



REPUBLIC OF LIBERIA
TRUTH AND RECONCILIATION COMMISSION

Volume Three:

APPENDICES

Title I:
Women and the Conflict

Final Statement from the Commission

Nearly three and half years ago, we embarked upon a journey on behalf of the people of Liberia with a simple mission to explain how Liberia became what it is today and to advance recommendations to avert a repetition of the past and lay the foundation for sustainable national peace, unity, security and reconciliation. Considering the complexity of the Liberian conflict, the intractable nature of our socio-cultural interactions, the fluid political and fragile security environment, we had no illusion of the task at hand and, embraced the challenge as a national call to duty; a duty we committed ourselves to accomplishing without fear or favor.

Today, we have done just that! With gratitude to the Almighty God, the Merciful Allah and our Lord and Savior Jesus Christ, we are both proud and honored to present our report to the people of Liberia, the Government of Liberia, the President of Liberia and the International Community who are “moral guarantors” of the Liberian peace process.

This report is made against the background of rising expectations, fears and anxiety. The vast majority of us who are victims or survivors of the massive wave of atrocities induced by the conflict, expect that all the recommendations contained in this report will be implemented and reparations in the forms of compensation, policy and institutional reforms, specialized services, restitution or financial relief, will address all our social, economic, cultural, civic and political rights issues, ensure accountability, undermine impunity and foster national healing and reconciliation.

The few of us who commanded the forces of arms, financed, resourced and provided political and ideological guidance to several warring factions, we fear alienation, prosecutions and other forms of public sanctions which may undermine our current socio-economic and political stature acquired during the conflict period.

Though this latter group of us equally desire national healing and reconciliation, it should be accomplished without any cost to our current standing and prestige. Bygones must be bygones. Having no regard for the rule of law, we ignored the TRC Process and when we opted to cooperate and appear before the Commission, we deliberately lied and failed to speak truthfully about the scale of our participation and deeds as a show of remorse and contrition which acknowledges the pains and sufferings of victims and triggers the national healing and reconciliation

we profess to desire.

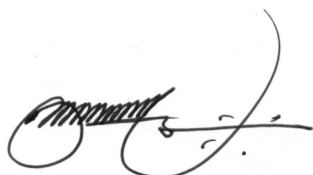
A true transitional justice process, as the TRC of Liberia, is never a perfect human endeavor; and will not satisfy all segments of our society. It is equally true that the TRC may never meet all the expectations or allay all the fears of contending interests it naturally arouses. Expectations, fears and anxieties, justifiably so, are products of the TRC process and not its outcome. The process is what justifies or legitimizes the product or the outcomes.

The outcome in this report is the product of deliberate planning and engagement with all segments of our society centering on all 15 counties of Liberia and the Diaspora. Capturing over 22,000 written statements, several dozens of personal interviews and over 500 hundred live public testimonies of witnesses including actors, perpetrators, and direct victims; a national regional consultation with county stakeholders and a national conference on reconciliation and the way forward provided the Commission a national perspective of the conflict, its causes, trends, impacts and the vision and aspirations of the people of Liberia for a better future. The Commission incorporated desk research, media publications and human rights reports of very prominent international and local human rights institutions into its work. So guided and informed, the Commission is well poised to make this report and draw the conclusions and make the recommendations contained in this report which in four volumes documents the comprehensive work of the Commission.

We extend appreciation to all, locally and internationally, who supported and worked with the Commission to ensure it succeeded at its mandate. We mention the Government of Her Excellency, Ellen Johnson-Sirleaf, the National Legislature including the House Standing committee on Peace and Reconciliation, The International Contact Group on Liberia (ICGL), Minnesota Advocates for Human Rights and the hundreds of volunteers across the USA, the media and dozens of civil society institutions, who were very interested and supportive of the process and lastly but not the least, the people of Liberia everywhere, not only for their support but most importantly for their abiding faith and confidence in the process and our ability to successfully navigate and pilot suavely through the many turbulences we encountered along the way.

We call on all to view this report and use it as a tool, blueprint and foundation for carving a better, brighter and more secured future for posterity. The purpose of our work was not necessarily to please anyone

but to objectively and independently execute the mandates of the TRC realistically and objectively in patriotic service to the nation in unraveling the truth of our national nightmare. This report is our roadmap to liberation and lasting peace which means that reconciliation in Liberia is never again an elusive goal. It is both a possibility and a reality we must achieve by opening our hearts and accepting the realities and consequences of our national existence and move forward. This report is a contribution to that process and it is our prayers that all Liberians will see it that way and work for the full implementation of the recommendations without fear or favor or respect for any man. When we do this, the love of liberty “which brought us here” will “bring us together” under God’s Command so that this sweet and glorious land of liberty will forever be ours.



Jerome J Verdier, Sr.
Counselor-at-Law
Chairman

Dated in Monrovia this 30th day of June A.D. 2009

Acknowledgement

The TRC wishes to express deepest thanks and appreciation to all those who worked with its gender program in their commitment to promote gender equality and ensure women's voices were heard strongly in the TRC process. Particularly the TRC wishes to acknowledge funding contributions from the Foundation Open Society Initiative of New York (FOSI) for providing needed funding for the initial nationwide town hall meetings and zonal workshops for women, Women's Campaign International (WCI) of Philadelphia, USA for funding and technical support of the extended engagements with women and women's male partners throughout the 15 counties. Deepest gratitude to UNIFEM for funding the gender expert to the TRC's gender program and providing technical support to the project.

The TRC is grateful to the following partners as well; BENETEC, WIPNET, Amb. Juli Endee and the Liberian Crusaders for Peace, Madame Mary N. Brownell, Mrs. Frances Greaves of Voice of the Voiceless Ministries, Mrs. Tonieh Wiles of Oxfam, Association of Female Lawyers of Liberia (AFELL), Hon. Ruth Caesar of LRRRC, Commissioner Hawa Goll-Kotchi of the Governance Commission, Ms. Miatta Fahnbulleh of Obaa Girls, Mrs. Cerue Konah Garlo (WONGOSOL), the National Traditional Council of Liberia, all Ministry of Gender Coordinators in the 15 Counties, Ms. Joyce Kamara of UNMIL, UNMIL Radio and the Liberian Media in general, and the thousands of women who believed in the TRC enough to cooperate with it.

Deepest thanks and appreciation to the TRC Gender Consultant, Mrs. Anu Pilay of South Africa did an excellent job in compiling work of the gender program, doing the research and coming out with a comprehensive draft of this report. Finally, deep gratitude goes to members of the Gender Committee below and all other donors and supporters of the Gender program.

Gender Committee Members

UNIFEM

UNMIL (Gender, Rule of Law, and Human Rights and Protection Sections)

Amb. Juli Endee and the Liberian Crusaders for Peace (LPC)

Ministry of Gender

Liberia Media Women Network

UNDP

Women NGO Secretariat of Liberia (WONGOSOL)

International Center for Transitional Justice (ICTJ)

Traditional Women United for Peace

Sartah Dempster of MUSUNAMA

Open Society Initiative for West Africa (OSIWA)

Table of Contents

| | | |
|-------------|-----------------------------------------------------------------------------------------------|-----------|
| I. | Background | 1 |
| I.1. | Introduction | 1 |
| I.2. | Methodology and limitations | 2 |
| I.3. | Structure of the Report | 3 |
| II. | Transitional Justice in Liberia | 4 |
| II.1. | Gender Dimensions of the Conflict | 4 |
| II.2. | Women and the Conflict | 7 |
| II.3. | The Truth and Reconciliation Commission and its Work | 10 |
| II.4. | Gender Specific Experiences of the War | 28 |
| II.5. | Multiplicity and Complexity of Roles | 43 |
| II.6. | Impact and Consequences for Women and Girls | 51 |
| II.7. | Transitional Justice | 54 |
| II.8. | Current Status of Women and Girls | 58 |
| III. | Recommendations for Addressing Women’s Needs and to Advance Gender Equality in Liberia | 81 |

Part I.

Background

I.I Introduction

The strong links between transitional justice, development and gender equality have been overlooked and underdeveloped in both theory and practice. Transitions are rare periods of rupture that offer opportunities to re-conceive the social meaning of past conflicts in an attempt to reconstruct their present and future effects....this must include womenⁱ

Developing and supporting measures for good governance, security, justice and socioeconomic capacity is a complex task for any society. It is even more so for a post conflict society which has the added imperative of preventing the resurgence of violent conflict. While the international community can and does provide assistance and valuable resources, the citizens of a country have the greatest responsibility for building sustainable peace. All sectors of society must be drawn on for this enormous task.

Women often constitute more than 50% of a population. In spite of this, their contribution, as well as important dimensions of their particular experiences which shape both conflict and peace, are underestimated and overlooked. Moreover, transitional justice mechanisms established to respond to systematic and widespread human rights abuses are known to gloss over important gender dimensions of the past conflict, and narrowly focus on civil and political rights. Economic, social and cultural rightsⁱⁱ are neglected, and the underlying issues of discrimination, domination, physical, social and legal security which underpin gender inequality are addressed as secondary if at all. A gender sensitive program of transitional justice would seek to analyse and acknowledge women and men's different experiences of past gross human rights violations and provide redress via both judicial and non-judicial mechanisms, such as individual prosecutions, reparations, truth-seeking, memorialization, institutional reform, vetting and lustrations, dismissals or a combination thereof. This would ensure accountability, serve justice, achieve reconciliation and sustainable peace-building that contributes to gender equality.

It must be understood that conflicts, civil wars and crises affect men and women differently, and that women are disproportionately affected by both the manifestation and consequences thereof. Conflict often exacerbates pre-existing societal marginalization and inequalities affecting women and girls. Furthermore their increased vulnerability means that they suffer disproportionate consequences from the additional conflict-related violations. Current literature shows that during periods of conflict, women shoulder the full burden of providing for their extended families in terms of survival, food, and shelter of the children, sick and elderly, protection and

security. During the period of fighting, without the presence of men in their traditional roles, women are forced to learn new skills and tasks that are frequently contrary to their traditional gender roles. As a group, women are more vulnerable to physical and sexual assault and displacement. Men are also subjected to physical and sexual assault and abuse which is often experienced within their recruitment into the fighting force, voluntarily or involuntarily. Along with other motivations like economic and political factors, notions of masculinity and what it means to be a man are often at the heart of what drives men's participation or coercion into fighting forces.

Understanding these gender notions and how they shape pre-, during and post-conflict dynamics can be critical to repairing a society in the aftermath of war. Overwhelming evidenceⁱⁱⁱ attests to the explanatory and transformative power of gender analysis, yet, in the post conflict quest for peace and stability, there is often a tendency to sideline the issue of gender.

As Liberia embarked on its own efforts to build peace in the wake of the protracted power struggle that destroyed social boundary and civic relations, there was a marked effort to incorporate issues of gender into post-conflict recovery projects. Deciding how to interpret 'gender', how to encapsulate the experiences of women and girls, and how to ensure that women participated and were included in the ongoing post conflict recovery process, were large parts of the challenge that faced the Truth and Reconciliation Commission (TRC), which was tasked with identifying not just what happened during the Liberian conflict, but also its root causes.

This chapter takes an in-depth look at the gendered dimensions of the conflict, highlighting the experiences of women and girls. It starts by giving a brief overview of the gendered history of the country, the status of women pre-2003 and how that links to the specific experiences of women and girls during and after the conflict. It looks at the work of the TRC Gender Unit and the Gender Committee and their findings pertaining to the experiences of women and girls as presented during the three year period of the Commission's work. It discusses the complex nature of gender issues and how they intersect with conflict. It then goes on to give an overview of the current status of women in Liberia, and finally it makes recommendations on the way forward to address the needs of women and girls, and to advance gender equality.

I.2. Methodology and Limitations

The methodology for this report was a combination of desktop research primarily comprised of a literature review of existing and relevant research, reports collected on all the TRC activities on gender and with women over their time of operation from 2006 to 2009, including assessments, interviews, statement taking, hearings, community dialogue, town hall meetings, workshops, empirical data from some of

these activities and primary data from the TRC database. The literature review covered a range of topics related to the conflict in Liberia and gender including pre, during and post-conflict gender issues. It paid attention to the relevant post-conflict transitional justice mechanisms but also on gender justice more broadly and women's justice needs going forward.

I.3. Structure of the Report

With the gendered nature of conflict as the backdrop, this report covers a presentation of the gender dimension of the Liberian conflict, the status of women before and during the war, gender specific experience of the conflict with special attention to the direct experiences of women and girls. It draws out the complexities of gender and gender roles highlighting the multiplicity of roles that women play and looks at how transitional justice is being handled in Liberia. Finally it makes recommendations for addressing women's needs in post-conflict Liberia and what needs to be done to advance gender equality in Liberia

Part II

Transitional Justice in Liberia

II.1 Gendered Dimensions of Liberian History

Although relatively small, with a population of 3.4 million people, Liberia has drawn international attention by the civil conflict and by being the first African country to elect a female president. Liberia was also the first independent African state and provided guidance to the rest of Africa in the Continent's struggle against colonialism. However, for over 130 years^{iv}, Liberian history has been pockmarked with conflict, even outright war, mainly between the Liberian state – established in the mid nineteenth century (1847) which was constituted and exclusively governed by resettled slaves brought from America – and particular Liberian ethnic groups, indigenous peoples who occupied the land prior to the arrival of the settlers. From its inception, the Liberian state, ruled by the former slaves from the United States, deliberately and systematically excluded the indigenous population, consigning them to subsistence living whilst exploiting them economically.

However, explanations for the outbreak of conflict in Liberia have mostly focused on the domestic socio-economic and political environment of the 1980s. The People's Redemption Council (PRC), headed by the almost untutored Master-Sergeant Samuel Doe, seized power in a bloody coup d'état in April 1980 and promised a complete revolution of Liberian society. Initially seeking advice from civilian politicians and academics, Doe quickly learnt the cunning, deceit and realpolitik that had been the hallmarks of Liberian politics for decades. Having done so, he disavowed his original ideals of a better Liberia and set himself on an inexorable path of self-destruction. Looking beyond its immediate triggers, the Liberian conflict can be seen as the brutal culmination of the country's 'unresolved past'.

The history of Liberia pre-1980 is literally the story of the arrival and failed attempt at nationhood of freed North American slaves, resettled by the American Colonization Society (ACS) in what early explorers referred to as the "Grain Coast" in the mid 1400s. For almost a century and a half, 'Americo-Liberians' as the settlers came to be known by aborigines, dominated the political, social and economic life of Liberia, in alliance with Africans liberated from slave ships bound for the Americas (the 'Congos'). They were able to achieve this through the institutions they created, such as the churches, judiciary, business associations, and other clubs and societies, notably the Grand Lodge of Freemasons. Their community was small in size, close-knit and culturally coherent, which was enhanced by inter and intra-marriages and by participation in the True Whig Party. The TWP, the Americo-Liberians' ultimate source of wealth, status and employment, governed Liberia for over a century^v.

Under this rule, indigenous Liberians were treated as second-class citizens. Although comprising over 95% of the population, they were consistently excluded from the decision-making processes that affected their lives. This situation was improved to some extent during the rule of William V.S. Tubman (1947-71), in which the property rights qualifications which had disenfranchised the masses were removed (Clapham, 1976; 1978; Lowenkopf, 1976; Justice and Peace Commission, 1994). Tubman also instituted a policy of National Unification in further attempts to reach out to indigenous Liberians. The government of William Tolbert (1971-80) continued to pursue integrationist policies, unifying the coastal settlements and the hinterland, and broadening the native population participation in government. These reforms were long overdue however and they soon gave vent to a deep well of resentment which erupted into full-scale violence in early 1980. Thus while the civil war was sparked off by the excesses of the Doe regime, its roots run deep in Liberian history.

This political system of exclusion was extended to women who held a limited and restricted place in Liberian society at all levels. Women were not allowed into political space until the 1940s when they were granted the franchise to vote by President Tubman but, only if one had property. Indigenous women, notwithstanding, were not permitted to participate in elections until the 1950s. This was a contradiction of the constitution which proclaimed the equality of all people, and the inalienable rights of all its citizens to participate in their governance.

Thus interpreted, the constitution was fashioned in a way favorable to one segment of the society – the property class. Hence in actuality there were four categories of women in Liberia: the “settlers” (sometimes referred to as “civilized” – meaning exposed to western education and norms and not wearing indigenous “lappa” dress); women of Americo-Liberian heritage, some of whom owned property and by that standard were qualified to vote; and poor “settler” women who did not have property and were excluded. There was yet another group, the indigenous women who like their male counterparts could not vote until the 1950s. So in spite of the Constitution’s stance on the equality of all persons, the political class at the time set aside the real meaning of the equality “doctrine” and therefore ignored the constitution. Certainly this was the beginning of the discrimination of all modern Liberian women which reinforced the already existing cultural bias against women, explored later in this chapter.

The oppression of the indigenous population finally boiled over into the infamous “Rice Riot” of April 14, 1979^{vi}, which extended a year later to the coup d’état led by Samuel Kanyon Doe, the first indigenous Liberian to ever hold the Presidency. Doe’s decade-long rule was marked by increasing ethnic tensions, ethnic skirmishes, and political unrest. In 1989, Charles Taylor-led forces invaded Liberia in order to overthrow Doe, and what followed was a brutal, inhumane fourteen-year war which

brought the country to its proverbial knees and impacted on the entire West African sub-region. As are all wars, the experience was highly gendered. Not only were specific violations meted out to women, but they also participated in fighting as combatants and auxiliary support.

In addition, women took up critical humanitarian roles in the initial phases of the war. Later on, empowered by their successes with peace work, women organized and joined to form the Liberian Women's Initiative. They took to the streets again and again calling on the international community for support and worked across borders to form a sub-regional network of women activists for peace. Together they took part in the ECOWAS sponsored peace talks, lobbying and mediating with warring factions and other delegates to advocate for peace and press for its urgency. They successfully brought the major warring groups together.

In 2003, warring factions met in Accra, Ghana for talks that ultimately led to the signing of a Comprehensive Peace Agreement (CPA)^{vii}. Despite the significant role women had played in drawing international attention to the atrocities of the war as well as in managing to do what others had failed to do in getting the warring parties to talk to each other, the women were not included in the final peace talks other than as observers. Only a handful of women were allowed in. Meanwhile, the remaining factions in Liberia engaged in a 'frenzy' of rape, playing out fear and rage at the impending arrival of the peacekeepers once more through the bodies of women and girls.

Throughout the CPA negotiations, parties strenuously rejected any form of retributive justice^{viii} while negotiators eschewed any possibility of full amnesties. Therefore, rather than prosecutions or amnesties, what resulted was a TRC, mandated to "investigate gross violations of human rights, the root causes of the conflict and provide a forum that will address issues of impunity, and make recommendations of varying forms including for prosecution, reparation and amnesty" etc. Following the fraught "peace at all cost" peace process, a two-year transitional administration was established headed by Gyude Bryant. It is important to note that Article XXVIII of the Accra CPA called for gender balance in all positions in the National Transitional Government of Liberia. This assertion was a great opportunity for women to participate in the political process. However it was not adhered to and women remained on the fringes.

During this time, the TRC laws were formulated and promulgated and elections were held. Ellen Johnson Sirleaf was inaugurated President of Liberia in January 2006, becoming the first woman elected head of state in Africa. The election of a female president certainly represents great progress for a society that has been historically plagued by political and other discrimination against women. However, this is merely a step forward on a long journey to eliminate discrimination against women.

II.2 Women and the Conflict

Before 2003^{ix}

Liberia's sixteen ethno linguistic groups have never constituted unified, historically continuous political entities. In the northwestern section, Mende-speaking groups formed multiethnic chiefdoms and confederacies that coordinated trade and warfare, especially during the period of the slave trade. Although there were no states, the northwestern peoples were united in two pan ethnic secret societies: Poro (for men) and Sande (for women). The linked "chapter" structure of Poro and Sande lodges could in theory mobilize the entire population under the authority of elders. The Southeastern Region had a system described "as cephalous" meaning having a particular number of heads or a particular kind of head.

It was a system void of central authority, and therefore, authority was dispersed amongst the various Clans or Chiefdoms consisting of people who traced themselves to one ancestry. Leaders arose only during the time of crisis but did not have the authority to impose rules or laws or enforce them. When a crisis of that kind ceased, a leader who arose during the crisis would return to the status quo, though he may continue to be influential but without rule making or enforcement powers. Along the coast, particularly in the Southeast, these ethnic groups engaged in extensive traveling and seafaring, thus putting them more into contact with other indigenous Africans and with European explorers and slave traders. South and east of the Saint John River, Kwa speaking peoples who migrated from the east lived in smaller, less stratified communities.

As the Americo-Liberians attempted to extend their control from the coast to the interior, they created administrative units that were thought to be coterminous (sharing a common boundary) with existing ethnic groups. For example, Maryland County in the southeast was treated as the home of the "Grebos" even though the people there did not recognize a common identity or history beyond speaking dialects of the same language.

For most of Liberia's history, the primary meaningful division on the national level was between the "tribal" majority and the so-called "civilized" minority; with few exceptions, one's ethnicity made little difference in terms of life chances and upward mobility. After the military coup of 1980, however, a new tribalism or politically strategic ethnicity began to emerge. Samuel Kanyon Doe, the leader of the military government and a Krahn from Grand Gedeh County, systematically filled the elite military units and government positions with members of his ethno linguistic group. As opposition to his autocratic and repressive regime grew during the 1980s, it took the form of ethnically identified armed factions that attacked civilians on the basis of their

presumed ethnic affiliation. Western journalists attributed the violence to “ancient tribal hatreds” even though these ethnically identified groups had emerged only in the previous ten years.

The indigenous groups are mainly patrilineal (family relationships are stronger through the male blood line) and have ideologies of male dominance. The nineteenth-century domestic ideology brought with the resettled Americo-Liberians also was highly patriarchal, with women assigned to roles as homemakers and nurturers of children. However, the sexual division of labor in indigenous agriculture afforded women a measure of power, if not formal authority. Women’s labor was extremely valuable, as seen in the institution of bride-wealth that accompanied marriage. Among “civilized people” of indigenous or Americo-Liberian background, women’s domestic role in caring for clothing, household decoration, and the other symbolic means by which the status of the household is communicated had great importance. While it was acceptable for an educated woman to hold an office job outside the home, she could not participate in the most common activities – farming, marketing, and carrying loads of wood and water – without threatening her status.

Indigenous constructions of gender emphasized the breadwinner or productive role for women and the warrior role for men. Indigenous political structures had a “dual-sex” organization, that is, parallel systems of offices for men and women. Among the northwestern peoples, this took the form of the dual organization of the above mentioned Poro and Sande secret societies. In the south and east, female councils of elders used a series of checks and balances on official male power. On the national level, the last transitional leader before the 1997 election was also the first female head of state in Africa, Ruth Sando Perry. The presidential candidate who came in second to Charles Taylor was also a woman, Ellen Johnson Sirleaf.

Among the indigenous majority, marriage was ideally polygynous and patrilocal, with the bride moving to her husband’s compound to live with his extended family. Probably less than 30 percent of men actually had more than one wife at a time, and those marriages often failed because of conflicts between co-wives. This can be attributed to the fact that such marriages are complex and usually break down around issues of fairness, power and inheritance. Marriage was a process rather than an event, with bride-wealth payments made over many years and solidified by the birth of children. The increasing access of women to cash through the marketing of foodstuffs resulted in some women freeing themselves from unwanted marriages by paying back the bride-wealth. Bride-wealth established the right of a husband to claim any children born to his wife regardless of their biological father.

The great value placed on women as agricultural workers and child-bearers ensured that no woman who wanted a husband was without one for long. Among the

westernized indigenous and Americo-Liberian communities, statutory marriages were limited by the Christian insistence on monogamy. However, many men, especially those with financial means, were known to have one or more “country wives” who had been married through bride-wealth in addition to the “ring wife” who shared their primary residence in the city. Children from secondary marriages were often raised by the father and his official wife and formed junior lines within important families in Monrovia and other coastal cities. Before 1980, the most prominent so-called “civilized” families practiced formal endogamy, resulting in a situation in which most important government officials were related by kinship and intermarriage.

Among the indigenous people, groups in the northwest were organized into ranked lineages of “land owners,” “commoners,” and “slaves.” Kinship was crucial in determining social status among these groups. The ranking of lineages is mirrored in the Poro and Sande societies and dictated the “secrets” that may be learned by initiates. Chieftaincy belonged to particular families, although succession did not follow a strict father-to-son transmission. Among the less stratified peoples of the southeast, kinship was determined less in terms of individual life chances but remained crucial in regard to citizenship, identity, and access to land.

The legal status of women pre-2003

An Association of Female Lawyers of Liberia (AFELL) study^x reports that the laws of Liberia were silent on the rights of women or to a large extent did not provide any protection for women against certain violations. The Hinterland Laws, which were an extension of the Liberian Constitution and presided over by the government through the chiefs, denied women certain basic rights such as owning property, holding major discussions with men, participating in decision making processes, and doing certain jobs despite being able to do them like working in a mine or driving a vehicle. They did not have the right to go to school; it was always a privilege and girls were most often sent to work on farms while boys went to schools.

Culturally, it is said that these practices were based on fears that women would dominate their partners if allowed the ‘space’ to do so. Women were expected to be respectful and to speak when spoken to, especially the ‘civilized’ women. A man interviewed during the study was recorded to have said, “During the days of our forefathers women were respectful. But these days women are not respectful. When you talk one, they [women] will talk ten”. The Hinterland law allowed men to overtly oppress women and entrenched the tendency to treat women unjustly. Even after a woman had borne her husband’s children, he could take her back to her relatives, saying that he did not want her any more, and she would have no recourse. This denial of the basic legal and human rights of women, especially the perception of women as the ‘property’ of her husband, husband’s family or her father, rendered women and

girls extremely vulnerable to abuse and exploitation, and without access to recourse. This could be said to have laid the foundation for the extreme violations perpetrated against women during wartime because men had already been socialized to violate women with impunity.

The Liberian government's pronouncement of free and compulsory education for all children of school age has been in existence since 1912. Yet there were high disparities between the numbers of girls and boys in schools. With women's labor being as highly prized as farmers, it was a given that girls would work with their mothers and boys needed to be sent to school. Some girls who did go to school did not experience any discrimination and competed equally with the boys, but for the majority, the perception was that education for girls was unnecessary. Currently, almost 80% of Liberian women are illiterate.

