SRes1509.pdf> (October 30 2016), 5.

<sup>157</sup> TRC L, 'Consolidated final report', 67-71.

<sup>158</sup> TRC L, 'Preliminary findings', 36.

<sup>159</sup> Ibidem, 34.

<sup>160</sup> UN Security Council, 'Resolution 1528', 4.

helped decrease the taboo on sexual violence and the rejection by their communities.<sup>161</sup> In 2011 UNICEF made communication for development one of its programmes for humanitarian action in the country. Due to the complex situation in Côte d'Ivoire at the time, causing for many people to be displaced, they emphasized the need for communication on important issues and programmes in the country towards all people. Therefore they started an elaborate communication campaign working together with local NGOs, community leaders and radio.<sup>162</sup>

## 2.4 Concluding remarks

According to experts in the field, outreach on the goals and functioning of transitional justice institutions will improve the participation of victims of SGBV in the process. Community sensitisation will have a positive effect on the diminishing of the stigmatization of victims. International policy regarding outreach of transitional justice institutions and community sensitisation has been included by all three organisations. HRW encourages community sensitisation in Sierra Leone and Côte d'Ivoire. It also expresses that TRCs should learn from the outreach programme of the TRC of Sierra Leone. The TRC process should be communicated through radio, video and public discussions. For Côte d'Ivoire HRW noted that the outreach programme of the CDVR on its findings failed. Not only did it fail to broadcast hearings it also took years before the final report of the TRC was published. Another thing that can be added to this is that even though the report states that its mandate includes making the report available in different languages so everyone can read it, only the French version has been released.<sup>163</sup>

The ICTJ contributed to outreach in different ways. In Sierra Leone and Côte d'Ivoire it trained journalists on how to report on transitional justice issues. This could reduce inaccurate reporting and negative publicity that, according to Coulter, prevents victims from participating in transitional justice processes. Next to training media the ICTJ recommends outreach should be created through radio, television and even art projects. The work of the ICTJ also demonstrates a focus on adjusting outreach initiatives to meet the special needs of different victim groups. In Sierra Leone it created a special handbook that explains the working of the TRC and the SCSL in a simplified way to make it understandable for non-professionals. Regarding outreach and community sensitisation in Liberia the ICTJ recommended the creation of a children's version of the final TRC report, such as had been done by the TRC of Sierra Leone, but also illustrated reports for illiterate people. In Côte d'Ivoire the organisation collaborated with youth groups to improve their participation in the transitional justice process. This bottom-up process brought youth together and connected them to the

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<sup>161</sup> Eva Gilliam, 'Reducing gender-based violence against girls and women in Côte d'Ivoire' (March 15 2010), [http://www.unicef.org/infobycountry/cotedivoire\\_53022.html](http://www.unicef.org/infobycountry/cotedivoire_53022.html) (November 10 2016).

<sup>162</sup> UNICEF, 'Humanitarian action update 2011' (March 16 2011), [https://www.unicef.org/cotedivoire/Cote\\_d\\_Ivoire\\_and\\_Liberia\\_Humanitarian\\_Action\\_Update.pdf](https://www.unicef.org/cotedivoire/Cote_d_Ivoire_and_Liberia_Humanitarian_Action_Update.pdf) (November 16 2016), 6.

<sup>163</sup> CDVR, 'Rapport finale', 32.

CDVR which resulted in a successful collaboration. The ICTJ made two interesting conclusions, one was that outreach in Sierra Leone was easier due to the basing of the court in Sierra Leone. When we go back to the subject of the previous chapter, this argument could favour national prosecutions or hybrid courts based in the country over international prosecution in a different country. Another conclusion by the ICTJ was that outreach of the final report of the TRC in Liberia was not effective. Many people never read the report due to illiteracy or lack of internet access.

The UN carried out outreach on the truth-seeking processes through UN radio stations in all three countries. This was considered an effective way to reach people outside of the cities due to the high level of illiteracy. In Sierra Leone the UN emphasized that effective outreach to victims can be created by taking the different requirements to reach these victims into account. Outreach to children and women required special measures, such as a version of the final report that would be understandable for children, but also special workshops for women outside of the cities to improve their participation in the process. The UN also focused on sensitisation by providing funds for workshops, magazines, booklets and radio broadcasts on the outcomes of the TRC. In Côte d'Ivoire UNICEF worked on creating awareness of SGBV in local communities by engaging with victims to speak out on this type of violence. This had a positive effect, victims and families of victims increasingly reported such violence and the taboo on SGBV decreased. In Liberia and Côte d'Ivoire the UN took outreach initiatives to improve the participation of victims. The organisation adjusted their approach on the victim group they wanted to reach. UNIFEM worked on improving participation of women in Liberia and UNICEF on the participation of children.

