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Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Sierra Leone - Researched and compiled by the Refugee Documentation Centre of Ireland on 18 March 2010

Information on violence against women and threat of forced marriage; information on state protection for women fearing forced marriage

A *Voice of America* story in March 2010 states:

“After what the United Nations and civil society groups see as an "alarming" number of sexual abuse cases during the past three months in Sierra Leone, they are calling for action to end impunity in violence against women, especially young girls” (Voice of America, (8 March 2010), *UN: Sexual Violence Against Girls in Sierra Leone 'Alarming'*). This story also states:

“According to the United Nations, nearly all Sierra Leonean women will suffer some form of sexual or gender-based violence in their lifetime. Many cases go unreported and reported cases seldom lead to convictions. Of more than 7,500 reports in the past 10 years, 40 ended with a conviction. The government has placed Family Support Units in police departments tasked with protecting victims of sexual and domestic violence. But there are just 43 family support units operating across the country, with few trained staff and no vehicles or basic forensic equipment” (ibid).

The *United States Department of State* report in March 2010 reviewing events of 2009 notes:

“The law prohibits rape, which is punishable by up to 14 years' imprisonment; however, rape was common and viewed more as a societal norm than a criminal problem. The law does not specifically prohibit spousal rape. Cases of rape were underreported and indictments were rare, especially in rural areas. This reluctance to pursue justice for women, combined with a lack of women's income and economic independence, helped perpetuate a cycle of violence and a culture of impunity for violence against women” (United States Department of State, (11 March 2010), *2009 Human Rights Report: Sierra Leone*, Section 6 Discrimination, Societal Abuses, and Trafficking in Persons, Women).

This report also states:

“Domestic violence against women, especially wife beating and rape, was common and often surrounded by a culture of silence. The police were unlikely to intervene in domestic disputes except in cases involving injury or death” (ibid). This report also notes: “The law on customary marriages and divorce empowers either spouse to acquire property and guarantees that gifts, payments, or dowries upon marriage are nonrefundable, allowing women in unhappy marriages to divorce without being forced to return dowries” (ibid). Considering ‘children’ the report states: “The law prohibits marriage of girls under the age of 18, including forced marriage. Despite the new legislation, forced child marriage continued to

be a problem” (*ibid*, Section 6 Discrimination, Societal Abuses, and Trafficking in Persons, Children).

The *United Nations Development Programme* in February 2010 notes:

“In calling for the media to take a more pivotal role in combating Sexual and Gender based Violence (SGBV), Samuel Harbor, UNDP Deputy Country Director said, “inequalities between men and women (in Sierra Leone) are some of the worst in the world with Sierra Leone at the bottom of the UNDP Human Development index and ranking 180th out of 182 countries for overall human development in 2009.” Speaking at the opening of a workshop, to improve media participation in the reporting of SGBV in Sierra Leone, he said, “by the end of her life span, nearly all Sierra Leonean women will suffer from some form of sexual or gender based violence.” “ (United Nations Development Programme, (10 February 2010), *Sierra Leone: sexual violence remains unpunished*).

In January 2010 *Human Rights Watch* reviewing events of 2009 states:

“The only legal system accessible to some 70 percent of the population is one based on customary courts controlled by traditional leaders and applying customary law, which is often discriminatory, particularly against women” (Human Rights Watch, (20 January 2010), *World Report 2010 Sierra Leone*,p.2).

An *Amnesty International* report in September 2009 states:

“Forced marriages are also common, especially in rural areas, linked to both social practice and poverty” (Amnesty International, (22 September 2009), *Out of Reach: The Cost of Maternal Health in Sierra Leone*,p.9).

Freedom House in July 2009 reviewing events of 2008 state:

“Despite constitutionally guaranteed equality, women face extensive legal and de facto discrimination, as well as limited access to education and formal employment. Women’s status under customary law is equal to that of minors. Parliament in 2007 passed laws to prohibit domestic violence, grant women the right to inherit property, and outlaw forced marriage” (Freedom House, (16 July 2009), *Freedom in the World - Sierra Leone (2009)*).

An *IRIN News* story in July 2009 states:

“Sierra Leone in 2007 passed innovative laws aimed at reinforcing women’s rights and clamping down on sexual violence, but as the government and social services struggle to implement the laws crimes against women remain rampant, officials say. Up to 67 percent of urban Sierra Leonean women were victims of domestic violence in 2008, Fatu Kargbo, a director in the Ministry of Social Welfare, Gender and Children’s Affairs (MSWBCA) told IRIN” (IRIN, (30 July 2009), *Sierra Leone: Sexual violence defies new law*).

In July 2009 *IANSA Womens network* states:

“Women in Sierra Leone, who are mostly victims of domestic violence, have developed a culture of silence simply because the perpetrators are hardly punished by either the state or the traditional leaders. In fact, most women have accepted these crimes as part of their way of life” (IANSA Womens Network, (July 2009), *Report On Two Day Seminar With Members Of The Defence And Presidential Affairs Committee On Disarming Domestic Violence And The Bill On Arms And Ammunition*).

An IRIN News story in February 2009 states:

“The Special Court for Sierra Leone on 25 February convicted three former leaders of the Revolutionary United Front (RUF), marking the first time a court has convicted on the charge of “forced marriage”. “ (IRIN News, (26 February 2009), *Sierra Leone: “Forced marriage” conviction a first*). This story also states: “The prosecution argued that forced marriage should be considered a crime against humanity distinct from other forms of sexual violence such as sexual slavery because of the length of the association and its domestic nature” (ibid).

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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