Through this description of social formation in Liberia before and during any of the numerous conflicts which have chequered its history over one and a half centuries, it is clear that the Liberian society was and still is androcentric and patriarchal. Although women were valued and held specific gender roles within which some power could be located, there was no inherent power that could place a woman into a decision making or leadership position. In fact, in the cases where this had been known to happen, those women were seen as honorary men. Therefore, in the pre-Americo-Liberian period it would be safe to say that indigenous Liberian women held a clearly defined place in society with limited power and agency. After the settlers arrived, they were further marginalized to the lowest rung on the social ladder below the indigenous men who were below the settler women and with the male Americo-Liberians holding pride of place as the ultimate "kings of the castle".

II.3 The Truth & Reconciliation Commission (TRC) and its Work

Liberia's TRC was a provision of the August 2003 CPA and was established by a gender-sensitive Act of the National Transitional Legislative Assembly in 2005. As with TRCs in other countries, the Liberian TRC is not a court with punitive powers. Its mandate is to investigate gross human rights violations and violations of international humanitarian law covering the period 1st January 1979 to 14th October 2003 in order to identify the root causes of the conflict and establish the truth about the past. The TRC Act is explicit in its call for the participation and inclusion of women. It;

reaffirms the commitment of the Liberian people to 'international conventions and protocols relating to the rights and protections of women and children', (Preamble, paragraph 12);

calls for the Commission to adopt specific measures to address the experiences of

women, children, and vulnerable groups (Article IV, Section 4e);

stipulates that no fewer than four of the nine commissioners be women (Article V, Section 7);

explicitly states that the TRC shall be sensitive to issues of gender and gender-based violence (GBV) (Article VI, Section 24 and Article VII, Section 26f);

calls for special programs to enable women and children to provide testimony (Article VII, Section 26o); and

calls for the provision of witness protection for children and women who may experience trauma, stigmatization, or threats if they tell their stories (Article VII, Section 26n).

Recognizing the reality of the exclusion of women, the TRC Act thus provided clear guidelines for the treatment of women in the TRC process. In addition to the Preamble and the nine sections of the Act which speak to women's realities and how they should be incorporated into the TRC process, the use of "including" in Section 4(a) of the Act meant that the TRC could investigate other serious human rights violations suffered by women not specifically mentioned, such as disappearances, torture, disembowelment of pregnant women, decapitation, maiming, mutilations, amputations and cruel treatment.

Interpreting Gender

Against the background of truth commission processes, the newly constituted Liberian TRC was determined to learn from mistakes made elsewhere and ensure that this process was fully Liberian in nature and execution. When the Liberian TRC launched its operations in June 2006, each of the Commissioners were assigned various thematic, programmatic, and county-specific oversight roles. Drawing from the dictates of their mandate and the particular context of the conflict, Commissioners identified several thematic areas of focus, one of which was "Gender." This focus area was formed in response to the provisions in the TRC Act. The articulation of gender in the Act set it up as a broad term which inferred a commitment and sensitivity to women's rights and needs along with the rights and needs of children, thereby including the girl child. It provided a strong impetus to the TRC to reach out to women and girls and encourage their participation in various ways. Consequently, a gender committee was established to design and undertake projects that focused exclusively on engaging women in the TRC process; and the mainstreaming of women, women's experiences, and women's roles in other core functions of the TRC.

The Gender Committee and Gender Policy

A Gender Committee to advise the TRC was first established in late 2006, as the TRC was preparing to undertake an outreach program targeted at Liberian women. Prior to the constitution of the Committee, work on gender had been led principally by the Commissioners themselves, with a Commissioner having oversight for gender specifically, along with her staff forming the TRC Gender Unit. In part because funding was not sourced during the TRC's preparatory period (from February 2006 when the Commissioners were inaugurated until June 2006 when they officially launched operations), the TRC began operations without a fully staffed or functional Secretariat. The TRC Commissioner with oversight for gender thus embarked on an independent fundraising campaign to raise funds for the work of the Gender Committee. As a result of this effort, The Foundation Open Society Initiative (FOSI), and Women's Campaign International (WCI), were significant funding contributors to the work of the TRC's gender program. It must be noted however that the French government and other sources, provided funding through the UNDP to enhance the participation of women in the TRC process which monies were out sourced by the UNDP to certain civil society organizations without the involvement of the TRC Gender program. To date, the TRC has received no report from the UNDP nor these organizations on their activities hence whatever work was done to increase the knowledge of women and the communities about the TRC by these organizations is not reflected in this report. UNIFEM also undertook community based programs aimed at increasing women's involvement with the TRC but information not reflected in this report.

As its inception indicates, the Gender Committee was understood, to be advising and assisting the TRC in its work specifically targeting women. The Committee was therefore constituted comprising organizations that had a specific mandate or expertise in working with women and female survivors of sexual violence. It comprised of representatives from the United Nations (UNDP, UNMIL Human Rights Protection Section and the office of UNMIL Senior Gender Advisor and UNIFEM), The Ministry of Gender and Development, and Civil Society organizations specifically, the Women's NGO secretariat, Liberian Women Media Action Committee, Liberia Crusaders for Peace, Traditional Women United for Peace, and The International Centre for Transitional Justice. The Committee as a whole did not engage the TRC in its other core operations even though individual members and some organizations of the Committee worked with the TRC in various aspects of its work. Instead, it met on an ad hoc basis to support various outreach efforts directed at women: town hall meetings, workshops to encourage women to come to the TRC to tell their stories, statement taking, traditional women leaders and male partners and relatives to support female participation in the TRC, of the thematic public hearings on the Role of Women during the conflict, a national consultative conference with women on the TRC recommendations and follow up services for women including psychosocial and

trauma counseling in the fifteen counties, referral services for medical care for women who suffered sexual violations and physical hurt and child reunification services. These projects largely had independent funding, separate from the TRC's principal budget lines, and were coordinated with the TRC Finance and Media and Outreach units. In addition to these women-focused projects, the Gender Committee helped the TRC to craft a Gender Policy^{xi}.

The Gender Policy accentuated the references made to gender in the TRC Act, stressing that a common understanding of gender equality and equity was key to a thorough investigation into the truth about Liberia's past. It also talked of encouraging new and creative negotiations of gender roles. The policy document laid out a detailed plan with clear recommendations for each category of operation that the TRC was to engage in to achieve those goals. The greater portion of these recommendations was to be implemented by a gender expert / advisor. One significant recommendation worth mentioning was the need for periodic review and assessment by the TRC with monitoring oversight by the Gender Committee.

This comprehensive policy and plan, which would have gone a long way to ensuring that the women-specific activities were tied to an overall gender equality strategy, was stymied however by a variety of issues, including challenges with donor partners. Despite much discussion throughout the course of the TRC's operations on finding someone to fill the role, a gender expert / advisor came in only a month before the TRC was due to complete, although it was granted an extension to operate for a further nine months. By this time, the TRC had gone ahead and rolled out many of the activities with the support of a local gender officer. The gender officer's role was focused on the activities and she assisted with organization and implementation only. This discontinued with the arrival of the gender advisor who then completed the implementation of the TRC gender work plan and the report writing. This late arrival put immense pressure on the Commissioner with oversight for gender, as she had other oversight areas and had to operate largely without the assistance of a conceptual expert, a difficulty especially when dealing with the complex issue of gender message formulation. Limited funding regulated how much more the TRC could do with women in its process.

Liberian Women in Core TRC Programming

As the Commission undertook its work and the Gender Committee focused on enabling women's participation in the process through women-specific activities, women were also being engaged in the TRC's core operations: outreach, statement-taking, public hearings, and research and investigation. Although the TRC's activities suffered from a variety of challenges, some of which have been alluded to, they did succeed in encouraging more female participation than many truth commissions in

the past. The commitment to see women fully participate in the TRC and have their voices heard provided a sort of space and comfort zone where women trusted the process and developed confidence to participate in it. Specific efforts were applied to ensure that women responded to the statement taking process.

For example public service announcements for recruitment of statement takers particularly encouraged applications from women and when applications from women totalled less than 50% of total applicants, the TRC Commissioner for gender sought an extension of the application process targeting women only. The extension period was used to customize the application process to attract women, radio and newspapers announcements were sent out and fliers posted at places women frequent including, the beauty salons, market places, restaurants, university campuses, and pubs. This effort paid off as eventually, more women applied. Finally, out of the total of 198 statement takers who collected statements throughout the country, one hundred (100) were women.

The statement taking form was specifically designed to be gender sensitive and accommodating as a result, the figures for women's participation in statement-taking are relatively high. Of the total 22,000 statements coded finally, 47% came from women. The TRC collected 22,500 statements in all but managed to code only 22,000. Women also widely participated in the TRC's public hearings with more than 200 women testifying. Elsewhere in the world, women giving testimony before truth commissions have often been loathed to speak about their own experiences or come forward only to recount experiences of family members, particularly male family members. Women in Liberia, however, seemed more willing to talk about themselves due to improved preparation through vigorous community outreach and pre-hearing support. The TRC gender program extended its outreach, utilizing traditional methods of communications to encourage rural women to participate and discuss taboo subjects. It also involved community based organizations in these efforts. The media was also systematically engaged in this light.

Meanwhile, the TRC's Inquiry Unit established "the role of women and children" as one of its main thematic areas for investigation and research^{xii}. The interpretation of 'gender' as the participation and inclusion of women and children created a tendency for investigations to focus mainly and almost exclusively on victimhood in the form of sexual and physical violations. This was something which the TRC Gender Unit had to guard against; as its concern was that the full extent of women's experiences should emerge, including issues of socio-economic, cultural and psychological consequence to conflict. Although there was recognition of women as combatants and supporters of the war, these identities were difficult to explore. The total spectrum of women's involvement in the war and their multiple identities emerged only through careful scrutiny of the statements and discussions held with women. This approach brought

into focus underlying androcentric cultural norms and patriarchal ideologies that have worked together to create the gender dynamics that viciously played themselves out in the war.

The Work of the TRC^{xiii}

In its effort to implement its mandate, the TRC instituted several processes including outreach and sensitization, Counties assessment tours, statement taking, investigation or inquiry, the holding of hearings (thematic and individuals), and data coding etc. It was during these processes (especially the statement taking and hearings), that the women of Liberia informed the TRC about what had happened to them during the crises. They appealed to the TRC to take some action to alleviate the impact and consequences of what they had experienced. More is covered on their stories later in this chapter, but in short, they told of the plethora of human rights violations against themselves, their families, friends and communities, including, but not limited to sexual violations, abduction, forced labor, detention, assault, maiming, looting torture, force recruitment and killing. Not only did these acts cause immense harm to the women and girls, but they also undermined family and community structures, striking as they did at the core of cultural and value systems of communities throughout the country. In addition, cultural taboos and social stigma silenced many women thus obfuscating the extent of the abuses endured.

The TRC thus embarked on an ambitious project to bring women's experiences of the Liberian conflict to the fore through a series of activities. As early as 2006, the Commission began reaching out to the female population in initial sensitization of women about the TRC and in December 2006 to January 2007, the TRC Commissioner for gender having resourced a small but needed grant from the Soros Foundation, led the Commission in the planning and implementation of 15 town hall meetings in the fifteen counties of Liberia immediately followed by four zonal workshops targeting women organizations with structures in the counties. These organizations heads in the counties were trained to in turn impart knowledge and understanding about the mandate of the TRC and the Commission's plan to work with women. In July 2008, it entered into a Memorandum of Understanding with Women's Campaign International, an international women's advocacy organization based in Philadelphia, USA, thereby forging a partnership to support work of the TRC Gender Committee and enhance the participation of women in the TRC process. Specific objectives of the project were:

To recruit a National Gender Officer to serve as liaison and networker with various women's groups, as well as the recruitment of other staff for the project;

To train 15 community-based psychosocial trauma counselors on trauma counseling

support for the women who appeared before the TRC and to also dispatch these trauma counselors to the 15 Counties to provide post hearings psychosocial assistance to the women in their communities (TRC County Coordinators were selected for this project owing to their training and experience working with women in the fifteen counties);

To conduct four targeted zonal sensitization and awareness workshops for a total of 400 male partners and relatives of women from the fifteen counties to raise their awareness about the need to support women to participate in the TRC process;

To hold a three day education and sensitization training for traditional female leaders (“Zoes”) to get their participation and support to encourage rural women affected by the war to come to the TRC to discuss taboo subjects and tell their full stories;

To design and produce sensitization, education and communication materials (posters, banners, flyers, bumper stickers, and t-shirts) for women depicting and explaining different phases of the TRC process;

To hold a National Conference for women to structurally discuss the TRC’s final report and recommendations in the area of reparation, prosecution and amnesty; and

To conduct NGO referral medical and child reunification services for women.

Key Outcomes of the TRC Gender Unit’s Projects

The TRC Gender Unit managed to successfully roll out every one of the planned activities listed above and went further to encourage civil society organizations to come together in a follow up phase and enhance the work started by this process. Thus 12 civil society organizations under the umbrella of the Women’s NGO Secretariat (WONGOSOL), collaborated and undertook a series of community dialogues covering the 15 counties of Liberia, to make further input into the final report, and to highlight issues of special needs affecting women’s participation in peace-building. The key findings from the roll out of these projects and activities are as follows:

Ongoing Psycho-social Support

The 15 TRC Coordinators, who were trained to offer psycho-social support to the women at the hearings, were also dispatched into the counties where they reconnected with the women who had either testified or given statements, to offer continued support for a further six weeks. They were well received, and reported that the women had responded well to the service, many more other women approached them for support which they were unable to offer. They were also approached by husbands and family members of the participating women, all expressing a deep need for psycho-

social support to deal with the aftermath of the civil war, especially the impact of sexual violence and the fear of living amongst the perpetrators.

In general, the 15 counselors reported that the process was successful indicated by the 100 percent attendance of the women at the counseling sessions, often necessitating leaving their livelihoods and daily chores to be at the session which they all said they really appreciated and looked forward to once they had overcome their initial reticence. Some of the main themes that emerged was that the lack of access to health care facilities, lack of sustainable livelihood, social stigma attached to their particular experiences, depression and recurring negative thinking and most disturbing was the fear and paralysis caused by living in the environs of the perpetrators. The counseling offered a place for these social problems to be discussed and explored, for the internal suffering to be alleviated through the discussions, especially through sharing with the other women who had similar or even more difficult experiences and for family members to be brought into the discussions to understand more deeply what the women were struggling with and how they could work together.

It also revealed what the family members' struggles were about so that the understanding was reciprocal and created an opening for deeper connecting and unity.

The main medical and psychological issues that presented were internal problems from the sexual violence, depression and suicidal ideation. All of the women were dealing with lack of food and resources to send children to school or to feed themselves. Most important is that the counselors were secondarily traumatized by listening to the stories and although it assisted them to have a closer understanding of what reconciliation really means at a much deeper level they also needed debriefing and counseling to deal with this experience. Many of them went beyond their mandate to offer assistance and support to the women and their families, creating a caring bond with their clients. Many of the women said that it made them feel cared for and more visible.

The main result reported was that it had created a sense of self worth amongst the participants and removed the stigma and shame. All the counselors reported that the women and other men and women in the communities requested that this kind of support be continued and that medical assistance be given to the women, especially the survivors who have been damaged internally by the sexual violence. They requested that some program be initiated for husbands of women who had been raped and noted that the women whose husband had witnessed the rape seemed better able to cope than those who did not. They also recommended that radio be used as a way to reach more people, perhaps running a psycho-social interactive program for people who could call in and discuss their problems with a counselor on air.

Members of the Gender Committee have been tasked with ensuring that follow up to

the TRC initiatives is taken up.

Ongoing Engagement with Traditional Leaders

The workshops held with 42 female and 13 male traditional leaders not only raised their awareness of the TRC process, but also gave credibility to the process for local women who engage with traditional leaders regularly for leadership on cultural and traditional practices. Once women realized that the traditional leaders were involved, they began approaching them for assistance to give their statements to the TRC. The female traditional leaders also encouraged women to attend the hearings and many more rural women turned up for the thematic hearings on women than was expected. This response demonstrated the importance of recognizing the sources of influence of gender relations, and the need for ongoing engagement with traditional leaders, both male and female, if gender equality is to be achieved. This project was coordinated and implemented by the Traditional Women United for Peace Organization and held at the traditional village in Dodo Town outside of Monrovia. It was supervised by the Gender Committee.

Engaging Male Partners to Promote Behavioral Change

The four zonal workshops were attended by about 400 men nationwide, drawing 100 men per zone and were intended to educate and sensitize local men to support women and encourage them to participate in the TRC process. They covered a wide range of topics; TRC Mandate Provisions on Women, Engendering Gender in the TRC: How the TRC Should Handle Women Issues”, “Protecting and Respecting the Rights of Women to access the Commission”, Women’s Role in the TRC: (As Statement Givers, Victims, Witnesses, and Perpetrators testifying in the Hearings)”, “How Can Men Support Their Women Coming to the TRC”, “Dealing With Sexual and Gender Based Violence Against Women” and “Why Should Men Support Women Coming to the TRC” The workshops were facilitated by members of the TRC Gender Committee, Coordinators and TRC partners in the counties.

Important emerging issues were that men are themselves struggling to come to terms with the issues that they are facing in the aftermath. There was confusion around how to deal with issues such as women who were raped, abducted and used as sex slaves, and children borne of rape by their female partners. During the last zonal workshop, several of the men initially were convinced that they could not remain with a wife or partner who had been sexually violated because the “woman was already spoiled and it would bring shame to the man”.

However, when asked by one of the facilitators how they would feel if their mothers or sisters or daughters were sexually violated, whether they would still love and accept

them, the men replied in the positive. They would love and care for their mothers and sisters even more if such a thing happened the men replied. The facilitator than reminded the men that their wives and partners were also other people's mothers, sisters and daughters and therefore needed to be treated with equal love, care and respect. This was a very useful exercise as the participants later had a change of heart from their previous position.

Feedback from the zonal workshops is that more men are becoming cognizant of their moral obligations and responsibilities to support their women folks in the TRC process. Men are beginning to appear more sensitive and prone to empathizing with women who have suffered sexual and other types of violence as a result of education and sensitization they received.

The Men were able to discuss these issues collectively and shift each other's attitudes with the assistance of the facilitators. Coordinators from some of the counties reported back to the TRC that some men had actually accompanied their wives to attend psychosocial counseling sessions while a few have accompanied their wives or partners to give statements to the TRC. Many of the men also expressed a real need for psychosocial support to be extended to them as well, since they were not exempt from the pain of the war.

While these workshops achieved their objectives in that many men began to support their partners and accompany them to make statements to the TRC, it was clear that much more work needs to be done to continue to work to debunk myths and shift gender stereotypes. The project was developed against the backdrop of concerns raised by the women when the TRC conducted initial outreach with them, that their husbands and partners were dissuading them from coming to the TRC due to fear of perpetrators and the humiliation and stigma they suffer from having been sexually violated.

Ongoing Awareness and Sensitization

Throughout the TRC process and at every public opportunity, the TRC Gender Committee made the promotional materials that had been developed for the gender work including t-shirts, bumper stickers, flyers etc available to the public. This went a long way to sensitize and raise the awareness of people in general, many of whom were seen at all the TRC events wearing the t-shirts with the gender-sensitive messages on them thereby highlighting the value of continuing this process. The simple, easy to understand messages reached the women and there were many requests for the TRC gender projects reports and written materials to be made accessible to the women in the provinces by disseminating them in accessible forms such as videos, cartoons and drama.

Medical and Child Reunification Referrals

Arising out of the need expressed during the hearings, this project set out to work with women who had participated in the TRC either in the hearings or giving statements, in four counties and reached over 70 women. A key learning from this process was the enormous impact the war has had at every level of women's lives, not just the physical. While many were referred for physical health care, they also talked of the hardships they are now facing as a result of having lost the breadwinners and becoming the single income generator with the added burden of additional family and orphaned children.

The project was focused on referring women for health care, as well as for reunification with their children who were abducted by fighters either during the war or following the end of the hostilities by the fighter fathers. The project team found out that many women did not know of the free fistulae treatment being offered by the government and thus called for more awareness raising to be done. Many more women than those who were attended to are in dire need of referral for medical, psycho-social or economic assistance. There is therefore an urgent need for a referral database to be created and maintained and made accessible to the population. There are also many more cases of abduction than are known by the TRC that need to be followed up, for these women to find closure on their missing children:

“The rebel captured me from my village when they attacked and I was his woman, I had my child, first it was hard, I used to want to kill myself and the baby but, later, I got used to the baby. I love my baby now and I want him to be with me, I am missing him and crying every day” declared a former sex slave whose baby was abducted from her by the rebel father at the end of the war in 2003.

Key Outcomes from the National Conference for Women

Of specific mention are the outcomes from the National Conference for Women, which were held to structurally discuss the TRC's final report and recommendations in the area of reparation, prosecution and amnesty. The conference was successful in bringing together 200 women to the Centennial Memorial Pavilion on Ashmun Street, Monrovia to discuss gender and women's participation in the TRC process. At the end of the event, the presenters and representatives of women's organizations adopted a set of recommendations for the consideration of the TRC in its final report, and these are listed here, with more information offered later in the chapter:

Advancing Women's Rights

Since women had played crucial roles in the TRC process, participants noted that they require interventions that provide holistic rehabilitation services in all areas including

health and social services; education and training; economic empowerment; human security; rights protection; and justice. Strategic interventions and recommendations for the promotion of conventions, protocol, national laws and policies on women, including the UN Resolution 1325, and other international instruments were called for as well as reforms of discriminatory laws against women such as land reform and the elimination of barriers that are hindrances to women. There was also a call for programs that target especially vulnerable groups of women, and provision of long term rehabilitative services to women and girls associated with the fighting forces during the conflict particularly targeting those who did not access the DDR (demobilization, disarmament, rehabilitation, and reintegration) programs. Skills training, literacy programs and job opportunities were also among the key recommendations made to the TRC.

After all the statement taking, testimonies, workshops and the end of the TRC, it is critical that women ensure that their rights are advanced and harm committed against them is repaired. The following rights were highlighted:

Sensitization of women's rights needs to happen through media, drama, or workshops since many women do not know their rights in Liberia. They have lost their husbands, and land has been taken away, thus they need to know exactly what rights they have and how to access them. **(Right to Knowledge; Access to Information).**

All the national and international laws need to be disseminated in a simplified way throughout Liberia so that everyone knows what they are and how to use them. Only two people in the group knew about the Inheritance Law and reported that many women are still struggling when traditional marriages are dissolved. **(Equal Right to Inherit for Men and Women)**

Many women lost businesses during the war, and also their male relatives who were helping them. They are left with small children and no means of income. There should be a scheme to assist these women to go back to their businesses and to start over. **(Right to Work; Right to an adequate standard of living).**

Illiteracy is highest amongst women. Market women need to be literate. Many live in communities where there are no public schools. Women are being charged fees to attend school, when education up to grade nine is free. So they need literacy programs, more primary schools in rural communities and knowledge about the system. **(Right to education).**

Many women are living at the mercy of family and friends having lost their homes in the war. Low cost housing schemes must be provided. **(Right to Housing).**

The DDDR did not cater for victims. They need assistance such as skills training, medical care, and scholarships for their children, and trauma counselling. A resettlement fund should be made available, victims identified and given assistance to go back to their homes and start over.

Legal Aid must be provided to women who are being thrown out by their husbands and husbands' relatives.

Addressing GBV

Participants noted that one of the major challenges for Liberia's post-conflict reconstruction is the upsurge in GBV which is buttressed by socio-economic, cultural and traditional factors. While the gender and development ministry has set up a GBV Inter-Agency Task Force (comprising of key sector ministries and agencies of the government, UN agencies, International and National Non-governmental organizations, women and civil society groups, and covering Psychosocial and Economic Empowerment; Health; Protection/Security; Legal and Coordination) there are still huge challenges that need to be addressed in Liberia. Calls were made for the provision of clinical and psychosocial services to survivors; the economic empowerment of survivors; housing schemes for survivors and other vulnerable women; more resources allocated to program activities within the government; the provision of safe homes for survivors in all the counties; more work to be done on behavioral and attitudinal change regarding violence against women; and community awareness programs especially for men and youths. Further suggestions included the provision of economic support to survivors by government; protection of survivors when the perpetrator is released from custody; overhaul of the legal system to provide better recourse for women and more stringent punishment to deter perpetrators from continued violence; sex education in schools to decrease unwanted teenage pregnancy and HIV infections; the prohibition of the selling of alcohol to children; and the enforcement of the Inheritance Law.

Promoting a Strong Civil Society

Women were encouraged to be proactive in their engagements with government, international and local partners and to be aware of and use international and regional instruments like the AU Protocol on Women's Rights, the Beijing Declaration and Platform for Action, and the UN Resolution 1325 including national laws. Participants called for effective collaboration and networks among women NGOs to deal with the fragmentation, overlapping and competition amongst organizations that is currently at play in Liberia. The participants recommended that strong leadership needs to be developed that can work to unite women's organizations and any organizations working towards gender equality and peace. The Ministry of Gender needs to work in

tandem with the women's organizations and assist civil society organizations to remain independent but collaborative with government. Strong coalition bodies were advocated for, which could maintain their independent watchdog status to hold government and the post TRC implementers accountable, whilst participating in work alongside government programs.

Ensuring Women's Full Participation

The election of Liberia and Africa's first female President demonstrates how women have got through the 'glass ceiling' in the political arena, and is evidence that women have advocated for their rights to be seen and heard. The gender composition of the government of Liberia with women holding key positions serves as another positive indication of women's political breakthrough. The only way to sustain and build on these gains is to advocate for the rights of the girl child and women, support their continued education, and encourage them to take up non-traditional roles in society like policing, military, carpentry, mechanics and so forth. Calls were made for equal budgetary allocations, appointments made on merit, and job opportunities especially for the youth and women graduating from universities and colleges.

Economic Empowerment

Three dimensions of poverty were identified: rural poverty, urban poverty and poverty as a result of gender disparity. Against the background of reasons why poverty wears a feminine face, government has initiated two programs: The Liberian Entrepreneur Development, and the Enterprise Empowerment Initiative which targets start up businesses as well as established businesses and provides capacity through training in areas such as book keeping, business or development plans, loans, and grants. However, to overcome the challenges, it was recommended that a Trust Fund for women entrepreneurs be established, that adult literacy classes and night schools are run, that information technology be made accessible to women, that programs be initiated within the AGOA framework, that women have adequate access to financial and banking services, and that new farming technologies be introduced and taught to women to increase agriculture with the provision of basic farm tools, seeds and networking with other farmers. Participants also called for microcredit schemes for women with low interest and repayment terms, business training (academic and vocational), and the encouragement of community farming through the setting up of cooperatives.