Numbers in the introduction of this chapter (table 1) show that outreach to improve the participation of victims in TRC processes seems to have improved over the years. The TRC of Sierra Leone had the lowest participation rate of women, the CDVR the highest and Liberia the highest percentage of statements given by women. However, awareness raising of the findings of the commissions that should create community sensitisation seems to have been less effective in Liberia and Côte d'Ivoire. HRW claims outreach by the CDVR failed and the ICTJ finds that many people in Liberia never read the final report. In Sierra Leone much attention was paid to create special materials and outreach programmes to communicate findings of the TRC. This had a positive effect and was taken as an example by both HRW as the ICTJ in their recommendations to improve outreach in Liberia. It is important that policy to create community awareness focuses on outreach to increase the participation of victims of SGBV and abduction in transitional justice processes as well as outreach to communicate the outcome of these processes. Both should be pursued to effectively contribute to the diminishing of stigmatization of victims.



### 3. Economic empowerment

In the previous chapters we have discussed the importance of acknowledgement for SGBV-victims and their involvement in transitional justice initiatives. After truths have been established and perpetrators punished, reparations are often mentioned as a way to compensate the victims for their harm. Experts in the field believe that stigmatisation will diminish once women will become productive members of society. McKay and Coulter both agree that education is the primary way to achieve this but have different views on the type of educational services that should be provided. According to McKay victims believe that the provision of education for them and their children will improve their ability be self-sufficient.<sup>164</sup> Coulter specifies that economic empowerment is best achieved by providing skills training for these victims instead of basic education. Attention to the type of skills and additional services such as microcredit should be provided.<sup>165</sup> Only in this way can educational services provide sustainable economic empowerment.

Improving access to basic education, providing skills training and microcredit and forms of income-generating programmes that provide employment opportunities for women, are an important form of reparations for these victims. This chapter will therefore look at international policy regarding these services for SGBV-victims.

#### 3.1 Human Rights Watch

In HRW's report on sexual and gender-based violence in Sierra Leone from 2003, it takes the position that the rehabilitation of formerly abducted women who were victim of SGBV should be a long-term project. This should include assistance for education, adult literacy, skills training, income-generating programs and microcredit. In this regard they recommend that international funding should be made available and that these programs should be expanded into all parts of Sierra Leone. At the time the report was written, education projects that address SGBV were already started in camps for internally displaced people. HRW mentions that these projects were successful in changing attitudes towards SGBV and should therefore be expanded to the rest of the country.<sup>166</sup> The organisation, however, does not express any ideas on how these services should be provided. Another topic HRW addresses is the *Disarmament, demobilisation and reintegration programme* (DDR). The organisation mentions that this programme could have provided economic empowerment opportunities for abducted girls but the process completely overlooked the needs of these victims. Only few of these victims were able to

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<sup>164</sup> McKay, Veale, Worthen, and Wessells, 'Community-based reintegration', 37, 63.

<sup>165</sup> Coulter, *Bush wives*, 185, 187, 198.

<sup>166</sup> HRW, 'We'll kill you if you cry', 68-72.

enter education and skills training programmes. HRW calls for international funding to support economic empowerment opportunities for these victims.<sup>167</sup>

In Liberia a similar programme was set up to help child-soldiers successfully reintegrate into society: the *Demobilisation Disarmament, Rehabilitation and Reintegration* programme (DDRR). Victims of SGBV who were forced to live with rebels and become rebel wives could apply to this programme. It included the opportunity to enter in basic skills training programmes, consisting either of basic education, public works, vocational training or agriculture, livestock or fishing training. According to HRW the success of these programmes was threatened by insufficient funding and called upon the international donor community to increase funding. It also called upon the government of Liberia to decrease corruption with the use of such funds.<sup>168</sup> HRW also stated that the programme did not have enough provisions for girls and young mothers. It recommended that special provisions should be taken for girls who were survivors of SGBV.<sup>169</sup> Another critical view on these programmes was that they should not bear the entire responsibility for development. Community development programmes should be established to reach out to the general non ex-combatant population.<sup>170</sup> Not all victims of SGBV and abduction were rebel wives or child soldiers. Provisions should be made to address their needs for economic empowerment.