Security Sector Reform

This sector has been significantly reformed in Liberia with many more women taking up positions in previously exclusive male domains. Deactivations, trainings and

development programs have been ongoing since the new government came into being with women playing a vital role. The Liberian government has established Women and Child Protection Sections in all the Counties with the mandate to investigate sexual exploitation and abuses. A gender unit has also been established. Special arrangements for the recruitment of women in the sector were put in place and an accelerated learning program was introduced at the Stella Maris Polytechnic School. Over 300 females were recruited in the Liberia National Police and Class # 32 of the National Police Training Academy was an all female class from which 105 female officers graduated. LNP can now boast of having had a female Inspector General of Police. However, to address the challenges of stereotyping within the sector (women are only being given 'soft' jobs, less salary, exclusion from the 'old boy's' network, and discrimination because of their reproductive roles), it was recommended that ongoing training and awareness is needed to dispel gender myths and stereotyping, that attractive incentives be offered to attract and sustain women in the sector, that gender be properly mainstreamed in all the policies of the sector, and that the TRC final report is made accessible by translating it into vernacular languages for dissemination at all levels of the sector.

The Media

It was noted that the media plays a central role as a medium of communication, and provides the platform for debates on the lived realities that influence people's lives on a daily basis. It is a key instrument and communication tool for peace and reconciliation. The media has played a huge role throughout Liberia's history and can make a difference in transforming Liberia now. However it is still known to promote male and female stereotyping, and is still very male dominated despite recognition of the role of women in the media. Calls were made for serious efforts to put mechanisms in place to recognize women in the media: leadership training, skills training and gender training needs to be done within the sector at all levels, and educational support should be provided with scholarships for women to bring more women into the media.

Implementing the TRC Recommendations

For national healing and reconciliation to continue, it is of vital importance that the recommendations emerging out of the TRC process are implemented, monitored and evaluated. To this end, an Independent National Human Rights Commission (NHRC) was provided for in the CPA to ensure that this happens. There were strong recommendations for the NHRC to begin working alongside the TRC during the transition to avoid a void in the aftermath; for the TRC and NHRC to draw up a transitional plan and together institute sensitization and civic education programs on the significance of the TRC and the NHRC; to work together for formulation of the recommendations for the final report so that the NHRC can play the monitoring and

evaluation role fully in the implementation phase of the recommendations; to create a special task force to look at the issue of reparations and who is to receive them, how they should be administered and where and what kind of reparations to institute; to hold the NHRC fully responsible for monitoring this process with some accountability mechanisms put in place both ways; and to charge the NHRC with the responsibility to continue the TRC role on gender in that it should closely monitor gender equality in Liberia.

Prosecutions and Amnesty

Women throughout the TRC process called for prosecution of those perpetrators who bear the greatest responsibilities for human rights violations. However, some of the women at the National Conference for women expressed strong feelings that the fear of prosecutions was obstructing the truth telling process. For this reason, many recommended that the TRC only prosecute those perpetrators who refused to come to the TRC and those who did not make full disclosure and show remorse at the hearings. They recommended general amnesty for children associated with the fighting forces.

Reparations

A rehabilitation centre for women ex-combatants was seen as critical and participants called for its establishment as part of the reparations program. Those who fought for years need total rehabilitation of the mind and need to learn new marketable skills. Facilities for ex-combatants and victims need to be decentralized and made available to people living in rural areas. Special support is needed for families with disabled members. They need to be empowered to start businesses and regain their dignity. There should be specialized clinics for women to deal with the specific problems resulting from the violence of the war. Community empowerment and training needs to be done with community leaders and church groups etc, to sensitize them to the impact of stigmatizing and victimizing people who have suffered in the war and who have lost limbs or been sexually violated. Senior Citizens need to be taken into account and facilities provided for them. Many are sleeping in the streets. Adult education is very necessary. Many children are now parents and cannot go back to day school.

Rwandan World Motivational Speaker, Immaculee ILibagiza Visits TRC

In consonance with its broader mandate to promote peace, reconciliation and healing amongst Liberians, the TRC in June 2009 through its Gender program played host to world renowned peace advocate and motivational speaker, Immaculee ILibagiza, a survivor of the 1994 Rwanda genocide was invited to Liberia through the Gender program of the TRC to be a part of the Commission's efforts in addressing issues of national reconciliation, forgiveness and healing. Ms. ILibagiza spent one week in

Liberia from June 3 – 7, 2009.

While in Liberia, Immaculee met with a cross section of the Liberian public including the President, Mrs. Ellen Johnson-Sirleaf, women's groups, church leaders, government officials and civil society members. She also gave several radio interviews and spoke at the Centennial Memorial Pavilion, and the Sacred Heart Cathedral Church reaching thousands of Liberians with her message of love, learning to forgive and the need to move on and find healing following the civil conflict.

Immaculee's contribution to the TRC through the sharing of her life story and message of forgiveness, as major elements toward healing and reconciliation, greatly enhanced the Commission's efforts at advancing reconciliation and help victims cope with post conflict issues. In responding to Ms. ILibagiza's visit, many Liberians who listened to her including those who called during the radio talk shows and public speaking, expressed appreciation to the TRC for the opportunity to hear firsthand the experience of someone who also experienced loss yet built the courage to move on.

Immaculee's entire family was killed in the genocide except one brother who was studying abroad at the time. She survived by hiding in a bathroom with 7 other women for 91 days. Her visit to Liberia was in partnership with the Catholic Archdiocese of Monrovia and the organization Truth Reconcile of Salem, Oregon, the United States of America.

The TRC Gender Program and Civil Society Organizations

The Community Dialogue Process

In September 2008 a consortium of women's organizations under the umbrella of WONGOSOL, with advice and support from the TRC Gender Unit and UNIFEM, came together to organize a series of nation-wide community dialogue meetings with community women as a part of follow-up of the TRC engagement with women. The idea was to evaluate the TRC process from a gender perspective, to discuss seven key pillars of transitional justice, and to take an in-depth look at community and individual responsibility for healing and transforming the Liberian society. It also aimed to elicit from Liberian women additional concrete recommendations on the seven transitional justice pillars to feed into the TRC final report and to form a monitoring group on the implementation of these recommendations in post TRC process. In total more than 500 women participated in this outreach with full support from the TRC Commissioners. Two of the Commissioners attended two of the dialogue sessions to demonstrate the link with the TRC process, and to encourage the women to speak out not only about their experiences, but also about their role in the peace-building actions to follow the TRC.

Lessons from the Community Dialogue Process

Initial work done by the TRC including town hall meetings in the fifteen counties, and zonal workshops in addition to previously mentioned programs, were reinforced by the community dialogues. There is value in sustaining interaction with the people at community level during a transitional justice period immediately after the TRC had initiated contact and taken statements. This was evidenced by the fact that the women, in post dialogue interviews, said they were highly appreciative of this process and see it as ongoing 15 counties support and interaction. It elicited feelings of being cared about and valued, and that their contributions to peace in Liberia were essential. It also gave them hope for the future that something would actually happen for them to rebuild their lives after the wars.

Women in the communities have many ideas on how to work on peace building and have opinions about the recovery process. This was captured in the overall recommendations coming from the women.

It is very important to domesticate the concepts and terminology of transitional justice. It makes it easier to elicit ideas and engagement with these concepts if time is taken not only to simplify them and put them into local dialects, but also to explain them in an engaging, participatory dialogue process where people have the opportunity to converse amongst themselves to clarify the concepts and understand them fully.

Women and girls in the communities remain much traumatized by their wartime experiences for years afterwards and live with GBV. They also live with the fear of perpetrators of violence who are in their communities.

Healing is possible with sustained interaction and follow up mechanisms that need to happen directly after women are engaged with transitional justice processes such as truth commissions.

Women are powerful agents of change and are ready to begin rebuilding and reworking their community configurations if given the space and some resources to do so. Many of them were already doing so, with what little they had at their disposal. Women are likewise willing to tell their stories and share their experiences if given a little encouragement and the space to do so.

Women benefit a great deal from the collective sharing of their experiences which is different to the one-on-one counseling and statement taking that some have experienced. It helps immensely for them to learn what others have experienced and suffered. The women said that they found this healing and cathartic and it created a

sense of community amongst them to support each other, and showed them ways to continue that support.

That the methodology used was a powerful set of transformation tools and skills to which the women really responded well, and that it needed to be extended through sustained and continuous training.

II.4 Gender Specific Experiences of the Wars

Most of the casualties in today's conflicts are not soldiers but civilians, with more and more women and children being targeted. As citizens, heads of households, community leaders, refugees, internally displaced persons, combatants, activists, and peace-builders, women and men experience conflict differently. Women and girls are indisputably the victims of unbelievably horrific atrocities and injustices in conflict situations. Adult women in these situations rarely have the same resources, political rights, authority or control over their environment and needs that men do. In addition, their caretaking responsibilities limit their mobility and ability to protect themselves adequately.

While an estimated one hundred million people have died in war over the last century, men and women have often died different deaths and were tortured and abused in different ways – sometimes for biological reasons, sometimes for psychological or social. While more men are killed in war, women often experience violence, forced pregnancy, abduction and sexual abuse and slavery. Their bodies, deliberately infected with HIV/AIDS or carrying a child conceived in rape, have often been the “site of struggle” and been used as envelopes to send messages to the perceived ‘enemy’. The harm, silence and shame women experience in war is pervasive; their redress, almost non-existent.

The extreme violence that women suffer during conflict does not arise solely out of the conditions of war; it is directly related to the violence that exists in women's lives during peacetime. Throughout the world, women experience violence because they are women, and often because they do not have the same rights or autonomy as men. They are subjected to gender-based persecution, discrimination and oppression, including sexual violence and slavery. With limited political rights or authority, they often have little recourse. Far beyond the direct violence aimed at their bodies, women are humiliated, degraded and bear witness to atrocities being perpetrated on their loved ones to the extent of unborn fetuses being ripped out of their wombs.

This report intends to capture the experiences of both women and girls in respect of their complete gendered experience at the political, legal, health, economic, cultural and social levels. The roles women played in the conflict are illustrated elsewhere and

this section focuses on women and girls as victims. It is significant to emphasize that the TRC collected more than 20,000 statements which is a sizeable number relative to the size and population of the country. South Africa, which is 14 times the size of Liberia collected 21 000 statements. Of greater significance is the fact that 47% of these statements were received from women. This allows the TRC to confidently reflect the experiences of women as well as men.

Statistics Generated from Statements and Testimonies to the TRC^{xiv}

The counties that experienced the greater portion of the **169,676** violations recorded were Montserrado, Bong, Nimba, Lofa, Bomi, Gbarpolu and Grand Bassa. The highest number of violations were reported to have occurred in 1990 and then in 2003 with the 3rd highest in 1994. This is consistent with the stories heard during the TRC engagements with women throughout Liberia and in the Diaspora. The data captured reveals that men were overrepresented for killing, assault, torture, forced labor and forced recruitment whilst women were overrepresented for rape, sexual slavery and sexual violence. Older people were more at risk than young children for direct violence and the age group of women that were targeted for sexual violence was 15 – 19 years old.

Again, consistent with anecdotal evidence, the data revealed that NPFL rebels were responsible for more than three times the number of reported violations with the next closest being Liberians United for Reconciliation and Democracy (LURD). The TRC defined 23 types of violations (see table) based on the nature of the violence in Liberia. Forced displacement stands out and represented one third of the reported violations, followed by killing, assault, abduction, looting, forced labor, destruction of property. It is interesting to note that rape and other forms of sexual violence ranged from 1.5% to 0.6 % of the reported violations, but highly targeted at females (see graph 2, c, d and e).

Table 1: Reported Violations by Violation Type, All Violations

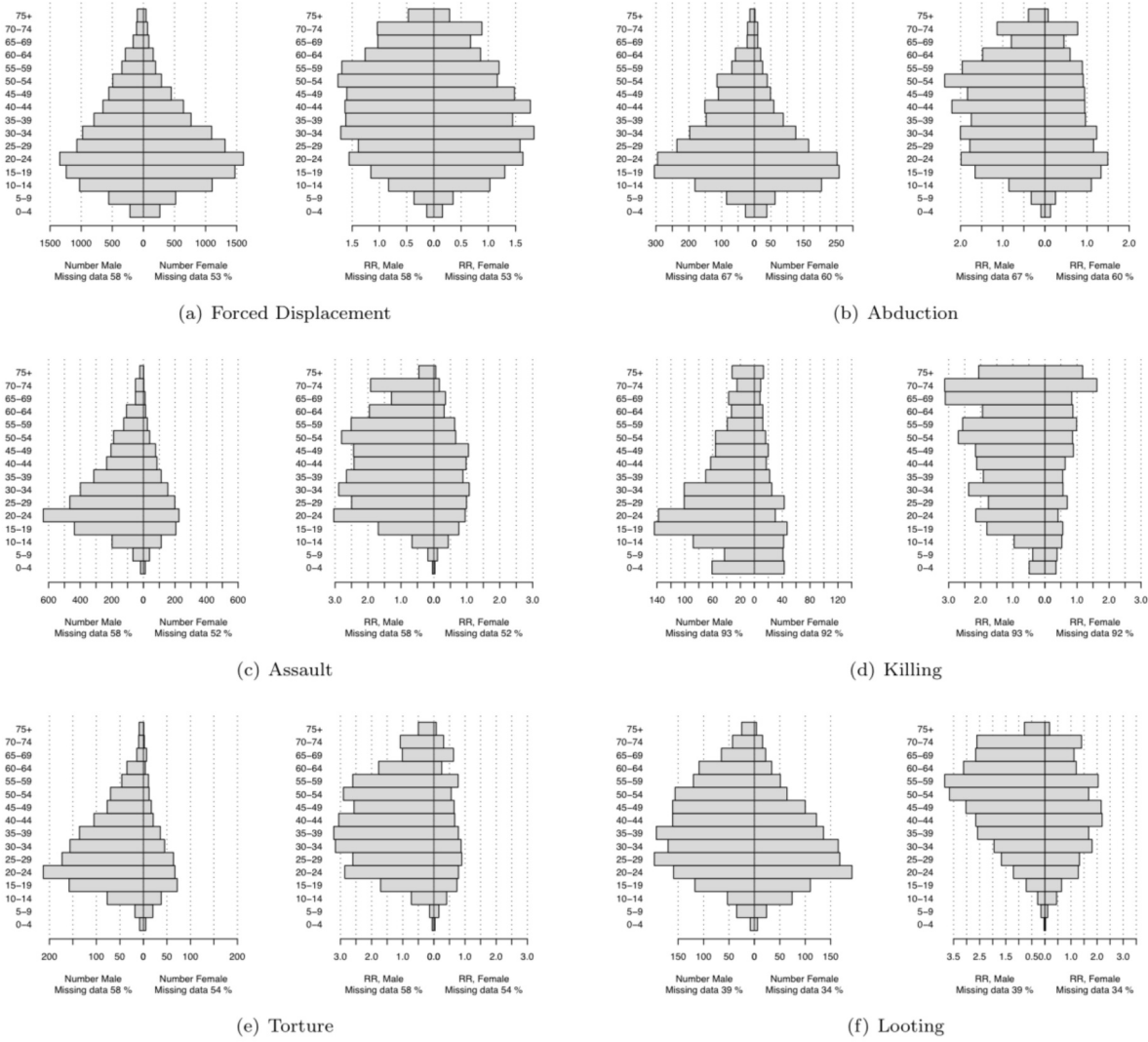
| Violation Type | Violations | Percent of Violations |
|-----------------------|-------------------|------------------------------|
| Forced Displacement | 58849 | 36 |
| Killing | 28042 | 17.1 |
| Assault | 13222 | 8.1 |
| Abduction | 13045 | 8 |
| Looting | 7619 | 4.7 |
| Forced Labor | 7560 | 4.6 |
| Property Destruction | 5881 | 3.6 |
| Robbery | 5817 | 3.6 |
| Torture | 4937 | 3 |
| Arbitrary Detention | 4017 | 2.5 |
| Rape | 2308 | 1.4 |
| Extortion | 2095 | 1.3 |
| Exposure/Deprivation | 2048 | 1.3 |
| Forced Recruitment | 2033 | 1.2 |
| Sexual Abuse | 2031 | 1.2 |
| Missing | 1436 | 0.9 |
| Gang Rape | 1107 | 0.7 |
| Sexual Slavery | 1023 | 0.6 |
| Ingesting Taboo Item | 255 | 0.2 |
| Cannibalism | 86 | 0.05 |
| Drugging | 81 | 0.049 |
| Multiple Rape | 65 | 0.039 |
| Amputation | 58 | 0.035 |
| Total | 163615 | 100.1 |

What these statistics indicate is that given that more than half of the statements taken were from women, it is clear that an analysis of only direct sexual violence perpetrated against women does not reveal the full extent of the human rights violations that women experienced directly and indirectly. While men comprise a larger category of victims than women overall, it is not accurate to assume that this means that women were less affected. What it shows is that women and girls have been subjected to a far wider range of human rights violations than sexual violence and abuse, and that recovery plans must therefore be far more encompassing to take that into account. On account of their sex, women and girls experienced incredible acts of violence and torture. On account of their gender, women and girls were subjected to abduction, slavery, and forced labor. While they themselves were the victims of multiple violations they were also forced to witness others being tortured, killed and abused.

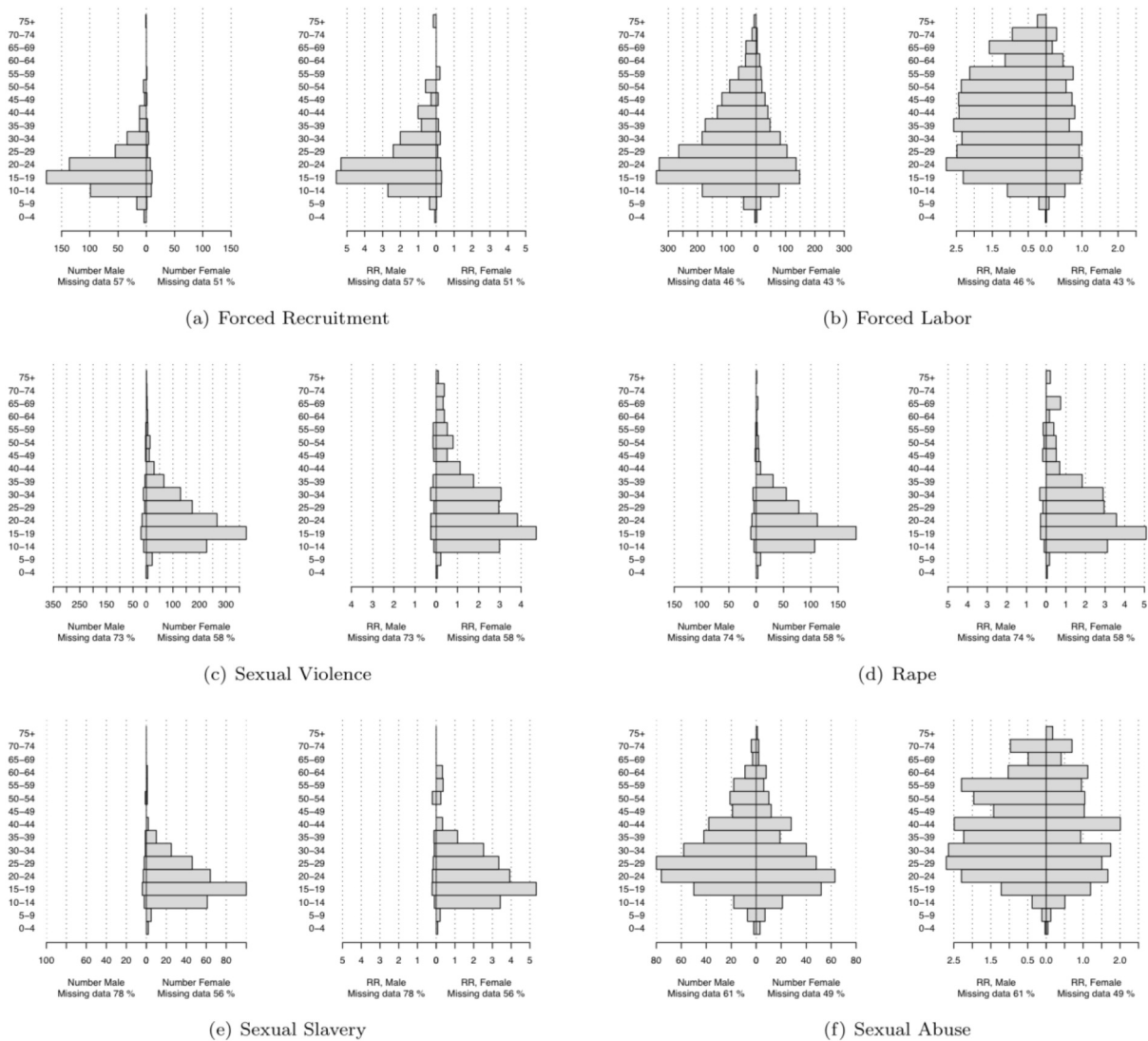
The figures below present important information to understand and analyze clearly. While they show the actual numbers of the different violations by age and sex in the first figure representing a particular violation, they also show in the figure alongside, the relative risk. For example, while males were reported to have been killed in far larger numbers than females, the relative risk statistics show that everyone was at risk of being killed. These are extremely significant distinctions to be understood in terms of the consequences and impact that this has had on the population, especially from a gender perspective. It confirms that the impact and consequences for women and girls goes far beyond the impact of direct violence targeted at females in particular, like sexual violence.

Another interesting fact to note is that while we see that women are significantly overrepresented among rape victims and victims of sexual slavery and sexual violence, as might be expected, relatively more male than female victims show up for sexual abuse. This is due to the definition of sexual abuse which included stripping victims naked and humiliating men sexually. There were reports of men being stripped naked, tied with a rope by the penis and dragged around by the fighters causing immense physical harm as well as devastating humiliation and loss of dignity. This has far-reaching implications for recovery, rehabilitation and community reconciliation. Women reported that their husbands and partners who had suffered this type of abuse were impotent and suffering constant deep bouts of depression.

Graph 1.
Distribution of Violations and Relative Risk of Violation by Victim Age and Sex



Graph 2:
Distribution of Violations and Relative Risk of Violation by Victim Age and Sex



Experiences of Women and Girls by Category of Violation

To illustrate the specific experiences of women and girls during the conflict, testimonies from women within the categories identified by the TRC are presented here. These testimonies were heard during the statement taking, hearings, the workshops and town hall meetings conducted by the TRC and the civil society community dialogues. Many of the categories of violence overlap and are grouped according to how they appear in the selected testimonies and not necessarily in order of frequency or prevalence.

Forced Displacement

Approximately 300,000 Liberians were internally displaced by 2003 and another 320,000 were refugees in neighboring countries; an estimated 80% were women and children. Refugee and internally displaced (IDP) girls were regularly exposed to rape, sexual abuse and prostitution in camps and also faced robbery, harassment, intimidation, molestation and sexual violence. Refugee and IDP girls, of which 80% were under 18, were sexually exploited by soldiers, men with money, block leaders, businessmen and humanitarian workers, including those from non-governmental organizations.

Preventable and treatable diseases such as malaria, diarrhea, acute respiratory infections and measles were the major causes of morbidity as recorded by humanitarian workers who visited the refugee camps during this time. In the SKD (Samuel Kanyon Doe) Stadium in Monrovia, anecdotal reports indicated that GBV against women and girls was rampant. Amnesty International (AI) reported that 40 women and 20 girls reported being raped during one week alone in August 2003. Humanitarian workers reported high rates of teenage pregnancy in the IDP camps as a result of poverty and peer pressure. Young girls between seven and eleven years old were particularly targeted, and even baby girls were not safe.

The sexual violence within the camps was said to be due to overcrowding, women being forced to share rooms with men and poor structural planning, such as lack of lighting at night, placement of bathhouses and latrines with poor protection for women and girls from soldiers and others who preyed on the camps.

This category stood out in the data captured by the TRC, constituting one third of the violations reported. The breakdown of the rule of law and of democratic governance led to national, regional and economic chaos. Basic services like water and electricity were disrupted; food supplies were cut off. People feared the violations of international human rights and humanitarian law, and fled to wherever they could go. Internally displaced people and refugees overlapped with many of the internally displaced leaving the country, then returning to still be internally displaced. The gender dimensions of such displacement are traditionally overwhelmingly neglected, with women being exposed to additional acts of GBV from which they were fleeing as well as having to trade sex for aid within the camps and shelters.

Killing

It is estimated that 300,000 people were killed during the 14 year period by every faction including vigilante groups, militia and the ECOMOG peacekeepers. Killings represent about one fifth of the total violations reported to the TRC. A known

perpetrator in the Liberian civil war 'General Butt Naked' confessed to the TRC that he alone killed about 20,000 people most of whom were children though distinguishing that this was done mainly through witch craft or supernatural means.

While many more men were killed than women, women were the ones who remained as witnesses to the killings of their husbands, sons, brothers, uncles, neighbors, friends and other loved ones, and as bearers of the responsibilities that those who were killed left behind. Often, women reported that while the men were being killed, the women were being subjected to other violations like rape and torture but would often be spared from being killed because of being a woman saying things like "leave the women, are we not all born from a woman" .

"During 1993 war, Zoh came from town he was trying to go up and he branched to our hiding area, they hid themselves in the bushes in the night. While we were at bed, they ran into us and they begin to kill. They killed 22 persons to where we were hiding. Two of my children, and my sister from one ma and one pa were among the people. Then one of the soldiers said they will kill us after they finish killing the 22 persons. Then Zoh said, let the killing be so. By then, I had a three month old baby. Zoh said we must go. While going, they met soldiers coming and they started fighting then we escape from them while they were fighting. After that, they followed us to where we were hiding and took my three month old baby and threw him away.