In the HRW report on sexual violence in Côte d'Ivoire, the organisation stresses that combatting sexual violence must be prioritized. Next to a judicial response, there is a need for socio-economic reintegration services for these victims. HRW underlines that it is important that income-generating projects and other economic opportunities will be established, especially for those victims who are rejected by their families. Such projects are often conducted by NGOs and should be supported by the international community. In this regard HRW also stresses the need for the different agencies to improve cooperation in this area.<sup>171</sup>

### 3.2 International Center for Transitional Justice

The final report of the TRC of Sierra Leone included a general recommendation for educational support. August 2008 the government started the *Year One Program* (YOP), which was to implement the recommendations of the TRC which included some reimbursement of educational fees and materials for victims.<sup>172</sup> The ICTJ conducted research on the state of reparations under this YOP.<sup>173</sup>

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<sup>167</sup> HRW, 'We'll kill you if you cry', 69.

<sup>168</sup> HRW, 'Liberia at a crossroads', 30, 31.

<sup>169</sup> HRW, 'How to fight, how to kill. Child soldiers in Liberia' (February 2004), <https://www.hrw.org/sites/default/files/reports/liberia0204.pdf> (December 2 2016), 4, 5.

<sup>170</sup> HRW, 'Liberia at a crossroads', 30, 31.

<sup>171</sup> HRW, 'They killed them like it was nothing', 11; HRW, 'My heart is cut', 12.

<sup>172</sup> Mohamad Suma and Cristián Correa, 'Report and proposals for the implementation of reparations in Sierra Leone' (December 1 2009), <https://www.ictj.org/sites/default/files/ICTJ-SierraLeone-Reparations-Report-2009-English.pdf> (October 30 2016), 11.

<sup>173</sup> Suma and Correa, 'Reparations in Sierra Leone', 1.

The findings show that although some steps in the right direction were taken, much still needs to be done. Under the YOP, only victims or children of victims who still at an eligible age for primary or secondary school could apply for educational reparations. Some years have passed since the conflicts ended and victims who lost out on education are adults now. The fact that the project only focussed on reimbursing expenses still did not make education a realistic option for the poorest amongst the victims. The ICTJ therefore recommends that educational aid should include a wide variety of options. It should not only focus on primary or secondary education but also at adult literacy or vocational training. With regard to education, support should be a long-term approach. It should enable children to complete a full education program. A different form of reparations that the ICTJ recommends is a skill-training program to provide resources for victims to generate income, this is especially important for women who face stigmatization and rejection.<sup>174</sup>

In 2008 the ICTJ conducted research on the role of women in the peace building process in Liberia. The ICTJ engaged with women activists in Liberia to discuss their ideas on the position of women and their ideas on reparations. This discussion resulted in an understanding that education for girls and women and most of all the ability to retain these girls in school was seen as one of the most important issues.<sup>175</sup> The emphasis on the need for retaining girls in school shows that ICTJ supports a long-term vision similar to their recommendation for Sierra Leone to ensure children complete a full education program. Most of the female activists that the ICTJ engaged with worked for NGOs that already were working on economic empowerment projects for women. The report states that even though this was not a result of a reparations programme, for many victims it could still function as an important form of reparation. Economic empowerment projects such as skills training and providing microcredit to women could reduce their vulnerability and prevent the reoccurrence of sexual violence. However the ICTJ does make one important remark on such actions. It asserts that economic empowerment projects should be seen as complementary because they do not hold states accountable nor do they get acknowledgement for the crimes committed against them.<sup>176</sup> Another recommendation the ICTJ makes is that besides the need for providing education, attention should also be paid to the way the Liberian war is discussed in school and especially the role of women and the different experiences during the war.<sup>177</sup>

Since 2012 the ICTJ has worked with victim's groups, the government of Côte d'Ivoire and CONARIV on a reparations programme for victims in Côte d'Ivoire. In 2016 a briefing paper called *Recommendations for victim reparations in Côte d'Ivoire*, new recommendations and conclusions on

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<sup>174</sup> Ibidem, 12.

<sup>175</sup> Campbell-Nelson, 'Liberia is not just a man thing', 15.

<sup>176</sup> Ibidem, 15, 16.