What I experienced in the war, in 1995 May 7, they [fighters] came and entered in the house and asked for my people and I said I don't know where they are. They met me with a three years old child and tied me. They said, whatsoever we do, you will see us and you will not tell anybody because if you do, we will kill you. While I was looking, they killed my three years old daughter and they killed my brother and they killed my mother and while she was shouting my step mother came and they killed her too. I was pregnant at the time and they also killed my seven years old daughter and they said if I cry they will kill me. While two of my kids were crying and coming shouting don't kill us they killed the two of them with an axe and there was an old woman and she said before they kill her she want to say her prayer and after that they killed her. In my village they killed 16 people.

Assault

Men and women were both subjected to widespread incidences of assault. The TRC statistics point out that the 15 – 24 year age group was particularly targeted for both males and females with many more males having been assaulted but with specific assaults targeted at women. Women were singled out for savage beatings regardless of their age or whether or not they were pregnant. They were often beaten in humiliating ways, stripped naked with objects forced into all orifices or turned upside down and with hot pepper forced into their vaginas.

“They asked for money and when we said we had no money, they took my ma and hang her upside down in the tree and put pepper in her (vagina).

They said we were the ones who were taking their money so they took my ma, they beat her and stripped her naked and took her to the beach and tie her up and spread her legs out, stuff sand in her private part and left her there. Some people went there and took lappa to cover her and bring her home.

Abduction and Forced Cannibalism

No one was safe in Liberia from being kidnapped and forced to either join the fighting forces or serve them in some way. Boys, girls, women and men were all targeted for abduction from their homes, while in the bush running from the violence, while walking on the road or during raids and ambushes. This practice has become a feature of recent conflict in Africa with the abductees needed by the fighters as porters to carry loot or arms, as sex slaves or bush wives and for forced labor with the women and girls mainly washing, cooking, fetching water and being used for sex. Some very young girls were used as mascots and carried by the fighters from county to county and then abandoned for the next group to take them up. Acts of cannibalism have been recorded in many wartime situations, particularly during acute food shortages, even up to World War II. While oftentimes people have resorted to cannibalism due to hunger, there are also known cases of the victor eating the heart of the vanquished as a show of power. In Liberia both these reasons existed. However in the Liberian context there was an added element of cruelty, intimidation and torture where many women were targeted to eat the flesh of their husbands or children as an act of punishment.

“The soldiers grabbed me and tied me and I was seven months pregnant; they grabbed my husband and cut his neck before me; they opened his stomach and gave me some parts of his to eat... After they killed my husband, they took my son who was two years old and carried him away. Since then, I have not seen my son; if I can see my son, I will be very happy since they have killed my husband. That’s all I have to tell you, I cannot go further because my heart is burning”.

Veronica (not her real name) had been taken at age three from her mother and sent to live with a woman at Prince Johnson’s camp. When the camp was attacked, the child was taken into the forest and used as a mascot, fed only on human flesh and urine. She had to hold down the pregnant women while they were being slaughtered, eat the heart as it was taken out and carry the special parts (breasts, vagina, penises etc) to the medicine pot for cooking. She was fingered while too young to be raped. She stayed with four different factions for ten years before being left to survive alone in the bush for more than a month, encountering leopards and other wild animals. At age 13 she was rescued and taken to safety.

A woman at the Bong County dialogue recounted how in her ninth month of pregnancy she, her husband and her four sons were caught fleeing from one faction only to be captured by another. She was forced to hold down her husband with her sons while he was butchered alive and then forced to eat his flesh. They then raped her until she delivered the baby she was carrying. In her disorientated state, she left the newly born fetus, grabbed her children and ran.

In Fish Town, River Gee County in south eastern Liberia, they told of how their husbands were butchered and their body parts piled up like animal meat. The women were then told to sell the pieces as food.

Looting, Property Destruction and Robbery

A major feature of the conflict was the rampant looting, wanton property destruction and robbery of personal belongings and money from anyone and everyone and by all the factions and groupings of fighters. The graph on looting in the figure above shows that women were equally targeted and were at the same risk for this violation as men. A common feature for women was that market women often fell into the hands of raiders and lost all their goods. The losses for women were thus manifold in that scores of women lost the breadwinners in their families as well as all the property that they owned and their means of livelihoods.

“They made boys to join and they treated some people bad and they were looting all of our things and even they were burning all the things in the towns”.

“When they came they were looting and there was nothing left in the town”.

Many women who testified before the TRC reported whole towns that were burned down by different factions, all looting and destroying with impunity. Women watched as not only their towns and property burned, but many reported that the burning of property included many people who were also burned with the property.

“One oldma was in the town when they were burning the town. She said the soldier came and said they should go in one room saying that they get some food for them. So when the people were gathering, the oldma said she went in the banana bush and started looking, they put the people in the house and put fire on the house. The oldma said they put my pa and aunty in the house and burnt them”...

Forced labor

The armed fighters in Liberia relied to a great extent on those who had been abducted to perform slave labor at the total mercy of their captors. This type of labor was used for both military and civilian tasks and included carrying heavy loads, arms, ammunition and foraging for food, fetching water, doing laundry, cooking and whatever else was needed. While the report statistics show that men were the larger category of victims for this violation, women who were abducted for forced labor were also kept as sex slaves, adding immeasurably to the burden of labor they were compelled to perform for the fighters of all factions.

"...they started dying one by one hunger killed the other people, I remained and I thought it was better to try to go home. When I got there I fell into the hands of the rebels and they were using me like tools. When they sent me to work they said if I don't work they will kill me... load heavy they said I must tote it... any kind of bad work they said I must do it until the war finished that's how come my one[I] remain, that's what I know".

"The time we were in Tappita selling our plantain and sugar cane I and my friends, the soldiers they came, they said we should not move. So they came they said you should not go nowhere, if you go we will kill you. They said you will be cooking for us and you will be our women here. So we said no, we no want you; they said they will kill us. So we were there, beating their rice, and doing other hard work for them".

Missing

Many children were abducted and detained by different factions either for forced labor or forced recruitment into the fighting forces. After the conflict, the TRC heard of the many children and relatives that were still missing. Some of the women had kept tabs on the fighters' whereabouts, following their movements and were able to tell the TRC where their missing relatives were being held. In such cases, the TRC made every effort to re-unite the family where possible.

"After he (Mango Menlor) finished killing my mother by first beheading her then chopping her into pieces, he left us there in the Steven Tolbert Estate. The estate was where his boys were stopping and he went to his house in Coca-Cola factory. After three days again he came back, when he came back he said oh! Since no body is taking these children, I am taking the big one among them to my house and he shared my brothers with his body guards. So he gave my two brothers, Mark and Paul to them. He gave Paul to one Grace and Mark to Kumah. So in 1991 he took me and the other children who were living with him because we were many, Linda, Watsin, one Tualy and Zoe and the other children. But I've forgotten some of their names. Every one of us were living with him in Kakata. When we were in Kakata, he used to beat us every day, but we knew it was because he was not our parent. We never had time. All the children we were

about 25 in number, we stayed with Mango all that long. In 1991 January 1st, he called me in the living room and said that he was sorry for killing my mother. I say oh so you sorry for killing my mother, he said yes because I want for you to be my wife when you get big. I was 12 years old".

Torture

The most frequently reported forms of torture was deprivation of food and water, deprivation of medication, denial of sleep, suffocation with red pepper, and denial of access to toilet facilities. Being forced to sleep in the bush and witnessing others being killed was also described as torture since this included witnessing people being buried alive, the splitting open of human bodies and cutting off of body parts such as ears, noses and lips and being forced to sexually violate or kill someone else. There were gender differences in the forms of torture used on men and women with more women being forced to sleep in the bush and bearing witness to their loved ones being killed and/or tortured. There were several reported incidents of pregnant women giving birth in the bush as a result thereof.

"During the 1993 war when the LPC (Liberian Peace Council) warring faction entered the town we were in at that time I had a two months old baby and they captured the two months baby and I including my mate. At night the general came and the person next to him is called Sando and she saw the baby and she took it from me and said the commander does not have baby and you have one, so she took the baby and carried it and I started crying and one of the soldiers came and he hit me with the gun and because I never had power I could not do anything, I stopped crying. My son was with them, they went and gave the young baby liquor and the baby died. When that happened we left from behind them and went to Bassa, and my father left there in the bush. The same group went to him in the bush and they beat him until blood set in his stomach and he died. That is what happened to me in the war, I say thank you for you people to come". This witness burst into tears.

"Then they said alright, so long nobody crying, everybody much laugh. We started laughing. They say if you laugh, that this woman we will deal with. Super killer got up right away, he said, your go bring water let this girl take bath. The rebel boy carried the bucket side my baby and chopped, chopped all my baby body and put the blood in the bucket and brought it and told me to wash my face. He said oh, you did not take bath last night? I said I took bath. He said you damn liar, waste water over yourself. I put my hand in the blood I washed my face. I put my hand three times, the last one he put the blood all over my body. My body was just like this. One boy flashed the light on my face and said this girl died and he said yes let her die. I was approaching her but she said she doesn't want me, she got married to Stephen that's why I killed the baby".

In Buchanan, stories were told about a group operating under the banner of the NPFL called, Marines. They were told of how these Marines stripped women naked and

asked them to bend over. The soldiers then asked them why they had those orifices and to close them immediately. When they could not, they forced in anything that could fit, boots, guns, sticks, cassava and/or raped them.

Another woman told of how the rebels came by with a wheelbarrow full of human heads, all male. They gathered the women and said they should search amongst the heads until they found their relatives. They were beaten if they cried and were told to laugh when they found a relative's head.

Sexual Violence

For the purposes of this report, we have included under the heading of 'sexual violence' all of the following: rape, gang rape, multiple rapes, sexual abuse, and sexual slavery, forced pregnancy, forced termination and disembowelment of pregnancy. In Liberia, as in other war zones, sexual acts were used to violate a person in a mental, physical, emotional, economic and psychological ways and not necessarily simply as a means of satisfying sexual desires. As the data shows, counter-intuitively, men have appeared as a large category of victims for sexual violence when the definition of sexual violence is extended to include undressing, humiliation, molestation and sexual servitude. Studies that have been conducted in Liberia reveal that male sexual violence on males is highly underreported and therefore unaddressed in DDDR or other recovery programs. This dynamic has serious consequences for Liberia's recovery as a nation as will be discussed later.

To date there is no quantitative study on the prevalence of such sexual violence of men. Sexual violence against women was of a particular nature involving brutal acts of rape, gang rape and multiple rapes, vaginal and anal rape and also with objects, guns, cassava plants, sticks, boots and knives. It overlapped with forced labor in that the women who were taken to wash and cook for the fighters were also sexually abused and kept as sexual slaves. No woman or girl child was spared and little girls were raped to death in front of their parents and siblings. Although the violations perpetrated on women and girls were not confined to sexual violence, the results of this violence has a wider and further reaching impact in that the ensuing harms are loss of reproductive and sexual capacity, medical complications such as fistulae and sexually transmitted infections, HIV/Aids infection, unwanted pregnancies in the aftermath, abduction of the children by the fighters, as well as ostracism and further victimization either because of the impregnation or having been used as a sex slave or 'bush wife'.

"Those that raped me I don't know them; they raped me until I am not to myself today. I am suffering and my hips are hurting me as I am sitting here. They beat me all over my body and I am having a lot of complaints today".

“Sixteen armed men jumped over the fence, burst the gate and came into our apartment. They took cell phones, money - everything. I had my children – my son, my daughter, my two nephews, and my nurse – with me. A boy with a hammer came towards me and said this woman is for me.” He hit my head with the hammer. He pulled down my jeans in order to rape me. My little daughter started screaming. And the man grabbed my screaming child from my side and knocked her down and started raping her. He just grabbed her from me, raped her to death, and laid her to the side.”

“They took us back to our own town and we were there and my little sister was not feeling well and there was no way to take her to the hospital and she died and one of the MODEL [Movement for Democracy in Liberia] people impregnated me and so while we were there anytime he wants to go with me and I refused he will show me the gun and I will have to go against my will for survival. We were there until June when they went to their home. I was pregnant when he left and since I gave birth I have not seen him and the child in question is a big child now with my mother in Ganta”.

“While we were there Morris Fahnbulleh took me as his wife and we were just living with them, they could do as they wish with us. The next day while we were resting JJ sent for me while he was in the room and I went there to him and he had a lot of guns and a lot of people were there. He had me amongst the other people (witness burst in tears) besides my husband no other man had me and he did that to me. After that he told me to squat down and he took a piece of iron and inserted it into me. After he treated me that way then he told me let us go outside. After I came out from his room then he said later then he took the mortal pastel and hit me with it and I told him that he had killed me.”¹

Another told of how she walked with an old woman, heavily pregnant. The old woman who was to help her deliver was captured and raped and at that time, she went into the bush and delivered a set of twins. Unable to get the placenta to emerge, she wrapped the new born twins in a cloth and went to look for the old woman. She found her and pleaded with the rebels to release her to help her. Finally they did and when she got back to the babies they found that they had been eaten by ants.

Forced Recruitment

Twenty-two percent of the combatants who showed up for the DDRR process were women. However, from the statements taken by the TRC, the number of women who were forcefully recruited is minimal compared to men. However, about 300 female ex-combatants gave statements to the TRC statement takers. This number is relatively small considering the large number of women who participated in the TRC process. Anecdotal evidence from the process conducted in the counties showed that women were reluctant to be identified as ex-combatants and many did not give statements to the TRC even after disarmament. If they did, they spoke of their experiences as victims

and not as combatants. The figures for abduction tell a different story and we see that women and girls were abducted in equal numbers to men and boys and that girls ages between 15 – 24 were at high risk for abduction. This lends credence to the speculation that female ex-combatants were keeping a low profile for fear of stigmatization and victimization from the community. This is confirmed by evidence from the study done by the International Labor Organization^{xv} (ILO), and outlined later in the section on the DDDR process, that many women and girls were forced into relationships with fighters and joined them to protect themselves from further abuse or to protect others.

Ingesting Taboo Items (including drugging)

“So they tied our hands me and my friend, they said we should sing. And we were singing and they were dancing. We were there they started putting their pepe [urine] in cup giving it to us for us to drink. They suffered us and suffered us, my friend that brought us they took her from among us and carried her, they said to her, that you the one brought the people for spying”.

“About that time, they took us and carried us to Monrovia on the Mansion ground. We were there, when the President came and they said all of us should do line formation. So when we got on the line. All my life that my first time, but he said for me to smoke, then Benjamin Yeaten came with the President in the Mansion yard; he said when they give you the grass you have to smoke it. When you not smoke it they get one small soldier there, he will shoot you. So me and my sister were there, that the same thing made her she’s crazy now, she’s on the farm there in Tappita”.

Mutilation

At the public hearings before Commissioners of the TRC, women and girls reported that it was a deliberate tactic of the fighting forces to “brand” civilians including women or “design” them as per their whims. *“They told us to play this game with them where they wrote on the papers, closed the papers into balls and asked us to choose from the papers, anything that is on the paper is what they will do to you. Me, I was lucky. The paper I choose it was written on for them to design me. So, they used the bayonet to draw on my chest with a large X. After that, they put a paper in my mouth, they said go and carry it to Charles Taylor. I was bleeding throughout when I got in one village, the people are there now-now (presently) so the people helped and tied cloths around me. The people helped me and passed me through to Monrovia. When I got to Monrovia, they took me to JFK Hospital; there was no doctor there so they sent for one Chinese doctor from Cooper’s Clinic. So he’s the one who tried to give me stitches”.*

Commentary on the Experiences of Women and Girls

The list of war crimes in breach of the 1949 Geneva Convention is: willful killing; torture or inhuman treatment (including medical experiments); willfully causing great suffering or serious injury to body or health; extensive destruction and appropriation of property not justified by military necessity and carried out unlawfully and wantonly; compelling a prisoner of war or civilian to serve in the forces of the hostile power; willfully depriving a prisoner of war or protected civilian of the rights of a fair and regular trial; unlawful deportation or transfer of a protected civilian; unlawful confinement of a protected civilian; and taking of hostages. Against this background, women and girls were the victims of serious crimes of war perpetrated by all the fighting factions differing only by degree. The TRC statistics clearly indicate the nature and prevalence of these crimes by faction.

While the recovery of Liberia does not rest solely on holding the major perpetrators accountable, women throughout Liberia have called for “the big big people” to take responsibility, be held accountable and be punished for these wartime atrocities. This is based on real fears that without accountability, impunity will reign once more leaving them vulnerable not only to conflict, but to continued violence in the lived realities of their daily lives. They repeatedly testified to the breakdown of their social networks, kinship systems, the devastating aftermath of the brutal sexual violence and most importantly to the loss of their property and livelihoods. They particularly pointed out that the loss of breadwinners and livelihoods have impacted extensively on their ability to recover from the wanton destruction which has laid wreckage to their lives on every level: psychologically, reproductively, economically, socially, emotionally and physically. Many face ostracization and isolation due to the stigma attached to the sexual violence and forced pregnancies, and many of the women spoke of being totally alone, having lost entire families during the conflict. For these survivors to come to terms with the aftermath of the conflict, they appealed for recognition and acknowledgement of their suffering and for it not to go unpunished even though they are committed to full recovery and the rebuilding of their lives.

II.5 Multiplicity, Complexity of Roles

Women have become primary targets in today’s armed conflicts and suffer unprecedented casualties. Simultaneously, they are emerging as necessary partners in brokering lasting peace, and as leaders in forging new international laws governing conflict. Discussions about the multiplicity of women’s roles in war and peace are underway in boardrooms, conference halls, and on the floor of the U.N. Yet, the general perception of women as victims-only persists. Women are still perceived as collateral damage, with conventional wisdom portraying war and peace as the domain of men. Grappling with the concept of gender avoids these stereotypes, and leads to an

examination of the different and complex roles assigned to men and women in making war and peace.

Africa's history is patterned with stories of incredible women and the roles they played as leaders, activists, politicians, negotiators, mediators, protectors amongst many other exceptional roles. These women displayed the most remarkable strength and there are awe-inspiring accounts of bravery if not formally documented but known to many through oral historical accounts.

Despite constituting the majority of the continent's marginalized and vulnerable masses, from South Africa to Egypt, African women have continued to show remarkable resilience in the face of great adversity and an unshakeable commitment to building a better Africa for their children and their children's children. They have broken through social boundaries to gain national, regional and international attention for their efforts which, when applied in the home, on farms, in boardrooms and houses of parliament have translated to immeasurable benefits for communities across Africa. Yet the potential of women as agents of change in Africa has not yet been fully realized.

Conflict can and does change traditional gender roles; women acquire more mobility, resources, and opportunities for leadership. But the additional responsibility comes without any diminution in the demands of their traditional roles. Thus, this experience in which women take on non-traditional roles and typically assume much greater responsibilities – within the household and public arenas – does not necessarily advance gender equality, unless these multiplicities, complexities and challenges are intentionally understood and made useful in the post conflict period.

Women as Combatants and Peacemakers

Despite the fact that women in Liberia were beaten, mutilated, raped and disempowered, they found ways and means to fight back and organize. Stripped of their livelihoods, families and self-determination, some women chose to join armed resistance struggles such as the NPFL, so they could feed themselves and their families with the provisions provided by the combatants. Many young girls had no choice. In 2004, Human Rights Watch published a report that described how another armed faction LURD, "abducted girls, trained them to use guns and other weaponry, and sexually assaulted many to the point of death". Others who were lucky to avoid combat, organized non-violently to lead an initiative for international intervention.

Peacemakers: Women Take Action^{xvi}

When warring factions exhibited belligerent behaviors refusing to sign and even abide by peace agreements to end the war, a group of women in 1994, organized themselves

into the “Liberian Women Initiative” (LWI) as a non political, non partisan group to pressurize warring factions to end the war. The LWI which comprised women from diverse background including; teachers, journalists, market women, lawyers, politicians, medical practitioners, housewives, etc employed several best practices in getting warring groups to ceasefire initially and began the process of dialogue. The women’s advocacy included the writing of press statements and position statements on the war focusing on the humanitarian crises and effect of the war on the population especially women and children, they invited themselves to the Accra Peace Conference in Accra, Ghana having previously being denied participation by the ECOWAS (Economic Community of West African States) organizers of the peace conference on grounds that they (women) were not party to the conflict. However, by the second day of the conference, the women delegation of 6 gained legitimacy to participate in the conference owing to their persistent lobbying with conference delegates. When warring factions forming a coalition government fought over the allocation of four key ministries and the appointment of persons to occupy the positions, the LWI, consulted with women throughout Liberia and compiled a list of qualified women from diverse professional, ethnic, social and religious background to fill the disputed slots. They also engaged in a letter writing campaign to First Ladies of all countries comprising ECOWAS and the First Ladies from around the world to impress upon their governments to intervene in ending the war in Liberia.

When the fighting group ULIMO forces captured Kakata in 1993, they blocked the flow of traffic, services and goods along the route from Gbarnga to Monrovia. Hearing of acute food shortages, the Concerned Women’s Organization developed a plan to deliver food to Monrovia. They mobilized women traders, gathered quantities of foodstuff and negotiated a safe passage with the NPFL forces in Gbarnga, which allowed them to cross checkpoints. It took intense negotiations with young ULIMO soldiers to allow them to pass Kakata, the crossing of some 50 checkpoints and travel on roads devastated by the conflict to finally reach Monrovia and distribute the food. This is just one of many examples of African women acting locally, often spontaneously, to assist the victims of war and reach across battle lines.

It is peace-building at the village level, where Africa’s increasingly internal conflicts are fought, and often the first step towards reconciliation in communities shattered by the violence and devastation of war. But the contributions of women in Africa, from Somalia to South Africa, have gone largely unnoticed. Dismissed by governments and rebel movements who consider making war and peace to be men’s work – and often relegated to the role of “victim” by well-intentioned diplomats and aid agencies – women have had to fight their own battles for a seat at the peace table.

Women peace activists in the troubled Mano River basin countries of Liberia and Sierra Leone have also had to struggle to be heard. Since at least the beginning of the Liberian

civil war in 1989, Liberian women have organized to assist the victims and encourage national and regional peace initiatives. In 1994 a number of women's religious and development organizations launched the Sierra Leone Women's Movement for Peace, organizing protests against the country's deepening civil conflict and advocating for women's rights.

In 2000 women from the two countries met in Abuja, Nigeria, at the invitation of the Economic Community of West African States (ECOWAS) and, together with their counterparts from Guinea, launched a regional women's peace movement, the Mano River Union Women Peace Network (MARWOPNET). The network got off to a fast start, delivering a women's peace appeal to the feared Revolutionary United Front (RUF) rebels in Sierra Leone and addressing an MRU heads of state summit within a week of its launch. The organization also initiated a recruiting drive to increase the membership and effectiveness of its national affiliates. In recognition of their efforts, the women were given delegate status at the 24th ECOWAS summit that December, and addressed the leaders about the importance of supporting women's peacemaking programs.

But it was MARWOPNET's initiative to mediate the escalating conflict between Liberia and Guinea in 2001 that demonstrated the potential of women's peacemaking efforts in Africa. It also highlighted the limits to their effectiveness, due to scarce resources and their exclusion from the formal peace process. At that time, relations between the MRU countries were extremely tense. Liberian President Charles Taylor had expelled the Sierra Leonean and Guinean ambassadors. This move came amid charges that Liberia was aiding the RUF rebels in Sierra Leone, and that Guinea was supporting Liberian rebels opposed to Charles Taylor along the border between the two countries – an allegation vehemently denied by Guinean President Lansana Conté.

Despite urgent diplomatic efforts by ECOWAS and the then Organization of African Unity, the acrimony blocked arrangement of a presidential summit. In response, MARWOPNET dispatched a women's leadership delegation, including Mary Brownell and Ruth Sando Perry, to all three countries to appeal for an urgent meeting of the feuding heads of state. At that meeting and in meetings with President Lansana Conté of Guinea and Sierra Leonean President Ahmad Tejan Kabbah, MARWOPNET decided to take maximum advantage of the limited political space open to women, using the respect that they had for them as women, and also that they knew they were involved with the warring parties. They thus focused on the human suffering caused by the war and the overriding need for peace. However, Conté was adamant that he would not meet directly with the Liberian leader. Mary Brownell intervened and told Conté that if he would meet with Charles Taylor, the women would be present and lock them in the room until they were able to "come to their senses". After her comments were translated into French there was a long silence before he burst into

laughter, exclaiming that only a woman could have said that to him. He agreed to attend the summit, and he credited the women for changing his mind saying that he had been convinced by their commitment and manner of appeal.

It was a major diplomatic achievement for MARWOPNET – one that regional and international mediators had tried for months to reach without success. But when the three presidents met in Morocco in March 2002, MARWOPNET was absent – a victim of political marginalization and a severe shortfall in resources. They were told too late and could not raise the funds in time to attend. This was seen by the organization as a trivializing of their contribution, of paying lip service to cooperation with women and of “putting them in their proper places” as victims and observers, not equal players.

The only way to ensure that African women become equal partners in peace is to support their struggles for full participation in national, political, economic and social life. In the face of entrenched discrimination, controversial measures to increase opportunities for women, including quotas for women in parliament and the civil service, should be supported as a first step on the path to gender equality. In the short term, mechanisms such as trust funds and requirements for gender balance in formal peace processes, combined with expanded training and capacity-building programs, should be established to ensure that a “critical mass” of women take their seats at the negotiating table. But such policies cannot replace long-term strategies to address the socio-economic and cultural constraints that keep women out of the political and economic mainstream. A key lesson to be learned is that much greater political and financial capital must be made available to bring the human security mindset that women bring, which includes health care, education and economic development to the peace table.

Combatants – women associated with the fighting forces^{xvii}

The mechanism in the transitional justice period for ascertaining the roles women played as fighters and supporters of the war is usually during the process of disarming and reintegrating the fighters known as DDRR. Frequent recidivism and the failure of ex-combatants in many post-conflict societies to become productive citizens, has led to efforts to better understand the motives and the psychosocial dynamics that affect ex-combatants’ decisions following the end of a conflict—especially decisions concerning a possible return to violence. While most studies of DDRR programs focus on tallying participants and gauging the effectiveness of vocational training, few have focused on how the ex-combatants themselves see their own reintegration, their future, and the issues that could compel them to rejoin a fighting faction. Thus, there has been minimal understanding of how ex-combatants’ personal characteristics and experiences during and after conflict affect their choices and attitudes toward reintegrating into society or resuming violent activities. Some studies have been conducted in Liberia to better

understand this issue, especially from a gender perspective.

In many DDRR initiatives around the world women combatants are often invisible and their needs are overlooked. While the participation of women in combat has been minimal in some of Africa's recent conflicts, in others, as in Sierra Leone, Liberia and the Democratic Republic of the Congo, women have taken part in significant numbers.

Originally, some of these female fighters were abducted. Some admitted that they joined voluntarily, for many of the same reasons as male recruits. A number operated primarily as combatants. More often, they also served as nurses, cooks, sex workers, messengers, spies or administrative or logistical personnel. Yet when a peace settlement opened the way for demobilization, in some countries they were categorized among "vulnerable groups," a broad label that included wounded or disabled male combatants and all women and children who accompany warring factions. As a result, they were precluded from receiving the benefits provided to 'combatants'. The DDRR program in Liberia drew on some of the lessons of Sierra Leone's experience. The criteria for disarmament were expanded to make it easier for female fighters to take part. Out of the total of 103,000 combatants who completed formal demobilization by the time it ended in December 2004, nearly 22,500 – 22% - were women.

According to reports, the efforts of the UN Mission in Liberia (UNMIL) marked significant progress compared to other missions in terms of recognizing the need for separate facilities and services for women, girls, boys and men in the DDR process. The entire process was reported by observers to be gender-sensitive in all eight of the cantonment sites where special services were provided, to include reproductive health and counselling on HIV/AIDS and maternal and child health. Still, UNIFEM reported shortcomings where not all the cantonment sites were designed so as to fully protect women against harassment from men.

Women who completed demobilization were eligible for reintegration benefits. As of October 2004, more than 10,000 women ex-combatants had signed up for various types of vocational training, while another 6,500 were going to school. At the agricultural training project in Duport Road they were especially well represented, with 230 ex-combatant women out of the approximately 500, in the project's first eight-month session.

What were the motives of girls who fought in the Liberian civil war and how could the DDRR process have addressed their needs better? The civil conflicts in Liberia killed more than 250,000 people, displacing over 2 million, while injuring and traumatizing countless others. Women generally comprised between 10-30% of armed forces and groups. The association of women with fighting forces in both fighting and non-fighting functions has been a constant feature of Liberia's civil wars, with some

units wholly composed of girls and female combatants (commonly known as the Women's Auxiliary Core (WAC)).

The long running war provided the broad context in which many girls decided to take up arms, using the opportunity to give increasing action to the previously 'low ebb' site of their personal and community-based gender struggles. The first of the reasons cited by women in studies by the ILO and United States Institute for Peace (USIP) was to protect themselves and other women from violence, particularly sexual violence and secondly to avenge such violence. Many girls willingly sought or were forced to form relationships with male combatants because they needed protection. For others there were economic motives coupled with protection deriving from sheer poverty and for some, the wanting of luxury items such as make up and red shoes. Fighting girls, especially high ranking female combatants, gained status and respect by taking up arms and proving that they were as competent and able as men.

Ellen enlisted at age 16 after being raped by the same men that had killed her mother and father right before her eyes; another Liberian woman joined up after learning that a woman who had recently given birth had been raped so brutally that she bled to death. For many of these females, becoming a soldier was a matter of kill or be killed.

I wanted to help the rebellion. I thought that if my brothers could do it, well so could I. I wanted to do like my brothers. When you are little, you want to do as if you were tall. When you are a girl, do as if you were a boy.

A major misperception of the DDRR process was that the continued bonds between commanders and ex-combatants are contradictory to the aims of the process. Studies have shown that if assisted appropriately many commanders could have assisted their 'girls' reintegration.

Studies^{xviii} have found that planning for DDRR insufficiently addressed the concerns and needs of women and could have improved their effectiveness by:

greater sensitivity to the distinctions of girl combatants – distinctions of age, fighting or non-fighting, and their relative rank, could have enabled the better understanding of the experience and behavior of girl combatants;

questioning the assumption that the bond between commanders and ex-combatants is best broken as quickly as possible. It is necessary to ask what the best approach is for girls who are strongly opposed to this break, or for girls for whom no viable alternative support network has been identified;

paying greater attention to higher-ranking female ex-combatants, who have the

capacity to make a greater contribution to DDDR and post-conflict society, and in doing so to have a positive influence on other girls, is giving way to frustration, inequality and poverty; and

ensuring that genuine ex-combatants are willing and able to register for DDDR, with female combatants of all ages, ranks and roles proportionately represented among them. Likewise, it is crucial to raise the question of how those girls who have self-demobilized can be reached in their communities with assistance appropriate to their needs.

Although the war in Liberia has ended, the exploitation and abuse of girls and women have not. Female ex-combatants face many obstacles in their efforts to return to normal life, an indication that many men do not treat women fairly in times of peace either. While reintegration of ex-soldiers into society is critical to peace building and reconstruction, previously existing programs tended to reintegrate girls back into the harmful situations they came from, thereby ignoring the underlying issues that drove them to fight in the first place.

Gender-based discrimination and violence remain very much a part of everyday Liberian life. Making matters worse is the fact that, after years of war, most girls and women have little to go back to - often their parents have been killed and their houses destroyed and the economic and social fabric of their country has been left in shreds. Despite these conditions, many are determined to improve their lives. We first were fighting men with our guns, now we have given up our guns, but we still have to fight men", says Ellen, "this time with our pens. That's what I try to tell my girls now.

Masculinity

Masculinity is broadly defined as the widespread social norms and expectations of what it means to be a man or the multiple ways of being male. It is important to understand, in any discussion on gender, that masculinity is deeply linked to notions of femininity^{xix}. This has a great impact on the way that the transitional justice process is designed and how males and females are repositioned socially in the post conflict era. It can mean that gender relations are either reconstructed in the same formations they occupied prior to the conflict, or they are transformed using the opportunity of the shift in gender stereotypes that the conflict has afforded.

Historically, wars have been intensely masculine endeavors. The vast majority of the world's soldiers are men. So are most of the prison warders, the police, and almost all the generals, admirals, bureaucrats and politicians who control the systems of collective or institutional violence. Most murderers are men. Almost all armed robbers and muggers are men. Nearly all rapists, most domestic bashers, and most people involved

in street fights and riots are men. In most societies, to “be a man” is to be tough, in control, self-reliant and dominant. Many men are taught to adopt an aggressive and violent masculinity. One of the central images of masculinity is the murderous hero who viciously conquers the “enemy” using whatever means necessary to emerge the victor. Gender is thus very important for understanding who fights, how they fight and what is fought over.

In Liberia, rape and sexual violence against women were used as weapons of war and must thus be clearly seen as a tactic of power and social control over women; with men using women’s bodies as the ‘battlefront’. While there are clear links between the understanding of what it means to be a ‘man’, how men are recruited into war, and how they behave towards women in wartime, the study of a specifically African masculinity is still in its infancy. The continuing violence against women in the aftermath of conflict demonstrates clearly that we need a much greater understanding of “masculinity” in Africa, as it intersects with notions of what it means to be a woman. Murderous aggression – with or without a civil war – cannot be turned off overnight, and unless there is a concerted effort to find ways to reshape and transform the notions of “manliness” in relation to women and other men, transforming society from violence to peacefulness will be difficult if not impossible. It is therefore incredibly important that an increasing understanding of masculinity is seen as a crosscutting theme intersecting with debates and discussions on gender and feminist notions of justice for women in the aftermath of war.

II.6 Impact and Consequences for Women and Girls

Continuities of Violence

With huge support from the international community – and the presence of the world’s largest peace-keeping force – Liberia has embarked on a slow and painful process of reconstruction and recovery. Emphasis has been placed on repairing the visible damage to infrastructure, health and education facilities and peoples’ livelihoods. However, despite the large number of UN and other international agencies working on GBV issues, there still appears to be a high number of incidents of post-war rape and domestic violence. Women were subjected to gender-based persecution, discrimination, sexual violence and oppression long before the war began. Since they lacked political rights or authority then, they had no recourse with little control over their environment. The militarization of society during the conflict, the proliferation of small weapons and the impunity with which acts of violence were perpetrated against women, have led to greater levels of instability for women, thereby escalating levels of GBV in the post-conflict period. It needs to be understood that an added complexity, is that the violence against women is not over because the war is over.

The changed gender roles and identities that the war brought about have left many men feeling powerless. Many of those forced to watch helplessly as their mothers, wives, sisters and daughters were raped and sexually abused admit to shame and inability to live up to the hegemonic model of masculinity. The easiest way for them to regain their power has been through exerting control over women through sexual and physical violence. Evidence is anecdotal but interviews with women and girls in Grand Gedeh and River Gee counties reflected the scale of ongoing sexual violence. There is particular concern at the large number of reported cases of raped children. Attacks are perpetrated not only out of sexual desire, but also due to belief in rape as a ritual capable of increasing power and virility.

Violence, especially sexual violence, has a devastating and corrosive effect on society, intimidating and terrorizing victims, their families and entire communities. Women who have been attacked are traumatized physically, emotionally and psychologically and may be unable to take up their lives normally again. Despite the widespread nature of the sexual violence in conflict, it continues to be a taboo subject and most women find it difficult to speak about what they experienced. All are likely to feel deeply ashamed about what has happened to them because such violence is a very intimate form of abuse that destroys self-worth and dignity.

In addition, men who have been sexually violated, especially those to whom this was done in public, are often in complete denial or sink into deep depressions unable to take up their normal lives in the aftermath of such humiliation and loss of dignity^{xx}. Studies^{xxi} show that males who experienced sexual violence have worse mental health outcomes than both the general population and also other former combatants. Rehabilitation programs that do not address this specific population risk failing a critically vulnerable group. This unexpected finding suggests that standard post-conflict rehabilitation programs and gender-based programs will need to adjust current programming to take into account males who have experienced sexual violence, especially former combatants. This neglect has serious implications for women as unaddressed physical, mental and psychological problems of men impact directly on their family lives, relationships, personal wellbeing and ability to recover from their own experiences of the war. There are escalating reports of substance abuse, suicidal ideation, homicidal ideation and domestic violence.

There is, therefore, no “aftermath” for women as such, since the violence continues unabated, at increased levels, and with increased impunity, in the social chaos and destruction of some of the cultural and traditional norms that may have offered some protection prior to the war. The burden on society is not only to address the considerable consequences of the war trauma physically and psychologically, but to transform socio-cultural, economic, legal, religious, traditional and political norms and practices that continue to underpin GBV.

Healthcare System Support

Not only were the population of Liberia subject to devastating attacks on their persons, the entire health care system was also disrupted and in some areas totally destroyed. A woman testifying before the TRC told of entire hospitals being burned down with scores of people trapped inside. Health personnel were themselves traumatized and injured during the war presenting with excessive alcohol consumption and frequent absconding from duty. This added to the extreme poverty and displacement, and made it almost impossible for the majority of Liberians to access health care during and after the war. Thus the myriad of gynaecological illnesses affecting women resulting from the sexual violence is largely untreated leading to death, chronicity and debilitation, and presents a particular challenge. More is discussed on this later in the chapter.

A study by Isis-WICCE^{xxiii} recorded high percentages of women (68.5%), especially amongst the 19-24 year old age group with at least one gynaecological problem. They presented with chronic lower abdominal pain, infertility, abnormal vaginal discharge, abnormal vaginal bleeding, leaking urine or faeces, unwanted pregnancies, sexual dysfunction, genital laxity / tears and sexually transmitted infections, genital sores and HIV/AIDS. These women also had other related health problems which included psychological and substance abuse difficulties, reflecting the debilitating and traumatic nature of chronic, untreated health problems. Almost 80% of these women had attempted suicide at least once in their lifetimes. Many of the women engaged in the TRC process spoke of suffering from fistulae as well. These statistics are particularly alarming when combined with the ongoing violence that women continue to experience. The consequences for community healing recovery and reconciliation are severely compromised if this situation is not or inadequately addressed.

Economic Status

A further challenge to the recovery of health, wellbeing, dignity and identity of women is their loss of economic activity. Women lost their homes, property and possessions leaving them without any form of capital to restore their economic base after the conflict. This is particularly painful for women who pre-dominated the informal economic sector in the communities and local markets before the war. Women are further discriminated against by inequalities on land ownership and access. Many women lost access to land they were farming as wives, and now as widows they are not entitled to the land unless they negotiate with a male relative of the deceased husband. With farming and informal trading being the main source of income, women's ability to rehabilitate their livelihoods has been seriously eroded. This renders them even more vulnerable and exposed to exploitation and recruitment into prostitution.

Prostitution, Trafficking and HIV/AIDS

There is a vicious circle that links poverty, prostitution, trafficking of women and girls and the prevalence of HIV/AIDS. With the war having destroyed family life, community cohesion and economic stability and with the high numbers of men, foreigners and local, willing to pay for sex, young girls are particularly at risk to be recruited or coerced into prostitution, are routinely trafficked out of Liberia with the promise of jobs or marriage outside the country and are contracting and infecting others with sexually transmitted diseases and HIV/AIDS.

Conclusion

It must be clearly acknowledged that the violence and atrocities meted out to women and girls did not arise solely out of the conflict, but are also firmly linked to the status of women in Liberian society in peacetime. This means that addressing the impact and consequences of the war means addressing the root causes as well, if lasting and sustainable peace is to be achieved. Therefore, in the midst of the devastation, the conflict has opened up opportunities for historical gender inequalities to be transformed, opening up access to new resources and new identities and roles for women and girls. This is the time for reforming and transforming all social systems that have been identified as the pillars of gender inequality, to ensure that never again will women and girls be vulnerable to such devastation and destruction in Liberia.

11.7 Transitional Justice

Transitional justice is understood as an effort to deal with and account for systemic or mass atrocity of the past in order to build a more just future. The following mechanisms are often mentioned: criminal prosecutions, amnesty, truth commissions, reparations programs, institutional reform/vetting (lustration), and memorialization. Criminal prosecutions and truth commissions are undoubtedly the most well-known mechanisms, and both are an attempt to identify who did what, where, when, why, and how. Where truth commissions can identify broad patterns of violations and explore root causes, prosecutions can determine individual culpability for their perpetration. Prosecutions are focused on the story, and associated guilt, of perpetrators, whereas truth commissions can better listen to and explain the experience of victims and survivors of mass atrocity. Reparations programs, however, may be the mechanism through which survivors experience the most tangible impact, and they can encompass individual, collective, material as well as symbolic aspects. Experience has shown, however, that comprehensive reparations programs are difficult to implement. Vetting programs, i.e. the exclusion from public service of individuals responsible for abuse, are the mechanism of transitional justice for which least analysis has been done.

Transitional justice initiatives are commonly understood to pursue goals such as establishing the truth, providing reparations for harm suffered, restoring the victim's dignity, ensuring that perpetrators are held accountable, and facilitating national reconciliation, reforming and legitimizing state institutions, and preventing future abuses. It is important to note that the relationship between different goals may not necessarily always be harmonious, and much depends on how and by whom the (conscious or unconscious, explicit or implicit) decisions to emphasize one or another goal are made. Timing and sequencing are also incredibly important, and transitional justice measures must always be pursued with a deep appreciation for the social, political, and economic contexts in which they are being implemented.

Thus far, actors in the field of transitional justice have focused almost exclusively on violations of civil and political rights relating to personal freedoms and physical integrity. As a consequence transitional justice mechanisms have mostly dealt with torture, killings, rape, and disappearances leaving issues of economic, social and cultural rights largely unaddressed. There has been a distinct tendency to deal with women's suffering through the lens of direct sexual violence ignoring the gender dimensions of conflict and the fact that women suffer other human rights violations as well, sometimes to a greater extent than the sexual violence. However, the horror of the sexual violence seems to capture the imagination of the international community and women suffering other violations often get the impression that their suffering is less important. A few of the women who spoke during various phases of TRC engagement with women and who did not suffer any form of sexual violence initially said that nothing had happened to them, and yet later they spoke of their homes being burned to the ground or having been internally displaced since the war. While actors should in no way ignore the reality of sexual violations against women, concentrating on women's experiences of sexual violence should not come at the expense of silencing all other important aspects of women's experiences of conflict, in particular the long-term consequences of violations.

Transitional Justice Mechanisms in Liberia

In Liberia, the mandate of the TRC ensured that gender issues were catered for and as described earlier, different programs were put in place to implement those provisions in the TRC Act. The Commission determined very early on that its work with women would be of a broad based participatory sort where it would take the process to women in the 15 counties to ensure the full participation of women and that they establish ownership as major stakeholders. Early outreach and sensitization activities through the 15 counties town hall meetings held over a period of 2 months in December 2006 to January 2007, saw the participation of more than 1000 women followed by zonal workshops for local women organizations leadership, with over 500 rural community women leaders in attendance, targeted workshops hosting 42 traditional female

leaders, psychosocial support for additional 75 women, referral services for 73 women and zonal workshops for 400 male partners of women from the 15 counties. These follow up programs, were systematically structured to provide the platform for women to freely discuss crosscutting issues affecting them during the war and thereafter, primarily exposing beneficiaries to the subject of transitional justice with focus on the concept, purpose and workings of truth commissions as a traditional justice mechanism. However, the community dialogues held in late 2008 and early 2009, covering again all of the 15 counties and reaching over 500 women, presented yet another opportunity for engaging women on issues of transitional justice.

To date, the TRC has held 707 direct recorded engagements with women excluding the collection of more than 10,000 (47% of 22,000 coded statements from women in Liberia and the Diaspora). The 707 direct interactions with women, represents 360 direct psychosocial support, 64 town hall meetings and zonal workshops held in Liberia, 62 medical and other referral services in the 15 counties where most of the women were accompanied to health centers by project staff, 5 child reunification referral services for women who were seeking to be reunified with their children taken by fighters, 206 women who testified at the hearings in the counties including thematic, 1 Diaspora thematic hearings for women, 4 town hall meetings and workshops at the Buduburam Liberian refugee camp Ghana, 1 National Conference for women held in Monrovia, and 4 zonal workshops to train male partners of women to support women coming to the TRC. These figures do not include work of civil society organizations and other partners of the TRC with women in the communities on the TRC process. No report was forwarded to the TRC by these organizations on their activities with women even though the TRC requested same on numerous occasions.

While issues of sexual violence significantly overshadowed the discussions on the violations that occurred during the civil conflicts, further discussions on transitional justice mechanisms created space for discussion of many other human rights violations to emerge. Women were encouraged to understand the different mechanisms of transitional justice and as an established pattern made recommendations under seven different topic-headings: truth telling, prosecutions, amnesty, memorialization, reparations, reconciliation, and institutional reform. These concepts were translated into Liberian English and carefully explained and discussed in depth. Using a pre and post test with some simple questions, the facilitators of this process confirmed that the women had understood and benefited from the dialogues in terms of not only having been given more space to collectively share their stories but also to engage with hitherto badly understood concepts including the term transitional justice itself.

Truth-telling

Local, informal truth-telling processes, as reconciliatory or community healing mechanisms, were generally supported by the women. Both women who had come before the TRC as well as women who had not, either because of lack of information or fear or retribution, thought that community-level processes would have a greater direct impact on helping individuals release the 'bad feelings' that were still harming them as a result of the violations they witnessed or suffered. They also expressed as in previously held activities that knowing the truth about what happened to their loved ones or hearing perpetrators tell the truth about the crimes they (perpetrators) had committed would certainly quickly assist the healing process for victims and help them find closure.

Prosecutions and Amnesty

On this topic opinion about holding perpetrators accountable for gross human rights violations were overwhelming. The women throughout the TRC process were vocal in calling for prosecution for those who bear the greatest responsibility for crimes committed. A few of the women preferred for bygones to be bygones. There were also some suggestions that the government of Liberia could consider conditional amnesty for those who told the whole truth, who showed authentic remorse and who asked for forgiveness. The women also called for public sanctions including debarment from public office against individuals especially those who refused to come to the TRC, did not show remorse and those who came and did not tell the truth. In general there was broad consensus on the need to hold the warlords or heads of fighting factions and those bearing the greatest responsibility accountable for their part in the wars, though the manner in which women recommended that this be done varied. Some suggested a war crimes court; others suggested that bank accounts be seized and frozen; many suggested that suspected warlords be banned from public office. Many felt that there should be jail time, hard labour or community reparations like rebuilding the homes they were responsible for destroying. Women were unanimous on the need to provide child soldiers with amnesty and rehabilitative services however, some of the women also said that punishing anyone would serve no use and could in fact reignite conflict. These voices were fewer, however, than those calling for accountability.

Memorialisation

There was unanimous support for some measure of memorialisation. The most common forms that the women requested included a national day of mourning at which various traditional rituals and feasts could take place and monuments listing the names of those who died. Many suggested that these be placed at sites of massacres or other important, visible locations. They also proposed that public buildings such as

community centers be named after victims.

Reparations

The majority of recommendations for reparations were communal in nature, with women listing their development needs as absolute priorities. However, there were also significant calls for the government to provide support and empowerment to vulnerable communities, such as widows and the disabled. The women also requested free healthcare for all women who had suffered sexual violations and psychosocial support for all victims at the community-level. They also spoke of the need for scholarships for the children of widows or women who lost their bread winners and as a result were now struggling.

Institutional Reform

As mentioned earlier, the women widely indicated that no warlords or anyone with a record of corruption or abuse should be allowed into public office. The participants also called for more women in all public service sectors, particularly in the police and army. Women were adamant that petty corruption practices – that of taking or demanding bribes for services – had to be reformed for progress to be seen, and they suggested that the government provide better protection for ‘whistle blowers’ who try to prevent this.

Reconciliation

At the national level, women suggested that the government establish a national programme or commission to promote community reconciliation and peace. They also suggested that peace-building skills be taught as part of the elementary school curriculum. Most recommendations on reconciliation, however, pertained to the community-level, the scale at which women felt true reconciliation could actually take place. Women suggested a variety of traditional mechanisms through which reconciliation and dispute resolution could be encouraged, including ‘palava huts’ and other forums that engage traditional and religious leaders.

II.8 The Current Status of Women and Girls in Liberia^{xxiii}

The point has been made that the violence and atrocities meted out to women and girls did not arise solely out of the conflict, but are also firmly linked to the status of women in Liberian society in peacetime as earlier history of the status of women prior to the war was given. It therefore follows that it is not possible to plan for transformation, and in particular gender equality, without having an understanding of the status of women and girls in Liberia. This section of the document covers an overview of different areas

summarized from reports compiled for the CEDAW Committee.

Politics and Leadership

At its fiftieth session in 2006, the Commission on the Status of Women stressed the need to increase women's role in conflict prevention, conflict resolution and post-conflict rebuilding of society, in accordance with Security Council resolution 1325. It further underlined the link between increasing women's participation in decision-making and ending violence against women. The Commission concluded by urging Governments, the United Nations system and others to, inter-alia: strengthen research, monitor and evaluate the progress of women's participation in decision-making; introduce objective and transparent procedures for recruitment and gender-sensitive career planning; take measures to prevent and eliminate all forms of violence against women; and promote women's leadership in all areas and at all levels. In recent years, there has been considerably more discussion about the protection and promotion of women's human rights in conflict-affected situations, with many new actors and resources being employed in driving this agenda forward. However, concrete results in Liberia remain inconsistent, particularly with regard to women's participation in peace processes.

Liberia was particularly challenged with what seemed like an impossible reconstruction and transformation task. With a history of exclusionary politics as well as the collapse of the economy and the withering away of the state, successive transitional governments failed to re-establish the rule of law, the promotion and protection of human rights, or even begin to right the wrongs of the historically unequal past. In taking up this enormous challenge, the current administration took an intense and analytical look at some of the major inequalities and concluded, amongst other things, that women as an aggregate are the most discriminated against and deprived people in Liberian society. The government thus instituted several policies for the purpose of building the capacity of women through the acquisition of skills and appropriate education, including the provision of equal opportunities for employment. In 2009, women are presently in appreciable numbers in the cabinet, in the legislature and in the judiciary. They have made some progress in the military; the paramilitary (police), and government has made other opportunities like scholarship programs available to girls. However, aside from the police force, where the number of women are said to be amongst the highest in the world, the number of women in leadership, politics and other state institutions is still proportionally low.

One of the most significant milestones for women's participation in politics is Liberia's current President, Ellen Johnson-Sirleaf who won the country's Presidential election in 2005 and in January 2006 took office to become the first democratically elected female president of an African country. However, there is a danger of celebrating political

gains without assessing their impact. It is important to ask if the increased levels of women's political representation translate into real gains for ordinary women; the majority of whom are still poor and marginalized and vulnerable to violence, and most of whom have seen little development and enjoyed very little peace. President Ellen Johnson-Sirleaf, speaking at the Sixth Nelson Mandela Annual Lecture in Johannesburg, South Africa said:

It is my hope that when history passes judgment on me, it will not just remark that I was the first democratically elected woman president in Africa - although I do believe that women's leadership can change the world. I would like to be remembered for raising the bar for accountable governance in Liberia and across the continent; for designing institutions that serve the public interest; for turning a failed state into a thriving democracy with a vibrant, diversified private-sector-driven economy; for bringing safety and voice to women, for sending children back to school; for returning basic services to the cities and extending them to rural areas.

The president and her administration have gone ahead to make significant headway from where they began, and the mid-term report published in an August 2008 edition of the Economist says that she has succeeded in stabilizing her country, thereby attracting a steady trickle of investors from countries such as China and USA. However, corruption remains a sore eye of the Sirleaf's administration and it is public opinion that the President is not doing enough to address this problem. The situation is so grave, prompting the President to admit lately that corruption in government is pervasive. Liberia's economy was expected to grow by 10% in 2009.

However, despite efforts in 2005 for the development of electoral procedures and guidelines that called for 30% representation of women on political party lists, and a Code of Conduct for the elections in that year, the percentage of women in the legislature remained low. This is because there were no sanctions for non-compliance. In the 2005 elections, out of 806 candidates who were nominated for various positions, women made up only 14%. In the Senate, out of 30 seats, five went to women making up 17%. And in the House of Representatives, nine women were elected representing 12.5% of the total number of 64 representatives. Women, at that time, were ministers of five ministries – Justice, Finance, Commerce, Gender and Development, and Youth and Sports. Women constituted 31% of the Cabinet and 14 of the legislature. Women made up 10% of staff of national ministries and 5% of the bureaus and agencies. The National Elections Commission had three women (43%) and four men. The TRC started off with four women and five men but in the end had four women and four men following the resignation of a male Commissioner (retired Methodist Bishop, Arthur Kulah). The Supreme Court has two women (40%) and three men. The Deputy Director of Police and Principal Deputy are women. The Deputy Governor of the Central Bank until recently was a woman, and so is the Deputy Commissioner of Immigration and Nationalization.