<sup>177</sup> Ibidem, 23.

the implementation of a reparation programme were published.<sup>178</sup> Once again the ICTJ emphasizes that reparations for these victims should be seen as long-term investments. The policy should aim at ensuring a minimum standard of social and economic rights such as education for victims who suffered the most consequences. These victims include victims of SGBV and abduction. Reparations should include scholarships or cash payments to encourage these victims to enter into education programmes but also a general compensation is suggested.<sup>179</sup> Similar to their opinion on reparations for victims in Sierra Leone the ICTJ argues that different kinds of reparations should be combined and gaining access to education alone is not sufficient. Children whose education was interrupted because of the war should be able to enter vocational or technical training until the age of 35, and gender-discrimination within programmes should not be permitted.<sup>180</sup> The ICTJ does not focus on income-generating projects or microcredit. Instead it takes the view that reparations for economic empowerment should take the form of a monthly pension. In this way misuse of money can be prevented. The report also shortly mentions that this could prevent victims from falling back into poverty when income-generating projects fail.<sup>181</sup> This is the first critical note the ICTJ makes towards income-generating projects and shows that the effectivity of such projects is questioned. The proposed pension also addresses the possibility mentioned by Coulter that victims will again be rejected once skills training or income-generating projects fail.

### 3.3 United Nations

In Sierra Leone multiple UN divisions have financed and set up education or income generating programmes. In the establishment of income-generating programmes especially UNDP has been involved both actively and financially. It created microfinance initiatives with a special focus on women's groups and has set up multiple programmes for youth engagement and employment. Special income-generating and skills training projects aiming at the Sierra Leonean youth were set up. One project meant specifically for girls and young mothers who were vulnerable to engage in the sex industry. This project, called *Girls off the street*, had the objective to train girls to become taxi drivers or to work in restaurants. This project however turned out to be ineffective due to a lack of funding, and to inappropriate job opportunities since the restaurant business is not very big in Sierra Leone.<sup>182</sup> This confirms Coulter's view that paying attention to the type of skills training provided is essential.

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<sup>178</sup>Cristián Correa and Didier Gbery, 'Victims know best. Implementing reparations in Côte d'Ivoire' (August 10 2016), <https://www.ictj.org/news/implementing-reparations-cote-divoire> (November 25 2016).

<sup>179</sup> Cristián Correa and Didier Gbery, 'Recommendations for victim reparations in Côte d'Ivoire. Responding to the rights and needs of victims of the most serious violations' (August 2016), <https://www.ictj.org/sites/default/files/ICTJ-Briefing-CDI-Reparations.pdf> (November 25 2016), 4, 6.

<sup>180</sup> Correa and Gbery, 'Victim reparations Côte d'Ivoire', 6-9.

<sup>181</sup> Ibidem, 7.

<sup>182</sup> Mary Kaldor and James Vincent, 'Case study Sierra Leone. Evaluation of UNDP assistance to conflict-affected countries' (2006), <http://web.undp.org/evaluation/documents/thematic/conflict/SierraLeone.pdf> (November 25 2016), 23, 24.

In a joint vision report of the UN in 2011 the general focus of their work in the country in the previous years was reviewed. It stated that the work on youth employment was fragmented and the impact was unclear. On education the report stated that the UN should remain a key player. UNICEF worked on a *Right to Quality Education* programme that supported the government with its aim to provide basic education for all. This programme especially aims at retaining girls in school.<sup>183</sup> In 2012 UNICEF also launched a project in multiple countries called the *Learning for Peace* programme. This project aimed at connecting peacebuilding and education in conflict affected countries and operated till 2016. Important objectives of the Learning for Peace programme were: to promote positive gender relations, empowering women and youth and addressing GBV.<sup>184</sup> In Sierra Leone this project was implemented in cooperation with the Sierra Leonean Ministry of Education and NGOs such as PLAN Sierra Leone and included different activities such as peace education, life skills training and creating gender sensitivity.<sup>185</sup> The United Nations Peacebuilding Fund (PBF) recognized the need for reparations in Sierra Leone and started a project with its government. To help the TRC implement its recommendations the PBF funded the Year One Program with three million USD.<sup>186</sup>

A few years after the civil war Liberia's president Ellen Johnson Sirleaf stressed the importance of education, she especially recognized the positive effect it can have for victims of sexual crimes. She stated that the government needs to ensure education opportunities for all children.<sup>187</sup> To help the government accomplish this ideal the UN provides assistance; especially UNICEF helps in different areas. Just as in Sierra Leone, UNICEF implemented the Learning for Peace programme in Liberia. But next to this programme of particular importance for the victims central to this paper is the UNICEF *Accelerated Learning Programme* (ALP). This project aimed to facilitate education for 'older' children; children that lost out on education and do not have the eligible age anymore for normal schools. UNICEF has set up these programmes in seven different countries and in 2007 started working on the ALP in Liberia. One of the things UNICEF does is provide school-in-a-box kits.<sup>188</sup> These kits supply teaching materials and information for one teacher and up to forty students.<sup>189</sup> Besides this practical help, UNICEF supports the Ministry of Education in Liberia in coordinating,

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<sup>183</sup> UNIPSIL, 'Mid-term review of the UN joint vision for Sierra Leone 2009-2010' (September 2011), [https://unipsil.unmissions.org/portals/unipsil/media/publications/20111004%20JV\\_SLMTR\\_finalrpt.pdf](https://unipsil.unmissions.org/portals/unipsil/media/publications/20111004%20JV_SLMTR_finalrpt.pdf) (November 30 2016), 10, 11, 29, 30.

<sup>184</sup> Judy El-Bushra and Emilie Rees Smith, 'Gender, education and peacebuilding. A review of selected Learning for Peace case studies' (June 2016), <http://learningforpeace.unicef.org/wp-content/uploads/2016/07/Gender-Education-and-Peacebuilding-Review-of-Learning-for-Peace-Case-Studies.pdf> (November 30 2016), 2.

<sup>185</sup> UNICEF, 'Learning for peace in West and Central Africa' (2013), [http://learningforpeace.unicef.org/wp-content/uploads/2013/11/LearningforPeaceBrochure\\_web.pdf](http://learningforpeace.unicef.org/wp-content/uploads/2013/11/LearningforPeaceBrochure_web.pdf) (October 19 2016), 2.

<sup>186</sup> Suma and Correa, ICTJ, 'Reparations in Sierra Leone', 1.

<sup>187</sup> Sarah Crowe, 'Liberating Liberia's war generation' (February 5 2007), [https://www.unicef.org/infobycountry/liberia\\_38219.html](https://www.unicef.org/infobycountry/liberia_38219.html) (November 26 2016).

<sup>188</sup> Sue Nicholson, 'Assessment of the accelerated learning programme in Liberia implemented by UNICEF' (September 2007), [https://www.unicef.org/wcaro/WCARO\\_Pub\\_Liberia\\_ALPAss0907.pdf](https://www.unicef.org/wcaro/WCARO_Pub_Liberia_ALPAss0907.pdf) (November 25 2016), 3, 4.

<sup>189</sup> UNICEF, 'School-in-a-box' (March 13 2013), [https://www.unicef.org/supply/index\\_40377.html](https://www.unicef.org/supply/index_40377.html) (November 26 2016).

managing and funding of the ALP.<sup>190</sup> Next to a focus on general education UNICEF also supports skills training courses throughout all the fifteen counties in Liberia. The objective of these trainings is to improve the self-sufficiency of victims of war. It contains the teaching of different trades but also trains basic literacy and numeracy. Though not all of the programmes do, most of them are especially for victims who were associated with the fighting forces.<sup>191</sup> UNICEF expressed that skills training projects are making progress but that international funding and involvement still remains important for the future of young people.<sup>192</sup>

Côte d'Ivoire was also one of the participating countries in the Learning for peace programme. Next to peace education through the involvement of the CDVR children's programme in cooperation with the ICTJ, UNICEF has worked on providing education in internal displaced people camps as well as for people returning to their communities. This included facilitating education materials and equipment like the school-in-a-box kits in Liberia.<sup>193</sup> The programme also supported mothers with literacy and income-generating projects through local Mother and Early Childhood centres. These projects mainly included the growing of produce that could be sold to generate income.<sup>194</sup> Like in Sierra Leone UNDP supported victims of sexual violence with income-generating projects. Support included grants for women and was accompanied by skills training and simple accounting training. UNDP provided these services through the *Centre de prévention et d'assistance aux victimes de violence sexuelles* (PAAVIOS), centres for prevention and assistance of victims of sexual violence.<sup>195</sup>

### 3.4 Concluding remarks

In this chapter we have seen that all three organisations have emphasized the need for education to create economic empowerment of women and girls who are rejected by their communities. HRW advocates Coulter's idea that a long-term approach should be taken to achieve this. For all three countries it suggests that the international community should provide funding for projects that lead to economic empowerment. For Sierra Leone and Liberia the organisation mentions that DDR processes in some cases should provide victims of SGBV and abduction with opportunities for education and skills training, but in practice they often lost out on these opportunities. Therefore skills training, adult literacy training, income-generating projects and microcredit should be made available to victims.