There is currently low representation of women at the local or district assembly level. At the local government level five (30%) out of 15 county superintendents are women. In five by-elections held since the main elections in 2005, there were two women (13%) and 33 (87%) men who won.

National and International Law, and Access to Justice

Liberia has ratified a number of international conventions that support prohibitions against discrimination^{xxiv}. Although the Convention on the Elimination of all Forms of Discrimination Against Women CEDAW was ratified as early as 1984, the African Charter on the Rights and Welfare of the Child in 1990, and the OAU Declaration on the African Platform of Action on the Situation of Women in Africa in 1995, they were ignored by previous regimes especially during the conflict. As in most countries, women and the rest of the population do not have ready knowledge and access to them. Most importantly, these international conventions were not effectively incorporated into domestic law, thus leaving them without much effect at the local Liberian level.

The post-war regime under President Johnson-Sirleaf is demonstratively committed to the promotion of gender equality and to affording women the rights and freedoms enshrined in the Constitution through the passage of some laws and adoption of policies and action plans (discussed under the relevant sub-sections). In this regard it has promulgated the Free and Compulsory Education Law intended to enable women and girls' equality in education. It has also instituted legal reform on rape laws, introducing more stringent bail conditions and escalating sentence to life term for particularly aggressive forms of rape. It has equally established a special court to deal exclusively with rape cases. This court is presided over by a female judge.

Similar to many African countries, Liberia has a dual legal system. The educated classes known as the "civilized" fall mainly under Anglo-American Common Law while the major ethnic groups are mainly governed by customary law, of which there are 16 pieces, one for each of the 16 major ethnic groups, formally referred to as "uncivilized" by the ruling settler elites at the time. As a result, compared to urban women who are relatively more protected by and subject solely to Statutory Law, women in the rural areas are subjected to a multiplicity of socio-cultural and legal regimes rendering them much more vulnerable. Customary Law applies in the issues of marriage and inheritance and is blamed for harmful "traditional" practices such as early marriage and female genital mutilation (FGM) and is subservient in principle to the Constitution. In those instances, Customary Law officials are required to refer those matters to the appropriate statutory authorities. Particularly during the war and the related destruction of legal and judicial systems, adjudication of matters under Customary

Law went unchecked by the statutory system.

The mere existence of all these laws does not provide protection or recourse for women in practice. The population remains largely unaware of the laws, national and international, and women's access to justice, particularly in the counties and rural areas, is very limited. This is further hindered by the destruction of courts and the myriad other challenges already alluded to earlier. Measures are currently underway by the government supported by USAID to rehabilitate the courts throughout the 15 counties, provide appropriate training for personnel of the justice system and create a Roving Prosecution Unit to assist in the prosecution of cases in the Counties. The establishment of a Sexual and GBV (SGBV) Crimes Unit; recommended appointment of qualified County Attorneys; as well as ongoing skills improvement by way of training and developing a prosecution manual, concentrated upon SGBV crimes.

The weak implementation of the Rape Law is a major concern, as is the persistence of harmful and discriminatory traditional practices. FGM continues to be practiced and has not been studied or properly understood and no laws exist to govern this practice. Cultural and ethnic-based discrimination has become more complex as a result of ethnic politicization during the war and is exacerbated by land and property disputes between different ethnic groups. Women are particularly vulnerable with less access to recourse or appeal.

The legal infrastructure in all 15 counties is weak and ill equipped. Similarly the judiciary and the justice system are ill prepared and fraught with weakness to take up the challenges of dealing with the overwhelming cases of discrimination of women especially on SGBV. There is a disturbing lack of knowledge of the legal processes by both the judiciary and the communities, accompanied by the fallacious perception that justice is complete once the suspect has been arrested and detained. Attempts are being made by government to strengthen the capacity to prosecute sexual violence cases through the GBV prosecution unit at the Ministry of Justice and the Women and Children's Protection Section of the Liberian National Police. The latter can now be found in 13 counties and it is expected that it will enjoy national coverage in the near future. The police officers and court staff involved have been trained and two full time judges are assigned to the dedicated Court C in Monrovia.

The sexual offenses law

Sections 14.70 and 14.71 of the New Penal Code as amended came into effect on January 17, 2006 to provide for better legal protection against rape. The amendment act effected the following changes.

It provided a broader definition for rape – to include penile penetration of any bodily

orifice of another, and penetration of the vaginal and anal cavities of another with a foreign object or other part of the body, without their consent. This is assumed to have resulted in the higher incidence of reported rape cases. Nonetheless marital rape is not included in the definitions leaving such cases to be classified either as assault or lighter still, “family problems”.

It prescribed four instances of rape that qualify as a first degree felony, warranting life imprisonment, and treated them as non-bailable capital offenses for purposes of bail;

It sought to protect children under the age of 18 (previously set at 16 by the Penal Law).

Lastly, the amendment couched the language in gender neutral terms, thereby negating the notion that ‘rape’ was an offense only committed by men against women, *inter alia*.

Monitors report higher incidence of rape cases that are settled outside of the legal system and they believe this is due to delays in prosecution of accused persons, lack of confidence in the formal courts, or perceived stiffness of the penalties prescribed for rape.

Confusion is also evident regarding the right to bail with some courts interpreting the law to imply a blanket negation of bail to all rape suspects thus denying some their constitutionally guaranteed right especially considering the often long awaiting trial periods.

While it was intended to protect children under 18, it has had the effect of lumping together non-violent consensual sex among adolescents with vicious sexual crimes.

Some judicial officers have misunderstood the age 18 to mean that the law exonerates people below 18 years of age from being defined as perpetrators of rape. This coupled with problems around national birth certification, has enabled older suspects to evade prosecution by claiming to be younger than 18. The stipulation of the age 18 has also caused a contradiction in the law as the age of legal responsibility is 16.

Logistical weaknesses and shortages of resources and qualified personnel in the criminal justice system pose additional implementation challenges. Whereas other courts are ill equipped, the only court in Monrovia properly equipped for in-camera hearings and set aside to deal with rape crimes fails to secure confidentiality of complainants because of its public location. Investigations are weakened by the reliance by the police and prosecutors on medical evidence to the exclusion of other forms of evidence that should be investigated.

On the other hand, official data is wanting due to poor recordkeeping by most courts,

and to under-reporting by victims impeded by lack of awareness, legal illiteracy, reliable psychosocial support, the fear of stigmatization and a combination of other socio-cultural and patriarchal sanctions.

Structural Discrimination

Although structural discrimination is reported to occur in incentive systems, in operational structures, and in bureaucratic procedures against women, there are no laws and policies to address discrimination and sexual harassment against women at the work place. Partly to cater for this the Civil Service Agency is in the process of finalizing a Code of Conduct for public officials.

Access to Legal Aid and Other Assistance

The Independent National Commission on Human Rights established by an act passed in 2005 has yet to become operational. The Ministry of Gender and Development provides some assistance to protect the interests of women litigants who are GBV victims. Limited legal Aid is afforded to mainly female victims of SGBV by extra-governmental entities. There is no legal aid available in civil cases.

The Economy

Fifty-four percent of the total informal and formal labor forces are women, 90% of whom are workers and are found in the low productivity sectors of informal and agricultural work. Although agriculture accounted for 56% of Liberia's GDP in 2007 it is anticipated that it will decline with the ascendant domination of the forestry and mining sectors in economic growth. This will drastically accelerate the feminization of poverty as women are an overwhelming majority in the informal agricultural sector.

Labor laws and regulations are silent on gender and no data is available to track the existence of discriminatory employment and remuneration practices, adherence to minimum wages for unskilled labor (no minimum is stipulated for skilled labor) or gender disaggregation of those legally appealing to the Ministry of Labor and the labor court for labor related grievances. The Labor Board established by the Ministry of Labor in the 1960s to formulate wage policy (ies) and regulate other matters is inactive.

Regulations Pertaining to Maternity and Other Benefits

Regulation #3 of the Ministry of Labor relating to maternity benefits and leave is implemented in practice, but without any monitoring system. Numerous violations of rights to maternity and housing benefits, poor wages have been among abuses of the rights of women workers in rubber plantations. They have informed UNMIL Human

Rights and Protection Section about risking the life of young babies since no child care facilities are provided.

Employment Policies and Strategies

No data is available on women's participation in jobs created through the agencies executing the national strategy for employment which was launched in 2006. This was a government strategy to provide for immediate emergency employment and lays the foundation for a longer-term sustainable employment strategy. Working in collaboration with UN agencies, the Ministry of Gender and Development has embarked on gender mainstreaming the objective of equality and women's empowerment through the Liberia's Poverty Reduction Strategy, employment policies, and programs and the general goal of creating equitable, productive, rewarding and sustainable employment opportunities for all.

State of Employment

No systematic data exists to monitor the Constitutional obligation of the entitlement to all Liberians to equal pay for equal work in the public sector. A 2007 survey conducted by the Ministry of Labor estimated that of a total of 155,608 persons currently employed in diverse occupations 93.6% are men while only 6.4% are women. With Government being a major employer, these figures imply a severe gender imbalance in the formal sector. The situation does not improve even when non-Liberian employees are added since the figures are 9,900 males and 684 females.

Informal Sector

Although there are no statistics to attest to their numbers, women dominate the informal sector in urban and rural areas, engaging in a variety of occupations from petty trading in the urban areas, to agriculture and cross border trade with neighboring countries. Most of the revenues generated from their employment are spent on food, school fees and other school costs, transportation, and health care.

A barrage of problems are found in informal trading such as an absence of social insurance schemes, exploitation, harassment from authorities (at cross borders), unsafe work environments, bad roads, and limited access to business training, finance and development services, with no opportunities to organize and network with women's advocacy groups or trade unions. Women in the informal sector generally lack knowledge about the rights and laws that protect them. There are no statistics on women's participation in the informal sector due to the complex situation under which the informal sector system works in Liberia.

Ownership of Land

Women have less access to productive inputs such as land. The percentage gap of both urban and rural property ownership, mostly land, is higher among male headed households and men are more likely to register their property than females. The new Inheritance Law addresses inter alia ownership of property to make it equally accessible to women but knowledge of the law is quite limited among many rural women, hence tradition and customs continue to hinder the exercising of their rights to independently own property. Urban women are more likely to own property independent of their husbands.

The Right to Bank Loans, Mortgages or Other Forms of Financial Credit

Access to credit from the financial sector is skewed in favor of the wealthy, larger enterprises, and the elite class, readily excluding the majority of women as women are only 2% of those in these categories. The informal sector where women are in large numbers offers little security or opportunity for savings. Microfinance, that is financial services to poor and low-income people, is largely unavailable. The present policy environment presents constraints for the microfinance industry to develop and expand.

Women are likely to participate in the two indigenous credit and savings financial mechanisms, susu or rotating savings and credit associations (ROSCAs) which allows them to save for emergencies, medical expenses, social obligations, school fees, or business. In addition, moneylenders are also found throughout the country at exorbitantly high interest rates that can be as high as 600%, based on a flat rate of 25% per month.

Healthcare

Given the legacy of the 14-year war, the health care of many Liberians is threatened by the fact that the revival of the healthcare services is slow. Access to health services is about 41% according to the Ministry of Health and Social Welfare estimates and spread unevenly between regions. They are heavily dependent on donor-funding and international NGOs. As a relief, the President has declared a suspension of fees for service at all public facilities, including those operated by the NGOs which have replaced Government health services. With donor funding, these NGOs are responsible for 60% of health sector donor funded spending that goes to women's health services such as SRH (sexual and reproductive health), maternal health, family planning, and SGBV against women. A major adverse consequence of the recovery phase is that most support service delivery focuses on the most war-affected areas and the operations of the once very active local NGOs have shrunk considerably. The switch by international NGOs from emergency relief to development may lead to severe weakening of service

delivery in the healthcare system.

The facilities are dogged by scarce resources, have limited water and electricity supply and shortages of emergency vehicles. They are understaffed with often unqualified personals or poorly paid professionals working under less than adequate conditions. However, several key health indicators have improved since the end of the conflict: life expectancy has risen to 45 years; infant mortality rates fell from 117 per 1000 live births in 2000, to 72 per 1000 live births in 2007; and the under five mortality fell from 194 in 2000 to 111 per 1000 live births in 2007.

Constitutional Guarantees, National Policies and Programs for Health

As it is enshrined as a basic human right in the Constitution of Liberia, the Ministry of Health and Social Welfare aims to ensure healthcare access to health and social welfare services to all citizens regardless of difference - economic status, origin, religion, gender or geographic location. Hence a National Health Policy and Strategic Plan was developed and a National Two-Year Transition Plan initiated in 2006 to preempt a potential crisis resulting from the imminent departure of humanitarian NGOs.

The major challenges to health care for women are the lack of financial and physical resources to access health care and the poor quality of care delivery.

Reproductive Health Issues and Maternal Health

Maternal mortality has almost doubled in six years indicating that Liberia will not meet the Millennium Development Goals (MDG) 5 by 2015, and that the environment for women's reproductive and maternal health has worsened. Fuelled by some cultural practices, teenage pregnancy rates are quite high; including girls aged 14, with dire sexual and other health consequences. There is a high incidence of fistula among mostly teenage mothers and girls due to scarcity and lack of access to a myriad of resources and services. The rape and gang rape of women and girls heavily contribute to the high fistula rate amongst women and girls. These go hand in hand with disease, socio-health factors including the social status and position of women. The JFK fistula center has carried out reconstructive surgery on over 200 women since it opened in 2007. National contraceptive prevalence is at a rate of 12.95% of the population. Nearly all functional primary healthcare facilities provide family planning services limited by the compromised comprehensiveness of the services, and that service providers are not inclined to offer patients options but to impose the method of their own preference.

The high antenatal care clinic attendance is hindered by low institutional delivery, especially in rural areas. Only 25% of deliveries occur in health facilities staffed by qualified practitioners creating regional variations. Post-natal care is mainly focused on

the newborn and not on the mother, even though more than 75% of mothers who deliver in health facilities return for extra healthcare at least a month following the delivery. The situation is even more perilous in communities where there are no skilled birth attendants to address complications that may arise. Additionally, there are no facilities available to handle mental health conditions, such as depression, related to the postpartum period. Food insecurity, vitamin and mineral deficiencies in Liberia are high and are evident in the poor nutritional status of the population, adversely affecting pregnant and lactating mothers. Female headed households count among the most food insecure and spend a greater proportion of their income on food with many children underweight. Only 35% of children below six months of age are exclusively breast-fed (UNICEF, 2006). Zinc supplementation for children has not yet been introduced.

Further indications of the extent and age specific occurrences of maternal mortality are provided in this report culled from the 2007 Liberia Demographic Health Survey (LDHS 2007)

ESTIMATES OF MATERNAL MORTALITY

Two survey methods are generally used to estimate maternal mortality in developing countries: the indirect sisterhood method (Graham et al., 1989) and a direct variant of the sisterhood method (Rutenberg and Sullivan, 1991). In this report, the direct estimation procedure is applied. Age-specific mortality rates are calculated by dividing the number of maternal deaths by woman-years of exposure. To remove the effect of truncation bias (the upper boundary for eligibility for women interviewed in the LDHS is 49 years), the report standardized the overall rate for women age 15-49 by the age distribution of the survey respondents. Maternal deaths are defined as any death that occurred during pregnancy, childbirth, or within two months after the birth or termination of a pregnancy.² Estimates of maternal mortality are therefore based solely on the timing of the death in relationship to pregnancy.

Table 17.3 presents direct estimates of maternal mortality for the seven-year period preceding the survey. The data indicate that the rate of mortality associated with pregnancy and childbearing is 1.7 maternal deaths per 1,000 woman-years of exposure. The estimated age-specific mortality rates display a generally plausible pattern, being higher at the peak of childbearing ages of the twenties and thirties than at the younger and older age groups. The one exception is age 40-44, where maternal mortality rates are highest. This is unlikely because fewer women are likely to be pregnant at these ages and the pattern is most likely due to the large confidence intervals around each rate. Maternal deaths represent 35 percent of all deaths to women age 15-49 (127/359), a figure that is on the high side (Stanton et al., 1997).

The maternal mortality rate can be converted to a maternal mortality ratio and expressed per 100,000 live births by dividing the rate by the general fertility rate of 0.171 that prevailed during the same time period. With this procedure, the maternal mortality ratio during the seven-year period before the survey is estimated as 994 maternal deaths per 100,000 live births. This figure should be

² This time-dependent definition includes all deaths that occurred during pregnancy and two months after pregnancy, even if the death was due to nonmaternal causes. However, this definition is unlikely to result in overreporting of maternal deaths because most deaths to women during the two-month period are due to maternal causes.

viewed with caution because the number of female deaths occurring during pregnancy, at delivery, or within two months of delivery is small (127). As a result, the maternal mortality estimates are subject to larger sampling errors than the adult mortality estimates; the 95 percent confidence intervals indicate that the maternal mortality ratio varies from 745 to 1,243 (see Appendix Table B.2).

The 1999-2000 LDHS included similar questions as the 2007 LDHS; however, the earlier survey asked these questions from male as well as female respondents, but the 2007 LDHS only included the questions on siblings for female respondents. In addition, the maternal mortality ratio in the report for the former survey was based on the indirect estimation procedure.

The maternal mortality ratio from the 1999-2000 survey was 578 deaths per 100,000 live births, based on reports from both female and male respondents. This rate refers to the period about 12-13 years before the survey, or roughly 1987-2000. This is far lower than the rate of 994 for the seven years before the 2007 LDHS, or roughly 2000-06. Applying indirect methodology to the data from the 2007 LDHS yields an estimate of the maternal mortality ratio of 748 for a period roughly 12-13 years before the survey, a figure that is much higher than the estimate based on the 1999-2000 survey and much lower than the estimate for the seven-year period before the 2007 survey. Differences between the two surveys could be due to variations in estimation, differences in analysis, and large sampling errors. Nevertheless, given the magnitude of the differences, it is difficult not to conclude that there has been an increase in maternal mortality in the last two decades.

It is important to remember that the sample size implemented in these two surveys does not allow for precise estimates of maternal mortality. The sampling errors around each of the estimates are large and, consequently, differences need to be interpreted with caution. A large increase in the maternal mortality ratio is not supported by the trends in related indicators, such as antenatal care coverage, delivery in health facilities, and medical assistance at delivery, all of which have remained more or less stable over the last seven years.

Table 17.3 Maternal mortality
Maternal mortality rates for the seven-year period preceding the survey, based on the survivorship of sisters of survey respondents, Liberia 2007

| Age | Maternal deaths | Exposure (years) | Mortality rates (1,000) | Proportion maternal |
|---------------------------------------|-----------------|------------------|-------------------------|---------------------|
| 15-19 | 21 | 13,101 | 1.60 | 0.30 |
| 20-24 | 16 | 14,814 | 1.10 | 0.30 |
| 25-29 | 25 | 13,984 | 1.77 | 0.40 |
| 30-34 | 26 | 12,127 | 2.14 | 0.40 |
| 35-39 | 18 | 9,999 | 1.77 | 0.39 |
| 40-44 | 16 | 6,329 | 2.51 | 0.38 |
| 45-49 | 6 | 3,731 | 1.51 | 0.25 |
| 15-49 | 127 | 74,086 | 1.70 ^a | 0.35 |
| General fertility rate | - | - | 0.171 ^a | - |
| Maternal mortality ratio ¹ | - | - | 994 | - |

^a Age-standardized
¹ Per 100,000 live births; calculated as maternal mortality rate divided by the general fertility rate

Abortion is prohibited by Law in Liberia except under medical evidence of threat to life, yet there are increasing numbers of illegal and unsafe abortions. Since unmarried adolescents are more likely to engage in unprotected sex which can result in unwanted pregnancies, they are inclined to resort to induced unsafe abortions, contributing to the growing number of such cases in the country.

STI/HIV/AIDS

The national HIV prevalence rate estimated at 5.4% poses another public health challenge for post-war Liberia with no monitoring and evaluation system. The LDHS found higher prevalence for females than males. The first multi sectoral strategic framework is in draft, and The 'Model Law' to protect people living with HIV and AIDS against stigma and discrimination is in the process of seeking legislative action. There is no national policy on prevention or care, but there is a policy from the Ministry of Health and Social Welfare for treatment and care that covers all. The Ministry of Education has integrated HIV and AIDS into life skills education in the curriculum.

75 hospitals and health centers provide HIV Testing and Counseling services; 18 PMTCT (Prevention of Mother to Child Transmission) sites and 15 sites provide ARV (anti-retroviral therapy) drugs to treat HIV/AIDS. HIV and Sexually Transmitted Infections (STIs) are on the rise and estimated at above 10% of the population, and affecting women more than men, particularly girls at younger ages. Health workers are trained in syndromic management of STIs in the fifteen counties and family planning and antenatal consultations are used as opportunities to promote behavior change in preventing HIV/STIs.

Malaria

Falciparum malaria is another threat to pregnancy whose severity can cause the death of both mother and fetus. Malaria parasitization of the placenta, especially in first and second pregnancies, also contributes to low birth weight and infant mortality. Suppression of infection through Intermittent Preventive Treatment with Sulphadoxine and Pyramethamine early in the second and third trimester has proven to reduce these risks considerably, and is therefore given routinely to all pregnant women.

The use of Insecticide Treated bed Nets (ITNs) by pregnant women and children under-five in trials to prevent the transmission of malaria have demonstrated reductions of 20% in childhood deaths, about a 50% in clinical episodes, 47% in malaria-caused anemia in pregnant women and 28% in low birth weight. This has led to the Ministry of Health to distribute free long-lasting ITNs to pregnant women and under-five children through antenatal and immunization clinics and outreach services engaging community malaria workers who go systematically house-to-house.

Mental Health

In spite of the dire need for adequate mental health facilities, particularly in the light of the traumas of the civil war, the entire country has only one mental health clinic.

Health Awareness

Information Education Communication or Behavior Change Communication strategies for prevention and control of diseases targeted at individual pregnant women and communities are carried out through health talks by community health workers, including traditional birth attendants at the community level, and health talks by trained health workers in the clinics. The Cancer registry is being revived at the JFK Medical Center so that women will be screened for cervical cancer and access treatment when required.

Trained Women Health Personnel

According to the Rapid Assessment of the Health Situation in Liberia 2006 three quarters of full-time and part-time staff are professional female health personnel. However, most trained health workers are in the urban areas with just a few middle level health workers in the rural areas. Consequently, responses to obstetric emergencies in rural areas are hindered by lack of skilled personnel, drugs, inadequate referral facilities and transportation.

The Ministry of Health is in the process of establishing various institutions and mechanisms for recruitment, training and skills development to address the challenges. Regional drug depots would go a long way to alleviating the lack of availability of essential drugs and medical supplies rural areas.

Harmful Traditional Practices and their Health Implications

Government departments are working in collaboration with partner organizations to train community leaders and women's groups in seven counties to work on harmful traditional practices affecting the health of women and children in their communities. Much more work need to be done to change the mindset and belief systems that underpin these practices.

Women and girls are the main victims of several widespread harmful traditional practices which often lead to permanent physical, psychological and emotional damages or even death. These include:

Son preference – the preferential treatment by parents of male children manifesting in the neglect, deprivation or discriminatory treatment of girls. For example, girls are breastfed for a shorter period than boys; the most nutritional food is reserved for boys and men; higher incidences and degrees of malnourishment and mortality among female children.

Nutritional taboos which prevents pregnant women and children from eating some

nutritious food items

Early marriages – Parents give their daughters in marriage at an early age - below 18 and as young as 13 years old - leading to girls being withdrawn from school, early pregnancy and difficult delivery resulting in fistulae, early maternal mortality, HIV&AIDS and other adverse health consequences for girls and women.

Tattoos, ear piercing and blacking of the gums – beautification of the body with sharp instrument such as glass bottle, knives, razor blades, which can lead to transmission of HIV/AIDS and infections.

Trial by ordeal – Using sharp or hot instruments to prove that a person accused of doing wrong is innocent. This practice most often affects ignorant women and girls in the rural areas.

In order to widen opportunities for women and men to combat harmful traditional practices affecting the health of women and children, trained community workers provide health talks to women and community members on these, including issues of prevention and human rights.

Education

Literacy levels

Literacy levels are low in Liberia^{xxv}. The levels are twice as high for males as for females in urban areas and three times as high for males as compared to females in rural areas. This means that urban women are more likely to have some form of formal education than rural women. More than half of rural males and almost three quarters of rural females have not completed any level of formal education, while in the urban areas the figures are much lower.

Constitutional Provisions and Legal Framework

Liberia's education system on the overall has been weak, largely due to under resourcing, poor infrastructure and limited state support and has seriously been undermined by the conflict. Whereas the Constitution asserts the need for the state to provide equal access to education and emphasizes mass literacy and the elimination of illiteracy, the New Education Law 2001 defines education as the inalienable right of every citizen, which includes women and men and provides the legal basis for long-term and sustained educational development. The National Girls' Education Policy ensures, encourages and supports the enrolment of and retention of girls in school and a girls' education unit has been established at the Ministry of Education to implement this policy.

Educational Disparities in Rural and Urban Areas

Primary education enrolment is geographically uneven with much higher enrolment in urban areas than in rural. Only one third of women outside of Monrovia are literate and only five percent of the rural population have completed high school. Despite the government's free and compulsory primary education, unofficial fees (corruption) and the costs of uniforms and other supplies make education unaffordable for most people. This impacts more on women who are the sole breadwinners and on girls who are not chosen for schooling if a choice has to be made due to lack of financial resources.

Measures Taken to Address Low Levels of Education and Educational Gaps

Several strategies have been put in place by the Liberian government to address this low level of education and particularly female education. These include:

Scholarship Schemes: The low levels of education as a result of poverty have been recognized by the government. 2,029 students including girls have won scholarships from a scholarship scheme by a private trust, the Liberian Education Trust, to study the sciences abroad.. This trust has also established literacy programs for women and girls. A foreign scholarship scheme is being administered by the government through grants from China, Morocco, Egypt, Russia and the USA. Some international and local NGOs also provide scholarships for needy children particularly females.