The ICTJ focusses on education and other ways to create economic empowerment as a form of reparation for victims. The organisation engaged with victims to draft recommendations for

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<sup>190</sup> Nicholson, 'Accelerated learning programme', 3.

<sup>191</sup> Patrick Slavin, 'Liberia. A new start for children associated with fighting forces' (March 1 2006), [https://www.unicef.org/infobycountry/liberia\\_31359.html](https://www.unicef.org/infobycountry/liberia_31359.html) (November 30 2016).

<sup>192</sup> Crowe, 'Liberating Liberia's war generation'.

<sup>193</sup> UNICEF, 'Learning for peace', 2.

<sup>194</sup> El-Bushra and Rees Smith, 'Gender, education and peacebuilding', 10, 11.

<sup>195</sup> UNDP, 'Évaluation des résultats des activités de développement. Côte d'Ivoire' (February 2013), [file:///C:/Users/Marthe/Downloads/ADR\\_CotedIvoire\\_FR\\_2013.pdf](file:///C:/Users/Marthe/Downloads/ADR_CotedIvoire_FR_2013.pdf) (December 1 2016), 55.

reparations programmes in the countries. In 2009 and 2008 the organisation respectively suggested that for Sierra Leone and Liberia a broad spectrum of projects and support was needed to create economic empowerment and overcome stigmatization. It agrees with HRW that adult literacy, skills training and microcredit are essential, especially for women who face rejection. With regard to basic education, children should be enabled to complete a full programme. This type of education is not explicitly mentioned as a way to improve the situation for stigmatized women. Therefore the ICTJ agrees to Coulter's idea rather than to McKay's view. However, in 2016 the ICTJ seems to have slightly shifted its view on these matters. For Côte d'Ivoire proposals for reparations focus more on basic education and vocational education rather than skills training or income-generating projects and microcredit provisions. Victims of SGBV are amongst those who bear the greatest consequences of the conflict and in the ICTJ's opinion should be provided with reparations. This should include access to education through scholarships or funds but the organisation does agree that access alone is insufficient. A long term approach should be taken to ensure a minimum standard of social and economic rights. To accomplish this, the ICTJ prefers general pension over microcredit or income-generating projects. This recent change in attitude could implicate that skills training is less effective than expected. This is a development that requires further exploration and research when planning for Nigeria. Another interesting remark is that in the case of Liberia the ICTJ explicitly mentions that these types of reparations should not be a replacement for criminal justice.

The UN has been involved in the provision of basic education and skills training through funding by UNDP, PBF and UNICEF. The case of Sierra Leone shows that their assistance for income-generating projects has not always been beneficial and attention to the type of skills taught essential. In all three countries UNICEF implemented the Learning for peace programme that included a focus on SGBV, gender-relations and skills training. In Liberia the organisation also contributed to an education programme especially for older children, who missed out on education during the conflict. This is of importance because while victims were kids during the war, after hostilities have ended they might no longer be eligible for basic education. The UN seems to be primarily involved in improving access to education for children and young women. Only some special programmes for victims of SGBV have been established, mainly in Côte d'Ivoire. In this country the UN contributed to income-generating projects and literacy training for mothers. Different from the failed skills training project in Sierra Leone, this project mainly focussed on growing produce for trade. This provides a more sustainable way to earn a living in the poorer regions of West-Africa than by being trained as a waitress or taxi driver. The UN also provided assistance for victims of SGBV with grants and skills training through special centres for victims of SGBV.

## Conclusion

This study has aimed to give insight into the repertoire of tools at the disposal of international actors to improve the social reintegration of victims of gendered crimes in West-Africa. By looking at earlier cases an overview can be given of the tools that could be used to assist this goal in Nigeria. This study has given a description of the policies of HRW, the ICTJ and the UN regarding acknowledgement, community awareness and economic empowerment. According to scholars, these are the three themes that require attention in order to improve the situation of victims of SGBV. In many different ways these international organisations have been involved in the post-conflict situation in Sierra Leone, Liberia and Côte d'Ivoire. They have recognised the special needs for the social reintegration of women and girls who face rejection by their communities and have incorporated ideas and actions to improve the situation of these victims in their policies. As an NGO that focuses on monitoring human rights abuses, HRW's contribution to the social reintegration of women and girls mainly takes on the form of recommendations based on fact-finding. The ICTJ conducted multiple research projects but next to that was also actively involved in transitional justice mechanisms and outreach projects. The many different divisions of the UN have contributed to the functioning of TRCs and criminal courts and provided assistance and funding for the economic empowerment of victims.

According to scholars, acknowledgment is an important first step for victims of SGBV to heal and overcome stigmatization. This acknowledgement can be created through truth-seeking and criminal justice. HRW, the ICTJ and the UN have contributed to this goal in different ways. HRW's main emphasis is criminal justice rather than truth-seeking. This can be easily explained; its core value is to defend human rights and be guided by international law. More interesting is the shift in HRW's policy regarding justice for victims of SGBV from the international to the local level. In the case of Sierra Leone HRW advocated international monitoring of the SCSL to ensure SGBV was adequately addressed. Regarding Liberia it suggests that international assistance is only preferred in the case that national political will or capacity is absent. In the most recent case of Côte d'Ivoire the organisation's recommendations were mainly directed at the national judicial level.

This shift was also apparent in the work of the ICTJ and the UN. While the ICTJ provided assistance to the SCSL, in Liberia it encouraged the international community to help build national capacity to try criminals. In Côte d'Ivoire the ICTJ supported national prosecutions by training staff of the CSE on how to handle sexual and gender-based crimes. The SCSL was established by the UN and the government of Sierra Leone and therefore the UN was extensively involved. It strengthened the ability of the court to handle sexual and gender-based crimes by creating the victim and witness unit that lives up to one of Walsh's requirements for addressing SGBV at international tribunals. In the other two countries the UN has not undertaken similar actions. The governments of Liberia and Côte d'Ivoire have not shown the same willingness to engage in such international cooperation to create



criminal justice. Côte d'Ivoire did start national processes and the UN contributed to the strengthening of this system. Especially regarding the treatment of children and women. One explanation for the shift in the policies of the organisations could be that their involvement depends on the willingness and need of national governments to collaborate with them. Even though there seems to be a shift in policy towards the strengthening of national judicial system to address SGBV, it is important to take into account that Liberia has not made any attempt to put criminals to trial and Côte d'Ivoire has yet to finished the prosecutions of the CSEI. Another important finding is that for Liberia the ICTJ explicitly mentions that for women in Liberia who are stigmatized, alternative dispute resolution processes might be more beneficial. In this respect the ICTJ agrees with Coulter and Pankhurst. These experiences should be taken into account by the international community when planning to create acknowledgement for victims of SGBV in Nigeria. National or international criminal justice processes can take time and therefore might not directly help victims of SGBV. If this will be the case in Nigeria, alternative dispute resolution processes should also be explored.

The ICTJ and UN also contributed to truth-seeking processes in the three countries. The ICTJ trained TRC staff on dealing with SGBV and was also part of the gender-committees of the TRC of Liberia and Côte d'Ivoire. The UN mainly provided financial assistance and advice. It did assist in addressing the role of women in the conflict in Sierra Leone and was a member of the gender-committee in Liberia. In this way the organisations contributed to implementing a gender-sensitive framework that according to Dal Secco is important for addressing SGBV and creating gender-aware recommendations for reparations. Truth-seeking will, however, only be beneficial to victims of SGBV, when they get the chance to participate in the process and awareness of the findings is raised across the country.

On the topic of creating community awareness we have seen that the international actors have made multiple recommendations. Most importantly it should include communication of the workings of transitional justice processes. Experts in the field believe that this will improve the participation of victims of SGBV which will have a positive effect on reducing stigmatization. The organisations agree that communications should not be restricted to written reports, but that there should also be made use of radio, television and public discussions. This is important because there is a high level of illiteracy in West-Africa. The ICTJ trained journalists on how to report on transitional justice in Sierra Leone and Côte d'Ivoire. In this way inaccurate reporting and negative publicity that, according to Coulter, could prevent victims from participating could be averted. Both the ICTJ and the UN agree on the need to adjust outreach materials and methods to the group they are trying to reach. In Sierra Leone, UNICEF created a children's version of the final report and the ICTJ created a simplified handbook on the function of the TRC and SCSL for non-professionals.