Curriculum Revision: The Ministry of Education has revised the national school curriculum to eliminate stereotyping in textbooks and integrate life skills education and family life education in Science, Social Studies, Mathematics, Biology and Resource book, and developed teaching tools in Life skills Population and Family Life education for teachers aimed at attitude and behavior change in dealing with HIV/AIDS, teenage pregnancy, reproductive health, and personal hygiene.

Other Measures: With the support of the World Food Program, the Government is providing take home food rations to girls above the age of 15 years in the fourth, fifth and sixth grades to supplement their nutritional needs and encourage them to stay in school. Due to the increasing numbers of pregnant school-age girls as a result of rape and unwanted pregnancies the Minister for Education is considering the possibility of opening schools for pregnant girls to ensure that they are given equal access to education.

Educational Enrolment

The gender gap in education is improving in the early grades but increases at successive levels, especially at lower secondary. More girls than boys drop out of school and estimates show that one of three learners starting grade one reaches grade five. There are no available statistics on the enrolment of girls and women at the tertiary

level, and no system to track the number of female drop-outs at all levels of education in the country.

Teachers and Teaching Practices

The majority of the functioning schools in Liberia cannot provide education of adequate quality; have insufficient teachers, some of whom are unable to provide a full day's teaching. Of these schools, 53% are public and 37% private, with the remaining 10 % made up mainly of mission, church or community-owned schools.

The pupil teacher ratio is much higher in public schools compared with private and mission schools. Three quarters of the total teachers in primary schools are male as well as 96% in secondary schools. The number of untrained and volunteer teachers in primary schools is alarmingly high and poses a serious threat to education and literacy.

There have been reports of male teachers making sexual advances to girls and offering girls rewards to have sex with them. While there is enough anecdotal evidence to support that this practice is widespread, no research has been done to verify the prevalence of these practices. The high teenage pregnancy lends credence to the reports that girls of school going age are being sexually targeted by male teachers and students. Poverty is implicated as an exacerbating factor with sex being traded for grades, access and/or school fees.

Literacy Programs Initiative

The Division of Adult Literacy has been established at the Ministry of Education to plan and implement literacy programs for adults and adolescents, particularly females, nationwide. The Ministry of Gender and Development has also developed a literacy program for women and girls. Local and international NGO's are also offering similar programs.

An Accelerated Learning Program (ALP) policy was developed and launched in 2006-2007 to enable over-age males and females to continue their education and is used by the Liberian National Police to enable qualified women to finish school leaving examinations and join the police academy.

Information, Sex Education and Family Planning

A School Health Division has been established at the Ministry of Education to focus on the health needs of school-going girls and boys and sensitize and provides information on reproductive health issues, personal hygiene and HIV/AIDS.

Career Guidance and Counseling

The Ministry of Education has also established a guidance and counseling division in the school system to assist both male and female students to make appropriate and suitable career choices.

Marriage and Family Relations

Constitutional Framework

Constitutionally all men and women have equal rights and are entitled to equal protection before the law. Therefore women have the right to enter into contracts in relation to property that they own before marriage and during marriage.

In practice there is discrimination between Liberians who are considered “civilized” and women married under customary law as “uncivilized”. The so-called uncivilized women were historically excluded from property ownership and subjected to a number of discriminatory practices. The introduction of the Act to Govern the Devolution of Estates and Establish the Rights of Inheritance for Spouses of Both Statutory and Customary Marriages guarantees women the right to inheritance, calls for husbands to respect the rights of the wife, and establishes common rights for spouses of statutory and traditional marriages. However, these laws are not well known amongst the population and therefore not practiced in the lived realities of women’s lives.

Legal Framework

see under “international and national laws above.

Forced Marriage

Despite the statutory age of marriage, customary law allows parents to choose husbands for their girl children. In certain parts of the country young girls and women are forced into marriage against their will. Child marriages and betrothals are criminally sanctioned (by the payment of a fine of L\$500) as provided by the Domestic Relations Law.

Cohabitation

The current law does not recognize cohabitation as a form of marriage. There are proposals and debate for recognition of cohabitation as a marriage based upon certain conditions including living together for at least five years in the eyes of society as man and wife.

Responsibilities within Marriage

Whilst in civil marriages responsibilities can be shared based on the understanding of the couples, under customary marriage child care, home care etc are perceived to be the sole responsibility of the woman.

There is discrimination against women whose marriages fall under traditional law as they are unable to negotiate their rights. The war has resulted in a number of single parents, mostly mothers, who are taking up the responsibility of caring for their own biological children as well as adopted or orphaned children.

The Domestic Relations Law provides that both parents have equal responsibilities for the upbringing of their children. However in cases of separation, the father has the first option of being given custody of the children. The mother gets custody only when the father refuses custody.

Polygamy and Dissolution of Marriage

While civil marriage prevents both men and women from marrying more than one spouse, it is permissible under traditional marriage for a man to marry many women. Women, on the other hand are restricted to one man.

Divorce under customary law does not protect the women at all and they lose out on equitable distribution of property. Women married under customary law cannot go to court to dissolve their marriages whereas statutory marriages are dissolved in a court of law thus providing better opportunity for equitable distribution of property.

The customary practice of compulsory dowries leads to the perception that women are the property of men and can be violated and abused with impunity.

Right to Decide Number of Children

Women have the right to decide on the number of children they want to have but due to a number of factors do not have that freedom in reality. There is a lack of information on and access to contraceptive and basic reproductive rights and healthcare services; high illiteracy amongst women; traditional beliefs associated with the use of contraception; and unequal bargaining power between men and women. This is particularly true for women in rural areas. The situation is compounded by the high incidence of rape and teenage pregnancy where young girls are not making informed choices on how many children they want to bear.

Legally Unrecognized Children

According to the Domestic Relations Law children born out of the statutory legal system cannot benefit from their father's estate unless the father legitimizes the child through the court process or that child is adopted by the father. The Hinterland law further exacerbates this because under this law, children not recognized by the father cannot inherit anyway. This amounts to discrimination against children and is an exacerbating factor for the poverty of women since they bear the full responsibility for the children.

Property rights

The Constitution affords men and women the same rights to acquire and dispose of property. As a result of poverty, very few women are able to acquire property on their own. Since within marriage most property is presumed to belong to the man who is the head of the household, women do not have the same rights to the administration, management or disposition of property acquired within the marriage.

Violence against Women

In addition to sexual violence, sexual exploitation, incest, and female genital mutilation, other highly prevalent forms of violence are domestic violence, early and forced marriage, and wife inheritance. Furthermore, the level of poverty among women and children and the absence of social safety networks, make women and children extremely vulnerable to sexual exploitation and abuse. SGBV is endemic in Liberia with a suspected thirty-four (34%) percent of women subjected to domestic violence. Ninety percent (90%) of a sample from the 10 most populous counties is reported to have been subjected to multiple acts of abuse, while seventy-five (75%) percent of the same samples were raped, according to a WHO study. The prevalence of GBV has serious repercussions, including exposure to HIV/AIDS and other sexually transmitted infections and unplanned or unwanted pregnancies. Of the women who attend clinics, 80.0% present with symptoms of sexually transmitted infections.

There is speculation about trafficking, and anecdotal evidence, but no research has been conducted to ascertain whether it actually happens – and if it does – to determine its scope. Further, the social practice of open and hidden prostitution is generalized in Liberia, and likewise no study has been conducted to determine its extent.

Female Genital Cutting (FGC)*

Female genital cutting (FGC)—also called female circumcision and female genital mutilation—involves cutting some part of the clitoris or labia, usually as part of a traditional ceremony or rite of passage into adolescence. In Liberia, FGC is usually implemented through bush societies or the Sande society, which refer to bush schools for young girls. Girls are taken to the bush where they are taught local customs, sex education, feminine hygiene, and housekeeping skills. They also undergo FGC, which in Liberia consists of removing some or all of the clitoris. Because of the secretive nature of the bush society and the sensitivity of direct questions about FGC, women interviewed in the 2007 LDHS were asked if they had ever heard of a bush society like the Sande society and, if so, whether they were a member of the Sande society or a woman's bush society. They were further asked whether they thought that this should continue or should stop.

As shown in Table 16.13, 89 percent of women said they had heard of such bush societies. Among those who had heard of bush societies, two-thirds said they were members. Assuming that all members were circumcised, this translates into 58 percent of Liberian women (66 percent of 89 percent) having been subjected to genital cutting. The table also shows that among those who are members of the Sande society, just under half (45 percent) think that the society should stop.

Table 16.13 Female genital cutting
Percentage of women age 15-49 who have heard of the Sande bush society, and among those, the percentage who are members of the society, and among those, the percentage who think the society should stop, by background characteristics, Liberia 2007

| Background characteristic | All women | | Women who have heard of Sande society | | Women who are members of Sande society | |
|---------------------------|--------------------------------------------|-----------------|---------------------------------------|-----------------|------------------------------------------------|-----------------|
| | Percentage who have heard of Sande society | Number of women | Percentage who are members | Number of women | Percentage who think Sande society should stop | Number of women |
| Age | | | | | | |
| 15-19 | 81.5 | 1,312 | 44.0 | 1,069 | 42.4 | 471 |
| 20-24 | 87.6 | 1,363 | 58.4 | 1,194 | 44.7 | 697 |
| 25-29 | 89.9 | 1,166 | 68.2 | 1,048 | 42.1 | 714 |
| 30-34 | 90.7 | 956 | 69.8 | 867 | 44.6 | 606 |
| 35-39 | 91.4 | 956 | 73.0 | 874 | 44.1 | 637 |
| 40-44 | 91.7 | 665 | 77.6 | 610 | 45.4 | 474 |
| 45-49 | 92.5 | 674 | 85.4 | 623 | 54.3 | 532 |
| Residence | | | | | | |
| Urban | 87.9 | 2,998 | 44.9 | 2,634 | 27.6 | 1,184 |
| Rural | 89.2 | 4,094 | 80.7 | 3,651 | 52.3 | 2,947 |
| Region | | | | | | |
| Monrovia | 89.5 | 2,329 | 41.3 | 2,084 | 24.1 | 860 |
| North Western | 93.3 | 509 | 84.2 | 475 | 54.7 | 400 |
| South Central | 92.3 | 1,011 | 74.2 | 933 | 44.2 | 692 |
| South Eastern A | 65.5 | 375 | 33.7 | 246 | 35.0 | 83 |
| South Eastern B | 59.0 | 451 | 1.5 | 266 | * | 4 |
| North Central | 94.4 | 2,417 | 91.7 | 2,281 | 52.9 | 2,093 |
| Mother's education | | | | | | |
| None | 90.5 | 3,005 | 83.9 | 2,720 | 50.6 | 2,283 |
| Primary | 86.6 | 2,280 | 60.3 | 1,975 | 46.7 | 1,191 |
| Secondary and higher | 87.9 | 1,799 | 41.3 | 1,582 | 23.4 | 653 |
| Wealth quintile | | | | | | |
| Lowest | 87.5 | 1,251 | 83.8 | 1,095 | 58.1 | 918 |
| Second | 89.0 | 1,332 | 79.6 | 1,186 | 56.8 | 944 |
| Middle | 90.2 | 1,359 | 74.8 | 1,225 | 45.8 | 916 |
| Fourth | 89.1 | 1,580 | 57.7 | 1,408 | 31.7 | 812 |
| Highest | 87.4 | 1,569 | 39.5 | 1,371 | 22.3 | 541 |
| Religion | | | | | | |
| Christian | 87.9 | 6,005 | 62.6 | 5,278 | 43.0 | 3,304 |
| Muslim | 93.3 | 734 | 80.3 | 685 | 44.1 | 550 |
| Traditional religion | 98.1 | 44 | 94.8 | 43 | 87.7 | 41 |
| No religion | 89.6 | 239 | 88.3 | 215 | 74.9 | 189 |
| Total | 88.6 | 7,092 | 65.7 | 6,285 | 45.2 | 4,131 |

Note: Membership in the Sande society is a proxy for female genital cutting. Total includes some women with information missing on religion. An asterisk indicates that a figure is based on fewer than 25 unweighted cases and has been suppressed.

Awareness of the bush societies is universally high, with the only exceptions being somewhat lower levels of knowledge among the youngest women (age 15-19) and women in South Eastern B and South Eastern A regions. Membership in such societies shows considerable differentials by background characteristics. Membership shows a steady increase with age of women and is almost twice as high among rural than urban women (81 and 45 percent, respectively). Women in North Central and North Western regions are by far the most likely to be members of a bush society, whereas membership is very low among women in South Eastern A region and Monrovia and is almost non-existent in South Eastern B region. There is a steady decline in the proportion of women who are members of a bush society as education and wealth quintile increase. Membership is highest among women who belong to traditional religions or profess having no religion; it is lowest among Christian women.

Women who said they were members of a bush society were asked if they thought that this should continue or stop, implying that FGC should also continue or stop. It is interesting that, in general, the proportions of women who think it should stop tend to be higher among the groups with higher membership in bush societies. For example, more than half of rural women who are members of a bush society think that they should stop compared with only 28 percent of urban women.

The 1999-2000 LDHS included questions on FGC, however, they differed from those in the 2007 LDHS. In 1999-2000, women were asked if they had ever heard of female circumcision, whether they knew anyone who had been circumcised, and whether they would permit their daughter to be circumcised. No question was asked as to whether the respondent herself was circumcised. Despite the difference in the questions, the two surveys show remarkable concurrence on the level of awareness. In 1999-2000, 87 percent of women age 13-49 had heard of female circumcision, compared to 89 percent of women age 15-49 in 2007 who had heard of bush societies.

** Culled from Liberia Demographic Health Survey (LDHS) 2007.*

A National Plan of Action on GBV

On 30 November 2006 a National Plan of Action on GBV and a joint Government/GBV task force established to implement the plan were launched in order to harmonize GBV interventions, to reduce the duplication of efforts and waste of resources, and to increase impact on affected groups. A total of seventy-three health care providers have been trained in clinical management of rape in 2007 including those trained to train others. In addition a nationwide distribution of Rape treatment kits have been distributed to selected health facilities for use by the trained worker. Whilst the UN, Government and Civil Society are teaming up to design, develop and implement different strategies, programs and campaigns to address sexual and GBV in Liberia there are still significant gaps and challenges as discussed above.

In Summary

It is evident that Liberian society faces a tremendous challenge on the issue of gender equality and raising the status of women in society. The system is compelled to change at every level if women are to take their place as full and equal partners. However, it must be re-emphasized that without addressing the root causes of women's low status in society, changing the system to accommodate women will not be sufficient. Women

are not culturally and traditionally socialized to take up leadership positions which puts them above men and makes men accountable to them, especially at a political level which is seen as a 'man's game' and not a place for women. Traditionally, women are still seen as the homemakers who do not have the ability to take decisions either in the home or at the community level. Where women do step out of the home into politics, they are likely to still bear the burden of managing the home as well, thus bearing a double burden. Most professional women who are independent and work outside of the home are often stigmatized and often find it difficult to find men to marry them. Women's lower economic status is another huge obstacle to their participation in politics.

Thus a wide range of promotive and supportive mechanisms must be in place if the situation is to be reversed and for women to begin to step forward into leadership. It must begin from birth, where the androcentric (male centered - in this case preferring male children) behavior begins, to adulthood if society is to fundamentally change to accommodate women as equal partners to men. It means intense scrutiny of every level of society, especially the socializing systems like education including public education and the media to ensure that they are transformed and gender equality programs are mainstreamed. At a very practical level support must translate into the provision of transportation, personal security, and care for family members, so that women representatives are able to be present. On a systemic level, women's meaningful participation in politics and peace processes also requires renewed efforts to empower women through training, and access to education, employment and healthcare services. This will ensure that many more women will develop the potential and have the ability to participate effectively in public life and decision making.

However, the transformative measures alluded to must be tied to policy and law – goodwill is not enough to ensure that women will find their place. An affirmative action policy or law is essential. For monitoring and evaluations purposes, an accurate tracking system must be developed to capture data on the numbers of women in all other bodies of government, particularly at the local level, as well as in the private sector and NGOs. This must be accompanied by the development of indicators for gender transformation beyond numbers, and must have an accountability mechanism attached to it.

Part III

Recommendations to Address the Needs of Women and Girls and to Advance Gender Equality in Liberia

This report has shown that Liberia's 14 year civil war, buttressed by over a century of violence, oppression and inequality did not spare women and girls from being used, abused, killed, maimed, mutilated, tortured, raped, gang raped, abducted, forced into sexual slavery and drugged. Their houses, property and possessions were destroyed and looted, they were internally displaced and turned into refugees and suffered the loss of their breadwinners and livelihoods. This report therefore finds that women and girls were violated in every category of violations and that the ensuing harms, impact and consequences of these violations extended far beyond their direct physical experience.

This report determines that through the investigations of the TRC, many of the causes and origins of violence against women during wartime are rooted in the socio-cultural, traditional and political history of Liberia. It is also firmly linked to the low socio-political status of women, with the added perception of male superiority. This rendered women and girls extremely vulnerable to exploitation and violence during both war and peace. It has also taken into account the multiplicity and complexity of women's roles in the armed conflict, recognizing that women took on the added roles of perpetrator, collaborator as well as peacemaker and mediator.

These recommendations are therefore based on the need to not only address the direct consequences of the conflict in Liberia but also the root causes and origins of the violations that women continue to experience in the aftermath of the conflict. Women continue to experience the secondary harms from the increase in single parenting, unwanted pregnancies, health problems from sexually transmitted diseases, increasing poverty, prostitution, discrimination and increased responsibility due to the loss of breadwinners, livelihoods and the adoption of orphans.

These recommendations are informed by the recommendations elicited from women throughout the lifespan of the TRC, through all the projects and activities aimed at engaging women and girls in Liberia from its inception through June 2009.

General

The ratification and subsequent incorporation of international human rights instruments into national law is crucial to the advancement of women's rights. It imposes on states an obligation to interpret national law in a manner consistent with their duty to their population. Liberia ratified CEDAW in 1984 and is about to present its first and sixth report to the CEDAW committee in July 2009. This report

comprehensively covers the status of women in Liberia today and makes a wide range of pledges to advance substantive gender equality in Liberia. The Committee will make a number of recommendations to the Liberian government for them to fulfill their obligation to eliminate all forms of discrimination against women. It is therefore strongly recommended that a mechanism be established to monitor and report on the implementation of the CEDAW committee's recommendations.

Health and Wellbeing

For full recovery and transformation of Liberian society, the work initiated in the post-conflict process must be continued. It is therefore recommended as a first step that a comprehensive database of service providers throughout the country be compiled and made available and accessible to the Liberian population, especially to the women. This activity should be implemented jointly between civil society, the government and UN agencies to avoid overlaps and to ensure that it is comprehensive, covering every small community based organization offering services of any kind that will contribute to the health and wellbeing of the nation.

More clinical and psychosocial services need to be provided and accessible to all, at decentralized levels, especially reaching out to the rural population. This includes the establishment of decentralized health clinics. Parts of these services should be tailored to accommodate survivors of sexual violence and ex-combatants paying special attention to reaching women and girls associated with the fighting forces.

Active Economic Participation

Since many women associated with the fighting forces were not able to participate in the skills training programs provided on demobilization, and that many women requested vocational training during the TRC process, it is recommended that skills training programs be decentralized and made accessible to all, especially to women and girls outside of Monrovia. It is further recommended that these training programs are designed based on an assessment of marketable skills needed in Liberia and is coordinated, vetted and certified by both the Ministries of Gender and Development and Labour to ensure that the training is appropriate and the quality is standardized. Furthermore, government should develop incentives for all employers to offer skills training by setting up a levy that employers pay which they can access for the skills training of employees.

It is noted that for many who have undertaken skills training there is an absence of opportunities to practice the skills as well as the lack of accessible markets. It is recommended that the Ministry of Gender and Development and partners explore opportunities for women to utilize the skills acquired and for market opportunities

where their goods can be sold.

The current legal and regulatory environment must be reworked to allow for the development of the microfinance sector and the provision of micro-credit for the poor and vulnerable especially women. The provision of these services must be linked to programs dealing with the root socio-cultural and traditional causes of gender inequality to avoid the backlash of violence that inevitably follows such financial empowerment programs.

Micro-credit schemes should especially target women associated with the fighting forces, internally displaced women, female single parents and caregivers, and war widows. Those providing micro-credit should be compelled to incorporate a basic business management course into the provision of micro-credit especially for semi-literate or illiterate women.

Donor funded support to microfinance has been limited. UNDP programs in some counties have been the only means of financial support for rural women. Donors need to look into more support for microfinance.

Training to build capacity and expertise in microfinance implementation must happen at all levels – national, county and community.

The Legal and regulatory framework also needs to be reworked to allow greater access for women to financial and banking services including training women and girls on how to conduct and manage their finances effectively. Academic, vocational and practical skills training should be provided. All loans should only be approved along with a mandatory training on how to use finances effectively for the purpose intended, and especially on how to start small businesses.

Agriculture and subsistence farming are a major source of income for women. Female extension workers must be recruited and trained to ensure that extension services are gender responsive. New farming technologies must be identified and taught to women farmers along with the provisions of farm tools and network support with other women farmers.

Community farming should be encouraged through training on sustainable farming, and empowerment through setting up of co-operatives with tools and seed provided initially.

Education

Government needs to urgently and effectively implement specific interventions addressing challenges in education, especially the engagement of qualified teachers to

schools in the country's more remote locations, which historically have suffered from poor levels of education.

The bias against women receiving formal education must be addressed at all levels, socially, economically and politically. The National Girl Child Education Policy must be implemented to address some of the following issues: Free and compulsory education for girls up to senior secondary level is recommended. Girls who become pregnant while at school must not be expelled. Government should ensure that counseling services are available at all schools as well as adequate sex education and awareness as preventative measures. In the event of girls becoming pregnant, services must be available for the girl to complete her education in a way that takes her health status into account. Teachers impregnating girls must be severely dealt with, through the setting up of enforceable codes of conduct for teachers and students.

Accurate data must be collected and analyzed annually on the enrolment of girls in school, and the obstacles they are facing should the enrolment not be reaching adequate levels. Government should also go further and investigate the dropout rate by keeping statistics on the numbers of girls graduating or completing their educational cycle, to ensure that the graduation figures match the enrolment figures.

It is further recommended that the Ministry of Education in conjunction with the Ministry of Gender and Development, UN and Civil society partners establish decentralized adult education programs, including night schools for women in which basic literacy and numeric skills can be taught. This needs to take all the socio-economic concerns of women into account, like safe transport, child care and affordability.

Poor learning environments must be assessed and improved to avoid teachers, ministry officers and students working and learning in substandard environments without desks, materials or electricity.

All unqualified teachers must be put on up skilling programs for basic teaching qualifications based on the fact that 65% of children in primary schools are taught by unqualified teachers. Forty-five percent of teachers have not completed high school.

Steps must be taken to organize the technical and vocational education and training system of Liberia which can provide the best opportunities for girls and also boys to acquire skills for income generation.

Increase access to quality basic education through physical rehabilitation of educational facilities, supply of teaching and learning materials, curriculum development, teacher training, school feeding, Accelerated Learning Programs (ALPs), and girls education programs.

Build management capacity of the Ministry of Education at central and county levels.

The Law and Discriminatory Practices

Although the statutory laws prohibit discriminatory practices, they make no specific provisions against discrimination in the private or domestic sphere. Access to justice is limited for women, particularly in the rural areas, and availability of legal aid is severely limited.

It is recommended that public education and awareness-raising be done on the existing national laws first, as well as international human rights conventions to which Liberia is a signatory.

It is recommended that more judges, prosecutors, magistrates are trained and sensitized on gender and discrimination. This includes clerks and other staff in the judicial system, whose negative attitudes towards women and their limited knowledge of rights, further limits women's access to the justice system.

It is recommended that a formal legal aid system is set up, coordinated and supported by the government and the judiciary to deal with the fact that poverty and illiteracy limits women's access to justice.

Public education on the law needs to be linked to literacy programs, since high illiteracy among women attempting to access justice, particularly in the counties and rural areas, limits their success. Since literacy is not a precondition for legal literacy, focus must be placed on educating women on their rights through different forms of communication as well.

An affirmative action policy or law must be developed and implemented to ensure that women's participation and inclusion does not rely on goodwill.

All current laws must be implemented rigorously, for example, the rape law. Monitoring systems must be established to investigate the weak implementation of the current laws.

All workplace discrimination within state institutions, particularly the traditionally male dominated sectors like the security sector, must be investigated and corrected with sanctions in place for sexual harassment, unequal incentive schemes, operational structures and bureaucratic procedures. Furthermore, substantive equality^{xxvi} must be practiced to ensure that women are not further discriminated against, by treating everybody the same.

A sensitive action research study of the nature and prevalence of female genital mutilation / cutting must be done. Public education of the outcomes, the dangers and the choices women have regarding this practice must then follow. Laws must be enacted to protect women and girls who choose not to follow this practice.

Reparations

In the aftermath of conflict or authoritarian rule, the state is responsible for reparations to victims whether in the form of restitution (restoring the victim to the original situation before the violation), compensation for economic damages, rehabilitation (medical and psychological care, legal and social services), satisfaction (public disclosure of the truth, public apologies, commemorations and tributes to victims), or guarantees of non-repetition through reform of state institutions.

All women who suffered sexual violations must receive free medical services

All women who suffered physical violence and are suffering as a result must receive free medical services

Psychosocial/trauma counseling for women must be continued

Scholarships must be provided to the children of women whose husbands, partners or breadwinners were killed

Individual reparation to be determined on a case-by case basis must be given to all women who either gave statements to the TRC or who testified at the public or in-camera hearings

GOL must facilitate the reunification of women who were used as sex slaves, bore children for fighters but whose children were taken away from them by fighters at the end of the war, and who want to be reunited with their children the opportunity to be reunited with their children. Most women have said this will facilitate their healing process and promote the ends of justice.

Women Associated with the Fighting Forces

A rehabilitation centre is crucial. Those who fought for years need total rehabilitation of the mind and need to learn new marketable skills. Facilities need to be decentralized and made available to people living in rural areas. These should be in the form of schools, clinics, training centers and so forth. Adult education is very necessary. Many girls are now parents and cannot go back to school.

The Disabled

Special support is needed for families with disabled members. They need to be empowered to start businesses and regain their dignity so that they can move on. Community empowerment and training needs to be done with community leaders and church groups etc to sensitize them to in turn educate their communities about the impact of mocking people who have suffered in the war and who have lost limbs etc

Victims of Sexual Violence

There should be specialized clinics for women to deal with the specific problems resulting from the violence of the war. Free and consistent healthcare must be provided for all survivors of rape and sexual violence medically and psychologically.