This study has shown that the participation of victims and especially women has improved over the years. This could mean that outreach improved the understanding and awareness of

transitional justice. However, in Liberia and Côte d'Ivoire, the population was less aware of the findings of transitional justice institutions than in Sierra Leone. According to HRW outreach on the conclusions of the CDVR failed and the ICTJ states that many people in Liberia never read the final report. Raising awareness of outcomes is an important way of community sensitisation that, according to McKay, will reduce the stigmatization of SGBV-victims. In Sierra Leone much attention was paid to create special materials and outreach programmes to communicate findings of the TRC which had a positive effect. International policy for the social reintegration of women in Nigeria should include efforts to improve the participation of SGBV-victims in transitional justice but also communicate the outcome of these processes. Both should be pursued to effectively contribute to the diminishing of stigmatization of victims.

The third focus area of this study was economic empowerment. All three international actors have acknowledged the benefit of education and income-generating projects for victims of SGBV. HRW notes that the international community should provide funding and make sure that victims who lost out on services through DDR programmes have access to education, adult literacy programmes, skills training, income-generating projects and microcredit. The ICTJ focusses specifically on economic empowerment services as a form of reparation for victims. It agrees with HRW on the different programmes needed to support victims, but acknowledges Coulter's view that skills training rather than basic education is of particular benefit to victims of SGBV. However, for Côte d'Ivoire there seems to be a shift in the organisation's view on this matter. In 2016 their recommendations mainly focused on basic education and vocational education rather than income-generating projects. Instead of microcredit the ICTJ recommends monthly pensions that could be beneficial to victims even when skills training programmes fail. This shows a sudden sceptical view on this type of assistance. The UN and especially UNICEF have undertaken different projects regarding education. In all three countries a learning for peace programme was established and in Liberia a special project to cater to the needs of victims who were too old to enter basic education institutions was started. In Sierra Leone the UN established a special skills training project for girls. This however, failed due to the fact that the skills taught did not provide job opportunities. In the most recent case study, Côte d'Ivoire, there seems to be a focus on creating services specifically for the economic empowerment of victims of SGBV. This included grants and skills training that did provide sustainable economic opportunities.

These experiences show that especially Coulter's view on paying attention to the type of education or skill training is essential. Not every skill can provide victims with sustainable economic opportunities. Basic education that includes gender-sensitivity can only directly contribute to the economic empowerment of victims if a long term approach is taken that includes more than just the reimbursement of school fees.

Concluding these three topics, it is important to note that in different ways the case studies have shown us the importance of the concept of complementarity. Without outreach to improve the

participation of victims of SGBV in transitional justice, victims will not receive acknowledgment for their suffering. Without acknowledgement, victims will not receive reparations. Without raising community awareness on the findings of the transitional justice regarding SGBV, sensitisation to overcome stigma will not happen. And like the ICTJ stated, reparations should not replace criminal justice.

While the policies discussed in this paper focus on improving the situation of victims of stigmatization it can be equally important more structural assistance is provided for the development of West-African countries. Prevention is better than cure. SGBV and abductions of women should be prevented from happening again. A focus on a general improvement of women's rights could contribute to this goal,<sup>196</sup> stressing the need for a long-term approach to create sustainable progress.

Sierra Leone, Liberia and Côte d'Ivoire have embarked on a mission to change reintegration problems for victims of sexual and gender-based crimes, the fate of many women and girls in Nigeria, however, is still uncertain. In this paper the policy of international actors for the improvement of the situation of these victims has been discussed. While it is important to emphasize that each country and situation is unique, the international community can take note from its past actions and the conclusions this paper offers. This study endeavoured to improve the understanding of the possibilities the international community has to assist in the diminishing of the stigmatization of victims in Nigeria. The Nigerian government and the international community should continue to pressure Boko Haram to cease its terrorisation of the country and kidnapping of girls. At this moment, 1001 days after the kidnapping of the Chibok girls, everything should be done to #BringBackOurGirls.

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<sup>196</sup> McKay, Veale, Worthen, and Wessells, 'Community-based reintegration', 64.

## Literature

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