The Elderly

A large number of elderly women have been rendered destitute and without families, and must be re-integrated into society. Government and civil society are called upon to develop innovative programs that will restore these women's dignity and pride. Examples of this can be taken from other countries where the elderly have been taken into homes as child minders (adopt a grandmother), or to offer some assistance to families struggling to recover their family values. Homes for the elderly should be established in the main urban centers, subsidized by government where no family member or family can be found to 'adopt' the person. All the elderly women should be given free medical attention.

War Widows

Women rendered widows by the war need to be empowered to understand their rights, and steps need to be taken to ensure that those who were working their husband's lands are granted access and ownership to that land. All war widows should receive free psychosocial counseling.

Displaced and Homeless

Women who lost track of their children and families need a special service to be established that they can access, to reunite them with their missing family, and to be assisted to return to their original homes if that is what they deem appropriate. These women have also lost their properties and homes so a rebuilding plan is essential. Building materials should be subsidized and made available to women who can

present a rebuilding plan. In the interest of reconciliation, the perpetrators who destroyed homes should be involved in this plan as part of community reparations to the victims.

Memorialization

The increased recognition of memorialization within the transitional justice field is exemplified by the recommendations made by various truth commission reports, which endorse the idea of symbolic reparations in the form of memorials, sites of memory, commemorative days, the renaming of public facilities in the names of victims, and other artistic/cultural endeavors. Collective memories built around war and violence play an important role in the process of rebuilding positive ties between the different segments of a society. Particularly crucial in such a process are the public and private rituals and narratives that sustain collective and individual memories of the history, causes and course of mass crime, and allow the re-interpretation and re-assertion of the belief systems. However, while memorialization can be a bridge between past and future and contribute to reconciliation and healing projects, in many instances it further marginalizes women. Women's experiences, contributions, struggles for change, and campaigns for peace in Liberia, must be mainstreamed into the memorialization practice to ensure that they serve as mechanisms for inspiration and motivation for current and future generations. This would also encourage civic engagement around women's experiences of conflict, breaking cultures of silences and shame, and furthering the course towards gender equality.

Throughout the work of the TRC Gender Unit, there were persistent calls for memorials and ways to commemorate the dead especially from the women. It is therefore recommended that government and civil society work together with the communities, to identify sites to build monuments where they are appropriate and most honoring of those whose lives were lost during the civil war. It is especially important to memorialize sites of massacres, to hold mourning days, rites or feasts, or to write the names of the people who died during the war. Government is called upon to devise creative ways to engage the population and ensure that the voices of those remaining, particularly the women participate in devising and deciding who and what will be remembered where and how.

Institutional Reform / Vetting

Under institutional reform, vetting is increasingly implemented to address human rights abuses. It is defined as a formal process for the identification and removal of individuals responsible for abuses from public office. Vetting is becoming an integral part of the process of restoring trust in organs of the state, in an attempt to ensure that the structures that facilitated human rights abuses in the past no longer exist. The

collapse of the rule of law during the war with the army and the police involved in perpetrating acts of violence on civilians makes credible institutional reform essential for citizens, especially women, to regain their trust in the state organs. It is also vital that Liberian state institutions reform and transform so as to promote and foster gender equality. The institutional reform process should transform such institutions into efficient and fair institutions that respect human rights, maintain peace, and preserve the rule of law. Institutional reform measures in Liberia are recommended to create the following in all public institutions such as the police and the military:

- the creation of oversight, complaint and disciplinary procedures;
- public education and awareness campaigns to train the public, especially women, on how to access recourse if the system discriminates against them or is harmful, especially the translation of such procedures into Liberian English and other accessible forms of communication.
- the reform or establishment of new legal frameworks;
- the development or revision of ethical guidelines and codes of conduct;
- the provision of adequate salaries, equipment and infrastructure;
- the reform of all institutions by screening and removing personnel who are deemed unsuitable for public employment, due to their willing participation in acts of violence and destruction during the war, from, for example, the security forces, the police or the judiciary.

The State needs to further ensure that women-friendly environments are developed within the police and judiciary for the reporting of sexual and GBV. More females must be recruited into the security sector and trained adequately to build their capacity, and more must be promoted into management and decision making positions as well. Adequate sexual harassment policies must be adopted and enforced within these sectors. Attractive incentives must be created to recruit women; including child care, promotional opportunities, and evidence that gender stereotyping is absent.

The Media

All forms of media in Liberia are powerful socializing agents and must be reformed and transformed to reflect the nation's serious commitment to gender equality. More women must be trained and advanced to take up leadership positions within the media. Media monitoring and watchdog mechanisms should be established to ensure that the messaging from the media is not perpetuating harmful gender stereotypes,

and/or objectifying women and girls.

Truth-Telling and Reconciliation

Truth-telling and truth-seeking is not just the prerogative of the TRC and is a vital component to lasting unity and reconciliation amongst and between people. It is also a pre-requisite for closure and healing to take place. This is most meaningful at the community level. It is therefore recommended that community forums, 'palava hut' forms, and other broader national and regional mechanisms be set in place for more truth-telling to take place, which will lead to community reconciliation. Furthermore, peace-building should be included into educational curricula and taught in schools, with more awareness placed on reconciliation, what it means, and how it can be effected at community level and between perpetrator and victim. Traditional leaders, especially female leaders, should be trained to facilitate reconciliation and to use their influence at the community level to foster unity and peace.

The Human Rights Commission (HRC)

This is an important institution which will follow on after the TRC. It needs to be reconstituted immediately so that it can begin to work alongside or soon after the closure of the TRC to avoid too big a gap between the two institutions. A special task force should be created to look into the issue of reparations, with the HRC holding full responsibility for the monitoring of this process and holding it accountable. The HRC should be given the same mandate as the TRC in terms of ensuring that women's needs are catered for and that gender equality remains high on their list of priorities.

Prosecutions and Amnesty

The culture of impunity in Liberia has had a severe impact and dire consequences for women and girls. The state failed completely to protect them as civilians during the war and even in the post conflict periods, deepening this culture and allowing women's bodies to become the battlefield through which the war was fought. For women and girls, it is absolutely imperative to end the culture of impunity. It is therefore recommended that war-lords and heads of fighting factions be punished for initiating, encouraging, participating in and perpetuating crimes against women during the war and in the post conflict periods. This punishment must be real, and justice must be seen to be done. This should involve jail-time, hard labor, and seizure of property or other ill-gotten gains. Public apologies from the warring factions must be mandated and reparations sought from them personally. Amnesty should only be considered with full disclosure and remorse for crimes against women. All child soldiers should be given conditional amnesty with the condition being mandatory rehabilitation.

Civil Society

Civil society needs to get together and form a strong coalition body that will critically look at itself, accept the criticisms and fill the gaps that are identified. They should ensure that they remain independent from government to maintain their watchdog status to hold government accountable, and to work more effectively alongside government programs.

Government

It is recommended that the boundaries between civil society and the Ministry of Gender and Development be clarified to ensure that the two work in tandem with transparent systems for vetting and choosing partners from civil society.

Advancing Women's Rights beyond the TRC

After all the testimonies, hearings, workshops, and the end of the TRC, it is critical that women ensure that their rights are advanced and harm committed against them is repaired. It is therefore further recommended that:

Sensitization of women's rights happens through media, drama, or workshops since many women do not know their rights in Liberia. They have lost their husbands, land has been taken away and so forth, and they need to know exactly what rights they have and how to access them. **(Right to Knowledge; Access to Information).**

All the national and international laws need to be disseminated in a simplified way throughout Liberia, so that everyone knows what they are and how to use them. Only two people from a group of 25 at the national conference knew about the Inheritance Law which has already been enacted. Throughout Liberia there is still confusion when traditional marriages are dissolved. **(Equal Right to Inherit for Men and Women)**

All women should be assisted to regain their lost livelihoods and/ or be given the information they need to understand that they have a right to claim these losses. Many women lost businesses during the war, and also their male relatives who were helping them. They are left with small children and no means of income. There should be a scheme to assist these women to go back to their business and to start over. **(Right to Work; Right to an adequate standard of living).**

Illiteracy is highest amongst women. Market women need to be literate. Many live in communities where there are no public schools. Women are being charged fees to attend school, when education up to grade 9 is free. So they need literacy programs, more primary schools in rural communities and knowledge about the system. **(Right**

to education).

Many women are living at the mercy of family and friends having lost their homes in the war. Low cost housing schemes must be provided. **(Right to Housing).**

The DDDR program did not cater for victims. They need assistance such as skills training, medical care, and scholarships for their children, and trauma counseling. A resettlement fund should be made available, victims identified and given assistance to go back to their homes and start over.

Legal Aid must be provided to women who are being thrown out by their husbands and husbands' relatives.

ENDNOTES

- ¹ Fourth Witness, Robertsport, Grand Cape Mount County

- ⁱ Irene Peitropaoli, Gender Advisor, Concern Worldwide
- ⁱⁱ Evelyne Schmid SHUR Project Final Conference “Human Rights in Conflict – The role of Civil Society”, 4-6 June 2009, Luiss University, Rome.
- ⁱⁱⁱ International Journal of Transitional Justice, Volume 1, Number 3, 2007 www.ijtj.oxfordjournals.org
- ^{iv} See the TRC Final Report Volume I and the work of Sleh, Toe and Weah in *Impunity Under Attack* (cited below) for a full description of Liberian history leading up to the war.
- ^v See Accord Publications for articles on Liberian history and peace processes on Conciliation Resources website www.c-r.org
- ^{vi} A Full description can be found in Sleh, Aaron, Toe, Samuel and Weah, Aaron (2008) *Impunity Under Attack* Monrovia: Civic Initiative pp 116-150
- ^{vii} Comprehensive Peace Agreement Between the Government of Liberia and the Liberians United for Reconciliation and Democracy(LURD) and the Movement for Democracy in Liberia (MODEL) and Political Parties at www.iss.co.za/af/regorg/unity_to_union/pdfs/ecowas/liberiapeace.pdf.
- ^{viii} Retributive justice is a theory of justice that considers that punishment, if proportionate, is a morally acceptable response to crime, with an eye to the satisfaction and psychological benefits it can bestow to the aggrieved party, its intimates and society.
- ^{ix} See Culture and customs of Liberia By Ayodeji Olukoju, Greenwood Publishing Group, 2006.
- ^x Available from the Association of Female Lawyers of Liberia (AFELL) in Monrovia.
- ^{xi} The full gender policy document is available as an annex to this report
- ^{xii} The role and experiences of women in the Liberian conflict. A study done by E. Julu Swen, Inquiry Officer, TRC Liberia, January 2008
- ^{xiii} Full reports on all the projects and activities of the TRC gender unit are available in the TRC archives.
- ^{xiv} See Benetech TRC Descriptive reports
- ^{xv} World of Work Magazine No 54 August 2005
- ^{xvi} See Liberian Women Peacemakers: Fighting for the right to be seen, heard and counted by African Women Peace Support Group.
- ^{xvii} This section needs more work as all women associated with the fighting forces are not included and the information on the DDRR process has not been verified and is from one source only i.e. ILO study
- ^{xviii} ILO Study
- ^{xix} Masculinity and transitional Justice: an exploratory essay by Brandon Hamber in the International Journal of Transitional Justice Volume 1, 2007 www.ijtj.oxfordjournals.org.
- ^{xx} Anecdotal evidence from stories captured by the TRC and civil society in their project reports.
- ^{xxi} See Journal of American Medical Association
- ^{xxii} See Isis-WICCE report November 2008. A Situation Analysis of the Women Survivors of the 1989 – 2003 armed conflict in Liberia.
- ^{xxiii} This information is from government, civil society and UN reports compiled for CEDAW. The information has been summarized and has not been verified by any other sources of information with regard to the accuracy of statistics.
- ^{xxiv} The Convention on the Elimination of all Forms of Discrimination Against Women (acceded in 1984);The United Nations Declaration on the Elimination of Violence Against Women (1993); The Beijing Declaration and Platform for Action (1995);The 1998 Rome Statute of the International Criminal Court; The African Charter on the Rights and Welfare of the Child (OAU, 1990); The OAU Declaration on the African Platform of Action on the Situation of Women in Africa (1995); International Covenant on Civil and Political Rights (ICCPR ratified 2004); International Covenant on Economic, Social and Cultural Rights (ICESCR acceded 2004); International Convention on the Elimination of All Forms of Racial Discrimination (ICERD acceded 1976); and Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT acceded 2004). (CEDAW was ratified since 17th July 1984 but not published hence not widely publicized among the citizenry for effective application of its provisions.)

^{xxv} See the Liberian Demographic Health Survey

^{xxvi} Substantive equality recognizes that entitlements, opportunities and access are not equally distributed and there may be barriers resulting in unequal outcomes for particular groups. It acknowledges that where systems tailor their facilities to the needs of the majority group, others with different needs may miss out. Equal treatment, therefore, is not about treating all people the same, it is about treating people differently in order to cater for different needs. While formal gender equality judges the form of a rule, requiring that it treat women and men on the same terms without special barriers or favors on account of their sex, substantive equality looks to a rule's results or effects. Formal rule equality often does not produce equal results because of significant differences in the characteristics and circumstances of women and men. Advocates of substantive equality demand that rules take account of these differences to avoid gender-related outcomes that are considered unfair.

Annex:**GENDER POLICY
Of the TRC of Liberia****INTRODUCTION**

Men and women experienced Liberia's armed conflict and its multiple impacts in different ways. For historical, cultural, social, political and economic reasons, women's experiences are often under-represented and distorted. Recognizing this, the TRC Act includes a number of gender-sensitive provisions:

ARTICLE IV, Section 4 of the TRC ACT:

The objectives/purpose of the Commission shall be to promote national peace, security, unity and reconciliation by:

- a. Investigating gross human rights violations and violations of international humanitarian law as well as abuses that occurred, including massacres, sexual violations, murder, extra-judicial killings and economic crimes, such as the exploitation of natural or public resources to perpetuate armed conflicts....
- e. Adopting specific mechanisms and procedures to address the experiences of women, children, and vulnerable groups, paying particular attention to gender-based violations, as well as to the issue of child soldiers....

ARTICLE VI, Section 24 of the TRC ACT:

The TRC shall consider and be sensitive to issues of human rights violations, gender and gender-based violence thus ensuring that no one with a known record of human rights violations are employed by the TRC and that gender mainstreaming characterizes its work, operations and functions...

This Gender Policy consolidates these points and, in some instances, expands them to further clarify its general policy that the TRC's work will be gender-balanced and gender-sensitive. The articulation of this Gender Policy stems from several sources: the TRC Act, women's comments at town hall meetings and the results of general and focus group discussions in women's zonal workshops.

This document is meant to define the TRC's principles of gender equity and equality and promote a common understanding that gender equality and equity is key to the thorough investigation of gross human rights violations, the search for and articulation of truth about Liberia's past, and reconciliation that contributes not only to healing past abuses but that also encourages new and creative negotiations of gender roles.

The TRC affirms that it will -

- work with women and men to reveal gendered patterns of human rights violations and economic, political and social-cultural conditions, including

- sexual identity and gender roles, which enabled these patterns of abuse.
- create special mechanisms to ensure the participation, protection and representation of women in all TRC programs and functions.
- reflect a commitment to gender equality and equity within its own internal structures

AIMS AND OBJECTIVES

The threefold focus of gender equality and equity in the TRC process comprises:

- gender equality and equity within the TRC's structure and management,
- equal and unbiased representation of women in all TRC communications, materials and reports, and
- women's equal access to TRC operations and programs, and

In order to successfully achieve all three objectives, the TRC is committed to -

- Hire or appoint a gender expert to work within the TRC: Considering the range of activities needed to "put flesh" on the TRC Gender Policy, development of a special Gender Unit (this could be subsumed under the existing Gender Committee as a working group comprised of TRC staff) and/or full-time gender expert is warranted. This step – the design of responsibilities for a gender expert – will be essential in determining the gender component of TRC's structure and programs. It is possible that someone among the TRC's current staff or Commissioners might fulfill these tasks; If it is determined that this is this case, this person will be designated as such.¹
- Develop proposals & identify donors to fund all activities of this gender work plan that cannot be covered by the current budget.
- Work with women's groups throughout Liberia to address the needs of women and respond to their concerns or questions. Information gathered in collaboration with women's groups will inform the policy and policy priorities of the TRC.

The following pages present an overview of gender issues relevant to the functioning of the TRC and sets out a detailed list of strategies to address the needs arising therein.

I. GENDER EQUALITY AND EQUITY WITHIN THE TRC'S STRUCTURE AND MANAGEMENT

To ensure a gender balance within the work of the TRC, the TRC is committed to guaranteeing that its own internal structures are themselves gender balanced and equitable. This commitment to gender balance will inform recruitment and development of Commissioners, program and administrative staff, and volunteers, targeting at least 40% of all TRC positions for women. No known perpetrator of human rights violations, including gender and sex-based violence, will be employed by the TRC. Periodic gender training will be provided for Commissioners and staff. All evaluation and monitoring practices within the TRC will include a gender perspective.

TRC non-discrimination practices that include gender parity in salary scales and promotion, maternity leave, and zero tolerance of sexual harassment, exploitation and abuse will ensure a safe and productive working environment while enabling men and women to participate fully in work and family life. We will allocate adequate staff and resources to realize our gender policy and work plan.

Strategies to ensure gender equality and equity within the TRC's structure and management:

1. Hiring and staffing policies:

- Undertake a review of gender balance among staff: Once a staff person has been hired/designated as the gender expert, a full review of the gender balance of staff shall be carried as a matter of priority. This task is a simple mapping of the gender breakdown at all echelons of the TRC structure to determine which, if any, areas may need special attention or gender training.

2. General office policies

- Undertake a review of rules and regulations related to the workplace: The gender expert will collect and review all current rules and regulations of the TRC to ensure that issues of gender are adequately covered; in some cases additions or editions may be recommended.
- Undertake a review of office space, including lavatories: Use of office space will be reviewed to see if women are particularly disadvantaged or their work made difficult/uncomfortable; explore possibility of establishing sex-segregated lavatories
- Undertake a review of employee contracts: Same as above; all contracts to be reviewed from a gender perspective – for example are statement takers allowed enough time off to be with family each month? Are there provisions for maternity leave? etc.
- Undertake a review of monitoring & evaluation instruments & procedures: the gender expert will advise the Commission on procedures and instruments to ensure that all aspects of the Commission's structure, management and programs are regularly monitored using instruments that incorporate gender indicators.

3. Sensitization and awareness among staff

- Gender training for Commissioners: together with Commissioners the gender expert will identify areas where greater information and knowledge is desirable and a schedule and method/s for sharing it; such topics might include the joint development of monitoring & evaluation tools for a gendered review of TRC programs; a review of gendered patterns of human rights violations as documented by other TRCs, research topics that might be recommended to the TRC Research Unit, a review of security and confidentiality procedures (once they have been articulated), etc.
- Gender training for staff: together with staff the gender expert will identify areas

where greater information and knowledge is desirable and a schedule and method/s for sharing it; such topics might include discussion of sexual harassment, how to develop gender sensitive training materials, how to screen TRC materials from a gender perspective, the difference between gender equality and gender equity and how they can be achieved in TRC, other issues related to gender in the TRC workplace

- Gender training for statement-takers: Gender trainings for statement-takers have thus far primarily focused on issues related to documentation and sexual- or gender-based violence (SGBV). However, it is important that statement-takers understand the importance of seeking and documenting the full range of women's experiences of the conflict, recognizing that SGBV is only one violation. Topics for future training might include: women's experiences of economic crimes, torture, detention; the impact of the war on gender roles, women combatants, women's strategies of survival and peace during the war, etc.
- Gender training for investigators and researchers: the gender expert will work closely with the investigation and research units to develop topics and methods for investigating and researching topics that may be particularly important to a gendered analysis of human rights violations. Such topics might include the role of women in illegal logging and mining as well as the impact of this on rural women, on women who benefited from this illegal activity; the experience of women refugees; the experience of women small-scale entrepreneurs engaged in cross-border trade; the varied experiences of women combatants, etc.

II. ENSURE EQUAL AND UNBIASED REPRESENTATION OF WOMEN IN ALL TRC MATERIALS

In addition to its commitment to internal gender balance, the TRC is dedicated to being gender balanced in its external communications and public materials. The TRC therefore commits to making sure that women are adequately represented in all its written communications, materials and reports as well as audio-visual materials. In the production of these materials, the TRC will avoid stereotypical images of women and women's roles during the conflict and in daily life.

Strategies to ensure equal and unbiased representation of women in all TRC materials:

- Develop gender-sensitive Media & Outreach guidelines: create clear and simple guidelines for use by all staff and program units in their communications and reports that will avoid biased or stereotypical representations of people on the basis of sex, age, ethnicity, religion, etc.
- review current materials, reports, etc.: Together with the Media and Outreach Unit, the gender expert will review current materials and, if particularly egregious PR materials are discovered, develop alternatives

III. ENSURE WOMEN'S EQUAL ACCESS TO TRC PROGRAMS AND OPERATIONS

The TRC will seek to ensure women's equal access to and maximize women's participation in TRC programs and functions through the design and implementation of special outreach and security mechanisms such as women's zonal workshops and in-camera hearings. The Commission will encourage discussion and forums across the organization regarding opportunities and challenges faced in relation to gender issues. Individual and team objectives will demonstrate a commitment to gender equity. We will seek to ensure that the range of women's experiences is integrated into TRC thematic hearings, research and investigations and their specific needs addressed by any counseling and reparations activities undertaken by the TRC. We will seek women's input regarding recommendations to be included in the Final Report. Commitment to gender equity will also inform TRC partnerships with civil society.

Strategies to ensure women's equal access to TRC programs and operations:

1. Overall considerations

- Review status of witness protection program and other security procedures: the gender expert will discuss together with Commissioners, the Security committee, and other relevant parties the expressed need for and feasibility of such a program and make a decision about how to proceed. Other security procedures in the field, in the central office and for public hearings will also be periodically reviewed.
- Develop a strategy on psychosocial services: several proposals for development of a TRC unit to provide psychosocial services have been presented to the TRC, but it has not been possible to pursue them due to lack of funding. Because the provision of these services is particularly important to encourage and support women in the TRC process as staff, deponents and hearing participants, this task deserves priority attention.
- Review confidentiality mechanisms, particularly of written materials: although the TRC has an expressed commitment to confidentiality, the sections re confidentiality in the TRC Act (Section 25, Article VI & Section 41, Article IX) cover confidentiality among Commissioners and staff members; however, procedures to ensure the storage of written information, including the transport and storage of statements, has yet to be clearly articulated and implemented.

2. Outreach

- Develop working doc re. special strategies/mechanisms for women's outreach and sensitization: this will primarily be a compilation of recommendations from zonal workshops where one of the focus groups discussed this topic; once compiled this can be circulated to all county teams for review and implementation.
- Develop a family-based approach to outreach activities: it is important not only for women to understand the value of their contribution to the TRC process, but also for their husbands and family members to recognize this value.

Therefore, the gender expert will help the Outreach unit develop a more family-based approach to outreach and/or to the possibility of targeting men to receive information about the psychological impact of sexual violations on women as a way to encourage men to support women who want to speak to TRC.

3. Statement-Taking

- Review of statement-taking form: Although the statement-taking form has already been revised once, further review is needed. Section IV on impact of the conflict is gender blind in that it neglects specific mention of physical or psychological impacts of SGBV. Also, the signed portion of the form does not include any statement regarding confidentiality nor is permission granted for writers of the final report to use materials available from the statements.
- Periodic review of statements for gender balance: statements will be periodically reviewed to check the number of statements given by women as well as the number of statements about violations against women

4. Database and Coding

- Review of database & coding procedures: The gender expert will determine whether or not the current coding process and database accommodate the range of sex-disaggregated data that is needed for gender analysis. Questions to answer include: Are sexual violations clearly coded? Is there coding for rape-related injuries or death?

5. Public Hearings

- Develop working doc re. women's public hearing: although a general "check list" of preparatory steps applicable to all public hearings is currently being prepared, another document to help the TRC Gender Committee to think through the range of objectives/purposes of a women's public hearing, the kind of public education to be achieved, and the various representations of experience and submissions most appropriate for a public hearing²

6. Research and Investigations

- Develop working doc re. women and investigations: it is imagined that this document would include a code of ethics in carrying out investigations that involve women as well as an overall plan of gender goals to be achieved as part of TRC investigations³
- Develop working doc. re. women and research: same as above, but regarding research. It is possible that these two document be combined into one that pertains to women and inquiry at the TRC.

7. Final report and recommendations

- Develop working doc. re. women and reparations: The TRC Act refers to reparations directly in Article VII, Section 26(j) under "Making

recommendations to the Head of State” and indirectly in Article IX, Section 38 where it is stated that “The TRC shall create a trust fund for the benefit of victims and survivors of the crises...”. In both instances the reparations are situated at the end of the TRC process and do not allow for a response to victims, particularly women and children who may have urgent needs that cannot wait for the end of the process before they are met. This document could outline measures the TRC could take in such situations – such as women suffering mental health problems, efforts to reunify parents & children, absolutely destitute widows, etc – including criteria for response, a clear and manageable referral system, etc.

- Develop working doc re women and the final report: In discussion with Commissioners and ITAC, this document would articulate the kind of information and gender analysis to be included in the final report as well as identifying those who will help to develop the analysis. Do all agree there will be a separate chapter on findings about women? How will a gender perspective be integrated into all chapters of the final report?

OVERSIGHT AND MONITORING

The goals and strategies listed above are intended as a starting point in ensuring gender equity and equality through the work of the TRC, but these goals and strategies should be reviewed and amended periodically through the course of the TRC’s work. To ensure that the strategies detailed above are implemented, and to undertake this periodic review and assessment of the gender work, the Gender Committee of the TRC should continue to act in an oversight and monitoring capacity. Regular consultations between the gender expert and the Gender Committee should be organized so that all work happens in a coordinated fashion.

ENDNOTES

¹ A draft Terms of Reference for a gender expert has been proposed by Karen Campbell, a gender consultant who spent six weeks working with the TRC in December 2006 and January 2007.

² See separate document on Recommendations for Women’s Public Hearings.

³ See separate document on Recommendations for Women and Research and Investigations.

